



City Council Meeting and Public Hearing SEPTEMBER 24, 2018

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

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS AND PROCLAMATIONS

A. Georgia Municipal Association Presentation To Senator John Albers

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 09/17/2018)

B. Alcoholic Beverage License Applications

**PH-18-AB-50 Galeto Steakhouse Alpharetta
d/b/a Galeto Brazilian Steakhouse
2355 Mansell Road
Alpharetta, GA 30022**

**Purpose: Consumption on Premises
Beer, Wine, Liquor
Sunday Sales**

Owner: Eli Nascimento

Registered Agent: Wilma A. Gilbertson

VI. PUBLIC HEARING

**A. MP-17-06 / CLUP-17-07 / Z-17-20 / CU-17-18 / V-17-44: Greenstone Parkway 400, LLP
(NOTE: This item has been withdrawn at the request of the applicant and will not be
considered)**

Consideration of a request to rezone approximately 16.64 acres from O-I (Office-Institutional) to C-2 (General Commercial) in order to develop a mixed-use development consisting of 325 'For-Rent' residential units, 18,000 SF of supportive office/retail uses, 450,000 square feet of office, 10,000 square foot Variety Playhouse Theatre, 6,000 square foot retail/restaurant and ancillary retail/restaurant uses. A master plan amendment to the Parkway 400 Master Plan Pod C is requested to add 'Dwelling, 'For-Rent' to the list of permitted uses and changes to development standards. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'Commercial'. A conditional use permit is requested in order to allow 'For-Rent' residential use. Variances are requested to reduce multi-family and office parking requirements, reduce bicycle parking requirements and reduce requirements for electric vehicle charging stations. The property is located at the end of Amber Park Drive and is legally described as being located in Land Lot 804, 1st District, 2nd Section, Fulton County, Georgia.

B. Z-18-08 / CU-18-07 / V-18-13 / E-18-06: The Porch Special Events Facility/Matilda's Outdoor Music Venue

Consideration of a request to rezone approximately 1.87 acres from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed-Use) to allow for 'Recreation Facilities, Indoor & Outdoor' for an event facility for The Porch and an 'Amphitheatre' for an outdoor music venue for Matilda's. A conditional use is requested to allow both uses. A parking exception is requested to allow off-site parking and a variance is requested to allow parking on grassed areas. The property is located at 531 South Main Street and is legally described as being located in Land Lot 645, 1st District, 2nd Section, Fulton County, Georgia.

C. Z-18-05 / E-18-07: Kairos Old Milton LLC / DT-LW

Consideration of a request to rezone approximately 2.16 acres from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work) to allow for a 30,000 square foot office building and a 28,500 square foot office building wrapping a parking deck. An exception is requested to increase the maximum building height of the 30,000 square foot office building from 3 stories and 40' to 3 stories and 48'. An exception is requested to increase the maximum building height of the 28,500 square foot office building from 3 stories and 40' to 4 stories and 56' to allow for a 3,500 square foot covered, open air restaurant use. The property is located at 2260, 2270 & 2300 Old Milton Parkway and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

VII. NEW BUSINESS

A. Roof Replacement at Public Safety Headquarters (Phase 3)

B. Resolution - Intergovernmental Agreement with the City of Milton

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AUTHORIZE THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF 911 EMERGENCY COMMUNICATION SERVICES AND GCIC INFORMATION SERVICES BETWEEN THE CITY OF ALPHARETTA, GEORGIA AND THE CITY OF MILTON, GEORGIA

VIII. PUBLIC COMMENT

IX. REPORTS

X. ADJOURNMENT TO EXECUTIVE SESSION

A. Executive Session Agenda



City Council Meeting
September 17, 2018
Office of the City Clerk
ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA

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

II. ROLL CALL

- Council Members
 - o Mayor Jim Gilvin
 - o Mayor Pro Tem Donald F. Mitchell
 - o Jason Binder
 - o Ben Burnett
 - o John Hipes
 - o Dan Merkel (ABSENT)
 - o Karen Richard
- Staff
 - o Bob Regus, City Administrator
 - o Sam Thomas, City Attorney
 - o James Drinkard, Asst. City Administrator
 - o John Robison, Deputy Director of Public Safety
 - o Morgan Rodgers, Director of Recreation and Parks
 - o Kathi Cook, Director of Community Development

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS

A. Constitution Week - Daughters of the American Revolution

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 08/27/2018 & 9/4/2018)

❖ Council Member Binder offered a motion to approve the Consent Agenda

- The motion received a second from Council Member Mitchell
- The motion was approved unanimously 5-0; Burnett abstained

VI. NEW BUSINESS

A. North Point Placemaking Plan

- Director of Community Development, Kathi Cook, came forward to present the item.
- Staff recommends council Award RFP 19-101 Creative Placemaking Plan for the North Point Area to MKSK in an amount totaling \$93,726.00 authorizing the Mayor to execute all necessary documents.
- The recent North Point LCI update identifies Placemaking as an area-wide initiative to enhance development and reinvestment into the area and to create memorable experiences for consumers.
- On March 8, 2018, the Mayor authorized staff to submit an application to the Atlanta Regional Commission's (ARC) Community Development Assistance Program seeking grant funding for a Creative Placemaking Plan for the North Point LCI. ARC awarded the City \$75,000.00 to complete the Placemaking Plan, with the City committed to a 20% match in the amount of \$18,750.00.
- The North Point LCI Creative Placemaking Plan will examine the options for elements to improve safety and walkability along the North Point Parkway corridor. The study will also formulate a wayfinding concepts, streetscape, design guidelines and signage program and plan to encourage efficient and safe movement of pedestrians, bicycles and vehicles in, through and around the North Point area. The project shall recommend a diversity of types of public art to make the corridor attractive as well as interactive. Lastly, as part of the study process and public outreach, the City will implement a temporary demonstration project to illustrate what some of the final concepts could be.
- The City issued the Creative Placemaking Plan for North Point Area RFP (#19-101) on July 5, 2018. Seven (7) consultant teams responded to the RFP and staff recommends awarding the contract to MKSK.

Public Comment

None

- ❖ Council Member Richard offered a motion to approve the RFP 19-101 Creative Placemaking Plan for the North Point Area to MKSK in an amount not to exceed \$93,726.00 authorizing the Mayor to execute all necessary documents.

- The motion received a second from Council Member Binder
- The motion was approved unanimously 6-0

VII. WORKSHOP

A. PH-18-05 Unified Development Code Text Amendments/Fire Pit & Clearing and Grading Regulations

- Director of Community Development, Kathi Cook, came forward to speak on this item
- Proposed amendment to the UDC consists of defining fire pit and adding certain regulations
- Proposed amendment to the City Code includes addressing potential fire pit nuisances and outdoor burning regulations

Public Comment

- John Courtney, 120 Woodfield Lane, Alpharetta, GA came forward to speak on this item
- Debbie Wingate, 610 Flying Scot Way, Alpharetta, GA came forward to speak on this item

B. Wills Park Master Plan

- Director of Recreation and Parks, Morgan Rogers, came forward to present this item. And introduce consultant from Jacobs to present the concept plan
- The second phase of the Wills Park Master Plan Process has centered on a series of public meetings and the use of an online survey to engage Alpharetta citizens and uncover what they would like to see and be able to do in the Wills Park of the future. It builds upon an earlier series of public meetings and charrettes that ultimately led to the creation of the Phase 2 Draft Conceptual Plan that is now being used to solicit this round of citizen engagement.
- On September 4 we launched the online survey associated with Phase 2 of this planning process, and as of the drafting of this staff report, 297 responses had been received. Of these, 74% were submitted by residents of Alpharetta and 26% were submitted by residents of surrounding communities.

Public Comment

- Christine Kujawski, 151 Arrowood Court, Alpharetta, GA, came forward to speak on this item

- Edward Kujawski, 151 Arrowood Court, Alpharetta, GA, came forward to speak on this item
- Kim Waits 12130 Seasons Trace, Alpharetta, GA, came forward to speak on this item
- Don Nahser, 305 Karen Drive, Alpharetta, GA, came forward to speak on this item
- Katrina Pickett, 11333 Musette Circle, Alpharetta, GA, came forward to speak on this item

VIII. PUBLIC COMMENT

None

IX. REPORTS

- Council Member Hipes reported that Alpharetta was named in Money Magazine as the 24th best City in the United State and #1 in the state of Georgia
- Council Member Hipes asked Director Robison to come forward and share a successful multi-jurisdictional arrest made over the weekend
- Council Member Richard reported that the 1st Community Zoning Information Meeting was held successfully. The meetings will continue on the 2nd Wednesday of the month, with the next meeting scheduled for October 10th
- Mayor Pro Tem Mitchell recognized Debbie Wingate and her contributions made to the Technology sector within the City
- Assistant City Administrator, James Drinkard, announced the next round of public input meetings on Webb Bridge and Academy St will be in the Council Chambers on Wednesday, October 10th

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Burnett offered a motion to approve the Executive Session
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously 6-0

Respectfully submitted,



Coty Thigpen, City Clerk



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Meeting Date: September 24, 2018

I. AGENDA ITEM TITLE: ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

PH-18-AB-50 GALETO STEAKHOUSE ALPHARETTA
D/B/A GALETO BRAZILIAN STEAKHOUSE
2355 MANSELL ROAD
ALPHARETTA, GA 30022

PURPOSE: CONSUMPTION ON PREMISES
BEER, WINE, LIQUOR
SUNDAY SALES

OWNER: ELI NASCIMENTO

REGISTERED AGENT: WILMA A. GILBERTSON

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:



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: Z-18-08/CU-18-07/V-18-13 THE PORCH SPECIAL EVENTS FACILITY/MATILDA'S OUTDOOR MUSIC VENUE

CITY COUNCIL: SEPTEMBER 24, 2018

This item was heard at the September 6, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 16 conditions. One resident spoke in favor of the request. After discussion, the Planning Commission recommended to approve the item subject to staff's recommended conditions. Vote (7-0)

II. RECOMMENDATION:

Approve Z-18-08/CU-18-07/V-18-13 The Porch Special Events Facility/Matilda's Outdoor Music Venue, subject to the following conditions:

1. The site, consisting of approximately 2.22 acres, shall be zoned DT-MU.
2. 'Amphitheater' and 'Recreation Facilities, Indoor & Outdoor' shall be added as a conditional use at 531 South Main Street and limited to a maximum capacity of 200 people at any one time.
3. Conditional use approval shall be limited to Matilda's outdoor music venue; no additional 'Amphitheater' businesses or subleasing shall be permitted in the approved outdoor area depicted on the submitted plan.
4. Conditional use approval shall be limited to The Porch; no additional 'Recreation Facilities, Indoor and Outdoor' businesses or subleasing shall be permitted within the approved space.
5. Exterior modifications to existing buildings and new permanent structures, visible from South Main Street or Wills Park, shall require approval by DRB.
6. Special events facility and outdoor music venue operations shall not overlap.
7. Hours of operation for Matilda's music venue shall be limited to Friday & Saturday, 5:00 PM – 11:00 PM from April to November.
8. The Porch special event facility shall cease operations no later than 11:00 PM.
9. Building permits and sign permits shall be secured for all associated improvements on the property, except that portable restrooms and tents under 400 SF (with no cooking or heating) shall not require a permit.
10. Property owner shall provide a dumpster within an enclosure prior to issuance of a Certificate of Occupancy for the barn.
11. Parking attendant shall be provided for all special events associated with Matilda's and The Porch.
12. Grass area around the existing parking lot may be used for parking, as depicted on the parking plan. There shall be no parking underneath trees.
13. Property owner shall provide for the regular maintenance of grass areas used for parking. Thinning or bare areas shall be sodded within 14 days. If in the future the City finds the grass parking areas are not being maintained, all required parking shall be paved.
14. There shall be no outside storage on the property. Equipment associated with the special event facility and outdoor music venue shall be removed from the property within 24 hours of completion of an event.
15. Property owner shall install required parking lot screening shrubs and landscape strip along South Main Street, as approved by Staff. Wooded area, along South Main Street and near the barn, shall be supplemented with evergreens to provide an opaque screen, as approved by Staff. Landscaping shall be installed within 90 days from approval of the conditional use.

16. An accessible route from the parking area to the venue shall be provided in compliance with 2010 ADA Standards/2012 NFPA-101.

III. REPORT IN BRIEF:

The applicants, John Morley and Mary Jane Potter, are requesting rezoning of a 2.22-acre property from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed Use) and a conditional use to allow 'Amphitheater' for Matilda's outdoor music venue and 'Recreation Facilities, Indoor and Outdoor' for a special events facility at The Porch. A variance is requested to allow required parking on grass areas. The subject property is located at 531 South Main Street on the north side of South Main Street and east of Wills Road.

DISCUSSION

The submitted request, if approved, would permit an 'Amphitheater' for Matilda's outdoor music venue and 'Recreation Facilities, Indoor and Outdoor' for a special events facility at The Porch. Rezoning is requested for the 2.22-acre property from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed Use) and conditional use permits to allow both uses. A variance is requested to allow grass parking. The subject property is located at 531 South Main Street on the north side of South Main Street and east of Wills Road.

The property is located in the Downtown Overlay and is developed with a 3,456 square foot historic structure built in 1919 and known as the Earl Wood House. The structure is on the City's List of Contributing Historic Structures and is an example of southern farmhouse architecture. The building is currently being used for The Porch, which is an antique and home décor business. A 2,200 (47' x 47') square foot barn is located to the east of the parking lot. There are 28 surface parking spaces on the property.

The zoning of the property is C-1, which requires rezoning and conditional use approval to allow the proposed uses. Surrounding properties are zoned C-2 (General Commercial) to the east and south, SU (Special Use) to the north and C-1 to the west and south. Wills Park is located to the north, Waffle House to the west, Northfall Professional Park to the east and an undeveloped parcel, Public Storage and small retail building are located to the south.

Unified Development Code (UDC) Section 1.4.2 defines 'Amphitheater' and 'Outdoor Storage' as follows:

"Amphitheater. An outdoor area designed or intended for the projection of sound to be heard by a nearby audience."

"Recreation Facility. A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

1. Recreation Facilities, Indoor. Recreational uses conducted almost wholly indoors, including bowling alley, skating rink, shooting range, health club, etc."

The applicant is requesting a variance to allow parking on grass areas of the property. Unified Development Code (UDC) Subsection 2.5.5(B) requires off-street parking lots to be surfaced with concrete or asphalt. The applicant's parking plan shows that 49 spaces can be accommodated in grass areas surrounding the existing parking lot, which brings the total number of parking spaces to 77 spaces. The UDC requires one (1) parking space for every four (4) seats, plus one (1) employee space for every ten (10) seats. The

applicant proposes a maximum capacity of 200 persons; therefore, public assembly use would generate a need for 70 parking spaces. The outdoor music venue and special events facility will not operate on a regular schedule, with additional parking spaces only needed on certain occasions. The applicant also provided an agreement with the adjacent property owner to utilize that property, 501 South Main Street, for overflow parking. The adjacent property has 50 parking spaces and is developed with service retail and office uses that would not conflict with events at Matilda's or The Porch.

Matilda's has been holding outdoor concerts since 2005, formerly conducting business on a site located approximately ¼-mile to the east at 377 South Main Street. Matilda's recently received approval from the City of Milton to operate an outdoor music venue at a site in Milton. It is the intent of the applicant to alternate music events between the Milton and Alpharetta locations on Friday and Saturday evenings between the months of April to November. Concerts typically begin at 7:00 PM and end at 10:30 PM.

Matilda's is currently holding outdoor concerts at the subject property through a temporary use permit. A temporary stage is being used with seating on the lawn in front of the stage. The area for the stage and lawn seating is approximately 108' x 112' and is located behind the existing barn on the east side of the property. A wooded area screens the outdoor music venue from South Main Street.

The Porch was established in 2013 and is a home interiors design store featuring antiques, furniture, art, lighting and bedding. The business owner, Lynn Morley, would like to expand the business to include a special events facility for weddings, birthday parties and other special events. According to the applicant, the Earl Wood House, barn and outdoor areas of the site would be used for special events. The applicant acknowledges that the barn will require life safety improvements in order to be used as a place of assembly. The Porch currently operates on Tuesday – Saturday 10:00 AM – 5:00 PM. The special events facility will not operate at the same time as The Porch retail store or Matilda's music venue. The special events facility would be utilized mainly on the weekends and evenings, with operations ending by 11:00 PM.

GDOT has a roadway project along South Main Street, which includes a 10' multi-use sidewalk adjacent to the applicant's property. The GDOT project will not require additional right-of-way from the subject property, only temporary construction easements to facilitate the re-construction of driveways. The existing strip of land between the sidewalk and parking lot along South Main Street will remain, which provides planting area to accommodate required landscape strip and parking lot screening material.

TRAFFIC

ITE trip generation rates are not provided for the proposed uses as they are considered special events. Arrivals are assumed to be 45 minutes before to 15 minutes after the event begins. The applicant estimates a 200-person maximum capacity at any one time for the proposed uses. Using the City's parking requirements, approximately 70 vehicles are anticipated for each event. Most events would likely occur outside of the typical peak traffic times.

STANDARDS FOR ZONING CHANGES

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

a. Whether the zoning proposal will permit a use that is suitable in view of the zoning use and development of adjacent and nearby property.

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The applicant's proposal should not have impacts on the natural environment, as the applicant does not propose any tree removal. Staff recommends conditions requiring the maintenance of grassed areas used for parking.

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

Response: The applicant's proposed uses are not permitted within the subject property's current zoning district, which is C-1 (Neighborhood Commercial). However, the property has a future land use plan designation of Mixed Use, which allows the DT-MU (Downtown Mixed-Use) zoning district. The proposed uses are conditional uses in the DT-MU district.

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

Response: The zoning proposal should not have significant impacts on public facilities or services as the use of the property continues to be commercial. The proposal would represent an increased demand on roads, police and fire, as well as trash service. Staff recommends conditions requiring dumpster facilities.

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

Response: The subject property is located in the Downtown Overlay, which includes opportunities for properties to be developed under the new Downtown zoning districts.

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

Response: The applicant's zoning proposal reflects a reasonable balance. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The applicant's proposed uses are not permitted within the subject property's current zoning district, which is C-1 (Neighborhood Commercial). However, the property has a future land use plan designation of Mixed Use, which allows the DT-MU (Downtown Mixed-Use) zoning district. The proposed uses are conditional uses in the DT-MU district.

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

Response: The proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use'.

CONDITIONAL USE REVIEW CRITERIA

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

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

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

Response: Sufficient vehicular and pedestrian access is provided to the subject property. The proposed uses should not have significant impacts on vehicular and pedestrian access, as both uses will operate during non-peak times.

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

Response: There are 28 existing surface parking spaces associated with the property. According to the applicant, another 49 parking spaces can be accommodated in grass areas surrounding the existing parking lot. Trash service is currently handled through four (4) roll-out container. If approved, staff recommends a condition requiring the provision of a dumpster and enclosure to support all uses on the property. In addition, conditions are recommended requiring screening of the parking lot and installation of the required landscape strip along South Main Street.

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

Response: The proposed uses would be compatible with the uses approved in the Downtown and would not be injurious or diminish the property values of surrounding properties. The property is surrounded by commercial uses and Wills Park; therefore, noise should not be a problem.

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

Response: Not applicable.

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

Response: The proposed use would be compatible with the uses approved and developed in the Downtown and should have little impact on the development of surrounding properties. The conditional use should not have significant impacts on development in the area. If approved, conditions are recommended limiting expansion of the business and requiring a dumpster enclosure, screening and landscaping.

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

Response: The proposed use would be compatible with the character of the Downtown. The conditional use should not have significant impacts on development in the area. If approved, conditions are recommended limiting expansion of the business and requiring a dumpster enclosure, screening and landscaping.

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: Not applicable.

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

Response: Parking to support the proposed uses will not be used on a regular basis. Therefore, Staff can support the request to allow parking on grass areas of the property. Verizon Amphitheater received

variance approval in 2007 to allow grass parking. In addition, the applicant states that they have permission to utilize the adjacent property for overflow parking. Conditions are recommended providing for the regular maintenance of grass areas used for parking.

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

Response: Parking to support the proposed uses will not be used on a regular basis. Therefore, Staff can support the request to allow parking on grass areas of the property. Verizon Amphitheater received variance approval in 2007 to allow grass parking. In addition, the applicant states that they have permission to utilize the adjacent property for overflow parking. Conditions are recommended providing for the regular maintenance of grass areas used for parking.

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

Response: The applicant's proposal would not cause a substantial detriment to the public good, if conditions are placed on the property requiring regular maintenance of grass areas used for parking.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it can generally support the request for rezoning, conditional use and variance, if conditions are approved requiring regular maintenance of grass parking areas. The request is not in conflict with the established conditional use criteria and the requested zoning is appropriate given the 'Mixed Use' future land use designation of the property. The proposed outdoor music venue and special events facility would complement other Downtown development and there are no residential uses in the area that could be impacted by noise. The combination of surface and grass parking would satisfy the City's parking requirements for all uses. Verizon Amphitheater received variance approval in 2007 to allow grass parking. In addition, the applicant has an agreement to utilize the adjacent property for overflow parking. If approved, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the businesses to no more than 200 persons at any one time.

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.

City Staff received a letter from Northfall Office Condo Association, Inc., which is located to the east of the subject property. The property owner had concerns over noise, provision of sufficient on-site parking to support the proposed uses, and no overflow parking on the Northfall property without prior written authorization.

