



City Council Meeting and Public Hearing NOVEMBER 27, 2017

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

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS

A. Veteran's Day - DAR - Patriots of Liberty Chapter (Alpharetta)

B. Native American Heritage Month - DAR - Patriots of Liberty Chapter (Alpharetta)

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 11/13/2017)

B. Alcoholic Beverage License Applications

**PH_17-AB-27 Chuy's Opco, Inc.
d/b/a Chuy's
2560 Old Milton Parkway, Ste. 120
Alpharetta, GA 30009**

**Consumption on Premises
Beer, Liquor, Wine- Sunday Sales**

**Owner: Opco, Inc.
Registered Agent: Michael Sard**

**PH-17-AB-28 TCD Studios, LLC
d/b/a Painting with a Twist
11770 Hanyes Bridge Road Ste. 801
Alpharetta, GA 30009**

**Consumption on Premises
Beer, Wine, Liquor- Sunday Sales**

**Owner: Shyam Dalmia
Registered Agent: Shyam Dalmia**

VI. PUBLIC HEARING

A. V-17-34: JSB Homes/Hopewell

Consideration of a variance request to allow a private street within a residential lot to allow for the subdivision of a residential lot into 2 lots. The property is located on the west side of Hopewell and is legally described as being located in Land Lot 1125, 2nd District, 2nd Section, Fulton County, Georgia.

B. PH-17-28: Haynes Bridge Road Abandonment

Consideration of a road abandonment of the 0.49-acre portion of the Haynes Bridge Road right-of-way in order to develop a retail center and single-family detached lots.

C. PH-17-30: Fulton Science Academy

Consideration of a request to change previous conditions of zoning to allow a temporary modular classroom building. The property is located at 3035 Fanfare Way and is legally described as being located in Land Lots 688, 689 & 700, 1st District, 2nd Section, Fulton County, Georgia.

VII. NEW BUSINESS

A. Design Services: Big Creek Greenway Extension

B. Design Services: Webb Bridge Road And Academy Street Improvements

C. Certification of 2017 City of Alpharetta General Election Results

D. Resolution Approving Memorandum of Mediated Settlement Agreement (Fulton Co. et al v. Drivetime Car Sales Company, et.al.)

VIII. WORKSHOP

**A. Downtown Parking Management Plan Update-
Pay in Lieu Fee Recommendations**

IX. PUBLIC COMMENT

X. REPORTS

XI. ADJOURNMENT



City Council Meeting and Public Hearing Summary NOVEMBER 13, 2017

OFFICE OF THE CITY CLERK
678-297-6003

WWW.ALPHARETTA.GA.US

PREPARED BY: COTY THIGPEN

PUBLISHED:

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

I. CALL TO ORDER

❖ Mayor Belle Isle called the meeting to order at 6:30 PM

II. ROLL CALL

- Council Members
 - o Mayor David Belle Isle
 - o Chris Owens (Mayor Pro Tem)
 - o Jason Binder
 - o Jim Gilvin
 - o Mike Kennedy
 - o Dan Merkel
 - o Donald Mitchell
- Staff
 - o Bob Regus, City Administrator
 - o Coty Thigpen, City Clerk
 - o Sam Thomas, City Attorney
 - o James Drinkard, Asst. City Administrator
 - o Peter Sewczwicz, Director of Public Works
 - o Wes McCall, Deputy Director of Public Safety
 - o Morgan Rodgers, Director of Recreation and Parks
 - o Kathi Cook, Director of Community Development
 - o Michael Woodman, Senior Planner

- o Eric Graves, Senior Engineer

III. PRESENTATIONS

- A. Presentation to Machell Stone, 911 Communications- 20 Year Service Award

IV. PLEDGE TO THE FLAG

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 11/6/2017)

- B. Alcoholic Beverage License Applications

PH-17-AB-25

Consumption on Premises

Liquor, Beer, Wine & Sunday Sales Merritt
Hospitality, LLC

d/b/a The Hotel at Avalon

9000 Avalon Blvd

Alpharetta, GA 30009

Owner: HEI Hospitality, LLC

Registered Agent: Michael Sard

PH-17-AB-26

Consumption on Premises

Beer, Wine, Liquor & Sunday Sales

North Point Sports, LLC

d/b/a Hudson Grille North POint

7955 North Point Parkway

Alpharetta, GA 30009

Owner: Amy Landau

Registered Agent: Amy Landau

❖ *Council Member Merkel offered a motion to approve the Consent Agenda*

- *The motion received a second from Council Member Gilvin*
- *The motion was approved 7-0*

VI. PUBLIC HEARING

- A. PH-17-33 Road Abandonment Portion of Old Canton Street (Council Only) **This item has been withdrawn by the Applicant. It will not be considered.**

Consideration of a request to abandon a portion of the Old Canton Street right-of-way to allow the area to be used for a public gathering space. The property is located at Old Canton Street, just north of Milton Avenue and adjacent to Old Milton Park and is legally described as Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

B. CLUP-17-05/Z-17-12/V-17-28 Villa Magnolia/Parkland Communities

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- This item was heard at the November 2, 2017 Planning Commission meeting. Several residents spoke in favor and in opposition to the request, with concerns over losing Matilda's music venue, traffic and residential not being appropriate for the area. After discussion, the Planning Commission recommended to approve the item, subject to conditions. Vote (5-2)
- Staff recommended approval of CLUP-17-05/Z-17-06/V-17-13 Villa Magnolia/Parkland Communities, subject to the following conditions:
 1. The site, consisting of approximately 3.53 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by Advanced Engineering + Planning, dated 10/13/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning. Commercial building shall remain as depicted on the approved site plan.
 2. The comprehensive land use plan designation of the property shall be Downtown Residential Density.
 3. Minimum building setbacks shall be:
 - a. Front – 10'
 - b. Side – 0' (10' between structures)
 - c. Rear – 10' (as measured from edge of alley)
 4. Architecture and materials shall be substantially similar to the submitted renderings, except for modifications required to comply with these conditions and Staff comments, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. Front porches and stoops shall have a minimum depth of 8'. Bay windows shall have a minimum depth of 2'.
 5. A minimum 20' partially disturbed buffer, replanted where sparse, shall be provided to the east and west and shall be supplemented with evergreen trees and shrubs to provide a visual screen, as approved by Staff. A minimum 30' partially disturbed buffer, replanted where sparse, shall be provided to the north due to the additional clearing for sewer connection and detention pond. Grading and tree removal shall be minimized within the buffers. Developer shall remove exotic and invasive trees and shrubs within open space, buffers and tree save areas and replant where sparse as approved by Staff.
 6. A 25' landscape strip shall be provided for the western half of property frontage on South Main Street. Landscape strip shall include a minimum 3' berm or decorative wall. Final approval of landscape strip by Staff. Landscape strip shall not be within overhead lines to ensure proper tree canopy can be established.
 7. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff.
 8. Amenity space shall be developed with a 10' concrete sidewalk, as depicted on the site plan, including a connection to the fronts of units. Amenity space shall include landscape, hardscape, seating and pedestrian- scale lighting, as approved by Staff. Landscape shall include plant selections promoting the historic district. Developer shall dedicate a minimum 10' permanent easement to the City for public access over the trail. Developer shall provide City typical wayfinding signage along the trail and at locations determined by Staff.
 9. Tree save area at the project entrance shall include entrance plaza, seating and ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff. Creeping fig or

another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.

10. Development shall not be gated and alley will be private and maintained by the HOA.
 11. Pedestrian and vehicular connection shall be provided between the project site and Alpharetta Square to the east, if agreed to by the adjacent property owner.
 12. Fencing visible from the street shall be decorative as approved by Staff.
 13. Existing trees shall be preserved as depicted on site plan prepared by Advanced Engineering + Planning, dated 10/13/2017. In addition, the developer shall save tree #16 (29" Hickory). Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment, as approved by Staff.
 14. Street trees shall be required along South Main Street within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
 15. Off-site disturbance shall require easement approval by City Attorney. At a minimum, existing storm drain pipe shall be replaced and outlet ditch shall be river rock encased in concrete.
 16. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
 17. Overall impervious area (lot coverage) of the site shall not exceed 50%.
 18. Decorative paver apron shall be required at the project driveway as approved by Staff.
 19. Developer shall ensure that GDOT's South Main Street recommended improvements are incorporated into the development plan. The Developer shall dedicate any necessary right-of-way for improvements that are not currently being acquired by GDOT from the property owner.
 20. No more than 3 of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
 21. Overhead utilities within the site shall be placed underground.
 22. Commercial building shall be renovated prior to the 10th Certificate of Occupancy.
 23. Applicant shall donate music venue structures to the City, if approved by Staff.
- The applicant, Parkland Communities, is requesting a rezoning of 3.53 acres from C-1 (Neighborhood Commercial), C-2 (General Commercial) and AG (Agriculture) to DT-R (Downtown Residential) to allow for the construction of 26 'For-Sale' single-family detached homes. The property is currently developed as Matilda's, which is a collective of art and antique shops, as well as a music venue. A comprehensive land use plan amendment is requested from 'Mixed Use' to 'Downtown Residential Density'. Variances are requested to reduce undisturbed buffers and to allow a private street within a residential lot. The property is located at 377 South Main Street, on the north side of South Main Street west of Maxwell Road.
 - The submitted request, if approved, will allow for the development of 26 'For-Sale' single-family detached homes on 3.53 acres with a density of 7.37 dwelling units per acre. The property is currently developed as Matilda's Market and music venue. The subject property is located at 377 South Main Street on the north side of South Main Street just west of Maxwell Road.
 - The property is zoned C-1, C-2 and AG and is developed with four (4) commercial buildings. It was developed under Fulton County and annexed into the City in 2005. Surrounding properties are zoned SU to the north, C-1 and C-2 to the east, C-1 to the south and O-1 to the west. Wills Park is adjacent to the north, Alpharetta Medical and Dental Office Park to the west, Sweet Samba and Sing Like a Star to the south and Alpharetta Square (Amana Academy) and a barber shop are located to the east. The property has a Comprehensive Land Use Plan designation of 'Mixed Use'. The

applicant proposes to amend the comprehensive land use plan designation to 'Downtown Residential Density'.

- As stated below, the Downtown Master Plan characterizes future development in the South Main Street corridor as both single-use and mixed-use development in a walkable setting with significant landscaping to set the area apart from other areas.

"Future development in South Main could include single-use commercial, commercial with above-shop offices or dwelling units, live/work units, townhouses, or small lot single-family uses. Regardless of use, buildings should incorporate side or rear parking in order to allow them to front widened sidewalks. More landscaping should also be incorporated to differentiate the character of South Main from other districts."

- Over 200 single-family detached (SFD) units have been approved in the Downtown Overlay. However, there has been little development or redevelopment activity in the South Main Street Corridor, with the exception of the Perling site at the corner of Devore Road and South Main Street and an assisted living facility at the corner of South Main Street and Wills Road. The Perling development was approved for a mix of uses, including office, retail, restaurant, brewery, 'For-Rent' apartment units and single-family detached or townhome units.
- The proposed density is 7.37 dwelling units per acre. The only residential comparison in the South Main Street corridor is the Perling development. The Perling site was rezoned in January 2017 with an overall density of 16 dwelling units per acre, which included a 'For-Sale' density of 6.04 dwelling units per acre.
- The following variances are requested from the regulations in the Unified Development Code (UDC):
 1. UDC Subsection 3.2.8(B)(1)(a): A variance to reduce the required undisturbed buffer for a new 'For-Sale' development adjacent to an existing non-residential use with no buffer present along the north, east and west property lines from 50' to 20'. This request is supportable given the vision to enhance walkability and integrate a mix of uses within mixed-use areas of the Downtown. However, the applicant's site plan depicts grading and tree removal within the reduced buffers. If approved, it is recommended that tree removal be minimized within the buffers. Also, due to the detention pond location and off-site easements, the north buffer should be a minimum 30'.
 2. UDC Subsection 1.4.2: A variance is requested to the definition of 'Lot' to allow a private street within residential lots. The definition of a "lot" is provided below.

"A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included."

- The subject property is narrow (approximately 237' wide), requires buffers on 3 sides and the product type requires parking be accessed from an alley. A combination of the existing conditions and zoning regulations limit how the site can be laid out. The site plan depicts a private alley within the residential lots. The majority of lots have a lot coverage of 67%, which is just below the maximum

70% permitted in the DT-R zoning district. Overall lot coverage is shown to be 54%. If approved, a condition is recommended to further reduce the lot coverage of the site to no more than 50%.

- The submitted site plan depicts 26 single-family detached lots on 3.53 acres. Homes are proposed to be three (3) stories or 35' and are oriented to a central, linear amenity space. Lots range in size from 2,678 to 3,190 square feet, with a minimum lot width of 30'. Homes are proposed to be rear-entry with access from a private alley. A 25' landscape strip is depicted along the western half of the property frontage on South Main Street and 20' partially disturbed buffers are depicted along the east, north and west property lines.
- One (1) project driveway is depicted on South Main Street, adjacent to an existing 1-story commercial building that the applicant proposes to renovate and use as a professional office. However, the office parcel is not part of the applicant's public hearing request. 18 on-street, guest parking spaces are provided on the north end of the site, which exceeds the Downtown Code requirement of 0.15 parking spaces per residential unit. Minimum building setbacks are proposed as follows:
 - Interior (Front) – 10'
 - Internal (Side) – 0'
 - Internal (Rear) – 10', as measured from edge of pavement
- The site plan depicts 0.57 acres of amenity space consisting of a central linear park, tree save area and courtyard area. A ten-foot (10') sidewalk, including 10' public easement, is depicted within the linear park, providing a connection between the multi-use trail in Wills Park and the sidewalk along South Main Street. A courtyard area is provided between Lots 22 and 23 and includes benches, a pergola and a trellis. Improvements are not depicted within the tree save area at the project entrance. However, staff recommends ornamental landscaping, seating and other improvements within this area. The Downtown Code requires a minimum 10% amenity space, of which the applicant's site plan proposes 16%.
- There are several trees on the subject property, consisting of a mix of Hardwoods and Pines. Tree save areas are depicted along South Main Street and around the perimeter of the property. The tree protection plan depicts tree protection fence within the 20' undisturbed buffer along the east, west and north sides of the property. If approved, staff recommends a condition to minimize grading and tree removal within the 20' partially disturbed buffer, as well as specific tree saves within perimeter buffers.
- Typical lot coverage is shown to be 67%, except that two (2) have lot coverages between 46-48%. The overall lot coverage of the site is 54%. Driveways are depicted to be pervious pavers, which does not count toward lot coverage. The maximum lot coverage permitted in the DT-R zoning district is 70%. A walled stormwater management area is depicted in the northwest corner of the site. Underground detention is proposed within the east-west section of alley, just south of the stormwater management area.
- According to the applicant, homes will be 3- and 4-bedrooms with price points starting at \$450,000.00. Homes will range in size from 2,200 to 2,500 square feet.

- The applicant provided a design book, including renderings reflecting Italianate architecture. The renderings depict a three-bay front façade with tower feature that is repeated on each unit. In order to address staff concerns over the repetition of the tower feature, the applicant submitted a revised design book depicting three (3) elevations. One elevation includes the tower feature, one has a double front porch and one has a flat elevation. Materials are proposed to be a mix of brick, stone and/or cementitious siding with standing seam metal roof accents.
- The City's Downtown Consultant reviewed the proposed design book and finds the elevations to be generally in compliance with the Downtown Design Guidelines. The following comments were provided by the Downtown Consultant:
 - Units on Main Street, especially the side elevations are of vital importance.
 - Every unit is exactly the same, with the same floor plan. Only subtle variations in materials proposed.
 - The tower feature repetition is overkill. Cupola would be a good addition here and there or use it to make extraordinary units closest to Main St.
 - Shed roof over porch with Italianate style is typically almost flat. The cornice detail takes more prominence than the roof surface above.
 - Windows should be taller and thinner to match historic examples.
 - Provide elevation showing all units, so that staff can approve location and distribution of 3-elevation plan.
 - Materials and colors should differ to add diversity and multiple interest.
- As shown in the table below, the proposed 26-unit single-family detached subdivision would generate less than 33 PM Peak Hour trips.

Table 1: Trip Generation											
Land Use	Density	ITE Code	Daily Traffic			AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Single-Family Detached	28 units	210	326	163	163	29	7	22	33	21	12
Total			326	163	163	29	7	22	33	21	12

Note: No reductions for alternative transportation modes (walking, cycling, transit, carpooling, etc.) and mixed-use were taken.

- Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 4 – 28 school age children. Numbers provided by Fulton County Schools show that Northwestern Middle School has capacity; however, Manning Oaks Elementary School and Milton High School are currently over capacity.
- Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for comprehensive land use plan amendment, rezoning and variances. The proposed rezoning and associated zoning plan are consistent with the vision for the South Main Street corridor, which allows small lot single-family uses that are rear-loaded, with walkable infrastructure and heavy landscaping.
- Variances to reduce buffers and allow a private street within residential lots can be supported given the narrow shape of the property combined with the vision for development in the South Main Street corridor. The Downtown Master Plan lists the 50' undisturbed buffer requirement between residential and non-residential uses as a weakness that may affect walkable downtown development on smaller downtown properties. The maximum lot coverage, including the alley, sidewalk and building footprint is 67%, which is below the maximum 70% lot coverage permitted in the DT-R zoning district. If approved, staff recommends conditions to protect the tree canopy, minimize grading and tree removal in the buffers and to reduce the overall lot coverage to no more than 50%.
- If the City grants off-site easements, the existing plastic drain pipe system should be replaced and the outfall channel should require decorative rock to give a natural look to the defined channel.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that one resident had concerns over traffic.

Public Comment

- Mary Potter, 377 S. Main St, Alpharetta, GA came forward to speak on this item
- Christine Kujawski, 151 Arrowood Ct, Alpharetta, GA came forward to speak on this item
- Ed Wolkis, 920 Hopewell Place Drive, Alpharetta, GA came forward to speak on this item

❖ *Council Member Kennedy offered a motion to approve CLUP-17-05/Z-17-12/V-17-28 Villa Magnolia/Parkland Communities subject to conditions with the following exceptions:*

- o *Condition #3b – change distance between structures from 10 feet to 6 feet*
- o *Condition #5 – change it to read, "A minimum 12' partially disturbed buffer, replanted where sparse, shall be provided to the east and west and shall be supplemented with evergreen trees and shrubs to provide a visual screen, as approved by Staff. A minimum 50' partially disturbed buffer, replanted where sparse, shall be provided to the north along Wills Park except for 30 foot buffer due to the additional clearing for sewer connection and detention pond. Grading and tree removal shall be minimized within the buffers. Developer shall remove exotic and invasive trees and shrubs within open space, buffers and tree save areas and replant where sparse as approved by Staff."*
- o *Condition #10- Condition shall read, "Development shall not be gated along Highway 9."*

- o *Condition #24 – Condition shall read, “Driveways on each lot shall be a minimum of 18 feet.”*
- o *Condition #25 – Condition shall read, “Curb cut access on highway 9 shall be right-in/right-out only.”*
- *The motion received a second from Council Member Merkel*
- *Mayor Belle Isle requested a friendly amendment to Condition #10, add “The Homeowners Association, once established, shall have the right to gate the northeast entrance with remote access for homeowners.”*
- *Amendment accepted*
- *Council Member Mitchell offered a friendly amendment to add a Condition #26 that shall read, “Buildings shall utilize brick or stone on at least 3 sides of the façade on at least 1/3 of the homes in the development with final approval by staff.”*
- *Amendment accepted*
- *Council Member Binder offered a friendly amendment to amend Condition #12 to add, “Fencing shall be required on north, east and west boundaries of the site.”*
- *Amendment accepted*
- *The motion was approved 7-0*

C. Z-17-16/CU-17-12/V-17-35 Cotton House Boutique Hotel

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- This item was heard at the November 2, 2017 Planning Commission meeting. Several citizens spoke in favor and in opposition to the request, with concerns over traffic, closing of Old Canton Street, building height and massing. After discussion, the Planning Commission recommended to deny the item. Vote 5-2
- UPDATE: The applicant has revised the site plan and building in an effort to address comments from the public and Planning Commission. The proposed hotel building has been reduced to 119 rooms and has been lowered to 4-stories and 56’ in height. The request to abandon a portion of Old Canton Street has been withdrawn by the applicant.
- Staff recommends denial of Z-17-16/CU-17-12/V-17-35 Cotton House Hotel request for rezoning, conditional use and variances.
- If approval is considered, the following conditions are recommended:
 1. The property shall be zoned “DT-C” and the site shall be developed substantially similar to the plan by Kimley- Horn & Associates, dated 11/9/2017. However, site plan is subject to meeting all City Code requirements and conditions of zoning.
 2. One boutique hotel shall be permitted not to exceed 4-stories and 56’ in height with a maximum 119 guest rooms. First-floor building height shall be a minimum 15’. Accessory uses shall be limited to restaurant, day spa and fitness center. Boutique hotel shall be limited to Curio Collection by Hilton or Hotel Indigo by IHG. No extended stay or “suites” hotel shall be

permitted.

3. Building architecture and materials shall be substantially similar to elevations prepared by archStudio7, dated 11/9/2017, with final approval by DRB. Building elevations shall require authentically historic details, including window trim, keystones, window mullions, etc. Window A/C units shall not be visible on the exterior of the building. Building shall step back a minimum 10' along Milton Avenue and include planters and landscaping as depicted on the elevations.
4. Development shall be permitted the following setbacks:
 - a. 0' Front Yard
 - b. 0' Side Yard
 - c. 0' – 6' Rear Yard, per the approved zoning plan
5. Dedicate a 10' permanent easement to the City for public access along the northwest property line, as depicted on the site plan, dated 11/9/2017. The easement shall include landscaping, low-level path lighting, seating areas, as approved by Staff. A bike share station shall be provided as approved by Staff.
6. Developer shall provide a minimum of one (1) original sculpture located at a prominent location in the development. Sculpture and location shall require approval by DRB. Sculpture shall be installed prior to the issuance of a CO.
7. A minimum 5' brick paver sidewalk shall be provided along Old Canton Street.
8. Decorative foundation plantings (ornamental trees, shrubs, vines, grasses, etc.), in planting beds or in decorative containers, shall be provided along the building frontage on Milton Avenue and Old Canton Street, as approved by DRB.
9. Edge of planting areas shall be no closer than 14' to the face of the building or overhangs, balconies, etc., as approved by Staff.
10. Minimum 0.24 acres of amenity space shall be provided as depicted on site plan, dated 11/9/2017, including landscape, hardscape, lighting and seating/gathering areas, as approved by DRB. The plaza/courtyard at the rear of the hotel shall be open to the public, except when used for events by the hotel.
11. 'Back of house' functions, such as loading or dumpster areas, shall not be visible from the street. Generator and dumpster shall be contained within an enclosure with materials that match the building and shall include landscape screening as approved by DRB. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
12. Retaining walls and walls associated with the structured parking shall receive architectural façade treatment or be heavily landscaped.
13. Areas between the building and the street shall include decorative hardscape consisting of pavers or other materials, as approved by Staff. Landscaping shall also be required in well-defined planting beds and trees in tree wells, as approved by Staff.
14. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development.
15. Awnings shall be provided on buildings at street level, where reasonably appropriate.
16. Tree-lined streets shall be provided along Milton Avenue and Old Canton Street, as approved by Staff. Provide detailed street planting for Milton Avenue and Old Canton Street. Streetscape shall meet the Downtown Code requirements and shall incorporate tree wells and pedestrian lighting, as approved by Staff. Streetscape shall incorporate large canopy trees (Willow, Pin, or Shumard Oaks) on the southwest, southeast, and northeast corners of the building in large planting areas with a minimum surface area of 200 square feet and a minimum 1,000 cubic feet of underground rooting area. Two (2) shade trees (Winged Elm, Chinese Pistache, Trident Maple, Lacebark Elm, etc.) shall be planted in-between the two (2) large canopy trees on Milton Avenue and one (1) shade tree shall be planted between the two (2) large canopy trees along the east side of the hotel in medium planting areas with a minimum surface area of 100 square feet and 600 cubic feet of underground rooting area.
17. The remainder of the Old Canton Street streetscape shall incorporate large and medium canopy trees with planting pits and underground soil volumes as approved by Staff.
18. All tree planting areas shall be designed using green infrastructure techniques to incorporate

trees and stormwater in order to reduce their stormwater impacts on the surrounding downtown area. Such as connecting the planting pits underground with Silva Cells or a similar to provide actual soil volumes.

19. Impacts to off-site trees shall be minimized. The owner(s) of off-site trees shall be notified of any encroachment greater than 20% or as directed by the City Arborist. This notification shall include a letter from the project Arborist detailing the extent of the encroachment and possible outcomes.
 20. All utilities shall be located underground.
 21. Developer shall improve Old Canton Street, adjacent to the hotel site, with decorative pavers, as approved by Staff. Based on the commitment by the developer, Old Milton Park shall be improved with a budget of \$50,000, including hardscape, landscape and seating, with final approval by Staff.
 22. Property owner shall apply for road abandonment or seek approval of a development agreement to allow exclusive rights for valet operation along Milton Avenue and Old Canton Street, as approved by Staff.
 23. Developer shall improve Milton Avenue streetscape on the north side of Milton Avenue along the hotel site frontage, between Canton Street and Main Street, as depicted on Exhibit A, with final approval by Staff. Improvements shall include brick paver sidewalk, decorative pedestrian lights, on-street parallel parking, curb and gutter and landscaping, with final approval by Staff. Developer shall be permitted road impact fee credits for off-site streetscape improvements.
 24. Developer shall construct a mid-block crosswalk aligned with the Ceviche patio, as depicted in Exhibit A. Crosswalk shall be enhanced with brick pavers, curb extensions and a pedestrian refuge island, as approved by Staff.
 25. Valet drop-off area along Milton Avenue shall be designed as depicted on Exhibit A. Valet operation shall not overflow onto Milton Avenue. If Valet operation is deemed deficient by the City Transportation Planner, Hotel Operator shall work with staff to develop a revised service plan.
- The applicant, VS Milton Retail, LLC, is requesting a rezoning for 0.99 acres from C-2 (General Commercial) to DT-C (Downtown Core) in order to develop a 4-story, 119-room boutique hotel, restaurant and hotel amenities and remove the structures at 21, 29 and 35 Milton Avenue. A conditional use is requested to allow a 'Boutique Hotel'. A variance is requested to reduce a rear setback. The subject property is located at 21, 29 and 35 Milton Avenue at the northwest corner of Milton Avenue and Old Canton Street.
 - The submitted request, if approved, will allow for the construction of a 119-room 'Boutique Hotel', restaurant and hotel amenities on 0.99 acres in the Downtown. A rezoning is requested from C-2 to DT-C to allow the proposed 4-story, 56' building and a conditional use is requested to allow a 'Boutique Hotel'. The applicant plans to demolish the existing buildings, as well as a variance request to reduce a rear setback. The property is located at 21, 29 and 35 Milton Avenue at the northwest corner of Milton Avenue and Old Canton Street.
 - The subject property is zoned C-2 (General Commercial) and consists of four (4) commercial buildings with a surface parking lot at the rear of the property. Buildings on the subject property are currently occupied by White Dog Décor, Chic Evolution of Art, and Mugs on Milton. Surrounding properties are zoned C-2 to the west, north, and south and OSR (Open Space and Recreational) to the east. Old Milton Park is located to the east, Ceviche Taqueria, Sis & Moon and Truck & Tap are located to the south, and Forever Gems and the River Rock Development property are located to the west. The property and adjacent properties are located in the Downtown Overlay and have a Comprehensive Land Use Plan designation of 'Central Business District', which allows a 'Boutique Hotel' with approval of a conditional use. 'Central Business District' is defined as mixed use development typical of a traditional downtown including offices, shops, residences and civic uses.
 - A conditional use permit is requested to allow a 'Boutique Hotel'. The Unified Development Code (UDC) defines 'Boutique Hotel' as follows:

"Boutique Hotel. A high quality hotel which contains less than 120 rooms located in a unique setting, such as the City's Downtown, mixed-use developments and/or an entertainment district. The building shall reflect a unique architecture and interior design compatible with the area in which the hotel is located. The boutique hotel shall provide guests with high quality services, such as, but not limited to, concierge, on-site restaurant, room service, meeting space, business center, banquet facilities, spas, doormen, valet parking, boutiques and/or other amenities. Guest rooms within the building shall contain no equipment for food preparation other than a mini-fridge and/or microwave. There shall be no self-serve laundry facilities (for guests use) within the building. Access to each guest room shall be through an inside lobby supervised at all hours."

- The applicant proposes a 119-room boutique hotel with a restaurant (8,900 square feet) and accessory hotel amenities (15,290 square feet), including fitness center, meeting space, retail shop, restaurant and day spa. According to the applicant, the boutique hotel will be Curio Collection by Hilton or Hotel Indigo by IHG. The Cotton Gin Spa, a luxury day spa, is proposed in conjunction with the boutique hotel. Spa services will include massage, facial, hot stones, aromatherapy, body treatments, manicures, pedicures, hair services, waxing and makeup application. The proposed hotel use complies with the City's definition of 'Boutique Hotel'. The applicant has committed to various improvements, including a \$50,000 budget for hardscape and landscape improvements within Old Milton Park.
- Staff researched other Curio and Indigo boutique hotel locations to learn more about these brands. Curio and Indigo boutique hotels are typically found in unique settings, usually in a downtown area. Both brands use architecture and interior design to create an individual identity that is representative of the local history and culture. Research finds that these hotel brands provide high quality services and amenities, including restaurants, room service, valet parking, concierge, day spa, retail shops, meeting space and banquet facilities. According to its website, Curio Collection by Hilton only has one (1) location in the state of Georgia, The Partridge Inn Augusta. Hotel Indigo has a location in Atlanta Midtown across from the Fox Theater, which is located in a historic building and has a visual music theme.
- A variance is requested to reduce a portion of the rear setback to 0'. The Downtown Code requires a minimum 6' rear setback in the DT-C zoning district when there is no alley. The applicant's site plan meets this requirement, except for a 20' section where the proposed structured parking deck is depicted 0' from the rear property line. The property has an unusual shape, which necessitates the rear setback variance. According to the applicant, the structured parking deck will be approximately 10' above grade in the location of the requested setback variance.

The applicant requests removal of the structures on the subject property, including the structures located at 21, 29 and 35 Milton Avenue. 35 Milton Avenue is on the City's Historic Resources Inventory list; however, the building does not meet the criteria to be designated as a historic property. The applicant has met several times with members of the Historical Society to learn about the history of the property to incorporate into the theme of the hotel.
- The submitted site plan depicts a 4-story (with basement), 119-room boutique hotel with 132 valet parking spaces. An 8,900 square foot restaurant is depicted within the building, as well as 15,290 square feet of hotel amenity uses. The proposed building height is 56', which is less than the maximum height permitted in the DT-C district. The development is proposed to be served by one (1) full-movement driveway on Old Canton Street. Pedestrian access is provided by way of a paseo off Milton Avenue, which connects to the rear of the site. Minimum building setbacks are in compliance with the DT-C regulations, except that a variance is requested to reduce the rear setback from 6' to 0' for a portion of the underground parking deck that will be above-grade.
- The UDC parking requirement for hotel use is one (1) space per each guestroom, plus one (1)

employee space for each 20 guest rooms, plus one (1) space per 500 square feet of convention rooms, conference rooms, ballrooms, restaurant and retail shops. The proposed hotel, restaurant and hotel amenities would require 174 parking spaces. The UDC allows up to a 25% shared parking reduction, which would reduce the required parking to 130 spaces. The applicant proposes 132 spaces within an underground valet parking structure with hydraulic lifts. Therefore, the applicant's site plan is in compliance with the Downtown parking requirements.

- A valet drop-off area is depicted along Milton Avenue and a valet pick-up area is depicted along Old Canton Street between the hotel and Old Milton Park. According to the applicant, vehicles are proposed to be staged in the valet drop-off area at the rear of the building. A valet will move vehicles from the drop-off area to the parking deck. Valet parking will be reserved for hotel, spa and restaurant guests only. The applicant may need to request a road abandonment or seek approval of a development agreement for exclusive rights for valet operation depicted along Milton Avenue and Old Canton Street, as determined by the City Attorney.
- The DT-C district has an open space requirement of a minimum 10% amenity space. Amenity space is intended for private use and may include rooftop decks, balconies, patios and porches, outdoor dining areas, pool areas, tennis courts and similar uses, yards and gardens, hardscape areas improved for pedestrian enjoyment, and wooded areas. The site plan depicts 0.24 (24%) acres of amenity space, including outdoor dining areas, hardscape areas, green lawns and landscape planters, at the rear of the hotel building over the structured parking area. Currently there is no amenity space on the parcels. This application would provide over 1/4 of the property to be open for public use.
- The property is almost entirely developed with only a few trees along the northwest property line. None of the trees are of specimen quality. The applicant intends to address stormwater requirements through an on-site vault or other approved facility.
- The applicant submitted elevations of the proposed boutique hotel building and the description below of the building architecture and color palette. As requested by staff in order to address number of floor concerns, the applicant revised the building elevations to provide a step back of the building above the first-floor along Milton Avenue.
- "The Cotton House Hotel architectural style is a blended of 'Mill/Mercantile' with 'Greek Revival' and/or 'Italianate' approved Architectural Styles described in the Alpharetta Downtown Design Guidelines, dated August 29, 2017. This eclectic combination of the approved styles will break up the overall building massing as the guidelines require."
- "The use of muted, subdued or earth tone colors will be used to establish timelessness in the color schemes will be incorporated in the building design. Colors are intended to enhance the architecture of the project."
- The City's Downtown Consultant reviewed the proposed building elevations and finds the elevations to be generally in compliance with the approved Downtown architectural styles. The following comments were provided by the Downtown Consultant:
 - Massing and scale of the Milton Avenue elevation is appropriate.
 - East side of building should taper down to help with transition of scales to the north with smaller buildings.
 - Architectural details should be authentically historic. Currently, details (window trim, keystones, etc.) seem a little contemporary. However, overall scale and proportions are

appropriate.

- o Typical hotel window AC units should not be visible from the street.
 - o Window openings are sized correctly and feel good. However, the mullions or grids should be reconsidered. Looks too much like modern aluminum storefront profiles.
- The applicant submitted trip generation figures for the proposed project. As shown in the tables below, the proposed uses will generate 197 PM Peak Hour trips when adjusted for internal capture trips.

Table 2: Project Trip Generation Summary								
Land Use	Density	ITE Code	Daily Traffic		AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit	Enter	Exit
Hotel	120 rooms	310	350	350	38	26	37	35
High-Turnover (Sit-Down) Restaurant	13,500 SF	932	859	859	80	66	80	53
<i>Mixed-Use Reduction</i>			-172	-172	-2	-2	-4	-4
Total New Trips			1,037	1,037	116	90	113	84

- A traffic impact study was also prepared to assess traffic impacts from the proposed development on the local street network. Based on the conservative assumptions outlined in the report, intersections studied are generally anticipated to operate at or near existing levels of service. The intersection of Milton Avenue and Roswell/Canton Street; however, was identified as potentially degrading below typically accepted standards in the future due to background traffic (growth from the surrounding areas). Installing a westbound right-turn lane from Milton Avenue onto Canton Street mitigated the deficiency and also accommodated the future growth from the development.
- Staff reviewed the report findings and does not recommend implementation of the westbound right-turn lane at Milton Avenue onto Canton Street. While traffic operations are an important consideration in evaluating a new development, improving the walkability of an area with pedestrian-oriented infrastructure, interesting destinations and activities typically takes precedence over vehicle operations within downtown areas. Implementation of the turn lane can be accommodated with striping and the current roadway geometry, but would take away from the pedestrian experience with faster vehicle speeds and increased conflicts with turning vehicles.
- Staff has reviewed the applicant's proposal and finds that it can support the request for rezoning, conditional use and variance. The boutique hotel will complement surrounding development and will bring a use to the Downtown that is not currently provided. Staff would normally have concerns with approval of another hotel given the number of existing hotels, approved hotel sites and hotels under construction. However, there are currently no boutique hotels serving the City and no hotels in the Downtown Overlay. This hotel would offer a different type of hotel that is not similar to any within our existing market. The unusual shape of the property necessitates the rear setback variance, which has been limited to the minimum necessary by the applicant.
- The Downtown Master Plan and Comprehensive Land Use Plan identify the DT-C zoning district as the appropriate zoning district for the subject property. As identified in the 2035 Comprehensive Plan, the property is located in the Downtown Activity Center Character Area, which is described as:

"PRESERVE and ENHANCE historic features and small-town character. CREATE a central "heart" of the city and a community destination for civic activities, shopping, businesses and residences. It is the intent to encourage a true mixed use destination that creates a walkable and vibrant community center.

- Downtown Activity Center Character Area is the historic center of Alpharetta and includes a mix of commercial, office, residential and civic uses. Mixed-use, "traditional main street" buildings along with single-use activity on individual lots defines the general development pattern. The street network is composed of linear streets with short distances between intersections. Buildings have moderate to shallow setbacks and use the building structure or landscaping to frame the street.
- Green space is limited on individual lots and is instead primarily located in shared spaces such as along street edges or in public parks. Neighborhood and community parks take the form of pocket parks, plazas and greens which provide recreation and community gathering opportunities. Streetscape enhancements that include wide sidewalks, street furniture, street trees and other plantings are necessary to define and enhance the character of streets.
- Connectivity is high for vehicles, pedestrians, bicycle users and public transit riders. Roadway cross sections are typically defined by the roadway, curb and gutter, sidewalks and a well-defined pedestrian environment.
- Future development should emphasize a strong concentration of activity along Main Street, Milton Avenue, and Academy Street surrounded by a mix of residential and commercial uses generating a high level of activity and reinforcing a walkable, downtown development pattern. The vision for the downtown district is to preserve and strengthen the historic core of Alpharetta through the strategic protection of historic resources and integration of complementary new development. Central to this strategy is expanding the mix of retail, restaurant, and professional uses in downtown while providing new distinct housing opportunities.
- The downtown district is intended to be the most walkable area within Alpharetta. A generous network of sidewalk and bicycle facilities should be integrated with existing and new green spaces and streetscapes creating a safe and pleasant walking environment that makes the area a destination. Significant historic buildings and sites should be enhanced with appropriate maintenance and rehabilitation while adding vertical mixed-use buildings that make downtown a vibrant town center."
- Approval of the proposed boutique hotel would add a use in the Downtown that is currently not provided. The applicant's proposal would provide a walkable, mixed-use development that will enhance activity along Milton Avenue and Main Street. In addition, the theme and building architecture is appropriately linked to the history and culture of the City of Alpharetta.
- The applicant notified surrounding property owners of their application and intent for the property. The report states that no comments were received.
- Staff has received correspondence regarding the applicant's proposal. The owner of the City Center property has indicated support for the proposed boutique hotel. However, they are opposed to the accessory day spa use. The property owner has a lease agreement with Natural Body Spa to be the anchor retail tenant at City Center. There is concern that the Downtown cannot support more than one (1) spa. City Staff also received correspondence from the owner of 10/37 Roswell Street, who voiced support for the boutique hotel request.

Public Comment

- Art Trotter, 690 E Main Street, Canton, GA, came forward to speak on this item
 - John Ray, 190 Bluegrass Valley Parkway, Alpharetta, GA, came forward to speak on this item on behalf of the Alpharetta Business Association
 - Christine Kujawski, 151 Arrowood Court, Alpharetta, GA, came forward to speak on this item
 - Alexander Williamson, 12535 Wexford Way, Alpharetta, GA came forward to speak on this item
 - Mary Carter, 2157 Surrey Point, Alpharetta, GA, came forward to speak on this item
 - Sandy Hofman, 58 Canton St, Alpharetta, GA, came forward to speak on this item
 - Toni Johnson, 58, Canton St, Alpharetta, GA, turned in a speaker's card, but did not come forward
 - Ed Botts, 58 Canton St, Alpharetta, GA, came forward to speak on this item
 - Martine Zurinkas, 8070 Willow Tree Way, Alpharetta, GA, came forward to speak on this item
- ❖ *Council Member Kennedy offered a motion to approve Z-17-16/CU-17-12/V-17-35 Cotton House Boutique Hotel with the following changes:*
- o *Condition #6 - add to the end of the condition, "with applicant budget not to exceed \$15,000."*
 - o *Condition #16 – amend to read, "Tree-lined streets shall be provided along Milton Avenue and Old Canton Street, as approved by staff. Provide detailed street planting for Milton Avenue and Old Canton Street. Streetscape shall meet the Downtown Code requirements and shall incorporate tree wells an pedestrian lighting , as approved by staff. Streetscape shall incorporate large canopy trees (Willow, Pin, Shurmark oaks) on the southwest , southeast corners of the building. Tree species and spacing shall require Staff approval."*
 - o *Condition #18 – amend to read, "All tree planting areas shall be designed using green infrastructure techniques to incorporate trees and stormwater in order to reduce their stormwater impacts on the surrounding downtown area as approved by Staff."*
 - o *Condition #23 – amend to read, "Developer shall improve Milton Avenue streetscape on the north side of Milton Avenue along the hotel site frontage, between Canton Street and Main Street, in concept as depicted on Exhibit A, with final approval by Staff. Improvements shall include brick paver sidewalk, decorative pedestrian lights, on-street parallel parking, curb and gutter and landscaping, with final approval by Staff. Developer shall be permitted road impact fee credits for off-site streetscape improvements and system improvements."*
 - o *Condition #25 – amend to read, "Valet drop-off area along Milton Avenue shall be designed in concept as depicted on exhibit A. Valet operation shall not overflow onto Milton Avenue. If valet operation is deemed deficient by the City Transportation Planner, Hotel Operator shall work with staff to develop a revised service plan."*
 - o *Add a condition #26 to read, "Applicant shall provide an alternate plan for valet service to be implemented when roads are closed for special events."*
 - o *Add a condition #27 to read, "Buildings shall be illuminated in coordination with the City for holidays and special events."*
- *The motion received a second from Council Member Owens with a friendly amendment to Condition #22 to read, "Property owner shall enter into a Development Agreement with the City to address valet operations, special events, lighting and other operation issues along Milton Avenue and Old Canton Street to be approved by Staff and City Attorney."*

- *Amendment Accepted*
- *Council Member Binder offered a substitute motion to approve with all of Council Member Kennedy's Amendments except for Condition #2 – amend to read, "Hotel shall be permitted not to exceed 4 stories, 50 feet in height and a maximum of 119 rooms."*
- *Motion failed for a lack of a second*
- *Council Member Binder offered a friendly amendment to adjust height from 56 feet to 50 feet in Condition #2.*
- *Amendment not accepted*
- *The motion was approved 6-1; Gilvin voting no*

D. Z-17-14/V-17-32 Mid Broadwell Parc

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- This item was heard at the November 2, 2017 Planning Commission meeting. One resident spoke in opposition to the request, with concerns over traffic on Mid Broadwell Road. Another resident spoke regarding the request with concern over the variance. After discussion, the Planning Commission recommended to approve the item, subject to staff conditions. Vote (7-0)
- Staff recommends approval of Z-17-14/V-17-32 Mid Broadwell Parc, subject to the following conditions:
 1. The site, consisting of approximately 2.18 acres, shall be zoned R-15 and developed substantially similar to site plan submitted by Roger S. Lee & Associates, dated 9/25/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevations shall be substantially similar to photographs submitted by the applicant (Exhibit A), with final approval by Staff.
 3. Homes shall have a front covered entry and shall be a minimum 6' in depth.
 4. Minimum building setbacks shall be: Front – 20' (as measured from edge of street), Side – 8', Rear – 20'.
 5. Unfinished wood decks, fences or porches shall not be visible from Mid Broadwell Road.
 6. The following specimen trees shall be saved: Tree #273 (41" Water Oak), #274 (39" Poplar), #275 (25" Water Oak), #276 (25" Water Oak), #277 (24" Water Oak), #279 (33" Water Oak) and #280 (28" Red Maple). Home sites shall be laid out to minimize impact to the existing tree canopy, as approved by Staff.
 7. 20' decorative landscape strip shall be provided along Mid Broadwell Road and shall include a minimum 3' high planted berm or decorative low wall, as approved by Staff.
 8. Minimum 10' landscape buffer shall be provided along the east, west and north property lines, consisting of 80% evergreen material. Existing trees shall be saved, where possible, within the perimeter landscape buffers.
 9. Decorative pervious paver apron shall be required at the project entrance, as approved by Staff.
 10. 5' internal sidewalk shall be constructed of pervious pavers, as depicted on the site plan.
 11. Fire turnaround shall be constructed of grasscrete, or similar product, as approved by Staff.
 12. Stormwater pond shall be heavily screened with a minimum 20' landscape strip on-grade from Mid Broadwell Road with evergreen landscaping, as approved by Staff.
 13. No parking shall be permitted on the private driveway.

