



City Council Meeting & Public  
Hearing  
NOVEMBER 18, 2019

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

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE TO THE FLAG
- IV. PROCLAMATIONS & PRESENTATIONS
  - A. Barbara S. Duffy Proclamation
  - B. Cambridge High School FFA Presentation
- V. CONSENT AGENDA
  - A. Council Meeting Minutes (Meeting of 11/11/2019)
- VI. PUBLIC HEARING
  - A. **MP-19-08/CU-19-08 Sugarcoat Beauty/North Point Commons Spa Services**  
*Consideration of a request to amend the North Point Commons Master Plan and a conditional use to add 'Spa Services' as a permitted use in Pod B for Sugarcoat Beauty. The property is located at 970 North Point Drive, Suite 150 and is legally described as being located in Land Lots 754, 755, 796 & 797, 1st District, 2nd Section, Fulton County, Georgia.*
  - B. **E-19-06 Studio Movie Grill Sign Exception**  
*Consideration of a sign exception to aggregate allowable wall signage to allow for three (3) wall signs on the front elevation and to increase the sign area of a wall sign on the rear elevation of the building facing the Big Creek Greenway. The property is located at 7660 North Point Parkway and is legally described as being located in Land Lots 655, 656 & 686, 1st District, 2nd Section, Fulton County, Georgia.*
- VII. NEW BUSINESS
  - A. FY 2020 Sidewalk Repair and Replacement
  - B. FY 2020 Annual Tree Planting and Landscape Improvements (Rucker Road Corridor)
  - C. Ring Access Agreement
- VIII. PUBLIC COMMENT
- IX. REPORTS
- X. ADJOURNMENT



# City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By: Erin Cobb

Sponsored By:

Meeting Date: November 18, 2019

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**I. AGENDA ITEM TITLE:** COUNCIL MEETING MINUTES (MEETING OF 11/11/2019)

**II. RECOMMENDATION:**

**III. REPORT IN BRIEF:**

**IV. ALTERNATIVES:**

**V. ATTACHMENTS:**

City Council Meeting draft minutes 11-11-2019 (002)



City Council Meeting  
November 11, 2019  
Office of the City Clerk  
CITY HALL 2 PARK PLAZA  
6:30 PM

*This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. 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
  - Mayor Jim Gilvin
  - Mayor Pro Tem Donald F. Mitchell
  - Jason Binder
  - Ben Burnett
  - John Hipes
  - Dan Merkel
  - Karen Richard
- Staff
  - Bob Regus, City Administrator
  - Sam Thomas, City Attorney
  - James Drinkard, Asst. City Administrator
  - Peter Sewczwicz, Director of Public Works
  - John Robison, Director of Public Safety
  - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
  - Kathi Cook, Director of Community Development
  - Michael Woodman, Senior Planner
  - Tom Harris, Director of Finance
  - Eric Graves, Senior Transportation Engineer
  - Matthew Thomas, Economic Development Manager

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS

A. Veteran's Day

B. National Native American Heritage Month

V. CONSENT AGENDA

❖ *Mayor Gilvin amended the consent agenda in order to add the approval of the following alcoholic beverage license applications*

A. Council Meeting Minutes (Meeting of 11/04/2019)

B. Alcoholic Beverage License Applications

**PH-19-AB-22**

Georgia Fine Wine LLC  
d/b/a Total Wine & More  
6290 North Point Parkway  
Alpharetta, GA 30022

Package Store  
Retail Package Sales  
Beer, Wine, Liquor

Owner: Georgia Fine Wine LLC  
Registered Agent: Jeffrey Crockett

**PH-19-AB-23**

Carson Georgia Holdings LLC  
d/b/a Carson Kitchen  
4 South Main Street  
Alpharetta, GA 30009

Restaurant  
Consumption on Premises  
Beer, Wine, Liquor, Sunday Sales

Owner: Carson Georgia Holdings LLC  
Registered Agent: Michael Sard

**PH-19-AB-24**

IHG Management (Maryland) LLC  
d/b/a EVEN Hotel Alpharetta  
2715 Old Milton Parkway  
Alpharetta, GA 30009

Hotel  
Consumption on Premises  
Beer, Wine, Liquor, Sunday Sales

Owner: IHG Management (Maryland) LLC  
Registered Agent: Michael Sard

**PH-19-AB-25**

Dog 57 Dining Group, Inc.  
d/b/a Monkey 68

160 N. Main St.  
Alpharetta, GA 30009

Restaurant  
Consumption on Premises  
Beer, Wine, Liquor, Sunday Sales

Owner: Dog 57 Dining Group, Inc.  
Registered Agent: Kyun Muh

**PH-19-AB-26** Aimbridge Hospitality LLC  
d/b/a Hyatt Place Alpharetta North Point  
7500 North Point Parkway  
Alpharetta, GA 30022

Hotel  
Consumption on Premises  
Beer, Wine, Liquor, Sunday Sales

Owner: Aimbridge Hospitality LLC  
Registered Agent: Michael Sard

- ❖ Council Member Merkel offered a motion to approve the consent agenda
  - The motion received a second from Mayor Pro Tem Mitchell
  - The motion was approved unanimously (7-0)

## VI. PUBLIC HEARING

### A. V-19-15/E-19-07 Swilley/Davis Drive Variance and Exception

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council approve V-19-15/E-19-07 Swilley Davis Drive Variance and Exception and Deny variance request to allow two (2) rows of parking and a drive aisle between the primary building and Davis Drive, subject to the following conditions:
  1. The subject property shall be limited to the following LI (Light Industrial) uses:
    - a. New Auto Sales and Leasing/conditional use required
    - b. Office Building or Office Park
    - c. Restaurant
    - d. Retail Sales and Services Establishments
    - e. Storage, Inside Climate controlled
  2. Driveway separation requirements may be reduced along Davis Drive based on an evaluation of sight distance and safety, with final approval by the City's Transportation Engineer.

3. Maximum building setback on Davis Drive shall be 30' and maximum building setback on Westside Parkway shall be 80'.
  4. Maximum height of office buildings shall not exceed 6 stories and 85'. Office buildings shall have exterior materials that are primarily brick and/or stone (at least 75% of all elevations), except that Certified Green Buildings may use other exterior materials, as approved by DRB. All proposed development shall require DRB review and approval.
  5. Maximum height of parking decks shall be 35', except that Certified Green Buildings shall have a maximum height of 60'. Parking decks shall be located to the side or behind the primary building and shall have exterior materials similar to the primary building, as approved by DRB.
  6. A 20' landscape strip shall be required along Westside Parkway, 10' landscape strip along Davis Drive.
  7. Applicant shall provide a 20' easement to the City for the future extension of the Alpha Loop within the Georgia 400 tree buffer.
- The applicant, Grover Swilley, is requesting variances and an exception to remove maximum building setbacks on Westside Parkway and Davis Drive, allow two (2) rows of parking between a primary building and Davis Drive, increase maximum building height from 35' to 85' for office buildings and parking decks, and reduce or eliminate minimum driveway spacing requirements on Davis Drive. The subject property is located on the south side of Westside Parkway at the intersection with Sanctuary Parkway.
  - The submitted request, if approved, would allow a property to be developed without maximum building setbacks on Westside Parkway and Davis Drive, with two (2) rows of parking between a primary building and Davis Drive, office buildings and parking decks with a maximum height of 85', and reduced or eliminated driveway spacing requirements on Davis Drive. The subject property is located on the south side of Westside Parkway at the intersection with Sanctuary Parkway.
  - The 14.71-acre undeveloped property is zoned LI (Light Industrial) and located within the North Point LCI. Surrounding properties are also zoned LI, including Top Golf to the east, Sanctuary Park to the north and The Cooler (Alpharetta Family Skate Center) to the west. The site is bound by Georgia 400 to the south. The Comprehensive Land Use Plan designation of the property is 'Mixed Use' and 'Corporate Office'.
  - UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to eliminate the maximum building setbacks on Westside Parkway and Davis Drive. Westside Parkway is a Type B Corridor, which has a maximum setback of 60'. Davis Drive is a Type C Corridor, which has a maximum setback of 10'. The applicant states that variances are needed in order maintain consistency with existing development in this location.
  - UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to allow up to two (2) rows of parking (including drive aisle) between the primary building and Davis Drive. Davis Drive is a Type C Corridor, which requires surface parking lots to be located behind or beside the primary building. Driveways/drive aisles parallel to the Davis Drive may not be located between the primary building and Davis Drive. The applicant states the variances are needed to maintain consistency with existing development in this location.
  - UDC Subsection 2.10.3 (D), North Point Overlay, Maximum Building Height and

UDC Subsection 2.2.17 (D), LI Light Industrial, District Regulations. Exception to increase the building height for office buildings and parking decks from 35' to 85'. The LI Light Industrial zoning district has a maximum building height of 35' and the North Point Overlay requires that maximum building heights be in accordance with the underlying zoning. The applicant states that the height would be consistent with approvals at the adjacent Sanctuary Park development also zoned LI.

- UDC Subsection 2.10.6 (B)(2), North Point Overlay, Driveways, Spacing. Variance to reduce or eliminate driveway spacing regulations along Davis Drive, at the discretion of the City's Transportation Engineer. A site plan depicting driveway spacing along Davis Drive was not provided by the applicant.
- City Staff has reviewed the applicant's proposal and finds that it can generally support the requested variances and exception, except that Staff does not support the request to allow two (2) rows of parking and a drive aisle between the primary building and Davis Drive. A site plan with proposed uses and would be needed to review the hardship. While there are not unique conditions pertaining to the property due to its physical characteristics, the property will be impacted by the Davis Drive extension.
- The roadway project will require approximately 1.7 acres of land for right-of-way and will bisect the property into a north and south parcel. If approved, conditions are recommended limiting Light Industrial (LI) permitted uses on the property and requiring Staff and Design Review Board (DRB) approval. Sanctuary Park was approved for height variances in 2000 to allow up to 6 stories of office and in 2010 to allow up to 10 stories for office. The 10-story allowance reverted in 2015. The 2008 North Point LCI addressed the area as a commercial center recommending heights between 4 and 6 stories.
- 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.
- The CZIM was held on September 11, 2019. There was one (1) public comment on the sign-in sheet with a concern over driveway access to Ray's Steakhouse.
- Pond & Company's Senior Manager for Local Government Services, BJ Martin, came forward to speak on behalf of the applicant and requested the following additional uses; bakery, banking/savings and loan, daycare center, drug store and grocery store, additionally requesting to strike staff condition number 6.
- Sector Manager/Vice President at Atkins, Taylor Wright, came forward to answer questions from Mayor and Council.

#### Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve the V-19-15/E-19-07 Swilley Davis Drive Variance and Exception and Deny variance request to allow two (2) rows of parking and a drive aisle between the primary building and Davis Drive, subject to the following conditions:
  1. The subject property shall be limited to the following LI (Light Industrial) uses:
    - a. New Auto Sales and Leasing/conditional use required
    - b. Office Building or Office Park

- c. Restaurant
  - d. Retail Sales and Services Establishments
  - e. Storage, Inside Climate controlled
  - f. Bowling Alley/Recreation Facilities (indoor and outdoor)
  - g. Bakery
  - h. Banking/Savings and Loan
  - i. Daycare Center
  - j. Drug Store
  - k. Grocery Store
2. Driveway separation requirements may be reduced along Davis Drive based on an evaluation of sight distance and safety, with final approval by the City's Transportation Engineer.
  3. Maximum building setback on Davis Drive shall be 30' and maximum building setback on Westside Parkway shall be 80'.
  4. Maximum height of office buildings shall not exceed 6 stories and 85'. Office buildings shall have exterior materials that are primarily brick and/or stone (at least 75% of all elevations), except that Certified Green Buildings may use other exterior materials, as approved by DRB. All proposed development shall require DRB review and approval.
  5. Maximum height of parking decks shall be 35', except that Certified Green Buildings shall have a maximum height of 60'. Parking decks shall be located to the side or behind the primary building and shall have exterior materials similar to the primary building, as approved by DRB.
  6. ~~A 20' landscape strip shall be required along Westside Parkway, 10' landscape strip along Davis Drive.~~
  7. Applicant shall provide a 20' easement to the City for the future extension of the Alpha Loop within the Georgia 400 tree buffer.
    - The motion received a second from Council Member Binder with a friendly amendment to deny the variance request without prejudice
    - Council Member Richard accepted the friendly amendment
    - Council Member Burnett offered a substitute motion to table the item
    - Council Member Burnett's motion did not receive a second
    - The motion was approved (5-2); Council Member Burnett and Council Member Hipes voting in opposition

## VII. NEW BUSINESS

### A. Design Services Change Orders for Academy Street and Webb Bridge Road TSPLOST Improvements

- Director of Public Works, Pete Sewczwicz, came forward to present this item.