IV. ATTACHMENTS:

- Site Plan

Z-18-08 / CU-18-07 / V-18-13 / E-18-06

Wills Lane

Wills Park

Northfall Lane

South Main Street

Wills Road

City of Roswell

Cooperative Way

LEGEND

-  Case Number
-  Alpharetta City Boundary
-  Tax Parcels

Downtown
Overlay District

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



Aerial Map
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07 / V-18-13 / E-18-06

0599 R-15

0646

0647

Wills Park

SU

O-I

C-1

0600

0645

C-1

C-1

C-2

C-1

O-I

0648

South Main Street

C-2

C-1

C-2

L-I

O-I

AG

C-2

C-1

LEGEND

- Case Number
- Alpharetta City Boundary
- Land Lots
- Tax Parcels

Zoning Districts

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

City of Roswell

0644

Cooperative Way

Downtown
Overlay District

Z-18-08 / CU-18-07

V-18-13/E-18-06

D/LL: 1/2/645

PC Date: 9/06/18

CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



Zoning Map
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07 / V-18-13 / E-18-06

Wills Lane
0599

0646

0647

Wills Park

0600

0645

0648

Northfall Lane

South Main Street

Wills Road

City of Roswell

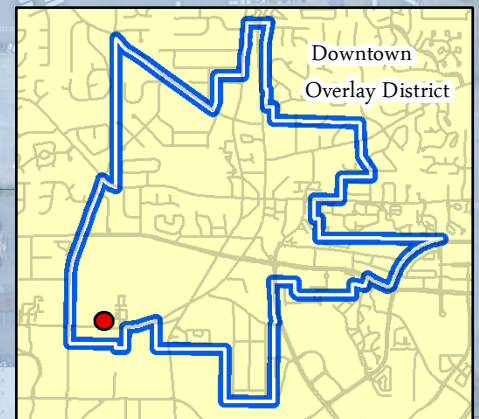
0601

0644

Cooperative Way

LEGEND

-  Case Number
-  Alpharetta City Boundary
-  Land Lots
-  Tax Parcels



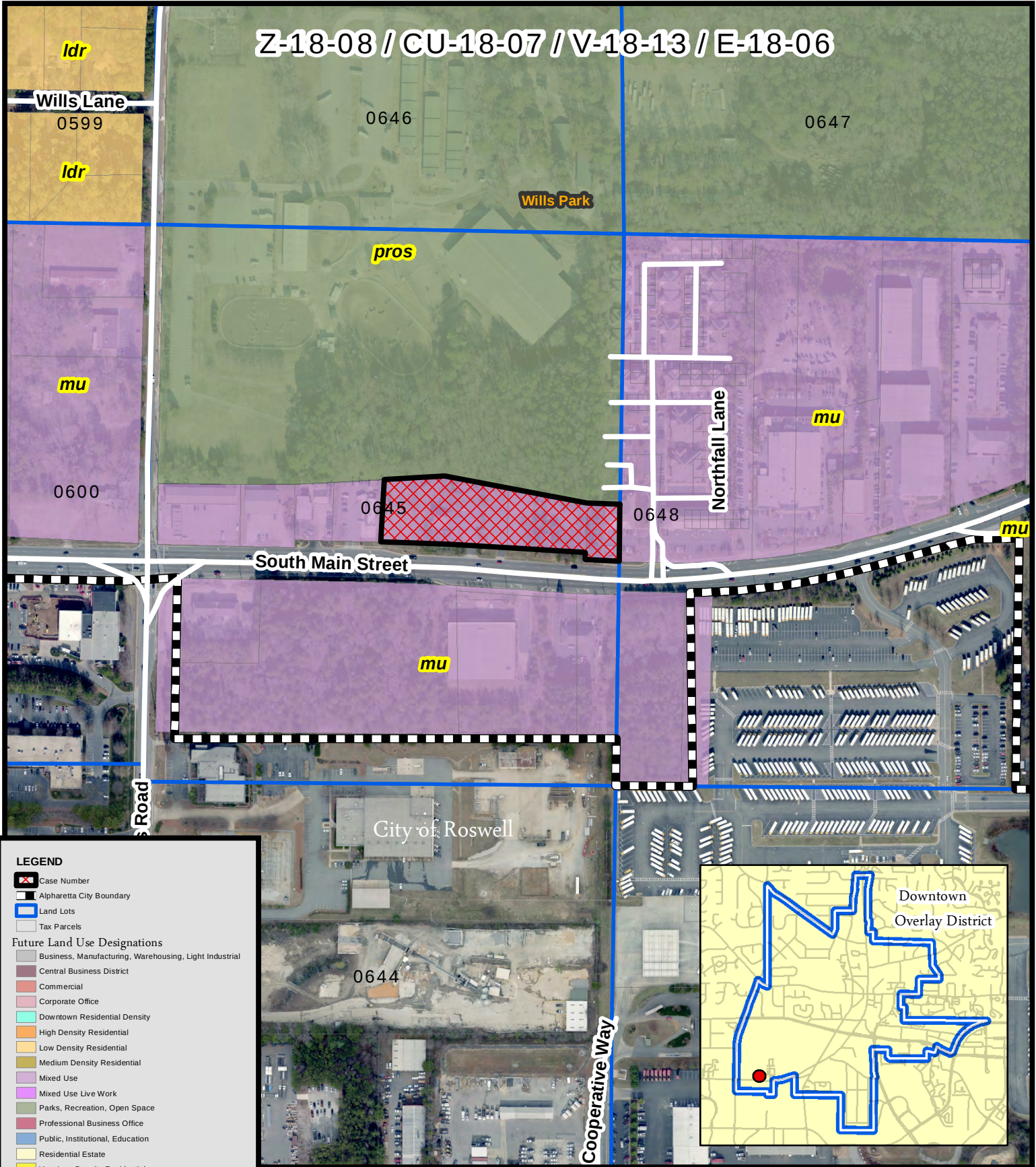
Location Map The Porch - Event Facility 531 South Main Street

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



Z-18-08 / CU-18-07 / V-18-13 / E-18-06



LEGEND

- Case Number
- Alpharetta City Boundary
- Land Lots
- Tax Parcels

Future Land Use Designations

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

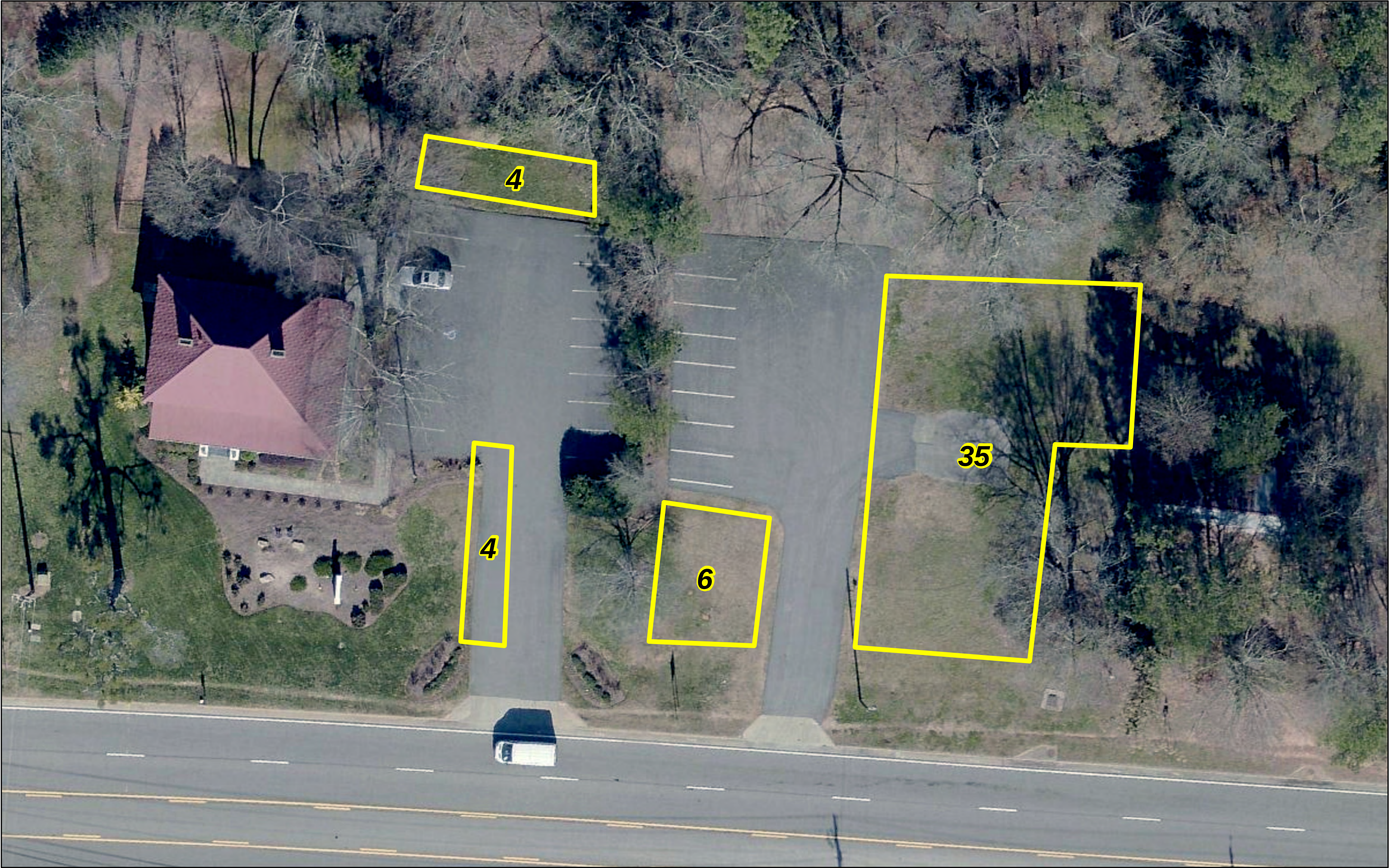
Future Land Use
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07
 V-18-13/E-18-06
 D/LL: 1/2/645
 PC Date: 9/06/18
 CC Date: 9/24/18

Location Map Provided by:
 Community Development - GIS



Parking Plan





PARKING AGREEMENT

**Mike Eskandari
North Fulton Pharmacy P.C.
501 South Main Street
Alpharetta, GA 30009**

Reference: Additional Parking

Mike Eskandari agrees to allow Morley Holdings Inc. up to 50 parking spaces on off hours.

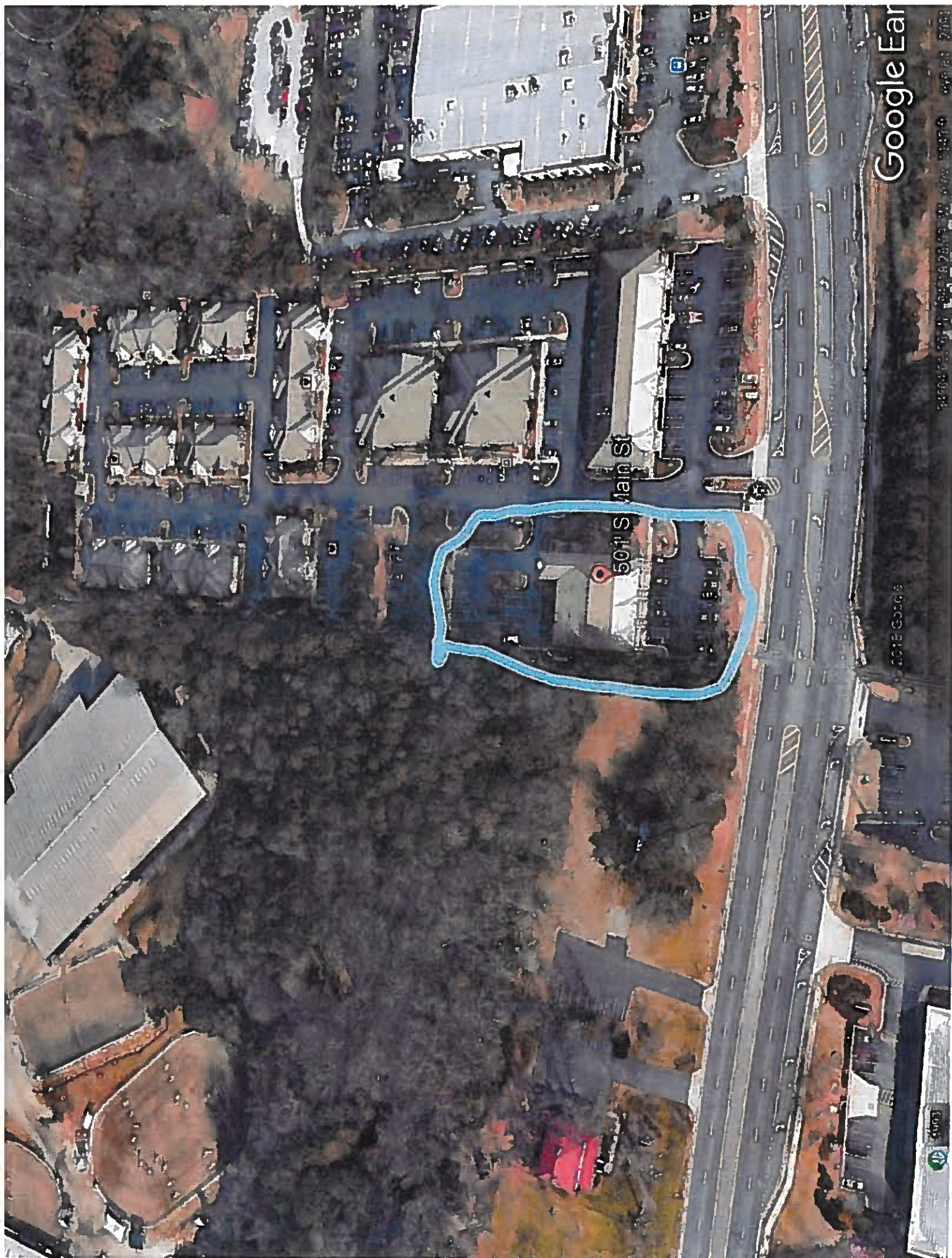
Morley Holdings Inc. will provide insurance certificate, hold harmless agreements, and a parking attendant to direct cars that are parking and/or leaving.

Morley Holdings Inc. is responsible for any and all cleanup which may be directly from any event at The Porch/Matilda's.

Morley Holdings Inc. agrees to pay a minimum of \$3,000.00 per year and after twelve (12) events at The Porch, Morley Holdings Inc. agrees to pay a fee of \$250.00 per event, payment due upon city of Alpharetta approval and Matilda's agrees to pay a fee of \$5.00 per car per event.

**Mike Eskandari
Owner**

**John J. Morley
Morley Holdings Inc.**



Google Earth

© 2018 Google
April 11, 2018

Google



CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name: Rezoning property at 531 and 535 S Main Street from C-1 to DT-MU for The Porch and Matilda

Contact Name: Mary Potter

Telephone: 678-480-6932

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

The main concerns were noise, increased traffic, and parking.

See attached documentation

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: _____

Mary Potter

Date: 8-15-2018



has not yet been received. This email is not a response to the notification.

Response to notification sent out for rezoning

4 messages

John Morley <johnmorley@morleycompany.com>
To: matildasartandmusic@gmail.com

Wed, Aug 15, 2018 at 10:01 AM

Good morning Mary Jane

I received a phone call from the president of the North Falls Association on the approx. 3 pm on Monday August 13, 2018 . The North Falls Association had a meeting and there were some concerns about the music amphitheater. They have a couple of residents who keep their business open till 9 pm. I explain the concept of Matidas which they haven't heard of and after a short conversation he expressed he didn't think this would be an issue.

Thank you

John Morley

Morley Companies



7560 Industrial Court

Alpharetta, Georgia 30004

Office: 770-569-1100

Fax: 770-569-9552

Cell: 404-372-8670

johnmorley@morleycompany.com

Web: www.morleycompany.com

Matildas Art and Music <matildasartandmusic@gmail.com>

Wed, Aug 15, 2018 at 10:01 AM

August 6, 2018

City of Alpharetta
2 Park Plaza
Alpharetta, Ga 30009

RE: Rezoning Application by Morley Holdings, LLC located at 531 and 535 South Main Street, Alpharetta, Ga: rezoning from C-1 to DT-MU.

Dear Property Owner:

Morley Holdings, LLC has filed an application to rezone 2.3 acres on South Main Street from C-1 to DT-MU to permit the property to be used as an event facility for The Porch on South Main and the amphitheater outdoor music venue for Matilda's.

In the event that you may have concerns please respond to us so we can send those reports to the City by August 15th.

The Planning Commission meeting is scheduled for Thursday, September 6, 2018, 6:30 pm at City Hall. The City Council meeting is scheduled for Monday, September 24th, 6:30 pm at City Hall. The public hearing will take place at the Alpharetta City Hall Council Chambers located at 2 Park Plaza, Alpharetta, Ga. 30009. If you would like additional information, please contact Mary Potter at 678-380-6932 or Lynn and John Morley at 404-372-8670 or email matildasartandmusic@gmail.com or Lynn@theporchonsouthmain.com.

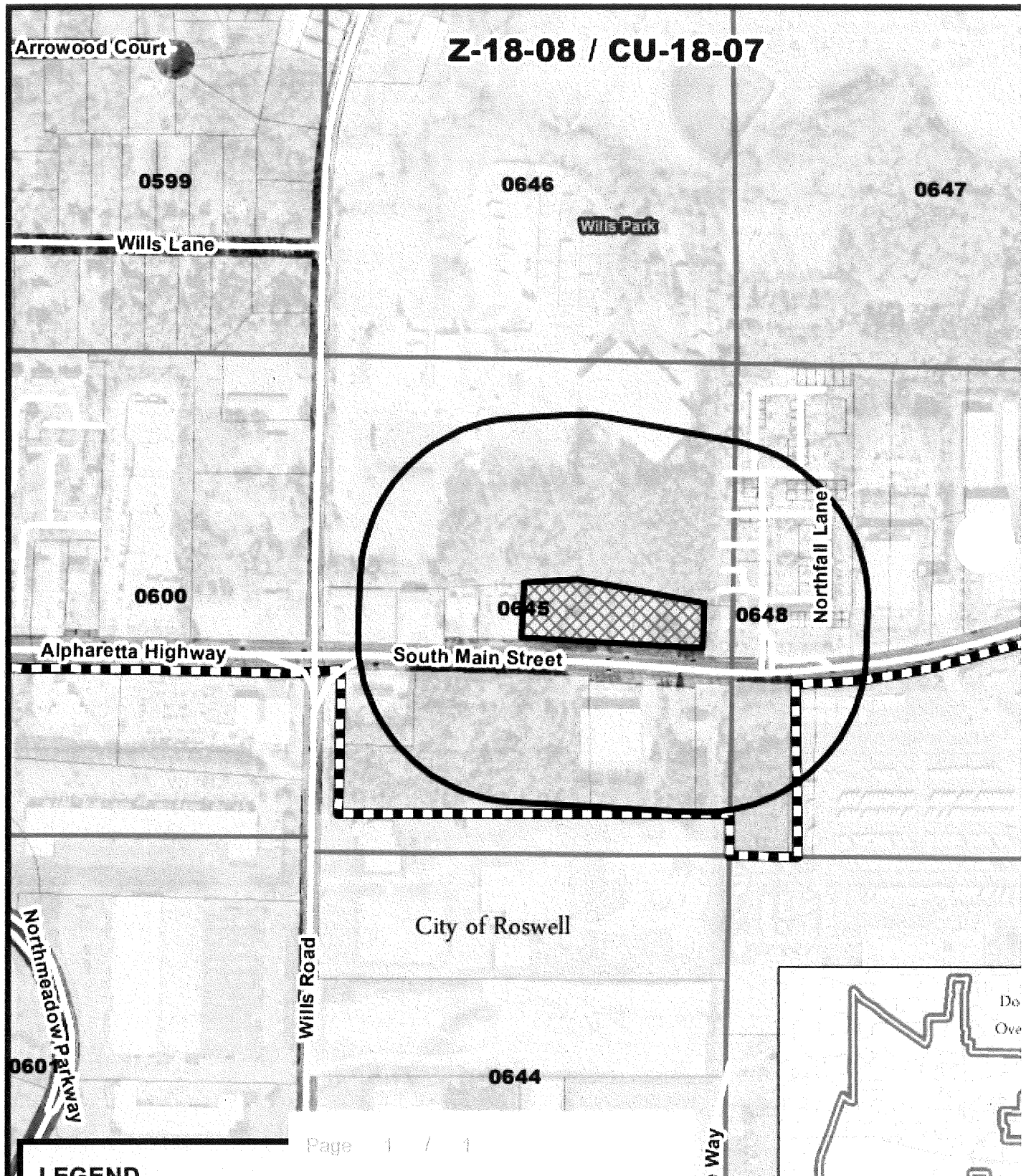
A site plan is attached for your consideration.