- The applicant, Shervin and Sherry Bathaei, are requesting a change in zoning for 2.18 acres from R (Dwelling 'For-Sale', Residential) to R-15 (Dwelling 'For-Sale', Residential) for the purpose of subdividing the property into five (5) single-family detached lots. A variance is requested to allow a private street within residential lots. The subject property is located on the north side of Mid Broadwell Road, just west of Peyton Farm Drive.
- The submitted request, if approved, will allow for the development of five (5) 'For-Sale' single-family detached lots on 2.18 acres with a proposed residential density of 2.3 dwelling units per acre. The property is currently zoned R (Dwelling, 'For-Sale' Residential) and is undeveloped. The subject property is located on the north side of Mid Broadwell Road, just west of Peyton Farm Drive.
- The property is currently zoned R, which allows minimum one (1) acre lots. The property is undeveloped and heavily wooded. Properties surrounding the subject parcel are zoned R-15 (Dwelling, 'For-Sale' Residential) to the north, east and south and AG (Agriculture) to the west. Brierfield subdivision is located to the north and east and consists of minimum 15,000 square foot lots with a maximum density of 2.5 dwelling units per acre. Fuller Farms subdivision is located to the south and consists of minimum 15,000 square foot lots with a density of 1.41 dwelling units per acre. The AG property to the west is approximately four (4) acres and was recently purchased by the City for future park land.
- The Comprehensive Land Use Plan reflects a 'Low Density Residential' future land use designation for the subject property. The R-15 (minimum 15,000 square feet) and R-12 (minimum 12,000 square feet) zoning districts are shown as appropriate zoning districts within the 'Low Density Residential' land use designation. The surrounding area is predominately zoned R-15; therefore, the R-15 zoning district is the most appropriate zoning district for the subject property.
- The applicant requests a variance to allow a private street within residential lots. The Unified Development Code (UDC) Section 1.4.2. Defined Terms defines 'Lot' as:

"A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included."
- The subject property is approximately 700' deep by 138' wide. The narrowness of the property limits how it could be subdivided. The applicant proposes a 40' private street (access/utility) easement along the west side of the property and within the residential lots to provide access to each lot. In an effort to remove this variance request, the applicant proposed a shared driveway to serve the proposed residential subdivision and future City Park. However, the City has not developed a site plan for the proposed park and is not prepared to make commitments as it relates to a shared driveway.
- The submitted site plan depicts five (5) single-family detached lots with lots ranging in size from 16,562 to 16,865 square feet. All lots are oriented to and have access from a new private street along the west side of the property. A five-foot (5') paver sidewalk is depicted along the east side of the new private street. Each lot has a minimum lot width of 120'. Building footprints are provided on the site plan to show how an appropriately-sized home can fit on each lot. The maximum impervious area on any one lot is 33%, which is below the maximum 50% impervious area permitted in the R-15 zoning district. The proposed site plan meets or exceeds the development standards in the R-15 zoning district, including minimum lot size, lot width, building setbacks, maximum impervious area, etc. In order to minimize impacts on the tree canopy, staff recommends minimum building setbacks be: Front – 20' (as measured from edge of

street), Side – 8' and Rear – 20'.

- The property is wooded and consists of a mix of hardwoods and Pines. The tree survey and assessment identify several specimen quality trees on the property. If approved, staff recommends certain tree saves, tree saves in perimeter landscape buffers and that home sites be laid out in such a way to minimize impacts on the tree canopy. A stormwater pond is depicted along Mid Broadwell Road on a separate parcel of just under 12,000 square feet in size. If approved, staff recommends conditions requiring heavy landscape screening of the pond from Mid Broadwell Road.
- The proposed subdivision, consisting of five (5) single-family detached homes, would generate five (5) PM Peak Hour trips.
- Residential development is known to increase school enrollment. Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 0 – 6 school age children. Numbers provided by Fulton County Schools show that Alpharetta Elementary School has capacity; however, Northwestern Middle School and Milton High School are currently over capacity.
- Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for rezoning and variance. The proposed rezoning is consistent with the Comprehensive Land Use Plan designation of the property and surrounding residential development, which is Low Density Residential with R-15 zoning. Surrounding subdivisions have residential densities between 1.4 and 2.5 dwelling units per acre and adjacent lots are minimum 15,000 square feet. Therefore, staff believes that the applicant's proposed density of 2.3 dwelling units per acre is appropriate on the subject property.
- The variance to allow a private street within residential lots can be supported given the narrow shape of the property, which would limit subdivision of the property under the current zoning. The maximum impervious area of any one lot, including the new street, driveway and building footprint, is 33% which is below the maximum 50% permitted in the R-15 zoning district. In addition, staff recommends a condition allowing reduced building setbacks in order to protect trees.
- The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. The report states that no comments were received.
- Staff received correspondence regarding the applicant's proposal from two (2) residents in the adjacent Brierfield subdivision. Neither resident was for or against the applicant's proposal, but just wanted additional information to disseminate to the neighborhood.

Public Comment

- David Cochran, 1615 Briers Chute, Alpharetta, GA, came forward to speak on this item
- Thomas Ratcliff, 1595 Briers Chute, Alpharetta, GA, came forward to speak on this item

❖ *Council Member Kennedy offered a motion to approve Z-17-14 and deny V-17-32 Mid Broadwell Parc subject to the 13 conditions as outlined by Staff*

- *The motion received a second from Council Member Owens*
- *The motion was approved 6-1; Gilvin voting no*

E. CU-17-11 Pinstripes/360 Tech Village

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
 - This item was heard at the November 2, 2017 Planning Commission meeting. No one spoke in favor or in opposition to the request. After discussion, the Planning Commission recommended to approve the item, subject to staff conditions. Vote (7-0)
 - Staff recommends approval of CU-17-11 Pinstripes/360 Tech Village, subject to the following conditions:
 1. Conditional use approval shall be limited to Pinstripes; no additional 'Bowling Entertainment Venue' businesses or subleasing shall be permitted within the approved space.
 2. The proposed use shall be subtracted from the approved 57,700 square feet of retail use.
 3. Hours of operation shall be limited to Monday – Thursday 10:00 AM – 11:00 PM, Friday 10:00 AM – 1:00 AM, Saturday 10:00 AM – 1:00 AM and Sunday 10:00 AM to 10:00 PM.
 4. Architecture shall be substantially similar to the location in Georgetown Park, Washington D.C., as approved by Staff.
 5. Outdoor spaces, including rooftop terrace, shall be developed substantially similar to the floor plans prepared by RDL Architects, dated 8/15/2017. Outdoor spaces shall include all amenities as depicted on the above-referenced floor plans, with final approval by Staff.
-
- The applicant, Fuqua Acquisitions II, LLC, is requesting approval of a conditional use permit to allow 'Bowling Entertainment Venue' in a mixed-use development and within a 28,000 square foot free-standing building. The business is Pinstripes, which is a high-end entertainment/dining venue consisting of bowling, bocce, restaurant and special event space. The subject property is located at the southwest corner of Haynes Bridge Road and Lakeview Parkway, within the 360 Tech Village development.
 - The submitted request, if approved, will permit a 'Bowling Entertainment Venue' in a 28,000 square foot free-standing building within a mixed-use development. Pinstripes is an entertainment/dining venue consisting of bowling, bocce, restaurant and special event space. The subject property is located at the southwest corner of Haynes Bridge Road and Lakeview Parkway, within the 360 Tech Village development.
 - The property is zoned MU (Mixed Use) and is subject to the 360 Tech Village Master Plan, which allows 'Bowling Entertainment Venue' with approval of a conditional use. The property received master plan amendment, rezoning, conditional use and variance approval on May 22, 2017. Surrounding properties include the Georgia 400 Center office buildings to the north, Northwinds Master Plan to the east, Georgia 400 to the south and Honda to the west. The 360 Tech Village mixed-use development is approved for a mix of office, retail/restaurant, hotel and 'For-Sale and 'For-Rent' residential product. A total of 57,700 square feet of retail and 26,300 square feet of restaurant use was approved. The applicant intends deduct the proposed 'bowling entertainment venue' use from the permitted retail square footage.
 - The business, Pinstripes, has been in operation for over ten (10) years with locations in eight (8) markets and six (6) locations opening soon. If approved, the proposed location will be the first in the Atlanta metro area. The entertainment venue accommodates individuals and small groups, as well as large groups for weddings, birthday parties and corporate events. Hours of operation are Monday – Thursday 10:00 AM – 11:00 PM, Friday 10:00 AM – 1:00 AM,

Saturday 10:00 AM – 1:00 AM and Sunday 10:00 AM –10:00 PM. The applicant anticipates up to 110 full- and part-time employees at the proposed location.

- The business is proposed in a 2-story, 28,000 square foot free-standing building located between the two (2) project entrances on Lakeview Parkway closest to Haynes Bridge Road. The building will have access to surface parking located on the south side of the building, as well as in parking decks provided throughout the mixed-use development. A valet entrance will also be provided near the main entrance to the building. 360 Tech Village will have sufficient parking to support the proposed use and all approved uses within the master plan.
- The applicant submitted floor plans and elevations for a recent location constructed in Orange Village, Ohio, just outside of Cleveland. The building layout and floor plan, including interior and exterior spaces, is appropriate for this location. However, the architecture and building materials will be representative of the Pinstripes location in Georgetown Park, Washington D.C. This location represents adaptive re-use of an existing building and was developed in the Post-Industrial Warehouse or Mercantile Mill style. Key architectural elements will include brick, large rounded windows with brick trim, dark metals, dark window mullions and old stonework. The building layout will incorporate a rooftop terrace and ground-level outdoor spaces, including fire pits, landscape beds, couch seating, table seating, and bocce courts.
- The applicant's traffic impact analysis indicates that 96 PM Peak Hour trips would be generated for the proposed 27,000 square foot Pinstripes bowling entertainment venue. The proposed use was considered in the traffic impact analysis for the recently approved master plan amendment.
- Staff's analysis finds that the requested conditional use is consistent with the established conditional use standards. The proposed entertainment venue would complement the 360 Tech Village mixed-use development and sufficient parking exists to support the proposed use. If approved, conditions are recommended limiting the approval to Pinstripes and limiting any expansion of services.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

Public Comment

None

- ❖ *Council Member Kennedy offered a motion to approve CU-17-11 Pinstripes/360 Tech Village with an amendment to Condition #1 to read, "Conditional Use approval shall be limited to Pinstripes and should Pinstripes commence operations on site and operate for a period of not less than 24 months, then the Conditional Use Permit may be assigned subject to the zoning conditions to a comparable upscale bowling Entertainment venue providing bowling, bocce, restaurant and special event space. Said user to be approved by Staff. The Conditional Use Permit may be assigned at any time should Pinstripes be acquired or merged."*
 - *The motion received a second from Council Member Owens*
 - *The motion was approved 7-0*

VII. NEW BUSINESS

A. FY 2017 Pavement Markings (On-Call Vendor)

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests approval of a task order under the city's On-Call Contract (RFP 15-102) with Peek Pavement LLC in the amount of \$126,866.55 for restoration of pavement markings associated with the annual milling and resurfacing project and maintenance/upgrades to existing roads and authorize the Mayor to execute all necessary documents.
- The City of Alpharetta maintains over 500 lane miles of roadway. Each year the City budgets dollars towards the milling, resurfacing, and striping of these roads.
- Peek Pavement Marking, LLC holds the current contract for Pavement Markings On-Call Services for a period of five (5) years. This contract began on October 20, 2017 and is scheduled to end on October 19, 2019. The scope of work includes, but is not limited to, preparation of site layout, the installation of painted traffic stripe, thermoplastic traffic stripe, raised pavement markers, pavement arrows, removal of existing pavement markings, removal of temporary marking tape, and on-call maintenance services. This task order is based on unit prices contained within the on-call contract.
- This request is for the replacement of lane striping, stop bars, crosswalks and raised pavement markings along the following roads listed as part of the FY 2017 annual milling and resurfacing project.
 - Westside Parkway from Sanctuary Parkway to Hembree Road
 - Georgia Lane from North Point Parkway to North Point Drive
 - Rainwater Drive from Haynes Bridge Road to Westside Parkway
 - Westside Way from Mansell Road to Rockmill Parkway
 - Maxwell Road from South Main Street (SR-9) to City Limits
 - Maxwell Road from Hembree Road to Westside Parkway
 - North Fulton Industrial Boulevard from Hembree Road to Westside Parkway
 - North Fulton Industrial Boulevard from Hembree Road to End
 - Roswell Street from Roswell Street to Old Milton Parkway
 - Duke Drive from Mansell Road to Cul-De-Sac
 - Royal Boulevard Parkway from North Point Parkway to End
 - Alexander Drive from Old Milton Parkway to Brookside Parkway
 - North Point Parkway (NB lanes only) from approx. 500' south of Windward Parkway to Windward Parkway
 - Warsaw Road from Mansell Road to Old Roswell Road
 - Kingswood Place from Mansell Road to End
- In addition, this request is for replacement of thermoplastic stop bars and/or crosswalks (No lane striping) at the following roads listed as part of the FY 2017 Annual Milling and Resurfacing Project:
 - Cannonero Drive at Douglas Road (stop bar/crosswalk)
 - Birch Hollow Drive at Harris Road (stop bar/crosswalk)
 - Admiral Crossing at Windward Parkway (stop bar/crosswalk)
 - Teasley Place at Kimball Bridge Road (stop bar)
 - Red Oak Lane at Academy Street (stop bar)
 - Chantilly Drive at Bethany Road (stop bar)
 - Southerby Lane at Rucker Road (stop bar)

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve a task order under the city's On-Call Contract (RFP 15-102) with Peek Pavement LLC in an amount not to exceed \$126,866.55 and authorize the Mayor to execute all necessary documents*
 - *The motion received a second from Council Member Binder*
 - *The motion was approved 7-0*

VIII. PUBLIC COMMENT

None

IX. REPORTS

- Council Member Owens reported that he had the opportunity to attend the Alpharetta Business Association's "Best of" event and announced that the Recreation and Parks Department won an award for Wills Park.
- City Hall will host an Employee Thanksgiving Luncheon on Wednesday, November 15th

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ *Council Member Mitchell offered a motion to adjourn to Executive Session*
 - *The motion received a second from Council Member Kennedy*
 - *The motion was approved 7-0*

Respectfully submitted,



Coty Thigpen

City Clerk



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

PH_17-AB-27 CHUY'S OPCO, INC.
D/B/A CHUY'S
2560 OLD MILTON PARKWAY, STE. 120
ALPHARETTA, GA 30009

CONSUMPTION ON PREMISES
BEER, LIQUOR, WINE- SUNDAY SALES

OWNER: OPCO, INC.
REGISTERED AGENT: MICHAEL SARD

PH-17-AB-28 TCD STUDIOS, LLC
D/B/A PAINTING WITH A TWIST
11770 HANYES BRIDGE ROAD STE. 801
ALPHARETTA, GA 30009

CONSUMPTION ON PREMISES
BEER, WINE, LIQUOR- SUNDAY SALES

OWNER: SHYAM DALMIA
REGISTERED AGENT: SHYAM DALMIA

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: V-17-34: JSB HOMES/HOPEWELL

CONSIDERATION OF A VARIANCE REQUEST TO ALLOW A PRIVATE STREET WITHIN A RESIDENTIAL LOT TO ALLOW FOR THE SUBDIVISION OF A RESIDENTIAL LOT INTO 2 LOTS. THE PROPERTY IS LOCATED ON THE WEST SIDE OF HOPEWELL AND IS LEGALLY DESCRIBED AS BEING LOCATED IN LAND LOT 1125, 2ND DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

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>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Council Agenda Report, Location Map, Aerial Map, Application, Citizen Part B



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: V-17-34 JSB HOMES/HOPEWELL

CITY COUNCIL: NOVEMBER 27, 2017

II. RECOMMENDATION:

Approve V-17-34 JSB Homes/Hopewell Road, subject to the following conditions:

1. The site shall be subdivided substantially similar to plan submitted by ACR Engineering, Inc., dated 9/6/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. A 20' natural tree save area shall be provided along the perimeter of Lot B.
3. Homes shall be placed on lots with the least impact to existing specimen trees with final approval by Staff. Specimen trees along Hopewell Road within the required setback shall be saved, except for trees depicted to be removed on the approved plan.
4. Homes on Lots A and B shall be oriented to front Hopewell Road.
5. Homes shall not exceed 3,500 square feet in size in order to fit surrounding scale and massing. Architectural style and materials shall be similar to rendering submitted by the applicant, as approved by Staff.
6. Fire turnaround shall be located to the rear of the home on Lot A, as approved by Staff.

III. REPORT IN BRIEF:

The applicant, JSB Homes, is requesting consideration of a variance to the 40' street frontage requirement and to allow a street or driveway within a lot in order to subdivide a 1.07-acre property into two (2) single-family detached lots. The rear lot is proposed to be accessed by a shared private driveway easement. The subject property is located at 12550 Hopewell Road, on the west side of Hopewell Road just north of Canton Street.

DISCUSSION

The submitted request, if approved, would allow for the subdivision of a 1.07-acre property into two (2) single-family detached lots with the rear lot having access from a shared private driveway easement. The subject property is located at 12550 Hopewell Road, on the west side of Hopewell Road just north of Canton Street.

The property is zoned R-15 (Dwelling, 'For-Sale' Residential) and is currently undeveloped. All surrounding properties are zoned R-15. Andover at North Town subdivision and an unplatted residential lot are located to the north, Surrey Place subdivision is located to the west and south, an unplatted residential lot is located to the south and Orchards at Hopewell is located to the east.

The applicant requests a variance to allow a private street/driveway within a 'Lot' and to eliminate the minimum requirement for 40' of street frontage. Unified Development Code (UDC) Subsection 1.3.3 states the requirement for minimum street frontage and UDC Subsection 1.4.2 defines 'Lot', as follows:

"No building shall be erected on a lot which does not have frontage for at least 40 feet on a street."

"A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included."

With only 100' of frontage on Hopewell Road, the narrowness of the property limits how it could be subdivided. The applicant proposes a 20' shared private driveway (access/utility) easement along the north side of the property and within Lot A to provide access to Lot B.

The applicant requested the same variance on the subject property in 2013 (V-13-11 JSB Homes). The only difference was that the private driveway was previously shown along the south property line. The applicant withdrew the previous request due to concerns from surrounding property owners over removal of trees and size and massing of homes.

SITE PLAN

The submitted site plan depicts subdivision of the 1.07-acre property into two (2) lots, with Lot A (front lot) to be 21,214 square feet and Lot B (rear lot) to be 25,614 square feet. Lot B is proposed to have access from a 20' shared private driveway through Lot A. Lot A meets the minimum required road frontage on Hopewell Road. The shared driveway is depicted on the north side of the property.

The home to the north has a front setback of approximately 87' and is located on a 0.84-acre lot. The home to the south has a front setback of approximately 60' and is located on a 0.55-acre lot. The 65' front setback for Lot A complies with the minimum requirement in the R-15 zoning district and is similar to the existing front setbacks for other homes fronting Hopewell Road. Residential lots in Surrey Place and Andover at North Town have typical lot sizes that range from 20,000 – 26,000 square feet.

The lot is wooded with a number of specimen trees on the property that should be saved. Saving as many mature trees as possible will help transition the property with surrounding existing development. Perimeter tree saves and tree saves along the Hopewell Road frontage are recommended.

The applicant has stated that homes will have price points starting at \$500,000 and are planned to be two-story and a minimum 3,500 square feet, with basement and three-car garage.

VARIANCE REQUIREMENTS

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship 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 is narrow, which limits how the property could be subdivided. A 20' shared private driveway is proposed within Lot A, along the north side of the property. The property is over an acre in size with surrounding lots ranging from 20,000 – 26,000 square feet. The requested lot sizes would be similar to surrounding lots. However, the home size requested is minimum 3,500 square feet, which is larger than surrounding homes that average 2,500 square feet in size.

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

Response: If denied, the applicant would still be able to build one (1) home on the property.

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

Response: The zoning permits lots that are a minimum 15,000 square feet in size; the request is due to the configuration of the property. However, one (1) home could be accommodated on the property.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance.

Response: Surrounding parcels are within established neighborhoods. Therefore, construction should be sensitive to saving existing trees and massing should not impact surrounding properties.

CONCURRENCES

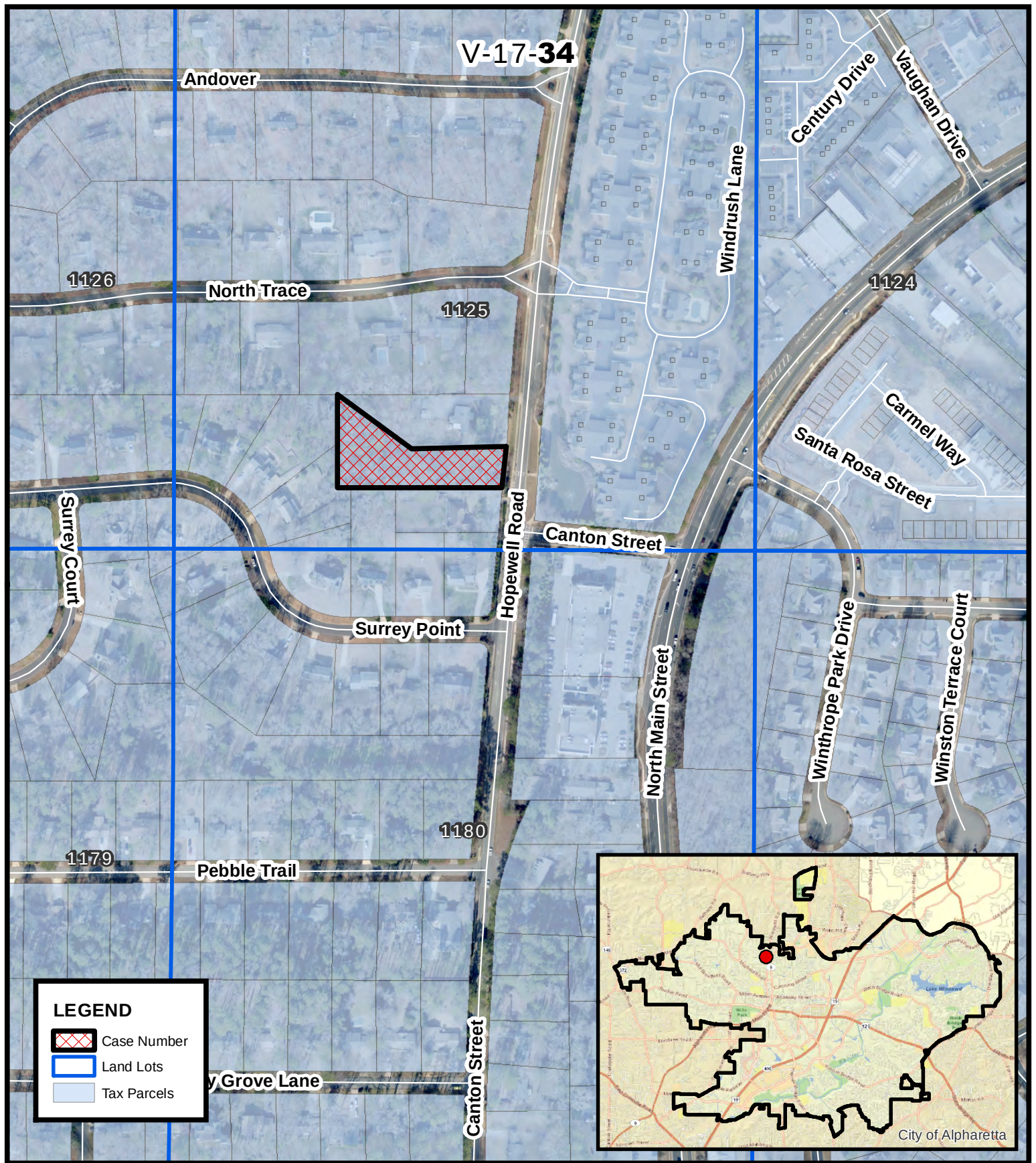
Staff has reviewed the applicant's proposal and finds that it can generally support the request for variance. Approval should not be detrimental to surrounding properties, if conditions are placed on the property limiting the size of homes and incorporate existing trees along the perimeter and frontage. The variance to allow a private street within a residential lot and to allow a lot without the required 40' of street frontage can be supported given the narrow shape of the property and requested lot sizes are similar to surrounding lots. The proposal is for infill development that should be sensitive to surrounding properties. Additionally, the massing and placement of homes should be conditioned in order to maintain a consistent look along Hopewell Road.

CITIZEN PARTICIPATION PLAN

The applicant notified adjacent property owners of the variance request and intent for the property. The citizen participation report states that no comments were received.

IV. ATTACHMENTS:

- Site Plan
- Rendering



Location Map
 JSB Homes
 12550 Hopewell Road

V-17-34
 D/LL: 2/2/1125
 CC Date: 11/27/17



Location Map Provided by:
 Community Development - GIS



Aerial Map
 JSB Homes
 12550 Hopewell Road

V-17-34
 D/LL: 2/2/1125
 CC Date: 11/27/17



Location Map Provided by:
 Community Development - GIS

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHAI 70061

☒ Fee Paid Initial: _____

AMEX 4000

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: JSB HOMES INC. JAVAD OSKOEI PRESIDENT

Telephone: 770-527-1962

Address: 2145 CLAY DRIVE

Suite: _____

City: SANDY SPRINGS

State: GA

Zip: 30350

Fax: 678-339-2735

Mobile Tel: 770-527-1962

Email: JSBHOMES@YAHOO.COM

Subject Property Information:

Address: 12550 HOPEWELL ROAD

Current Zoning: R-15

District: 2

Section: 2

Land Lot: 1125

Parcel ID: 120340332

Proposed Zoning: R-15

Current Use: VACANT LOT

This Application For (Check All That Apply):

☐ Conditional Use

☐ Master Plan Amendment

☐ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☐ Comprehensive Plan Amendment

☐ Other (Specify) _____

APPLICANT REQUEST AND INTENT

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

SINGLE FAMILY RESIDENTIAL

Applicant's Request *(Please itemize the proposal):*

1. TO DIVIDE ONE LOT INTO TWO LOTS. THESE LOTS (A AND B) WILL BE ACCESED BY A 20 FOOT PRIVATE ROAD OFF OF HOPEWELL ROAD. LOT B WILL BE A FLAG LOT, AND WILL MAINTAIN THE 20 FOOT PRIVATE ROAD. THERE WILL BE 2 MAILBOXES ON HOPEWELL ROAD.

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

WE ARE ASKING TO DIVIDE ONE LOT INTO TWO LOTS. EACH HOUSE WILL HAVE OVER 3,000 S.F. OF HEATED AREA WITH TWO CAR GARAGES. THE PRICE FOR THESE HOUSES WOULD BE OVER \$500,000. THESE LOTS ARE SURROUNDED BY OLDER HOMES, BUT WE THINK BY BUILDING NEW HOMES IN THE AREA IT WILL RAISE THE PROPERTY VALUES OF THESE OLDER HOMES.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

APPROVAL OF THIS PROPOSAL WILL ALLOW US TO KEEP THE LOT SIZES COMPARABLE TO THE AREA, AND CONSTRUCT HOMES ON THE LOTS SIMILAR TO THOSE ON THE SURROUNDING PROPERTIES.

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

WE BELIEVE THAT APPROVAL OF THE PROPOSAL WOULD HAVE A POSITIVE IMPACT ON THE VALUE OF THE SURROUNDING PROPERTIES.

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

HOMES COULD BE CONSTRUCTED ON THE PROPERTY WITHIN THE EXISTING SETBACKS; HOWEVER APPROVAL OF THIS PROPOSAL WOULD ALLOW CONSTRUCTION OF 2 HOMES ON THE LOTS, AS WELL AS KEEP THE LOT SIZE COMPERABLE TO SURROUNDING LOTS. THESE NEW HOMES WOULD EACH BE PRICED AT OVER \$500,000.

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

APPROVAL OF THIS PROPOSAL WILL INCREASE THE POPULATION BY ONE FAMILY

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

APPROVAL OF THIS PROPOSAL WOULD INCREASE THE IMPACT ON SCHOOLS AND UTILITIES BY ONE FAMILY.

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

THE SINGLE FAMILY HOMES INTENDED UNDER THIS PROPOSAL WILL BE CONSISTENT WITH THE ALPHARETTA COMPREHENSIVE PLAN, PARTICULARLY THE FUTURE LAND USE MAP.

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

YES, THE PROPERTY IS 46,828 SF. IN SIZE WITH SURROUNDING LOTS RANGING FROM 20,000 SF. TO .87 ACRES. WE FEEL THAT BY DIVIDING THE LOT WE ARE HELPING TO KEEP THE LOTS IN THE AREA THE SAME RELITIVE SIZE.

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

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: JSB HOMES INC. (JAVAD OSKOEI)

Telephone: 770-527-1962

Address: 2145 CLAY DRIVE

Suite:

City SANDY SPRINGS

State: GA

Zip: 30350

Authorization:

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

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

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

Identify Authorized Applicant:

Name of Authorized Applicant: JAVAD OSKOEI

Telephone: 770-527-1962

Address: 2145 CLAY DRIVE

Suite:

City SANDY SPRINGS

State: GA

Zip: 30350

So Sworn and Attested:

Owner Signature:

Javad Oskei

Date:

9/9/2017

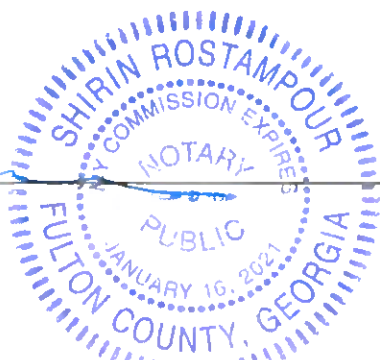
Notary:

Notary Signature:

Shirin Rostampour

Date:

9/12/2017



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: JAVAD OKOEI

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: JAVAD OKOEI

Position: PRESIDENT

Description of Contribution: N/A

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:

9/9/2017

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: 12550 HOPEWELL ROAD

Contact Name: JAVAD OSKOEI

Telephone: 770-527-1962

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 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.

INDIVIDUALS WILL BE ABLE TO VOICE THEIR CONCERNS AT A PUBLIC MEETING.

Property Owners within 500 Feet

Property Address 161 NORTH TRC
Owner LEVERT KEITH L & KRISTIN M
Mailing Address 161 NORTH TRCE ALPHARETTA
GA 30009-3205

Property Address 151 NORTH TRC
Owner JEAN E WILLIAMS REVOCABLE
FAMILY TRUST THE
Mailing Address 151 NORTH TRCE ALPHARETTA
GA 30009

Property Address 141 NORTH TRC
Owner LACOMBE CHRISTINA
Mailing Address 210 MEADOW DR ALPHARETTA
GA 30009

Property Address 131 NORTH TRC
Owner WEAVER ASSETS LLC
Mailing Address P O BOX 883 WOODSTOCK GA
30188

Property Address 121 NORTH TRC
Owner WIERENGO JANE
Mailing Address 121 NORTH TRCE ALPHARETTA
GA 30009

Property Address 12635 HOPEWELL RD
Owner PATTON KATHERINE
Mailing Address 12635 HOPEWELL RD
ALPHARETTA GA 30004

Property Address 110 ANDOVER
Owner TRAPINO ANTHONY J
Mailing Address 110 ANDOVER DR ALPHARETTA
GA 30009

Property Address 120 ANDOVER DR
Owner MAKAMSON RONALD W
Mailing Address 120 ANDOVER DR ALPHARETTA
GA 30004-1202

Property Address 130 ANDOVER
Owner RARY WILLIAM C & MARION A
Mailing Address 130 ANDOVER DR ALPHARETTA
GA 30009-3202

Property Address 12570 HOPEWELL RD
Owner FLETCHER SUZANNE H
Mailing Address 12570 HOPEWELL RD
ALPHARETTA GA 30009

Property Address 12476 HOPEWELL RD
Owner AVALLONE SANDRA LEE
Mailing Address 12476 HOPEWELL RD
ALPHARETTA GA 30009-2347

Property Address 7101 SURREY POINT
Owner PERSAUD GANESH &
BISSOONDAI
Mailing Address 7101 SURREY POINT
ALPHARETTA GA 30004-1275

Property Address 7115 SURREY POINT
Owner HORVATH NICHOLAS J
Mailing Address 7115 SURREY PT ALPHARETTA
GA 30009

Property Address 7119 SURREY POINT
Owner HUNGERFORD ANNE L
Mailing Address 7119 SURREY PT ALPHARETTA
GA 30009

Property Address 7125 SURREY POINT
Owner DELAY THOMAS M & DELLA H
Mailing Address 7125 SURREY POINT
ALPHARETTA GA 30004-1275

Property Address 7129 SURREY POINT
Owner SIMMS DUANE H III & SIMMS
LISA W
Mailing Address 7129 SURREY PT ALPHARETTA
GA 30009

Property Address 7133 SURREY POINT
Owner MIRALLES MICHAEL J &
MICHELLE
Mailing Address 7133 SURREY POINT
ALPHARETTA GA 30004-1275

Property Address 7137 SURREY POINT
Owner LITTLE KAREN H
Mailing Address 7137 SURREY POINT
ALPHARETTA GA 30009

Property Address 7122 SURREY POINT
Owner STROZIER MELINDA S
Mailing Address 7122 SURREY PT ALPHARETTA
GA 30009

Property Address 7118 SURREY POINT
Owner NELSON PEGGIE T
Mailing Address 7118 SURREY POINT
ALPHARETTA GA 30004

Property Address 7114 SURREY POINT
Owner DREYER BETTY C
Mailing Address 7114 SURREY POINT
ALPHARETTA GA 30004-1274

Property Address 7100 SURREY POINT
Owner JACKSON GERALDINE P &
JOSEPH H
Mailing Address 7100 SURREY POINT
ALPHARETTA GA 30009

Property Address 480 NORTH MAIN ST
Owner D2D MAIN STREET LLC
Mailing Address 11785 NORTHFALL LN SUITE 504
ALPHARETTA GA 30009

Property Address 488 NORTH MAIN ST
Owner D2D MAIN STREET LLC
Mailing Address 11785 NORTHFALL LN SUITE 504
ALPHARETTA GA 30009

TRACT DESCRIPTION

12550 HOPEWELL ROAD

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1125 OF THE 2ND DISTRICT, FULTON COUNTY, GEORGIA AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE TRUE POINT OF BEGINNING, BEGIN AT THE SOUTH WEST RIGHT OF WAY INTERSECTION OF NORTHTRACE ROAD AND HOPEWELL ROAD; THENCE SOUTH 04 DEGREES 11 MINUTES 30 SECONDS WEST A DISTANCE OF 476.99 FEET TO A POINT BEING THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; THENCE SOUTH 04 DEGREES 11 MINUTES 30 SECONDS WEST A DISTANCE OF 100 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 04 SECONDS WEST A DISTANCE OF 377.26 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 56 SECONDS WEST A DISTANCE OF 210.95 FEET; THENCE SOUTH 56 DEGREES 29 MINUTES 48 SECONDS EAST A DISTANCE OF 205.91 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 27 SECONDS EAST A DISTANCE OF 215.00 FEET TO A POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 46,828 SQUARE FEET, BEING 1.075 ACRES, INCLUDING ALL EASEMENTS.

September 8, 2017

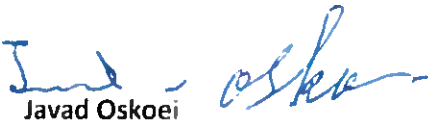
Subject: Variance Letter of Intent

To Whom It May Concern,

I am writing this letter of intent to request a variance for 12550 Hopewell Road in the City of Alpharetta, Georgia. The variance that we are seeking is the division of one lot into two lots. Currently 12550 Hopewell Road is a 46,828 sf. Lot. The surrounding lots range from 20,000 sf. to 37,897 sf. We are proposing to divide our lot into two lots. One lot would be a flag lot with an area of 25,614 sf., and the second lot would be 21,214 sf. These lots would share a 20' private driveway that would be accessed from Hopewell Road. This lot division would allow us to construct 2 homes on these lots and provide lot sizes that are more in keeping with those in the surrounding area.

Thank you for considering our hardship.

Sincerely,


Javad Oskoei

President JSB Homes Inc.

SITE DATA

TOTAL AREA = 1.075 ACRES
TOTAL NO. OF LOTS = 2
DENSITY / YIELD = 0.54 LOTS PER ACRE
ZONING - R-15
MIN. LOT SIZE = 20,000 S.F.
FRONT SETBACKS = 65 FT
SIDE SETBACKS = 10'
REAR SETBACKS = 25'

LOT AREA	
LOT	AREA
A	21,214 SF.
B	23,614 SF.
TOTAL	44,828 SF.

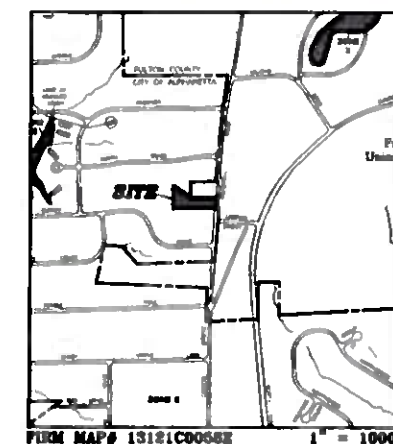
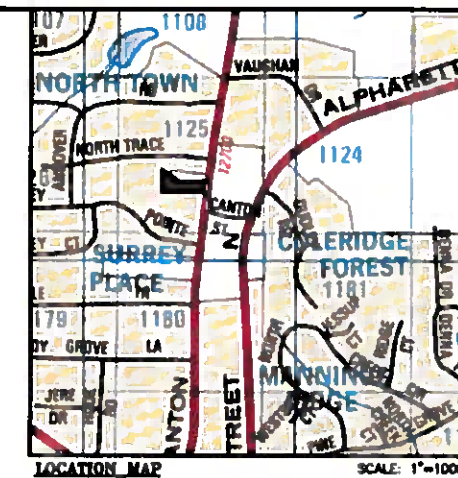
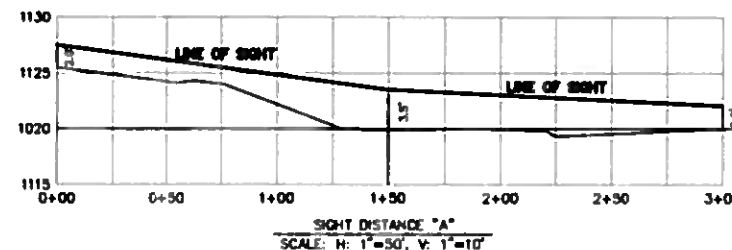
PROPERTY ADDRESS:
12550 HOPEWELL ROAD
ALPHARETTA, GA 30009
PARCEL: 22 480011251103

REFERENCE SURVEY:

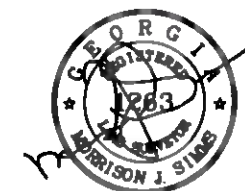
REFERENCE SURVEY:
SURVEY FOR: S USANG., PREPARED BY
J. A. EVANS SURVYING CO., INC., DATED
APRIL 12, 1985.

SANITARY SEWER EASEMENT EXHIBIT FOR:
HOWARD FONCO PREPARED BY DAVID A.
BURRE ENGINEERS & SURVEYORS INC.,
DATED JANUARY 04, 2008

MINOR SUBMISSION PLAT FOR STEVEDEE CFA PREPARED BY DAVID A.
BURRE ENGINEERS & SURVEYORS, INC.
DATED JUNE 29, 2006



OWNER:
JSB HOMES, INC.
2145 CLAY DRIVE
SANDY SPRINGS, GA 30350
CONTACT: JAVAD OSKOEI
(770) 527-1962



THIS SITE IS NOT LOCATED WITHIN FLOOD HAZARD ZONE AS
DEFINED BY F.A.R.M. COMMUNITY PANEL NUMBER 13121C0050E
FOR FULTON COUNTY, GEORGIA, DATED JUNE 22, 1998.

GRAPHIC SCALE



THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/10,000+; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/826,750. MATTERS OF TITLE ARE EXCEPTED.

- [illegible]

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE COMMITMENT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.

AFR ENGINEERING, INC.
ATLANTA COMMERCIAL & RESIDENTIAL ENGINEERING
8000 PENNAQUE COURT
SUITE 605
HUNTERDRESS, GA 30071
TEL: (478) 281-0000
FAX: (478) 281-0001

VARIANCE SITE PLAN
FOR
12550 HOPEWELL ROAD
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA
I.L. 1125, DIST. 2ND, SEC. 2ND

[illegible]

PARCEL: 22 400011251103
BENG 1.0750 ACRES
LAND LOTS: 1125
DISTRICT: 2ND
SECTION: 2ND
COUNTY: FULTON STATE: GEORGIA
DESIGNED: 18 DRAINAGE: 18

DRAWING: 13000-1000000	Sheet
SNAPSHOT:	1
DATE: SEPT. 6, 2017	or
SCALE: 1"=40' N/A	1

October 3,2017

Subject: Variance Letter of Intent

Re: V-17-34 JSB Homes INC./ Hopewell Rd

To Whom it May Concern,

I am writing this letter of intent to request a variance for 12550 Hopewell Road in the city of Alpharetta,Georgia.

To divide one lot into two lots. These lots (A & B) will be accessed by a 20 foot private road off of Hopewell Rd. Lot B will be a flag lot and will maintain the 20 foot private Road. There will be 2 Mailboxes on Hopewell Rd.

We are asking to divide one lot into two lots.Each house will have over 3000 S.F.

Of heated area with two car garages.The price for these houses would be over \$500,000.00. These lots are surrounded by older homes, but we think by building

New homes in the area will raise the property value of the older homes.

City Council Hearing is on Monday November 27,2017 at 6:30 PM.

The public hearing listed above will take place at the Alpharetta City Hall Council Chambers located at 2 Park Plaza Alpharetta,GA.

If you have any question,please contact :

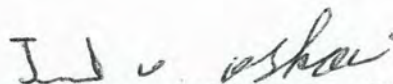
Phone: 770-527- 1962

Email: jsbhomes@yahoo.com

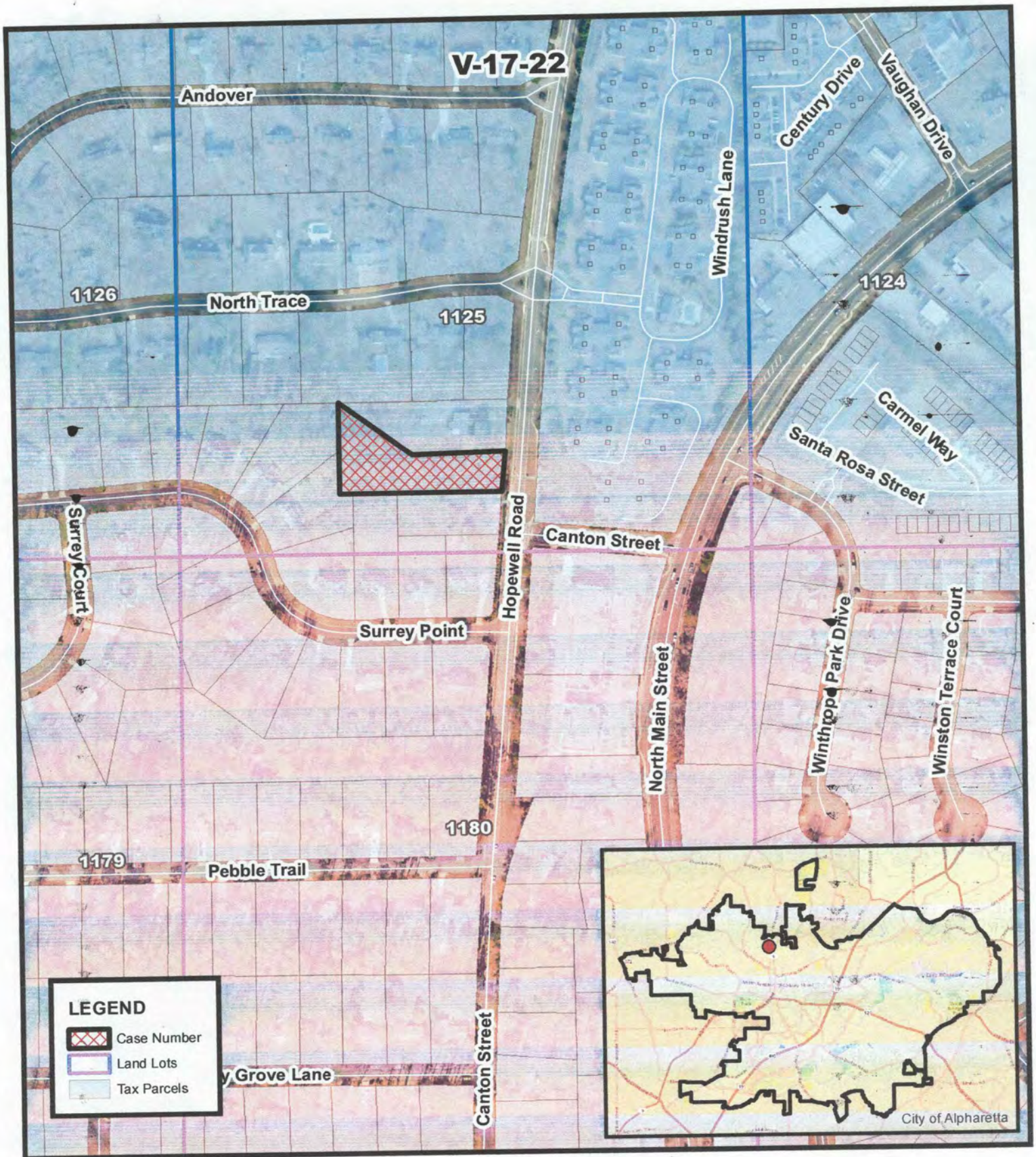
Mailing Address: P.O. Box 669

Alpharetta,GA. 30009

Sincerely,



Javad Oskoei –President of JSB Homes,INC.