- Staff recommends Mayor and Council approve Pond & Company's proposal for Change Order #1 to Purchase Order 19000582 for design revisions to the Academy Street Improvements in the amount of \$47,400.00; Pond & Company's proposal for Change Order #1 to Purchase Order 19000583 for design revisions to the Webb Bridge Road Improvements in the amount of \$155,942.96; and authorize the Mayor to execute all necessary documents.
- On May 6, 2019, City Council approved Pond & Company's proposals for the design of improvements to Academy Street from Loxford Lane to Fire Station 81 and improvements to Webb Bridge Road from the Big Creek Greenway to Webb Bridge Way. Both proposals were approved as part of the City's On-Call Engineering services contract.

Academy Street from Loxford Lane to Fire Station 81 (PO 19000582)

- Change Order #1 for the Academy Street improvements incorporates two tasks. First, pedestrian lighting will be added to the 2' grass strip along the north side of Academy Street from the driveway of Alpharetta Presbyterian to Fire Station 81. Lights will be placed at approximately 80' intervals to match the spacing along the frontage of East of Main.
- Second, the previously approved typical section between Loxford Lane and Wedgewood Drive will be modified. In order to minimize impacts to private property and flood plain, it had become necessary to eliminate the 2' grass strip in some areas and utilize header curb in lieu of curb and gutter in others. By reducing the bicycle accommodations in both directions of travel from a 4' bike lane to a 3' striped shoulder, it becomes possible to shift the northern curb line to the south and maintain the 2' grass strip and use of curb and gutter between the driveway of Alpharetta Presbyterian and Wedgewood Lane. Additionally, these modifications will lessen the amount of construction easements and right of way needed to construct the project.
- The scope of Change Order #1 will require: These proposed modifications will require the revision of the curb line for approximately 3,450 linear feet of the project. Adjusting the curb line will then require:
  - Revision of approximately 3,450 linear feet of curb line
  - Revision of grading, retaining walls, driveway profiles, and cross-sections
  - Revision of storm drain locations and associated profiles
  - Revision of signing and marking plans
  - Revision of utility plans
  - Revision of erosion control plans
  - Revision of right of way plans
  - Creation of lighting/electrical plans
- If approved, Change Order #1 will increase Purchase Order 19000582 by \$47,400.00 (23.3%) from \$203,175.00 to \$250,575.00.

Webb Bridge Road from the Big Creek Greenway to Webb Bridge Way  
(PO 19000583)

- On October 15th, the City hosted an open house meeting for residents along the Webb Bridge Corridor to view the plans under development and receive feedback. Two of the more common points mentioned to staff were the continuation of the multi-use trail from the proposed roundabout to Webb Bridge Park and continuation of wider sidewalks and bicycle accommodations from the proposed roundabout to the improvements recently constructed by Johns Creek at the Kimball Bridge Road intersection. Staff has also received feedback requesting enhancement of the pedestrian crossings at both Creekview Elementary School and Webb Bridge Middle School. Change Order #1 includes six tasks:
  - Task 1 will expand the design scope to include continuation of the 10' wide multi-use trail from the proposed roundabout at Webb Bridge Way along the north side of Webb Bridge Road to the entrance of Webb Bridge Park and tie to the multi-use trail constructed by Johns Creek which currently ends in the cul-de-sac. This will include continuation of the proposed tree wells and pedestrian lighting along the multi-use trail. No roadway widening is proposed along this stretch. The cost for Task 1 is \$85,475.00.
  - Task 2 will expand the design scope to include the extension of wide sidewalks and bike accommodations from the proposed roundabout to the improvements extending north from Kimball Bridge Road recently constructed by Johns Creek. This will include continuation of the proposed tree wells and pedestrian lighting as room permits. No roadway widening is proposed along this stretch. The cost for Task 2 is \$43,935.00.
  - Task 3 is for the preparation of additional exhibits and revision of the existing exhibits for a future public meeting reflecting the design changes in Tasks 1 and 2 above. The cost for Task 3 is \$8,430.00.
  - Task 4 is for the design of enhanced pedestrian crossings at the three signalized intersections at the school entrances. Enhancements will include the installation of in-pavement LED lights similar to what has been approved for the Alpha Loop crossing on Haynes Bridge Road. The cost for Task 4 is \$4,000.00.
  - Task 5 is for survey updates. The original survey of the corridor was performed prior to the construction of the Shirley Estates subdivision. This task will collect current survey data in this area to reflect as-built roadway, storm drainage and shoulder improvements constructed as part of the subdivision. The cost for Task 5 is \$5,500.00.
  - Task 6 is for the preparation of the conceptual exhibits utilized in the public meetings. The preparation of these exhibits was not included in the original design scope. The cost for Task 6 is \$8,602.96.

- If approved, Change Order #1 will increase Purchase Order 19000583 by \$155,942.96 (31.2%) from \$499,717.50 to \$648,660.46.

**Public Comment:**

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to approve the Pond & Company's proposal for Change Order #1 to Purchase Order 19000582 for design revisions to the Academy Street Improvements in the amount of \$47,400.00; Pond & Company's proposal for Change Order #1 to Purchase Order 19000583 for design revisions to the Webb Bridge Road Improvements in the amount of \$155,942.96; and authorize the Mayor to execute all necessary documents
  - The motion received a second from Council Member Richard
  - The motion was approved (6-1); Council Member Binder voting in opposition

**B. Morrison Parkway Sidewalk Improvements, ITB 20-005**

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends Mayor and Council Please award ITB 20-005 to A1 Contracting LLC in the amount of \$1,005,000.00 for the Morrison Parkway Sidewalk Improvements; allocate funds in the amount of \$30,000.00 for utility relocations; and authorize the Mayor to execute all necessary documents.
- The award of this bid is for the construction of approximately 3,300 linear feet of 8' wide sidewalk along the south side of Morrison Parkway from Hembree Road to Haynes Bridge Road. Included in the project scope is the installation of curb and gutter, installation of storm drainage, and construction of retaining walls.
- The Department of Public Works prepared plans and specifications for the project and advertised for competitive bids during September and October 2019. Bids for the project were received on October 24, 2019, and the City received a total of seven bids from the following:
 

1. A1 Contracting LLC	\$1,005,000.00
2. Sol Construction LLC	\$1,038,741.17
3. Excellere Construction LLC	\$1,228,800.00
4. CMES, Inc.	\$1,261,624.00
5. Ohmshiv Construction LLC	\$1,299,360.00
6. Precision 2000, Inc.	\$1,517,206.50
7. Autaco Development	\$1,659,129.00
- The apparent low bidder, A1 Contracting LLC, is an experienced contractor which has worked on several projects with similar elements in Georgia for multiple governmental agencies including Gwinnett County and the City of Duluth. The contacted references stated that A1 Contracting LLC provided reliable work on time and within budget and would utilize their services again. Additionally, A1

Contracting LLC was awarded City's Fiscal Year 2019 Bond Sidewalks - Multiple Sidewalk Segments project which included construction of sidewalks along Providence Road and Charlotte Road.

- Staff met with representatives of A1 Contracting LLC to review the scope of work and the City's expectations. The representatives assured staff that they had visited the site and reviewed the plans and specifications. A1 Contracting LLC assured staff that they could complete the project for the submitted bid amount and within the allocated time frame. Thus, staff determined A1 Contracting LLC to be the lowest responsive and responsible bidder.
- The construction of this sidewalk segment will necessitate the relocation of one utility pole and two light poles. Additionally, there are a number of underground utilities within the project limits. While efforts have been made to design around the underground utilities, it is not uncommon in this situation for unmarked utilities to be encountered or utility depths to vary. Costs for utility relocations will be paid by the City directly to the utility owner. The costs of these relocations are anticipated to be no more than \$30,000.00.
- Once a contract with A1 Contracting LLC has been finalized and executed, construction may begin immediately. The anticipated completion date is no more than 150 days from notice to proceed.

**Public Comment:**

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award ITB 20-005 to A1 Contracting LLC in an amount not to exceed \$1,005,000.00 for the Morrison Parkway Sidewalk Improvements; allocate funds in the amount of \$30,000.00 for utility relocations; and authorize the Mayor to execute all necessary documents
  - The motion received a second from Council Member Binder
  - The motion was approved unanimously (7-0)

**C. North Point Area and Alpha Loop Trail Connectivity Feasibility Study (RFP 20-107)**

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff recommends Mayor and Council Award RFP 20-107 to MKSK for the North Point Area and Alpha Loop Trail Connectivity Feasibility Study and authorize the Mayor to execute all necessary documents.
- The recent update to the North Point LCI identifies greenspace/trail connectivity as an area-wide initiative to enhance development and reinvestment into the North Point area through the creation of a system of connected multi-use trails and greenspaces. In accordance with this initiative, the Mayor and City Council authorized Staff to apply to the Atlanta Regional Commission's (ARC) Livable Centers Initiative (LCI) Program in March 2019 seeking grant funding for a North Point Area and Alpha Loop Trail Connectivity Feasibility Study. ARC awarded the City \$120,000 to complete the Feasibility Study, with the City committed to a 20% match in the amount of \$30,000 (total funding of \$150,000).
- The Feasibility Study will develop a scoping concept plan for a multi-use path

connecting the Alpha Loop to the Big Creek Greenway, North Point Mall, and across Haynes Bridge Road. The plan will include an alignment, typical section, environmental impacts, and cost estimates for constructing the multi-use path and crossing Haynes Bridge road to connect into another segment of the Alpha Loop.

- To this end, Community Development staff, in conjunction with Finance staff, prepared RFP 20-107 and advertised in August/September 2019. Proposals were received on September 12, 2019 and consisted of 7 responses which were submitted to an Evaluation Committee for review and ranking. This Committee consisted of staff members from Community Development, Recreation, Parks and Cultural Services, Mayor and City Council.
- Phase 1 evaluation consisted of the following criteria: Firm Experience and References (35%); Firm Organization and Staffing Qualifications (20%); Proposed Project Approach and Timeline (35%); and Firm Capabilities (10%).
- The Phase 1 evaluation scores were as follows (scale of "1" to "100" with "100" being the highest):
  - 87 MKSK
  - 85 Pond
  - 77 AECOM
  - 63 Greenberg Farrow
  - 61 EHI Consultants
  - 56 Prime Engineering Inc.
  - 52 The Collaborative, Inc.
- The top 3 firms were shortlisted for Interviews (Phase 2) which were held on October 23, 2019. Upon conclusion of this phase, the rankings were as follows (Phase 1 scores + max of "100" for Phase 2 Interviews):
  - 172 MKSK
  - 168 Pond
  - 135 AECOM
- All cost proposals were structured at the \$150,000 project budget.
- Staff recommends awarding MKSK the North Point Area and Alpha Loop Trail Connectivity Feasibility Study (RFP 20-107) as the high-ranking firm.
- MKSK Principal, Darren Meyer, came forward to speak on behalf of the applicant.