Sincerely,

John Morley
Morley Holdings, LLC

Buffer Map.pdf

Open With



500 S MAIN ST LLC
P O BOX 922028
NORCROSS GA 30010

AUTO-BRITE INC
1710 ALPHARETTA HWY
ALPHARETTA GA 30009

BROWNE BEVERLY
11785 NORTHFALL LN # 509
ALPHARETTA GA 30004

CHEN SHYHHER H & HUANG SHUCHI
1424 MURDOCK RD
MARIETTA GA 30062

CHIPPS EDWARD A DDS LLC
11790 NORTHFALL LN # 401
ALPHARETTA GA 30004-7965

CITY OF ALPHARETTA
2 SOUTH MAIN ST
ALPHARETTA GA 30004-0117

CREEKSIDE SERVICES GROUP LLC
11790 NORTHFALL LN # 403
ALPHARETTA GA 30004

D ARVILLE DAVID F & MARY JANE
11775 N FALL LN # 201
ALPHARETTA GA 30004

D ARVILLE DAVID F & MARY JANE
215 MARNE AVE
HADDONFIELD NJ 08033

DAMAGHI KAMBIZ TR
80 CUTTERMILL RD STE 500
GREAT NECK NY 11021

EECHAMPATI KRISHNA & ANUPAMA VENKATA
11785 NORTHFALL LN
ALPHARETTA GA 30004

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE
ATLANTA GA 30315

INFOMATICS CORP
23465 ROCK HAVEN WAY SUITE 100
STERLING VA 20166-4461

KAMMERER REAL ESTATE HOLDINGS LLC
P O BOX 81968
ATLANTA GA 30341

MAHALO HOLDINGS LLC
4808 RIVERVIEW WAY
DULUTH GA 30097

MC WILLIAMS SEAN
11800 NORTH FALL LN # 51402
ALPHARETTA GA 30004

MERIMAR1 LLC
140 HUNTERS RIDGE CT
ROSWELL GA 30076-1073

MORLEY HOLDINGS COFFEE PLANTATION LLC
14765 GLENN CREEK WAY
ALPHARETTA GA 30004

MORLEY HOLDINGS COFFEE PLANTATION LLC
7560 INDUSTRIAL CT
ALPHARETTA GA 30004

O CALLAGHAN JAS P III & JUDITH
1395 BERE A RD
COMMERCE GA 30530

ORPINE PROPERTIES LLC
11785 NORTHFALL LN # 504
ALPHARETTA GA 30004

PRASANTH PROPERTIES LLC
416 PIRKLE FERRY RD SUITE H 400
CUMMING GA 30040

PRASANTH PROPERTIES LLC
2405 HAMPTONS PSGE
ALPHARETTA GA 30005

PS SOUTHEAST TWO LLC
701 WESTERN AVE
GLENDALE CA 91201

RAHMAN PROPERTIES LLC
3015 WHISPERING HILLS DR
ATLANTA GA 30341

REDDRUM PROPERTIES LLC
5330 HUNTERS OAKS DR
ALPHARETTA GA 30009

ROVETEX PROPERTIES LLC
11810 NORTHFALL LN # 1203
ALPHARETTA GA 30004

ROYAL NORTHFALL LLC
2655 HERMITAGE DR
CUMMING GA 30041

SARVI INVESTMENT PARTNERS LLC
1440 WAVERLY GLEN DR
ALPHARETTA GA 30004

SHAH D N
1670 HWY 9 SOUTH
ALPHARETTA GA 30009

SHAMSI ALBERT A
1006 CHERBURY LN
ALPHARETTA GA 30022

SWISS PROPERTIES OF GA LLC
11785 NORTHFALL LN STE 510
ALPHARETTA GA 30009

SYED IMRAN A
11800 NORTHFALL LN # 1401
ALPHARETTA GA 30004

T AND D KING FAMILY LTD PARTNERSHIP LLLP
1125 MOUNTAIN IVY DR
ROSWELL GA 30075

V & T PROPERTY LLC
P O BOX 1294
SUWANEE GA 30024

WAFFLE HOUSE INC
P O BOX 6450
NORCROSS GA 30091

WALLER THOMAS B
128 SAVANNA ESTATES DR
CANTON GA 30115

WHITE RANCH LLC
4050 ROCKINGHAM DR
ROSWELL GA 30075

WILLS ROAD LLC
5481 MORTON RD
ALPHARETTA GA 30022

ZEE HOMES LLC
732 OLD NORCROSS TUCKER RD
TUCKER GA 30084-1621

7.10.18

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

Z-18-08/CU-18-08

MATILDA'S

FOR OFFICE USE ONLY

Case #: PHA180029☐ Fee PaidInitial: RCWaived

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: MARY JANE BUTER Telephone: 678-480-6932

Address: 1219 Hwy 246 Suite: _____

City: Dillard State: Ga Zip: 30537 Fax: _____

Mobile Tel: 678-480-6932 Email: matildasartandmusic@gmail.com

Subject Property Information:

Address: 531 AND 535 S. Main Street Current Zoning: C-1

District: 1st Section: 2nd Land Lot: 645 Parcel ID: _____

Proposed Zoning: OTMU Current Use: C-1 Retail

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?

Our intent is to use the property as an outdoor music venue every Friday and/or Saturday night from 7pm to 10:30 pm during the months of late April through early November. The average number of tickets sold is between 100 and 150 and occasionally up to 200. A temporary stage is set up with the audience seated on the lawn in front of the stage.... The estimated size of the space is 108' x 112'.

Additional parking may be available for overflow with permission granted verbally and more formal agreement to come.

Applicant's Request (Please itemize the proposal):

We are requesting the property be rezoned from C-1 to DTMU to allow for a music venue and small event facility.

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

Our intent is to relocate Matildas Music Venue, a small seasonal outdoor music listening room, to The Porch location which is just up the street from the original Matildas location at 377 S Main Street so as to keep a Matildas music venue in Alpharetta.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name MORLEY HOLDINGS Telephone: 404-372-8670
Address: 1560 Industrial Ct. 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: MARY JANE POTTER Telephone 678-480-6932
Address: 1219 Hwy 246 Suite: _____
City Dillard State Ga Zip: 30537

So Sworn and Attested:

Owner Signature:

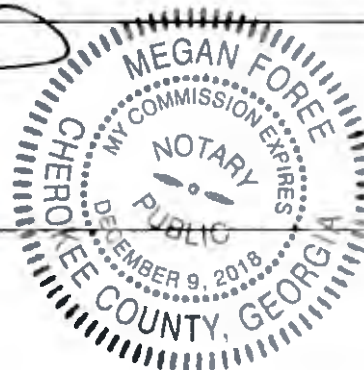
Date:

7/9/18

Notary:

Notary Signature:

Date:



DISCLOSURE FORM

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

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

Name of Applicant or Opponent: _____

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: _____

N/A

Position: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Campaign Contribution Information:

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

Signature: _____



Date: _____

7-9-2018

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

There is no residential close to the music venue and most businesses will be closed during the hours concerts are performed.

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

The music venue will not have a negative impact on the surround properties.

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

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

There would be no increase in traffic as concerts are held when traffic is lower...

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

NA

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

The use would be compatible with the Alpharetta Comprehensive Plan.

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.

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

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

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

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

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.

SIGN VARIANCE REVIEW CRITERIA

Are there exceptional conditions pertaining to the property where the sign is to be located as a result of the property size, shape, or topography which are not applicable to other lands or structures in the area? If "yes," please explain.

☐ Yes

☐ No

Would the applicant be deprived of rights that are commonly enjoyed by others similarly situated? If "yes," please explain.

☐ Yes

☐ No

Would granting the variance confer on the applicant any significant privileges which are denied to others similarly situated? If "yes," please explain.

☐ Yes

☐ No

Are the exceptional circumstances the result of actions of the applicant or the applicant's representatives? If "yes," please explain.

☐ Yes

☐ No

Is the requested variance the minimum necessary to allow the applicant to enjoy rights commonly enjoyed by others similarly situated? If "no," please explain.

☐ Yes

☐ No

Would granting of the variance violate more than one standard of the Unified Development Code? If "yes," please explain.

☐ Yes

☐ No

Would granting the variance result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic? On a separate sheet or sheets, please defend your response.

☐ Yes

☐ No

7.10.18

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:

MATILDAS MUSIC VENUE

Contact Name:

MARY JANE POTTER

Telephone:

678-480-6932

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.

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.

email - matildasartandmusic@gmail.com
phone - 678-480-6932

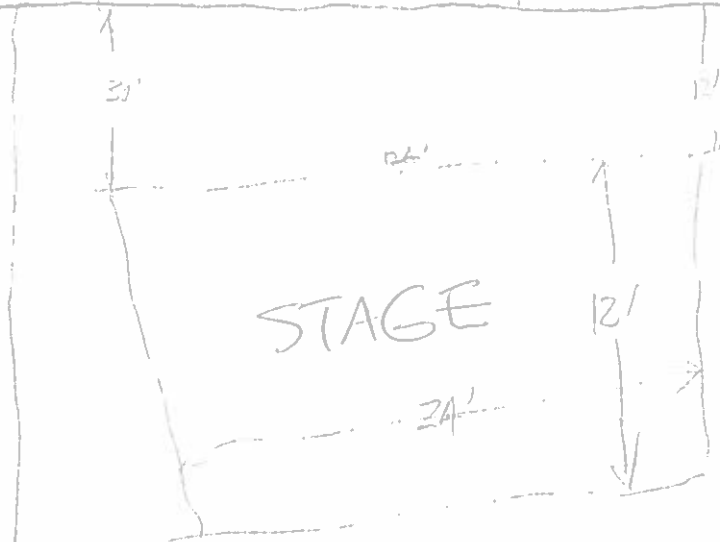
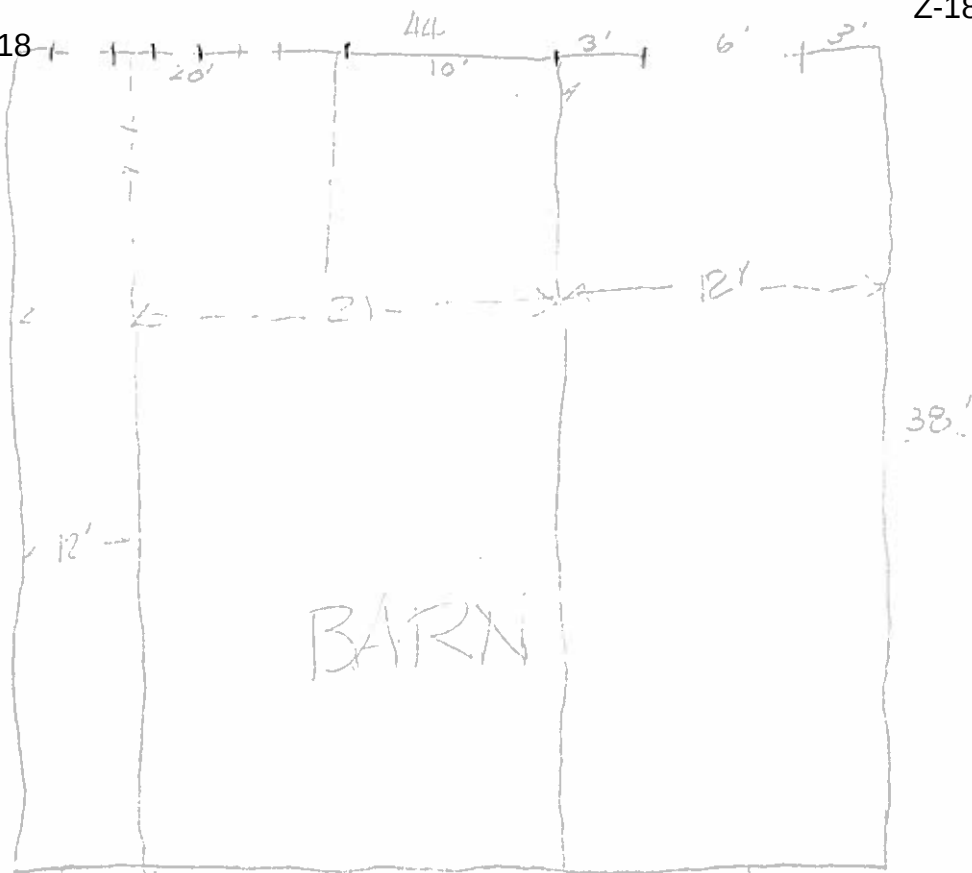
LETTER OF INTENT FOR SMALL EVENT FACILITY AND MUSIC VENUE

Our future intent is to be able to expand the use of the entire property and existing buildings to incorporate an event facility that will host weddings, receptions, corporate parties, and other such functions. Any current structures will be brought up to code and in compliance with City standards...

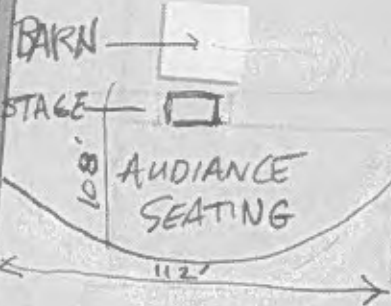
We currently have parking for up to 75 cars and utilizing the shopping center next door to the Porch we will have plenty of parking for larger events. A letter of permission from the adjoining property owner will be attached with the application. Also when needed a traffic cop will be hired to direct traffic....

7.10.18

Z-18-08/CU-18-08
MATILDA'S



AUDIENCE
SEATING
112'



7.10.18



Z-18-08/CU-18-08
MATILDA'S



parking 65 spaces
could be move
with valet.

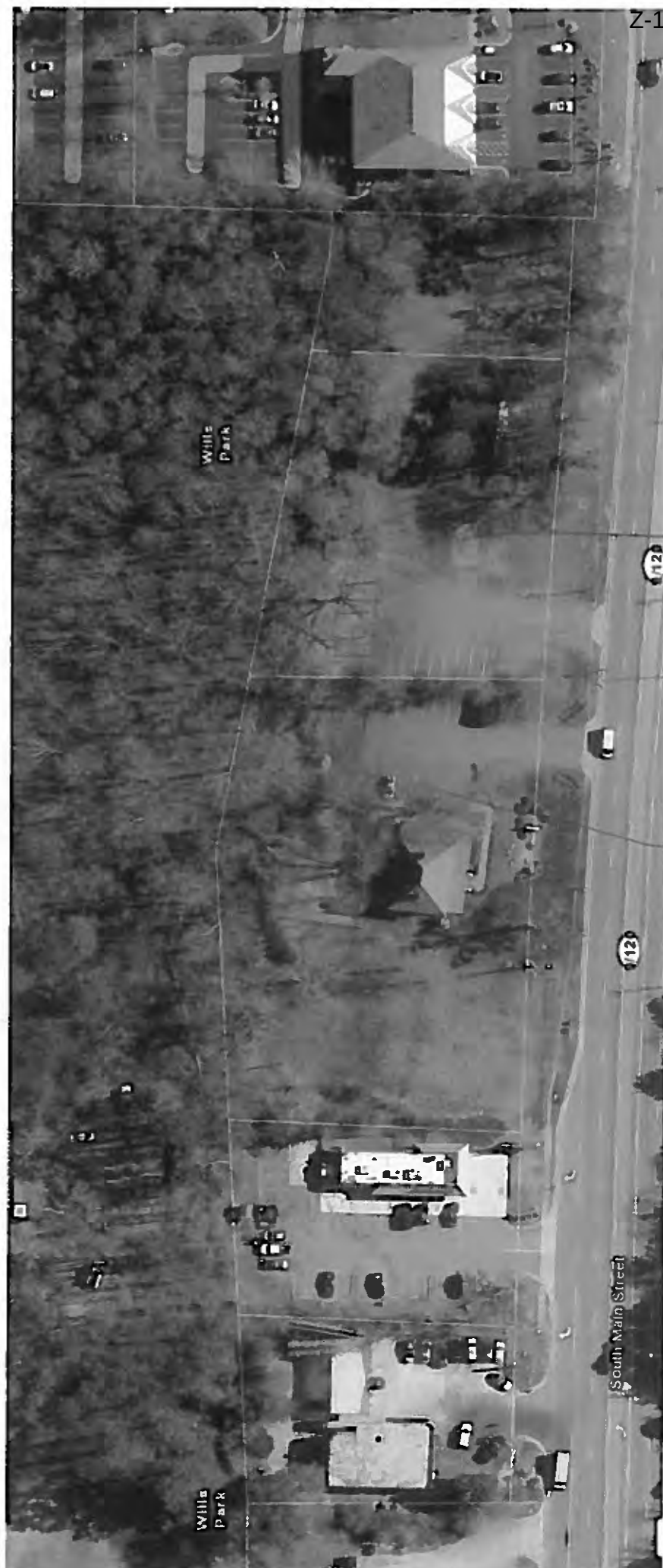
BARN

STAGE

AUDIENCE
SEATING

7.10.18

Z-18-08/CU-18-08
MATILDA'S



[illegible]

3. CONVEYANCE OF ACCESS RIGHTS FROM REDOBIEN MENTAL HEALTH FOUNDATION, INC. TO DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 1, 1980, RECORDED IN DEED BOOK 9779, PAGE 2404, FULTON COUNTY, GEORGIA RECORDS.

THIS DEED DOES NOT AFFECT THE SUBJECT PROPERTY. IT IS NOT KNOWN WHETHER THIS DEED WAS PLAT ATTACHED PREPARED BY GLEN W. HORTON, INC. THAT HAS NOT BEEN FURNISHED TO THE SURVEYOR FOR REVIEW AND THIS CAN NOT BE PLOTTED. HOWEVER, IT DOES NOT APPEAR TO AFFECT THE SUBJECT PROPERTY.

4. DEED OF EMINENT DOMAIN DATED APRIL 15, 1980, FROM JAMES W. GREEN TO FULTON COUNTY, RECORDED IN DEED BOOK 9471, PAGE 447, ABOVE SAID RECORDS.

THIS DEED DOES NOT AFFECT THE SUBJECT PROPERTY. IT IS NOT KNOWN WHETHER THIS DEED WAS PLAT ATTACHED PREPARED BY BRUNDELLO - REINE & ASSOC., INC. DATED SEPTEMBER 11, 1980.

5. ALL MATTERS SHOWN ON PLAT OF SURVEY FOR MARK ROCKES PREPARED BY BRUNDELLO - REINE & ASSOC., INC. DATED SEPTEMBER 11, 1980.

THE DEED DOES NOT AFFECT THE SUBJECT PROPERTY AND ALL MATTERS THAT STILL EXIST ARE SHOWN HEREON.

CURRENT CITY OF ALPHARETTA ZONING: C-1 (MEDIUM-DENSITY CONDOMINIUMS)

ADDITIONAL INFORMATION OBTAIN FROM CITY OF ALPHARETTA WEB SITE:

LOT SIZE AND SETBACK REQUIREMENTS:

A. MINIMUM LOT AREA: 30,000 SQUARE FEET.

B. MINIMUM BUILDING SETBACKS:

FRONT: 35 FEET.

SIDE SETBACK: 15 FEET

REAR SETBACK 10 FEET

MAXIMUM BUILDING HEIGHT: 35 FEET

PARKING REQUIREMENTS:

1 SPACE FOR EACH 200 SQUARE FEET OF GROSS FLOOR SPACE.

REGULAR PARKING SPACES PROVIDED: 13

SHOULDER PARKING SPACES PROVIDED: 0

TOTAL PARKING SPACES PROVIDED: 13

ALL OF THAT PART OF PARCEL OF LAND LYING AND BEING IN LAND LOT 645 OF THE FIRST DISTRICT, 2ND SECTION, CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING COMMENCE AT AN IRON PIN PLACED AT EACH OF THE CURBS AT THE INTERSECTION FORMED BY THE EASTERLY LINE OF LAND LOT 645 (SAID LINE BEING COMMON TO LAND LOTS 645 AND 648) AND THE WESTERLY RIGHT-OF-WAY LINE OF THE HIGHWAY BEING CALLED ALPHARETTA ROAD AND SOUTH MAIN STREET. VARIABLE R/W, AND PROCEED IN A WESTERLY DIRECTION ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY TO THE POINT OF BEGINNING. DISTANCES: 1) NORTH 84°19'21" WEST, A DISTANCE OF 100.0 FEET TO AN IRON PIN FOUND (1" CRIMPED TOP PIPE); 2) THENCE NORTH 84°19'21" WEST, A DISTANCE OF 100.0 FEET TO A POINT; 3) THENCE NORTH 84°03'11" WEST FOR A DISTANCE OF 96.70 FEET TO A POINT; 4) THENCE NORTH 64°34'05" WEST FOR A DISTANCE OF 100.0 FEET TO A POINT; 5) THENCE SOUTH 84°19'21" RE-BACK 89.1' TO BACK OF CURB) AND THE POINT OF BEGINNING.

NOTE: THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR NAMING SAID ENTITIES.

NOTE: ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. MATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED BY OTHERS, AND MATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY THE ACCURACY OF THE INFORMATION. THE FIELD UTILITY COMPANIES LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.

WATTS & BROWNING ENGINEERS, INC. HAS EXAMINED THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) AND IT IS OUR OPINION THAT THE REFERENCED PROPERTY IS LOCATED IN ZONE X-UNSHADED AS PER: FULTON COUNTY FIRM MAP NUMBER 13121C0088 DATED JUNE 22, 1998.

ZONE X DUNSHAWOOD: AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD.

**CITY OF ALABAMA
HILLS PARK PROPERTY**

1.08004 AC
47,046 SF

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN
LAND LOT B45, OF THE FIRST DISTRICT, SECOND SECTION, OF
FULTON COUNTY, GEORGIA, BEING IMPROVED REAL PROPERTY NOW
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND ON THE NORTHERLY RIGHT OF WAY
OF STATE ROUTE S. A/K/A ALPHARETTA ROAD, 329.47 FEET WEST OF
THE INTERSECTION OF THE EAST LINE OF LAND LOT 648 WITH THE
NORTHWEST CORNER OF SECTION 36, TOWNSHIP 10 NORTH, RANGE 10
WEST, DEGREES 38 MINUTES 50 SECONDS WEST LONG A DISTANCE OF
THIRTY TWO FEET TO AN IRON PIN FOUND; THENCE SOUTH
POINT OF WAY STATE ROUTE 9 A DISTANCE OF 86.83 FEET TO
A POINT, THENCE RUNNING NORTH 60 DEGREES 51 MINUTES 30 SECONDS
EAST A DISTANCE OF 170.58 FEET TO AN IRON PIN FOUND; THENCE
NORTH 07 DEGREES 30 MINUTES 10 SECONDS WEST A DISTANCE OF
90.41 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH
DEGREES 36 MINUTES 18 SECONDS EAST A DISTANCE OF 170.58 FEET
TO AN IRON PIN FOUND; THENCE SOUTH 87 DEGREES 22
MINUTES 44 SECONDS EAST 125 FEET TO AN IRON PIN FOUND;
RUNNING THENCE SOUTH 81 DEGREES 38 MINUTES 12 SECONDS EAST
A DISTANCE OF 100.98 FEET TO AN IRON PIN FOUND; THENCE SOUTH
SOUTH 1 DEGREE 32 MINUTES 53 SECONDS WEST A DISTANCE OF
100.98 FEET TO AN IRON PIN FOUND, SAID IRON PIN FOUND BEING
THE POINT OF BEGINNING AND MORE PARTICULARLY SHOWN ON THE
RECORDED SURVEY MAP OF THE ABOVE DESCRIBED ALAND TRACT
REGISTERED LAND SURVEY NO. 2072 AND BALHOLLEN &
ASSOCIATES, INC., DATED SEPTEMBER 11, 1987. LAST REVISION
OCTOBER 28, 1997, BEING IMPROVED REAL PROPERTY KNOWN AS 851
ALPHARETTA ROAD, SUITE 100, FULTON COUNTY, GEORGIA.

THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE OF ONE FOOT IN 95,388 FEET AND AN ANGULAR ERROR OF 00" PER ANGLE POINT, AND WAS LEAST SQUARED ADJUSTED.

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE
AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN
100,000 FEET.

A LEXICA TCR-403 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS MAP.

GRAPHIC SCALE

(IN FEET)
 1.000 = 30 ft.

NOTE:
ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE
PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS
OTHERWISE SHOWN.