Location Map
JSB Homes
12550 Hopewell Road

V-17-34
D/LL: 2/2/1125
CC Date: 11/13/17



Location Map Provided by:
Community Development - GIS



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: PH-17-28: HAYNES BRIDGE ROAD ABANDONMENT

CONSIDERATION OF A ROAD ABANDONMENT OF THE 0.49-ACRE PORTION OF THE HAYNES BRIDGE ROAD RIGHT-OF-WAY IN ORDER TO DEVELOP A RETAIL CENTER AND SINGLE-FAMILY DETACHED LOTS.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

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>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Council Agenda Report, Resolution, EXHIBIT A, Conceptual Site Plan, Citizen Part B Report, Application



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

AGENDA ITEM TITLE: PH-17-28 HAYNES BRIDGE ROAD ABANDONMENT

CITY COUNCIL: NOVEMBER 27, 2017

I. RECOMMENDATION:

Approve PH-17-28 Haynes Bridge Road Abandonment, subject to the following conditions:

1. The applicant's adjacent property shall require final site plan and use approval by City Council. Site plan approval shall include uses, architecture, parking layout, tree save and corner feature. At a minimum the following shall be addressed on the site plan:
 - A. Architectural style of commercial building shall be Mercantile/Mill. Single-family homes shall meet the Downtown Code with respect to building design and architecture.
 - B. Commercial building shall be pulled up to Haynes Bridge Road with no more than one (1) row of parking between the building and the street.
 - C. Developer shall dedicate a minimum 20' permanent easement for public access to the City and construct a 12' multi-use path (Alpha Loop) through the 50' buffer shown on adjacent property with final alignment, design and materials approved by Staff. Construction shall be completed prior to the first CO. Alpha Loop shall be accessible and constructed of concrete, including an entrance gateway/arch on Devore Road and Thomas Street, landscaping, lighting (pedestrian and bollards), seating/gathering areas, useable greenspaces, and bike share station as approved by Staff. Sections of Alpha Loop on Devore Rd and Thomas Street shall be 12' wide. Wayfinding signage shall be placed at key locations along the trail. Park impact fee credits shall be provided to the developer for improvements within the easement, excluding any required screening. Provide a raised brick paver crosswalk, or alternative design approved by Staff, across Devore Road and Thomas Street with direct access to the Alpha Loop, as approved by Staff.
 - D. The 50' buffer shall include landscaping to provide a park-like setting, as well as evergreen landscaping along the edges of the buffer to provide screening between uses. The area shall be called out on the LDP and final plat as a replanted buffer.
 - E. Specimen trees, tree groupings and trees of quality shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the Tree Protection Ordinance, as approved by Staff.
 - F. A minimum 0.11 acres of amenity space shall be provided. Amenity space shall include landscape, hardscape, seating/gathering areas, as approved by Staff.
 - G. Corner of Haynes Bridge Road and Devore Road shall be designed with a minimum 2,000 square foot open space and shall incorporate landscape and hardscape with a focal

feature, with final approval by Staff. Approval and construction of the sculpture shall be required concurrent with the first CO.

H. Landscape strips shall be exclusive of any overhead or underground utilities and easements.

2. In exchange for city-owned land and in lieu of payment for abandoned Haynes Bridge Road right-of-way, the developer shall construct Thomas Street extension between Jon Scott Drive and Haynes Bridge Road (50' right-of-way) and dedicate to the City, as depicted on the plan prepared by Wakefield Beasley, dated 11/6/17.

II. REPORT IN BRIEF:

The applicant, COR Properties, LLC, requests a road abandonment of the 0.49-acre portion of the Haynes Bridge Road right-of-way in order to develop a retail center and single-family detached lots. If approved, the right-of-way will be incorporated into the proposed 3.92-acre development. The applicant proposes a land swap whereby the abandoned right-of-way would be exchanged for the applicant improving and dedicating to the City Thomas Street between Jon Scott Drive and Haynes Bridge Road. The portion of Haynes Bridge Road to be abandoned is located on the west side of Haynes Bridge Road, just south of Devore Road.

III. DISCUSSION

The Haynes Bridge Road right-of-way proposed to be abandoned is approximately 0.49 acres. If approved, the abandoned right-of-way would be incorporated into the adjacent C-2 and O-I properties along Haynes Bridge Road. COR Properties, LLC proposes to develop the adjacent properties with 13,000 square feet of retail and four (4) 'For-Sale' single-family detached homes. The applicant proposes a land swap whereby

0.49 acres of abandoned Haynes Bridge Road right-of-way would be provided to the applicant's development in exchange for the improvement of Thomas Street 50' right-of-way (0.52 acres) between Jon Scott Drive and Haynes Bridge Road. The adjacent properties are zoned C-2, O-I and R-12. Access will not be denied as a result of the proposed road abandonment.

The applicant's property consists of five (5) single-family detached lots in Alpha Park, a vacant commercial property and a portion of a vacant office property. The vacant commercial property (Danyo Office Building) had previous conditions of zoning that expired in 2008. The previous conditions of zoning restricted the use of the property to no more than 14,790 square feet of office use only and zoning conditions addressed requirements for undisturbed buffers, a 20' landscape strip on Haynes Bridge Road and specific specimen tree saves. The applicant proposes to meet current zoning requirements for the parcels with minimum 12,000 square foot lots and retail and restaurant along the front. Staff recommends that abandonment be subject to review of a final site plan that incorporates a corner feature with heavy ornamental landscaping, the Alpha Loop, proposed building architecture as well as identified uses. The property is zoned C2 which would permit a drive thru restaurant or other heavy traffic uses that should be identified and considered as part of an abandonment request. Auto related uses are also permitted within C2 and the City may not want to abandon without the ability to restrict uses since the Alpha Loop could be located along the front of the property or through the middle based upon proposed use.

IV. CONCURRENCES

City departments were consulted on this issue and expressed no concerns with the applicant's request. The City's Recreation & Parks Director supports the alignment of the Alpha Loop through the applicant's proposed development.

V. ATTACHMENTS:

- Survey
- Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF ALPHARETTA PROVIDING FOR THE
ABANDONMENT AND DISPOSITION OF A CERTAIN PUBLIC RIGHT OF WAY
(Portion of Haynes Bridge Road)**

WHEREAS, the City of Alpharetta has received an application for the abandonment of a public right-of-way known as Haynes Bridge Road, located in Land Lot 747, 1st District, 2nd Section, Fulton County, Georgia.

WHEREAS, after due consideration and investigation, the Mayor and Council for the City of Alpharetta (the "City Council") have determined that the right-of-way of Haynes Bridge Road described in the attached Exhibit "A" has ceased to be used by the public to the extent that no substantial public purpose is served by it; and

WHEREAS, the City has notified the public and the abutting property owners of its intention to abandon said right-of-way; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Alpharetta hereby resolves that Haynes Bridge Road described in the attached Exhibit "A" is hereby abandoned as a public road and shall no longer be part of the City street system and the Mayor and such other City officials as may be appropriate are hereby authorized to dispose of Haynes Bridge Road described in the attached Exhibit "A": as stipulated as a result of the public hearing process in accordance with the provisions of applicable law.

SO RESOLVED this _____ day of _____ 2017.

CITY OF ALPHARETTA

BY: _____
David Belle Isle, Mayor

Council Members:

_____	_____
_____	_____
_____	_____

ATTEST: _____
City Clerk

EXHIBIT A

0695

PH-17-28

Johnson Court

0749

Nottaway Lane

Devore Road

0696

0747

0750

Thomas Street

Michael Drive

Jon Scott Drive

Vantage Point

Haynes Bridge Road

0697

Weatherly Way

0746

Woodhaven Way

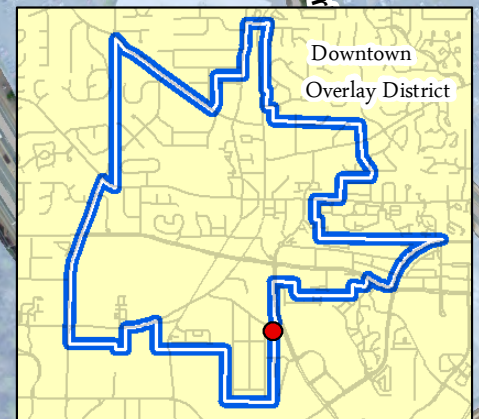
Rainwater Dr

LEGEND

Tax Parcels

Land Lots

Approximate ROW to be Abandoned



PH-17-28

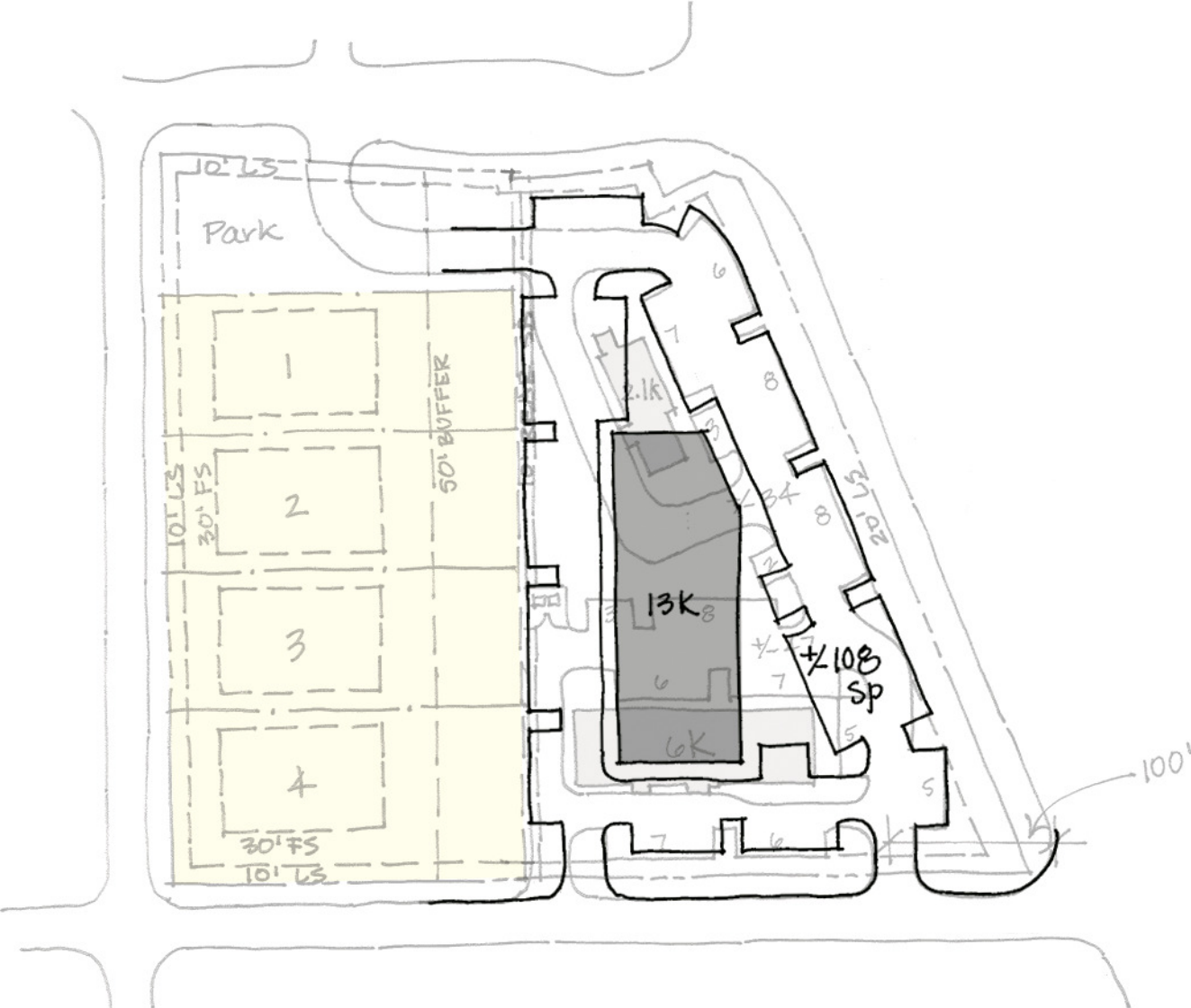
D/LL: 1/2/696, 747

CC Date: 11/27/17

Location Map
Haynes Bridge & Devore
Road Abandonment

Location Map Provided by:
Community Development - GIS





Restaurant	8K	80sp (10/1000)
Retail	5K	25sp (5/1000)
		<u>105 sp</u>

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.

COPY

Public Hearing or Project Name: PH-17-28 Haynes Bridge & Devore Road Abandonment

Contact Name: J. Ethan Underwood

Telephone: 770-781-4100

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, mailed September 29, 2017, notified nearby property owners of a meeting held on October 11, 2017 at 6:30 PM at the

North Park Adult Activity Center. Copies of this letter and mailing receipts are attached as Exhibit "A." A copy of the public

participation sign-in sheet is attached hereto as Exhibit "B". A summary of the issues raised by adjoining property owners and the

Applicant's response is attached hereto as Exhibit "C." A second letter notifying nearby property owners of public hearings before

the City was mailed October 13, 2017. Copies of this second letter and mailing receipts are attached as Exhibit "D."

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: 10/13/2017

Print Form

Exhibit "A"

Copies of the September 29, 2017 Public Participation Letters and Mailing Receipts



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

September 29, 2017

Re: PH-17-28 Haynes Bridge & Devore Road Abandonment &
CLUP-17-04/Z-17-10/V17-23 Haynes Bridge & Devore

Dear Neighbors:

In an effort to foster community accord, COR Properties, LLC (the "Applicant") would like to inform interested property owners that it has submitted land use applications to the City of Alpharetta to facilitate the development of a mixed use project on approximately 3.93 acres located at the southwest corner of Haynes Bridge Road & Devore Road. The Applicant proposes to develop on the subject property a 4-story loft-style office building, a retail/restaurant building, a parking deck, 11 detached residential homes, and a portion of the Alpha Loop Trail.

The Applicant is requesting the following:

- 1) The abandonment of the public unused right-of-way known as Haynes Bridge Road, located adjacent to the subject property; and
- 2) Rezoning of the subject property from C2 & R-12 to DT-MU.

A copy of the proposed site plan is enclosed.

A public participation meeting will be held on October 11, 2017 at 6:30 P.M. at the North Park Adult Activity Center, located at 13450 Cogburn Rd, Alpharetta, Georgia 30004. This meeting is not the public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the Applicant, ask questions, and voice concerns regarding this project.

The Applicant is committed to keeping the public informed during the process of these applications. If you have any questions, comments, or concerns, please contact us. When contacting our office, please reference COR Properties, LLC so that we may facilitate your request more efficiently.

Sincerely,

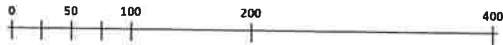
Ethan Underwood,
Attorney for the Applicant

Enclosure



DOWNTOWN ALPHARETTA - LOFT OFFICE ZONING PLAN

NOVEMBER.30.16
SCALE: 1" = 100'



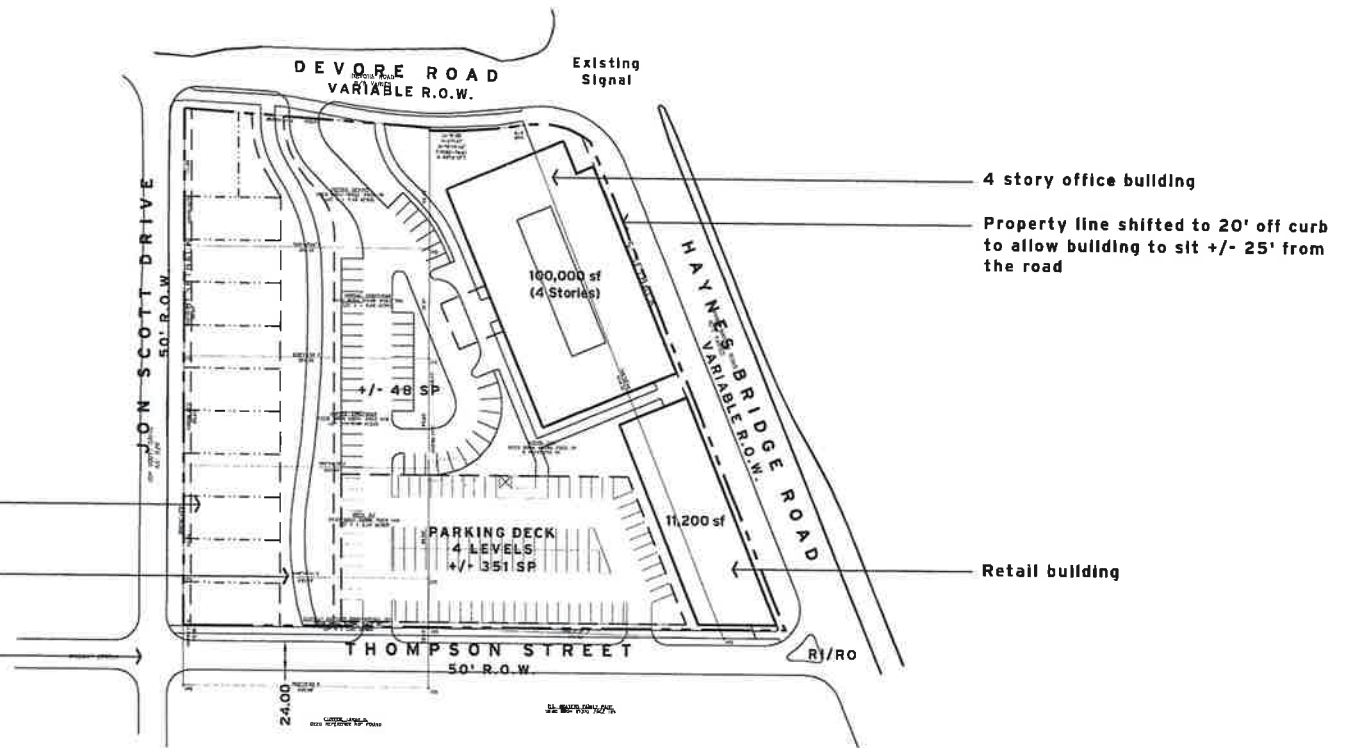
DEVELOPMENT SUMMARY

SITE ACREAGE	3.93 acres (171,025 sf)
RETAIL	11,200 sf
OFFICE	100,000 sf
FAR	0.65
RESIDENTIAL UNITS	11 lots
DENSITY	2.8 un/acre
PARKING	399 sp
Deck	351 sp
Surface	48 sp
OPEN/GREEN SPACE	0.78 ac (33,920 sf)
Easement	0.40 ac (17,418 sf)
Other	0.38 ac (16,502 sf)
TOTAL LOT COVERAGE	120,600 sf or 70.5%

11 Detached lots, +/- 2,800 sf

Easement for city "Loop" path,
+/- 0.40 acres (17,418 sf)

Extension of Thompson Street to
Haynes Bridge Road



COR Properties, LLC			
Public Participation Meeting			
11-Oct-17			

[illegible]

Exhibit "C"

Summary of the Issues/Questions Raised and the Applicant's Responses during the Public Participation Meeting

Since the Applicant submitted its initial public participation report, the Applicant and its representatives have corresponded with the following interested parties and addressed the issues raised as described below:

A. Correspondence with Interested Parties.

On or about October 9, 2017, Ms. Donna Tribble contacted the Applicant's attorney, Ethan Underwood, and stated she is supportive of this application.

The Applicant conducted a public participation meeting on October 11, 2017 at 6:30 P.M. at the North Park Adult Activity Center, located at 13450 Cogburn Rd, Alpharetta, Georgia 30004. The concerns of attendees and the Applicant's responses are described below.

B. Summary of Responses.

Issue #1: Residents of John Scott Drive expressed concern that the extension of Thomas Street from Jon Scott Drive to Haynes Bridge Road would become a cut through road to avoid the traffic light at the intersection of Devore Road and Haynes Bridge Road.

Response: The Alpharetta Comprehensive Plan and Downtown Plan anticipate developments in the Downtown Overlay to be built on a grid road system. The extension of Thomas Street will be constructed in compliance with all applicable regulations.

Issue #2: Neighbors expressed concern with preservation of privacy on property adjoining extension of Thomas Street.

Response: The Applicant is agreeable to add plantings and fencing on the properties adjoining the southern boundary of the extension of Thomas Street, provided such property owners allow the developer to make those improvements.

Issue #3: Neighbors expressed concern regarding architecture of homes on John Scott Drive.

Response: The Applicant stated it anticipates these homes will have similar architecture to those on the north side of Academy Street.

Issue #4: Neighbors expressed they want a residential use between John Scott Drive and the proposed commercial uses.

Response: The Applicant proposes to develop 8 residential units between John Scott Drive and the proposed commercial uses.

Issue #5: Neighbors expressed concern regarding the height of parking garage and commercial buildings.

Response: The Applicant proposes to comply with the building height requirements of the Downtown Overlay.

Issue #6: Neighbors expressed concern as to where utility lines will run, particularly sanitary sewer lines.

Response: The Applicant is researching what utility improvements will be required and whether new sanitary sewer lines and storm sewer lines will be accessed.

Issue #7: Neighbors expressed they like the proposed architecture of the commercial buildings.

Response: The Applicant is agreeable to condition the project to substantially comply with the submitted building renderings.



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
eunderwood@mhtlegal.com

October 13, 2017

Re: PH-17-28 Haynes Bridge & Devore Road Abandonment &
CLUP-17-04/Z-17-10/V17-23 Haynes Bridge & Devore

Dear Neighbors:

Our firm is representing COR Properties, LLC (the "Applicant") in its effort to rezone approximately 3.92 acres from C2, O-I & R-12 to DT-MU (Downtown Mixed-Use District) for the purpose of developing a mixed-use project, consisting of a 100,000 sf office building, an 11,200 sf retail/restaurant building, a parking deck, 11 'For-Sale' single-family detached lots, and a portion of the Alpha Loop Trail. The subject property is located at the southwest corner of Haynes Bridge Road & Devore Road.

To facilitate this development, the Applicant is requesting the following:

- 1) PH-17-28 - The abandonment of the public unused right-of-way known as Haynes Bridge Road, located adjacent to the subject property; and
- 2) CLUP-17-04/Z-17-10/V17-23 –
 - a. A Comprehensive Land Use Plan amendment to bring a portion of the subject property into the Downtown Overlay and to amend the Comprehensive Land Use Plan designation of the subject property from Medium Density Residential and Downtown Residential Density to Mixed Use.
 - b. Rezoning of the subject property from C-2 (General Commercial), O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-MU (Downtown Mixed-Use).
 - c. Variance to Alpharetta Downtown Code § 2.6.2(A) to eliminate requirement for a 50-foot-wide undisturbed buffer between non-residential and 'For-Sale' residential uses.
 - d. Variance to Alpharetta Downtown Ordinance § 2.7.2.(K) of 10 feet to allow a maximum 210-ft street facing façade length for a building.
 - e. A variance to allow mass grading of the subject property.
 - f. A variance to UDC § 3.2.8.(D) to replace minimum 10-foot landscape strip on Haynes Bridge Road with a raised planter with vegetation approved by the Director of Community Development.

Page 2 of 2
October 13, 2017

A copy of the proposed site plan depicting the proposed redevelopment is enclosed. Also enclosed are copies of the proposed building elevations.

Public hearings on CLUP-17-04/Z-17-10/V17-23 are scheduled to be held at **6:30 pm** on **November 2, 2017** before the Alpharetta Planning Commission and at **6:30 pm** on **November 27, 2017** before the Alpharetta City Council in the Alpharetta City Council Chambers, located at 2 Park Plaza, Alpharetta, GA 30009.

A public hearing on PH-17-28 is scheduled to be held **6:30 pm** on **November 27, 2017** before the Alpharetta City Council in the Alpharetta City Council Chambers, located at 2 Park Plaza, Alpharetta, GA 30009.

The Applicant is committed to keeping the public informed during the process of these applications. If you have any questions, comments, or concerns, please contact us at the telephone number or email address, above. When contacting our office, please reference *COR Properties, LLC. – Haynes Bridge & Devore Road Rezoning and Road Abandonment* so that we may facilitate your request more efficiently.

Sincerely,



J. Ethan Underwood,
Enclosure

DEVELOPMENT SUMMARY

EXISTING ZONING R12 (Downtown Overlay District)
PROPOSED ZONING C2-O-1
DT-MU

SITE AREA 3.92 ac (170,618 sq ft)

OPEN SPACE 0.28 ac (12,450 sq ft) or 22.4%
 Easement 0.48 ac (20,704 sq ft) or 10.7%
 Amenity Space 0.41 ac (17,956 sq ft) or 10.8%

TOTAL LOT COVERAGE 128,472 sq ft or 75.3%

BUILDING SETBACKS

Front 5'
 Side 0'
 Rear 6'

RETAIL OFFICE FAR 10,600 sf
 108,000 sf
 0.65

RESIDENTIAL

Detached house 8 units
 Density 2.0 units/acre
 Minimum lot size (40' x 100') 2,500 sf
 Minimum lot area (per code) 45' linear (loaded)
 50' (front loaded)

PARKING REQUIRED

Minimum 322 sp.

PARKING PROVIDED

Deck 138 sp
 Surface 31 sp
 Total 169 sp (105%)



TRANSITION HEMISPHERE PLANE DIAGRAM
 SCALE: 1" = 50'

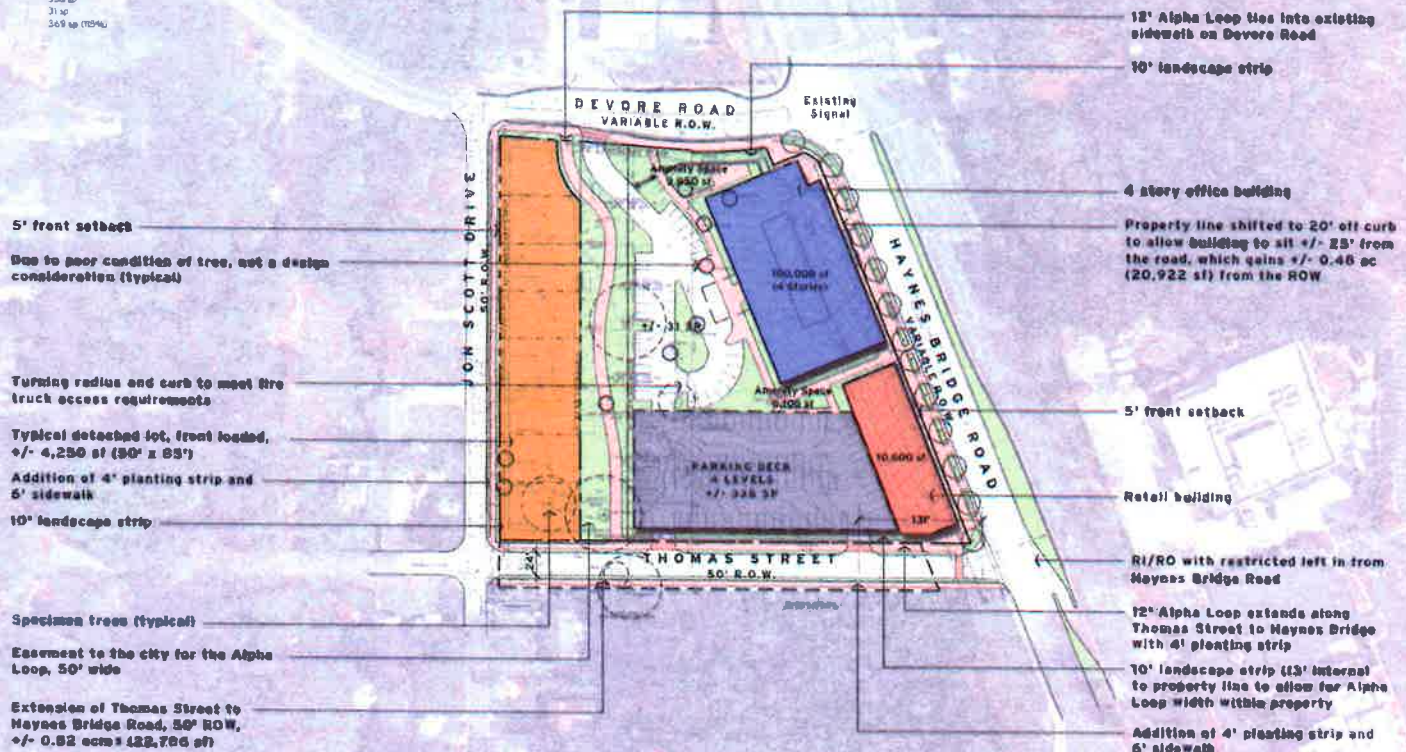
TREE INFORMATION

TREE #	SIZE/SPECIES	NOTES
706	18" Flowering Peach	Poor condition
707	3" Pine	Poor condition
708	12" Flowering Peach	Poor condition
709	23" Southern Red Oak	Poor condition
710	13" Flowering Peach	Specimen
711	10" Crape Myrtle	Poor condition
712	10" Bradford Pear	Poor condition
713	8" Bradford Pear	Poor condition
714	23" Water Oak	Specimen/Tree of Quality
715	20" Water Oak	Specimen
716	10" Dogwood	Specimen
717	20" Water Oak	Specimen
718	20" Sweet Gum	Specimen (not on survey)
719	20" Water Oak	Specimen (not on survey)
720	23" (25"-13") Scarlet Oak	Poor condition
721	21" (20"-14") Southern Red Oak	Poor condition
722	21" Water Oak	Poor condition
723	20" Scarlet Oak	Poor condition

NOTE: Will work with city arborist to specify as many specimen trees as possible, where not able to preserve.



SITE LOCATION MAP



WAKEFIELD BEASLEY & ASSOCIATES

1500 Aviation Boulevard
 Alpharetta, GA 30009
 P: 770.209.9101
 F: 770.209.7000
 www.wbassoc.com

DOWNTOWN ALPHARETTA OFFICE

COR Properties LLC/
 Stonewalk Companies

420 South Hwy 138
 Suwanee, Georgia 30088
 P: 770.854.2300

2010-10-01

10-2011-10-01

2011-10-01

2011-10-01

10 OCTOBER 2017 10000000

CONCEPTUAL SITE PLAN

SP-2

SUBMITTED FOR ZONING



Updated March 2015

COPY CITY OF ALPHARETTA

ROAD ABANDONMENT REQUEST FORM

Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately and that all required supporting materials have been supplied before signing this form.

Please make your check payable to "City of Alpharetta". The application fee is \$400, which must be submitted at the time of application.

Remit application and fee to the Department of Community Development, 2 Park Plaza, Alpharetta, GA 30009. If you have questions, please contact the department by calling 678-297-6070.

FOR OFFICE USE ONLY

Case # _____

Date In _____

Date Out _____

☐ \$400 Fee Paid

Applicant Information:

Contact Name Cory Cianci

Company Name COR Properties, LLC

Mailing Address 420 South Hill St.

City Buford State GA Zip Code 30518

Telephone 770-833-2930 Fax _____

Email Address corycianci@hotmail.com

Property Information:

Current Road Name Haynes Bridge Rd Unused ROW

Land Lot(s) 0747 & 0746 District / Section 1st/2nd

The subject property for which abandonment is being requested is identified by (select one):

☒ Survey Dated August 18, 2017 Prepared By NorthPoint Surveying

☐ Other Plat Specify _____

Reason For Request:

In the space provided, please explain the reason for which you are requesting abandonment of the subject property. Please attach additional pages if necessary.

They city owns an excessive amount of ROW from when Haynes Bridge Road was relocated to the east and expanded to 6 lanes. Applicant is asking to exchange this ROW for ROW on the Alpha Loop in back of the building near the residential component of the project in order to activate access to the Loop to both the office and the residential.

HAYNES BRIDGE RD ABANDONMENT

Please list all property owners, including address and telephone number, who have property abutting the subject road. Attach additional pages as necessary.

Name	Address	Telephone
Daniel Danyo	730 Cooper Sandy Cove	770-318-4319
	7	

Please list anyone, including address and telephone number, who presently resides on property abutting the subject road. Attach additional pages as necessary.

Name	Address	Telephone

In the space provided, please describe the efforts that you have undertaken to notify the aforementioned property owners and residents of your request to abandon the subject road. If such notification was in writing, please attach a sample of the letter or other document used. If such notification was mailed, please attach proof of mailing.

Is any of the property abutting the subject road for sale?

☒ Yes

☐ No

Is the sale of the property contingent upon the road abandonment?

☒ Yes

☐ No

☐ N/A

HAYNES BRIDGE RD ABANDONMENT

Is any portion of the subject road to be included in the sale of property? ☐ Yes ☒ No ☐ N/A

Please describe the location and the acreage involved.

Is an alternate road proposed in lieu of the road to be abandoned? If "yes", please attach a site plan indicating the location of the proposed substitute road. ☐ Yes ☒ No

Will access be denied to any property as a result of this road abandonment? If "yes", please list these properties by address, including owner's name and telephone number. Attach additional sheets if necessary. ☐ Yes ☒ No

Name	Address	Telephone

For properties that have frontage on the subject road, are there alternate points of access to enter and exit these properties? If yes, please identify alternate points of access for each property. Attach additional sheets if necessary. ☐ Yes ☐ No

Address	Alternate Access Point

Please provide twenty (20) copies of a boundary survey showing the proposed road abandonment, all utility locations, existing rights-of-way, acreage and contiguous property owners. Include a location map on the survey and a legal description of the subject roadway.

Please be advised that the City of Alpharetta may require a traffic study and property appraisal in conjunction with this petition.



Ethan Underwood
eunderwood@mhtlegal.com

October 6, 2017

Re: Applicant: COR Properties, LLC.
Project: Abandonment of Haynes Bridge Rd. Unused Right-of-Way

To Whom It May Concern:

Pursuant to Section 36-67A-3 of the Official Code of Georgia Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, please be advised that Miles, Hansford & Tallant, LLC has made the following campaign contributions to local officials of Alpharetta;

- 1) David Belle Isle for Secretary of State - \$250.00 from J. Ethan Underwood, P.C. – June 29, 2017

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application.

Sincerely,

Ethan Underwood

J. Ethan Underwood
eunderwood@mhtlegal.com

LETTER OF INTENT RESERVATION OF CONSTITUTIONAL AND LEGAL RIGHTS

Re: Applicant: COR Properties, LLC.
Project: Abandonment of Haynes Bridge Rd. Unused Right-of-Way

This Letter of Intent and Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the land use application (the "Application") of the Applicant and the owners of the Subject Property and to put the City of Alpharetta 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 asserts the statements contained in the application package submitted herewith, incorporated herein by reference, and as may be amended (the "Application") describing justification for the Application, in any, as if such were fully stated herein. The Applicant incorporates all statements made in the Public Hearing Application submitted concurrently herewith as its letter of intent required by the City of Alpharetta.

A refusal by the City of Alpharetta to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property except for development as proposed by the Applicant.

A refusal by the City of Alpharetta to approve the Application, as requested by the Applicant, will be unconstitutional in that they will constitute a taking of the Applicant's and owners' 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.

A denial of the Application, as requested by the Applicant, will constitute an arbitrary and capricious act by the City of Alpharetta without any basis for such, and will constitute an 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 City of Alpharetta 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.



Page 2 of 2
October 12, 2017

The City of Alpharetta cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the UDC. To do so will constitute a taking of the Subject Property as set forth above, and also amount to an unlawful delegation of the Board's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and property owners that do not serve to ameliorate the negative impacts of the development are invalid and void. As such, the Applicant and owners reserve the right to challenge any such zoning conditions and other restrictions. The Applicant and owners also reserve the right to challenge any unlawful exactions, whether they are in the form of illegal impact fees or otherwise.

Furthermore, this Reservation also constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the City of Alpharetta and all other agents of the City on notice of the Applicant's and owners' intent to seek monetary damages and attorney's fees against the City of Alpharetta for any rezoning action, zoning condition, illegal impact fee and any other unlawful restrictions and exactions that are imposed on the Subject Property, the Applicant and the owners.

Finally, the Applicant and owners assert that the UDC, 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 owners of due process under the law.

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 owners respectfully request that this 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 the City of Alpharetta include this Reservation with the Applicant's other application documents. The Applicant and owners reserve the right to amend and supplement this Reservation at any time.

Sincerely,

Ethan Underwood,
Attorney for the Applicant



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: PH-17-30: FULTON SCIENCE ACADEMY

CONSIDERATION OF A REQUEST TO CHANGE PREVIOUS CONDITIONS OF ZONING TO ALLOW A TEMPORARY MODULAR CLASSROOM BUILDING. THE PROPERTY IS LOCATED AT 3035 FANFARE WAY AND IS LEGALLY DESCRIBED AS BEING LOCATED IN LAND LOTS 688, 689 & 700, 1ST DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

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>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Council Agenda Report, Location Map, Aerial Map, Zoning Map, FLUP Map, Existing Site Plan With Proposed Temporary Modular Building Location Indicated, Site Plan 9.1.17, Application



CITY COUNCIL MEETING STAFF REPORT

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

AGENDA ITEM TITLE: PH-17-30: Fulton Science Academy / Temporary Modular Classroom Building

CITY COUNCIL: November 27, 2017

I. RECOMMENDATION:

Approve PH- 17- 30 Fulton Science Academy/Temporary Modular Classroom Building, subject to the following conditions:

1. Cousins Westside Pod O shall be permitted one (1) temporary modular classroom building for a period not to exceed three (3) years from the issuance of a Certificate of Occupancy.
2. Modular building shall be placed in the location depicted on the plan prepared by AEC, dated 9/1/2017. Modular classroom shall be substantially similar to description provided by the applicant for Vanguard Modular Building Systems. Modular building shall require a land disturbance permit.
3. Landscape strip along Fanfare Way shall be cleared of overgrowth, invasive species, and dead, dying and poor condition plant material. Ground cover shall be refreshed and landscape strip shall be supplemented with evergreen landscape material (trees and shrubs) to screen the modular building and detention pond from Fanfare Way, as approved by Staff.
4. Landscape trees and shrubs displaced by the modular building shall be replaced after removal of the modular building, as approved by Staff. An 18- month landscape maintenance bond shall be required for all new and replacement landscaping, prior to Certificate of Occupancy for the temporary modular classroom.
5. Remaining trees to be planted per the contract from Michelangelo's Sustainable Landscape & Design Group executed on November 13, 2017 shall be completed by April 1, 2018.
6. Property owner shall submit a landscape maintenance plan for the entire property to be approved by staff and an executed contract for continual maintenance.
7. Property owner shall dedicate a 20' wide permanent easement to the City through the Georgia 400 buffer for the Alpha Loop project.
8. All previous master plan conditions of zoning shall remain in effect.

II. REPORT IN BRIEF:

The applicant, Fulton Science Academy, is requesting a change to previous conditions of zoning to allow a temporary modular classroom for a period not to exceed three (3) years. The proposed temporary modular building does not meet the architectural regulations in the Cousins Westside Design Guidelines. The subject property is located at 3035 Fanfare Way, at the southwest corner of Maxwell Road and Fanfare Way.

III. DISCUSSION

The submitted request, if approved, will allow a temporary modular classroom for a period not to exceed three (3) years. A change to previous conditions of zoning is required, due to the modular building not meeting the architectural regulations in the Cousins Westside Design Guidelines. The Design Guidelines require architecture that is representative of the typical 20th Century American "Main Street". The subject property is located at 3035 Fanfare Way, at the southwest corner of Maxwell Road and Fanfare Way.

The 18.5-acre property is zoned CUP (Community Unit Plan) and is subject to the Cousins Westside Master Plan. The property is designated as Pod O, which is approved for 'Education' use at up to 25,000 square feet per acre. The property is developed as the Fulton Science Academy. The submitted site plan depicts a 1-story, 10,000 square foot (154' x 64') modular classroom building at the rear of the existing school building, adjacent to the Georgia 400 Buffer. According to the applicant, the temporary modular building would provide the School with needed classroom space during the next phase of expansion.

Surrounding properties are zoned CUP subject to the Cousins Westside Master Plan to the north, east and west and LI (Light Industrial) to the northeast. Creekside at Westwood, Westwood Park and Honda are located to the north, Parc Alpharetta is located to the west, Georgia 400 is located to the south and undeveloped Cousins Westside Pod P is located to the east.

As shown below, the applicant proposes changes to condition of zoning #43 related to the Cousins Westside Master Plan (MP-03-02). The temporary modular building does not meet the architectural regulations in the Cousins Westside Design Guidelines, which require architecture that is typical of the traditional American "Main Street".

#43. Design guidelines for the project which include building architecture, materials and permitted colors shall be approved by Staff. Staff shall have a period of 30 days to respond after submission of such guidelines for any portion of the project, after which the developer may appeal any such lack of approval to the Design Review Board.

IV. CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the request to change previous conditions of zoning in the Cousins Westside Master Plan to allow a temporary modular classroom building. However, restrictions should be placed on the approval limiting the size and location of the modular building, length of time the building

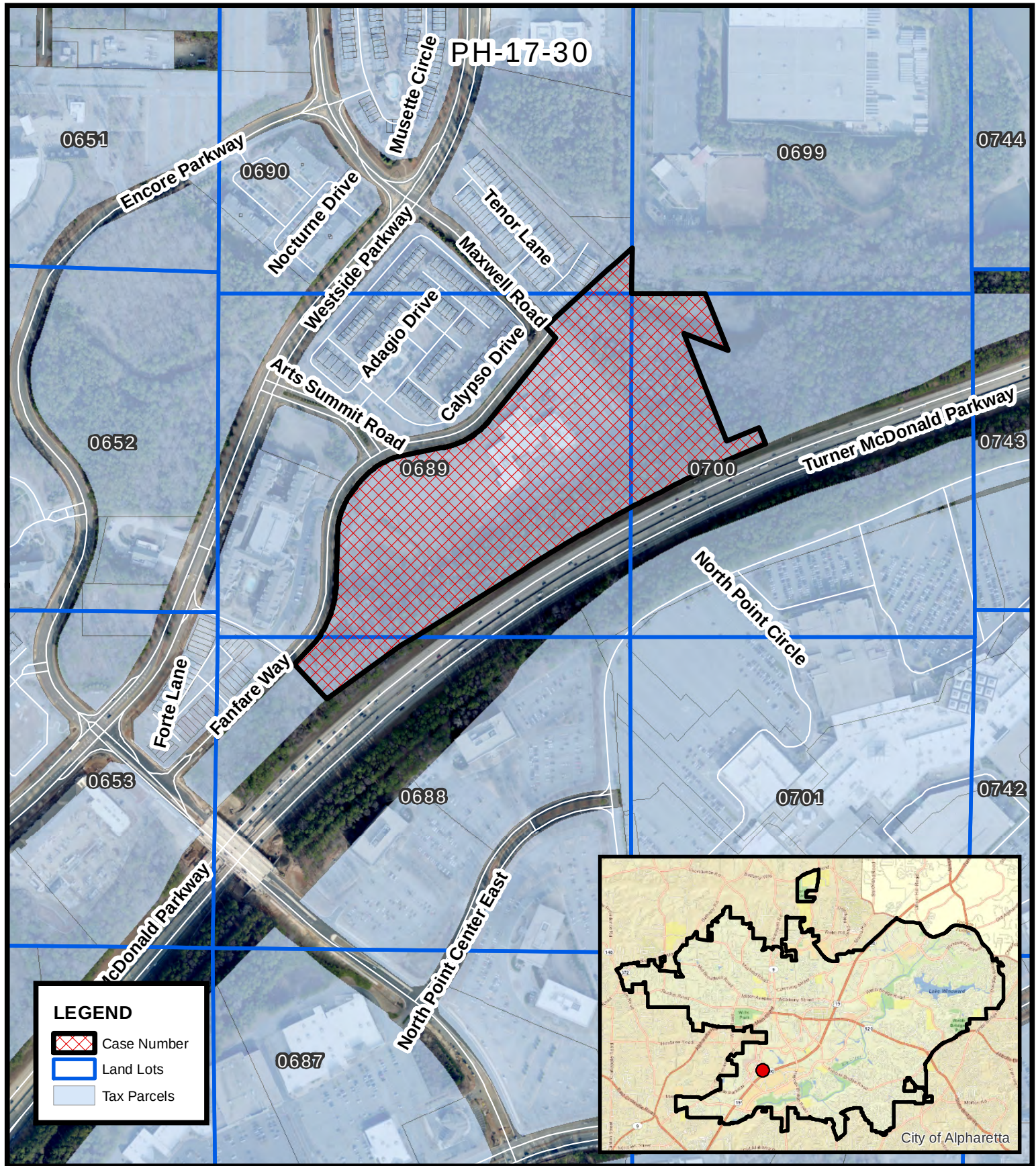
can remain on the property, as well as screening requirements.