**Public Comment:**

- No Public Comment
- ❖ Council Member Richard offered a motion to award RFP 20-107 to MKSK for the North Point Area and Alpha Loop Trail Connectivity Feasibility Study and authorize the Mayor to execute all necessary documents.
  - The motion received a second from Council Member Binder
  - The motion was approved unanimously (7-0)

#### D. FY20 Community Development Fleet Purchase

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council authorize the purchase of three 2020 Ford F-150 Trucks and one 2020 Ford Escape in the amount of \$95,620 from Allan Vigil Ford Government Sales on State Contract # 9999-SPD-ES40199373-002.
- As approved in the FY20 Budget, Community Development seeks approval to purchase three Ford F-150 Trucks and one Ford Escape in the amount of \$95,620.00. Two of these vehicles will be replacements for 2007 Ford F150's that warrant replacement based on age and maintenance/repair costs, and two of these vehicles will support the two new budgeted Full-Time Code Enforcement Licensing Officers tasked to licensing of Alcohol and Spa Services/Massage, moved from the Public Safety Department.
- Community Development did put this out for bid and did not receive any responses. The bid was sent out to (32) vendors.
- Since there were no bid responses, all the above vehicles will be purchased from Allan Vigil Ford Government Sales on State Contract # 99999-SPD-ES40199373-002.

#### Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve the purchase of three 2020 Ford F-150 Trucks and one 2020 Ford Escape in an amount not to exceed \$95,620.00 from Allan Vigil Ford Government Sales on State Contract # 9999-SPD-ES40199373-002
  - The motion received a second from Council Member Merkel
  - The motion was approved unanimously (7-0)

#### E. Community Development (Code Enforcement) Office Buildout (ITB 20-006)

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council Award ITB 20-107 to Rick B. General Contractors for the Code Enforcement Office Buildout in an amount totaling \$57,000 and authorize the Mayor to execute all necessary documents.
- The FY 2020 Budget included the transfer of licensing duties (Alcohol, spa services, massage, etc.) from Public Safety to Community Development (Code Enforcement). Accordingly, funding was allocated for the addition of two Code Enforcement Officer positions as well as the build-out of office space for the entire Code Enforcement division including an area for servicing our customers.
- To this end, Community Development staff, in conjunction with Finance staff, prepared ITB 20-006 for the Office Build-out. The selected contractor is to provide

all materials, labor, and equipment for the Office Build-out (excluding security and IT equipment – discussed below) within the existing shell area on the ground floor of City Hall.

- ITB 20-006 was advertised in September and October 2019, and bids were due on October 25, 2019. The City received a total of four (4) responses:
  - \$57,000 Rick B. General Contractors
  - \$82,212 Ujamaa Construction
  - \$104,029 Traditional Contractors Inc.
  - \$125,334 WEBMyers Construction
- The bid prices above include the base bid scope and an alternate for adding a sidelight window to the customer door. For the low bid by Rick B. General Contractors, the base bid was \$54,000 and the alternate was an additional \$3,000.
- Rick B. General Contractors was selected by the City for its Fire Station renovation project currently underway. Staff has found Rick B. General Contractors to be professional and responsive and recommends them for award of the office build-out.
- While the current agenda item relates only to award of a \$57,000 contract for the build-out of the office space, the total costs to build-out and equip the subject space are approximately \$100,000 and include the following components:
  - \$57,000 Office Build-out (ITB 20-006)
  - \$26,200 Office Furniture/Miscellaneous
  - \$8,000 Security (cameras, badge readers, etc.)
  - \$8,800 IT Infrastructure Equipment and Data Cabling
  - \$100,000
- Funding is provided through Community Development and Information Technology capital accounts.

**Public Comment:**

- No Public Comment
  
- ❖ Council Member Richard offered a motion to award ITB 20-107 to Rick B. General Contractors for the Code Enforcement Office Buildout in an amount not to exceed \$57,000.00 and authorize the Mayor to execute all necessary documents
  - The motion received a second from Mayor Pro Tem Mitchell
  - The motion was approved unanimously (7-0)

## VIII. PUBLIC COMMENT

- No Public Comment

## IX. REPORTS

- Council Member Hipes announced the opening of the following restaurants; Minnie Olivia Pizzeria, Jekyll Brewery, and the Jinya Ramen Bar. Additionally, the Alpharetta Arts Center hosted a successful Jazz night on Saturday, November 9<sup>th</sup> with the City's Economic Development Manager playing in the ensemble and well over 100 attendees.
- Council Member Binder commented on the November 2019 General Election and is looking forward to working with this Mayor and Council for the upcoming years. Additionally, the Georgia Recreation and Parks Association awarded the Alpharetta's Recreation, Parks and Cultural Services December with Agency of the Year and an official announcement will be made in December.
- Mayor Pro Tem Mitchell announced the Household Hazardous Waste and Paint Collection that is offered to Alpharetta residents on Saturday, November 16<sup>th</sup> from 9:00 AM to 1:00 PM. Registration forms can be found on the City website.
- Council Member Burnett announced that Flexential wrote Tech Alpharetta a check for \$10,000.00 and Council Member Burnett thanked CEO of Tech Alpharetta, Karen Cashion, for her continued support and leadership.
- Council Member Richard announced the monthly CZIM Meeting taking place on Wednesday, November 13<sup>th</sup> at 6:00 PM.
- Mayor Gilvin announced the winners of the November 2019 General Election and is also looking forward to working with this Council for the upcoming years.

## X. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 8:06 PM

Respectfully submitted,

  
Erin Cobb, City Clerk



# CITY COUNCIL MEETING STAFF REPORT

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

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## **I. AGENDA ITEM TITLE:** MP-19-08/CU-19-08 SUGARCOAT BEAUTY/NORTH POINT COMMONS SPA SERVICES

CITY COUNCIL: NOVEMBER 18, 2019

This item was heard at the 11/7/2019 Planning Commission meeting. Staff recommended approval subject to 5 conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions. Vote 7-0

## **II. RECOMMENDATION:**

Approve MP-19-08/CU-19-08 Sugarcoat Beauty/North Point Commons Spa Services, subject to the following conditions:

1. 'Spa Services' shall be added as a conditional use at 970 North Point Drive, Suite 150, in Pod B of the North Point Commons Master Plan and limited to no more than 1,905 square feet.
2. Conditional use approval shall be limited to Sugarcoat Beauty; no additional spa services businesses or subleasing shall be permitted within the approved space.
3. Hours of operation shall be Monday 12:00 PM – 7:00 PM; Tuesday – Saturday 10:00 AM – 7:00 PM; and Sunday 12:00 PM – 6:00 PM.
4. Services offered shall be limited to nail salon, full body waxing, massage, eyelash extensions and facials. No other services shall be permitted.
5. Window signage and window lighting trim shall be prohibited.

## **III. REPORT IN BRIEF:**

The applicant, Stream Realty, is requesting an amendment to North Point Commons Master Plan to add 'Spa Services' as a conditional use in Pod B. A conditional use is requested to allow Sugarcoat Beauty to operate in a 1,905 square foot suite within the Stone Walk at North Point shopping center. The business is essentially a nail salon with spa services, including full-body waxing, massage and facial services. The subject property is located at 970 North Point Drive, Suite 150, at the northwest corner of North Point Parkway and Georgia Lane.

## **DISCUSSION**

The submitted request, if approved, will allow Sugarcoat Beauty to operate in a 1,905 square foot suite within the Stone Walk at North Point shopping center. A master plan amendment is requested to add 'Spa Services' as a conditional use in North Point Commons Master Plan Pod B. The business is essentially a nail salon with spa services, including full-body waxing, massage and facial services. The subject property is located at 970 North Point Drive, Suite 150, at the northwest corner of North Point Parkway and Georgia Lane.

The property is zoned PSC (Planned Shopping Center) and subject to the North Point Commons Master Plan Pod B. Surrounding properties are also zoned PSC and subject to the North Point Commons Master Plan, including Shane Company and First Citizens Bank to the west, Best Buy to the north, Sweet Tomatoes to the east and Ashley Furniture to the south. The Comprehensive Land Use Plan designation of the property is 'Commercial', which allows the proposed use.

The North Point Commons Master Plan was approved in 1998 (MP-97-07) for a 136-acre planned development allowing office, retail, restaurant and open space. Pod B was approved for Retail as the primary use; however, 'Spa Services' is not listed as a permitted or conditional use in Pod B. As shown in the table below, the North Point Commons Master Plan has been amended on several occasions.

File #	Project Name	Pod	Requested Change	Outcome	Date
MP-18-11	Tapout Fitness	B	Add 'Athletic Facilities/Fitness Studio'	Approved	1/14/2019
MP-14-03	Salon Lofts	B	Add 'nail salon' within the Salon Lofts space	Approved	6/16/2014
MP-13-03/CU-13-08	Bowling Alley	C	Allow Bowling Alley (Use reverted on 9/24/14)	Approved	9/23/2013
MP-12-02/Z-14-07/V-14-08	Rooms To Go	C	Allow retail use	Approved	6/16/2014
MP-07-04/CLUP-07-04/Z-07-06/V-07-09	Glenridge Northpoint	C	Allow office with restaurant and retail uses.	Approved	8/27/2007
MP-07-02	Commercial Redevelopment	B	Convert 2 restaurants to a 36,000 SF retail center	Approved	6/18/2007
MP-01-07	Palladian	A	Break up a 12,000 SF retail bldg	Approved	10/22/2001
MP-97-07	North Point Commons MP		Establish a 136-acre master plan w/4 pods allowing office, retail and restaurant uses	Approved	1/19/1998

A master plan amendment was approved on June 18, 2007 to allow for the redevelopment of two (2) restaurants into a 36,000 square foot retail strip center. The property was developed in 2008 as a 1-story, 36,000 square foot retail strip center. 198 parking spaces are provided on the 4.3-acre site, of which the Unified Development Code (UDC) requires 183 parking spaces for a Retail Shopping Center less than 50,000 square feet.

Full-body waxing, massage and facial services are categorized as 'Spa Services' use. Unified Development Code (UDC) Section 1.4.2 defines 'Spa Services' as, "A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business." The applicant's 1,905 square foot suite complies with the maximum size in the definition of 'Spa Services' and there are no comparable businesses within 2,000' of the applicant's proposed location. Salon Lofts, which is located within the same shopping center, received conditional use approval for a 'Nail Salon' in 2014. However, that approval was specific to a 'Nail Salon' and did not allow 'Spa Services'.

The City's Code of Ordinances, Section 12-172 establishes a minimum distance requirement of 300' for spa establishments from State Route 9, State Route 120, churches, schools, public parks, day care facilities and residences. The Stone Walk at North Point shopping center is not located on a State Route and is not located within 300' of a church, school, public park, day care facility or residence.

Sugarcoat Beauty has been in business since 2005 with five (5) locations in the Atlanta metro area, including Buckhead, Chastain, Virginia Highlands, Vinings, and Midtown. The business provides the following services: manicures and pedicures, skincare/facial, massage, full-body waxing, and eyelash extensions. Hours of operation are proposed to be Monday 12:00 PM – 7:00 PM; Tuesday – Saturday 10:00 AM – 7:00 PM and Sunday 12:00 PM – 6:00 PM. The applicant anticipates up to ten (10) employees at the proposed location.

## **STANDARDS FOR MASTER PLAN AMENDMENTS**

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 proposed use is suitable in view of adjacent businesses in the retail shopping center being developed for commercial uses. In addition, the proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Commercial'.*

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

*Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties. Sufficient parking is provided for the proposed use and the use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated in retail corridors and shopping centers.*

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

*Response: Not applicable.*

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

*Response: Pod B is designated 'Retail' in the North Point Commons Master Plan.*

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 proposed use would not result in significant impacts on public facilities and services.*

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

*Response: City Council has approved changes to the UDC that would allow residential uses in the North Point area. Therefore, retail service uses, such as 'Spa Services' are appropriate.*

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 master plan amendment reflects a reasonable balance between the public welfare and private property rights. Pod B is designated 'Retail' in the North Point Commons Master Plan.*

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

*Response: Pod B is designated 'Retail' in the North Point Commons Master Plan.*

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

*Response: The zoning proposal meets the Comprehensive Land Use Plan designation of the property, which is 'Commercial'.*

### **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: Stone Walk at North Point shopping center was developed in compliance with the site access standards.*

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

*Response: The above-mentioned site requirements are provided on the subject property.*

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

*Response: The proposed retail service use would be complimentary to the other commercial uses in Stone Walk at North Point shopping center and therefore should not be injurious to the use and enjoyment of the area.*

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 retail service use would complement other commercial uses in the Stone Walk at North Point shopping center.*

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 retail service use would complement other commercial uses in the Stone Walk at North Point shopping center.*

### **CONCURRENCES**

Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and conditional use. The request is compatible with properties in the vicinity, which are also designated 'Commercial' and developed with commercial uses. The applicant's proposal complies with the definition of 'Spa Services' and meets the minimum distance requirements in the Code of Ordinances related to Massage and Spa Establishments. The use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated in retail corridors and shopping centers.