TO BROOKHAVEN PEACHTREE, LLC
AND: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH
IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD OF
PRACTICE" REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY
ESTABLISHED AND ADOPTED BY ALTA, AND MSPS IN 2005, AND INCLUDES
THE 7-1/2" X 10-1/2" SIZE OF TABLE THEREOF, PURSUANT
TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND MSPS AND IN EFFECT
ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES
THAT THE PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED
IN THE STATE OF ALABAMA, THAT THIS SURVEY MEETS THE ACCURACY
OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DATE: 6/3/08
1221
VINCE T. HAMMOND, GEORGIA REGISTERED LAND SURVEYOR NO. 2854
ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION ON OCTOBER 3, 2005.
ADOPTED BY THE BOARD OF DIRECTORS, NATIONAL SOCIETY OF PROFESSIONAL
SURVEYORS ON OCTOBER 24, 2005.

ALTA/ACSM LAND TITLE SURVEY FOR
BROOKHAVEN PEACHTREE, LLC AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
LOCATED IN
LAND LOT 645
1ST DISTRICT, 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5502 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7403
FAX: (770) 452-3805

SCALE:	1" = 20'
DATE SURVEYED:	05/29/09
DATE UPDATED:	N/A
SURVEYED BY:	HEMPHILL
DATE DRAFTED:	05/02/09
UPDATE DRAFTER:	N/A
GRABBY ST.:	45004
CHECKED BY:	PH
FIELD BOOK #:	2342
JOB NUMBER:	090310
POLYMER NUMBER:	090310
CONDO FILE:	090310
QIRB FILE:	167-090310
COUNTY/L/LOT:	090310
PLAT FILE:	116/126/09/1/2
REMARKS:	9



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: Z-18-05/E-18-07 KAIROS/OLD MILTON PARKWAY

CITY COUNCIL:

SEPTEMBER 24, 2018

This item was heard at the September 6, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 15 conditions. One resident spoke with concerns over whether or not the appropriate zoning district is being requested and building height. After discussion, the Planning Commission recommended to approve the item subject to staff's recommended conditions with changes to conditions #2 and 14. Vote (6-1)

II. RECOMMENDATION:

Approve Z-18-05/E-18-07 Kairos/Old Milton Parkway, subject to the following conditions:

1. The site, consisting of approximately 2.163 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by Paradigm Engineering Services, Inc., revised 8/20/2018, 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. Maximum building height shall be 3 stories and 48' for Building 'A'. Maximum building height shall be 4 stories and 56' for Building 'B' with 4th story limited to no more than a 3,000 SF restaurant, setback to the rear of the 4th story.
3. Minimum building setbacks shall be:
 - a. Front – 20'
 - b. Side – 0' (min. 10' between structures)
 - c. Rear – 3'
4. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and Downtown Consultant comments, and in compliance with the Alpharetta Downtown Code, subject to approval by the DRB.
5. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff.
6. Street trees shall be required along Old Milton Parkway within the beauty strip (as approved by GDOT), 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.
7. Amenity spaces shall be developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Developer shall remove exotic and invasive trees and shrubs within the area called out as amenity space at the rear of the property, as approved by Staff.
8. Planting beds shall be required in front of buildings to accommodate shrubs and vines.
9. The project entrance shall include a decorative knee wall and shall be heavily landscaped with 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. Developer shall save trees as depicted on the plan prepared by Paradigm Engineering Services, Inc., revised 8/20/2018. In addition, developer shall save the following trees: #21 (37" Water Oak), #31 (38" Water

Oak) and 20" Black Walnut. City Arborist may approve up to a 20% encroachment into the CRZ with additional tree care to offset the encroachment, as approved by Staff.

11. Developer shall plant 6" (min.) caliper Willow Oaks, or other species approved by Staff, for every 50' of frontage along Old Milton Parkway.
12. 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.
13. Decorative paver aprons shall be required at project driveway(s), as approved by Staff.
14. All new utilities shall be placed underground.
15. Traffic study shall be required at LDP evaluating SR120/Haynes Bridge, SR120/Kingry and SR120/site driveway to determine if signal control changes are necessary, as well as appropriate driveway configuration.

III. REPORT IN BRIEF:

The applicant, Kairos Development Corporation, is requesting a rezoning of 2.163 acres from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale' Residential) to DT-LW (Downtown Live-Work) to allow for the construction of a 30,000 square foot office building and a 22,260 square foot office building with a 3,000 square foot rooftop restaurant wrapping a parking deck. An exception is requested to increase the building height of the 30,000 square foot office building from 40' to 48' and to increase the height of the 22,260 square foot office building from 3 stories and 40' to 4 stories and 56'. The subject property is located at 2260, 2270 & 2300 Old Milton Parkway on the north side of Old Milton Parkway east of Haynes Bridge Road.

DISCUSSION

The submitted request, if approved, will allow for the construction of a 30,000 square foot office building and a 22,260 square foot office building with 3,000 square foot rooftop restaurant wrapping a parking deck on 2.163 acres. The applicant proposes rezoning of the property from R-12 and O-I to DT-LW, as well as an exception to increase the building heights from three (3) stories and 40' to three (3) stories and 48' and four (4) stories and 56'. The subject property is located at 2260, 2270 & 2300 Old Milton Parkway on the north side of Old Milton Parkway east of Haynes Bridge Road.

The subject property represents three (3) parcels of land, of which two (2) parcels are zoned O-I and one (1) is zoned R-12. The O-I properties are developed with a crematory and a former home that was converted to an office. The R-12 property is undeveloped. Surrounding properties are zoned DT-LW to the north, O-I to the east, O-I and R-12 to the south and C-2 to the west. Property owned by River Rock Development, LLC is located to the west, Thompson Street Flats (Kairos Development) to the north, State Bank to the east and My First Academy daycare and undeveloped land to the south. The proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use Live Work'.

As shown in the table below, the applicant's proposed non-residential density is consistent with other Downtown developments. The applicant proposes 52,260 square feet of office and 3,000 square feet of restaurant, which represents a non-residential density of 25,583 square feet per acre. The applicant proposes structured parking, which helps off-set the higher density by providing more greenspace.

Development Name	Office (SF)	Retail (SF)	Acres	Density
Applicant's Proposal	52,260 SF	3,000 SF	2.16 acres	25,583 SF/acre
Providence Group/Chelsea Walk	30,000 SF		1.0 acre	30,000 SF/acre
Wellstar	40,000 SF		2.34 acres	17,094 SF/acre
Teasley Place*	4,820 SF	16,609 SF	1.52 acres	14,098 SF/acre
55/61 Roswell Street	30,000 SF		0.72 acres	41,794 SF/acre

*Does not include 3 floors of residential above. Including residential, the overall density of Teasley Place increases to 69,361 square feet per acre.

An exception is requested from Appendix A: Alpharetta Downtown Code to increase the maximum building height allowed in the DT-LW district, which is three (3) stories and 40'. Building 'A' (30,000 square foot office building) is proposed to be three (3) stories and 48' and Building 'B' (22,260 square foot office building) is proposed to be four (4) stories and 56' to allow for a 3,000 square foot rooftop restaurant. The applicant provided an exhibit depicting Building 'A' with a 20' ground-floor and 14' 2nd- and 3rd-floors. Building 'B' has a 15' ground-floor, 14' 2nd and 3rd-floors and 13' 4th-floor. Larger ground floor heights are encouraged in the Downtown. As shown in the exhibit below, building heights along Old Milton Parkway and Thompson Street in the vicinity of the applicant's property typically do not exceed 40'. However, there are a few exceptions including the applicant's property to the north that received a height exception to 48', Old Milton Holdings – Liberty Village allows up to 45', City Center mixed use buildings are 60' and City Hall is 86'.



SITE PLAN

The submitted site plan depicts a 4-story, 22,260 square foot office building (Building 'B') with a 3,000 square foot rooftop restaurant wrapping a 3-level parking deck on the western half of the property and a 3-story, 30,000 square foot office building (Building 'A') on the eastern half of the property. Both office buildings comply with the maximum permitted building footprint (10,000 square feet) in the DT-LW district.

One (1) project driveway is depicted on Old Milton Parkway at the midpoint of the property frontage. 198 parking spaces are depicted within a 3-level parking deck, of which the UDC would require a total of 163 parking spaces for the proposed uses. A ten-foot (10') sidewalk is depicted along Old Milton Parkway and a 50' undisturbed buffer is proposed on the applicant's property to the north. Minimum building setbacks are consistent with the DT-LW development standards and other developments along Old Milton Parkway.

- Front (Old Milton Parkway) – 20'
- Side – 0'
- Rear – 3'

The applicant's site plan depicts 11,819 square feet, or 12.5%, of amenity space on the site, which includes a tree save area and walking trail at the rear of the site. The applicant's site plan exceeds the minimum 10% amenity space required in the DT-LW district. If approved, amenity areas should be improved with landscape and hardscape to provide gathering and seating areas.

There are several trees on the subject property, consisting primarily of Hardwoods. Specimen trees are generally located along Old Milton Parkway and at the rear of the property. Half of the specimen trees identified on the property are listed in 'Poor' condition. Staff initially had concerns with the applicant's site plan, which did not save many trees. The applicant revised the site plan to incorporate additional tree save areas, including along Old Milton Parkway and at the rear of the property. The tree save area at the rear of the property adjoins a large tree save area on the applicant's adjacent property to the north. A 'Good' condition large specimen tree is proposed to be removed for the building and from impacts due to a decal lane and sidewalk along Old Milton Parkway. Underground detention is depicted within the pervious paver plaza area located between the buildings.

ELEVATIONS

The applicant's proposed renderings reflect Beaux Arts architectural style, which is an approved style in the Downtown Overlay. Building 'A' is depicted to have a 110' façade length and Building 'B' a 200' façade length. Both buildings having classic retail storefronts on the ground floor and are primarily brick. The office buildings comply with the 200' maximum façade length for 'General Building' type in the Downtown. Initially, Building 'B' was shown with a shorter façade length, but the parking deck was exposed to Old Milton Parkway. In an effort to screen the parking deck, the applicant extended Building 'B'. Teasley Place has a façade length of 200' along Milton Avenue and 255' along Canton Street, City Center mixed use buildings have a façade length of 240' along Academy Street and Commerce Street, and Liberty Village has façade lengths up to 225' along Old Milton Parkway.

The City's Downtown Consultant reviewed the proposed building elevations and finds the buildings to be generally in compliance with the architectural, material and building design regulations in the Downtown Code. The following comments were provided by the Downtown Architect:

- Need side and rear elevations, as well as floor plans
- Difficult to understand the overall massing of Building 'B'
 - o What is the extent of the penthouse floor? What are the materials and details of the penthouse?
 - o Small balconies are difficult to understand without seeing floor plan and side views
 - o Need more detail on parapet
 - o Need more detail on glass railing, not convinced it works with building architecture

TRAFFIC

The applicant provided a trip generation report, which shows that the proposed development would generate 151 PM Peak Hour trips.

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
General Office	710	52,260 ft ²	69	11	80	11	56	67	308	308	616
Drinking Place	925	7,420 ft ²	na	na	na	55	29	84	451	451	902
<i>Total</i>			<i>69</i>	<i>11</i>	<i>80</i>	<i>66</i>	<i>85</i>	<i>151</i>	<i>759</i>	<i>759</i>	<i>1,518</i>

STANDARDS FOR ZONING CHANGES

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

- a. Whether the zoning proposal will permit a use that is suitable in view of the zoning use and development of adjacent and nearby property.

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. Old Milton Parkway is predominately developed with office and retail uses, with residential uses primarily found along Thompson Street.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are predominately developed with office and retail uses along Old Milton Parkway and residential uses along Thompson Street.

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

Response: The applicant's proposal should not have significant impacts on the natural environment.

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

Response: The subject property could be developed with office and single-family detached lots under the existing zoning. Old Milton Parkway is not an appropriate location for single-family detached use.

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

Response: The zoning proposal should not have significant impacts on public facilities or services. The proposal would represent an increased demand on roads, but would not impact schools or parks.

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

Response: The subject property is located in the Downtown Overlay, which includes opportunities for properties to develop under the Downtown zoning districts.

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

Response: The applicant's zoning proposal reflects a reasonable balance as the proposed development would result in the redevelopment of an existing funeral home and single-family structure. A funeral home is inconsistent with the type of business that is desired in the City's Downtown and Old Milton Parkway is an inappropriate location for a single-family lot.

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

Response: Office is a permitted use on two (2) of the three (3) parcels of land. The R-12 parcel can only be developed as a single-family lot, which is inconsistent with the development pattern along Old Milton Parkway. The proposed rezoning to DT-LW would allow for development that is consistent with the vision of the Downtown Master Plan.

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

Response: The proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use Live Work'.

EXCEPTION REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting an exception. The ordinance specifically states..."an exception may be granted 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: Not applicable.

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

Response: The applicant states that the height exception is necessary to achieve a larger ground-floor height, which is consistent with the Downtown Code. Several developments in the Downtown have large ground-floor heights (up to 24'), including City Center, The Lofts, Liberty Hall and Teasley Place. Although the rooftop restaurant proposed for Building 'B' would be desirable in the Downtown, there is not enough information about the restaurant to justify the requested 4th story nor similar approvals in the immediate area. However, the rooftop restaurant represents only 28% of the area of the 4th story and due to topography the buildings will appear to have similar heights.

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

Response: Not applicable.

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the City of Alpharetta ordinances.

Response: Approval of the height exception should not cause substantial detriment to the public good, if conditions are approved limiting the building height to three (3) stories and 48'. The applicant states that the height exception is necessary to achieve a larger ground-floor height, which is consistent with the Downtown Code. Several developments in the Downtown have large ground-floor heights (up to 24'), including City Center, The Lofts, Liberty Hall and Teasley Place. Although the rooftop restaurant proposed for Building 'B' would be desirable in the Downtown, there is not enough information about the restaurant to justify the requested 4th story nor similar approvals in the immediate area. However, the rooftop restaurant represents only 28% of the area of the 4th story and due to topography the buildings will appear to have similar heights.

CONCURRENCES

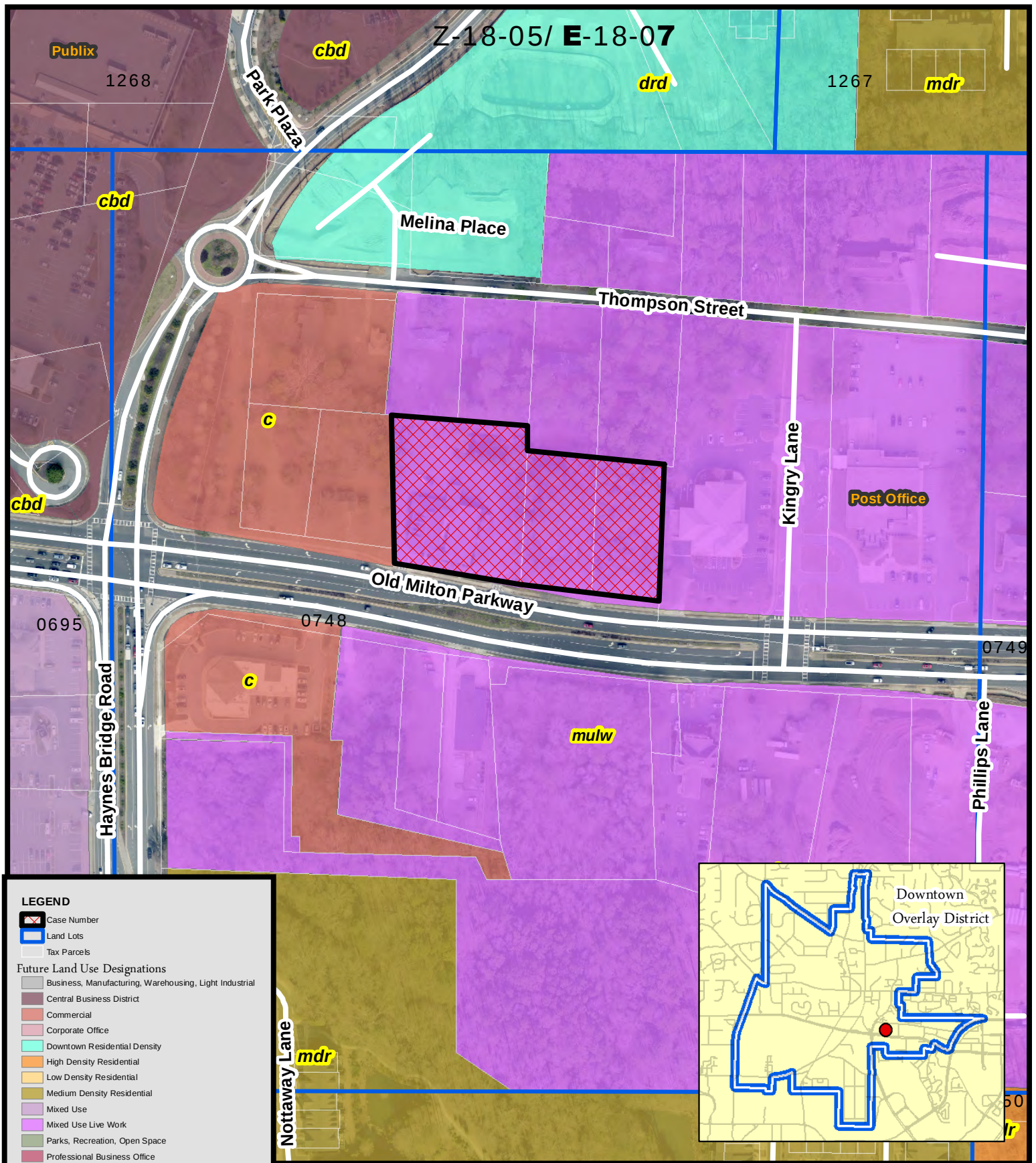
Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for rezoning and height exception, if conditions are placed on the approval limiting the maximum height of both buildings to three (3) stories and 48'. The zoning proposal is consistent with the vision of the Downtown Master Plan and the City's Comprehensive Plan. The request to increase the building height by eight (8) feet to 48' is consistent with regulations in the Downtown Code, which encourage larger ground-floor heights. Although a rooftop restaurant is a desirable use in the Downtown, there is not enough information about the restaurant to justify the requested additional building story nor could Staff find similar approvals in the immediate area.

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 a few of the neighbors support the request and no concerns have been received.

IV. ATTACHMENTS:

- Site Plan
- Renderings

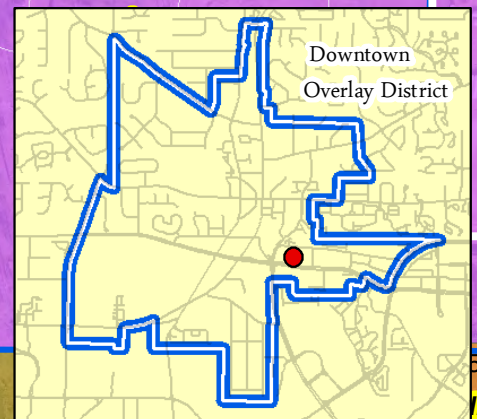


LEGEND

- Case Number
- Land Lots
- Tax Parcels

Future Land Use Designations

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



Future Land Use Kairos Old Milton LLC DT-LW

Z-18-05 / E-18-07

D/LL: 1/2/748

PC Date: 9/06/18

CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



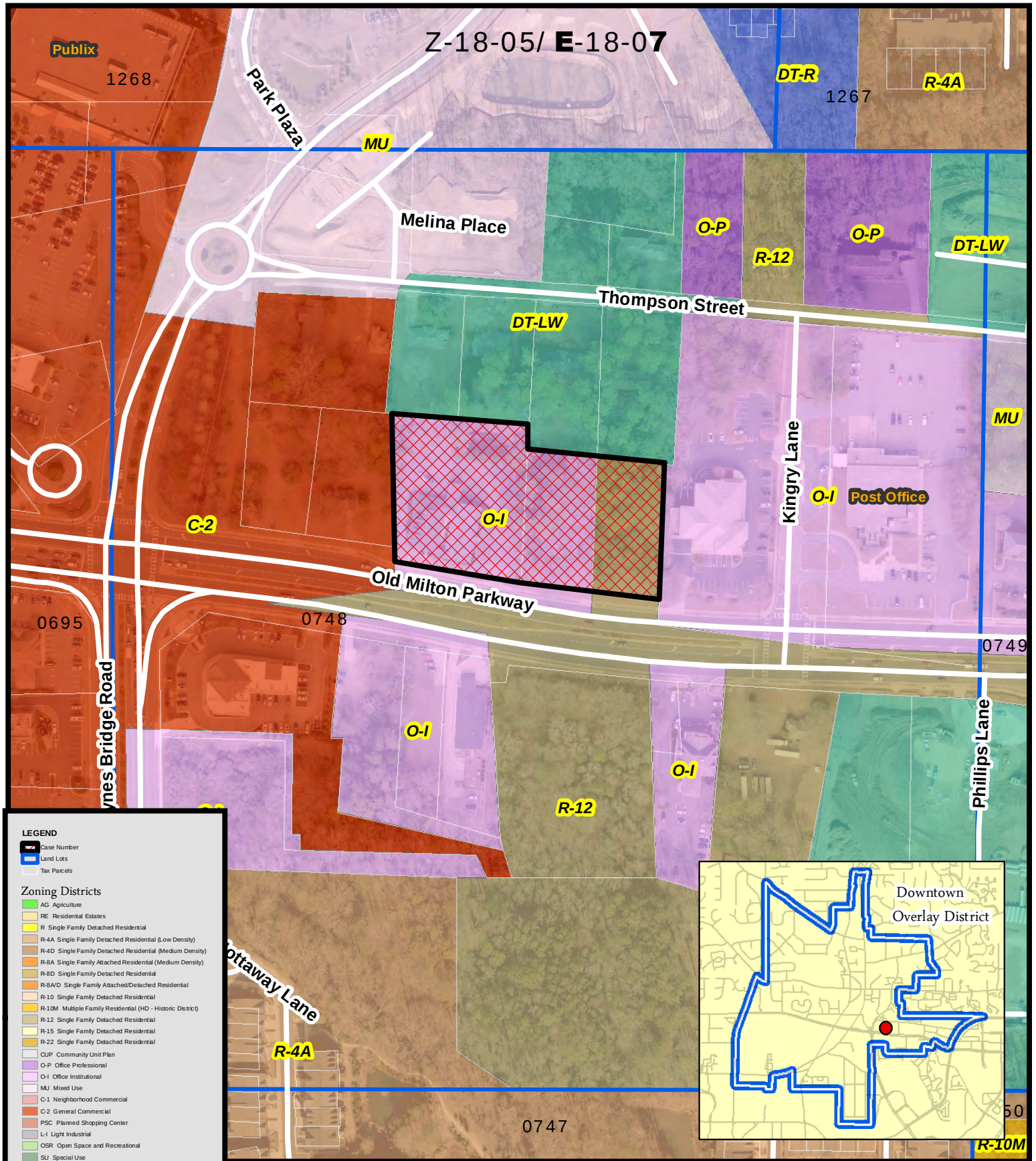


Aerial Map
Kairos Old Milton LLC
DT-LW

Z-18-05 / E-18-07
D/LL: 1/2/748
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