V. 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 no comments were received.

VI. ATTACHMENTS:

- Site Plan
- Modular Building Information

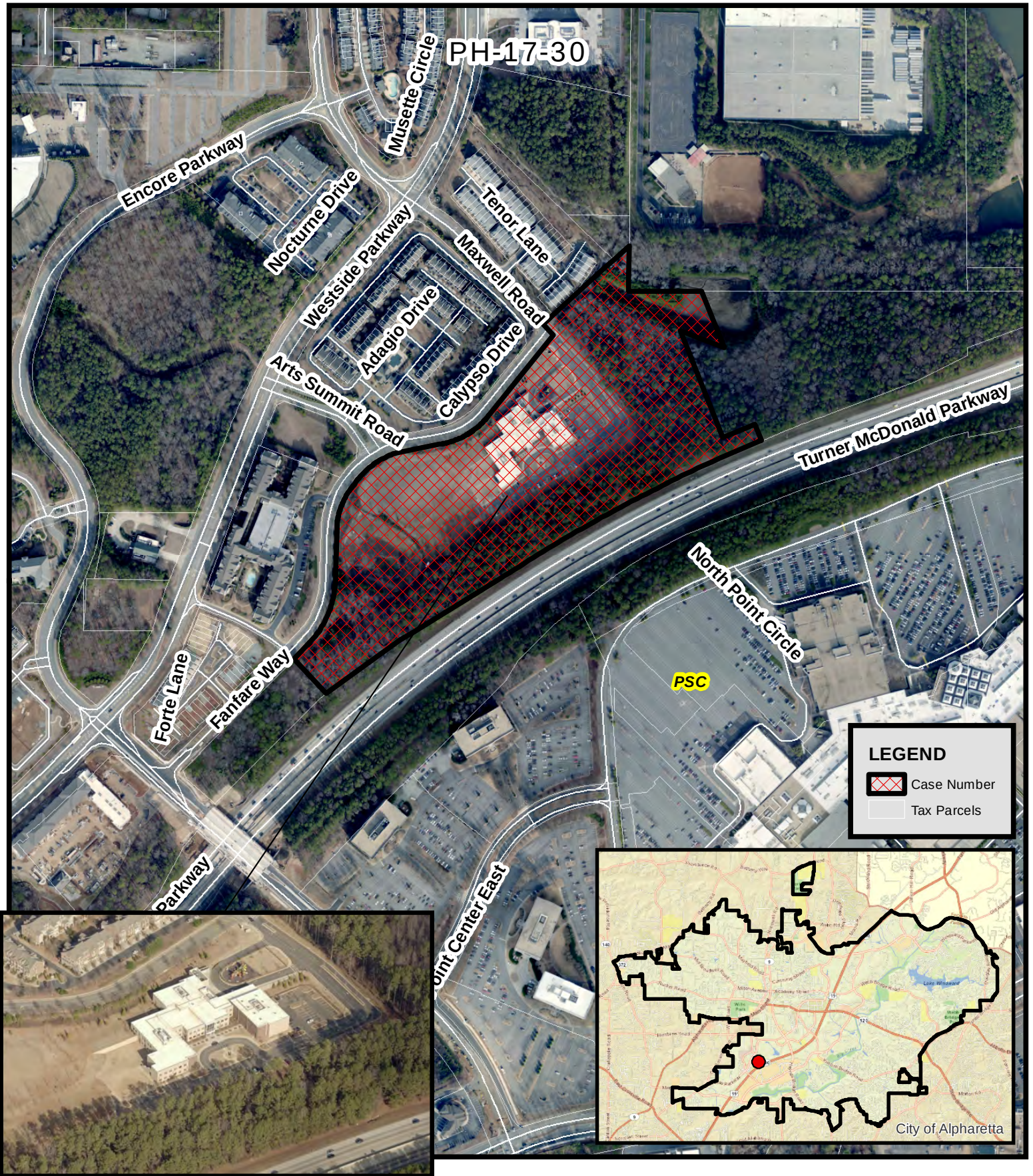


Location Map
Fulton Science Academy
Cousins Westside Master Plan

PH-17-30
D/LL: 1/2/688, 689, 690, 700
CC Date: 11/27/17



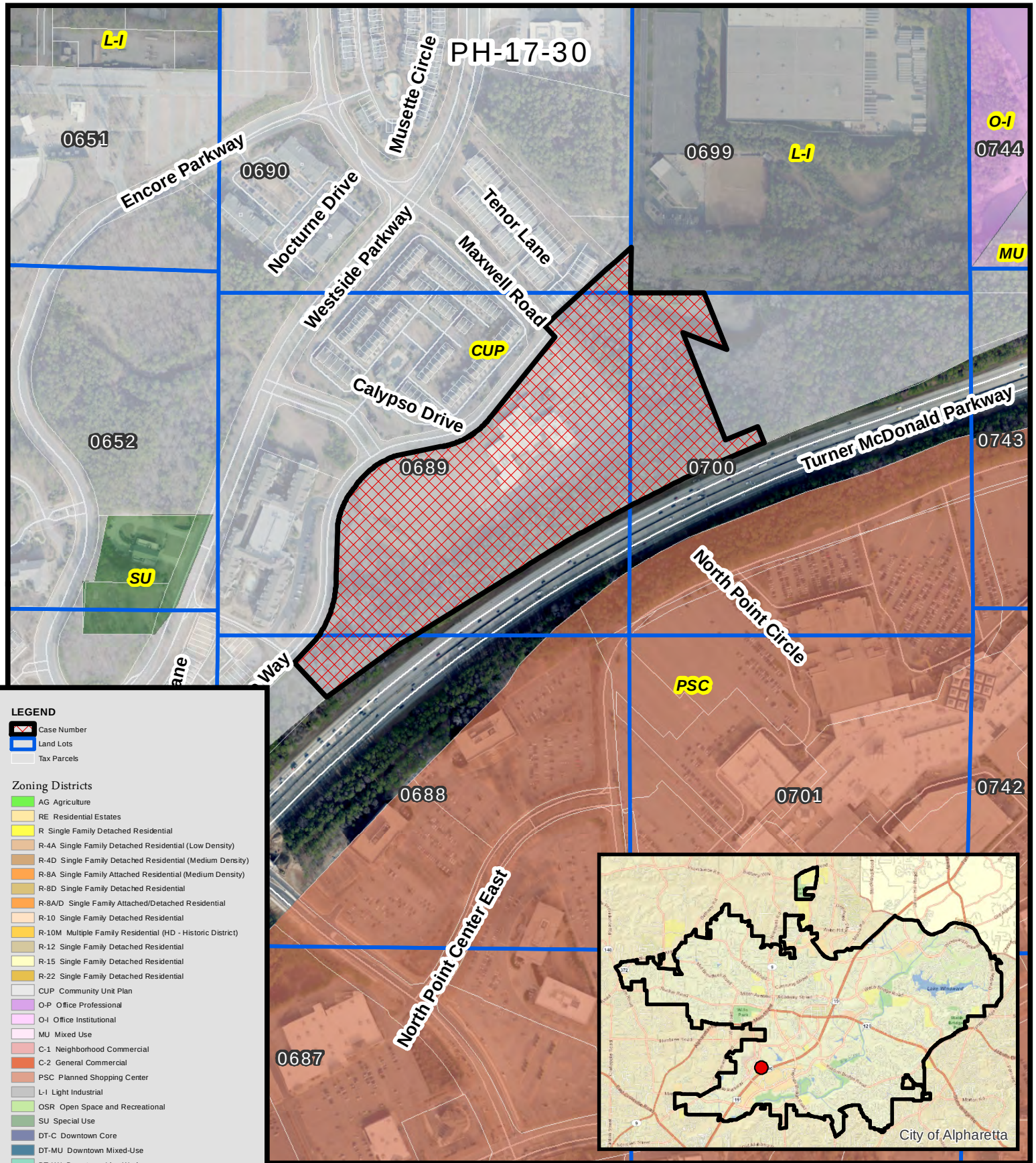
Location Map Provided by:
Community Development - GIS



Aerial Map
Fulton Science Academy
Cousins Westside Master Plan

PH-17-30
D/LL: 1/2/688, 689, 690, 700
CC Date: 11/27/17

Location Map Provided by:
Community Development - GIS

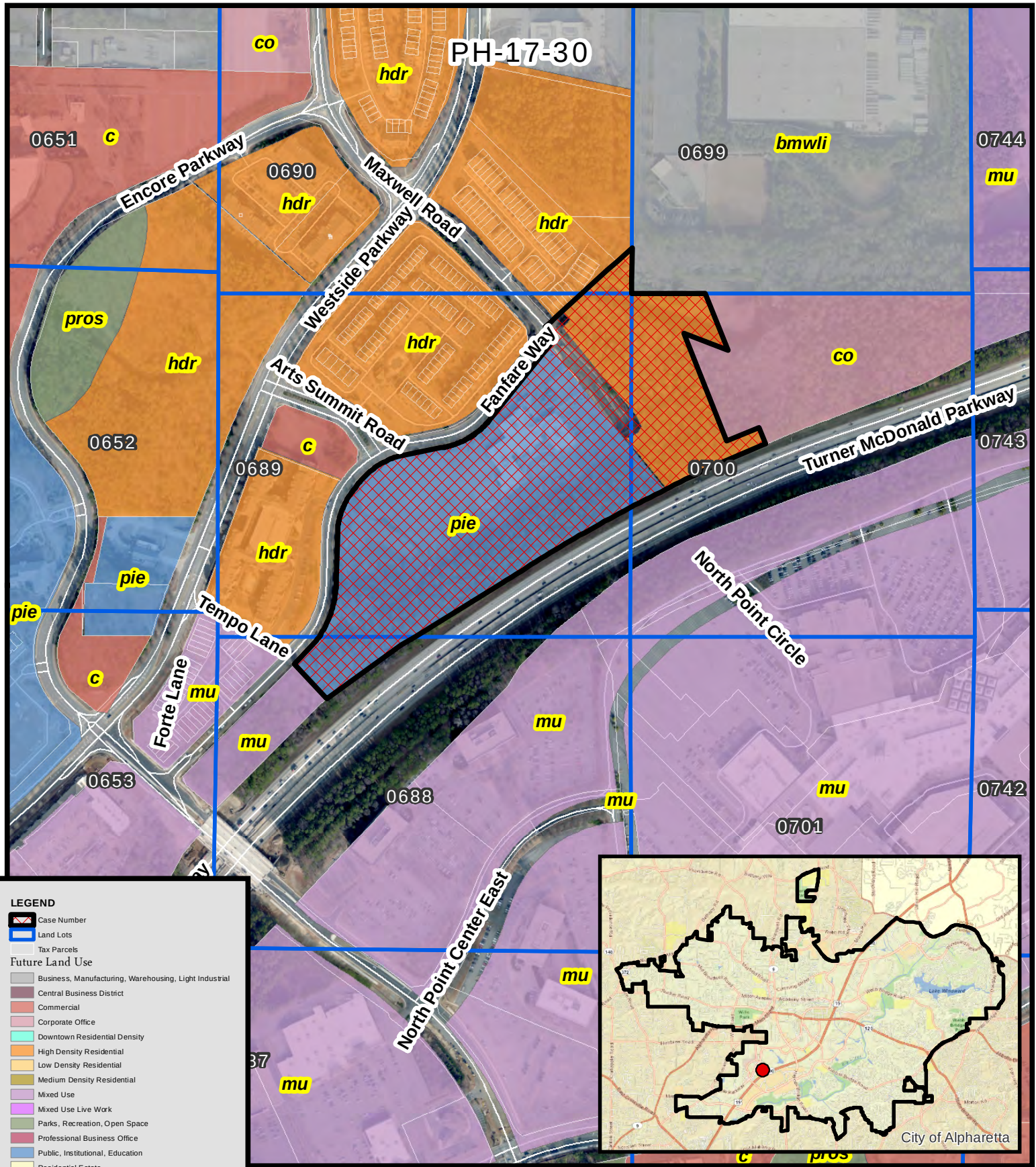


Zoning Map Fulton Science Academy Cousins Westside Master Plan

PH-17-30
D/LL: 1/2/688, 689, 690, 700
CC Date: 11/27/17



Location Map Provided by:
Community Development - GIS



Future Land Use
Fulton Science Academy
Cousins Westside Master Plan

PH-17-30
D/LL: 1/2/688, 689, 690, 700
CC Date: 11/27/17

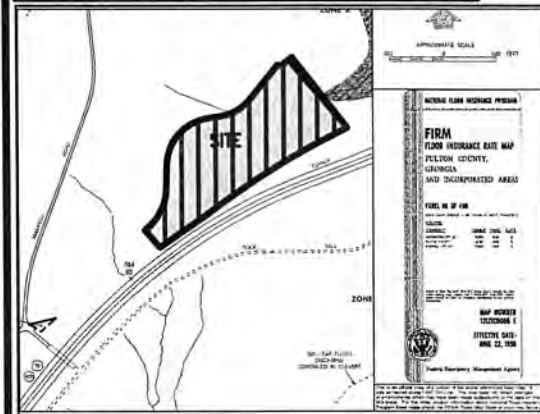
Location Map Provided by:
Community Development - GIS



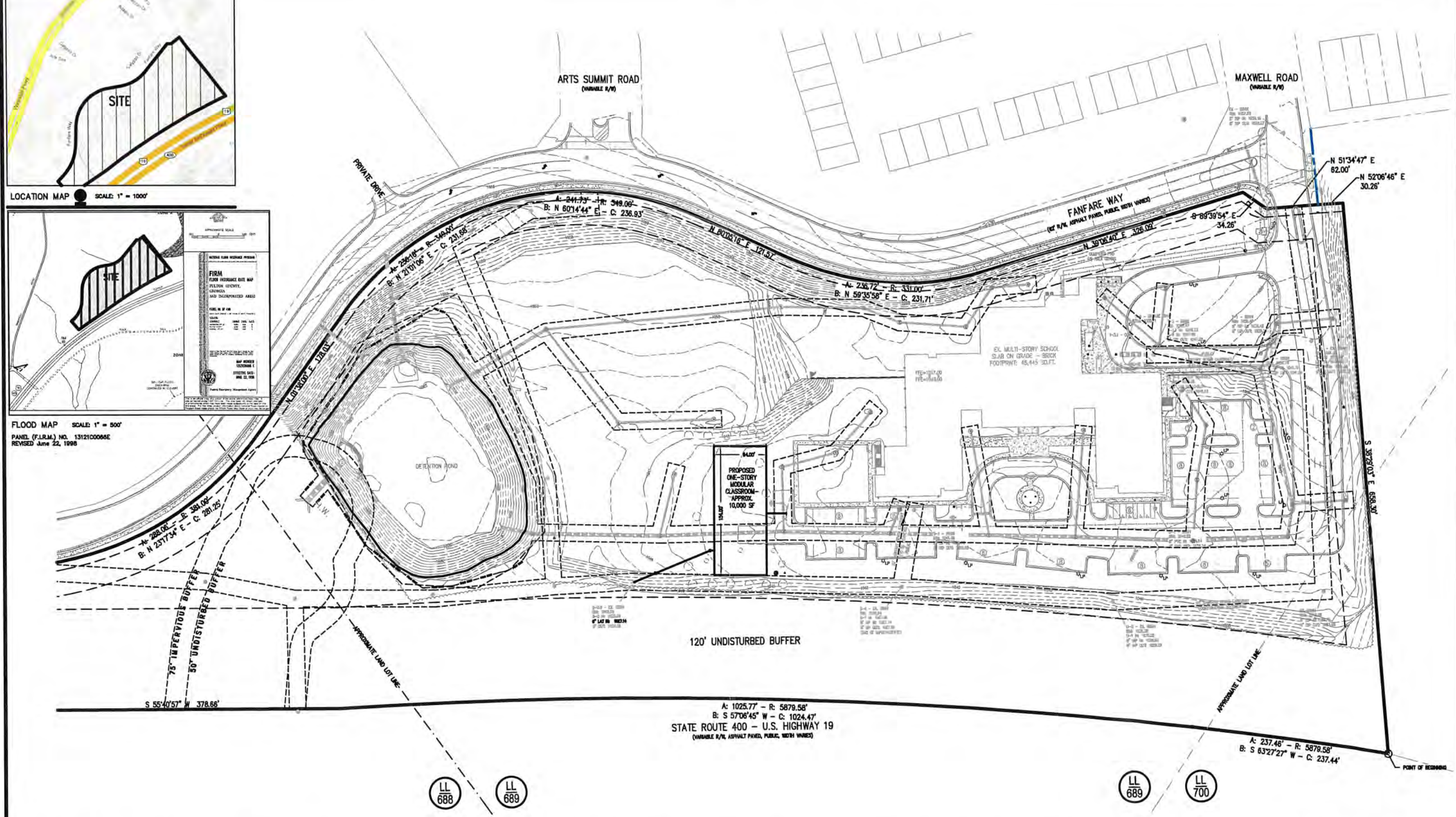
10/9/17



LOCATION MAP SCALE: 1" = 1000'

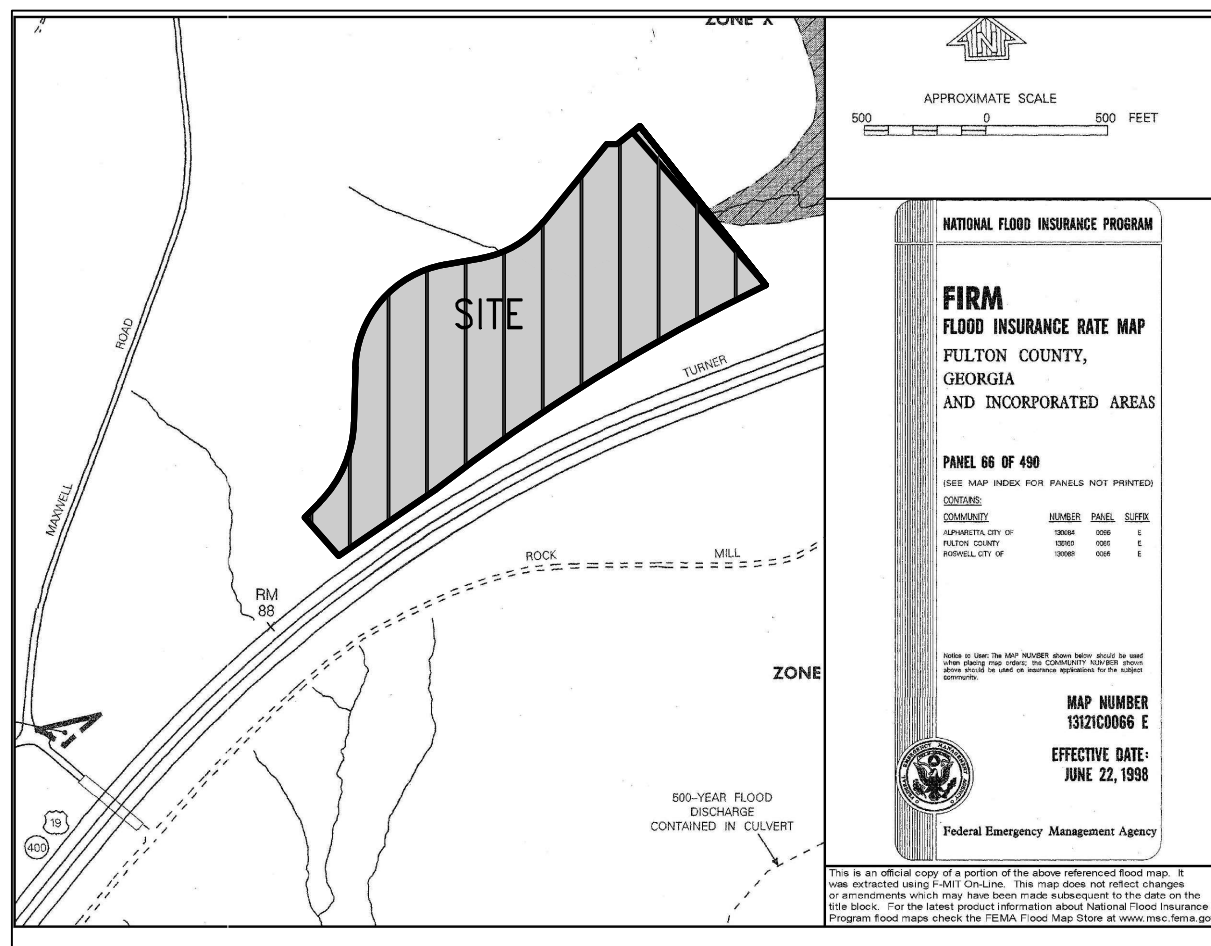


FLOOD MAP SCALE: 1" = 500'
PANEL (F.L.R.M.) NO. 13121C0088E
REVISED June 22, 1998

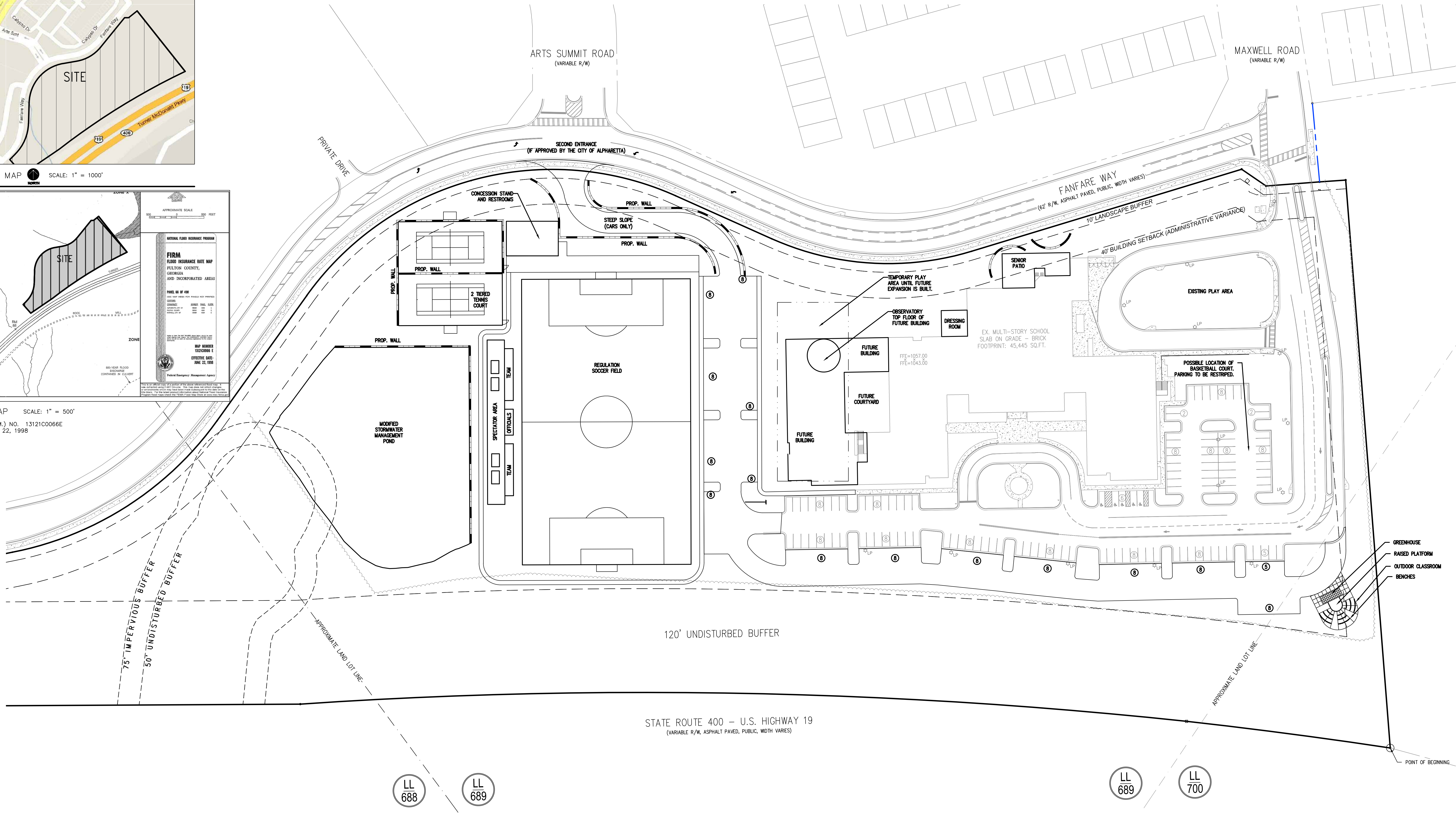




LOCATION MAP SCALE: 1" = 1000'



FLOOD MAP SCALE: 1" = 500'
PANEL (F.I.R.M.) NO. 13121C0066E
REVISED June 22, 1998



CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

PH-17-30
FULTON SCIENCE ACADEMY
/COUSINS WESTSIDE
FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Kenan Sener (Fulton Science Academy)

Telephone: (678) 366-2555 Ext. 101

Address: 3035 Fanfare Way

Suite: _____

City Alpharetta

State: GA

Zip: 30009

Fax: (678) 366-2333

Mobile Tel: _____

Email: ksener@fultonscienceacademy.org

Subject Property Information:

Address: 3035 Fanfare Way

Current Zoning: CUP

District: 1

Section: 2

Land Lot: 688, 689, 700

Parcel ID: 12 260006890136

Proposed Zoning: CUP

Current Use: Educational-School (Private)

This Application For (Check All That Apply):

☐ Conditional Use

☒ Master Plan Amendment

☐ Rezoning

☐ Master Plan Review

☐ Variance

☐ Public Hearing

☐ Comprehensive Plan Amendment

☐ Other (Specify): _____

10/9/17

APPLICANT REQUEST AND INTENT

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

The proposed use of the property is to add temporary modular classrooms to the existing Fulton Science Academy campus.

Applicant's Request (Please itemize the proposal):

The Applicant requests that the amendment to the master plan be approved for a modular classroom to be used for the duration of the building expansion.

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

See letter of intent.

10/9/17

PROPERTY OWNER AUTHORIZATION

FULTON SCIENCE ACADEMY
/COUSINS WESTSIDE

Property Owner Information:

Contact Name: Kenan Sener (Fulton Science Academy)

Telephone: (678) 366-2555 Ext. 101

Address: 3035 Fanfare Way

Suite:

City Alpharetta

State: GA

Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant:

Name of Authorized Applicant: (Same as above)

Telephone:

Address:

Suite:

City

State:

Zip:

So Sworn and Attested:

Owner Signature:

Date:

8/30/2017

Notary:

Notary Signature:

Rachel Condon



Date:

8/30/2017

10/9/17

DISCLOSURE FORM

PH-17-30
FULTON SCIENCE ACADEMY
/COUSINS WESTSIDE

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: Kenan Sener (Fulton Science Academy)

Subject Public Hearing Case: Cousins Westside MP Amend/Pod 'O' Fulton Science Academy

Campaign Contribution Information:

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

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

Name of Official:

N/A

Position:

Description of Contribution:

Value:

0

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:

[Signature]

Date:

8/30/2017

10/2/17

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

We are not asking for a different use on the property. School use is currently allowed

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

This proposal requests the utilization of a single modular classroom, approximately 10,000 square feet, to achieve the original vision of the school's approved expansion. This will have no impact to surrounding property values.

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

We are not asking for a re-zoning of the property.

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

There wouldn't be a significant increase in population and traffic beyond the standards set forth in the Master Plan for the site.

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

There will be no impact to public schools and minimal impact to infrastructure.

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

This proposal continues in the spirit of the Plan as set forth in the originally approved built site and building development.

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

N/A

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.

10/9/17

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: Cousins Westside MP Amend/Pod 'O' Fulton Science Academy

Contact Name: Kenan Sener (Fulton Science Academy)

Telephone: (678) 366-2555 Ext. 101

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 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.

Respondents will be able to respond by telephone, mail, email or an in-person meeting, if requested.

10/9/17

PH-17-30
FULTON SCIENCE ACADEMY
/COUSINS WESTSIDE

50 Warm Springs Circle
Roswell, Georgia 30075-4937

Main: 770.641.1942
Fax: 770.998.6924



September 1, 2017

RE: **Public Hearing for Master Plan Amendment
Fulton Science Academy**

Dear Property Owner:

Fulton Science Academy has filed a master plan amendment with a change in conditions application for the property located at 3035 Fanfare Way. The purpose of the application is for allowing temporary modular classrooms to be used on the site.

The site plan drawing is attached for your reference.

The current hearing dates for this application are as follows:

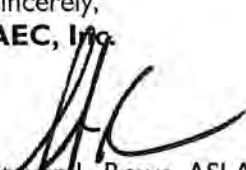
Planning Commission: November 2, 2017 at 6:30 p.m.

City Council: November 13, 2017 at 6:30 p.m.

The meetings are held at City Hall, 2 Park Plaza, Alpharetta, Georgia 30009.

If you need any further information or have any questions regarding the application please feel free to contact me at your convenience. I can be reached at (770) 641-1942 or slr@aecatl.com.

Sincerely,
AEC, Inc.



Steven L. Rowe, ASLA
Vice President

SLR/BCG/slr
Attachments

M:\2016 JOBS\16-3900 Fulton Science Academy Planning\DOCS\2017-08-29 - PUBLIC HEARING\Neighbors letter
FSA.docx

PINADDRESSFULTON SCIENCE ACADEMY
OWNER
/COUSINS WESTSIDE

10/9/17

12 260006533942	1950 FORTE LN	CMC HOMES LLC
12 260006533959	1954 FORTE LN	CMC HOMES LLC
12 260006533967	1958 FORTE LN	CMC HOMES LLC
12 260006533975	1962 FORTE LN	CMC HOMES LLC
12 260006533983	1966 FORTE LN	CMC HOMES LLC
12 260006533991	1970 FORTE LN	CMC HOMES LLC
12 260006534007	1974 FORTE LN	CMC HOMES LLC
12 260006534015	1978 FORTE LN	CMC HOMES LLC
12 260006534023	1982 FORTE LN	CMC HOMES LLC
12 260006534031	1986 FORTE LN	CMC HOMES LLC
12 260006534049	1990 FORTE LN	CMC HOMES LLC
12 260006534106	1900 FORTE LN	CMC HOMES LLC
12 260006534197	2046 FORTE LN	CMC HOMES LLC
12 260006534205	2050 FORTE LN	CMC HOMES LLC
12 260006534213	2054 FORTE LN	CMC HOMES LLC
12 260006534221	2058 FORTE LN	CMC HOMES LLC
12 260006883842	1910 FORTE LN	CMC HOMES LLC
12 260006883859	1914 FORTE LN	CMC HOMES LLC
12 260006883867	1918 FORTE LN	CMC HOMES LLC
12 260006883875	1922 FORTE LN	CMC HOMES LLC
12 260006883883	1926 FORTE LN	CMC HOMES LLC
12 260006883891	1930 FORTE LN	CMC HOMES LLC
12 260006883909	1934 FORTE LN	CMC HOMES LLC
12 260006883917	1938 FORTE LN	CMC HOMES LLC

12 260006883925	1942 FORTE LN	CMC HOMES LLC
12 260006883933	1946 FORTE LN	CMC HOMES LLC
12 260006890136	10315 OLD WOODLAND ENTRY	TRUGLOBE INC
12 260006890177	500 SUGAR MILL RD STE 200B	WESTWOOD PARK NEIGHBORHOOD ASSOCIATION,
12 260006891605	1800 ADAGIO DR	BLOEMEKE ERIC JOHN
12 260006891613	1802 ADAGIO DR	EDENFIELD AMANDA & DAVID GLENN
12 260006891654	11259 CALYPSO DR	SULLIVAN MATTHEW WILLIAM
12 260006891662	11257 CALYPSO DR	JENSEN MELISSA
12 260006891670	11255 CALYPSO DR	CLARK KIMBERLY ANN
12 260006891688	11253 CALYPSO DR	AMIN-HIRAK
12 260006891696	11251 CALYPSO DR	CEGALA LAURA A & GOODMAN MARK LOUIS
12 260006891779	11153 CALYPSO DR # 33	CASKEY MICHAEL & CASKEY JOAN
12 260006891787	11155 CALYPSO DR # 34	MOLINA RENE F
12 260006891795	11157 CALYPSO DR # 35	WEIBEL MARY
12 260006892801	11243 CALYPSO DR	HOOKS ROBERT
12 260006892819	11241 CALYPSO DR	PARK SOO JIN
12 260006892827	11239 CALYPSO DR	AKAN OZGUR & AKAN BINAY
12 260006892835	11237 CALYPSO DR	SEARCY KRISTEN C
12 260006892884	1845 ADAGIO DR	LICKO JOHN E & LICKO PATRICIA J
12 260006892892	1847 ADAGIO DR	OPDENBOSCH AUGUSTO J & SAMANTHA A
12 260006892900	1849 ADAGIO DR	PETER & RIDLEY GIGLIO REVOCABLE TRUST
12 260006892918	1855 ADAGIO DR	CARUSO R CRAIG & L GAIL
12 260006892926	1857 ADAGIO DR	CLARK JOHN ROBERT
12 260006892934	1883 ADAGIO DR	SINGH ANUP V
12 260006892942	1881 ADAGIO DR	SCHNEIDER BRUCE A SMITH JAMIE L
12 260006892959	1879 ADAGIO DR	ZUCKERMAN BERNARD C

12 260006892967	1877 ADAGIO DR	FULTON SCIENCE ACADEMY
10/9/17		RIBEIRO PEDRO MAIA D & BARATA ANA CRISTINA MICHAEL
12 260006892975	1875 ADAGIO DR	COUSINS WESTSIDE
12 260006892983	1873 ADAGIO DR	STAFFORD TONY D & KRISTIN E
12 260006892991	1871 ADAGIO DR	WOLF REVOCABLE TRUST THE
12 260006893007	11231 CALYPSO DR	MAYER NERINO D
12 260006893015	11229 CALYPSO DR	D'ERRICO ARMAND J
12 260006893023	11227 CALYPSO DR	PLATT BRUCE S & PLATT TRACI A
12 260006893031	11225 CALYPSO DR	LECOMPTE CHERYL A
12 260006893049	11223 CALYPSO DR	WARDELL WILLIAM CHRISTOPHER & WARDELL JACQUELINE MICHELE
12 260006893056	11221 CALYPSO DR	STACY BRIAN D
		VAN HOLM LINDA M
12 260006893064	10315 OLD WOODLAND ENTRY	TRUGLOBE INC
12 260006893106	11271 CALYPSO DR	HORNSBY BRIAN KEITH & HORNSBY JULIE ANN
12 260006893114	11273 CALYPSO DR	ESCOBAR GIL MIRIAM
12 260006893122	11275 CALYPSO DR	BROWN JAMES L & BROWN CAROL F
12 260006893130	11277 CALYPSO DR	NUNNELLEY DALE P
12 260006893148	11279 CALYPSO DR	CANNON TIMOTHY
12 260006893155	11281 CALYPSO DR	FAURE SONIA S
12 260006893163	11283 CALYPSO DR	ROWLAND ANNA PAIGE
12 260006893205	1836 ADAGIO DR	DIXON LORENZO
12 260006893213	1838 ADAGIO DR	DROZYNSKI JANE & FOUNTAIN MICHAEL
12 260006893221	1840 ADAGIO DR	MASI JANINE
12 260006893239	1842 ADAGIO DR	HSU DAVID H
12 260006893247	1850 ADAGIO DR	BLISS GARY ROBERT & TERESA
12 260006893254	1852 ADAGIO DR	O NEILL CAREN J
12 260006893262	1854 ADAGIO DR	ADLER TODD LOUIS
12 260006893270	1856 ADAGIO DR	NGUISANI CRISTAL DAISY KUDIWU SANGADI & BOUNKEU BRIAND DANIEL

12 260006893288	1858 ADAGIO DR	MUCHA LAWRENCE J & MUCHA NANCY A
12 260006893296	1860 ADAGIO DR	MANN ALLISON
12 260006893312	9115 WESTSIDE PKWY	ADVANCE EDUCATION INC
12 260006893684	2420 TENOR LN	PERRY ANNIE J
12 260006893692	2422 TENOR LN	FERRER DE VALERO YARITZA J
12 260006893700	2424 TENOR LN	GILLIAND KATHLEEN
12 260006893718	2426 TENOR LN	SHEN HANG
12 260006893726	2428 TENOR LN	LODGE KARYN J
12 260006893734	2430 TENOR LN	GOSWAMI PRASAD & MUELLER ASTRID
12 260006893742	2432 TENOR LN	BEDAL CHRISTINA
12 260006893759	2434 TENOR LN	REGULA KALYAN & DHANDAVEL LOGAPRIYA
12 260006893767	2436 TENOR LN	EQUITY TRUST CO FBO THOMAS ASSET MGMT 401K E11700 & EQUITY TR
12 260006893775	2438 TENOR LN	CARROLL MATTHEW & CARROLL CAROLINE
12 260006893783	2440 TENOR LN	NGUYEN NIXON & CHEN HUIJUAN
12 260006893791	2442 TENOR LN	CASTRO ALBERT E
12 260006893809	2444 TENOR LN	OLONI WINIFRED I
12 260006893817	2446 TENOR LN	MAKINENI CHANDANA
12 260006893825	2448 TENOR LN	PATEL KUNAAL B
12 260006893833	16 RIDGEMERE TRCE	CREEKSIDE HOLBROOKE LLC
12 260006901511	1000 FANFARE WAY	WRPV XI PA ALPHARETTA L L C
12 260006902865	P O BOX 720314	CMC HOMES LLC

Fulton Science Academy Parcel
Property Description

Legal Description - Pod "O"

All that tract or parcel of land lying and being in land lots 688, 689 and 700 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Beginning at an iron pin set on the northwesterly right-of-way of State Route 400 (also known as McDonald Parkway and having a varied right-of-way) located 2051.05 feet as measured southwesterly along said right-of-way from its intersection with the line common to land lots 743 and 744; Thence running along said right-of-way along a curve to the left an arc distance of 237.04 feet (said arc having a radius of 5879.58 feet and being subtended by a chord 237.03 feet in length lying to the southeast of said arc and bearing South 63 degrees 16 minutes 43 seconds West) to a concrete monument found; Thence continuing along said right-of-way along a curve to the left an arc distance of 1025.68 feet (said arc having a radius of 5879.58 feet and being subtended by a chord 1024.38 feet in length lying to the southeast of said arc and bearing South 57 degrees 07 minutes 34 seconds West) to an iron pin set; Thence continuing along said right-of-way South 55 degrees 41 minutes 00 seconds West a distance of 378.67 feet to an iron pin set; Thence leaving said right-of-way and running North 41 degrees 32 minutes 22 seconds West a distance of 165.85 feet to an iron pin set on the southeasterly right-of-way of Fanfare Way (having a 62 foot right-of-way); Thence running along said right-of-way North 44 degrees 56 minutes 59 seconds East a distance of 68.90 feet to a point; Thence continuing along said right-of-way along a curve to the left an arc distance of 288.06 feet (said arc having a radius of 381.00 feet and being subtended by a chord 281.25 feet in length lying to the northwest of said arc and bearing North 23 degrees 17 minutes 25 seconds East) to a point; Thence continuing along said right-of-way North 01 degrees 37 minutes 51 seconds East a distance of 178.03 feet to a point; Thence continuing along said right-of-way along a curve to the right an arc distance of 236.16 feet (said arc having a radius of 349.00 feet and being subtended by a chord 231.68 feet in length lying to the southeast of said arc and bearing North 21 degrees 00 minutes 57 seconds East) to a point; Thence leaving said right-of-way and running North 49 degrees 36 minutes 14 seconds West a distance of 62.00 feet to an iron pin set on the northwesterly right-of-way of Fanfare Way; Thence running along said right-of-way along a curve to the right an arc distance of 284.68 feet (said arc having a radius of 411.00 feet and being subtended by a chord 279.02 feet in length lying to the southeast of said arc and bearing North 60 degrees 14 minutes 34 seconds East) to a point; Thence continuing along said right-of-way North 80 degrees 05 minutes 07 seconds East a distance of 121.57 feet to a point; Thence continuing along said right-of-way along a curve to the left an arc distance of 192.38 feet (said arc having a radius of 269.00 feet and being subtended by a chord 188.31 feet in length lying to the northwest of said arc and bearing North 59 degrees 35 minutes 49 seconds East) to a point; Thence continuing along said right-of-way North 39 degrees 06 minutes 31 seconds East a distance of 428.78 feet to a point at its intersection with the northwesterly right-of-way of Maxwell Road (having a 62 foot right-of-way); Thence running along the northeasterly right-of-way of Maxwell Road along a curve to the right an

10/9/17

arc distance of 59.23 feet (said arc having a radius of 981.00 feet and being subtended by a chord 59.22 feet in length lying to the southwest of said arc and bearing South 40 degrees 10 minutes 31 seconds East) to a point; Thence continuing along said right-of-way South 38 degrees 26 minutes 44 seconds East a distance of 44.96 feet to an iron pin set; Thence leaving said right-of-way and running North 51 degrees 34 minutes 38 seconds East a distance of 30.37 feet to an iron pin set; Thence running South 38 degrees 26 minutes 44 seconds East a distance of 658.06 feet to an iron pin set on the northwesterly right-of-way State Route 400 and The Point of Beginning.

Said tract contains 20.0030 acres (871,332 square feet).

LESS and EXCEPT:

Fanfare Way Right-of-Way

All that tract or parcel of land lying and being in land lot 689 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

To find The Point of Beginning, commence at a point on the southeasterly right-of-way of Westside Parkway (having a varied right-of-way) located 2107.52 feet as measured southwesterly, southerly and southwesterly along said right-of-way from its intersection with the line common to land lots 691 and 698, said point also being the northerly corner of the mitered right-of-way of the intersection of southeasterly right-of-way of Westside Parkway and the northeasterly right-of-way of Maxwell Road (having a 62 foot right-of-way); thence leaving the southeasterly right-of-way of Westside Parkway and running along said mitered right-of-way South 07 degrees 51 minutes 42 seconds East a distance of 41.47 feet to a point at the southerly corner of said mitered right-of-way; thence running along the northeasterly right-of-way of Maxwell Road South 57 degrees 06 minutes 32 seconds East a distance of 28.19 feet to a point; thence continuing along said right-of-way along a curve to the right an arc distance of 158.68 feet (said arc having a radius of 631.00 feet and being subtended by a chord 158.27 feet in length lying to the southwest of said arc and bearing South 49 degrees 54 minutes 16 seconds East) to a point; thence continuing along said right-of-way South 42 degrees 42 minutes 00 seconds East a distance of 430.33 feet to a point; thence continuing along said right-of-way along a curve to the right an arc distance of 13.62 feet (said arc having a radius of 981.00 feet and being subtended by a chord 13.62 feet in length lying to the southwest of said arc and bearing South 42 degrees 18 minutes 09 seconds East) to a point at its intersection with the northwesterly right-of-way of Fanfare Way (having a 62 foot right-of-way) and The Point of Beginning; Thence running along the northeasterly right-of-way of Fanfare Way along a curve to the right an arc distance of 59.23 feet (said arc having a radius of 981.00 feet and being subtended by a chord 59.22 feet in length lying to the southwest of said arc and bearing South 40 degrees 10 minutes 31 seconds East) to a point; Thence continuing along said right-of-way South 38 degrees 26 minutes 44 seconds East a distance of 44.96 feet to an iron pin set; Thence running along the southeasterly right-of-way of Fanfare Way South 51 degrees 34 minutes 38 seconds West a distance of 62.00 feet to

an iron pin set; Thence running along the southerly mitered right-of-way of Fanfare Way North 89 degrees 40 minutes 03 seconds West a distance of 34.26 feet to an iron pin set; Thence running along the southeasterly right-of-way of Fanfare Way South 39 degrees 06 minutes 31 seconds West a distance of 326.09 feet to a point; Thence continuing along said right-of-way along a curve to the right an arc distance of 236.72 feet (said arc having a radius of 331.00 feet and being subtended by a chord 231.71 feet in length lying to the northwest of said arc and bearing South 59 degrees 35 minutes 49 seconds West) to a point; Thence continuing along said right-of-way South 80 degrees 05 minutes 07 seconds West a distance of 121.57 feet to a point; Thence continuing along said right-of-way along a curve to the left an arc distance of 241.73 feet (said arc having a radius of 349.00 feet and being subtended by a chord 236.92 feet in length lying to the southeast of said arc and bearing South 60 degrees 14 minutes 35 seconds West) to a point; Thence leaving said right-of-way and running North 49 degrees 36 minutes 14 seconds West a distance of 62.00 feet to an iron pin set on the northwesterly right-of-way of Fanfare Way; Thence running along the northwesterly right-of-way of Fanfare Way along a curve to the right an arc distance of 284.68 feet (said arc having a radius of 411.00 feet and being subtended by a chord 279.02 feet in length lying to the southeast of said arc and bearing North 60 degrees 14 minutes 34 seconds East) to a point; Thence continuing along said right-of-way North 80 degrees 05 minutes 07 seconds East a distance of 121.57 feet to a point; Thence continuing along said right-of-way along a curve to the left an arc distance of 192.38 feet (said arc having a radius of 269.00 feet and being subtended by a chord 188.31 feet in length lying to the northwest of said arc and bearing North 59 degrees 35 minutes 49 seconds East) to a point; Thence continuing along said right-of-way North 39 degrees 06 minutes 31 seconds East a distance of 428.78 feet to a point at its intersection with the northeasterly right-of-way of Maxwell Road and The Point of Beginning.