### **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.

### **COMMUNITY ZONING INFORMATION MEETING**

The CZIM was held on October 9, 2019. There were no comments on the sign-in sheet.

#### **IV. ATTACHMENTS:**

- Site Plan

MP-19-08/CU-19-08

Rock Mill Road

Rock Mill Road

North Point Park

North Point Court

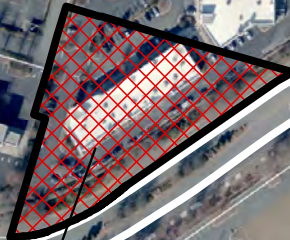
North Point Drive

Haynes Bridge Road

Mill Creek Avenue


North Point Parkway

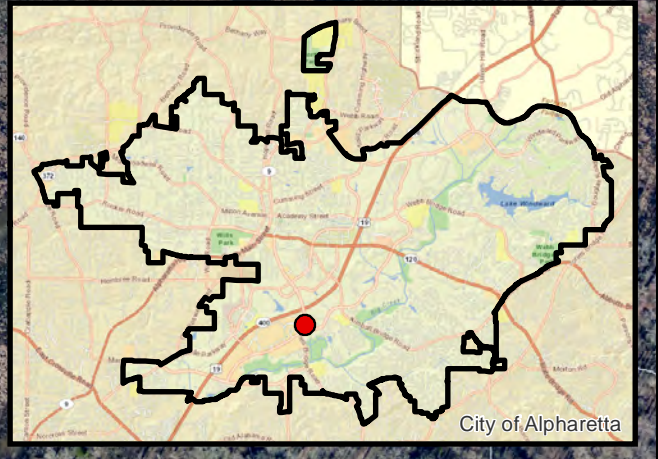
Wander Trail



Georgia Lane

**LEGEND**

-  Case Number
-  Tax Parcels



Aerial Map  
North Point Commons  
Spa Services

MP-19-08/CU-19-08  
D/LL: 1/2/754, 755 796, 797  
PC Date: 11/07/19  
CC Date: 11/18/19

Location Map Provided by:  
Community Development - GIS

MP-19-08/CU-19-08

Rock Mill Road

Rock Mill Road

mu

co

North Point Park

mu

0754

c

0797

co

0808

North Point Drive

mu

Haynes Bridge Road

c

mu

Mill Creek Avenue

hdr

North Point Parkway

c

0755

co

c

0796

Wander Trail

0809

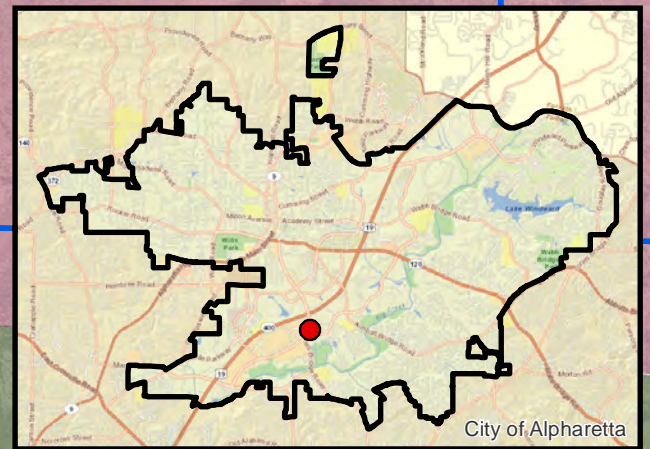
Georgia Lane

co

hdr

LEGEND

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



Future Land Use  
 North Point Commons  
 Spa Services

MP-19-08/CU-19-08  
 D/LL: 1/2/754, 755 796, 797  
 PC Date: 11/07/19  
 CC Date: 11/18/19



Location Map Provided by:  
 Community Development - GIS

MP-19-08/CU-19-08

Rock Mill Road

Rock Mill Road

North Point Park

0754

0797

0808

North Point Court

North Point Drive

Haynes Bridge Road

Mill Creek Avenue

North Point Parkway

Wander Trail

0796

0809

Georgia Lane

O-I

R-10M

O-P

CUP

O-I

CUP

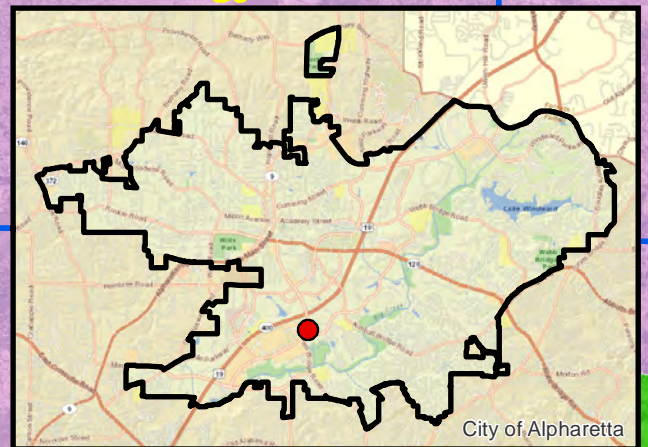
PSC

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-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



Zoning Map  
 North Point Commons  
 Spa Services

MP-19-08/CU-19-08  
 D/LL: 1/2/754, 755 796, 797  
 PC Date: 11/07/19  
 CC Date: 11/18/19