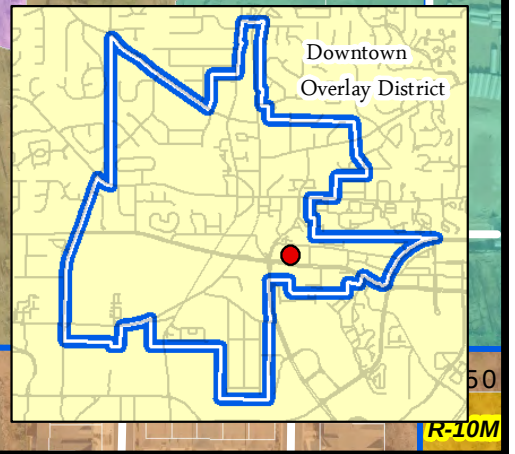


LEGEND

- Case Number
- Land Lots
- Tax Parcels

Zoning Districts

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

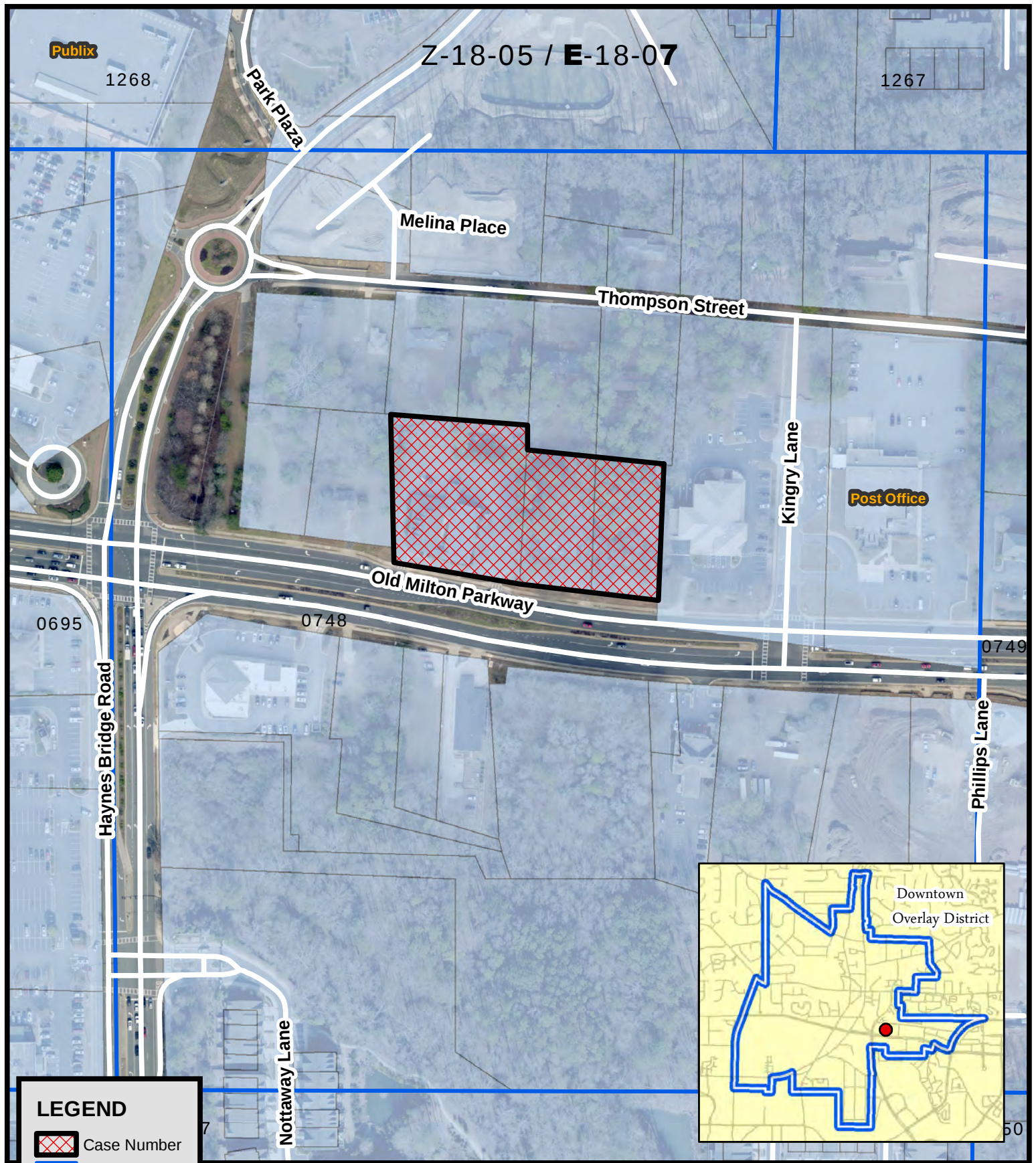


Zoning Map Kairos Old Milton LLC DT-LW

Z-18-05 / E-18-07
D/LL: 1/2/748
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS





Location Map
Kairos Old Milton LLC
DT-LW

Z-18-05 / E-18-07
D/LL: 1/2/748
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS



CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name: One Alpharetta City

Contact Name: Arthur Rountree Telephone: 404-401-0807

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.

Public Participation Letters were mailed via certified mailing, notifying adjacent and nearby property owners of the proposed

application. The mailing list is attached. Personal meetings with our direct adjacent neighbors were also conducted face to

face with plans. There have been no concerns raised. We met with State Banks branch manager Connie Woltz (east neighbor)

and Lawson Finlayson with River Rock Development (west neighbor) and Tony and Joy Guven (south neighbors) and Mo Gayasuddin of 82 Thompson land owner and Mary Beth and Bram Kriger new home owners at Voyce Lot 1.

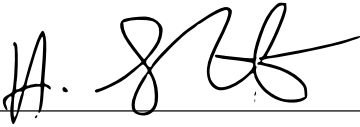
The response has been well received and the office concept has been welcomed.

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: 08/29/2018

Print Form

Connie J Woltz
NMLS # 618434
Vice President
Branch Manager III
connie.woltz@statebt.com

**STATE
BANK**
& Trust Company

404-266-4207 ph
404-266-4215 f
770-714-9469 c
NMLS ID#441508

Absolutely.™

Connie- "This is fabulous looks great "

SABRI GUVEN
Fine Jewelry

TONY GUVEN
FAMILY OWNED AND OPERATED

2225 OLD MILTON PKWY
ALPHARETTA, GA 30009
TSGUVEN@AOL.COM

PHONE: 770-777-4800
FAX: 678-762-9100
SABRIGUVENFINEJEWELRY.COM

Tony - "This will bring more customers"


RIVER ROCK
Development, LLC

Lawson Finlayson
President

11785 Northfall Lane
Suite 510
Alpharetta, GA 30009
www.riverrockdevelopment.com

m: 678.736.7570
d: 678.736.7571
c: 404.630.0200
e: lawson@riverrockdevelopment.com

Lawson - "We will support you. If you'd like me to come to the meeting let me know"

**Home Owner
in Voice**

Mary Beth Kriger 7-855 2139
Bram

Mary Beth - "Good to see something nice going at the funeral home"

ALPHARETTA BK VENTURE LLC
Or Current Property Owner
6400 POWERS FERRY RD SUITE 100
ATLANTA GA 30339

CHAN TIN & ENG DANNY
Or Current Property Owner
3975 OLD MILTON PKWY # S 1
ALPHARETTA GA 30005

FULTON COUNTY GEORGIA
Or Current Property Owner
141 PRYOR ST
ATLANTA GA 30303

JBGL ATLANTA DEVELOPMENT LLC
Or Current Property Owner
2805 DALLAS PKWY SUITE 400
PLANO TX 75093

MC KNIGHT CAROLYN S
Or Current Property Owner
910 DOGWOOD TRL
HIAWASSEE GA 30546-3815

MULL JAMES R
Or Current Property Owner
2385 OLD MILTON PKY
ALPHARETTA GA 30009

RANSOPHER TAD D
Or Current Property Owner
82 THOMPSON ST
ALPHARETTA GA 30004

STATURE PROPERTIES LLC
Or Current Property Owner
675 SEMINOLE AVE SUITE 301
ATLANTA GA 30307

COOK KATHRYN E
2325 MELINA PL
ALPHARETTA GA 30009

CHRISTIE CHRIS N & CHRISTIE FRANCES B
2420 MELINA PL
ALPHARETTA GA 30009

AYCOCK ELVIN L
Or Current Property Owner
185 THOMPSON ST
ALPHARETTA GA 30004

CRP EAH TS L L C
Or Current Property Owner
2303 CUMBERLAND PKWY SE
ATLANTA GA 30339

HAYNES PARK NEIGHBORHOOD ASSOCIATION INC
Or Current Property Owner
500 SUGAR MILL RD BLDG/STE B200
SANDY SPRINGS GA 30350

K & S OLD MILTON LLC
Or Current Property Owner
3396 CAVERTON LANE
ALPHARETTA GA 30022

MILTON HALL LLC
Or Current Property Owner
2365 OLD MILTON PKY SUITE 200
ALPHARETTA GA 30009

NEWHALL LAND CO
Or Current Property Owner
2974 HARDMAN CT
ATLANTA GA 30305

SEISAN MFA PROPERTIES LLC
Or Current Property Owner
2425 OLD MILTON PKWY
ALPHARETTA GA 30009

UNITED STATES POSTAL SERVICE
Or Current Property Owner
1735 NORTH BROWN RD SUITE 200
LAWRENCEVILLE GA 30043-8153

MORACA LISA
2400 MELINA PL
ALPHARETTA GA 30009

BUCKLEY KERRY M TR
Or Current Property Owner
1985 SOUTHERS CIR
SUWANEE GA 30024

DREYFUS PROPERTIES L L C
Or Current Property Owner
6094 ODELL ST
CUMMING GA 30040

HOM LLC
Or Current Property Owner
11785 NORTHFALL LANE SUITE 510
ALPHARETTA GA 30009

KDC THOMPSON LLC
Or Current Property Owner
410 PEACHTREE PKWY STE 4245
CUMMING GA 30041

MOSS LESLIE MOSS RHONDA
Or Current Property Owner
112 THOMPSON ST
ALPHARETTA GA 30004

PUBLIX SUPER MARKETS INC
Or Current Property Owner
P O BOX 32018
LAKELAND FL 33802-2018

STATE BANK & TRUST COMPANY
Or Current Property Owner
4219 FORSYTH RD
MACON GA 31208

MILLER CONNOR & MILLER KATHERINE ELIZABETH
2410 MELINA PL
ALPHARETTA GA 30009



Subject Property: 2260, 2270, 2300 Old Milton Parkway

Letter of Intent

The subject property is located on the north side of Old Milton Parkway and on the east side of Haynes Bridge Road (next to State Bank). It is approximately 2.163 acres that includes an existing funeral home/crematory and an old blue dilapidated commercial house.

The property consists of (3) three separate parcels, including:

- 2260 Old Milton Pkwy (zoned OI) Parcel ID 12 270307480305
- 2270 Old Milton Pkwy (zoned OI) Parcel ID 12 27030707480487
- 2300 Old Milton Pkwy (zoned R12) Parcel ID 12 270307480479

The Applicant, Kairos Development Corporation, Inc. (“Applicant”), requests to change the current zoning of all (3) three parcels to DT-LW. Currently the properties are zoned OI and R12. The DT-LW zoning is consistent with the vision for the Alpharetta Comprehensive Plan and the Downtown Future Land Use. The request supports DT-LW for this location. The applicant has carefully designed the site to reflect what today’s office tenants desire, which is walkable amenities in a Live Work environment.

The proposed development will be greatly benefited by the new Alpha Loop and City Center that is currently under construction. The Office tenants will be able to walk to the cafes for a sandwich and take a stroll on the Alpha Loop at lunch.

The Applicant seeks to construct:

- (1) One professional 3 story, 30,000 square foot office “Building A”. The brick and glass office building will have a 10,000 SF footprint with a 48’ maximum height restriction.
- (1) One professional 3 story 22,260SF office “Building B” plus a 4th story 3,000 square foot rooftop open-air restaurant with an outdoor roof terrace. The professional office “Building B” faces Old Milton Parkway and screens the parking garage to hide it from view.
- (1) one parking garage to provide 198 spaces that is screened by professional office “Building B”.

The Applicant is requesting:

- To change the zoning to all (3) parcels to DT-LW.
- A variance is requested to increase the maximum building height of the 30,000 square foot office building from 3 stories and 40’ to 3 stories and 48’.
- A variance is requested to increase the maximum building height of the 22,260 square foot professional office building from 3 stories and 40’ to 4 stories and 56’ to allow for a 3,000 square foot covered, open air restaurant use.

The project will help the City accomplish its planning objectives through the emphasis on pedestrian connectivity and walkable downtown office. The rooftop venue will utilize parking during evening hours, when traffic and office parking needs are diminished. Additionally, this project will provide a beautiful, classical aesthetic to the street-scape which serves as gateway to the City Center coming from Avalon. The Applicant respectfully asks that the city council to approve the DT-LW zoning with variances as requested.

Sincerely,

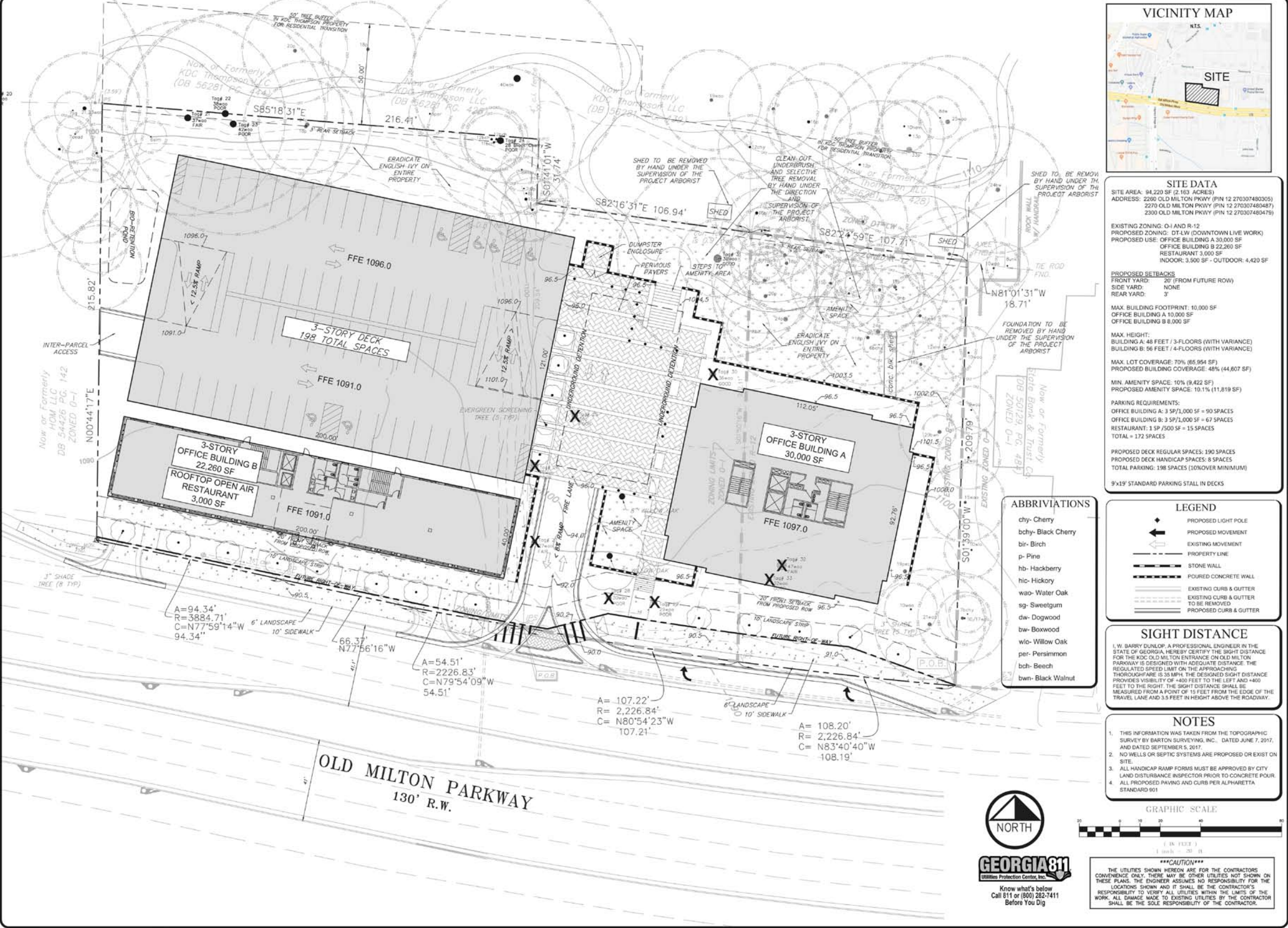
H. Arthur Rountree
Kairos Development Corporation, Inc.

LETTER OF INTENT

O N E A L P H A R E T T A C I T Y



a r c h e t y p e
d e s i g n 



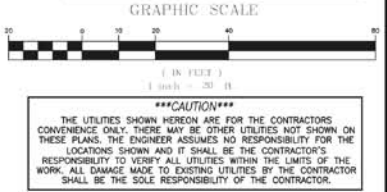
SITE DATA	
SITE AREA: 94,220 SF (2.163 ACRES)	
ADDRESS: 2280 OLD MILTON PKWY (PIN 12 270307480305)	
2270 OLD MILTON PKWY (PIN 12 270307480487)	
2300 OLD MILTON PKWY (PIN 12 270307480479)	
EXISTING ZONING: O-1 AND R-12	
PROPOSED ZONING: DT-LW (DOWNTOWN LIVE WORK)	
PROPOSED USE: OFFICE BUILDING A 30,000 SF	
OFFICE BUILDING B 22,260 SF	
RESTAURANT 3,000 SF	
INDOOR: 3,500 SF - OUTDOOR: 4,420 SF	
PROPOSED SETBACKS	
FRONT YARD:	20' FROM FUTURE ROW
SIDE YARD:	NONE
REAR YARD:	3'
MAX. BUILDING FOOTPRINT: 10,000 SF	
OFFICE BUILDING A 10,000 SF	
OFFICE BUILDING B 8,000 SF	
MAX. HEIGHT:	
BUILDING A: 48 FEET / 3-FLOORS (WITH VARIANCE)	
BUILDING B: 56 FEET / 4-FLOORS (WITH VARIANCE)	
MAX. LOT COVERAGE: 70% (65,954 SF)	
PROPOSED BUILDING COVERAGE: 48% (44,607 SF)	
MIN. AMENITY SPACE: 10% (9,422 SF)	
PROPOSED AMENITY SPACE: 10.1% (11,819 SF)	
PARKING REQUIREMENTS:	
OFFICE BUILDING A: 3 SP/1,000 SF = 90 SPACES	
OFFICE BUILDING B: 3 SP/1,000 SF = 67 SPACES	
RESTAURANT: 1 SP/500 SF = 15 SPACES	
TOTAL = 172 SPACES	
PROPOSED DECK REGULAR SPACES: 190 SPACES	
PROPOSED DECK HANDICAP SPACES: 8 SPACES	
TOTAL PARKING: 198 SPACES (10% OVER MINIMUM)	
9'x19' STANDARD PARKING STALL IN DECKS	

ABBREVIATIONS	
chy-	Cherry
bchy-	Black Cherry
bir-	Birch
p-	Pine
hb-	Hackberry
hic-	Hickory
wao-	Water Oak
sg-	Sweetgum
dw-	Dogwood
bw-	Boxwood
wio-	Willow Oak
per-	Persimmon
bch-	Beech
bwn-	Black Walnut

LEGEND	
	PROPOSED LIGHT POLE
	PROPOSED MOVEMENT
	EXISTING MOVEMENT
	PROPERTY LINE
	STONE WALL
	POURED CONCRETE WALL
	EXISTING CURB & GUTTER
	EXISTING CURB & GUTTER TO BE REMOVED
	PROPOSED CURB & GUTTER

SIGHT DISTANCE
I.W. BARRY DUNLOP, A PROFESSIONAL ENGINEER IN THE STATE OF GEORGIA, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE KDC OLD MILTON ENTRANCE ON OLD MILTON PARKWAY IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 35 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF 400 FEET TO THE LEFT AND 400 FEET TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM THE EDGE OF THE TRAVEL LANE AND 3.5 FEET IN HEIGHT ABOVE THE ROADWAY.