Said tract contains 1.5124 acres (65,881 square feet).

Said legal based on survey by Georgia Civil dated 10-29-2015, last revised 05-01-2017.

10/9/17

PH-17-30
FULTON SCIENCE ACADEMY
/COUSINS WESTSIDE

50 Warm Springs Circle
Roswell, Georgia 30075-4937

Main: 770.641.1942
Fax: 770.998.6924



September 1, 2017

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

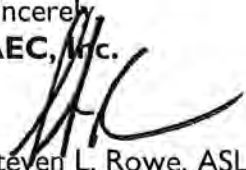
RE: **Fulton Science Academy
Master Plan Amendment with Change in Conditions Application
Letter of Intent**

Dear Mayor and Councilpersons:

The applicant, Fulton Science Academy, is seeking a change in the approved Master Plan conditions in order to allow the use of a temporary modular classroom building that will be located in the rear of the site. It will provide the space Fulton Science Academy needs to facilitate their building expansion and continue to serve its students with a high level of education. The proposed modular classroom will utilize the existing adjacent cleared and graded area and the utilities are already provided on the site.

We thank you for your time and consideration of this matter. And please feel free to contact me if you have any questions or need any additional information.

Sincerely,
AEC, Inc.



Steven L. Rowe, ASLA
Vice President

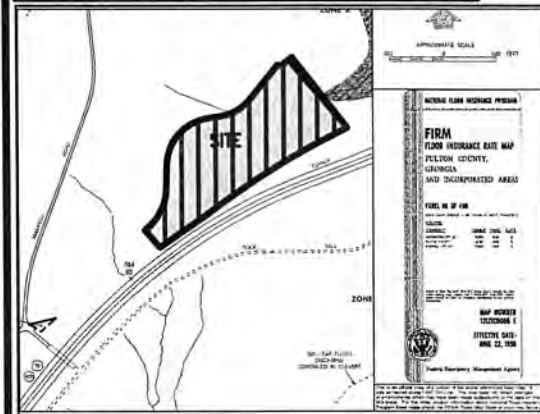
SLR/BCG/slr

M:\2016 JOBS\16-3900 Fulton Science Academy Planning\DOCS\2017-08-29 - PUBLIC HEARING\FSA-Letter of Intent-REV.docx

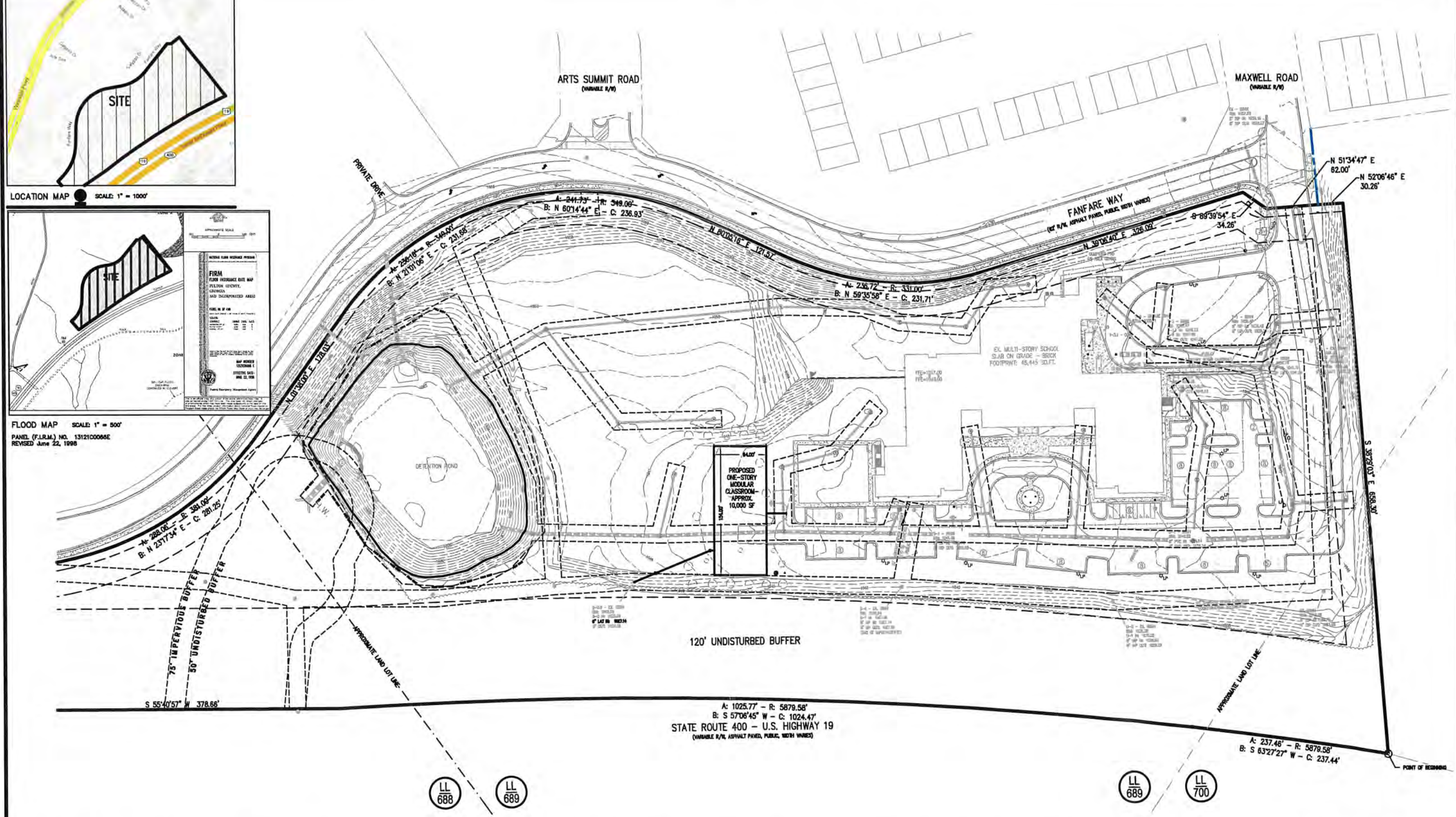
10/9/17



LOCATION MAP SCALE: 1" = 1000'



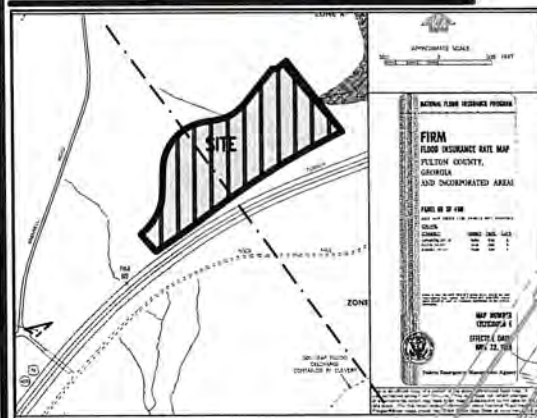
FLOOD MAP SCALE: 1" = 500'
PANEL (F.L.R.M.) NO. 13121C0088E
REVISED June 22, 1998



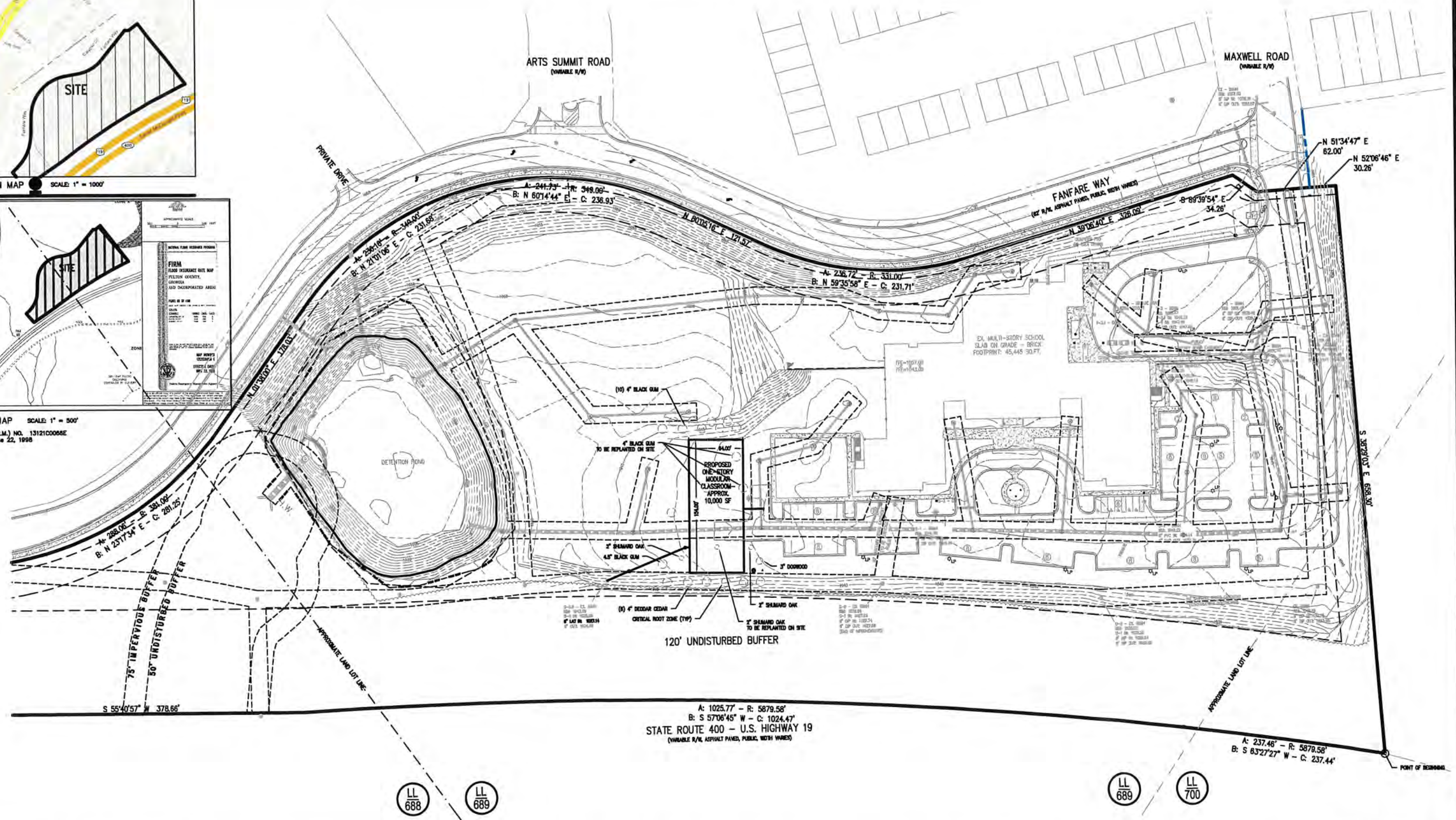
10/9/17



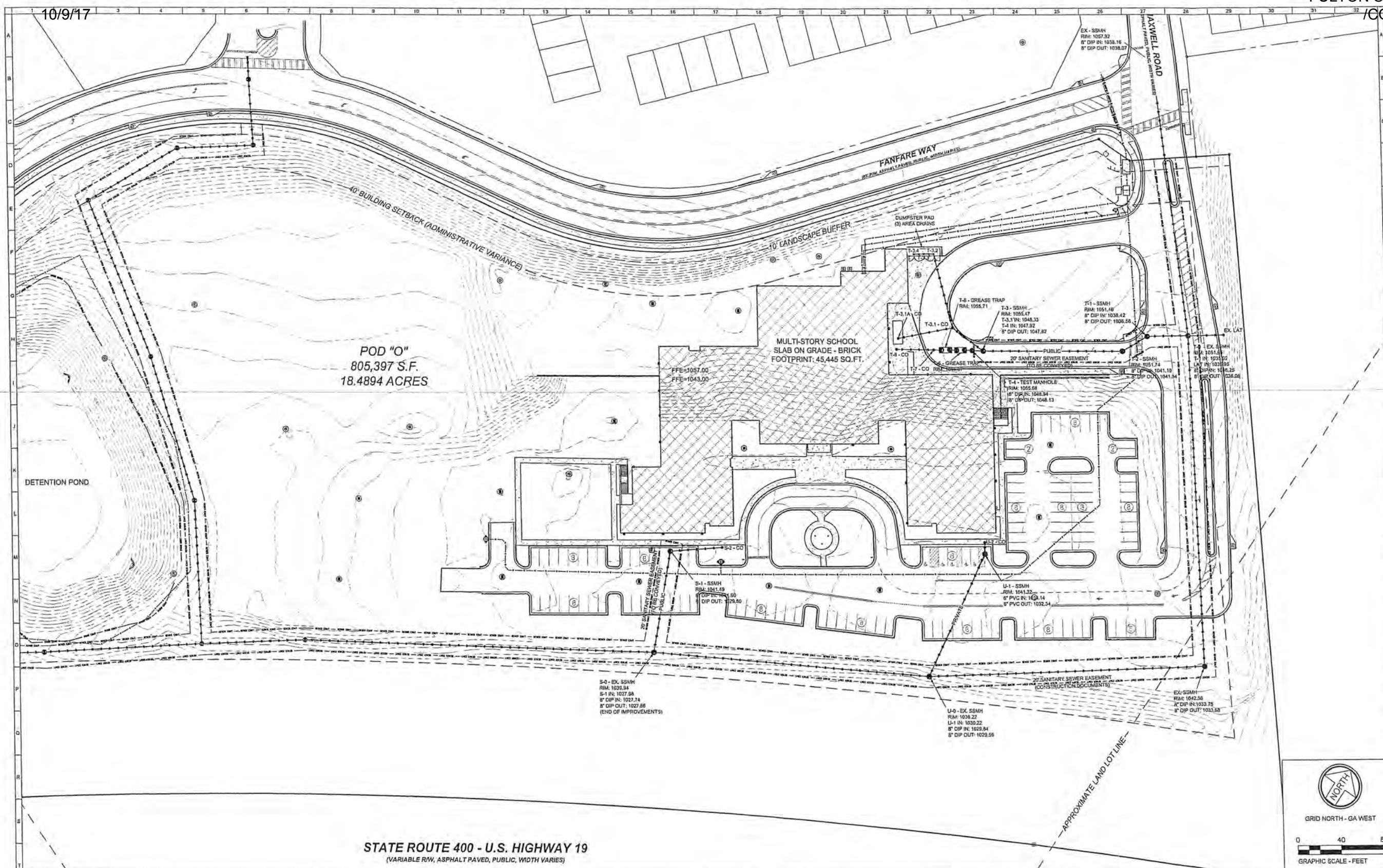
LOCATION MAP SCALE: 1" = 1000'



FLOOD MAP SCALE: 1" = 500'
PANEL (F.L.R.M.) NO. 13121C0088E
REVISED June 22, 1998



10/9/17



POD "O"
805,397 S.F.
18.4894 ACRES

MULTI-STORY SCHOOL
SLAB ON GRADE - BRICK
FOOTPRINT: 45,445 SQ. FT.

DETENTION POND

STATE ROUTE 400 - U.S. HIGHWAY 19
(VARIABLE R/W, ASPHALT PAVED, PUBLIC, WIDTH VARIES)

WATER & SEWER NOTES:

1. WATER ALIGNMENTS SHOWN ARE TAKEN FROM THE REFERENCED CONSTRUCTION DOCUMENTS AND WERE NOT FIELD VERIFIED.
2. THE UTILITY INFORMATION SHOWN ON THIS SURVEY IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. UTILITIES SHOWN ARE BASED ON ABOVE GROUND VISIBLE EVIDENCE AND CONSTRUCTION DOCUMENTS. SURVEYOR DOES NOT WARRANT THE EXACT SIZE, TYPE, LOCATION OF UTILITIES SHOWN AND NO GUARANTEE IS MADE THAT OTHER UTILITIES MAY EXIST ON SITE THAT MAY NOT BE SHOWN. THE ENGINEER, CONTRACTOR, ARCHITECT, OWNER AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL SIZE, TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.
3. SEWER ALIGNMENTS BEYOND MH 5-0 SHOWN ARE TAKEN FROM THE REFERENCED CONSTRUCTION DOCUMENTS AND WERE NOT FIELD VERIFIED.
4. EASEMENTS SHOWN WERE TAKEN FROM REFERENCED BOUNDARY SURVEY AND CONSTRUCTION DOCUMENTS AND DO NOT CONSTITUTE A TITLE SEARCH AND ARE SHOWN FOR REFERENCE PURPOSES ONLY. THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS OF RECORD, SHOWN OR NOT SHOWN.

DEVELOPMENT CONTACTS

OWNER/DEVELOPER
SCIENCE ACADEMY PRIVATE SCHOOL
1675 HEMPRE ROAD
ALPHARETTA, GA 30009
MR. AHMED UGUR
(404) 701-1362

CIVIL ENGINEERING CONSULTANT
AEC
50 WARM SPRINGS CIRCLE
ROSWELL, GA 30075
MR. CHRISTOPHER A. PINNE, PE
(770) 541-1942

SURVEYOR
GEORGIA CIVIL, INC.
113 W. JEFFERSON ST.
MADISON, GA 30650
MR. G. BRIAN SLATE
(706) 342-1104

SITE CONTRACTOR
CHARLES W. PRATT ENTERPRISES, INC.
PO BOX 1927
BLUFORD, GA 30615
MR. DUSTIN PRATT
(770) 332-1910
CONTRACTOR NO.: UC301516

SYMBOL LEGEND

- LIGHT POLE
- SEWER LATERAL
- WATER METER
- POWER BOX
- CABLE TV BOX
- TELEPHONE CO. BOX
- FIRE HYDRANT
- STORM PIPE
- UTILITY POLE
- DUTY ANCHOR
- WATER VALVE
- GAS METER
- DECIDUOUS TREE
- EVERGREEN TREE
- UNDERSTORY TREE
- SANITARY MANHOLE
- DRAINAGE MANHOLE
- SIGNAGE
- ADA PARKING
- PROPERTY LINE
- LAND LOT NUMBER
- DOWNSPOUT
- FENCE LINE
- U.G. COMMUNICATION LINE
- GAS LINE
- WATER LINE
- UNDERGROUND TELEPHONE
- TELEPHONE LINES & CABLE
- UNDERGROUND POWER
- SANITARY SEWER
- OVERHEAD UTILITY
- TRAFFIC SIGNAL LINES
- CONCRETE HATCH
- REBAR FOUND
- CONCRETE MONUMENT
- IRON PIN SET (1/2" REBAR)
- RIGHT OF WAY
- BUILDING LINE
- ROW OR FORMERLY
- DEED BOOK
- PAGE
- DRAINAGE EASEMENT
- NOT TO SCALE
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- GA DEPT. OF TRANSPORTATION
- CORRUATED METAL PIPE
- RADIUS
- CHORD BEARING
- CHORD LENGTH
- BEACHMARK
- FINISH FLOOR ELEVATION
- ELEVATION
- FIRE HYDRANT

ABBREVIATION LEGEND

- WM. = WATER METER
- WV. = WATER VALVE
- G.M. = GAS METER
- PP. = UTILITY POLE
- LP. = LIGHT POLE
- COMM. = COMMUNICATION LINES
- UG. = UNDERGROUND
- CONC. = CONCRETE
- SWCB = SINGLE WING CATCH BASIN
- DWCB = DOUBLE WING CATCH BASIN
- DI = DRAIN INLET
- HW = HEADWALL
- RCP = REINFORCED CONC. PIPE
- CMIP = CORRUGATED METAL PIPE
- HDPE = HIGH DENSITY POLYETHYLENE
- IE = INVERT ELEVATION
- SSMH = SANITARY SEWER MANHOLE
- CO = CLEANOUT
- CLF = CHAINLINK FENCE
- CLP. = CLAY PIPE
- D.I.P. = DUCTILE IRON PIPE

SITE DEVELOPMENT AS-BUILT SURVEY FOR:

SCIENCE ACADEMY PRIVATE SCHOOL
CITY OF ALPHARETTA PERMIT - D13-0033
FULTON COUNTY PERMIT - 13-296LP

3035 Fanfare Way, Alpharetta, Georgia 30009
Pod "O", Located in Land Lots 688, 689, & 700,
1st Land District, City of Alpharetta, Fulton County, Georgia

gc
georgia civil
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
P.O. BOX 886 - MADISON, GA
TEL: 706.342.1104 - FAX: 706.342.1105
WWW.GEORGIAACIVIL.COM
GA CA: LSP01055

GEORGIA
PROFESSIONAL
LAND SURVEYOR
BRIAN SLATE
No. 2529

SURVEYOR OF RECORD:
G. BRIAN SLATE - 706-201-0555
bslate@ggeorgiacivil.com - GA RLS: 2529

CONTACT:
KEVIN R. SETTLES, LSIT
676-205-3921 • ksettle@ggeorgiacivil.com

REVISIONS

DATE	DESCRIPTION
05/01/2017	UPDATE POND AS-BUILT

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-4-1, AUTHORITY O.C.G.A. SEC. 15-6-67, 42-15-4, 42-15-4, 42-15-19, 42-15-21.

PROJECT NO.: 14EDT001
FIELD: SPK-WJC - 10/22/15
DRAWN BY: KRS
CHECKED BY: GBS
SCALE: 1" = 40'
ISSUE DATE: 10/29/2015

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SHEET
2 OF 5
WATER & SEWER
PLAN



georgia civil

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
LAND SURVEYING

P.O. BOX 898 - MADISON, GA
TEL: 706.342.1104 - FAX: 706.342.1105
WWW.GEORGIA-CIVIL.COM
GA CA: LSF001085



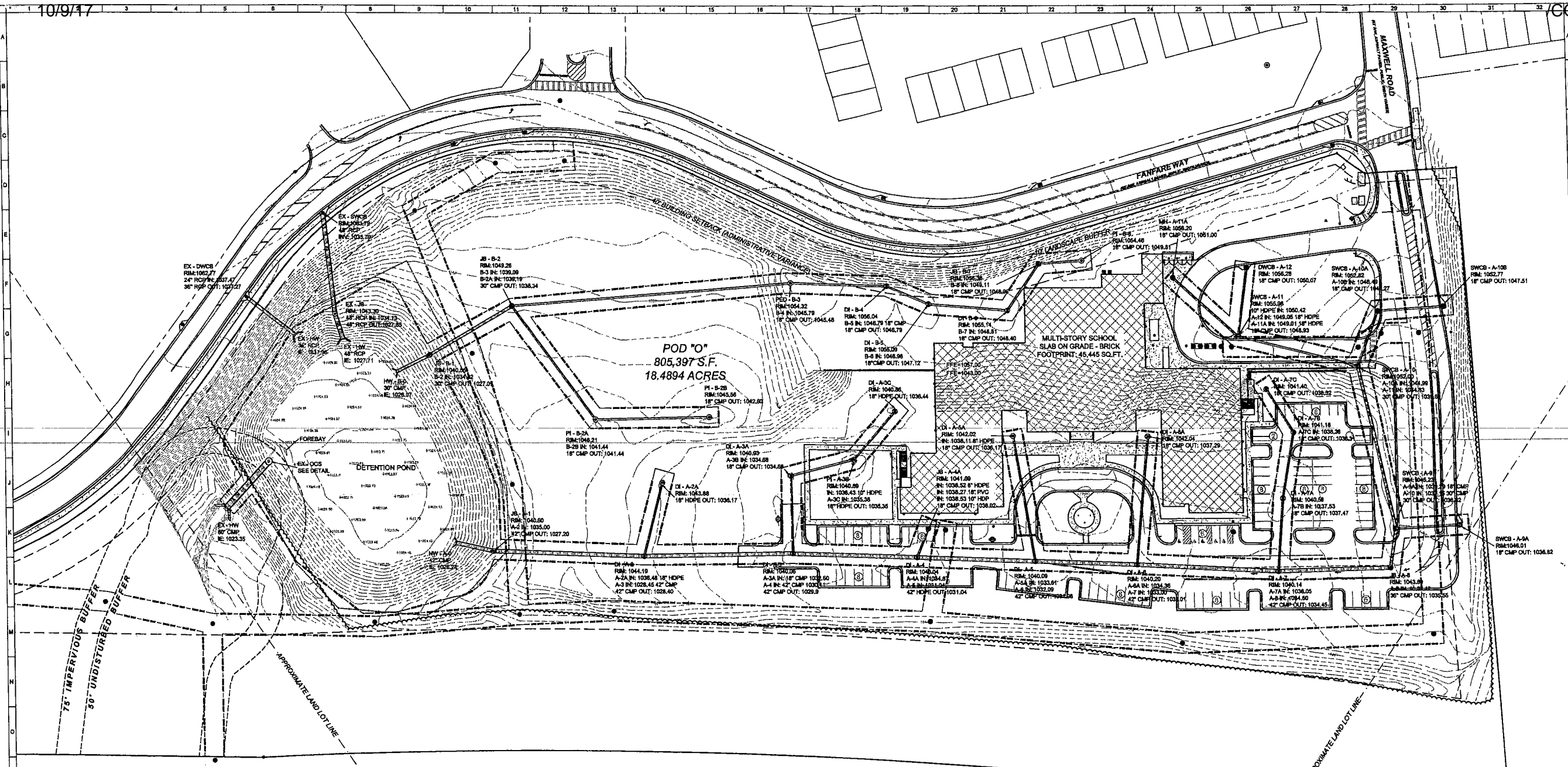
SURVEYOR OF RECORD:
G. BRIAN SLATE - 706.201-0996
bslate@georgiacivil.com - GA PLS: 2629

CONTACT:
KEVIN R. SETTLES, LST
678-209-3921 - ksettle@georgiacivil.com

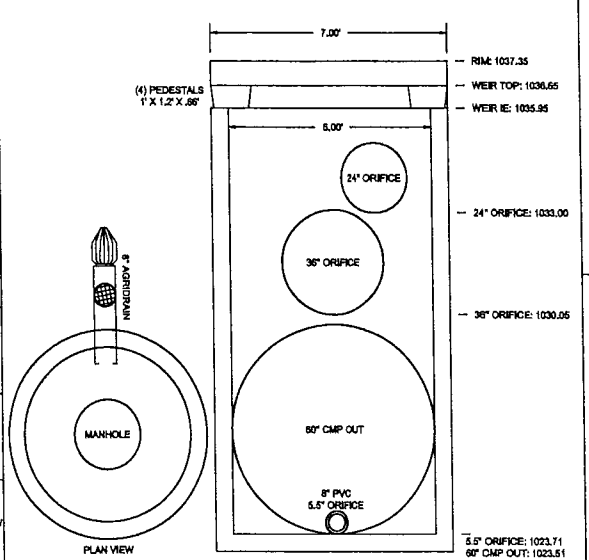
SITE DEVELOPMENT AS-BUILT SURVEY FOR:

SCIENCE ACADEMY PRIVATE SCHOOL
CITY OF ALPHARETTA PERMIT - D13-0033
FULTON COUNTY PERMIT - 13-296LP

3035 Fanfare Way, Alpharetta, Georgia 30009
Pod "O", Located in Land Lots 688, 689, & 700,
1st Land District, City of Alpharetta, Fulton County, Georgia



OCS DETAIL
N.T.S.



STATE ROUTE 400 - U.S. HIGHWAY 19
(VARIABLE RW, ASPHALT PAVED, PUBLIC, WIDTH VARIES)

STORM NOTES:

1. THE UTILITY INFORMATION SHOWN ON THIS SURVEY IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. UTILITIES SHOWN ARE BASED ON ABOVE GROUND VISIBLE EVIDENCE, AND CONSTRUCTION DOCUMENTS. SURVEYOR DOES NOT WARRANT THE EXACT SIZE, TYPE, LOCATION OF UTILITIES SHOWN AND NO GUARANTEE IS MADE THAT OTHER UTILITIES MAY EXIST ON SITE THAT MAY NOT BE SHOWN. THE ENGINEER, CONTRACTOR, ARCHITECT, OWNER AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL SIZE, TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERE TO.

2. EASEMENTS SHOWN WERE TAKEN FROM REFERENCED BOUNDARY SURVEY AND CONSTRUCTION DOCUMENTS AND DO NOT CONSTITUTE A TITLE SEARCH AND ARE SHOWN FOR REFERENCE PURPOSES ONLY. THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS OF RECORD, SHOWN OR NOT SHOWN.

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OWNER/DEVELOPER
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1675 HEMLOCK ROAD
ALPHARETTA, GA 30009
MR. AHMED UGUR
(407) 707-1362

CIVIL ENGINEERING CONSULTANT
AEO
80 WARM SPRINGS CIRCLE
ROSWELL, GA 30075
MR. CHRISTOPHER J. FINKE, PE
(770) 541-1942

SURVEYOR
GEORGIA CIVIL, INC.
113 W. JEFFERSON ST.
MADISON, GA 30050
MR. G. BRIAN SLATE
(706) 342-1104

SITE CONTRACTOR
CHARLES W. PRUITT ENTERPRISES, INC.
P.O. BOX 1927
BUDFORD, GA 30515
MR. DUSTIN PRUITT
(770) 532-1910
CONTRACTOR NO.: UC301516

SYMBOL LEGEND	
⊙	LIGHT POLE
⊙	SEWER LATERAL
⊙	WATER METER
⊙	POWER BOX
⊙	CABLE TV BOX
⊙	TELEPHONE CO. BOX
⊙	FIRE HYDRANT
⊙	STORM PIPE
⊙	UTILITY POLE
⊙	QUIV. ANCHOR
⊙	WATER VALVE
⊙	GAS METER
⊙	SITE BEACH MARK
⊙	DECIDUOUS TREE
⊙	EVERGREEN TREE
⊙	UNDERSTORY TREE
⊙	SANITARY MANHOLE
⊙	DRAINAGE MANHOLE
⊙	SNAG
⊙	ADA PARKING
⊙	PROPERTY LINE
⊙	LAND LOT NUMBER
⊙	DOWNSPOUT
⊙	FENCE LINE
⊙	U.G. COMMUNICATION LINE
⊙	GAS LINE
⊙	WATER LINE
⊙	UNDERGROUND TELEPHONE
⊙	TELEPHONE LINES & CABLE
⊙	UNDERGROUND POWER
⊙	SANITARY SEWER
⊙	OVERHEAD UTILITY
⊙	TRAFFIC SIGNAL LINES
⊙	CONCRETE HATCH

ABBREVIATION LEGEND	
RF	REBAR FOUND
CMF	CONCRETE FOUNDATION
IPS	IRON PIPE SET (1/2" REBAR)
RW	RIGHT OF WAY
BL	BUILDING LINE
NF	NOW OR FORMERLY
DB	DEED BOOK
PO	PAGE
PL	PLAY BOOK
D.E.	DRAINAGE EASEMENT
N.T.S.	NOT TO SCALE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
GOOT	GA DEPT. OF TRANSPORTATION
A	ARC LENGTH
R	RADIUS
B	CHORD BEARING
C	CHORD LENGTH
TBM	TRIM
EL	ELEVATION
FH	FIRE HYDRANT
WM	WATER METER
W.V.	WATER VALVE
G.M.	GAS METER
PP	UTILITY POLE
UP	LIGHT POLE
COMB.	COMMUNICATION LINES
UG	UNDERGROUND
CONC.	CONCRETE
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
DI	DRAIN INLET
YI	YARD INLET
HW	HEADWALL
RCP	REINFORCED CONC. PIPE
CMP	CORRUGATED METAL PIPE
HDPE	HIGH DENSITY POLYETHYLENE
IE	INVERT ELEVATION
SSMH	SANITARY SEWER MANHOLE
CO	CLEANOUT
CLP	CHUNK LINK FENCE
TC	CLAY PIPE
D.I.P.	DUCTILE IRON PIPE

REVISIONS

DATE	DESCRIPTION
06/01/2017	UPDATE POD AS-BUILT

PROJECT NO.: 14EDT001
FIELD: SPK-WJC - 10/22/15
DRAWN BY: KRS
CHECKED BY: GBS
SCALE: 1" = 50'
ISSUE DATE: 10/28/2015

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SHEET
3 OF 5
DRAINAGE
PLAN



City Council Meeting and Public Hearing

STAFF REPORT

Submitting Department: Public Works

Submitted By: Geoffrey Sarra

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: DESIGN SERVICES: BIG CREEK GREENWAY EXTENSION

II. RECOMMENDATION:

Please approve Pond & Company's proposal in the amount of \$407,425.00 for design of the Big Creek Greenway Extension to Union Hill Park and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Greenway Extension to Forsyth County (31761150-541300-C1708)	\$407,425.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
N/A	\$0.00

IV. REPORT IN BRIEF:

This request is for design services necessary to prepare construction documents for the extension of the Big Creek Greenway from its current end at Marconi Drive to the North. The project will include the design of bridges to span creeks, tunnels under roadways, and elevated structures to traverse wetlands. Opportunities will be identified along the trail for creek and wetland overlooks, seating areas, passive parks, and other enhancements to the trail user experience through the incorporation of existing natural elements.

Pond & Company's design services will include:

- Updated survey information
- Preparation of construction documents
- Tunnel and bridge design
- Hydrological and flood studies for all creek crossings
- Geotechnical services related to bridge foundations, walls, tunnels, and elevated trails
- Limited construction administration

Having developed and iterated upon the conceptual plans for this project and being under contract with the City to provide on-call park planning services, staff requested a proposal from Pond & Company for these design services. Staff reviewed Pond & Company's proposal and found their rates and allocated hours for the various design tasks to be reasonable and in line with industry standards. City staff will review Pond & Company's invoices to verify that the hours being billed to each task accurately represent the progress made for each billing period.

Once a notice to proceed is issued, design is anticipated to be complete within nine to twelve months.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Pond Proposal and Fee Detail



3500 Parkway Lane, Suite 500
Peachtree Corners, Georgia 30092

T: 678.336.7740 | F: 678.336.7744
www.pondco.com

November 14, 2017

Pete Sewczwicz
Director of Public Works
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009
678-297-6219
psewczwicz@alpharetta.ga.us

PROJECT DESCRIPTION

The Alpharetta Big Creek Greenway northern terminus is currently the Marconi Trail head. This project will serve to design the continuation of the Greenway from this point to a connection point with the Forsyth County Big Creek Greenway. The trail will include multiple stream crossings, and roadway crossings, both at-grade and via tunnel. The trail and bridge design shall reflect the existing materiality and aesthetics of the existing Alpharetta Greenway. Elevated trail sections that are not bridges, shall be concrete deck trail.

SCOPE OF SERVICES

Task 1 – Update Boundary, Topographic, Utility, and Tree Survey

Additional areas of survey, approximately 13 acres, are needed to complete full construction documents. As areas near streams are prone to flooding and low-lying land, the presence of wetlands are anticipated. Pond's ecologists will delineate state- and federally-regulated waters and wetlands as well as potentially suitable habitat for federally-protected species within the project area. This effort will include a desktop review of available data and field identification of regulated resources. Our staff will identify, document, and delineate regulated wetlands and waters in accordance with standard United States Army Corps of Engineers (USACE) protocols. Wetland areas will be flagged with orange survey tape labeled "WETLANDS BOUNDARY" and field located using a Trimble sub-foot global positioning unit (GPS). During field delineations, an analysis of connectivity to other waters and wetlands will be performed. Pond will prepare a brief summary report of findings to include a description of resources, discussion of permit drivers and risks, appropriate data forms, and figures. Pond will provide electronic files of resource boundaries for incorporation into project design.

Task 2 – Design

Design Development

- Pond will visit the project site to observe the existing conditions and review the completed survey;
- A pre-design meeting with the City of Alpharetta will be arranged in the effort to verify permitting requirements and applicable requirements for design.
- Organize and attend a Design Development phase kick-off meeting with the client team to review the project, confirm design requirements, and schedule. Based upon the discussion in the kickoff

meeting, and the existing conditions provided by the surveyor and ecologists in Task I, Pond will prepare Design Development Documents as follows:

- Cover Sheet
- General Notes, Legend, and Abbreviations
- Existing Conditions Plan (copy of sealed survey)
- Site Demolition Plan
- Tree Removal and Protection Plans
- Site layout plan
- Grading and drainage plan including storm drainage profiles and calculations
- Preliminary Hydrological and Flood studies.
- Preliminary Tunnel Design
- Preliminary Construction details
- Access easement exhibits and diagrams will be developed to facilitate the finalization of the trail corridor.
- Design Development Plans will constitute approximately 50% design and include a preliminary cost estimate.
- Tunnel and Bridge Design shall be coordinated with a third party, sole-sourced provider of tunnels and bridges for the project, as approved by the City.
- Pond will prepare a preliminary stormwater management analysis for sizing and massing of the stormwater management facilities such as detention and water quality devices and measures;
- Task 2 will be reviewed and coordinated with the Client for concurrence before moving forward with the construction documents;

Construction Documents

Upon approval of Design Development Plans, Pond will incorporate client comments and prepare Construction Documents. Plans shall be submitted to the client for review and comment at 75% and 90% complete. Client shall provide approval before Pond continues to the next milestone level of completion. 90% plans shall be sufficient for permit review. 100% plans will be issued upon incorporation of any City permit review comments, and acceptance of plans by City through issuance of permit.

Project coordination: our team will meet with and/or provide progress updates to the client team and necessary city staff every two weeks. Our team will also be available to meet with the mayor and council, and/or recreation commission, on up to 6 different occasions, to provide updates related to the completion of this scope of work.

Construction Documents shall be as follows:

- Cover Sheet
- General Notes, Legend, and Abbreviations
- Existing Conditions Plan (copy of sealed survey)
- Site Demolition Plan
- Tree Removal and Protection Plans
- Site layout plan
- Grading and drainage plan including storm drainage profiles and calculations
- Utility plans and profiles
- Tunnel design: Upon determination of tunnel length and style, performance specifications will be provided in the plans for the contractor to solicit design and fabrication services of a pre-engineered tunnel manufacturer.
- Erosion and sedimentation control plan (3-phase per requirements)

- Site construction details including trail corridor (on-grade and elevated), and parks spaces.
- Pedestrian Bridge and Bridge Foundations: Upon determination of bridge length and style, performance specifications will be provided in the plans for the contractor to solicit design and fabrication services of a pre-engineered truss bridge manufacturer.
- Hydrological Studies for all necessary creek crossings
- Flood study – a flood study will be necessary to permit the bridge over streams within a FEMA regulated floodplain. Bridge design/placement and flood study will be coordinated to result in a 'no-rise' condition.
- Signing and Marking Plans – to utilize City of Alpharetta signage and branding standards; POND will provide sign content for way finding and interpretation. (construction detail sign design is not included)
- Book form (Masterspec) Specifications.
- Landscape Plans, Notes, Legends, and Details, including enlargements of critical areas.
- Updated Cost Estimate at 90% submittal.
- E&S NOI and NOT applications
- Stormwater Pipe and Profile design for drainage swales required to properly drain stormwater around or under the trail
- Pond will prepare a final stormwater management analysis and report to meet the City requirements, as applicable;

Geotechnical Services

Geotechnical services related to bridge foundations, walls, tunnel, and elevated trail. Boring locations will be determined and a Geotechnical Engineering firm engaged for the following:

- A review of published information will be conducted to determine the soil types documented in the Subject Property. Documents and files to be reviewed include the Natural Resources Conservation Service (NRCS) On-line Soil Survey, published information concerning geology of the area, and USGS topographic maps for the site.
- A site visit will be conducted to observe and document on-site conditions.
- Up to 24 soil test borings will be performed across the site to varying depths of 10 to 40 feet or refusal (if less than 40 feet). Total drilling footage is estimated to be 350 feet. Depth to groundwater (if encountered) will be recorded at each boring location at the time of boring completion and at 24 hours after boring completion. All bore holes will be backfilled with soil cuttings upon completion of drilling.
- Up to two vertical percolation rate via Double Ring Infiltrometer (DRI) tests will be performed. It is assumed the DRI test will be performed below the top soil at a minimum of 12 inches below the existing ground surface.
- Minor site clearing necessary for access to boring and infiltration test locations will be required and is included.
- A geotechnical engineering report and Bridge Foundation Investigation report will be prepared upon completion of the field work, laboratory testing, analysis, and evaluation. The report will include recommendations for site preparation, fill compaction, soil design parameters and foundations.

Task 3 - Bid Support and Construction Administration

- Pond will perform basic bid assistance services consisting of answering written contractor questions related to the plans and specifications during the bidding process. We will attend the Pre-Bid meeting (project manager/landscape architect and civil engineer).

- During construction, Pond will perform construction observations to evaluate the site-work Contractor's general conformance with plans and specifications. Pond will review Shop Drawings, and submittals if required. This proposal includes 12 construction phase site visits by one member of Pond staff—one for the seven-day erosion inspection, 10 as needed during the construction phase, and one final punch-list inspection. This proposal also includes one-time analysis and preparation of an as-built hydrology report in accordance with City of Alpharetta standards (based upon as-built survey to be provided by the contractor).
- CA services will include answering RFIs related to the tunnel during bidding and answering RFIs and reviewing structural and lighting shop drawings and calculations from the selected tunnel contractor during construction.
- Construction is estimated to take 12 months from NTP to Final Completion.

Scope Assumptions and Exclusions:

- Stream buffers will be avoided to the greatest extent possible, and stream crossings will be made within the limits of variance from perpendicular to avoid the need for an EPD stream buffer variance. Multi-use trail bridges are exempt from the need of a stream buffer variance. Therefore, a buffer variance is not anticipated and is not included in our fee. Should a buffer variance be necessary, then Pond can conduct this work in-house as an add service.
- USACE regulation will be avoided by design of the bridge and abutments to avoid impacts to jurisdictional waters and wetlands. Should impacts to jurisdictional waters or wetlands require the need for a PCN under a nationwide permit, additional services will be required.
- No services have been included for environmental design/coordination associated with contaminated soil/groundwater, endangered species, or historic/archeological resources.
- Permitting shall consist of preparing plans and associated forms/documents for review only. POND shall prepare responses/revise design to address review comments provided by local and state agencies.
- A letter of floodplain map revision is not included (CLOMR or LOMR.); FEMA coordination is not included.
- GDOT oversight and compliance is not a requirement and is therefore excluded.
- Permitting shall be limited to City of Alpharetta LDP, NOI, and NOT.
- Water quality monitoring and inspections associated with NPDES permit will be provided by the construction contractor with the exception of the initial inspection of perimeter controls (7-day inspection), which will be provided by Pond as part of the scope of services.
- Cost estimate is purely an estimate, POND will provide our best estimates based upon currently known values, but there is no guarantee associated with the estimate, and it is acknowledged that POND cannot control market fluctuations in labor or material construction costs.
- All permit, review, or impact fees shall be paid by the City of Alpharetta.
- Irrigation design and specification is not included.
- Field-run survey of the as-built condition, upon completion of construction of this scope of work, is the responsibility of the construction phase contractor.
- The project is understood to be funded entirely by local money; should state or federal dollars be applied to the project, additional services may be required to meet additional regulatory requirements for design and engineering.

FEE STRUCTURE

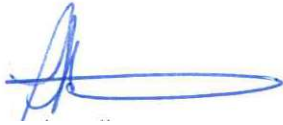
Pond shall receive compensation for the above-described responsibilities as broken out below. Fees are to be billed monthly based on services provided.