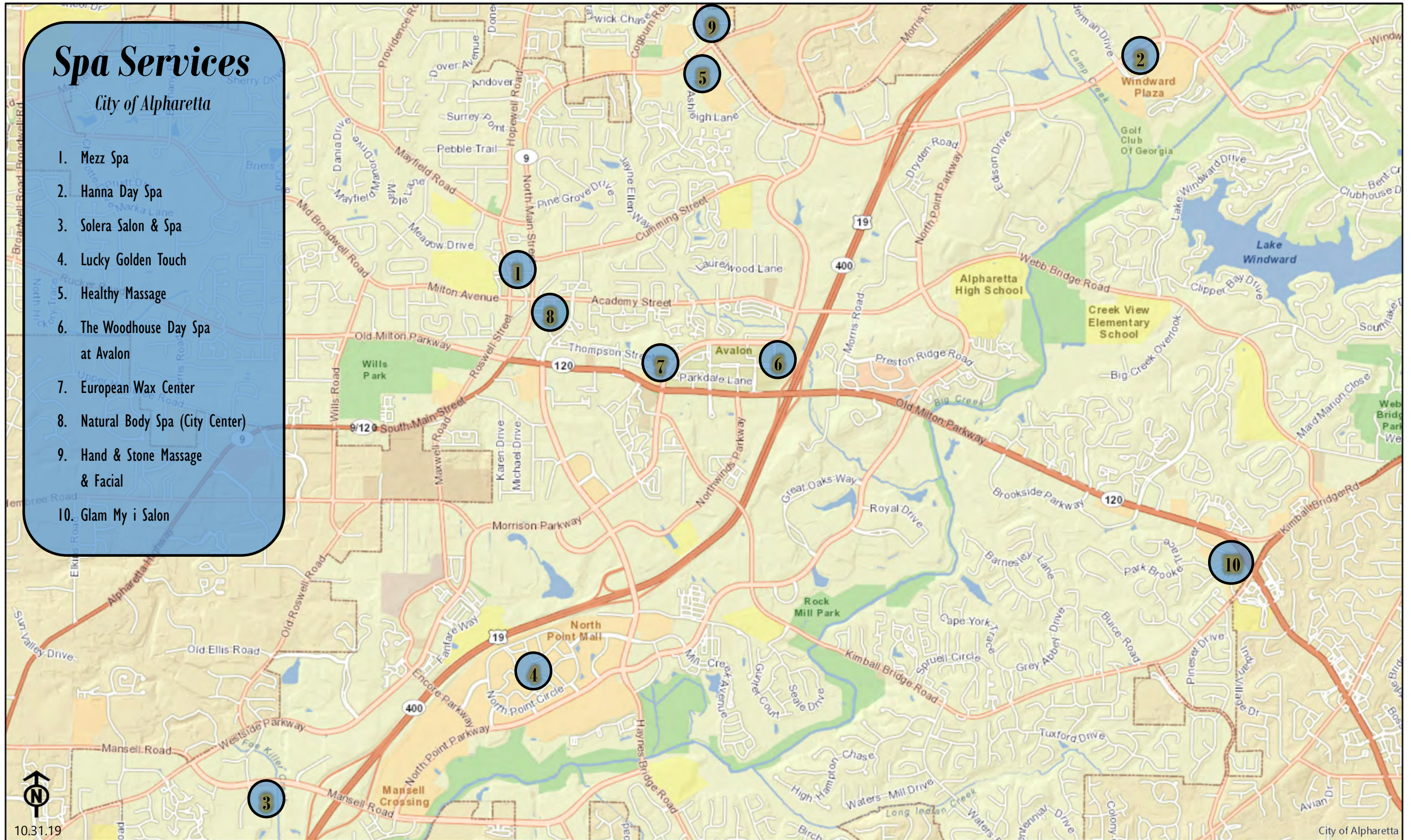


Location Map Provided by:  
 Community Development - GIS

# Spa Services

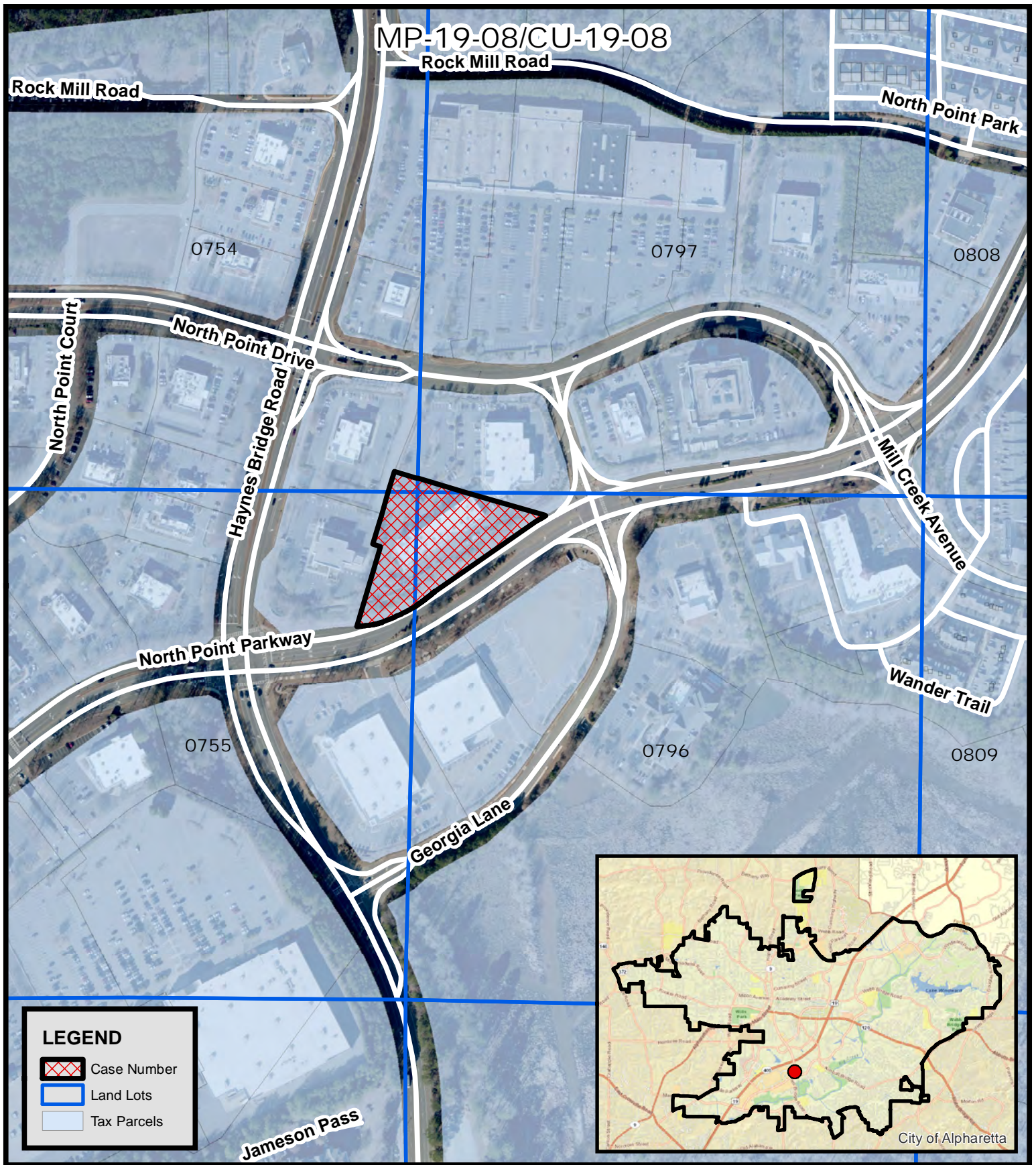
City of Alpharetta

1. Mezz Spa
2. Hanna Day Spa
3. Solera Salon & Spa
4. Lucky Golden Touch
5. Healthy Massage
6. The Woodhouse Day Spa at Avalon
7. European Wax Center
8. Natural Body Spa (City Center)
9. Hand & Stone Massage & Facial
10. Glam My i Salon



10.31.19

0.5 1 1.5 2 Miles



Location Map  
North Point Commons  
Spa Services

MP-19-08/CU-19-08  
D/LL: 1/2/754, 755 796, 797  
PC Date: 11/07/19  
CC Date: 11/18/19



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: Stone Walk - Sugarcoat (www.sugarcoat.com)

Contact Name: Renee R. Varner Telephone: 404.962.8612

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

Letters were sent; no comments at this time.

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.*

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

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: Renee R. Varner Digitally signed by Renee R. Varner  
Date: 2019.10.02 10:25:30 -04'00'

Date: 10.02.19

Print Form



1180 W Peachtree St NW  
Suite 500  
Atlanta, Georgia 30309  
Phone: 404.962.8612

September 25, 2019

10855 Haynes Bridge Road LLC  
P.O. Box 660066  
Atlanta, Georgia 30366-6666

Dear Property Owner,

We have filed a Public Hearing Application with the City of Alpharetta for consideration of a modification to the Northpoint Commons Master Plan, to allow CH Retail Fund I / Atlanta Stone Walk, LLC to lease a space in their Stone Walk at Northpoint Shopping Center to Sugarcoat, a first class spa salon.

A Public Hearing for this item will be considered by the Planning Commission on November 7, 2019 at 6:30 p.m. The City Council meeting will be held on November 18, 2019 at 6:30 p.m. Prior to these hearings, our Application will be available at the Community Zoning Information meeting on October 9, 2019, in the rotunda of City Hall, 2 Park Plaza, from 6:00 to 7:00 p.m.

If you have any questions, please do not hesitate to call me at 404-962-8612.

Sincerely,

STREAM

Renee R. Varner  
Property Manager

**Public Hearing Notices for Stone Walk – Sugarcoat**

CP Venture Two LLC  
8080 Park Lane  
Suite 800  
Dallas, Texas 75231

CH Retail Fund I Atlanta Stone Walk LLC  
3520 Piedmont Road, Suite 410  
Atlanta, Georgia 30305

Five Nine Six Northpoint Parkway LLC  
780 Old Roswell Place  
Suite 100  
Roswell, Georgia 30076

Alan and Elaine Kolodkin  
3530 Piedmont Road #PH2  
Atlanta, Georgia 30305

Staples the Office Superstore East Inc.  
500 Staples Drive  
Framingham, MA 01701

Hummingbird Alph LLC  
11540 US Highway 92 East  
Seffner, Florida 33584

Orlando BK One Associates LP Ripo  
N. Main Associate  
940 Emmett Avenue, Suite 200  
Belmont, California 94002.3864

Cole Jo Alpharetta GA LLC  
5555 Darrow Road  
Hudson, Ohio 44236

Larose LLC & Clinging Vine LLC  
11911 San Vicente Boulevard, Suite 310  
Los Angeles, California 90049

Village Creative Labs Partners, LP  
940 Emmett Avenue, Suite 200  
Belmont, California 94002

BFC Properties Inc Et Al  
515 Lyell Drive, Suite 101  
Modesto, California 95356

Greene Hogg NP I LLC  
3425 Duluth Park Lane  
Duluth, Georgia 30096

Twelve Thousand Eight Five Brandford  
Street Project  
15822 Bernardo Center Drive #A  
San Diego, California 92127

DDL Northpoint LLC  
5810 Laurel Oak Drive  
Suwanee, Georgia 30024-3369

Branch Banking & Trust Co  
P.O. Box 167  
Winston Salem, NC 27102-0167

10885 Haynes Bridge Road LLC  
P.O. Box 660066  
Atlanta, Georgia 30366-6666

ML Northpoint Investments LLC  
11777 San Vicente Boulevard, Suite 900  
Los Angeles, California 90049

Alpharetta Hotel Ventures LP  
2235 Faraday Avenue, Suite O  
Carlsbad, California 92009

North Point Investments LLC  
3055 River North Parkway  
Atlanta, Georgia 30328

Palladian North Point Commons LLC  
4920 Roswell Road, Suite 45B-104  
Atlanta, Georgia 30342

Ashley Real Estate LLC  
1 Ashley Way  
Arcadia, WI 54612

Neuse Incorporated  
P.O. Box 27131  
Raleigh, NC 27611-7131

8/29/19

Sugarcoat/Stonewalk/North Point Master Plan

MP-19-08/ CU-19-08

# CITY OF ALPHARETTA

## PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA 190037

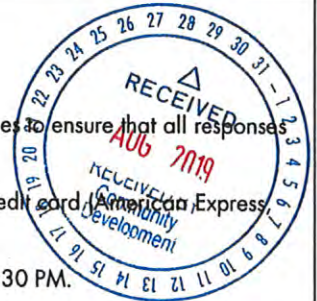
Fee Paid Initial: RC

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: Renee R. Varner Telephone: 404.962.8612

Address: 1180 W. Peachtree Street Suite: 500

City: Atlanta State: GA Zip: 30309 Fax: \_\_\_\_\_

Mobile Tel: 404.432.9691 Email: renee.varner@streamrealty.com

### Subject Property Information:

Address: 970 North Point Drive Current Zoning: PSC

District: 1st Section: 2nd Land Lot: 797 Parcel ID: 12-2860-0754-023-0

Proposed Zoning: PSC Current Use: Retail Shopping Center, Suite 150

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

- |   |   |                                    |
|---|---|------------------------------------|
| <input checked="" type="checkbox"/> Conditional Use   | <input checked="" type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Rezoning                     | <input type="checkbox"/> Master Plan Review               |                                    |
| <input type="checkbox"/> Variance                     | <input type="checkbox"/> Public Hearing                   |                                    |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Other (Specify): _____           |                                    |

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## APPLICANT REQUEST AND INTENT

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

Property use would remain the same as existing (retail shopping center) but would include Sugarcoat, a high end nail salon with spa services ([www.sugarcoatbeauty.com](http://www.sugarcoatbeauty.com)). Nail salons and other spa services are a key component to all retail-centric properties, offering a gathering point and attracting other shoppers to the property.

Sugarcoat offers a variety of spa services which include nails, eyelash extensions, skin care/facial and waxing. Estimated 10 employees with of operation: Monday 12:00 p.m.-7:00 p.m.; Tuesday-Saturday 10:00 a.m.-7:00 p.m. and Sunday 12:00 p.m.-6:00 p.m.

Applicant's Request (Please itemize the proposal):

To amend the current Master Plan and add conditional use which restricts spa services use within this pod.

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

This proposal would facilitate the ability for the Applicant to lease space to Sugarcoat (for high end spa services), as consistent with shopping center tenancy in the area in surrounding markets. The operator is first-class and would be filling a gap in the market meeting popular demand.

8/29/19

Sugarcoat/Stonewalk/North Point Master Plan

# PROPERTY OWNER AUTHORIZATION

**Property Owner Information:**

Contact Name: Renee R. Varner

Telephone: 404.962.8612

Address: 1180 W. Peachtree Street

Suite: 500

City Atlanta

State: GA

Zip: 30309

**Authorization:**

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

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

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

**Identify Authorized Applicant:**

Name of Authorized Applicant: Renee R. Varner

Telephone: 404.962.8612

Address:

Suite:

City Atlanta,

State: GA

Zip: 30309

**So Sworn and Attested:**

Owner Signature: *Renee Varner*

Date: 08.28.2019

**Notary:**

Notary Signature: *S. Copeland*

Date: 08.28.2019



# 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: Renee R. Varner

Subject Public Hearing Case: Stone Walk - Master Plan Amendment and Conditional Use

### 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: 08-28-2019

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# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

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How will this proposal be compatible with surrounding properties?

The proposed use is for first class spa services, Sugarcoat to occupy a space in the shopping center. Nail salons are a key component to all retail-centric properties offering a gathering point and attracting other shoppers to the property.

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

This proposal will increase value of the surrounding properties by bringing more customers to the market, and by providing a service not now accounted for in the market all while not overly burdening traffic or parking.

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

The space in question has been a vacant space. It is ideal space for this use due to its shape and size. Nearly 2 years worth of diligent leasing efforts have turned up no other viable users. It is a fair assessment to say that the spa services restriction within the current master plan is unreasonable given the evolution of the retail environment. In addition, there have emerged no other viable prospects for this space as currently zoned.

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

No increase to population, parking or traffic.

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

None.

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

It is a retail use in a retail property therefore consistent with all future land use maps.

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

The shape and layout of the vacancy is challenging so it requires a specific user that can adapt. A nail salon works within the space.

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

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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

# 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: Stone Walk - Sugarcoat (www.sugarcoat.com)

Contact Name: Renee R. Varner Telephone: 404.962.8612

*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.*

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

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

Please contact by phone.

# 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: Stone Walk - Sugarcoat (www.sugarcoat.com)

Contact Name: Renee R. Varner Telephone: 404.962.8612

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.