- NOTES**
- THIS INFORMATION WAS TAKEN FROM THE TOPOGRAPHIC SURVEY BY BARTON SURVEYING, INC., DATED JUNE 7, 2017, AND DATED SEPTEMBER 5, 2017.
 - NO WELLS OR SEPTIC SYSTEMS ARE PROPOSED OR EXIST ON SITE.
 - ALL HANDICAP RAMP FORMS MUST BE APPROVED BY CITY LAND DISTURBANCE INSPECTOR PRIOR TO CONCRETE POUR.
 - ALL PROPOSED PAVING AND CURB PER ALPHARETTA STANDARD 901



Project No.	P-1605
Design By	WBD
Drawn By	LBF
Checked By	WBD
Date	4/30/18
Scale	1"=20'

No.	Date	Revision
1	5/29/18	ZONING PLAN REVISION - ADDRESS STAFF COMMENTS
2	7/9/18	REVISION - ADDRESS STAFF COMMENTS
3	7/9/18	REVISION - ADDRESS STAFF COMMENTS
4	7/9/18	REVISION - ADDRESS STAFF COMMENTS
5	7/9/18	REVISION - ADDRESS STAFF COMMENTS
6	7/9/18	REVISION - ADDRESS STAFF COMMENTS
7	7/9/18	REVISION - ADDRESS STAFF COMMENTS
8	7/9/18	REVISION - ADDRESS STAFF COMMENTS
9	7/9/18	REVISION - ADDRESS STAFF COMMENTS
10	7/9/18	REVISION - ADDRESS STAFF COMMENTS

KDC MILTON, LLC

410 Peachtree Parkway
Suite 4245
Cumming, GA 30041
Phone: (404) 350-1444

ZONING SITE PLAN

ONE Alpharetta City

OLD MILTON PARKWAY
LAND LOT 747, 1ST DISTRICT, 2ND SECTION
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

Drawing No.	Z1
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ONE ALPHARETTA CITY



archetype
design



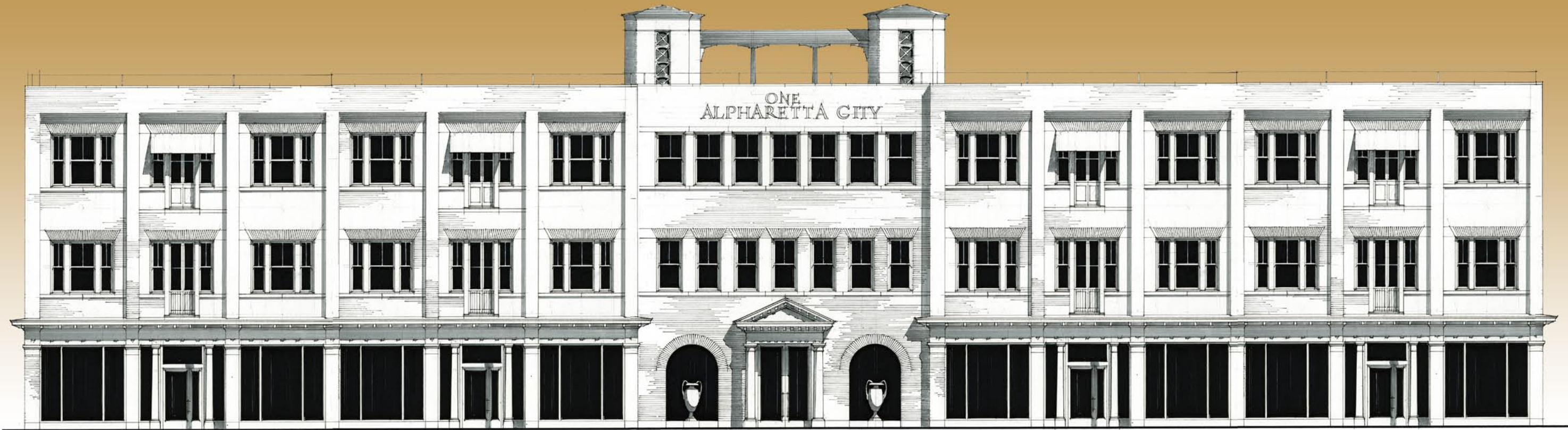
OFFICE BUILDING A • 3 FLOORS • 30,000SF

Architectural Style and Materials Narrative for Building A (110’ wide):

- The façade of BuildingA is designed in the Beaux Arts Style.
- The façade of Building A will be defined by a 3-part composition, divided into 3 bays each, totaling 9. The center 3 bays will project 1’ and are emphasized by a massive pediment. The 3story ensemble will be composed of a larger scaled arcaded ground floor (the piano nobile) with classic retail storefronts. The 2nd story will be next in importance, with large mullioned windows. The 3rd story will contain slightly diminished window sizes, that gain prominence due to their lofty height and proximity to the cornice.
- Shadow brick, cut Roman and jack arches, cut stone sills and water table base, and a heavy modillioned cornice provide period tailoring to the building facades.
- A classical building with a Georgian dialect, the frontispiece features a carved keystone and festoon. The tympanum is accented with a roundel, complete with brick keys. An oversized 6 panel door is flanked by spare and noble sconces.

ONE ALPHARETTA CITY





KAIROS DEVELOPMENT CORPORATION
— AUGUST 1, 2018 —
LEW OLIVER, INC.

OFFICE BUILDING B • 3 FLOORS + ROOF TERRACE • 25,260SF

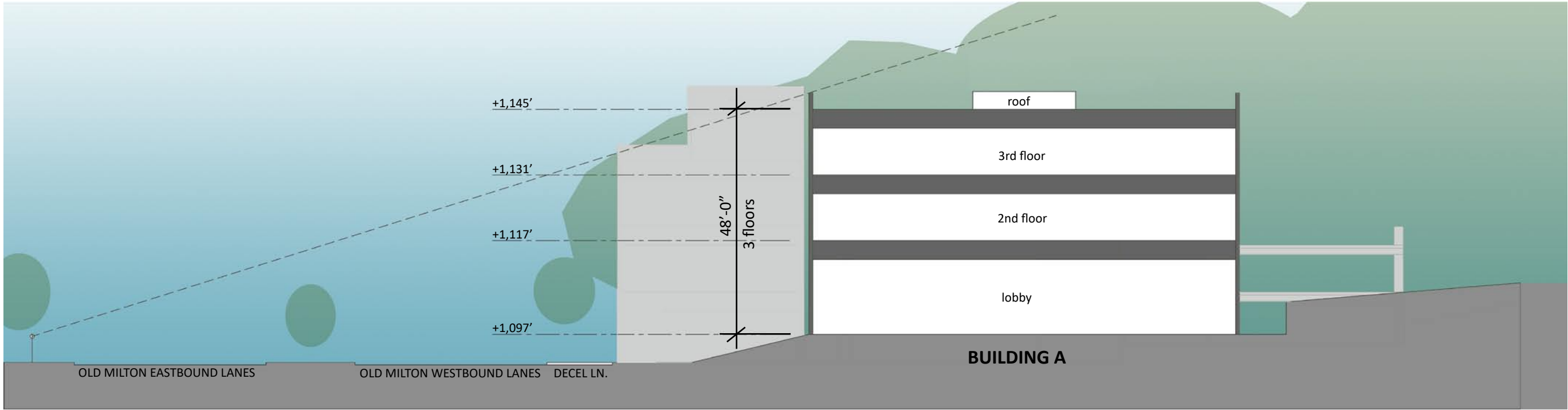
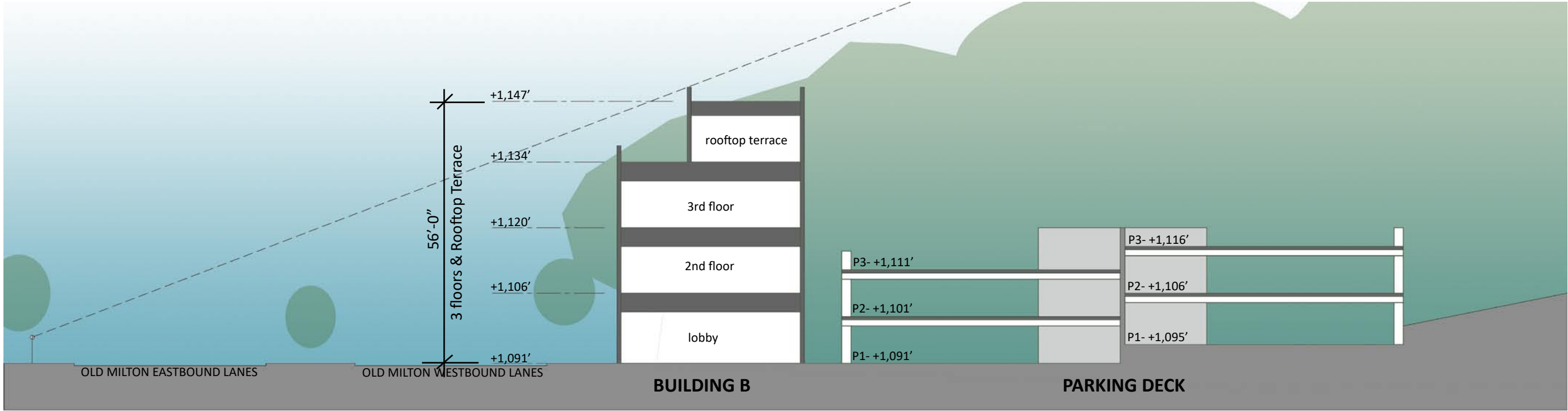
Architectural Style and Materials Narrative for Building B (200’ wide):

- The façade of Building B is designed in the Beaux Arts Style.
- The façade of Building B will be divided into 15 bays, 6 bay groupings anchoring the corners separated by a 3-bay spacer.
- Bays are defined by subtle offsets and abstracted pilasters. The 3-story composition begins with a classic retail storefront at the base (the piano nobile), defined with Tuscan pilasters and colonettes and a modillioned entablature which may contain a gilded sign band.
- Upper floors are composed of large ganged windows, flush jamb balconies, and shed awnings.
- The center “spacer”, contains a classical frontispiece characterized by 2 large Roman Doric columns supporting a modillioned pediment. This element is flanked with deep reveal arches and urns. Upper stories contain repetitive windows, the 3rd floor fenestration being defined by simple, square planned colonettes.
- The building is crowned by a pair of classical pavilions with breezeblock panels linked with a pergola element. The parapet is capped with cut stone and a glass rail.

ONE ALPHARETTA CITY



archetype
design



BUILDING HEIGHT EXHIBIT



Memorandum

Date: August 16, 2018

From: Marc R. Acampora, PE

Subject: Trip Generation for One Alpharetta City, Old Milton Parkway Proposed Office and Bar Development
City of Alpharetta, Georgia

The trip generation was calculated for a proposed multi-use office and bar development on Old Milton Parkway, east of Haynes Bridge Road, in the City of Alpharetta. The location of the site is shown in Figure 1 and the proposed site plan is presented in Figure 2.

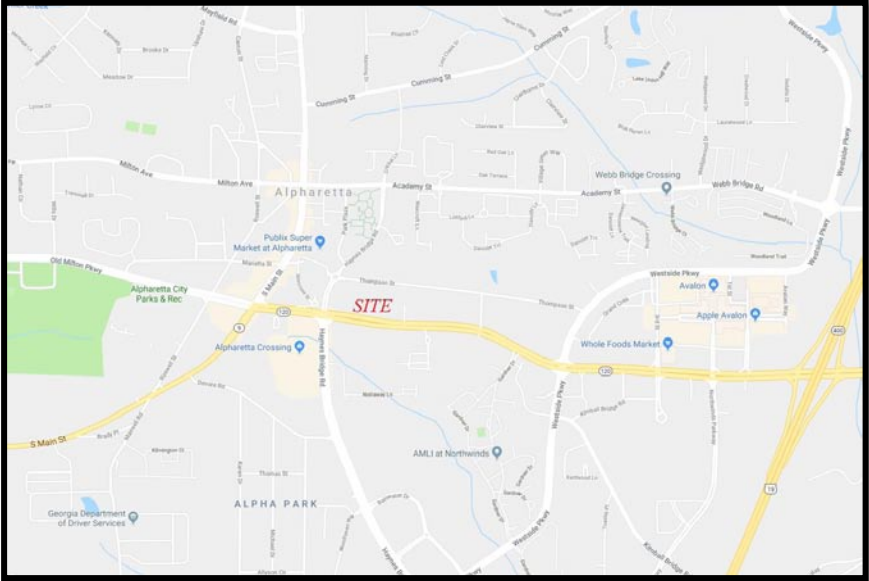
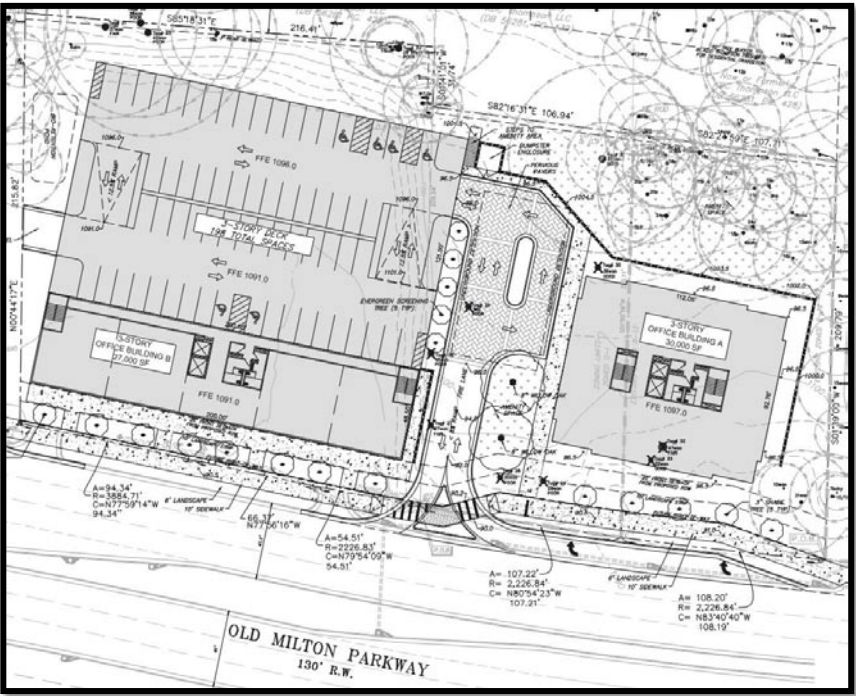


Figure 1 – Site Location Map



site plan by Paradigm Engineering

Figure 2 – Site Plan

The project will include two buildings with 30,000 square feet of office in Building A and 22,260 square feet of office in Building B (for a total of 52,260 square feet of office; note numbers have changed slightly from those shown on plan) plus a bar with 3,000 square feet of interior space and a 4,420 square foot rooftop patio. Parking will be served by a deck and vehicular access will be provided at one right-in / right-out access along the north side of Old Milton Parkway as well as an interparcel connection to the adjacent property to the west.

The volume of traffic that will be generated by the proposed development was calculated using the equations and rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (the current edition). The trip generation for the office was calculated using ITE Land Use 710 – General Office Building. The trip generation for the rooftop bar was calculated using ITE Land Use 925 – Drinking Place. It is expected that the patio will be a significant portion of the bar’s regularly-used space and will see heavy use through much of the year. Therefore, the patio square footage was combined with that of the interior space for the trips calculations. Note that no trip data was available for the bar for the a.m. peak hour or a 24-hour period. Given the typical operation of a bar, it is expected that trip activity in the morning peak hour will be negligible. The 24-hour number was estimated by using the trip data for ITE Land Use 931 – Quality Restaurant, which also has very low morning trip generation and somewhat similar trip characteristics to the high quality bar that this is expected to be. A ratio was

developed of the average trip rates for the 24-hour weekday to the p.m. peak hour (83.84/7.80 = 10.75) and that ratio was applied to the p.m. calculated trips for the bar to produce the weekday trips for the bar.

Sometimes, pass-by trips are subtracted from retail and restaurant land uses to represent trips that are already passing the site and will just stop for retail or dining purposes enroute to their final destination. In this case, it is expected that this rooftop bar will be highly destination-oriented and that pass-by trips will be low. Therefore, to be conservative, no pass-by reduction was applied to the bar trip generation.

The trip generation calculations are summarized in Table 1.

Table 1 – One Alpharetta City Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
General Office	710	52,260 ft ²	69	11	80	11	56	67	308	308	616
Drinking Place	925	7,420 ft ²	na	na	na	55	29	84	451	451	902
Total			69	11	80	66	85	151	759	759	1,518

The proposed development will generate 80 new trips in the a.m. peak hour, 151 new trips in the p.m. peak hour, and 1,518 new trips in a 24-hour weekday.

TRIP GENERATION REPORT

ONE ALPHARETTA CITY



archetype
design



BUILDING B

BUILDING A

STATE BANK

CONTEXTUAL BUILDING HEIGHT PERSPECTIVE: FROM ACROSS OLD MILTON PARKWAY FACING NW

BUILDING HEIGHT EXHIBIT

O N E A L P H A R E T T A C I T Y





BUILDING B

BUILDING A

CONTEXTUAL BUILDING HEIGHT PERSPECTIVE: FROM ACROSS OLD MILTON PARKWAY FACING NE

BUILDING HEIGHT EXHIBIT

ONE ALPHARETTA CITY





City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Public Safety

Submitted By:

Meeting Date: September 24, 2018

I. AGENDA ITEM TITLE: ROOF REPLACEMENT AT PUBLIC SAFETY HEADQUARTERS (PHASE 3)

II. RECOMMENDATION:

Please award a contract for the replacement of the remaining roof section at the Public Safety Headquarters main building to Garland/DBS, Inc. (under the competitively procured US Communities contract #14-5903) in the amount of \$115,235 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: \$115,235

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Roof Replacement (E911 Fund; 21531800-541300-C1229)	\$50,000.00
Roof Replacement (Capital Fund; 30131150-541300-C1229)	\$65,235.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
-	\$0.00
-	\$0.00

IV. REPORT IN BRIEF:

Due to the age of the previous ballasted EPDM roof system and consistent roof leak service calls at Public Safety Headquarters since 2013, a four-phased re-roofing plan was developed. Please reference the Public Safety Headquarters map for a visual guide.

- Phase 1 entailed the replacement of the roof at the Jail facility and was completed in 2016.
- Phase 2 entailed replacement of the roof at the main Public Safety Headquarters building and was completed in conjunction with the Headquarters Expansion project in 2018.
- Phase 3 is the source of this request and entails replacement of the remaining portions of the Public Safety Headquarters main building (e.g. E911, Garage).
- Phase 4 includes the detached Evidence Building and was included in the FY 2019 Budget as a restoration at a smaller financial impact (and smaller warrantied life at 10-years). After further review, restoration is not an ideal solution for this roof and full-replacement is recommended. Residual funding will be transferred to non-allocated and this project will be included in a future capital request.

This request is for Phase 3 and entails replacement of the remaining portions of the Public Safety Headquarters (e.g. E911, Garage). A detailed scope-of-work has been attached hereto.

This project is being awarded to Garland/DBS Inc. under the U.S. Communities program (cooperative purchasing alliance). US Communities is a nonprofit instrumentality of government that assists local and state government agencies in reducing the cost of purchased goods/services through pooling the purchasing power of public agencies nationwide. This is accomplished by competitively solicited contracts for quality products/services through lead public agencies (e.g. city, county, or state agencies that issue the underlying formal solicitations). Cobb County GA, as lead public agency, competitively solicited the Garland contract and made it available under the terms of the U.S. Communities program.

Benefits of the Garland contract under U.S. Communities include: (a) pricing competitiveness; (b) turnkey single source accountability (Garland is both the manufacturer and managing contractor for roof product installations) that ensures warranty integrity; and (c) speedy implementation using pre-qualified contractors. The city contracts directly with Garland as the contractor on the project. Garland is the supplier of roofing materials (pricing established through US Communities competitively solicited contract pricing) and manages roofing subcontractors (local pricing through sealed quotes).

Garland has solicited quotes from the following pre-qualified subcontractors.

- \$115,235: Safe Shield, LLC.
- \$135,792: Eskola, LLC
- \$139,668: Ben Hill Roofing & Siding Co., Inc.
- \$181,058: Innovative Roofing Group

Garland's low-quote subcontractor is Safe Shield LLC.

The FY 2019 Budget included funding totaling \$140,000 for the Phase 3 scope (discussed above; \$100,000) and the Phase 4 scope (discussed above: \$40,000). Due to the escalation of labor rates, and the labor-intensity of roofing work, pricing has escalated above the 2019 Budget estimate for the Phase 3 scope. As discussed above, the Phase 4 scope will be changed from a restoration to a full-replacement. Completion of the Phase 3 scope will involve utilization of a portion of the funding originally set aside for Phase 4. Remaining funds will be moved to non-allocated. Phase 4 will be a component of a future funding request with the scope revised to reflect full-replacement.

The City has used Garland for multiple roof repair/replacement projects including: replacement of the roof segments identified above at Public Safety Headquarters: roof restoration, wall restoration, shingle, and metal edge roof section repairs at multiple Parks and Recreation facilities (Crabapple Government Center, Wills Park Pool Concession, Alpharetta Community Center, Equestrian Center, Wills Park Recreation Center and Arts/Crafts Center, etc.); roof replacements for Fire Stations 1, 3, and 4: etc. and has found their work, products and responsiveness to be exceptional. Once a contract with Garland has been finalized and executed, completion will take no longer than 45 days from Notice-to-Proceed. This timeframe includes the ordering and delivery of all materials.

V. ALTERNATIVES:

VI. ATTACHMENTS:

PS HQ Roof Replacement Map, USC Proposal - 25-GA-180874 - City of Alpharetta - Public Safety HQ, Master Agreement 14-5903 (Garland - US Communities)



PUBLIC SAFETY HEADQUARTERS

ROOF REPLACEMENT TIMELINE



Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055



ROOFING MATERIAL AND SERVICES PROPOSAL

City of Alpharetta
Public Safety HQ and Evidence Building Alternate
2565 Old Milton Pkwy
Alpharetta, GA 30009

Date Submitted: 08/30/2018
Proposal #: 25-GA-180874 R.1
MICPA # 14-5903

GEORGIA General Contractor License #: GCCO003281

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Cobb County, GA and U.S. Communities. This budget/estimate should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered a competitive bid process for the project with the hopes of providing a lower market adjusted price whenever possible.

Scope of Work:

1. Remove ballast and concrete walkways and dispose of as directed by City Staff.
 2. Slice EPDM membrane every 10 ft. of roof field, as well as at base of all flashings, penetrations and perimeters to allow for complete relaxation of rubber membrane. Remove any blistering roofing membrane to create even surface for application of recovery board.
 3. Contractor is responsible for installing any necessary tapered insulation crickets and sumps to accommodate positive drainage.
 4. Fasten down a staggered 1/2" inch HD recovery board through existing roof into metal deck in accordance with fastening pattern provided by addendum.
- 1.2 FIELD INSTALLATION: COLD APPLIED ROOF SYSTEM
- A. MODIFIED PLIES: Cut base sheet (Stressbase 80) and Cap Sheet (Stressply Plus FR Mineral) into 18 foot lengths and allow plies to relax before installing. Install in interply adhesive applied at the rate required by the manufacturer. Shingle sheets uniformly over the prepared substrate to achieve the number of plys specified. Shingle in proper direction to shed water on each large area of roofing.
1. Lap ply sheet ends 8 inches. Stagger end laps 12 inches minimum.