Task 1 – Update Boundary, Topographic, Utility, and Tree Survey	\$47,395.00
Task 2 –Design	\$323,370.00
Task 3 – Bid Support and Construction Administration	\$36,660.00
Total:	\$407,425.00

Sincerely,



Matthew Wilder, PLA, ASLA
Director, Landscape Architecture | Senior Associate



Bob Williams, PE
Vice President
POND

City of Alpharetta

Big Creek Greenway Extension Marconi to McGinnis Ferry

SUMMARY BY PHASE

COST AMOUNT OF CONTRACT PROPOSAL

11/14/2017

PHASE AMOUNTS

Task 1 Survey / Enviro	\$47,395
Task 2 Design	\$323,370
Task 3 Bid Support / Construction Admin	\$36,660

TOTAL DESIGN COST FOR ALL SEGMENTS

\$407,425

City of Alpharetta

PROJECT:

Big Creek Greenway Extension

Marconi to McGinnis Ferry

Task 1 Survey / Enviro

PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	0	\$200	\$0	
PROGRAM MANAGER	4	\$180	\$720	
PROJECT MANAGER	32	\$160	\$5,120	
SENIOR ENGINEER	0	\$130	\$0	
ENGINEER	0	\$100	\$0	
SENIOR LANDSCAPE ARCHITECT	0	\$110	\$0	
LANDSCAPE ARCHITECT	0	\$90	\$0	
TECHNICIAN / DRAFTER	0	\$80	\$0	
SENIOR REGULATORY SPECIALIST	10	\$155	\$1,550	
PROJECT SCIENTIST 1	34	\$110	\$3,740	
SCIENTIST 2	66	\$90	\$5,940	
CLERICAL	0	\$63	\$0	
				\$17,070
TOTAL DIRECT LABOR				46 Manhours
				\$17,070
DIRECT COSTS (SPECIFY):				
	PHOTOGRAPHY & VIDEO			\$0
	REPRODUCTION			\$0
	SUPPLIES			\$0
	TRAVEL			\$100
	MAIL & DELIVERY			\$50
SUBCONSULTANTS (LIST):				
				\$0
	Survey			\$28,085
	Cultural Resources			\$2,090
OTHER DIRECT COSTS (LIST):				
TOTAL DIRECT COSTS				\$30,325
COST AMOUNT FOR PHASE				\$47,395

City of Alpharetta

PROJECT:

Big Creek Greenway Extension

Task 1 Survey / Enviro

TASKS	No. of SHT	PRINC.	PROG. MAN.	PROJ. MGR	SEN. ENG	ENG.	SEN. REG. SPLST	PROJ. SCI. 1	SCI. 2	CLER.	TOTAL	% OF TOTAL
Drawings												
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
Non-Drawing Tasks											0	
Waters delineation & habitat assessment								22	26		48	29.6%
Ecology electronic files								2	8		10	6.2%
Section 404 Nationwide Permit							6	10	32		48	29.6%
Cultural resource studies							4				4	2.5%
Project Management			4	28						16	48	29.6%
TQC				4							4	2.5%
											0	
											0	
											0	
TOTALS		0	4	32	0	0	10	34	66	16	162	100.0%

City of Alpharetta

PROJECT:

Big Creek Greenway Extension
Marconi to McGinnis Ferry
Task 2 Design

PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	24	\$200	\$4,800	
PROGRAM MANAGER	118	\$180	\$21,240	
PROJECT MANAGER	312	\$160	\$49,920	
SENIOR ENGINEER	424	\$130	\$55,120	
ENGINEER	768	\$100	\$76,800	
SENIOR LANDSCAPE ARCHITECT	158	\$110	\$17,380	
LANDSCAPE ARCHITECT	588	\$90	\$52,920	
TECHNICIAN / DRAFTER	8	\$80	\$640	
CLERICAL	80	\$60	\$4,800	
				\$283,620
TOTAL DIRECT LABOR				2480 Manhours
				\$283,620
DIRECT COSTS (SPECIFY):				
	PHOTOGRAPHY & VIDEO			\$0
	REPRODUCTION			\$500
	SUPPLIES			\$600
	TRAVEL			\$500
	MAIL & DELIVERY			\$150
SUBCONSULTANTS (LIST):				
	Geotech			\$0
				\$38,000
OTHER DIRECT COSTS (LIST):				
TOTAL DIRECT COSTS				\$39,750
COST AMOUNT FOR PHASE				\$323,370

City of Alpharetta

PROJECT:

Big Creek Greenway Extension

Task 2 Design

TASKS	No. of SHT	PRINC.	PROG. MAN.	PROJ. MGR	SEN. ENG	ENG.	SEN. LAND ARCH	LAND ARCH	TECH / DRAFTER	CLER.	TOTAL	% OF TOTAL
Drawings												
Cover Sheet	1							2			2	0.1%
General notes, Legend, Abbreviations	1					2		2			4	0.2%
Existing Conditions	18							8			8	0.3%
Tree Removal and Protection Plans	20		4	16			26	64			110	4.4%
Mainline Layout / Site layout Plans	18		4	24	18	44	44	128			262	10.6%
Drainage Plans and Profiles	4				16	84					100	4.0%
Utility Plans and Profiles	2				8	40					48	1.9%
Erosion control / Grading Plans	35		4		26	150					180	7.3%
Construction Details	6		4	4	8	20	16	80			132	5.3%
Landscape Plans	6		4	4			16	64			88	3.5%
Signing and Marking Plans	10		2	4			8	36			50	2.0%
ROW Exhibits			4	2		20	4	40			70	2.8%
Apartment Easement Exhibits			4	8		12		16	8		48	1.9%
Non-Drawing Tasks												
Site Visit / survey verification				8	8	8		8			32	1.3%
Project kick-off mtg/biweekly coordination meetings				40	8	24		24			96	3.9%
Permitting predesign meeting with City				4	4		4				12	0.5%
Preliminary Stormwater Analysis				4	48	84					136	5.5%
Flood Model Development				6	80	96				24	206	8.3%
Cost Estimate				8		24		40			72	2.9%
TQC		8	16	4	24		32				84	3.4%
Project Mangement		16	40	104							160	6.5%
ROW Coordination			16	40	16			8			80	3.2%
Plan Submittal Production								16		16	32	1.3%
Specifications				4			8			20	32	1.3%
Structural design of elevated trail					80	80					160	6.5%
Tunnel and Bridge Design coordination			8	24	80	40		20			172	6.9%
Permitting Coordination			8			24		8		20	60	2.4%
Lighting Design Coordination with Georgia Power				4		16		24			44	1.8%
TOTALS		24	118	312	424	768	158	588	8	80	2480	100.0%

City of Alpharetta

PROJECT:

Big Creek Greenway Extension

Marconi to McGinnis Ferry

Task 3 Bid Support / Construction Admin

PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	4	\$200	\$800	
PROGRAM MANAGER	10	\$180	\$1,800	
PROJECT MANAGER	112	\$160	\$17,920	
SENIOR ENGINEER	20	\$130	\$2,600	
ENGINEER	48	\$100	\$4,800	
SENIOR LANDSCAPE ARCHITECT	24	\$110	\$2,640	
LANDSCAPE ARCHITECT	50	\$90	\$4,500	
TECHNICIAN / DRAFTER	0	\$80	\$0	
CLERICAL	20	\$60	\$1,200	
				\$36,260
TOTAL DIRECT LABOR				288 Manhours \$36,260
DIRECT COSTS (SPECIFY):				
	PHOTOGRAPHY & VIDEO			\$0
	REPRODUCTION			\$0
	SUPPLIES			\$150
	TRAVEL			\$250
	MAIL & DELIVERY			\$0
SUBCONSULTANTS (LIST):				\$0
OTHER DIRECT COSTS (LIST):				
TOTAL DIRECT COSTS				\$400
COST AMOUNT FOR PHASE				\$36,660

City of Alpharetta

PROJECT:

Big Creek Greenway Extension

Task 3 Bid Support / Construction Admin

TASKS	No. of SHT	PRINC.	PROG. MAN.	PROJ. MGR	SEN. ENG	ENG.	SEN. LAND ARCH	LAND ARCH	TECH / DRAFTER	CLER.	TOTAL	% OF TOTAL
Drawings												
											0	
											0	
											0	
											0	
											0	
											0	
											0	
Non-Drawing Tasks												
Attend Pre-Bid meeting				4	4						8	2.8%
Bid Phase RFIs			2	4		8		8			22	7.6%
Submittal and RFIs during construction				24		40		40		20	124	43.1%
12 Construction Site Visits				48	16		24	2			90	31.3%
Project Management		4	8	32							44	15.3%
TOTALS		4	10	112	20	48	24	50	0	20	288	100.0%



City Council Meeting and Public Hearing

STAFF REPORT

Submitting Department: Public Works

Submitted By: Geoffrey Sarra

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: DESIGN SERVICES: WEBB BRIDGE ROAD AND ACADEMY STREET IMPROVEMENTS

II. RECOMMENDATION:

Please approve Pond & Company's proposal in the amount of \$283,033.00 for data gathering and concept design of Webb Bridge Road and Academy Street Bike/Ped/Operational Improvements and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Webb Bridge Road Corridor (33541100-541410-C1638)	\$283,033.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
N/A	\$0.00

IV. REPORT IN BRIEF:

Between August 30, 2016 and July 25, 2017 the City held a number of open houses to solicit input and feedback from citizens concerning improvements to the Academy Street / Webb Bridge Road Corridor. On August 28, 2017, City staff presented the preferred typical section for the corridor to City Council and received permission to move forward with a more detailed conceptual plan. This request is for design services necessary to prepare a detailed conceptual plan for bicycle, pedestrian, and operational improvements to the Academy Street / Webb Bridge Road corridor. This project will apply the preferred typical section along the corridor, analyze roadway improvement options, and identify where modifications may be needed due to constraints .

Pond & Company's design services will include:

- Traffic data collection
- Environmental screening
- Preparation of a pre-design survey database
- Evaluation of the existing bridge structure over Big Creek
- Analysis of existing and future traffic conditions
- Evaluation of roundabouts at select intersections
- Evaluation of signal control at select intersections
- Detailed concept layout based on the preferred typical section
- Evaluation of bridge replacement alternatives
- Preparation of an opinion of probable cost.

Pond & Company, at the direction of Community Development, has developed and iterated upon typical section alternatives based upon feedback from stakeholder meetings held by City staff. Thus, the Department of Public Works requested a proposal for these design services from Pond & Company, an on-call provider for engineering services for the City. Staff reviewed Pond & Company's proposal and found their rates and allocated hours for the various design tasks to be reasonable and in line with industry standards. City staff will review Pond & Company's invoices to verify that

the hours being billed to each task accurately represent the progress made for each billing period.

Once a notice to proceed is issued, the work is anticipated to be complete within five months.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Pond Proposal, Pond Fee Detail, Additional Exhibits



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Architects
Engineers
Planners
Constructors

3500 Parkway Lane
Suite 500
Peachtree Corners, GA 30092

P 678.336.7740
F 678.336.7744
www.pondco.com

October 23, 2017

Mr. Peter Sewczwicz, PE
Director of Public Works
City of Alpharetta
1790 Hembree Road
Alpharetta, GA 30009

Re: **Webb Bridge Road and Academy Street Bike/Ped/Operational Improvements
Professional Design Services Fee Proposal**

Pond & Company (Pond) is pleased to submit this proposal for survey, environmental, transportation and engineering design services for the above project. The paragraphs below describe the professional services and fees to accomplish this work.

PROJECT UNDERSTANDING:

The Academy Street/Webb Bridge Road from SR9/Main Street to SR120/Kimball Bridge is an important two-lane collector road in the City of Alpharetta. This road connects the western neighborhoods to Downtown Alpharetta and has many destinations such as Big Creek Greenway, various schools, Webb Bridge Park, and a United States Post Office among others. The corridor crosses at least two streams including a bridge crossing over Big Creek and its associated wetlands and FEMA regulated floodplain. The corridor project limits for design services is illustrated in **Figure 1**. The limits extend along Academy Street, from just east of SR 9 to just west of Westside Pkwy. The limits extend along Webb Bridge Road, from just east of North Point Pkwy to south of the intersection at Webb Bridge Way/Webb Bridge Road (city limits) and to the east along Webb Bridge Road to the Webb Bridge Park entrance. It is assumed that no improvements will be included in this project along Webb Bridge Road between Westside Pkwy and North Point Pkwy

We understand the importance of this project for the City as being a component to the Alpha Loop and the need to keep the neighborhood feel for its residents. This project will provide connections for the neighborhoods to the Alpha Loop and other destinations mentioned above. Our understanding is the City of Alpharetta will locally fund the design and construction of the roadway improvement through City's T-SPLOST program.

This project is a continuation of our initial efforts supporting the City's Planning Division in preparing typical section alternatives and preliminary traffic review of the corridor. The City held stakeholder meetings to engage the residents and received feedback on the preferred design elements for the corridor. This project will apply the public's selected preferred typical cross-section (**Figure 2**) along the corridor and identify where modifications may be needed due to constraints. POND will coordinate the concept efforts through the conceptual design process with the City of Alpharetta as appropriate.

PROFESSIONAL SERVICES:

The work will consist of analyzing roadway improvement options and developing conceptual plans. Pond will provide all labor, materials and equipment necessary to assist the City of Alpharetta Public Works in completing the tasks as described herein.

Scope of Work

Phase 1: Data Gathering

Task 1A. Project Management and Coordination Plan - Pond will prepare a project management and coordination plan to indicate the lines of communication and work schedule.

Task 1B. Traffic Data Collection – Traffic counts at major intersections were previously performed by the City and provided to POND. Pond will confirm traffic conditions in the field. We will obtain historical accident data.

Task 1C. Environmental - Delineate state and federal waters and suitable habitat for protected species in the vicinity of the project corridor. Water and wetland boundaries will be flagged and collected with sub-meter GPS. Includes desktop screening of cultural resources for compliance with NWP General Conditions. Develop and provide electronic files and summary report.

Task 1D. Topographic and Utility Database – Our survey consultant has proposed the use of a Mobile Lidar Scanning vehicle for the collection of pre-design survey database. Mobile scanning offers considerable benefits. It is more cost effective than many traditional surveying technologies. Data collection is much faster as large amounts of data can be collected while traveling at posted speeds. Because the data is collected from a moving vehicle, mobile scanning will not impede traffic flow. This proven technology is widely accepted by most Departments of Transportation including Georgia DOT.

Task 1E. Bridge - Obtain existing bridge plans, inspection reports, and survey data to develop understanding of existing conditions. Review previous concepts and reports. Perform site visit and coordinate geotechnical data collection.

Deliverables of Phase 1

- Approved Project Schedule
- Survey Database
- Property Parcels
- Courthouse Research
- Environmental Screening

Phase 2: Concept Design

Task 2A. Traffic Analysis – Pond will perform an analysis of existing traffic conditions and future conditions based on the preferred concept. The traffic analysis will utilize Synchro or the appropriate analysis software. Opening year and ten-year design traffic volumes will be developed based on historical traffic count data and expected area growth. We understand the project is not intended as a capacity improvement, rather an operational and safety improvement. Therefore, the traffic analysis will document the proposed concept and make recommendation on the need for turn lanes, or removal, appropriate traffic control at

intersections, and potential pedestrian mid-block crossings. During the concept design phase we will look for opportunities to provide traffic calming measures, including median islands and RRFBs for mid-block pedestrian crossings.

Based on the preliminary traffic review of the corridor and feedback from the City, we understand the project may include the following intersection modifications. These will be reviewed and confirmed during the concept design phase.

1. Potential single-lane roundabout along Academy St at one or two locations (Loxford Ln, Dancliff Ln, Jamestown Trail, Wedgewood Dr
2. Alpharetta High School Driveway – consider modifying existing traffic signal to a Florida “T” intersection
3. Lake Windward Dr/Creek View Elementary School – existing traffic signal; potential roundabout consideration
4. Big Creek Overlook – add dedicated westbound left-turn lane
5. Improvements at Entrance of Webb Bridge Middle School Driveway; maintain traffic signal
6. Single-lane roundabout at Webb Bridge Road/Webb Bridge Way to replace existing traffic signal; improvements at Timberline Place/Maid Marion Close

POND will document the traffic analysis in a report suitable for City of Alpharetta. The report will summarize existing conditions, accident history, proposed modifications, and intersection capacity analysis. This effort assumes no reports or coordination with Georgia DOT.

Task 2B. Concept Layout –The use of the new survey technology, Mobile Lidar Scanning, will provide a preliminary survey database sooner as compared to other conventional surveying methods. This will allow Pond to develop a working alignment to evaluate the layout of the preferred typical section at an earlier phase of the concept phase. This will allow us to provide the City with an assessment of impacts that much sooner. We will determine property impacts, environmental resource impacts, locations of walls, and necessary right-of-way.

We will layout 3 roundabouts in accordance with the lane configurations prescribed by the traffic analysis. This will include roundabout performance checks in accordance with NCHRP’s Report 672. The performance checks include fastest path analysis, speed consistency check, and design vehicle turning movement analysis.

In this task we will also evaluate the implementation of the landscape vision of AlphaLoop on the south side of Academy Street from SR/9 Main Street to West Side Pkwy.

Pond staff will meet with the City to present findings of this phase and plan for 2 iterations of revisions to the conceptual layout.

Task 2C. Hydrology Study – Pond will obtain Effective FEMA Model from the City and Review. We will review the model with the FEMA map and FIS data for consistency and terrain (DTM) matching.

The existing hydraulic conditions regarding the water surface elevations for design storm, 100-year, and 500-year events will be confirmed as a basis for the proposed conditions. A digital

terrain model (DTM) will be updated to cut additional hydraulic cross sections to supplement the existing hydraulic model. The DTM will consist of the field run survey and the LiDAR obtain by our surveyor. Update FEMA Models for Existing Conditions with new survey data.

Task 2D. Bridge Concept -- Pond bridge designers will develop working sketches to layout bridge footprint, evaluate feasibility of 3 structure type alternatives and develop typical sections, evaluate staged construction requirements. Prepare conceptual cost estimate for structure alternatives and coordinate with the City to select preferred alternative.

Task 2E. Cost Estimate – POND will prepare an opinion of probable of cost.

Deliverables of Phase 2

- Traffic Report
- Layout of Concept identifying ROW impacts & Environmental Impacts
- 3 Bridge Concepts
- Cost Estimate

Schedule

Pond has estimated that all tasks above will be completed within 5 months (**see attached schedule**).

ASSUMPTIONS

Services or tasks not specifically outlined above are excluded. Preliminary plans, final plans, Right-of-way acquisition, right-of-way staking, MS4 design, SUE services, Clean Water Act Section 404 Individual Permit, protected species surveys, Phase I cultural resources survey, procurement or provision of compensatory mitigation credits, and construction administration are not included in the scope of services. It is assumed that no coordination with GDOT, FEMA, and a FEMA Conditional Letter of Map Revision (CLOMR) will not be part of this work. It is anticipated that a “no-rise” condition can be achieved with the City of Alpharetta’s concurrence.

PROFESSIONAL FEES:

Pond proposes to accomplish Tasks 1 through 2 for a proposed total fee of \$283,033.00. If this fee and scope is acceptable, Pond & Company is available to begin work immediately in issuance of a work order under our current On-call Engineering Services agreement (Contract 16-1009A). If you would like us to discuss or modify the scope please contact us. If you need any additional information, please feel free to contact me at (678)336-7740.

Sincerely,

POND & COMPANY

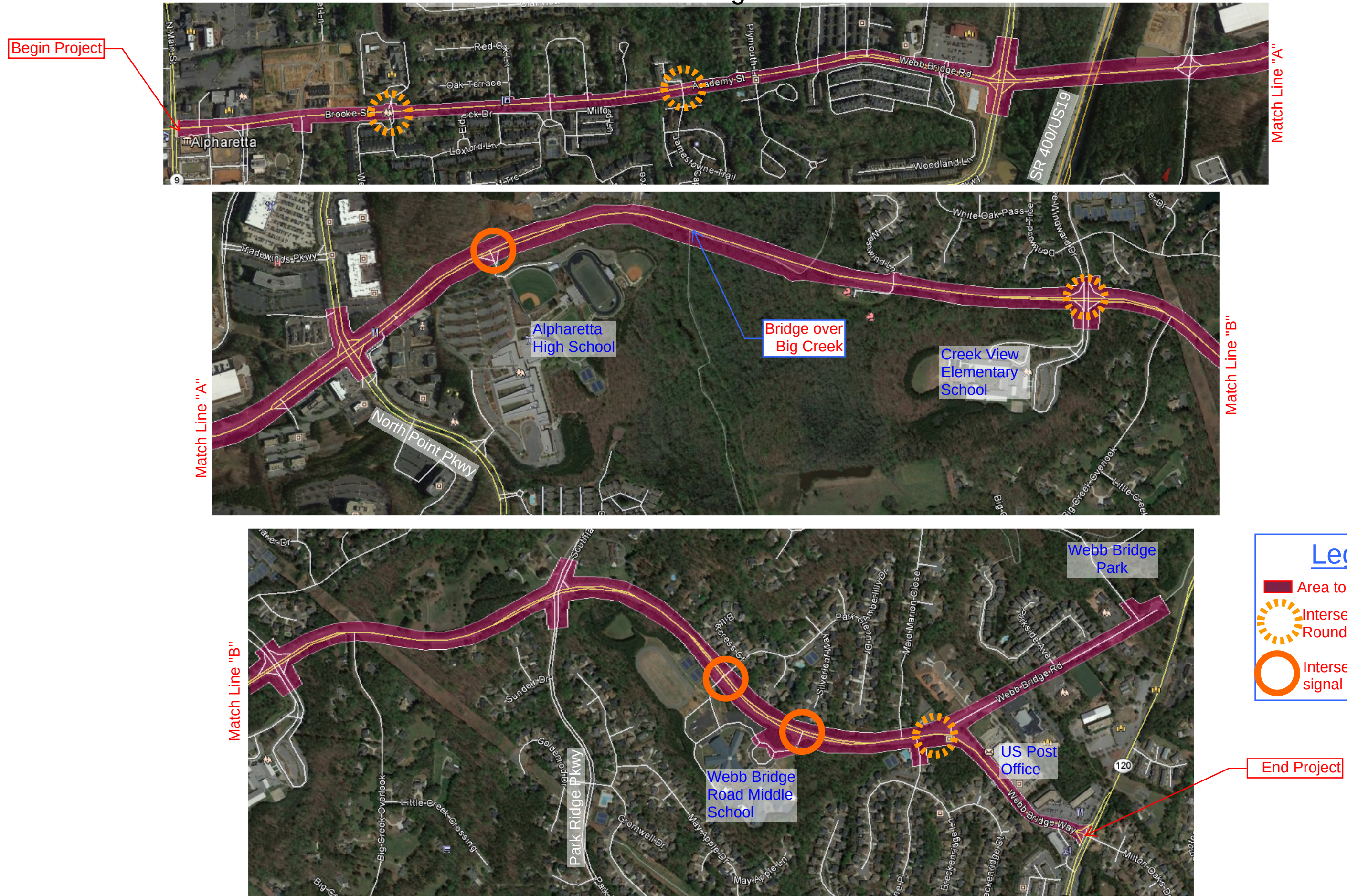


Peter Hortman
Transportation Program Manager

Cc: Arwin Lopez, P.E.

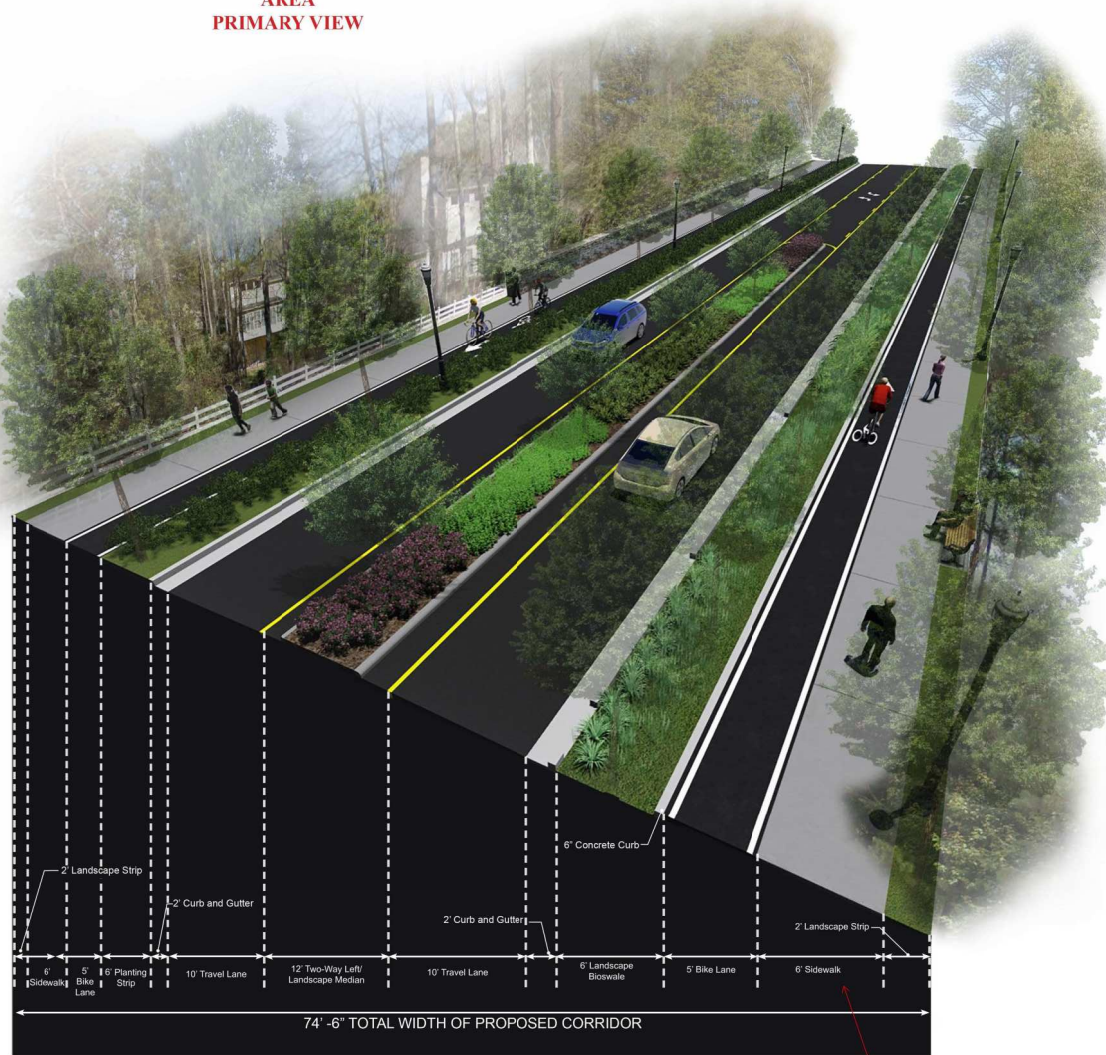
Webb Bridge Road Bike /Ped/Operational Improvements

Figure 1



Webb Bridge Road Bike /Ped/Operational Improvements Figure 2

OPTION B- RAISED BIKE LANES WITH LANDSCAPE AREA PRIMARY VIEW



OPTION B- RAISED BIKE LANES WITH LANDSCAPE AREA SECONDARY VIEW

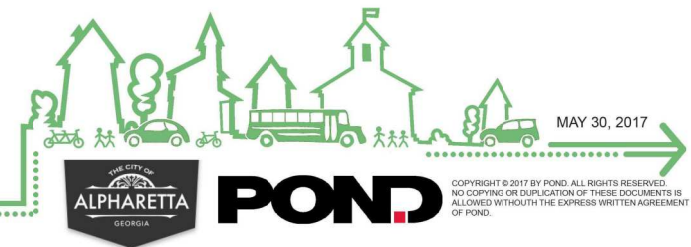
OPTION B- ROADWAY & PEDESTRIAN FEATURES

- WIDE SIDEWALK ON BOTH SIDES OF WEBB BRIDGE RD.
- 5' BUFFERED SINGLE DIRECTION BIKE LANES ON BOTH SIDES OF WEBB BRIDGE RD.
- PEDESTRIAN LIGHTING, BENCHES, AND TRASH RECEPTACLES AT EVEN SPACINGS ALONG THE CORRIDOR
- 2" CURB REVEAL TO SEPARATE THE SIDEWALK FROM THE RAISED BICYCLE LANE
- THE LANDSCAPING ALONG THE CORRIDOR CONSISTS OF NATIVE AND ADAPTIVE PLANTS. CANOPY TREES ARE SPACED EVENLY WITHIN THE DESIGNATED PLANTING AREAS. MASSES OF SHRUBS, GRASSES, AND WETLAND PLANTS ARE PLACED WHERE MOST APPROPRIATE TO THE ROADWAY DESIGN

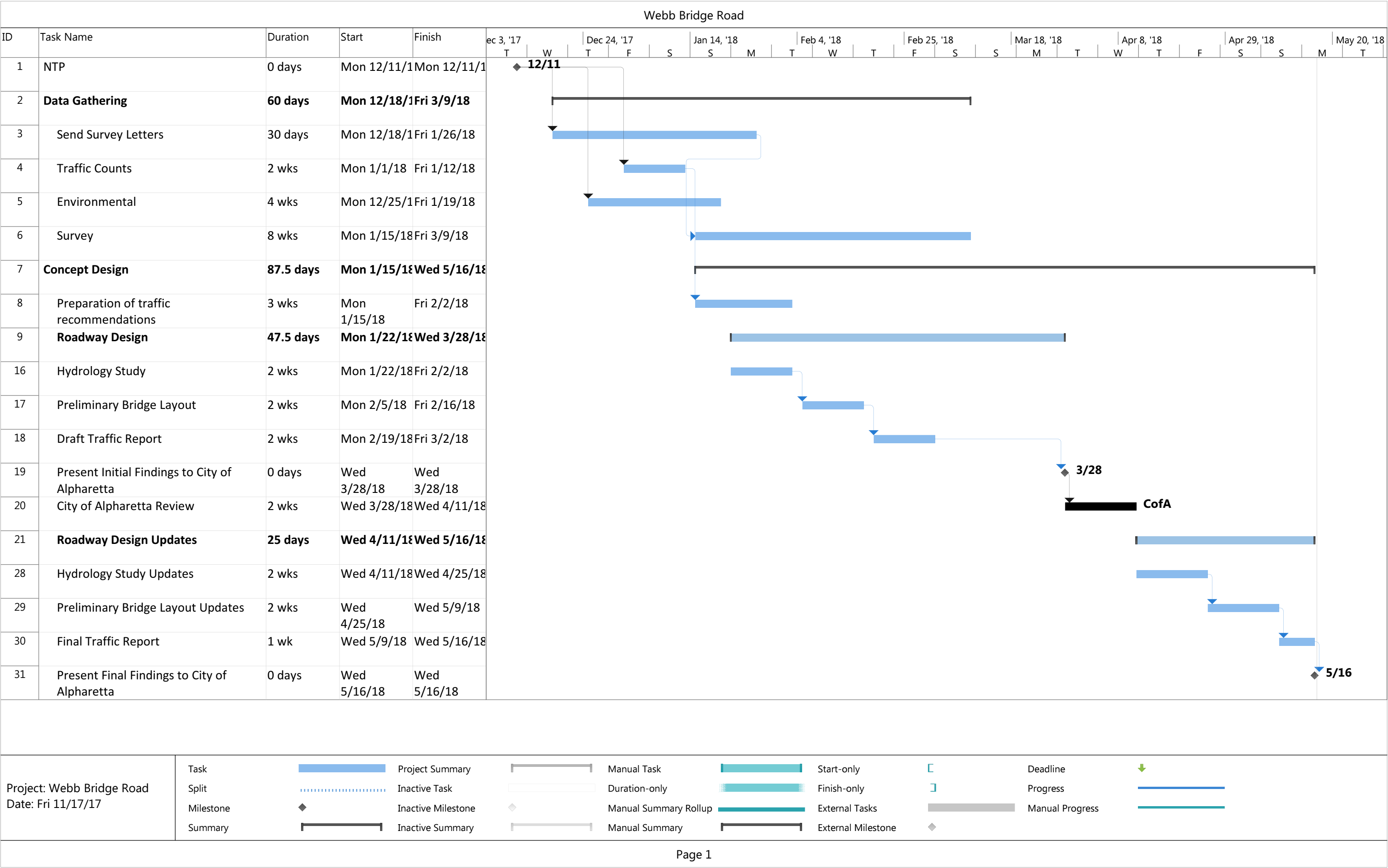
8 foot sidewalk in
Alpha Loop Section

WEBB BRIDGE ROAD COMPLETE STREETS PROJECT

OPTION B- RAISED BIKE LANE WITH LANDSCAPED AREA



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City of Alpharetta

Webb Bridge Road Bike/Ped/Operational Improvements Approximately 4.73 Miles

SUMMARY BY Segment

COST AMOUNT OF CONTRACT PROPOSAL

11/2/2017

PHASE AMOUNTS

Phase 1 - Data Gathering	\$138,459
Phase 2 - Concept Design	\$144,574
TOTAL DESIGN COST FOR ALL SEGMENTS	\$283,033

City of Alpharetta

Phase 1 summary

PROJECT:

Webb Bridge Road Bike/Ped/Operational Improvements

Phase 1 - Data Gathering

PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	18	\$200	\$3,600	
PROJECT MANAGER	66	\$160	\$10,560	
SENIOR ENGINEER	68	\$130	\$8,840	
ENGINEER	24	\$100	\$2,400	
SENIOR GIS ANALYST	6	\$100	\$600	
GIS ANALYST	4	\$85	\$340	
SENIOR REGULATORY SPECIALIST	10	\$155	\$1,550	
PROJECT SCIENTIST 1	16	\$110	\$1,760	
SCIENTIST 2	30	\$95	\$2,850	
SCIENTIST 1	30	\$75	\$2,250	
SENIOR LANDSCAPE ARCHITECT	0	\$110	\$0	
LANDSCAPE ARCHITECT	0	\$90	\$0	
CLERICAL	12	\$60	\$720	
				\$35,470
TOTAL DIRECT LABOR	284 Manhours			\$35,470
DIRECT COSTS (SPECIFY):				
	Mileage			\$250
	REPRODUCTION			\$0
	SUPPLIES			\$0
	TRAVEL			\$0
	MAIL & DELIVERY			\$0
SUBCONSULTANTS (LIST):	Traffic Counts			\$0
	Survey			\$101,749
	Geotech			\$0
	Terra Xplorations (Cultural Resources)			\$990
OTHER DIRECT COSTS (LIST):				
TOTAL DIRECT COSTS				\$102,989
COST AMOUNT FOR PHASE				\$138,459

City of Alpharetta
Phase 1 Detail

PROJECT:

Webb Bridge Road Bike/Ped/Operational Improvements

Phase 1 - Data Gathering

TASKS	No. of SHT	PRINC.	PROJ. MAN.	SEN. ENG.	ENG.	SEN. GIS	GIS ANALYST	SEN. REG. SPEC.	PROJ. SC1	SCI. 2	SCI. 1	SEN. LAND. ARCH.	LAND. ARCH.	CLER.	TOTAL	% OF TOTAL
Drawings																
Non-Drawing Tasks																
Project Management		8	24											12	44	15.5%
Site Visits (4hrs per visit)			4	8	8										20	7.0%
Prepare and attend Meetings (4 meetings)		4	16	12											32	11.3%
Traffic																
Project Management			2												2	0.7%
Site Visits (4hrs per visit)				8	8										16	5.6%
Landscaping																
Hydrology																
Develop Terrain (DTM) for Existing/Proposed Conditions						6	4								10	3.5%
Site Visit and Data Review				4											4	1.4%
Retrieve Effective FEMA Model and Review				4											4	1.4%
Update FEMA Models for Existing Conditions with new survey data				4	8										12	4.2%
Bridge																
Site Visit		4	4	4											12	4.2%
Review Exist Bridge Plans		2	4	4											10	3.5%
Evaluate Survey and Exist Geometry			4	8											12	4.2%
Review Roadway Concepts			4	8											12	4.2%
Coordinate and Evaluate Preliminary Bridge Borings			4	4											8	2.8%
Environmental																
Waters Delineation & Habitat Evaluation with Summary Report								10	16	30	30				86	30.3%
TOTALS		18	66	68	24	6	4	10	16	30	30	0	0	12	284	100.0%

City of Alpharetta

Phase 2 summary

PROJECT:

Webb Bridge Road Bike/Ped/Operational Improvements

Phase 2 - Concept Design

PERSONNEL	EST. HOURS	RATE/HR.	COST \$	TOTALS
PRINCIPAL	12	\$200	\$2,400	
PROJECT MANAGER	170	\$160	\$27,200	
SENIOR ENGINEER	334	\$130	\$43,420	
ENGINEER	514	\$100	\$51,400	
SENIOR GIS ANALYST	0	\$100	\$0	
GIS ANALYST	0	\$85	\$0	
SENIOR REGULATORY SPECIALIST	4	\$155	\$620	
PROJECT SCIENTIST 1	12	\$110	\$1,320	
SCIENTIST 2	8	\$95	\$760	
SCIENTIST 1	0	\$75	\$0	
SENIOR LANDSCAPE ARCHITECT	47	\$110	\$5,194	
LANDSCAPE ARCHITECT	96	\$90	\$8,640	
CLERICAL	52	\$60	\$3,120	
				\$144,074
TOTAL DIRECT LABOR	1249.22 Manhours			\$144,074
DIRECT COSTS (SPECIFY):				
	Mileage			\$500
	REPRODUCTION			\$0
	SUPPLIES			\$0
	TRAVEL			\$0
	MAIL & DELIVERY			\$0
SUBCONSULTANTS (LIST):	Traffic Counts			\$0
	Survey			\$0
	Geotech			\$0
	Terra Xplorations (Cultural Resources)			\$0
OTHER DIRECT COSTS (LIST):				
TOTAL DIRECT COSTS				\$500
COST AMOUNT FOR PHASE				\$144,574

City of Alpharetta
Phase 2 Detail

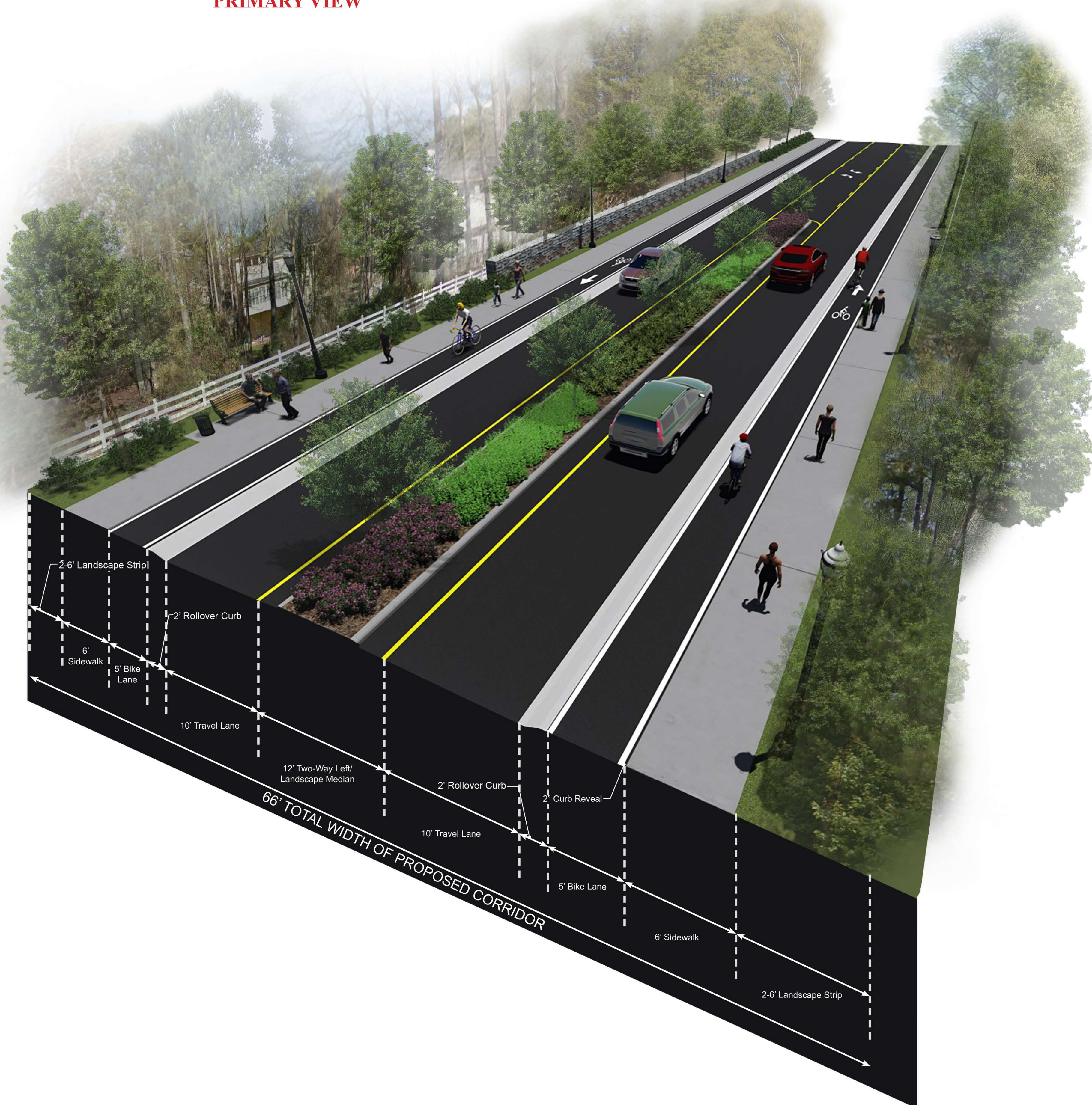
PROJECT:

Webb Bridge Road Bike/Ped/Operational Improvements

Phase 2 - Concept Design

TASKS	No. of SHT	PRINC.	PROJ. MAN.	SEN. ENG.	ENG.	SEN. GIS	GIS ANALYST	SEN. REG. SPEC.	PROJ. SC1	SCI. 2	SCI. 1	SEN. LAND. ARCH.	LAND. ARCH.	CLER.	TOTAL	% OF TOTAL
Drawings																
Typical Sections	4		4	12	40										56	4.5%
Construction Plans	45		8	20	60										88	7.0%
Mainline Profile	22		4	24	40										68	5.4%
Cross Sections	100		4	20	40										64	5.1%
Retaining Walls	10		4	20	40										64	5.1%
Right of Way Plans	77		4	12	20										36	2.9%
Roadway																
Cost Estimate			4	16	32										52	4.2%
Quality Control Reviews			16	8	16										40	3.2%
Project Management		6	40											20	66	5.3%
Site Visits (4hrs per visit)			4	8	8										20	1.6%
Prepare and attend Meetings (4 meetings)			12	16	16										44	3.5%
Traffic																
Project Management			4												4	0.3%
Capacity Analysis				8	30										38	3.0%
Volume projections				4	6										10	0.8%
add traffic calming measures, mid-block peds				6	10										16	1.3%
Report				10	20									16	46	3.7%
Prepare and attend Meetings (3 meetings at city)				8	8										16	1.3%
assist/review concept development				8											8	0.6%
Landscaping																
Conceptual Landscape Plans												24	80		104	8.3%
Cost Estimate												2	8		10	0.8%
Quality Control Reviews												5			5	0.4%
Site Visits (4hrs per visit)												8	8		16	1.3%
Prepare and attend Meetings (4 meetings)												8			8	0.6%
Hydrology																
Review Geotechnical Data for Structure Foundation Types.				8											8	0.6%
Prepare Hydraulic Model for Proposed Alignment with Structure for Big Creek			8	12	24										44	3.5%
Prepare Scour Countermeasures and Recommendations for Stucture			8	32											40	3.2%
Prepare Hydraulic Design and Risk Assessment Report (no-rise)			16	30	36									16	98	7.8%
Bridge																
Develop working sketches to layout bridge footprint			2	8	20										30	2.4%
Develop typical sections of 3 struct type alternatives				6	12										42	3.4%
Concept Feasibility Evaluation / Analysis, Cost Estimate		2	8	20	16										46	3.7%
QA/QC and Coordination, 2 Mtgs @ 2 attendees @ 2 hrs		2	10	4											16	1.3%
Evaluate TCP / Staged Construction Requirements		2	4	8	8										22	1.8%
Environmental																
Plan review & environmental revisions								4	12	8					24	1.9%
TOTALS		12	170	334	514	0	0	4	12	8	0	47	96	52	1249	100.0%