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
- Telephone
- Email
- Personal Visits
- Group Meeting
- 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: Renee R. Varner Digitally signed by Renee R. Varner  
Date: 2019.08.22 11:22:47 -04'00' Date: \_\_\_\_\_

8/29/19

Sugarcoat/Stonewalk/North Point Master Plan

C P VENTURE TWO L L C  
8080 PARK LN STE 800  
DALLAS TX 75231

CH RETAIL FUND I ATLANTA STONE WAL  
K L L C  
3520 PIEDMONT RD STE 410  
ATLANTA GA 30305

FIVE NINE SIX SIX NORTHPOINT PARKW  
AY LLC  
780 OLD ROSWELL PL # 100  
ROSWELL GA 30076

KOLODKIN ALAN B & ELAINE S  
3530 PIEDMONT RD # PH2  
ATLANTA GA 30305

STAPLES THE OFFICE SUPERSTORE EAST  
INC  
500 STAPLES DRIVE  
FRAMINGHAM MA 01701

HUMMINGBIRD ALPH LLC  
11540 US HWY 92 EAST  
SEFFNER FL 33584

ORLANDO BK ONE ASSOCIATES L P RIPO  
N MAIN ASSOCIATE  
940 EMMETT AVE STE 200  
BELMONT CA 94002-3864

COLE JO ALPHARETTA GA LLC  
5555 DARROW RD  
HUDSON OH 44236

LAROSE LLC & CLINGING VINE LLC  
11911 SAN VICENTE BLVD SUITE 310  
LOS ANGELES CA 90049

VILLAGE CREATIVE LABS PARTNERS L P  
940 EMMETT AVE STE 200  
BELMONT CA 94002

CH RETAIL FUND I ATLANTA STONE WAL  
K L L C  
3520 PIEDMONT RD STE 410  
ATLANTA GA 30305

BFC PROPERTIES INC ET AL  
515 LYELL DR SUITE 101  
MODESTO CA 95356

GREENE HOGG NP I LLC  
3425 DULUTH PARK LN  
DULUTH GA 30096

TWELVE THOUSAND EIGHTY FIVE BRANDF  
ORD STREET PROJE  
15822 BERNARDO CENTER DR # A  
SAN DIEGO CA 92127

VILLAGE CREATIVE LABS PARTNERS L P  
940 EMMETT AVE STE 200  
BELMONT CA 94002

DDL NORTHPOINT LLC  
5810 LAUREL OAK DR  
SUWANEE GA 30024-3369

BRANCH BANKING & TRUST CO  
P.O. BOX 167  
WINSTON SALEM NC 27102-0167

10885 HAYNES BRIDGE ROAD LLC  
P O BOX 660066  
ATLANTA GA 30366-6666

ML NORTHPOINT HOLDING LLC  
11777 SAN VICENTE BLVD SUITE 900  
LOS ANGELES CA 90049

ALPHARETTA HOTEL VENTURES LP  
2235 FARADAY AVE SUITE O  
CARLSBAD CA 92009

NORTH POINT INVESTMENTS LLC  
3055 RIVER NORTH PKWY  
ATLANTA GA 30328

PALLADIAN NORTH POINT COMMONS LLC  
4920 ROSWELL RD STE 45B - 104  
ATLANTA GA 30342

ASHLEY REAL ESTATE LLC  
1 ASHLEY WAY  
ARCADIA WI 54612

NEUSE INCORPORATED  
P O BOX 27131  
RALEIGH NC 27611-7131

ASHLEY REAL ESTATE LLC  
1 ASHLEY WAY  
ARCADIA WI 54612

**LEASE AGREEMENT BETWEEN**

**CH RETAIL FUND I/ATLANTA STONE WALK, L.L.C,**

**AS LANDLORD, AND**

\_\_\_\_\_, **A** \_\_\_\_\_,  
**D/B/A SUGARCOAT BEAUTY**

**AS TENANT**

**DATED** \_\_\_\_\_, **2018**

**STONE WALK SHOPPING CENTER  
ALPHARETTA, GEORGIA**

THIS DOCUMENT IS A DRAFT DOCUMENT FOR DISCUSSION PURPOSES ONLY AND SHALL NOT BE DEEMED TO BE CONTRACTUALLY BINDING IN ANY WAY ON ANY PERSON (AN "APPLICABLE PERSON") UNTIL FULLY EXECUTED. THIS DOCUMENT DOES NOT OBLIGATE ANY APPLICABLE PERSON TO NEGOTIATE IN GOOD FAITH OR TO PROCEED TO COMPLETION AND EXECUTION OF A FINAL AGREEMENT. NO APPLICABLE PERSON HAS OR SHALL HAVE ANY CLAIM AGAINST ANY OTHER APPLICABLE PERSON IN CONNECTION WITH THIS DOCUMENT OR THE NEGOTIATION THEREOF.

**BASIC LEASE INFORMATION**

Lease Date: \_\_\_\_\_, 2019  
 Landlord CH Retail Fund I/Atlanta Stone Walk, L.L.C., a Delaware limited liability company  
 Tenant \_\_\_\_\_, a \_\_\_\_\_ D/B/A SUGARCOAT  
 BEAUTY

Premises: The area known as suite number 150 containing 1,905 rentable square feet described on the plan attached as Exhibit A and located at 970 Northpoint Drive, Alpharetta, Georgia 30022, being part of the shopping center commonly known as Stone Walk (the "~~Shopping Center~~"), which is situated on the property described in Exhibit B. The term "Shopping Center" includes the property described in Exhibit B, together with the improvements thereon, including the building in which the Premises are located (the "~~Building~~"), and such additions and other changes as Landlord may, from time to time, designate as being included within the Shopping Center. Exhibit A is attached hereto solely for the purpose of locating the Premises within the Shopping Center and depicting the general layout of the Shopping Center and shall not be deemed to be a representation, warranty or agreement by Landlord as to any information shown thereon or that the Shopping Center or stores be exactly as indicated thereon.

Term: 123 full calendar months, plus any partial month from the Commencement Date to the end of the month in which the Commencement Date falls, starting on the Commencement Date and ending at 5:00 p.m. local time on the last day of the 123rd full calendar month following the Commencement Date, subject to adjustment and earlier termination as provided in the Lease. The "Commencement Date" means the earlier of the following dates:  
 (a) the date upon which Tenant opens the Premises to the public for business, or  
 (b) 90 days after the date on which Landlord tenders possession of the Premises to Tenant.

Minimum Rent: Minimum Rent shall be the following amounts for the following periods of time:

Lease Month	Annual Minimum Rent Rate Per Rentable Square Foot	Monthly Minimum Rent
1 – 15	\$32.00	\$5,080.00
16 – 24	\$32.96	\$5,232.40
25 – 36	\$33.95	\$5,389.37
37 – 48	\$34.97	\$5,551.05
49 – 60	\$36.92	\$5,717.58
61 – 72	\$37.10	\$5,889.11
73 – 84	\$38.21	\$6,065.79
85 – 96	\$39.36	\$6,247.76
97 – 108	\$40.54	\$6,435.19
109 – 123	\$41.75	\$6,628.25

\* Subject to Exhibit L attached hereto.

As used herein, the term "Lease Month" means each calendar month during the Term (and if the Commencement Date does not occur on the first day of a calendar month, the period from the Commencement Date to the first day of the next calendar month shall be included in the first Lease Month for purposes of determining the duration of the Term and the monthly Minimum Rent rate applicable for such partial month).

8/29/19

Sugarcoat/Stonewalk/North Point Master Plan



1180 West Peachtree Street  
Suite 500  
Atlanta, Georgia 30309  
Phone: 404.962.8600  
Fax: 404.962.8604  
www.streamrealty.com

August 22, 2019

Mr. Michael Woodman  
Senior Planner – Community Development Department  
City of Alpharetta  
2 Park Plaza  
Alpharetta, GA 3009

**Re: *Application to Amend the North Point Commons Master Plan to accommodate an upscale Health & Beauty/ Nail Salon use at the Stone Walk at North Point Shopping Center***

Dear Mr. Woodman and Councilmembers of the City of Alpharetta:

I am writing this letter in support of the proposed use modification to the North Point Commons Master Plan that would allow for our client, CH Retail Fund I/Atlanta Stone Walk, LLC to lease a space in their Stone Walk at North Point Shopping Center to Sugarcoat Beauty, a first-class upscale health and beauty operator.

As you know, the incorporation of upscale service, amenity and health & beauty user like a high-end nail salon has become a vital component to successful retail properties. We own nearly one million square feet of retail property in the Greater Atlanta MSA, and we lease/manage another 2 million on behalf of third-party clients. We have high-end nail salon tenants at most those properties—and those for those properties that do not currently have such use, we are aggressively seeking it. The current restriction against nail salon facilities within this pod is, in our view, obsolete and overly burdensome. Strong health and beauty operators bring excellent and steady traffic to these properties, without burdening parking or disturbing their neighbors. The space in question has remained vacant for the past two years. Two years'-worth of diligent leasing efforts have turned up no other viable prospects.

The tenant with whom the Landlord has agreed to terms is an experienced, first-class operator, with several other locations around the Atlanta MS. Their salons feature high-end finishes and a luxury experience. They have a proven track record of outstanding service and an exemplary product. Any center would benefit greatly from such a strong operator.

We ask you to please consider this proposal favorably.

Sincerely,

**STREAM REALTY PARTNERS, L.P.**

A handwritten signature in blue ink, appearing to read "Chris Hicks".

Chris Hicks  
Vice President of Property Management

A handwritten signature in blue ink, appearing to read "Jack Arnold".

Jack Arnold  
Managing Director - Retail

UNIT	TENANT	SF
<b>BUILDING A</b>		
120	Guitar Center	12,013
100	Tapout Fitness	8,000
<b>BUILDING B</b>		
100	Salon Lofts	5,258
130	Available	1,546
150	Available	1,905
160	Chronic Taco	2,342
170	Available	1,372
180	Piece of Cake	1,307
190	Chicken Salad Chick	2,362
GLA		4,823

SUGARCOAT

SUGARCOAT'S PROPOSED SPACE

North Point Parkway

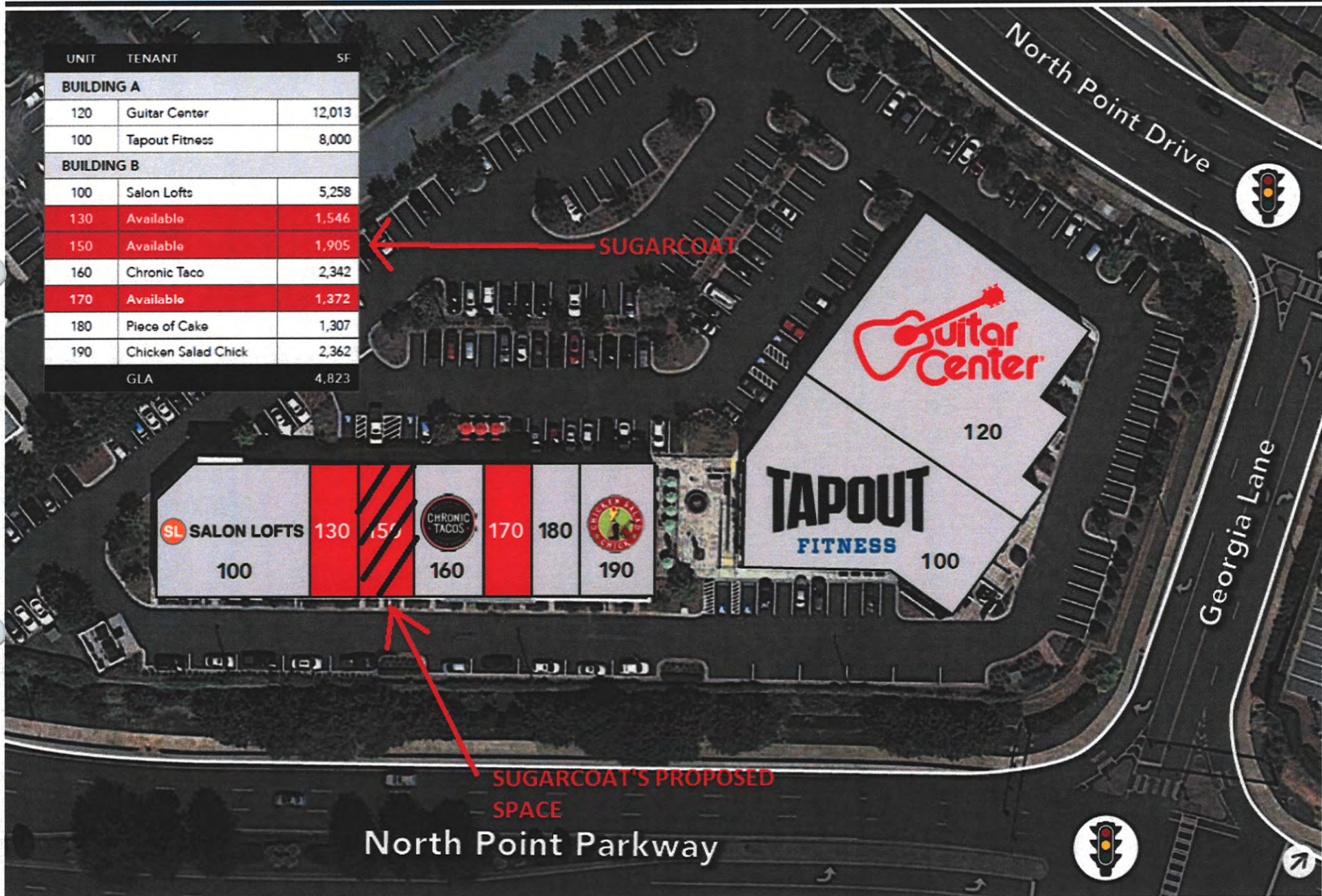


EXHIBIT ALand Description

All that tract or parcel of land lying and being in Land Lots 754, 755, 796 and 797 of the 1st District, 2nd Section, Fulton County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the eastern right-of-way line of Heynes Bridge Road and the northern right-of-way line of North Point Parkway (a variable right-of-way); running thence northeasterly along the said right-of-way line of North Point Parkway a distance of 260.67 feet to a point marked by an iron pin, said point being the TRUE POINT OF BEGINNING.