2. Solidly bond to the base layers with specified cold adhesive at the rate of 2 gallons per 100 square feet.
 3. Roll must push a puddle of adhesive in front of it with adhesive slightly visible at all side laps. Care should be taken to eliminate air entrapment under the membrane.
 4. Allow the base sheets to cure at least ten minutes before installing the cap sheet. **HOWEVER, THE MODIFIED CAP MEMBRANE MUST BE INSTALLED WITHIN THREE DAYS OF THE BASE SHEET.**
 5. Install subsequent rolls of modified across the roof as above with a minimum of 4 inch side laps and 8 inch staggered end laps. Lay modified membrane in the same direction as the base sheet, but the laps shall not coincide with the laps of the base layers.
 6. Heat weld side and end laps of cap sheet, ensuring pencil thin bleed out.
 7. Extend membrane 2 inches beyond top edge of all cants in full application of the cold adhesive as shown on the Details.
- B. Fibrous Cant Strips: Provide non-combustible perlite or glass fiber cant strips at all wall/curb detail treatments where angle changes are greater than 45 degrees. Cant may be set in approved cold adhesives or mechanically attached with approved plates and fasteners.
- C. Wood Blocking, Nailers and Cant Strips: Provide wood blocking, nailers and cant strips as necessary.
1. Wood nailers should match the height of any insulation, providing a smooth and even transition between flashing and insulation areas.
 2. Nailer lengths should be spaced with a minimum 1/8 inch gap for expansion and contraction between each length or change of direction.
 3. Nailers and flashings should be fastened in accordance with Factory Mutual "Loss Prevention Data Sheet 1- 49, Perimeter Flashing" and be designed to be capable of resisting a minimum force of 200 lbs/lineal foot in any direction.

1.3 FLASHING INSTRUCTIONS AT ALL AREAS -

- A. Flashing Base Ply:
1. During Flashing Installation, do not permit conditions to exist that will allow moisture to enter behind, around or under the new roofing membranes.
 2. Remove EPDM Membrane flashings
 3. Adhere Stressbase 80 to exposed substrate with Flashing Bond
 4. Secure the tops of all flashings that are not run up and over curb through termination bar fastened at 6 inches (152 mm) O.C. and sealed at top with Tuff Stuff MS Sealant.
- B. Flashing Cap Ply:
1. During Flashing Installation, do not permit conditions to exist that will allow moisture to enter behind, around or under the new roofing membranes.

2. Adhere Cap Ply to the underlying base flashing ply with Flashing Bond. Nail off at a minimum of 8 inches (203 mm) o.c. from the finished roof at all vertical surfaces.
3. Coordinate counter flashing, cap flashings, expansion joints and similar work with modified bitumen roofing work as specified.
4. All stripping shall be installed prior to cap sheet flashing installation.
5. Heat and scrape granules when welding or adhering at cut areas and seams to granular surfaces at all flashings.
6. Secure the top edge of the flashing sheet using a termination bar only when the wall surface above is waterproofed, or nailed 4 inches on center and covered with an acceptable counter flashing.
7. All vertical flashing seams shall heat welded to ensure pencil thin bleed out.
8. Install new 24ga color matching skirt metal under existing coping caps or counter flashings and fasten 12" inches on center. Skirt metal shall extend over new roofing plies no less than 2" inches and be fitted tightly to the flashing membranes.

1.4 CUSTOM FLASHING DETAILS: PERIMETER WALLS HIGHER THAN 2.5 FEET

1. Cut and Remove EPDM exactly 12" up the vertical wall with neat, straight line.
2. Install base and cap plies in flashing bond and terminate with surface mounted counter flashing detail at 12" up vertical wall. Heat Weld side and end laps.
3. Set back side of Surface Mounted Counter Flashing in a thick bead of Greenlock Structural Adhesive (not GreenLock XL), and fasten into studs, 16" on center.
4. Install bead of Tuff Stuff MS White at top of Surface Mounted Counter Flashing.
5. Apply 4" Unibond Tape to all EPDM seams above counter flashing
6. Apply White Knight Plus Base Coat to Unibond Tape at 6" width
7. Apply White Knight Plus Top Coat to Entire Wall at 2 gal per square (bottom of coping metal down to bottom of surface mounted counter flashing.
8. Install new 24ga color matching skirt metal under existing coping caps and fasten 12" inches on center. Skirt metal shall extend over new wall coating no less than 2" inches and be fitted tightly underneath existing copings.

1.5 INSTALLATION PIPE SUPPORTS & WALKPADS

- A. Replace all existing pipe supports with new rubber pipe supports and clamps.
- B. Adhere Commercial Innovations Walk Pads in Green-Lock Structural Adhesive along service sides of RTU's & roof hatch access point. Drawing layout to be provided by Addendum.

Line Item Pricing

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
4.22	Insulation Recovery Board & Insulations Options: RECOVERY BOARD TYPE 1/2" Treated Gypsum Insulation Board with Glass-Mat (e.g. DensDeck / Securock / Equal) Installed Over an Existing Roof Adhered with Insulation Adhesive	\$ 1.66	6000	SF	\$ 9,960
11.11.01	BUILT-UP MODIFIED ROOF WITH MINERAL CAP SHEET ADHERED IN COLD PROCESS ASPHALT: ROOF CONFIGURATION 2 ply Glass Base, Mineral Cap Sheet, Set in Cold Process Modified Asphalt: ROOFING MEMBRANE OPTION: - ASTM D 6163 SBS Fiberglass Reinforced Modified Bituminous Sheet Material Type I - Minimum of 70 lbf/in tensile	\$ 5.83	6000	SF	\$ 34,980
12.31.03	2-PLY ROOF SYSTEMS - COMBINATIONS OF A BASE PLY & A CAP SHEET (TOP PLY) PLEASE NOTE: BASE PLY & CAP SHEET COMBINATIONS MUST BE APPROVED BY THE MANUFACTURER: ROOF CONFIGURATION 1 Ply Cap Sheet, Flood Coat and Aggregate Adhered in Cold Process Modified Asphalt: ROOFING MEMBRANE OPTION: - ASTM D 6162 SBS Fiberglass/Polyester Reinforced Modified Bituminous Sheet Material Type III - Minimum of 310 lbf/in tensile	\$ 6.76	6000	SF	\$ 40,560
20.11.01	NEW FLASHINGS FOR ROOFING SYSTEMS & RESTORATION OPTIONS: ROOF FLASHINGS FOR MODIFIED & COAL TAR PITCH ROOF SYSTEMS:	\$ 13.66	405	SF	\$ 5,532
20.999	NEW FLASHINGS FOR ROOFING SYSTEMS & RESTORATION OPTIONS: ROOF FLASHINGS FOR MODIFIED & COAL TAR PITCH ROOF SYSTEMS: Minimum 1 Ply of Base Flashing and Mineral Cap Sheet Installed in Hot ASTM D 312 Type III or IV Asphalt: - PER SQUARE FOOT COSTS - INSTALLING IN COLD PROCESS FLASHING ADHESIVE Substitute Hot Asphalt Application for Cold Process	\$ 6.49	405	SF	\$ 2,628
	Sub Total Prior to Multipliers				\$ 93,661

22.21	JOB SITE SPECIFIC MULTIPLIERS APPLIED TO EACH LINE ITEM ON ASSOCIATE JOB: MULTIPLIER - ROOF HEIGHT IS GREATER THAN 2 STORIES EQUAL TO OR LESS THAN 5 STORIES Multiplier Applied when the Roof Height Exceeds 2 Stories, but is Equal to or Less than 5 Stories. Situation Creates the Need for Additional Safety Protection and Increased Crane Work.	25%	1 %	\$ 23,415
22.45	JOB SITE SPECIFIC MULTIPLIERS APPLIED TO EACH LINE ITEM ON ASSOCIATE JOB: MULTIPLIER - ROOF SIZE IS GREATER THAN 5,000 SF, BUT LESS THAN 10,000 SF Multiplier Applied when Roof Size is Less than 10,000 SF, but Greater than 5,000 SF Fixed Costs: Equipment, Mobilization, Demobilization, Disposal, & Set-Up Labor are Not Completely Absorbed Across Roof Area	30%	1 %	\$ 28,098.23
	Sub-Totals After Multipliers			\$ 145,174

Base Bid Total Maximum Price of Line Items under the MICPA: \$ 145,174

Proposal Price Based Upon Market Experience: \$ 115,235

Garland/DBS Price Based Upon Local Market Competition:

1	Safe Sheild, LLC.	\$ 115,235
2	Eskola, LLC.	\$ 135,792
3	Ben Hill Roofing & Siding Co., Inc.	\$ 139,668
4	Innovative Roofing Group	\$ 181,058

Garland/DBS Price Based Upon Local Market Competition: Evidence Building. ALT.

1	Ben Hill Roofing & Siding Co.	\$ 89,865
2	Safe Sheild, LLC.	\$ 93,802
3	Eskola, LLC.	\$ 143,385
4	Innovative Roofing Group	\$ 163,530

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers. Proposal pricing valid through 12/31/2018.

Clarifications/Exclusions:

1. Sales and use taxes are excluded. Please issue a Tax Exempt Certificate.
2. Permits are excluded.
3. Bonds are included.
4. Plumbing, Mechanical, Electrical work is excluded.
5. Masonry work is excluded.
6. Temporary protection is excluded.
7. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

Joe Mullen

Joe Mullen
Garland/DBS, Inc.
(216) 430-3635

CONTRACT AMENDMENT
Sealed Bid # 14-5903

Date of Amendment: April 24, 2018

Owner: Cobb County Board of Commissioners, Cobb County, Georgia
Contractor: Garland/DBS, Inc.
Project: Roofing Supplies and Services, Waterproofing and Related Products and Services

Current Contract Term: January 1, 2018 to December 31, 2018

This action amends the current contract dated September 22, 2014, for Sealed Bid # 14-5903. It is valid when signed by both the Owner and Contractor. The signature of the Contractor indicates his agreement herewith, including any adjustments in the contract pricing, contract term, or contract scope. This price and payment constitutes full compensation for all costs in connection with and incidental to items and services specified in the Contract.

Item # 1: Approval of Price Increase

This amendment serves as confirmation that Cobb County Government has approved an average price increase of 3.10% on the total product line for materials listed under Garland/DBS, Inc.'s current Manufacturer's Price Lists. This increase will be retroactive to March 15, 2018. Prices for roofing supplies and services, waterproofing, and related products and services (Attachment B) currently posted on the US Communities website will remain unchanged. Barring any unforeseen changes in market conditions, all prices will remain firm through December 31, 2018.

Item # 2 - Contract Extension

The County will exercise its option to extend the current contract for an additional one year period. The effective date of the contract extension will commence on January 1, 2019 and end on December 31, 2019.

ACCEPTED - The above listed terms and conditions of this Amendment are satisfactory and are hereby accepted.

OWNER

Cobb County Board of Commissioners
100 Cherokee Street
Marietta, Georgia 30090

Signed: Joe Tommie

Title: Purchasing Director

Date: 4/30/2018

CONTRACTOR

Garland/DBS, Inc.
3800 East 91th Street
Cleveland, Ohio 44105

Signed: Frank A. Percacian

Title: FRANK A. PERCACIANTE
CONTROLLER & AUTHORIZED CONTRACTORS

Date: 04/27/2018



**COBB COUNTY
PURCHASING DEPARTMENT**

100 Cherokee Street, Suite 260
Marietta, Georgia 30090
phone: (770) 528-8400 • fax: (770) 528-8428

William J. Tommie Jr., CPPO
Purchasing Director

May 3, 2017

Mr. Frank Percaciante
Garland/DBS
3800 East 91st Street
Cleveland, Ohio 44105

Dear Frank:

Please accept this letter as confirmation of Cobb County Government's intent to extend the current US Communities contract for Roofing Supplies and Services, Waterproofing, and Related Products and Services for an additional one year period. The effective date of the contract extension will commence on January 1, 2018 and end on December 31, 2018.

All products and services provided under the contract will continue to be in accordance with pricing, and terms and conditions set forth in Bid # 14-5903 and any subsequent contract amendments.

Sincerely,

William J. Tommie Jr., CPPO
Purchasing Director

Equal Opportunity Employer

Cobb County...Expect the Best!
www.cobbcounty.org

MASTER AGREEMENT

(CONTRACT)

Reference No. 14905

Scanned Date: _____

PAGE 1 OF 1

DATE: _____

MASTER AGREEMENT**OWNER:** COBB COUNTY BOARD OF COMMISSIONERS

100 CHEROKEE STREET

MARIETTA, GA 30060

CONTRACTOR: GARLAND/DBS, INC.3800 EAST 91ST STREET, CLEVELAND

OHIO 44105

WORK: **ROOFING SUPPLIES AND SERVICES, WATERPROOFING AND RELATED PRODUCTS AND SERVICES:**
The undersigned parties understand and agree to comply with and be bound by the entire contents of Sealed Bid # 14-5903
: **ROOFING SUPPLIES AND SERVICES, WATERPROOFING AND RELATED PRODUCTS AND SERVICES**
PROJECT MANUAL (aka, the Contractor's Bid Proposal submitted March 27, 2014) which is incorporated here in by
reference. Contractor understands and agrees that the bonds and insurance required by the Project Manual are to be kept
current at all times through the length of each term and for 90 Days following completion of each term. Bonds and
insurance must be renewed and presented to the owner at the time of each renewal term if Owner chooses to renew. Bonds
and insurance shall be written by a firm acceptable to the Owner as specified in the Project Manual.

TERM: January 1, 2015 to December 31, 2017, with full renewal options per the Project Manual. Owner shall exercise renewal
options by issuance and delivery to Contractor of a written notice to renew this Agreement.

PROJECT: **ROOFING SUPPLIES AND SERVICES, WATERPROOFING AND RELATED PRODUCTS AND SERVICES** in
accordance with the Project Manual.

PRICE: Price as stated for all schedules included in the Project Manual.

BILLING: All original invoices shall be submitted directly to the Cobb County Finance Department. Invoices shall bill only for Work
completed during the period covered by the invoice and shall clearly identify such work in accordance with invoicing
guidelines in the Project Manual.

IN WITNESS WHEREOF, this Agreement has been executed by Owner and accepted by Contractor to be effective as of the date first above
written.



Cobb County Board of Commissioners

Cobb County... Expect the Best!

Garland /DBS, Inc.

100 Cherokee Street

East 91st Street

Marietta, GA 30060

Cleveland, Ohio 44195

Tim Lee, Chairman

DAVID SOKOL, PRESIDENT
Date: 08/28/2014Date: 9/22/2014

FEDERAL TAX ID NUMBER: 27-0288466

APPROVED AS TO FORM

COUNTY ATTORNEY'S OFFICE

APPROVED
PER MINUTES OF
COBB COUNTY
BOARD OF COMMISSIONERS
7/22/2014

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA
TO AUTHORIZE THE CITY TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT FOR THE PROVISION OF 911 EMERGENCY COMMUNICATION
SERVICES AND GCIC INFORMATION SERVICES BETWEEN THE CITY OF
ALPHARETTA, GEORGIA AND THE CITY OF MILTON, GEORGIA

WHEREAS, on July 21, 2008, the City of Alpharetta, Georgia ("Alpharetta") and the City of Milton, Georgia ("Milton") entered into that certain intergovernmental agreement for the provision of 911 emergency communication services and GCIC information services between Alpharetta and Milton (with Alpharetta and Milton hereby collectively referred to as the ("Cities"), and Intergovernmental Agreement referred to as the "Original IGA"; and

WHEREAS, the Cities entered into a First Amendment to the Original IGA "First Amendment" to amend Article 4, Compensation and Consideration, to effectuate a more optimal funding of the Cities' consolidated emergency 911 system and those related public safety radio dispatch services; and

WHEREAS, the term of the Original IGA, as amended, expires on September 30, 2018; and

WHEREAS, based upon recommendations of staff, the Mayor and Council have determined that it is in the best interest of the citizens of Alpharetta to enter into a new IGA (the "New IGA") for an additional term of ten (10) years; and

NOW, THEREFORE, IT IS

RESOLVED, that the Mayor and such other city officials as may be necessary are authorized to execute and enter into a New IGA attached hereto as Exhibit "A"; and

IT IS FURTHER RESOLVED, that if for any reason Milton does not adopt a similar resolution authorizing the execution of the New IGA and/or does not execute the New IGA within thirty (30) days of the date of this Resolution, this Resolution shall become null and void.

SO RESOLVED, this _____ day of _____, 2018.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCILMEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

Karen Richard

(SEAL)

Attest:

City Clerk

2952950

**INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF
911 EMERGENCY COMMUNICATIONS SERVICES
AND GCIC INFORMATION SERVICES
BETWEEN THE CITY OF ALPHARETTA, GEORGIA
AND THE CITY OF MILTON, GEORGIA**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement"), by and between the City of Alpharetta, Georgia ("Alpharetta") and the City of Milton, Georgia ("Milton") is entered into this _____ day of September, 2018.

WHEREAS, Article IX, Section II, Paragraph III of the Georgia Constitution allows municipalities to provide police and fire protection services, and to extend those services to other jurisdictions pursuant to contract with the affected jurisdictions;

WHEREAS, Article IX, Section III, Paragraph I of the Georgia Constitution allows municipalities to contract with one another in intergovernmental agreements for the provision of any services authorized by law;

WHEREAS, the parties intend to contract under the authority set forth above, rather than create a "mutual aid agreement" pursuant to O.C.G.A. § 36-69-1 et seq. or a "joint authority" pursuant to O.C.G.A. § 46-5-138;

WHEREAS, Alpharetta and Milton desire to enter into this Agreement for Alpharetta to provide a public safety answering point within the boundaries of Milton for a period of ten (10) years beginning October 1, 2018; and

WHEREAS, this Agreement establishes the cost of Emergency 911 System and public safety radio dispatch services to be provided by Alpharetta to Milton pursuant to this Agreement; and

WHEREAS, this Agreement also establishes the terms on which Alpharetta will communicate with the Georgia Crime Information Center (GCIC) on Milton's behalf; and

WHEREAS, Alpharetta and Milton desire to maintain a mutually beneficial, efficient and cooperative relationship that will promote the interests of the citizens of both jurisdictions; and

WHEREAS, both Alpharetta and Milton have authorized the execution of this Agreement through appropriate Resolutions adopted by their respective governing bodies.

NOW, THEREFORE, in consideration of the following mutual obligations, Alpharetta and Milton agree as follows:

ARTICLE 1

PURPOSE AND INTENT

1.1 The purpose of this Agreement is to provide the vital and necessary communications link between Milton's citizens and Alpharetta's Emergency Dispatch Center for a period of ten (10) years, commencing October 1, 2018 at 0000 hours and concluding at 2400 hours on September 30, 2028.

1.2 Alpharetta therefore agrees to provide Milton with courteous, efficient, and accessible Emergency Communications Service in response to requests for assistance from within the corporate boundaries of Milton involving emergencies, non-emergencies, and responses to natural and man-made disasters, for the term prescribed in this Agreement, consistent with the overall quality of services provided throughout Alpharetta.

1.3 Alpharetta also agrees to provide Milton with Georgia Crime Information Center (GCIC) services as described in Exhibit "A" to this Agreement.

ARTICLE 2

DEFINITIONS

For the purposes of this Agreement, the following terms shall be defined as:

2.1 Call-For-Service means a request received from any person through Alpharetta's Emergency Dispatch Center, Emergency 911 System, requiring emergency or non-emergency Police Department, Fire Department, or ambulance/medical ("EMS") pre-hospital care response or assistance in response to natural and man-made incidents.

2.2 Communications Officer means any employee of the Alpharetta Department of Public Safety, who has successfully completed the basic training course required by O.C.G.A. § 35-8-23, to receive, process, or transmit public safety information and

dispatch law enforcement officers, firefighters, EMS personnel, or emergency management personnel.

2.3 Emergency Communications Services means the receipt and processing of incoming Calls-For-Service through the Emergency 911 System for emergency and non-emergency requests for EMS, police, fire and other public safety services, and initiation of the appropriate response action. The service also includes the coordination of requests for support and auxiliary services from Milton field units and refers crimes and incidents not requiring an on-scene investigation by a field unit to the appropriate agency. This is considered the vital and necessary communications link between citizens and the Alpharetta Emergency Dispatch Center through consolidated, Enhanced 911 call reception and radio dispatching of requests for public safety services. The use of the North Fulton Regional Radio System is the primary method of dispatching Calls-For-Service to Milton field units dispatched through the Emergency Dispatch Center.

2.4 Emergency Dispatch Center means that unit of Alpharetta government, including the PSAP and the use of the International Academy of Dispatch, Emergency Priority Dispatch System (EPDS), responsible for Emergency Communications Services, including answering all Calls-For-Services for emergency service and dispatching police, fire and EMS vehicles to the proper locations.

2.5 International Academy of Emergency Dispatch, Emergency Priority Dispatch System (EPDS) means that system employed by Alpharetta to process Calls-For-Service and provide callers with pre-arrival instructions for Police, Fire and Emergency Medical Service events.

2.6 Emergency 911 System means that system, as contemplated by Title 46, Chapter 5, Article 2, Part 4 of the O.C.G.A., which provides Alpharetta emergency Communications Officers the telephone number, name and address of the telephone subscriber, and other pertinent 911 and wireless enhanced 911 information on any Call-For-Service.

2.7 Fire Department means the Milton Fire Department.

2.8 Police Department means the Milton Police Department.

2.9 Public Safety Answering Point ("PSAP") means an emergency communications dispatch operation, responsible for answering all telephone Calls-For-Services, and employing technologies such as trunked radio, wireless enhanced 911,

computer aided dispatch ("CAD") and mobile data to provide appropriate responses to Calls-For-Service.