ALTERNATE OPTION FOR PINCH POINTS PRIMARY VIEW



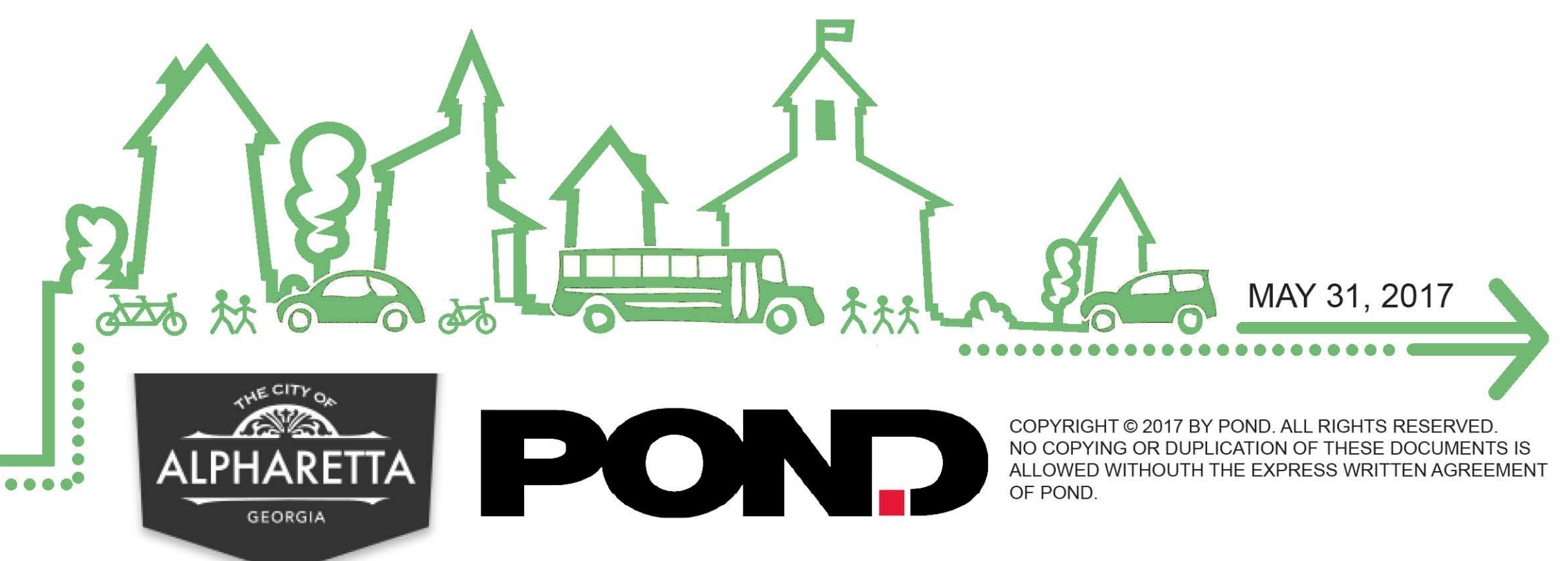
ALTERNATE OPTION FOR PINCH POINTS SECONDARY VIEW

ALTERNATE OPTION- ROADWAY & PEDESTRIAN FEATURES

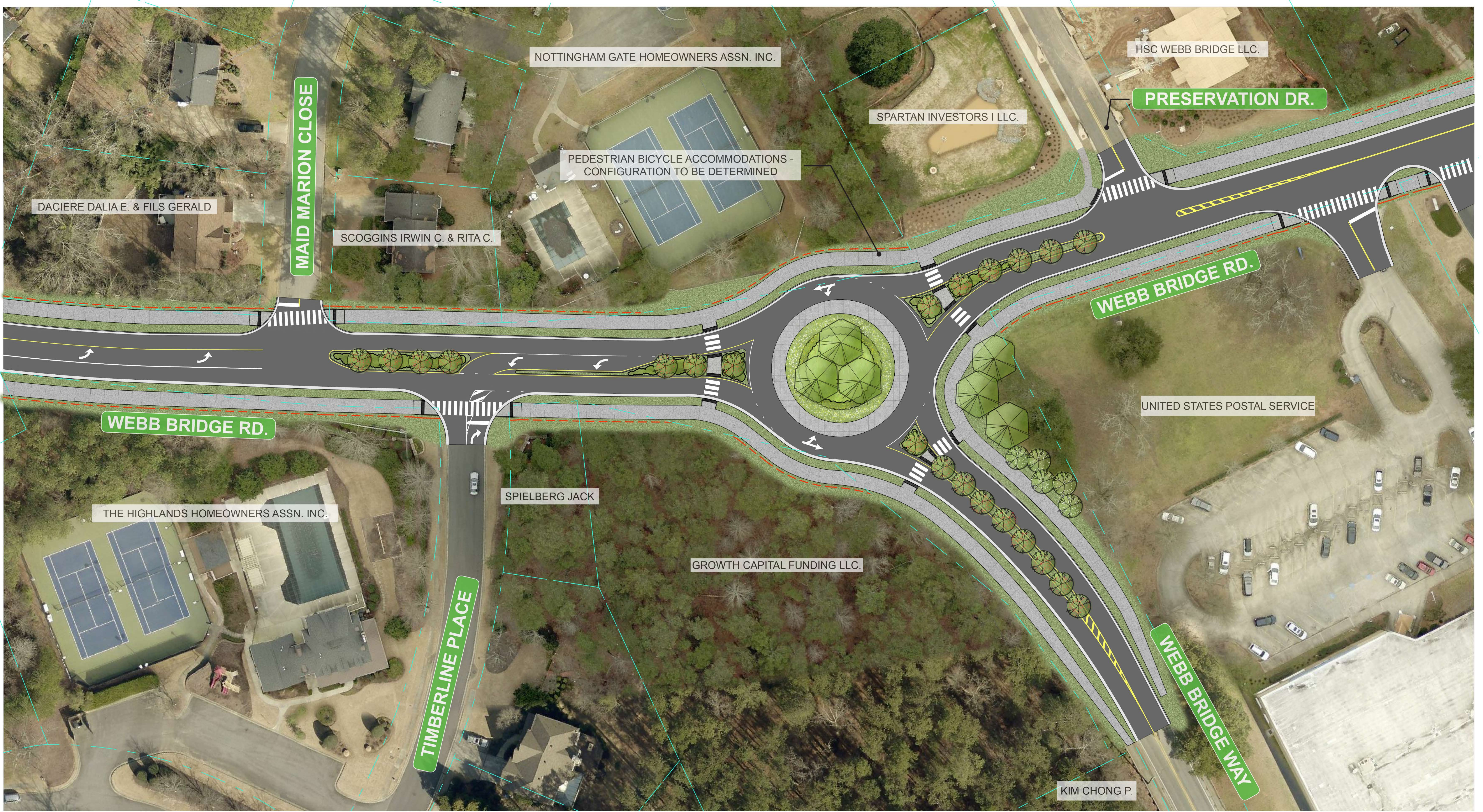
- WIDE SIDEWALK ON BOTH SIDES OF WEBB BRIDGE ROAD
- 5' SINGLE DIRECTION BIKE LANES ON BOTH SIDES OF WEBB BRIDGE ROAD
- ROLLOVER CURB ALLOWS BICYCLIST TO USE THE ROADWAY TO PASS SLOWER BICYCLIST
- PEDESTRIAN LIGHTING, BENCHES, AND TRASH RECEPTACLES AT EVEN SPACINGS ALONG THE CORRIDOR
- 2" CURB REVEAL TO SEPARATE THE SIDEWALK FROM THE RAISED BICYCLE LANE
- REDUCED IMPACTS ON SURROUNDING AREAS, BUT ALSO LIMITED LANDSCAPING OPPORTUNITIES
- TYPICAL ROADWAY DRAINAGE SYSTEM WILL COLLECT STORMWATER
- THE LANDSCAPING ALONG THE CORRIDOR CONSISTS OF NATIVE AND ADAPTIVE PLANTS. CANOPY TREES ARE SPACED EVENLY WITHIN THE DESIGNATED PLANTING AREAS. MASSES OF SHRUBS AND GRASSES ARE PLACED WHERE MOST APPROPRIATE TO THE ROADWAY DESIGN

WEBB BRIDGE ROAD COMPLETE STREETS PROJECT

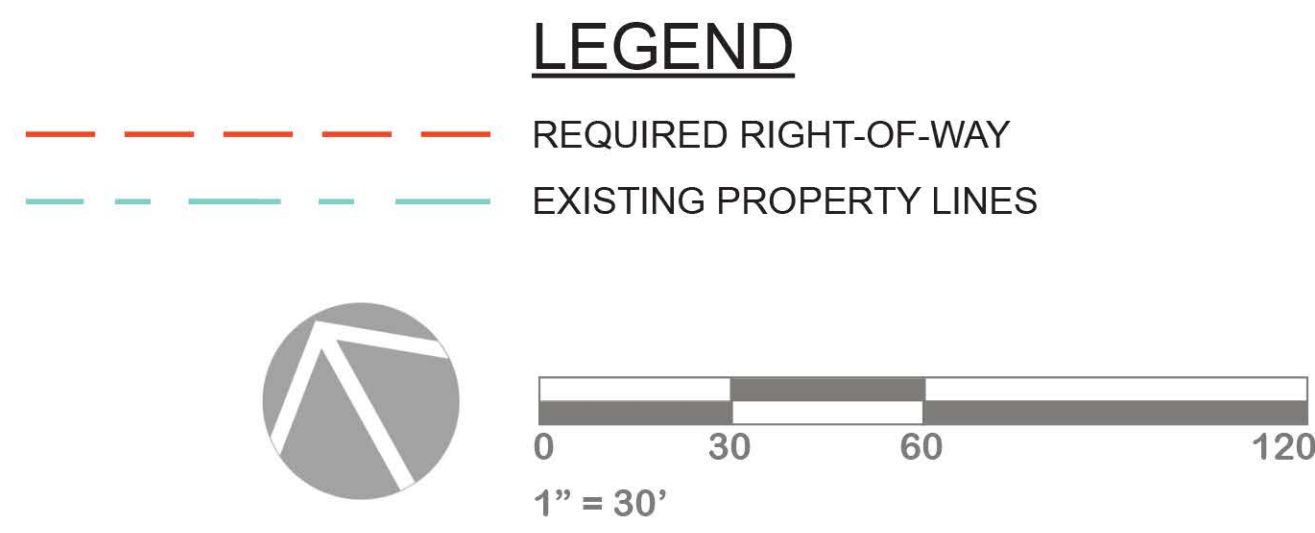
ALTERNATE OPTION FOR PINCH POINTS



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**WEBB BRIDGE ROAD COMPLETE STREETS
INTERSECTION IMPROVEMENT CONCEPTS**
WEBB BRIDGE ROAD AT WEBB BRIDGE WAY ROUNDABOUT



THE CITY OF
ALPHARETTA
GEORGIA

POND

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MAY 30, 2017



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Meeting Date: November 27, 2017

I. AGENDA ITEM TITLE: CERTIFICATION OF 2017 CITY OF ALPHARETTA GENERAL ELECTION RESULTS

II. RECOMMENDATION:

Please approve a Resolution declaring the results from the 2017 City of Alpharetta General Election.

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Certified results, Resolution

CONSOLIDATED MUNICIPAL/COUNTY CERTIFICATION OF RETURNS FOR:

- () SPECIAL ELECTION
☒ GENERAL ELECTION
() RUNOFF ELECTION

November 7, 2017
Date

Alpharetta / Fulton
Municipality/County

Instructions: Prepare and print (4) copies of the Election Summary (county consolidated vote totals report that is generated by GEMS). Attach copies of this consolidated certification report as follows:

1. White sheet is attached to Election Summary and returned to Secretary of State.
2. Yellow sheet is attached to Election Summary and maintained by Superintendent.
3. Pink sheet is attached to Election Summary and sent to Clerk of Superior Court.
4. Goldenrod Copy is attached to Election Summary and immediately posted at the City Hall (city) or Courthouse (county)

ELECTION SUMMARY MUST BE ATTACHED TO THIS FORM

WRITE-IN VOTES: Record total number of votes received by all qualified write-in candidates. Votes recorded here are the write-in totals from Direct Record Electronic Machines and Optical Scan Absentee/Provisional Ballots.

WRITE-IN CANDIDATES
(Insert Titles of Offices and
Names of Candidates)

Insert Vote Totals On Blanks Below:

_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes
_____	_____ Votes

We, the undersigned Superintendent of Elections and his/her Assistants, do jointly and severally certify that the attached Election Summary is a true and correct count of the votes cast in this City/County, and that the above listed Write-In Votes constitute all votes cast for qualified Write-In Candidates on Direct Record Electronic Machines and Optical Scan Absentee/Provisional Ballots. In TESTIMONY WHEREOF, We have hereunto set our hands and seals this 13 day of November, 2017. SIGNED IN QUADRUPLICATE.

Macl D. Wemyer Assistant
[Signature] Assistant
Devinette K. J. J. J. Assistant
David J. J. J. Assistant
Assistant

Mary Anne Cooney
Superintendent Of Elections



FULTON COUNTY

CITY OF ALPHARETTA 2017 MUNICIPAL GENERAL AND SPECIAL ELECTION

November 7, 2017



FULTON COUNTY OFFICIAL AND COMPLETE STATEMENT OF VOTES CAST (SOVC)

** Table of Contents **

Page

<i>Definitions Statement of Votes</i>	<i>i</i>
<i>Precinct Locator Reference</i>	<i>ii</i>
<i>Election Summary Report</i>	<i>1</i>
<i>Election Summary Report -5 Column</i>	<i>2</i>
<i>Statement of Votes Cast</i>	<i>3</i>

Statement of Votes cast

Definitions

Absentee By Mail: Votes cast by eligible voters on paper ballots through the absentee ballot application process.

Absentee In Person: Votes cast in-person by eligible voters at one of the early/advance voting polls during early/advance voting period.

Contest: An office or question submitted to a popular vote at any election.

Number of Precincts: The total number of precincts voting on an office or contest.

Office: A public office filled by vote of the voters.

Poll: The facility or building in which a voter cast their ballot.

Polling: Votes cast by eligible voters in the polls on Election Day.

Precinct: The geographical area from which all voters vote at one polling place.

Precincts Reporting: The number of precincts from which results have been counted.

Provisional: A paper ballot cast that is not counted or considered valid until such time as the proper research is conducted to confirm the voter status as an eligible voter.

Registered Voters: The number of active voters registered for this election.

Superintendent: The Fulton County Board of registration and Elections.

Times Counted: The number of votes cast for the candidates in each office or contest.

Uncast Votes: The number of over votes plus the number of under votes.

Under Votes: The voter did not cast a vote for the office or contest.

Unofficial: The statement of votes cast prior to certification by the election Superintendent.

Certified Write-in Candidate: Candidate whose name does not appear on the ballot, but officially qualified to be a write-in candidate and will be awarded credit for votes cast in his or her name.

PRECINCT LOCATOR REFERENCE

Precinct Designations	Facility Names	
01A	Parkside Elementary School	
01B	Ormewood Park Presbyterian Church	
01C & 01S	Dobbs Elementary School	
01D & 01E	Georgia Hills Neighbor Facility	
01F	Atlanta South Side Community Health Center	
01G	Barrack & Michelle Obama Academy	
01H & 01I & 05B & 05C	Liberty Baptist Church	
01J	Price Middle School	
01P	Bible Way Ministries	
01R	Thomasville Recreation Center	
01T	Benteen Elementary School	
02A & 02L1/2	All Saints Episcopal Church	
02B & 05D	Saint Luke's Episcopal Church	
02C & 05F	Cosby Spear High Rise (AHA)	
02D & 05J	Butler Street Baptist Church	
02E	Little 5 Point Community Center	
02F 1/2	Central Park Gym	
02G	Helene Mills Senior Center	
02J & 02K & 06G	Grady High School	
02S & 05K	Wheat Street Towers Apartment Complex	
02W & 03F & 06L1/2	Peachtree Christian Church	
03A & 04C	Atlanta Job Corps Center	
03B & 03H & 09I	Grove Park Recreation Center	
03C	Atlanta Police Athletic League	
03D & 04A/B	Booker T. Washington High School	
03E	Greater Bethany Baptist Church	
03G	Simpson Street Church of Christ	
03I & 04F	Center for Civil & Human Rights	
03L	Fire Station # 16	
03M	Northwest Baptist Church Fellowship Hall	
03N	Lindsay Street Baptist Church	
03P1A & 03P2	Antioch Baptist Church Family Center	
03S & 10F	Berean Seventh Day Adventist Church	
03T & 04J	Central United Methodist Church	
04D	C.A. Scott Recreation Bldg	
04G & 04M	James Orange Park	
04I	Paul L. Dunbar School	
04K	Abernathy Towers	
04L	West Hunter Street Baptist Church	
04S	St. Peter Missionary Baptist Church	

PRECINCT LOCATOR REFERENCE

Precinct Designations	Facility Names	
10K & 11H	Beecher Hills Elementary School	
10M	Joseph McGhee Tennis Center	
10P	Towns Elementary School	
10R	London Town Houses Community Center	
11B	Ralph Bunche Middle School	
11C	Fickett Elementary School	
11E 1/2/3	William Walker Recreation Center	
11G & 12I	Adams Park Library	
11J	Continental Colony Elementary School	
11K	Cascade Elementary School	
11M & 11N & 11R	Therrell D.M. High School	
11P	Asbury Harris Epworth Towers	
12A	Metropolitan Library	
12D	Perkerson Park Recreation Center	
12E1 & 12J	Cleveland Avenue Library	
12F	John Birdine Neighborhood Facility	
12G	Lakewood Christian Manor	
12H 1/2	Cleveland Avenue Elementary School	
12K	Gideons Elementary School	
12L	The Love Center	
12M	South Atlanta High School	
12N	Pittman Park Recreation Center	
12S	Southeast Atlanta Library	
AP01A/B/C/D	Georgia State University / Perimeter College - 2nd Fl	
AP02 1/2/B	Alpharetta Community Center	
AP03 & RW07A/B	Mimosa Elementary School	
AP04A/B & AP06	Alpharetta Crabapple Government Center	
AP05	Windward Fire Station	
AP07 A/B	St. James UM Church	
AP09A/B	Georgia State University / Perimeter College - 1st Fl	
AP10	Alpharetta Library	
AP12 A/B/C	Alpharetta High School	
AP14 & JC15	Ocee Elementary School	
CH0 1 / 2 / 3 / 4A / 5	Chattahoochee Hills City Hall	
CP011/2/B & CP02 & CP04A/B	College Park Auditorium	
CP051/B & CP06A & CP07A/C/D Camp Truitt Senior Ce	Camp Truitt Senior Center	
CP081/3/4/A & SC10	Tracey Wyatt Community Center	
EP01 A/B	East Point First Mallalieu UM Church	
EP02 A/B/C/D/E	Jefferson Park Recreation Center	
EP03 A/B	St Stephen Missionary Baptist Church	
EP04 A/B	Brookview Elementary School	
FA01A	Open Word Christian Ministries	

PRECINCT LOCATOR REFERENCE

Precinct Designations	Facility Names	
SC04	Fire Station # 17	
SC05A/B/D/E & SC13	Clifftondale Park Community House	
SC07 A/C	Bear Creek Middle School	
SC08 B/C/D/E/F/G/H	Banneker High School	
SC09 A/B/C & SC27	Burdett Park Gym	
SC11 A/B	Love T. Nolan Elementary School	
SC14 A/B	Aviation Community Cultural Center	
SC15	The Enon Church	
SC16 A/B	Sandtown Park Gymnasium	
SC17 A/B/C & SC18A/B/C	Welcome All Recreation Center	
SC19 A/B	Solid Rock Pentecostal Church	
SC23 A/B/C	New Life Presbyterian Church	
SC29A	S.L. Lewis Elementary School	
SC30 A/B Carver College	Carver College	
SS01	Life Center Ministries Inc.	
SS02A/B & SS19A/B & SS20 & SS26	North Fulton Annex	
SS03	Lake Forest Elementary School	
SS04	St. Jude Catholic Church	
SS05 & SS06	Sandy Springs United Methodist Church	
SS07 A/B/C & SS08 A/B/C/D	Hammond Park Gym	
SS09 A/B	Mount Vernon Baptist Church	
SS11 A/B/C/D	High Point Elementary School	
SS12 & SS14	Ridgeview Charter Middle School	
SS13 A/B	Highpoint Episcopal Community Church	
SS15 A/B	Sandy Springs Middle School	
SS16	Riverwood High School	
SS17	Temple Emanu-El of Greater Atlanta	
SS18 A/B & SS31	Sandy Springs Christian Church	
SS22	The Hellenic Tower	
SS29A	First Baptist Church of Sandy Springs / Cumberland	
UC01 A/B/D/E	C H Gullatt Elementary School	
UC02 A/B	Etris Community Center	
UC03 1/2 & SC21 1/2	Christian City Sparks Auditorium	

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Registered Voters 640861 - Cards Cast 3912 0.61%

Num. Report Precinct 370 - Num. Reporting 370 100.00%

ALPHARETTA CITY COUNCIL P1							
	Polling	ABM	AIP	AIP	AIP	PRO	Total
Number of Precincts	21	21	21	21	21	21	21
Precincts Reporting	21	21	21	21	21	21	21 100.0 %
Times Counted (Reg. Voters 36827)	2476	155	1266	6	1	8	3912 10.6 %
Total Votes	1870	117	989	3	1	2	2982
DONALD MITCHELL (I)	1802	113	951	3	1	2	2872 96.31%
Write-in Votes	68	4	38	0	0	0	110 3.69%

ALPHARETTA CITY COUNCIL P2							
	Polling	ABM	AIP	AIP	AIP	PRO	Total
Number of Precincts	21	21	21	21	21	21	21
Precincts Reporting	21	21	21	21	21	21	21 100.0 %
Times Counted (Reg. Voters 36827)	2476	155	1266	6	1	8	3912 10.6 %
Total Votes	2368	143	1212	4	1	3	3731
BEN BURNETT	1425	79	717	2	1	0	2224 59.61%
BEN H. EASTERLING	928	61	489	2	0	3	1483 39.75%
Write-in Votes	15	3	6	0	0	0	24 0.64%

ALPHARETTA CITY COUNCIL P3							
	Polling	ABM	AIP	AIP	AIP	PRO	Total
Number of Precincts	21	21	21	21	21	21	21
Precincts Reporting	21	21	21	21	21	21	21 100.0 %
Times Counted (Reg. Voters 36827)	2476	155	1266	6	1	8	3912 10.6 %
Total Votes	1876	117	986	3	0	2	2984
CHRIS OWENS (I)	1814	113	947	3	0	2	2879 96.48%
Write-in Votes	62	4	39	0	0	0	105 3.52%

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	TURN OUT		
	Reg. Voters	Cards Cast	% Turnout
Jurisdiction Wide			
AP01A	4335	287	6.62%
AP01B	708	41	5.79%
AP01C	2108	189	8.97%
AP01D	806	43	5.33%
AP02B	371	29	7.82%
AP03	704	28	3.98%
AP04A	1546	242	15.65%
AP04B	379	33	8.71%
AP05	4129	553	13.39%
AP06	1745	242	13.87%
AP07A	3060	370	12.09%
AP07B	1520	179	11.78%
AP09A	3785	376	9.93%
AP09B	761	50	6.57%
AP021	2699	448	16.60%
AP022	2013	201	9.99%
AP10	913	132	14.46%
AP12A	576	40	6.94%
AP12B	601	23	3.83%
AP12C	1279	158	12.35%
AP14	2789	248	8.89%
Total	36827	3912	10.62%

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ALPHARETTA CITY COUNCIL P1							
	Reg. Voters	Times Counted	Total Votes	DONALD MITCHELL (I)	Write-In Votes		
Jurisdiction Wide							
AP01A	4335	287	219	214 97.72%	5	2.28%	
AP01B	708	41	29	29 100.00%	0	0.00%	
AP01C	2108	189	144	138 95.83%	6	4.17%	
AP01D	806	43	35	33 94.29%	2	5.71%	
AP02B	371	29	24	24 100.00%	0	0.00%	
AP03	704	28	23	23 100.00%	0	0.00%	
AP04A	1546	242	182	180 98.90%	2	1.10%	
AP04B	379	33	27	26 96.30%	1	3.70%	
AP05	4129	553	415	396 95.42%	19	4.58%	
AP06	1745	242	180	171 95.00%	9	5.00%	
AP07A	3060	370	277	268 96.75%	9	3.25%	
AP07B	1520	179	136	131 96.32%	5	3.68%	
AP09A	3785	376	277	257 92.78%	20	7.22%	
AP09B	761	50	35	32 91.43%	3	8.57%	
AP021	2699	448	340	331 97.35%	9	2.65%	
AP022	2013	201	159	152 95.60%	7	4.40%	
AP10	913	132	105	100 95.24%	5	4.76%	
AP12A	576	40	32	31 96.88%	1	3.13%	
AP12B	601	23	18	18 100.00%	0	0.00%	
AP12C	1279	158	128	124 96.88%	4	3.13%	
AP14	2789	248	197	194 98.48%	3	1.52%	
Total	36827	3912	2982	2872 96.31%	110	3.69%	

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ALPHARETTA CITY COUNCIL P2

	Reg. Voters	Times Counted	Total Votes	BEN BURNETT	BEN H. EASTERLING	Write-In Votes
Jurisdiction Wide						
AP01A	4335	287	263	132 50.19%	126 47.91%	5 1.90%
AP01B	708	41	39	22 56.41%	17 43.59%	0 0.00%
AP01C	2108	189	179	64 35.75%	115 64.25%	0 0.00%
AP01D	806	43	41	21 51.22%	19 46.34%	1 2.44%
AP02B	371	29	27	14 51.85%	13 48.15%	0 0.00%
AP03	704	28	26	12 46.15%	14 53.85%	0 0.00%
AP04A	1546	242	234	115 49.15%	119 50.85%	0 0.00%
AP04B	379	33	30	16 53.33%	14 46.67%	0 0.00%
AP05	4129	553	537	372 69.27%	165 30.73%	0 0.00%
AP06	1745	242	232	153 65.95%	78 33.62%	1 0.43%
AP07A	3060	370	348	223 64.08%	123 35.34%	2 0.57%
AP07B	1520	179	175	101 57.71%	73 41.71%	1 0.57%
AP09A	3785	376	353	253 71.67%	96 27.20%	4 1.13%
AP09B	761	50	44	24 54.55%	20 45.45%	0 0.00%
AP021	2699	448	440	230 52.27%	207 47.05%	3 0.68%
AP022	2013	201	191	106 55.50%	83 43.46%	2 1.05%
AP10	913	132	132	85 64.39%	45 34.09%	2 1.52%
AP12A	576	40	37	21 56.76%	15 40.54%	1 2.70%
AP12B	601	23	21	9 42.86%	12 57.14%	0 0.00%
AP12C	1279	158	155	99 63.87%	55 35.48%	1 0.65%
AP14	2789	248	227	152 66.96%	74 32.60%	1 0.44%
Total	36827	3912	3731	2224 59.61%	1483 39.75%	24 0.64%

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ALPHARETTA CITY COUNCIL P3							
	Reg. Voters	Times Counted	Total Votes	CHRIS OWENS (I)		Write-In Votes	
Jurisdiction Wide							
AP01A	4335	287	220	212	96.36%	8	3.64%
AP01B	708	41	29	29	100.00%	0	0.00%
AP01C	2108	189	143	138	96.50%	5	3.50%
AP01D	806	43	34	33	97.06%	1	2.94%
AP02B	371	29	25	25	100.00%	0	0.00%
AP03	704	28	23	23	100.00%	0	0.00%
AP04A	1546	242	185	183	98.92%	2	1.08%
AP04B	379	33	26	25	96.15%	1	3.85%
AP05	4129	553	411	390	94.89%	21	5.11%
AP06	1745	242	185	176	95.14%	9	4.86%
AP07A	3060	370	269	263	97.77%	6	2.23%
AP07B	1520	179	137	131	95.62%	6	4.38%
AP09A	3785	376	271	257	94.83%	14	5.17%
AP09B	761	50	37	36	97.30%	1	2.70%
AP021	2699	448	349	339	97.13%	10	2.87%
AP022	2013	201	158	150	94.94%	8	5.06%
AP10	913	132	104	99	95.19%	5	4.81%
AP12A	576	40	32	31	96.88%	1	3.13%
AP12B	601	23	17	17	100.00%	0	0.00%
AP12C	1279	158	131	127	96.95%	4	3.05%
AP14	2789	248	198	195	98.48%	3	1.52%
Total	36827	3912	2984	2879	96.48%	105	3.52%

**A RESOLUTION DECLARING THE RESULTS
OF THE CITY OF ALPHARETTA NON-PARTISAN
GENERAL ELECTION HELD ON NOVEMBER 7, 2017**

WHEREAS, pursuant to an Ordinance approved and adopted by the Council of the City of Alpharetta, Georgia (the "Council") on August 21, 2017, a non-partisan general election was called to be held in the City of Alpharetta, Georgia on Tuesday, November 7, 2017, to elect three (3) members of the City Council (Posts 1, 2 and 3) for a full four-year term each; and

WHEREAS, due and proper legal notice of the election was provided as required by law; and

WHEREAS, the City contracted with Fulton County to conduct the election for the City; and

WHEREAS, the election was held on November 7, 2017 and conducted in all respects in accordance with the election laws of the State of Georgia, Fulton County, and the Charter and Ordinances of the City of Alpharetta; and

WHEREAS, the Fulton County Board of Elections and Registration (the "Board"), as Election Superintendent, has certified to the City that the results of the election were as follows:

COUNCIL - POST 1:

DONALD MITCHELL (INCUMBENT)	2,872
WRITE-IN VOTES	110

COUNCIL - POST 2:

BEN BURNETT	2,224
BEN H. EASTERLING	1,483
WRITE-IN VOTES	24

COUNCIL - POST 3:

CHRIS OWENS (INCUMBENT)	2,879
WRITE-IN VOTES	105

NOW, THEREFORE, IT IS HEREBY RESOLVED that the results of the election as set forth above are hereby declared by the Mayor and Council as the results of the November 7, 2017 City of Alpharetta General Election.

ADOPTED AND APPROVED this _____ day of November, 2017.

CITY OF ALPHARETTA, GEORGIA

By: _____
David Belle Isle, Mayor

COUNCILMEMBERS

Jason Binder

Jim Gilvin

Mike Kennedy

Dan Merkel

Donald Mitchell

Chris Owens

(SEAL)

Attest:

City Clerk

2634738

BOVIS KYLE
BOVIS, KYLE, BURCH & MEDLIN

ATTORNEYS AT LAW

C. SAM THOMAS, P.C.
ALPHARETTA CITY ATTORNEY
cst@boviskyle.com

200 ASHFORD CENTER NORTH
SUITE 500
ATLANTA, GEORGIA 30338-2668

DIR LINE 678.338.3904
TEL 770.391.9100
FAX 770.668.0878

MEMORANDUM

TO: MAYOR AND COUNCIL

FROM: C. SAM THOMAS, CITY ATTORNEY

DATE: NOVEMBER 21, 2017

RE: FULTON COUNTY, GEORGIA, ET AL. VS.
DRIVETIME CAR SALES COMPANY, LLC, ET AL.
CIVIL ACTION FILE NUMBER 2017CV290578
FULTON COUNTY SUPERIOR COURT -
APPROVAL OF MEMORANDUM OF MEDIATED SETTLEMENT AGREEMENT

This is a case involving the statutory formula for distributing the sales tax generated by sales of vehicles titled in Fulton County. More specifically, this case concerns the procedure, process and allocation of responsibilities concerning refunds for overpayment by direct financing dealers (i.e., "Buy Here, Pay Here"). Under the applicable statute, there is a standard rate of title ad valorem tax ("TAVT") for most sales. However, for direct financing dealers, there is a reduced rate of TAVT. Several direct financing dealers have contended that they mistakenly paid on the basis of the standard rate rather than the reduced rate, and submitted refund claims to Fulton County. Due to the extremely complicated (and ambiguous) procedures set forth in the sales tax statute, including refund procedures, Fulton County filed a Petition against the other governmental entities receiving a portion of the revenue collected by the State and distributed by the County, as well as several private financing dealers to obtain a determination of how the statutes should be applied. The private finance dealers filed counterclaims seeking payment of refunds for their alleged overpayment. The Memorandum of Mediated Settlement being submitted to you for ratification is a partial settlement of this case and the complete settlement of claims and counterclaims filed by Respondent DriveTime Car Sales Company, LLC ("DriveTime").

Pursuant to court-ordered mediation, all parties, which includes twenty-two at last count, were ordered to mediation conducted by a court-appointed mediator. The amount at stake with respect to the DriveTime matter was originally \$216,560.37 in principal. As part of the process, all of the refund claims were verified and in exchange for \$205,733.35 to be paid by the Fulton County Tax Commissioner, all of DriveTime's claims will be satisfied and released. This covers all potential refund claims attributable to the sale of vehicles registered in Fulton County in 2014 and through the date of the execution of this Memorandum. This settlement is not binding upon, nor does it set a precedent, for future claims. It was the intention of Fulton County to obtain an agreement moving forward as to the method of handling refund claims. However, the majority of the governmental entities thought that entering into such an agreement to be included in a Court Order that would govern Fulton County, perhaps differently than other counties in the State, would not be appropriate. The more appropriate remedy would be for the legislature to remedy the ambiguities in the statute.

It is significant to understand that the amount paid to any local government is not dependent on the residence of the seller or purchaser or the point of sale of a particular vehicle; instead, all of the tax generated by sales of vehicles titled in Fulton County go into one pot, which is distributed among the State, two School Boards, MARTA and the municipalities. The statute was recently amended to substantially enhance the amount distributed to MARTA. I point this out because the financial impact to most municipalities is minimal at this point. In fact, the City of Alpharetta's portion of responsibility for the refund in this settlement is approximately \$1,100.00, to be deducted over time from payments otherwise due to the City. The cost to continue this litigation for the City is potentially substantial, and not justified by the amount in dispute. Therefore, we recommend that the case be resolved as set forth in the Memorandum of Mediated Settlement.

If the Memorandum is not approved by all governmental entities by December 1, 2017, it will be null and void and litigation will continue.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA APPROVING THE EXECUTION OF A MEMORANDUM OF MEDIATED SETTLEMENT BY AND AMONG FULTON COUNTY, GEORGIA; ARTHUR E. FERDINAND, IN HIS OFFICIAL CAPACITY AS TAX COMMISSIONER OF FULTON COUNTY ("PETITIONERS"); DRIVETIME CAR SALES COMPANY, LLC (THE "PRIVATE RESPONDENT"); LYNETTE RILEY, IN HER OFFICIAL CAPACITY AS COMMISSIONER OF THE GEORGIA DEPARTMENT OF REVENUE; STATE OF GEORGIA; CITY OF ATLANTA, GEORGIA; CITY OF MILTON, GEORGIA; CITY OF ROSWELL, GEORGIA; CITY OF COLLEGE PARK, GEORGIA; CITY OF EAST POINT, GEORGIA; CITY OF ALPHARETTA, GEORGIA; CITY OF SANDY SPRINGS, GEORGIA; CITY OF JOHNS CREEK, GEORGIA; CITY OF FAIRBURN, GEORGIA; CITY OF MOUNTAIN PARK, GEORGIA; CITY OF HAPEVILLE; CITY OF PALMETTO; CITY OF UNION CITY; CITY OF CHATTAHOOCHEE HILLS; FULTON COUNTY SCHOOL DISTRICT; ATLANTA PUBLIC SCHOOL SYSTEM; AND METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY (THE "GOVERNMENTAL RESPONDENTS") (THE PETITIONERS, PRIVATE RESPONDENT AND THE GOVERNMENTAL RESPONDENTS COLLECTIVELY REFERRED TO AS THE "PARTIES")

WHEREAS, the Parties to the Memorandum of Mediated Settlement Agreement (the "Memorandum"), a true and correct copy of which is attached hereto as Exhibit "A", have negotiated and agreed upon the terms of the Memorandum; and

WHEREAS, by this Resolution, the Mayor and Council desire to approve the execution of the Memorandum by the City Attorney.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Mayor and Council that the execution and delivery of the Memorandum by the City Attorney is hereby authorized and ratified, and the execution of the Memorandum by the City Attorney as herein authorized shall be conclusive evidence of such approval.

SO RESOLVED, this _____ day of _____, 2017.

CITY OF ALPHARETTA, GEORGIA

By: _____
David Belle Isle, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PREVIOUS PAGE OF RESOLUTION
APPROVING EXECUTION OF MEMORANDUM OF MEDIATED SETTLEMENT]

COUNCILMEMBERS

Jason Binder

Jim Gilvin

Mike Kennedy

Dan Merkel

Donald Mitchell

Chris Owens

(SEAL)

Attest:

City Clerk

EXHIBIT “A”

IN THE SUPERIOR COURT OF FULTON COUNTY STATE OF GEORGIA

FULTON COUNTY, GEORGIA, et al.	)	
	)	
Petitioners,	)	
	)	
v.	)	CIVIL ACTION FILE NO.
	)	2017CV290578
DRIVETIME CAR SALES COMPANY,	)	
LLC, et al.,	)	
	)	
Respondents.	)	

MEMORANDUM OF MEDIATED SETTLEMENT

By Order entered in this case on October 3, 2017, the parties were ordered to mediate and the undersigned Robert J. Proctor was appointed as Mediator. The mediation took place through a series of telephone conference calls and emails. As a result of the mediation, the undersigned counsel for the parties (other than Auto Deals, LLC and Title Technologies, Inc.) have agreed to a partial settlement of this case and a complete settlement of claims and counterclaims filed by Respondent DriveTime Car Sales Company, LLC (“DriveTime”) on the following terms and conditions.

A. Refund Claims of DriveTime

1. Respondent DriveTime Car Sales Company, LLC. , will be issued a refund check by the Petitioner, Tax Commissioner of Fulton County (the “Fulton County Tax Commissioner”) in the amount of \$205,732.35 (original claim was \$216,560.37 in principal) within 30 days after the consent order provided for in Paragraph A5 (the “Consent Order”) is entered in this case. This refund covers all refunds attributable to the VIN numbers set forth on Exhibit “A” or sought by DriveTime in this matter or attributable to sales of vehicles registered in Fulton County in

2014 and through the date of the execution of this Memorandum resulting from payment of the standard rate of title ad valorem tax (“TAVT”) rather than the reduced rate of TAVT for direct financing dealers.

2. As a part of the Consent Order, Respondent DriveTime:

a. warrants and represents to the Petitioners and each of the Governmental Respondents, which are: Lynette Riley, in her official capacity as Commissioner of the Georgia Department of Revenue; State of Georgia; City of Atlanta, Georgia; City of Milton, Georgia; City of Roswell, Georgia; City of College Park, Georgia; City of East Point, Georgia; City of Alpharetta, Georgia; City of Sandy Springs, Georgia; City of Johns Creek, Georgia; City of Fairburn, Georgia; City of Mountain Park, Georgia; Fulton County School District; Atlanta Public School System, also known as the “Atlanta Independent School System”; Metropolitan Atlanta Rapid Transit Authority, also known as “MARTA”; City of Hapeville, Georgia; City of Palmetto, Georgia; City of Union City, Georgia; and City of Chattahoochee Hills, Georgia (collectively referred to as the “Governmental Respondents”) that:

- (1) the refunds sought were paid by Respondent DriveTime, not the purchaser of the vehicle in question, or if originally paid by the purchaser, were refunded to the purchaser by Respondent DriveTime prior to the filing of the counterclaims in this action; and
- (2) there are no other outstanding claims by Respondent DriveTime for refunds of the TAVT for the vehicles listed on Exhibit “A” or sought by Respondent DriveTime in this matter or for sales in the year of 2014 and through the date of the execution of this Memorandum resulting from payment of the standard rate of TAVT rather than the reduced rate of TAVT for direct financing dealers with a Fulton County nexus as of the date of this Memorandum.

b. agrees to indemnify and hold harmless the Petitioners and each of the Governmental Respondents from and against any and all liability, cost, or expense in the event of any refund claim by the purchaser of a motor vehicle which was the subject of Respondent DriveTime's counterclaims in this action or was attributable to DriveTime's sale of a vehicle registered in Fulton County in 2014 and through the date of the execution of this Memorandum.

3. The Fulton County Tax Commissioner will issue a check to the Mediator for his fees and expenses within 30 days after the consent order is entered in this case in the amount set forth in the Consent Order.

4. The total of the disbursements made pursuant to Paragraphs 1 and 2 above and one-half (1/2) of the disbursement made pursuant to Paragraph 3 shall be deducted from the monthly TAVT distributions made by the Fulton County Tax Commissioner to the Governmental Respondents and to Fulton County pursuant to O.C.G.A. 48-5C-1. Such disbursements shall be in accordance with the percentage share due to the Governmental Respondents and Fulton County in the month in which the disbursements are paid and be assigned as refunds related to each vehicle on Exhibit "A". The remaining one-half (1/2) of the Mediator fees shall be deducted from the monthly TAVT distributions made by the Fulton County Tax Commissioner to Fulton County.

5. The Consent Order shall include the foregoing provisions, shall specify the amount approved by the Court for the fees and expenses of the Mediator, and shall otherwise provide for a complete dismissal with prejudice of all of the claims and counterclaims asserted against and by DriveTime in this proceeding.

6. Except as otherwise provided above, each of the parties shall bear their burden of their attorney's fees and costs and agrees not to file any motion under O.C.G.A. 9-15-14 or any

other statute or theory with respect to the claims and counterclaims asserted against and by DriveTime in this proceeding.

7. None of the parties admits any liability to any other party by virtue of this Memorandum.

8. The undersigned counsel for the Governmental Respondents, other than the State of Georgia, state that they will recommend approval of this settlement by the governing authority or agency of such Governmental Respondent, if such approval is required, and will seek such approval at the next regularly - scheduled meeting of such governing authority or agency. The Governmental Respondents needing such approval shall make a report to the Court of the status of approval by no later than December 1, 2017. In the interim, counsel for the Petitioners shall prepare and circulate for approval a proposed Consent Order in conformity herewith. Pending the completion of this process, the Petitioners, the Governmental Respondents and DriveTime agree to stay all discovery and Motions relating to the DriveTime's claims and counterclaims and to consent to such extensions as are necessary to stay any pending matters relating to such claims and counterclaims so as to allow for completion of the process provided for herein. In the event that any of the Governmental Respondents, other than the State of Georgia, have not approved this settlement by December 1, 2017, then the parties shall make a report to the Court and await further instruction from the Court.

B. Refund Claims of Auto Deals

1. Respondent Auto Deals, LLC ("AutoDeals") has advised the Mediator that AutoDeals intends to move the Court to amend its counterclaims to cover additional tax refund claims. No settlement of any of the claims or counterclaims relating to Auto Deals has been reached at this time. Nothing contained herein shall prevent the Petitioners or any of the

Governmental Respondents from opposing any such motion by Auto Deals.

C. Other Matters

1. After all of the counsel for the parties (other than Auto Deals and Title Technologies, Inc.) have signed this Memorandum, the Mediator is authorized to advise the Court of the pending settlement and request that the Court stay further proceedings in accordance with Paragraph A8 above. With the making of that report, the Mediator's duties shall be concluded except as further requested by the Court.

Dated as of November ____, 2017.

Prepared by: _____
Robert J. Proctor, as Mediator but not as a party

Approved by:

Signature pages (separate for each party) follow.

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

FULTON COUNTY, GEORGIA, AND ARTHUR E.:
FERDINAND, in his official capacity :
as Tax Commissioner of Fulton County,:
:
Petitioners, :
:
vs. : CIVIL ACTION FILE
:
DRIVETIME CAR SALES COMPANY, LLC; : NO. 2017CV290578
AUTO DEALS, LLC; TITLE TECHNOLOGIES, :
INC.; LYNETTE RILEY, in her official :
capacity as Commissioner of the :
Georgia Department of Revenue; STATE : JUDGE
OF GEORGIA; CITY OF ATLANTA, GEORGIA; : CRAIG L. SCHWALL, SR.
CITY OF MILTON, GEORGIA; CITY OF :
ROSWELL, GEORGIA; CITY OF COLLEGE :
PARK, GEORGIA; CITY OF EAST POINT, :
GEORGIA; CITY OF ALPHARETTA, GEORGIA; :
CITY OF SANDY SPRINGS, GEORGIA; CITY :
OF JOHNS CREEK, GEORGIA; CITY OF :
FAIRBURN, GEORGIA; CITY OF MOUNTAIN :
PARK, GEORGIA; CITY OF HAPEVILLE; :
CITY OF PALMETTO; CITY OF UNION CITY; :
CITY OF CHATTAHOOCHEE HILLS; FULTON :
COUNTY SCHOOL DISTRICT; ATLANTA :
PUBLIC SCHOOL SYSTEM; and METROPOLI- :
TAN ATLANTA RAPID TRANSIT AUTHORITY, :
:
Respondents. :

**SIGNATURE PAGE REGARDING
MEMORANDUM OF MEDIATED STATEMENT
RESPONDENT CITY OF ALPHARETTA, GEORGIA**

Approved.