Thence, leaving the aforesaid right-of-way line of North Point Parkway, run North  $16^{\circ} 18' 54''$  East, a distance of 222.41 feet to a point marked by an iron pin;

Thence, run North  $73^{\circ} 41' 06''$  West, a distance of 20.00 feet to a point marked by a nail;

Thence, run North  $16^{\circ} 18' 54''$  East, a distance of 83.00 feet to a point marked by a nail;

Thence, run North  $16^{\circ} 18' 54''$  East, a distance of 113.41 feet to a point marked by a nail;

Thence, run North  $21^{\circ} 46' 17''$  East, a distance of 123.19 feet to a point marked by a nail;

Run thence, along the arc of a curve to the left, an arc distance of 67.02 feet (said arc having a radius of 250.00 feet), on a chord bearing of North  $13^{\circ} 54' 47''$  East, a chord distance of 66.82 feet, to a point marked by nail located on the southerly right-of-way line of North Point Drive (a variable right of way);

Thence, run South  $84^{\circ} 25' 37''$  East, along said right-of-way line of North Point Drive, a distance of 65.93 feet to a point;

Thence, continuing along said right-of-way line of North Point Drive, run South  $82^{\circ} 35' 39''$  East a distance of 52.61 feet to a point;

Thence, continuing along said right-of-way line of North Point Drive, along the arc of a curve to the left, run an arc distance of 176.23 feet (said arc having a radius of 642.50 feet), on a chord bearing of North  $89^{\circ} 32' 54''$  East, a chord distance of 175.67 feet to a point located at the intersection of the aforesaid southerly right-of-way line of North Point Drive and the right-of-way line of Georgia Lane (a variable right-of-way);







# City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Sponsored By:

Meeting Date: November 18, 2019

**I. AGENDA ITEM TITLE: E-19-06 STUDIO MOVIE GRILL SIGN EXCEPTION**

*CONSIDERATION OF A SIGN EXCEPTION TO AGGREGATE ALLOWABLE WALL SIGNAGE TO ALLOW FOR THREE (3) WALL SIGNS ON THE FRONT ELEVATION AND TO INCREASE THE SIGN AREA OF A WALL SIGN ON THE REAR ELEVATION OF THE BUILDING FACING THE BIG CREEK GREENWAY. THE PROPERTY IS LOCATED AT 7660 NORTH POINT PARKWAY AND IS LEGALLY DESCRIBED AS BEING LOCATED IN LAND LOTS 655, 656 & 686, 1ST DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA.*

**II. RECOMMENDATION:**

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

**IV. REPORT IN BRIEF:**

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

Studio Movie Grill Sign Exception CC Staff Report, Aerial Map, Future Land Use, Zoning Map, Location Map, CZIM Sign In Sheet, Citi Part B Report, Studio Movie Grill Application



# CITY COUNCIL MEETING STAFF REPORT

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

---

## I. AGENDA ITEM TITLE: E-19-06 STUDIO MOVIE GRILL SIGN EXCEPTION

CITY COUNCIL: NOVEMBER 18, 2019

## II. RECOMMENDATION:

Approve E-19-06 Studio Movie Grill Sign Exception, subject to the following conditions:

1. Wall sign location, size, type, color, and illumination shall be limited to submitted plans, with final approval by Staff.
2. Wall sign on the rear of building shall be painted and shall not exceed 78 square feet in sign area. Illumination shall be approved by Staff.
3. No additional wall signs shall be permitted for the applicant's building.

## III. REPORT IN BRIEF:

The applicant, NAI Sign Services on behalf of Studio Movie Grill, is requesting consideration of a sign exception to allow sign area to be aggregated and spread over the building. Two (2) wall signs are proposed on the front elevation facing North Point Parkway, one (1) blade sign on the elevation facing Mansell Road and one (1) wall sign on the rear elevation facing the Big Creek Greenway. The Unified Development Code (UDC) allows one (1) wall sign per road frontage for each building and a wall sign on the rear of the building facing open space. The subject property is located at 7660 North Point Parkway at the northeast corner of North Point Parkway and Mansell Road and in the building formerly occupied by AMC Theater.

## DISCUSSION

The submitted request, if approved, would allow two (2) wall signs on the front elevation of the Studio Movie Grill building facing North Point Parkway and a larger wall sign on the rear of the building facing the Big Creek Greenway. The Unified Development Code (UDC) allows one (1) wall sign per road frontage for each building and a wall sign on the rear of the building facing open space. The applicant is requesting to aggregate allowable wall sign area and distribute over four (4) proposed wall signs on the front, side and rear of the building. The subject property is located at 7660 North Point Parkway at the northeast corner of North Point Parkway and Mansell Road and in the building formerly occupied by AMC Theater.

The subject property is zoned PSC (Planned Shopping Center) and is developed with a 51,130 square foot movie theater building. Surrounding properties are also zoned PSC and located within the North Point Overlay. Barnes and Noble/Starbucks are located to the north, Chili's Grill & Bar to the west, Buffalo Wind Wings to the south and the Big Creek Greenway to the east.

UDC Section 2.6.12 (B)(9)(F) *Signs Permitted for Cinema Complexes* states that, "One (1) wall sign, which may include changeable copy board, or canopy sign shall be permitted for a cinema complex; provided,

however, if theaters are contained within separate buildings then one such sign shall be permitted for each building. Signage for each building shall be treated as a separate sign. The aggregate area of wall signs or canopy signs for a cinema complex shall not exceed 1 sq. ft. for each linear foot of building frontage." In addition, the North Point Overlay allows one (1) wall sign, not to exceed 24 square feet, located on the rear of the building, since the property backs up to open space (Big Creek Greenway). Staff is currently proposing a UDC text amendment to this regulation to increase the allowable sign area of a rear facing wall sign to 50% of the allowable sign area of the wall sign on the front elevation. If the text amendment is approved, the applicant would be permitted a rear facing wall sign up to 78 square feet. It is recommended that the rear-facing sign be limited to no more than 78 square feet.

The applicant proposes two (2) wall signs on the front elevation of the building facing North Point Parkway. The building has 340' of frontage facing North Point Parkway and 166' of frontage facing Mansell Road. Each elevation is permitted a 156 square foot wall sign, since the UDC restricts the maximum wall sign area to no larger than 156 square feet. Including the rear-facing wall sign allowance, a total of 336 square feet of sign area is permitted for three (3) wall signs on the applicant's building.

The applicant proposes two (2) wall signs on the front elevation with a total sign area of 137.65 square feet. One (1) sign is LED back-lit and the other is LED face-lit and back-lit. A 37.67 square foot blade (perpendicular) sign is proposed to face Mansell Road and includes halo-lit lettering. A 97.65 square foot painted wall sign is proposed on the rear of the building facing the Big Creek Greenway. As shown in the table below, the applicant is requesting a total of four (4) wall signs with a total sign area of 272.97 square feet, which is 63.03 square feet, or 19%, less in total sign area than what is permitted by the Sign Code.

Elevation	# Allowed	# Requested	Allowed Area	Sign	Requested Sign Area
West (North Point Pkwy)	1	2	156 SF		97.65 SF (Studio Movie Grill) + 40 SF (Eat Drink Movies) = 137.65 SF
South (Mansell Rd)	1	1	156 SF		37.67 SF (Blade Sign)
East (Big Creek Greenway)	1	1	24 SF		97.65 SF
North	0	0	0		0
<b>TOTAL</b>	<b>3</b>	<b>4</b>	<b>336 SF</b>		<b>272.97 SF</b>

## EXCEPTION REQUIREMENTS

The City of Alpharetta Unified Development Code Article II, Section 4.5.4. outlines the criteria set forth for granting an exception to the sign regulations. 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 size, shape or topography; or

*Response: The applicant's proposed wall sign area of 272.97 square feet for a total of four (4) wall signs is 19% less than the allowable sign area of 336 square feet for three (3) wall signs.*

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

*Response: The applicant is asking to aggregate allowable sign area and distribute over three (3) building elevations. The proposed overall sign area of the four (4) wall signs is 19% less than the total allowed sign area of the three (3) permitted wall signs.*

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

*Response: Granting the applicant's sign exception would not grant the applicant significant privileges denied to others, since the proposed sign area is 19% less than the maximum sign area allowed by the Sign Code.*

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

*Response: The sign exception would not cause substantial detriment to the public good as the proposed overall sign area is much less than the maximum allowed. The three (3) smaller wall signs on the front and side elevations would be more aesthetically pleasing than two (2), large 156 square foot wall signs on the front and side building elevations. If approved, a condition is recommended limiting the sign area of the rear wall sign to no greater than 78 square feet.*

## CONCURRENCES

Staff has reviewed the application and is in general agreement with the requested sign exception. The criteria have been met and the applicant's request should not impact surrounding properties. The applicant is permitted a total of three (3) wall signs with a sign area of 336 square feet, of which the applicant proposes 272.97 square feet of sign area over four (4) wall signs on the front, side and rear building elevations. Three (3) smaller wall signs on the front and side elevations would be more aesthetically pleasing than two (2), large 156 square foot wall signs on the same elevations. If approved, a condition is recommended limiting the size of the rear wall sign to no greater than 78 square feet.

## CITIZEN PARTICIPATION PLAN

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

## COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on October 8, 2019. There were no public comments on the sign-in sheet.