2.10 NENA means National Emergency Number Association, an ANSI accredited standards developer.

ARTICLE 3

TERM OF AGREEMENT

The term of this Agreement is for ten (10) years, commencing October 1, 2018 at 0000 hours and concluding at 2400 hours on September 30, 2028. At the conclusion of this term, each party will be solely responsible for providing all public safety answering point services within its respective boundaries, unless this Agreement is extended by mutual agreement approved by the governing bodies of both parties. Additionally, either party may terminate this Agreement upon the provision to the other party of at least eighteen (18) months prior written notice of termination.

ARTICLE 4

COMPENSATION AND CONSIDERATION

4.1 In order to compensate Alpharetta for the performance of its services under this Agreement, Milton shall tender to Alpharetta the fees imposed and received/collected by Milton under the authority of (1) O.C.G.A. § 46-5-133 and O.C.G.A. § 46-5-134, for 9-1-1 charges (including postpaid wireline and VOIP telephone 9-1-1 charges) and wireless enhanced 9-1-1 charges as defined by O.C.G.A. § 46-5-122 and (2) O.C.G.A. § 46-5-134.2 for prepaid wireless 9-1-1 charges as defined by O.C.G.A. § 46-5-134.2(a)(4) (collectively the "Fees").

4.2 Milton shall tender the Fees to Alpharetta for the remainder of calendar year 2018 on a quarterly basis, on October 1, 2018 and January 1, 2019 (or as soon after January 1 as is reasonably practicable). As for Fees collected beginning January 1, 2019, Milton shall tender the Fees within thirty (30) days of each receipt by Milton of the Fees from the Georgia Department of Revenue, as direct recipient of some Fees pursuant to 134.2 and as the contracted collection partner of the Georgia Emergency Communications Authority for other Fees pursuant to O.C.G.A. § 46-5-134.2.

4.3 Milton shall have an obligation to impose and receive the Fees, and shall further have an obligation to ensure that it

follows all legal requirements and obligations necessary to lawfully impose and receive the Fees, to include any enhanced or expanded fees that the General Assembly may authorize.

4.4 Payment to Alpharetta as set forth in Section 4.1 shall constitute Milton's sole compensation obligation for Alpharetta's performance of services under the Agreement. For capital expansion/service improvement projects that are not fully funded within the payment structure set forth in Section 4.1, the Cities agree to work jointly on an equitable funding arrangement. The parties agree to consider for this purpose the available fund balance (if any) within each city's Emergency 911 Fund.

4.5 Alpharetta shall provide to Milton, on an annual basis, documentation establishing the costs to provide the services under the Agreement, with sufficient detail included to demonstrate the percentage of those total costs that Milton is directly funding.

ARTICLE 5

EMERGENCY COMMUNICATIONS SERVICES

5.1 Alpharetta operates a consolidated public safety answering point in its Emergency Dispatch Center on a 24-hour basis, 365 days per year, staffed in four 12-hour alternating shifts. The Communications Officers receive citizens' requests for service, process those requests, dispatch emergency units as appropriate, and monitor Police, Fire and EMS activities. The Emergency Priority Dispatch System is employed to process medical calls and provide callers with pre-arrival instructions. The resources of the Emergency Dispatch Center shall be made available to receive and process Calls-For-Service from within Milton, and to otherwise provide Emergency Communications Services for Milton, consistent with the overall quality of services provided throughout Alpharetta.

5.2 The wide-ranging (both emergency and non-emergency), continuous and multitudinous nature of the calls received by a large metropolitan PSAP like Alpharetta's Emergency Dispatch Center, makes it difficult to assign an "average call answer time." In order to establish a reasonable customer service standard, it is hereby declared to be the objective of the Alpharetta Emergency Dispatch Center to respond on average to 6,000 Calls-For-Service per month emanating from the City of Milton compliant with NENA Standard 56-005. The standard is that Ninety percent (90%) of all 9-1-1 calls arriving at the PSAP should be answered within ten (10) seconds during the busy hour (the hour of the day with the

greatest call volume, as defined in the NENA Master Glossary), and ninety-five (95%) should be answered within twenty (20) seconds. Exceptions would be unpredictable system overload, declared disaster, or disruption in voice or data transmission.

5.3 In operating the Emergency Dispatch Center and receiving and processing Calls-For-Service from within Milton, Alpharetta shall comply with any applicable federal and state statutes and regulations.

ARTICLE 6

EMPLOYMENT STATUS

6.1 All emergency Communications Officers, as well as any other Alpharetta personnel assigned under this Agreement, are and will continue to be employees of the City of Alpharetta for all purposes, including but not limited to: duties and responsibilities, employee benefits, grievance, payroll, pension, promotion, annual or sick leave, standards of performance, training, workers compensation and disciplinary functions. All emergency communications employees will continue to report under the management structure established in the Alpharetta Department of Public Safety.

6.2 In the event Milton's Police Chief or Fire Chief becomes dissatisfied with the performance of any sworn or civilian personnel performing Emergency Communications Services on behalf of Milton, he/she shall discuss the concerns with the Alpharetta Public Safety Director.

ARTICLE 7

RECORD KEEPING AND REPORTING

7.1 The Alpharetta Department of Public Safety Records Section is the central repository for all records pertaining to emergency dispatch and shall make available public records as defined by the Georgia Open Records Act, O.C.G.A. § 50-18-70, et seq. during the term of this Agreement.

7.2 The Alpharetta Public Safety Director, or his/her designee, shall prepare and deliver monthly written reports to Milton's Police Chief and Fire Chief. The reports shall describe, regarding the prior month, the volume of Calls-For-Service, identification of police, fire or EMS response, and answer speed for calls originating from within the City of Milton.

7.3 Except as limited by any provision of state or federal law, Milton may request, review and access data and Alpharetta records, at a mutually agreed upon time, to ensure compliance with this Agreement.

ARTICLE 8

ANCILLARY SERVICES

8.1 Alpharetta provides a variety of ancillary services incumbent on a large metropolitan public safety answering point. These services will be provided to Milton pursuant to this Agreement, the consideration for which has been included as part of the payment provided in Article 4, and shall include technical operations, administration, quality assurance and training, cost allocation, facilities maintenance, fiscal management, general operating supplies, human resources, information systems, maintenance, public information, purchasing, utilities and other critical services attendant to the operation of a public safety answering point.

8.2 Various operational guidelines, procedures and support function responsibilities shall be established cooperatively between the Alpharetta Director of Public Safety or designee and the Milton Chiefs of Police and Fire or designee(s) pursuant to a memorandum of understanding with regard to function and levels of mutually beneficial support from and to various city departments referenced in Section 8.1 above.

ARTICLE 9

ALPHARETTA-MILTON RELATIONS

9.1 The Alpharetta Public Safety Director, or his/her designee, will notify Milton's Police Chief and Fire Chief in the event of a significant emergency communications or emergency management situation within Alpharetta. The Alpharetta's Public Safety Director and Milton's Police Chief and Fire Chief shall designate the kinds of incidents that are to be considered "significant" by a joint memorandum and shall also designate priorities for services to be provided under this Agreement. In the event no memorandum is executed, Milton's Police Chief and Fire Chief shall be notified of significant emergency communications or emergency management situations consistent with the notification provided by the Alpharetta Emergency Dispatch Center to the Alpharetta Public Safety Director.

9.2 Alpharetta shall be the sole provider of public safety answering point services during the operation of this Agreement.

ARTICLE 10

TRANSITION

10.1 In the event of the termination or expiration of this Agreement, Alpharetta and Milton shall cooperate in good faith in order to effectuate a smooth and harmonious transition and maintain the same high quality of Emergency Communications Services provided by Alpharetta pursuant to this Agreement for the residents, businesses and visitors of Alpharetta and Milton.

10.2 The Alpharetta Public Safety Director or his/her designee shall present a summary report to the Milton City Council within sixty (60) days of the conclusion of this Agreement to facilitate the transition to Milton's new PSAP.

10.3 Alpharetta and Milton agree that ninety (90) days prior to expiration of this Agreement, the Alpharetta Public Safety Director and Milton's Police Chief and Fire Chief will meet and confer to effect a smooth transition.

ARTICLE 11

INDEMNIFICATION

11.1 It is the intent of the parties to be covered under the auspices of the immunity granted by O.C.G.A. § 46-5-131. Only to the extent permitted by law and in the event O.C.G.A. § 46-5-131 is deemed inapplicable, shall Milton defend, indemnify and hold harmless Alpharetta and its officers, employees, or agents from any and all liability, losses or damages, including attorneys' fees and costs of defense, which Alpharetta or its officers, employees, or agents may incur as a result of any claim, demand, suit, or cause of action or proceeding of any kind or nature arising out of, relating to, or resulting from the negligent performance of this Agreement by Milton, its employees, officers and agents. Alpharetta shall promptly notify Milton of each claim, assert all statutory defenses, cooperate with Milton in the defense and resolution of each claim and not settle or otherwise dispose of the claim without Milton's participation.

11.2 It is the intent of the parties to be covered under the auspices of the immunity granted by O.C.G.A. § 46-5-131. Only to

the extent permitted by law and in the event O.C.G.A. § 46-5-131 is deemed inapplicable, shall Alpharetta defend, indemnify and hold harmless Milton and its officers, employees, or agents from any and all liability, losses or damages, including attorneys' fees and costs of defense, which Milton or its officers, employees, or agents may incur as a result of any claim, demand, suit, or cause of action or proceeding of any kind or nature arising out of, relating to, or resulting from the negligent performance of this Agreement by Alpharetta, its employees, officers, and agents. Milton shall promptly notify Alpharetta of each claim, assert all statutory defenses, cooperate with Alpharetta in the defense and resolution of each claim and not settle or otherwise dispose of the claim without Alpharetta's participation.

11.3 The immunity and indemnification provisions of this Agreement shall survive termination of this Agreement for any claims that may be filed after the termination date of the Agreement provided the claims are based upon actions that occurred during the performance of this Agreement.

ARTICLE 12

EVENT OF DEFAULT

12.1 An event of default shall mean a material breach of this Agreement by Alpharetta as follows:

12.1.1 Alpharetta repeatedly disregards local priorities established in the memorandum contemplated in Section 9.1.

2.1.2 Alpharetta does not maintain sufficient personnel in the Emergency Dispatch Center to properly service the volume of Milton Calls-For-Services as required by and in conformance with Article 5.

12.1.3 Alpharetta consistently fails to meet the levels of service outlined in Article 5, which failure has been communicated in writing by action of the Milton City Council to the Alpharetta City Council on more than one occasion.

12.2 An event of default shall mean a material breach of this Agreement by Milton as follows:

12.2.1 Failure of Milton to timely pay the compensation referred to in Article 4.

ARTICLE 13

TERMINATION AND REMEDIES

13.1 Alpharetta or Milton may terminate this Agreement for an event of default, or as outlined in Article 3, Term of Agreement, unless the default is cured as provided in this article.

13.2 If an event of default occurs, in the determination of Milton, Milton shall notify Alpharetta in writing, specify the basis for the default and advise Alpharetta that the default must be cured to Milton's reasonable satisfaction within a 60-day period. Milton may grant additional time to cure the default, as Milton may deem appropriate, without waiver of any of Milton's rights, so long as Alpharetta has commenced curing the default and is effectuating a cure with diligence and continuity during the 60-day period, or any longer period which Milton prescribes.

13.3 If an event of default occurs, in the determination of Alpharetta, Alpharetta may notify Milton in writing, specify the basis for the default and advise Milton that the default must be cured to Alpharetta's reasonable satisfaction within a 60-day period; except that for events of default related to the payment of fees, the cure period is reduced to 30 days. Alpharetta may grant additional time to cure the default, as Alpharetta may deem appropriate, without waiver of any of Alpharetta's rights, so long as Milton has commenced curing the default and is effectuating a cure with diligence and continuity during the 60-day period (30 days for payments) or any longer period which Alpharetta prescribes.

13.4 In the event that either party breaches a material term or condition of this Agreement, other than an event of default, the party in breach, upon receipt of a written request from the non-breaching party, shall remedy the breach within thirty (30) days of receipt of the request. If the breach is not cured within the specified time period, the non-breaching party may utilize the remedies of declaratory judgment, specific performance, mandamus or injunctive relief to compel the breaching party to remedy the breach.

13.5 The parties reserve all available remedies afforded by law to enforce any term or condition of this Agreement.

ARTICLE 14

AMENDMENTS

This Agreement may be modified at any time during the term by mutual written consent of both parties.

ARTICLE 15

NOTICES

All required notices shall be given by first class mail, except that any notice of termination shall be mailed via U.S. Mail, return receipt requested. Notices shall be addressed to the parties at the following addresses:

If to the City of Alpharetta:

Robert J. Regus, City Administrator
2 Park Plaza
Alpharetta, Georgia 30004
(678)297-6000

With a copy to:

C. Sam Thomas, City Attorney
2 Park Plaza
Alpharetta, Georgia 30004
(678)297-6000

If to the City of Milton:

Steven Krokoff, City Manager
Milton City Hall
2006 Heritage Walk
Milton, Georgia 30004
(678)242-2500

With a copy to:

Jarrard and Davis, LLP
Attention: Ken E. Jarrard, City Attorney
222 Webb Street
Cumming, Georgia 30040
(678)455-7150

ARTICLE 16

NON-ASSIGNABILITY; LIMITED THIRD-PARTY RIGHTS

Neither party may assign any of the obligations or benefits of this Agreement. Except to the extent expressly provided in other Articles of this Agreement, this Agreement shall be exclusively for the benefit of Alpharetta and Milton, and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action or other right.

ARTICLE 17

ENTIRE AGREEMENT

The parties acknowledge, one to the other, that the terms of this Agreement constitute the entire understanding and agreement of the parties regarding the subject matter of the Agreement.

ARTICLE 18

SEVERABILITY

If a court of competent jurisdiction renders any provision of this Agreement (or portion of a provision) to be invalid or otherwise unenforceable, that provision or portion of the provision will be severed and the remainder of this Agreement will continue in full force and effect as if the invalid provision or portion of the provision were not part of this Agreement.

ARTICLE 19

BINDING EFFECT

This Agreement shall insure to the benefit of, and be binding upon, the respective parties' successors.

ARTICLE 20

COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

ARTICLE 21

E-VERIFY AND TITLE VI COMPLIANCE

In performing their duties under this Agreement, each party agrees that it will comply with all E-Verify and Title VI

requirements and execute any documents reasonably required related to such compliance. Further, each party agrees that any contracts let for work completed pursuant to this Agreement shall contain all required E-Verify and Title VI requirements under applicable law.

ARTICLE 22

NO WAIVER OF SOVEREIGN OR PERSONAL IMMUNITIES

Nothing contained in this Agreement shall be construed to be a waiver of Alpharetta's or Milton's sovereign immunity or any individual's qualified good faith or official immunities.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Alpharetta and Milton have executed this Intergovernmental Agreement through their duly authorized officers on the day and year first above written.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

Coty Thigpen, City Clerk
(SEAL)

APPROVED AS TO FORM:

Robert J. Regus, City Administrator

C. Sam Thomas, City Attorney

CITY OF MILTON, GEORGIA

By: _____
Joe Lockwood, Mayor

Sudie (AM) Gordon, City Clerk
(SEAL)

APPROVED AS TO FORM:

Steven Krokoff, City Manager

Ken E. Jarrard, City Attorney

EXHIBIT "A"

GCIC SERVICES

The policies and procedures below shall govern Alpharetta's access to GCIC records and databases on behalf of Milton, except to the extent that these are superseded by GCIC regulations, the Security Policy of the Criminal Justice Information Services (CJIS) Division of the US Federal Bureau of Investigation, or any similar controlling law or policy published during the term of the Agreement, in which case the parties shall adhere to the superseding requirements of such law or policy.

Requesting Criminal History Record Information

Regarding requests for criminal history record information (CHRI) and other information available via Georgia's Criminal Justice Information System network (CJIS), the National Law Enforcement Telecommunications System (NLETS), or the National Crime Information System (NCIC) pursuant to this Agreement, Alpharetta will be available pursuant to this Agreement to provide service to Milton twenty four (24) hours a day, seven (7) days a week, every day of the year. Additionally, Milton shall provide to Alpharetta the equipment needed to access the CHRI system on its behalf and storage cabinets for all Milton records.

In accordance with federal regulations, NCIC policy and the Alpharetta Department of Public Safety User's Agreement, all requests for CHRI are made using a criminal justice agency Originating Agency Identifier (ORI). When Milton requests CHRI for the administration of criminal justice (PUR/C), Milton shall provide a warrant number, case number, citation number, "EF" number, arrest/booking number, system record number, docket number or other significant number leading to the case file or investigation. Failure to provide such a required number shall result in denial of the request and (unless the omission of the number was inadvertent and subsequently remedied) notification to the GCIC Chief of Staff of a potential violation of O.C.G.A. § 16-9-90. When Milton requests CHRI for criminal justice employment (PUR/J) or other authorized purposes (PUR/E, M, N, W), Milton shall provide a copy of the fingerprint card or the signed consent form. Failure to provide either document shall result in the denial of the request and (unless the omission of the number was inadvertent and subsequently remedied) notification to the GCIC Chief of Staff of a potential violation of O.C.G.A. § 16-9-90.

Requesting Vehicle Registration/Title, Driver History and Other Information via the CJIS Network, NLETS or NCIC

All requests for information received over the law enforcement radio network(s) monitored by Alpharetta shall be honored and the requested information shall be provided as soon as possible. If the requesting officer, prior to the end of the shift on which it was requested, does not claim hard copies of the terminal printouts, the printouts shall be shredded. Telephonic requests shall be honored if the operator can identify the person making the request. If the operator is unsure of the requester, the operator shall ask the requester to provide their agency's ORI then telephone that agency to ensure the requester is authorized to receive said information. If the person is authorized to receive the information, the operator shall make the request using the ORI of Alpharetta.

If the person is not authorized to receive the information, the operator will not request the information and will notify his or her supervisor. The supervisor shall be responsible for notifying the GCIC Chief of Staff of a potential security violation.

Making Record Entries, Modifications and Supplemental Record Entries

The ORI of Alpharetta shall be used to make all requested record entries when it receives a warrant or a complete incident report from Milton. The only exception to this requirement is when Milton requests the entry of a missing juvenile, a fleeing felon, felony vehicle or a missing ALZHEIMER'S afflicted adult. Requests for these types of entries shall be accepted telephonically. Supporting documentation shall be faxed or delivered as soon as it is available. If the supporting documentation is not received within forty-eight (48) hours, the record entry(s) shall be canceled.

Alpharetta shall use the warrant or complete incident report to code the GCIC/NCIC worksheet prior to entering the record. Alpharetta, for wanted and missing person record entries, shall inquire against the GCIC and NCIC criminal history files (using the ORI of Milton). Milton shall indicate the limits of extradition on the face of the warrant. All additional personal descriptors shall be added to the GCIC/NCIC worksheet and included in the record entry or added to the record entry using the Supplemental Record Entry format. When all available information has been added to the record entry, an inquiry shall be made against the record entry. Another person in Alpharetta shall check

the inquiry response for completeness and accuracy. Copies of the GCIC/NCIC worksheet and all terminal printouts shall be returned to Milton upon request. The worksheets and printouts are to be placed in the case files and are subject to review by GCIC and NCIC Auditors.

Requests for Modifying, Clearing and Canceling Record Entries

When Milton requests that a record entry be modified, cleared or canceled it must provide a supplemental report to Alpharetta. The record will only be modified, cleared or canceled when the supplemental report has been received. Copies of all terminal printouts shall be given to Milton when the requested function has been completed. The originals shall be retained in the files maintained by Alpharetta.

Requesting "HIT" Confirmation

When Alpharetta receives a "HIT" on a record inquired upon as the result of a request from Milton, a request for "HIT" confirmation message (YQ format) shall be sent. Milton must inform Alpharetta if the request is PRIORITY (10 minute response) or ROUTINE (one hour response). As soon as this information is received, the request for "HIT" confirmation shall be transmitted using the ORI of Milton. As soon as the response to the request for "HIT" confirmation is received, it shall be transmitted to the officer.

Responding to Requests for "HIT" Confirmation

When Alpharetta receives a request for "HIT" confirmation, the on-duty operator shall locate the active file and compare all data elements against the data in the YQ message. If all data elements match, Alpharetta shall respond to the YQ message using a YR message entered using the ORI of Milton and confirm that the record inquired on is a valid record entry based upon the records maintained by Alpharetta. Milton shall be notified that Alpharetta has confirmed a "HIT" on one of its record entries. If a Locate Message is received, Alpharetta shall clear the record entry using the clear transaction. If no Locate Message is received within one hour Alpharetta shall send a Failure to Locate Message to GCIC's ICDC and the agency that failed to "Locate" the record entry after it was confirmed. Alpharetta using its ORI, shall "Clear" the record entry. Copies of all terminal printouts shall be given to Milton upon request. The original terminal printouts shall be retained in the files of Alpharetta.

Validation of Record Entries

All record entries are to be validated ninety (90) days after entry; and, then every twelve (12) months in accordance with the file retention schedule established by NCIC. It is the exclusive responsibility of Milton to validate all record entries made on its behalf by Alpharetta, in accordance with the validation steps established by GCIC and NCIC.

Alpharetta shall assist Milton in inquiring against the state and national criminal history files, using the ORI of Milton and name of the Milton Terminal Agency Coordinator in the Attention [ATN] field. The System Record Number (SRN) from the record entry being validated shall be used in the Agency Reference Number (ARN) field. Alpharetta shall further assist in the validation process by participating in the On-Line Validation program for records entered for Milton, by acknowledging receipt of the monthly validation package and affirming the validity of the record entries listed on the monthly validation printout when Milton affirms, in writing, the validity of all record entries listed on the monthly printout. This affirmation shall be on the official letterhead of Milton's Department of Public Safety, and signed by the agency head. If this written affirmation is not received by Alpharetta within the required time limit, the record entries listed on the validation printout shall be purged.

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CITY COUNCIL EXECUTIVE SESSION

SEPTEMBER 24, 2018

IMMEDIATELY FOLLOWING COUNCIL MEETING
ALPHARETTA CITY HALL
FIRST FLOOR CONFERENCE ROOM
2 PARK PLAZA

- I. CALL TO ORDER
- II. ROLL CALL
- III. LITIGATION
- IV. ADJOURNMENT