This 14th day of November, 2017.

200 ASHFORD CENTER NORTH
SUITE 500
ATLANTA, GEORGIA 30338-2668
(770) 391-9100
(770) 668-0878 = FACSIMILE
cst@boviskyle.com
shastey@boviskyle.com

BOVIS, KYLE, BURCH & MEDLIN, LLC



C. SAM THOMAS, P.C.
GEORGIA STATE BAR NO. 704688
SCOTT T. HASTEY
GEORGIA STATE BAR NO. 141328
ATTORNEYS FOR RESPONDENT
CITY OF ALPHARETTA, GEORGIA

EXHIBIT A

DRIVETIME CAR SALES COMPANY, LLC

Georgia Title Ad Valorem Tax (TAVT) Refund Request

Fulton County

<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>
WBXPA93446WG75067	1G2ZM587074188648	2HKYF18105H573463	2G1WG5EK2B1143674
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<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>
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<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>	<u>Vehicle Identification Number (VIN)</u>
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City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Meeting Date: November 27, 2017

**I. AGENDA ITEM TITLE: DOWNTOWN PARKING MANAGEMENT PLAN UPDATE-
PAY IN LIEU FEE RECOMMENDATIONS**

II. RECOMMENDATION:

Approve approach for Downtown Parking Pay-in-Lieu Fee program.

III. REPORT IN BRIEF:

Downtown parking management options and recommendations including a pay in lieu fee program were previously discussed. Tiered pricing strategies have been developed and fees refined based on the full costs of the Milton Avenue parking deck.

	Parking Arrangement	Proposed One-Time Parking Payment to City (per space)	Proposed Annual Payment for 15-Year Installment (per space)*	Proposed One-Time Maintenance Fee (per space)	Annual Operations + Maintenance Fee (per space)
NEW DEVELOPMENT or EXISTING USES: Applicants choose one of these	Full Reservation: Land use has access to a parking space on a full-time basis	\$30,145	\$2,247	\$4,000	\$500 garage/ \$250 lot
	Business Reservation: Land use has access to a parking space between hours of 8 am and 4 pm	\$15,000	\$1,164	\$2,000	\$250 garage/ \$125 lot
	Sunday Reservation: Land use has access to a parking space for Sundays only	\$3,015	\$225	\$500	\$100 garage/ \$50 lot
For conversions only	In-Lieu Fee Payment: Land use reduces the code requirement for parking by the number of spaces for which this fee is paid, but has no reserved parking locations	\$10,000	\$1,100	\$4,000	\$500 garage/ \$250 lot

* The annual payment option is shown for discussion purposes and is not a recommended option.

IV. ALTERNATIVES:

V. ATTACHMENTS:

Downtown_Parking-Recommendations, Downtown Parking Management Study

Draft Recommendations

Due to the expected increases in parking demand, the City has already taken proactive steps with regard to adding parking supply with the Milton Avenue garage. The study recommends this kind of approach as strategic for downtown’s continued development—downtown has fewer available sites for development and, in some cases, will require parking to fit on increasingly constrained sites if it is to be constructed on site.

However, it is critically important for Alpharetta to consider new management approaches to ensure that downtown’s continued growth can meet its travel demand. **These are described as follows and will be discussed in detail in the upcoming September Council work session.**

Pilot Program for Pricing

Current management of on-street parking in downtown’s retail district is only on a time-limit basis, but observed parking utilization is still very high (and full in some locations). The Old Roswell surface lot shows similar characteristics.

The study recommends a pilot application of pricing in these locations, using pay-station meters to allow payment for an entire group of spaces at once. Pricing will be determined in final recommendations of the study, but should not initially be placed above \$1 per hour.

In locations where pricing is applied, time limits should be eliminated. This is to allow price to function as an effective provider of parking availability and allowing customers wishing to pay for use of downtown’s most valuable spaces to do so.

Extension of Time Limits

Other downtown parking locations may also benefit from applying time limits to spaces, using this as an intermediate step between no regulation and providing parking.

Figure 8 and Table 3 to the right offer guidance on proposed locations and thresholds for implementing parking and time limits on City-owned parking spaces.

Figure 8: Proposed Pricing for Parking



Table 3: Proposed Thresholds for Pricing and Time Limits

Facility Type	Proposed Pricing Threshold	Proposed Time Limit Threshold
On-Street Parking	Utilization on an entire block surpasses 85% for at least 6 hours per day	Utilization on an entire block surpasses 75% for at least 6 hours per day
Off-Street Parking Lots	Utilization surpasses 85% for at least 8 hours per day	Utilization surpasses 75% for at least 8 hours per day
Off-Street Parking Garages	Utilization in public spaces surpasses 85% for at least 8 hours per day	No threshold: time limits not used

In-Lieu Payment Program

In recent years, the City has been using an in-lieu payment amount of \$7,600 per parking space to allow development applicants not to build some or all of their code-required parking on site. Prior to the construction of City Center and the future construction of the Milton Avenue garage, this served primarily as a means of waiving zoning requirements and in some cases has allowed spaces to be reserved, though not all cases.

With construction of the Milton Avenue garage, the City has its first parking facility supporting general public use that is not to be assigned primarily to private development (as the City Center garage will be). However, it is also facing significantly higher land acquisition and construction costs for the garage and this may limit the city from consolidating further parking facilities.

Revise to reflect true costs, but offer options.

The study recommends that the City revise its in-lieu payment program to better reflect true costs of providing parking supply, and allow a

range of options for satisfying parking need. Developers may elect to pay the City a full amount of construction for a space for that space to be fully reserved for the land use, although they may also elect to use partial reservations or a true in-lieu payment that only reduces a code-required parking amount.

Up-front payments preferred, though installment payments still allowed.

In addition, the City should continue to allow a choice between an up-front, one-time payment for parking to be used or a monthly installment program, though it is preferable for applicants to pay their in-lieu program costs up front. The installment program may be negotiated between development applicants and the City, though in all cases it will reflect a payment premium once all installments have been collected. This is intended to limit the City's risk of insufficient funds at such time that construction of new parking becomes necessary or desirable.

Operations and maintenance fees. Applicants participating in the in-lieu program will also be

Table 4: In-Lieu Payment Fee Schedule

	Parking Arrangement	Proposed One-Time Parking Payment to City (per space)	Proposed Annual Payment for 15-Year Installment (per space)*	Proposed One-Time Maintenance Fee (per space)	Annual Operations + Maintenance Fee (per space)
NEW DEVELOPMENT or EXISTING USES: Applicants choose one of these	Full Reservation: Land use has access to a parking space on a full-time basis	\$30,145	\$2,247	\$4,000	\$500 garage/ \$250 lot
	Business Reservation: Land use has access to a parking space between hours of 8 am and 4 pm	\$15,000	\$1,164	\$2,000	\$250 garage/ \$125 lot
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For conversions only	In-Lieu Fee Payment: Land use reduces the code requirement for parking by the number of spaces for which this fee is paid, but has no reserved parking locations	\$10,000	\$1,100	\$4,000	\$500 garage/ \$250 lot

* The annual payment option is shown for discussion purposes and is not a recommended option.

expected to provide assistance for operations and maintenance of spaces they reserve. The City currently does not have summaries of maintenance costs because of how new its one facility is, and as such will rely in the short-term on planning-level costs from comparable facilities. Council should revise these maintenance fees periodically based on actual costs, allowing applicants to pay less per year should costs decrease. The starting level for this cost will be set at \$500 per year per space, or the equivalent of around \$41 per month.

Distance requirement. It is typical for any type of shared-parking allowances to set a distance limit on how far that parking may be from the use it is supporting, intended to ensure that shared parking is actually where a given use's customers actually park. Given the development of downtown Alpharetta and the increasingly walkable environment this development is creating, the study recommends allowing up to a quarter-mile (1,320 feet) from the main entrance of the use to a shared parking facility.

Council approval required to participate in the program. In all cases, even if all of the above conditions can be met, City staff will provide information on the current status of the downtown parking supply under City control and make a recommendation to Council on whether or not

to grant the request. Council intends to use this program as a means of providing developers with flexibility but wishes to limit future parking shortages.

The study's proposed amounts for this payment schedule are detailed in Table 4 on the preceding page. These are derived from the following specific factors:

- Cost of construction (\$6.8 million) and land (\$1 million) of the Milton Avenue Garage Site
- Assumed maintenance costs of \$41/month or \$500 per year for full-time use of a parking space.
- Business use (8 a.m. - 5 p.m.) accounting for generally half of the economic use of a parking space and therefore half of its value in the in-lieu fee program.

Establishing a monitoring and reporting schedule

The City will need to update its data to understand when proposed management thresholds are met and when to apply them. The parking study recommends a regular review of utilization along with ongoing parking enforcement responsibilities to be able to periodically adjust its management schedule. This is detailed in Table 5 to the right.

Table 5: Proposed Monitoring Schedule

Facility Type	Collect Utilization	Revisit Regulations
On-Street Parking	Every 3 months	Every 6 months
Off-Street Parking Lots	Every 3 months	Every 6 months
Off-Street Parking Garages	Every 6 months	Every 12 months

Downtown Alpharetta Parking Study

STUDY UPDATE: DRAFT SUMMARY OF FINDINGS AND
RECOMMENDATIONS

NOVEMBER 2017

Study Background

The City of Alpharetta and a team led by TSW, Nelson\Nygaard Consulting Associates and Stantec initiated a parking study in February 2017 in response to downtown Alpharetta's rapid growth and development. This study began along with the construction of the City Center development, and with several other infill development projects expected (with many announced over the course of the study).

The study has consisted of three primary analysis tasks:

1. Collecting data on parking inventory, or counting the number of downtown spaces;
2. Collecting data on parking utilization to understand how parking inventory is currently being used; and
3. Comparing the utilization to an expected level of parking demand based on downtown's land uses.

Findings of the Analysis

When considering the entire system, downtown's parking is not heavily occupied, although the core business district around Milton Avenue and Main Street sees relatively high levels of activity. In particular, parking facilities closest to retail establishments are heavily used.

To better understand the dynamics of parking in downtown, the study also considered two scales: **a larger study area** comprising the Downtown Core district as defined in the Downtown Alpharetta Master Plan (essentially the greater Main Street corridor from Pine Grove Drive to Old Milton Parkway) and **a smaller study area** focused on the central business district of downtown, consisting of a much smaller radius around the intersection of Main Street and Milton Avenue.

The following series of tables and graphics over the following pages illustrates the result of the three analysis tasks described above.

INVENTORY

The overall downtown study area has approximately 3,500 spaces today, although many of these are concentrated in a small number of large facilities. Specific breakdown of the parking inventory is defined in Table 1 to the right.

Two of these large facilities are downtown's main churches: the First United Methodist Church, which has 602 parking spaces, and the First Baptist Church, which has 199.

In addition, the City Center Garage has 445 spaces, with most of these expected to support new land uses that will come to downtown with completion of the City Center development and a small number continuing to support the Alpharetta City Hall and Public Library.

The Publix supermarket at the south of the study area also has 275 total spaces.

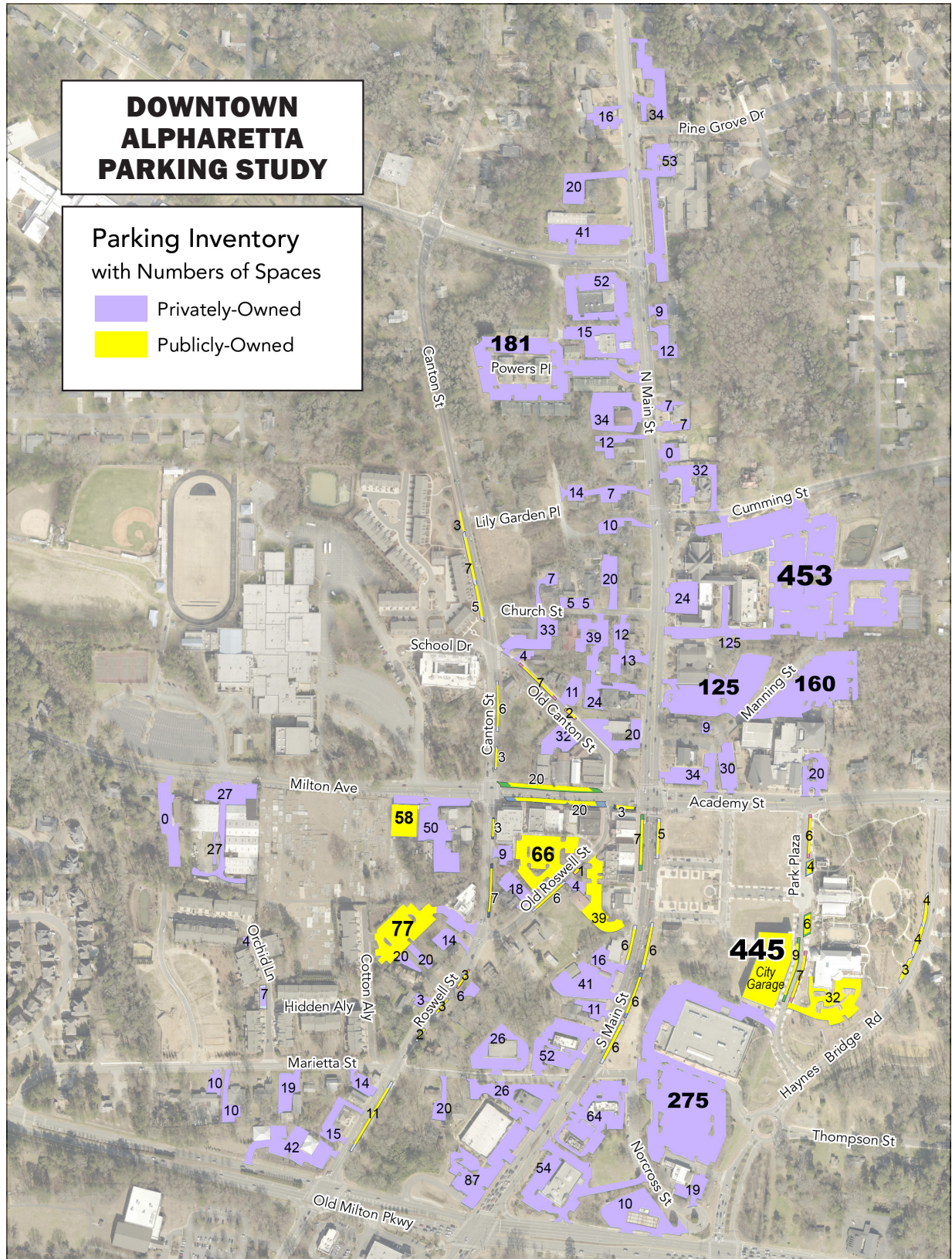
At the time of the study's data collection in April 2017, the on-street parking for the City Center development was not accessible to the public, as the streets supporting this development were closed for site construction. These approximately 80 spaces will be available to the public again once the City Center site reopens.

Figure 1 on the following page illustrates the location and number of parking spaces in all of downtown's facilities.

Table 1: Summary of Inventory

Parking Facility Type	Number of Spaces
TOTAL SPACES	3,517
PRIVATE SPACES	2,609
Non-Disabled Spaces	2,536
Disabled Spaces	73
PUBLIC SPACES	908
On-Street Spaces	191
Non-Disabled Spaces	185
Disabled Spaces	6
Off-Street Lots	272
Non-Disabled Spaces	260
Disabled Spaces	12
Off-Street Garage	445
Non-Disabled Spaces	438
Disabled Spaces	7
Regulated Spaces (of all public spaces)	76
Unregulated Spaces (of all public spaces)	832

Figure 1: Map of Inventory



UTILIZATION

The study team performed a series of utilization counts to measure how many parking spaces were in use at different times of a typical weekday. This included both public and private spaces in order to understand where demand is concentrated—regardless of ownership of the parking.

Table 2 below summarizes this utilization, and Figures 2 through 4 on the following pages illustrate utilization by different basic levels.

Overall, while it appears from the summary table that downtown’s parking is not heavily utilized, focusing on specific parking types and locations shows that utilization is highly uneven. On-street parking, for instance, is always at least half full

throughout the day, but in the core commercial district of downtown, especially along Milton Avenue, these spaces are at times over 90 percent used—an amount that the parking practice considers to be functionally full for a given facility and a condition where motorists may not be able to find an available space in a given cluster of spaces.

Regulated spaces, or those spaces with time limits currently imposed, include these core business district on-street spaces as well as a number of the spaces in the City’s Old Roswell Street lot. These see the highest amount of use of any in the study area, and are nearly 100 percent full in the evening.

Table 2: Summary of Utilization

Parking Facility Type	Number of Spaces	Morning Utilization (8 am - 12 pm)		Midday Utilization (12 pm - 4 pm)		Evening Utilization (4 pm - 8 pm)	
TOTAL SPACES	3,517	935	26.6%	1,268	36.1%	1,001	28.5%
PRIVATE SPACES	2,609	660	25.3%	872	33.4%	667	25.6%
Non-Disabled Spaces	2,536	633	25.0%	813	32.1%	629	24.8%
Disabled Spaces	73	13	17.8%	17	23.3%	8	11.0%
PUBLIC SPACES	908	275	30.3%	396	43.6%	334	36.8%
On-Street Spaces	191	92	48.2%	123	64.4%	135	70.7%
Off-Street Lots	272	109	39.3%	170	62.5%	164	60.3%
Off-Street Garage	445	90	20.2%	161	36.2%	77	17.3%
Regulated Spaces (of all public spaces)	76	39	51.3%	52	68.4%	73	96.1%
Unregulated Spaces (of all public spaces)	832	252	30.0%	386	48.3%	303	36.4%

Figure 2: Map of Morning Parking Utilization

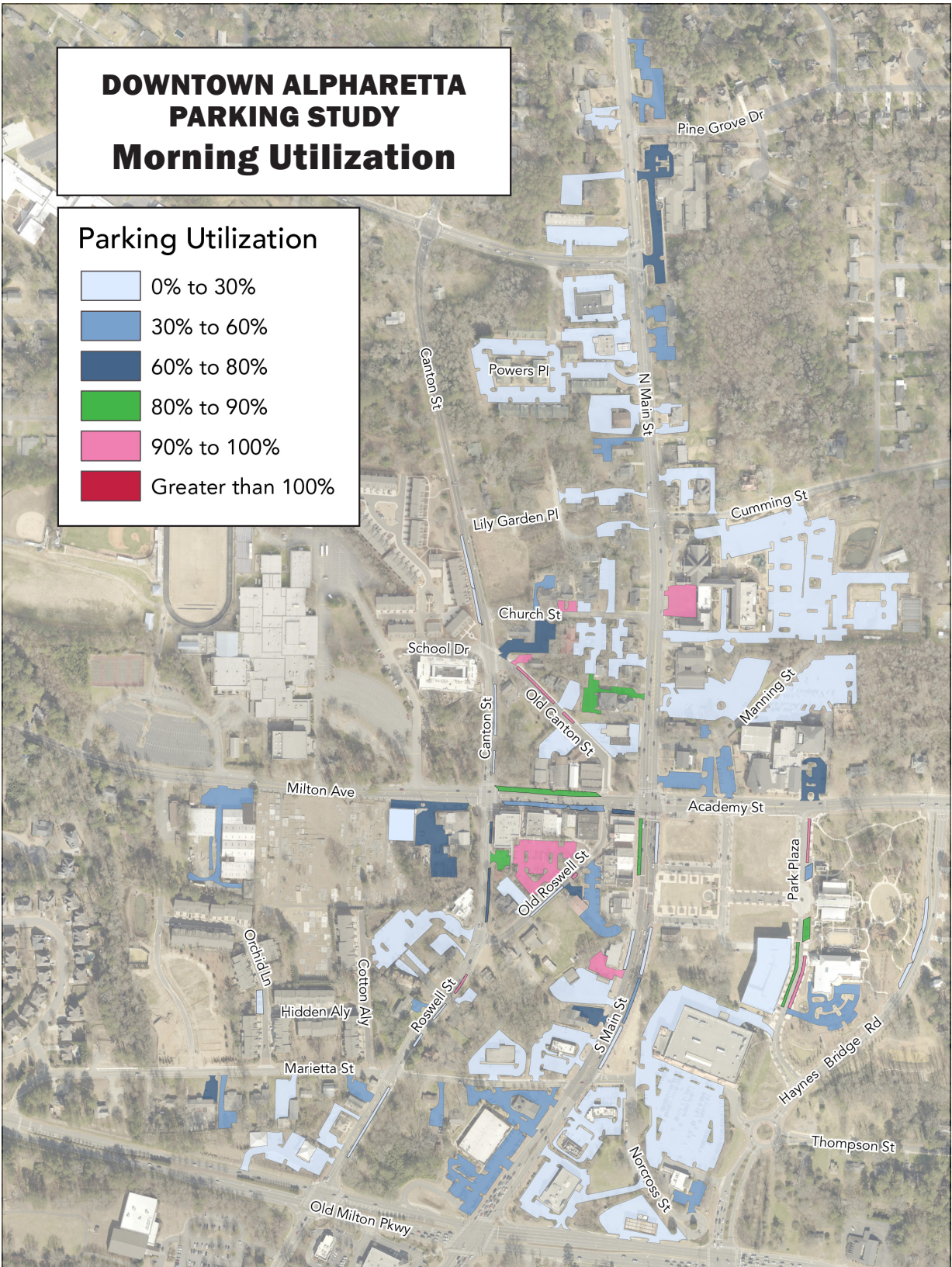


Figure 3: Map of Midday Parking Utilization

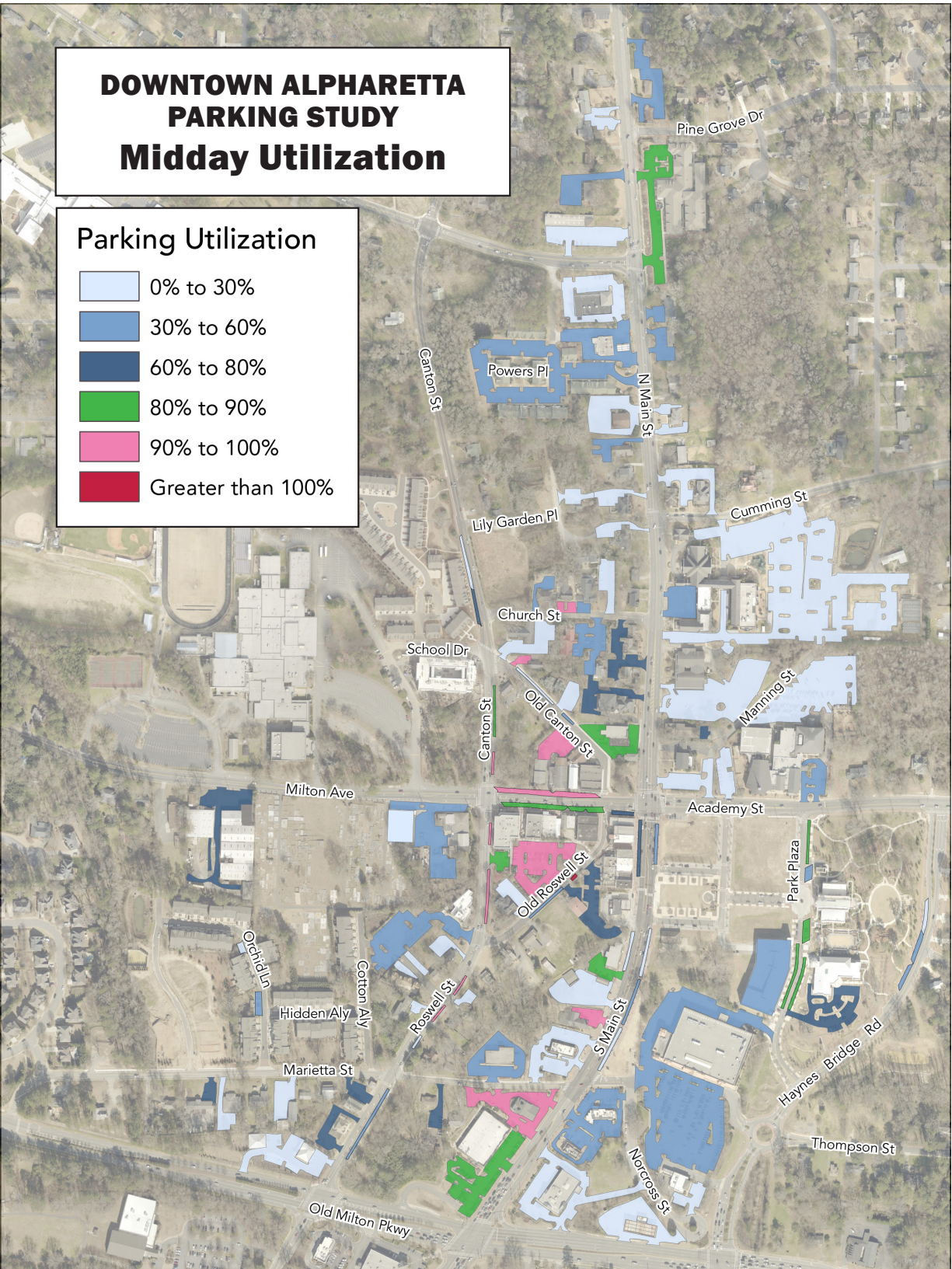
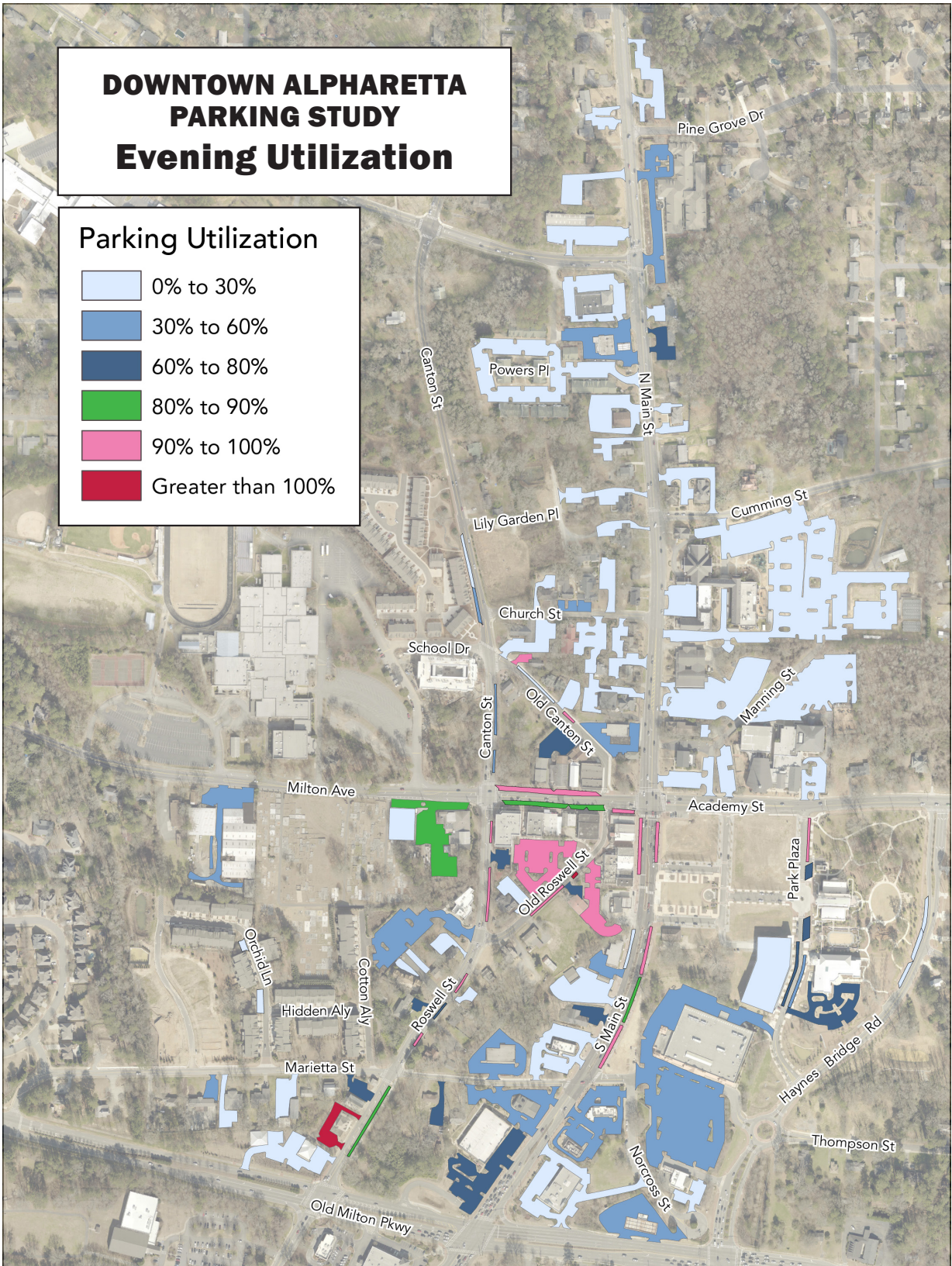


Figure 4: Map of Evening Parking Utilization



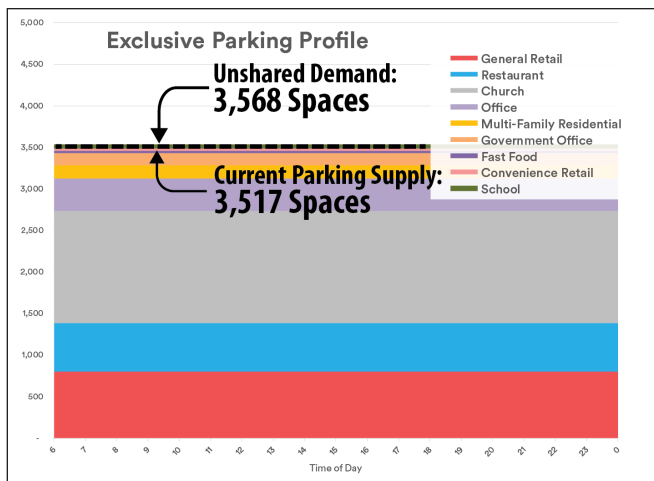
COMPARING UTILIZATION AND EXPECTED DEMAND

The study is based on planning ahead for ongoing and continued future growth in downtown so that decisions may be made to manage downtown's parking supply appropriately. To do this, the study has considered both current parking demand and future parking demand.

The study also distinguishes between the unshared demand that results from all parking facilities exclusively supporting a single use and the real demand that reflects when different land uses truly demand their full range of parking—a dynamic influenced by operating hours and when residents are at home.

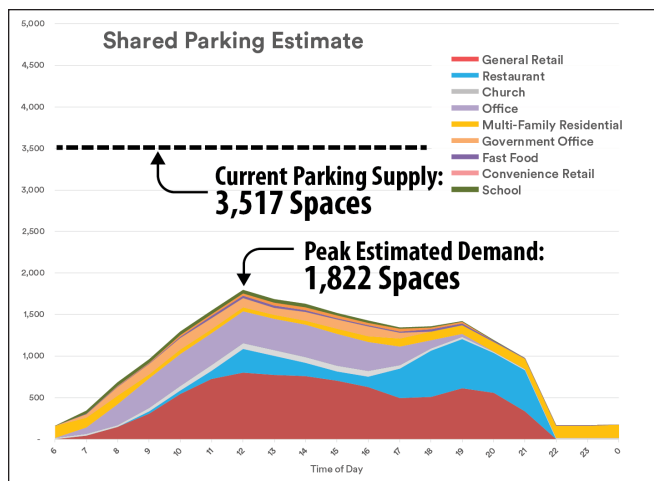
The following figures illustrate these estimated demand levels and how they compare.

Figures 5A and 5B: Current Parking Demand



Currently, the 3,517 spaces are close to the amount of parking demand that would be expected if all parking supported only one land use, based on current land uses today.

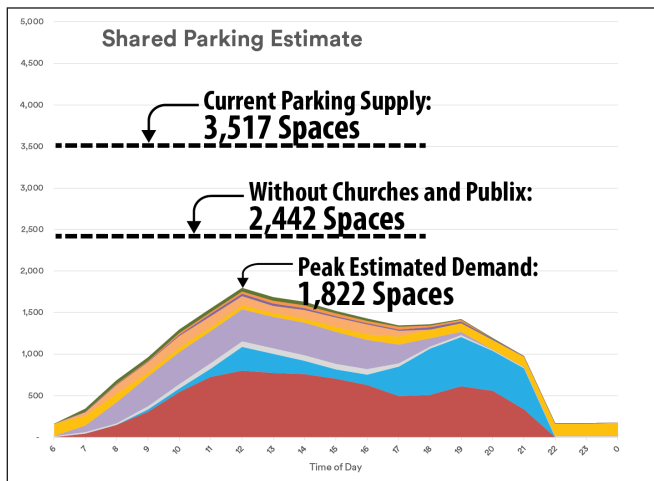
We know from meetings with council, staff and stakeholders that this is not the case: many developments already use some degree of sharing or lease spaces in City facilities.



By estimating the real demand, which considers when different land uses actually observe their parking demand happen throughout the day, the study has offered a point of comparison on how much less parking could serve downtown if all of it were shared.

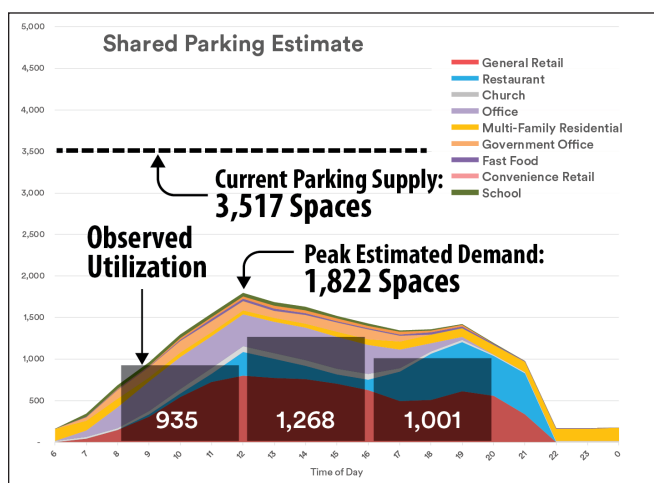
It is helpful to think of this as the 'true parking demand' compared to the amount that would be expected if simply building to conventional zoning requirements. This has given the study a place to reconsider zoning requirements, especially for office developments, given the larger supply that may be available for sharing.

Figures 6A and 6B: Current Parking Demand



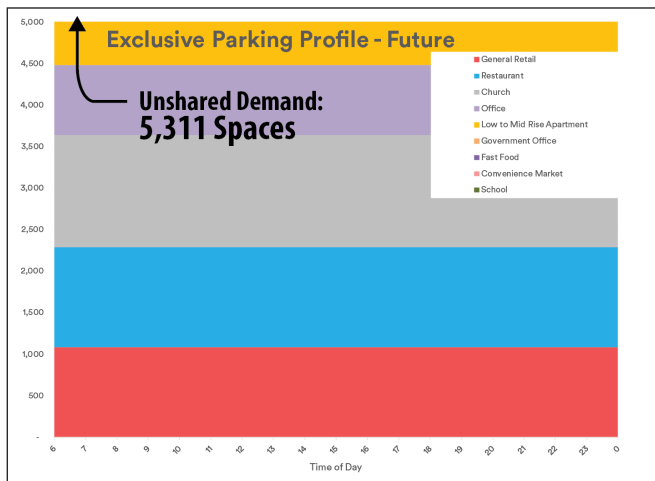
Certainly, some of the available parking downtown is not open for public use without special permission or arrangements.

When the large facilities described previously are removed from the inventory, the estimated real demand is much closer to the supply of parking today.

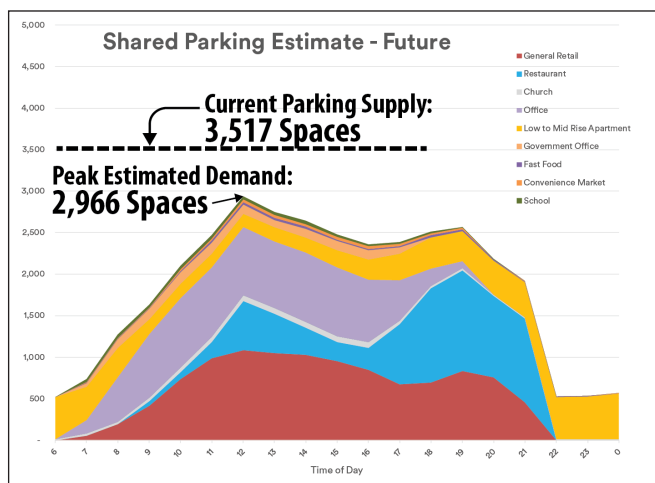


Although real utilization of parking as measured in the three different weekday counting periods is much lower than this peak estimated demand, the utilization (as shown in the maps on Figures 2 through 4) is highly concentrated.

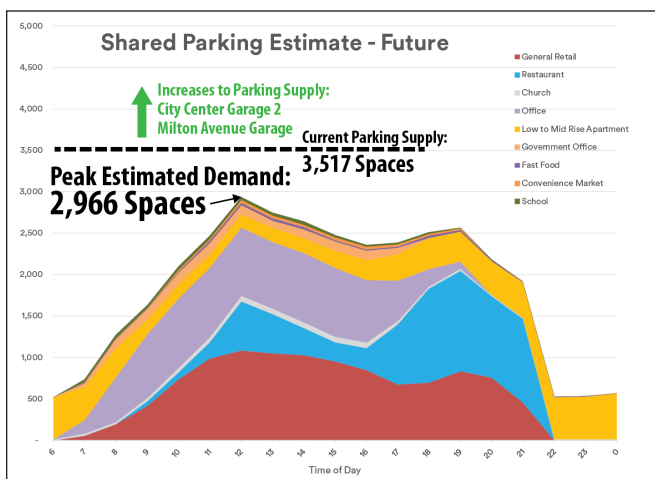
Figures 7A, 7B, and 7C: Future Parking Demand



Reviewing current demand, as shown on the diagrams on the last page, adding in future parking demand, both from development under construction and that is in the approval process, suggests that a significantly greater amount of parking demand may be expected.



Even when considering the real demand of the added development, this begins to approach current supply.



There will be increases to the parking supply with construction of the City's Milton Avenue garage and additional parking in the City Center development beyond the existing garage. However, the growth of downtown points to a need for revisions to management techniques.

Draft Recommendations

Due to the expected increases in parking demand, the City has already taken proactive steps with regard to adding parking supply with the Milton Avenue garage. The study recommends this kind of approach as strategic for downtown’s continued development—downtown has fewer available sites for development and, in some cases, will require parking to fit on increasingly constrained sites if it is to be constructed on site.

However, it is critically important for Alpharetta to consider new management approaches to ensure that downtown’s continued growth can meet its travel demand. **These are described as follows and will be discussed in detail in the upcoming September Council work session.**

Pilot Program for Pricing

Current management of on-street parking in downtown’s retail district is only on a time-limit basis, but observed parking utilization is still very high (and full in some locations). The Old Roswell surface lot shows similar characteristics.

The study recommends a pilot application of pricing in these locations, using pay-station meters to allow payment for an entire group of spaces at once. Pricing will be determined in final recommendations of the study, but should not initially be placed above \$1 per hour.

In locations where pricing is applied, time limits should be eliminated. This is to allow price to function as an effective provider of parking availability and allowing customers wishing to pay for use of downtown’s most valuable spaces to do so.

Extension of Time Limits

Other downtown parking locations may also benefit from applying time limits to spaces, using this as an intermediate step between no regulation and providing parking.

Figure 8 and Table 3 to the right offer guidance on proposed locations and thresholds for implementing parking and time limits on City-owned parking spaces.

Figure 8: Proposed Pricing for Parking



Table 3: Proposed Thresholds for Pricing and Time Limits

Facility Type	Proposed Pricing Threshold	Proposed Time Limit Threshold
On-Street Parking	Utilization on an entire block surpasses 85% for at least 6 hours per day	Utilization on an entire block surpasses 75% for at least 6 hours per day
Off-Street Parking Lots	Utilization surpasses 85% for at least 8 hours per day	Utilization surpasses 75% for at least 8 hours per day
Off-Street Parking Garages	Utilization in public spaces surpasses 85% for at least 8 hours per day	No threshold: time limits not used

In-Lieu Payment Program

In recent years, the City has been using an in-lieu payment amount of \$7,600 per parking space to allow development applicants not to build some or all of their code-required parking on site. Prior to the construction of City Center and the future construction of the Milton Avenue garage, this served primarily as a means of waiving zoning requirements and in some cases has allowed spaces to be reserved, though not all cases.

With construction of the Milton Avenue garage, the City has its first parking facility supporting general public use that is not to be assigned primarily to private development (as the City Center garage will be). However, it is also facing significantly higher land acquisition and construction costs for the garage and this may limit the city from consolidating further parking facilities.

Revise to reflect true costs, but offer options.

The study recommends that the City revise its in-lieu payment program to better reflect true costs of providing parking supply, and allow a

range of options for satisfying parking need. Developers may elect to pay the City a full amount of construction for a space for that space to be fully reserved for the land use, although they may also elect to use partial reservations or a true in-lieu payment that only reduces a code-required parking amount.

Up-front payments preferred, though installment payments still allowed.

In addition, the City should continue to allow a choice between an up-front, one-time payment for parking to be used or a monthly installment program, though it is preferable for applicants to pay their in-lieu program costs up front. The installment program may be negotiated between development applicants and the City, though in all cases it will reflect a payment premium once all installments have been collected. This is intended to limit the City's risk of insufficient funds at such time that construction of new parking becomes necessary or desirable.

Operations and maintenance fees. Applicants participating in the in-lieu program will also be

Table 4: In-Lieu Payment Fee Schedule

	Parking Arrangement	Proposed One-Time Parking Payment to City (per space)	Proposed Annual Payment for 15-Year Installment (per space)	Proposed One-Time Maintenance Fee (per space)	Annual Operations + Maintenance Fee (per space)
NEW DEVELOPMENT or EXISTING USES: Applicants choose one of these	Full Reservation: Land use has access to a parking space on a full-time basis	\$30,145	\$2,247	\$4,000	\$500 garage/ \$250 lot
	Business Reservation: Land use has access to a parking space between hours of 8 am and 4 pm	\$15,000	\$1,164	\$2,000	\$250 garage/ \$125 lot
	Sunday Reservation: Land use has access to a parking space for Sundays only	\$3,015	\$225	\$500	\$100 garage/ \$50 lot
For conversions only	In-Lieu Fee Payment: Land use reduces the code requirement for parking by the number of spaces for which this fee is paid, but has no reserved parking locations	\$10,000	\$1,100	\$4,000	\$500 garage/ \$250 lot

expected to provide assistance for operations and maintenance of spaces they reserve. The City currently does not have summaries of maintenance costs because of how new its one facility is, and as such will rely in the short-term on planning-level costs from comparable facilities. Council should revise these maintenance fees periodically based on actual costs, allowing applicants to pay less per year should costs decrease. The starting level for this cost will be set at \$500 per year per space, or the equivalent of around \$41 per month.

Distance requirement. It is typical for any type of shared-parking allowances to set a distance limit on how far that parking may be from the use it is supporting, intended to ensure that shared parking is actually where a given use's customers actually park. Given the development of downtown Alpharetta and the increasingly walkable environment this development is creating, the study recommends allowing up to a quarter-mile (1,320 feet) from the main entrance of the use to a shared parking facility.

Council approval required to participate in the program. In all cases, even if all of the above conditions can be met, City staff will provide information on the current status of the downtown parking supply under City control and make a recommendation to Council on whether or not

to grant the request. Council intends to use this program as a means of providing developers with flexibility but wishes to limit future parking shortages.

The study's proposed amounts for this payment schedule are detailed in Table 4 on the preceding page. These are derived from the following specific factors:

- Cost of construction (\$6.8 million) and land (\$1 million) of the Milton Avenue Garage Site
- Assumed maintenance costs of \$41/month or \$500 per year for full-time use of a parking space.
- Business use (8 a.m. - 5 p.m.) accounting for generally half of the economic use of a parking space and therefore half of its value in the in-lieu fee program.

Establishing a monitoring and reporting schedule

The City will need to update its data to understand when proposed management thresholds are met and when to apply them. The parking study recommends a regular review of utilization along with ongoing parking enforcement responsibilities to be able to periodically adjust its management schedule. This is detailed in Table 5 to the right.

Table 5: Proposed Monitoring Schedule

Facility Type	Collect Utilization	Revisit Regulations
On-Street Parking	Every 3 months	Every 6 months
Off-Street Parking Lots	Every 3 months	Every 6 months
Off-Street Parking Garages	Every 6 months	Every 12 months