## IV. ATTACHMENTS:

- Sign Location & Details



**E-19-06**

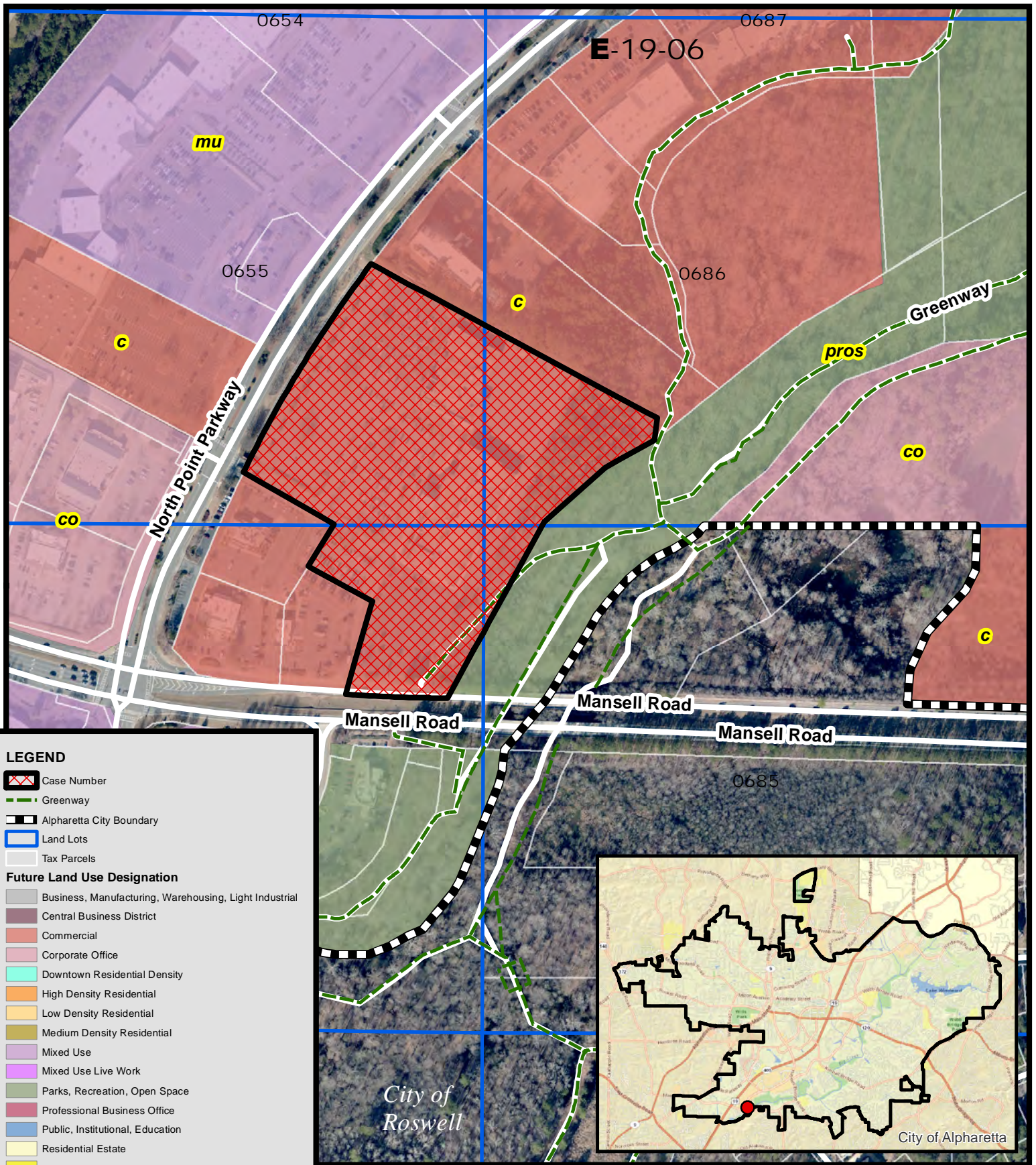
D/LL: 1/2/655, 656, 685, 686

CC Date: **11/18/19**

Aerial Map **Studio**  
**Movie Grill Sign**  
**Exception**

Location Map Provided by:  
 Community Development - GIS





**LEGEND**

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

**Future Land Use Designation**

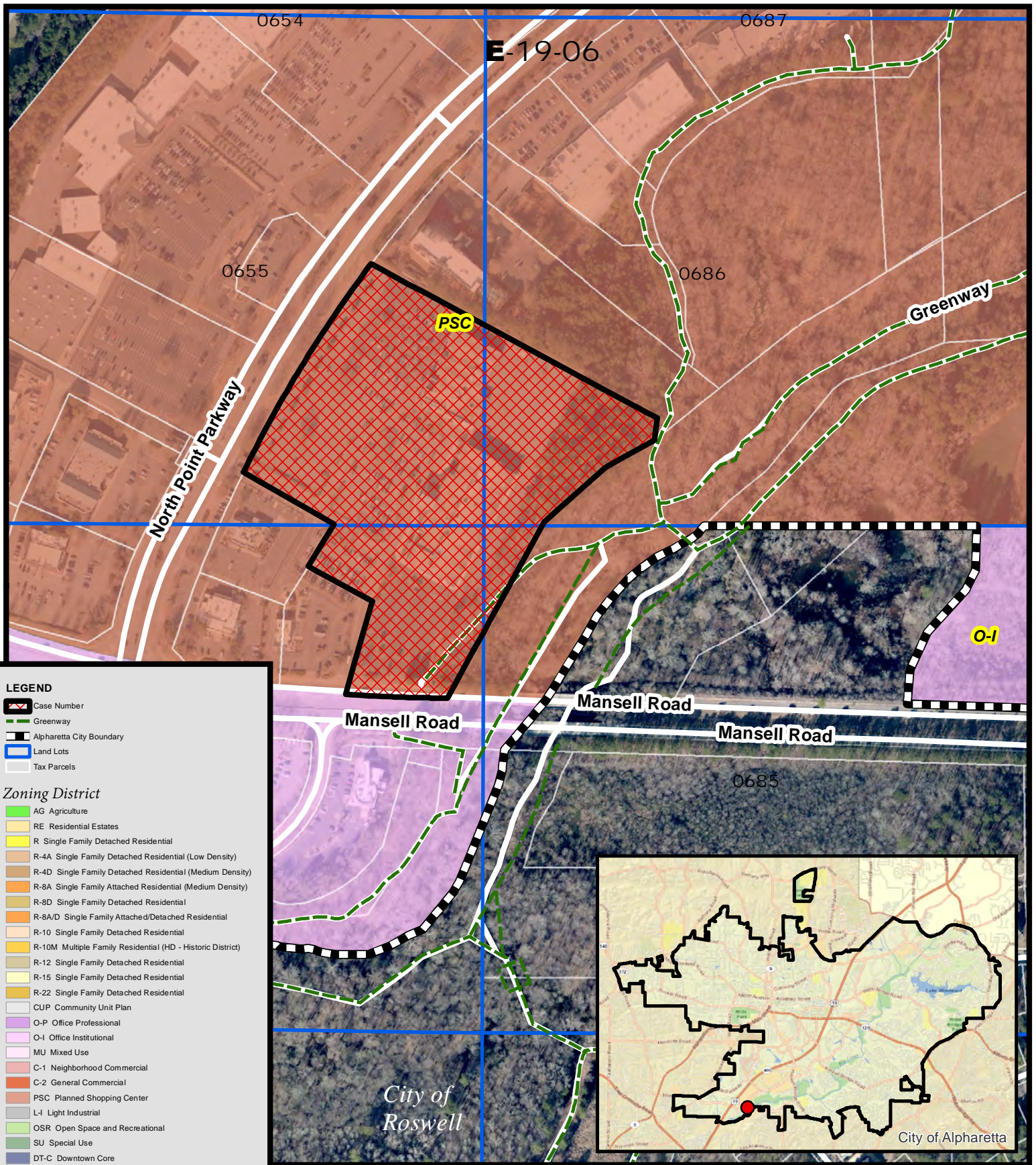
- Business, Manufacturing, Warehousing, Light Industrial
- Central Business District
- Commercial
- Corporate Office
- Downtown Residential Density
- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Mixed Use Live Work
- Parks, Recreation, Open Space
- Professional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

Future Land Use  
**Studio Movie Grill**  
**Sign Exception**

**E-19-06**  
 D/LL: 1/2/655, 656, 685, 686  
 CC Date: **11/18/19**



Location Map Provided by:  
 Community Development - GIS



**LEGEND**

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

**Zoning District**

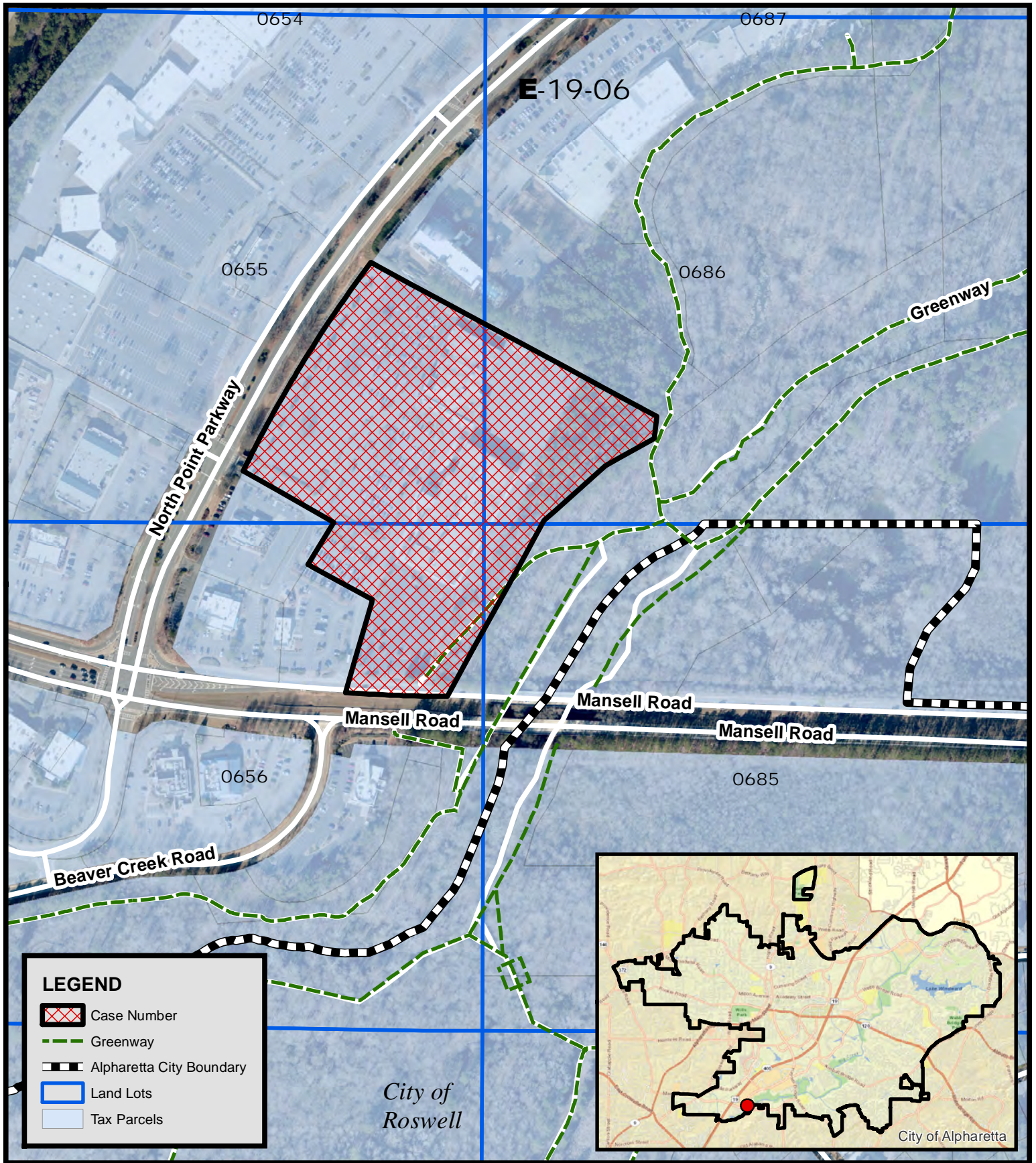
- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-4D Single Family Detached Residential (Medium Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-8D Single Family Detached Residential
- R-8A/D 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

Zoning Map  
**Studio Movie Grill**  
**Sign Exception**






**E-19-06**  
 D/LL: 1/2/655, 656, 685, 686  
 CC Date: **11/18/19**

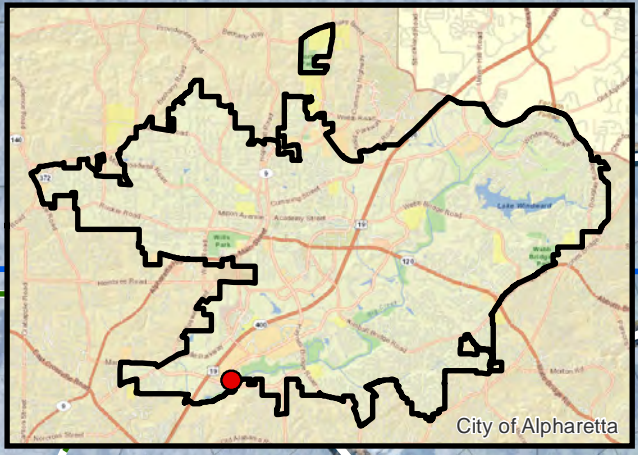


Location Map Provided by:  
 Community Development - GIS



**LEGEND**

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



*City of Roswell*

City of Alpharetta

Location Map  
**Studio Movie Grill**  
**Sign Exception**

**E-19-06**  
 D/L/L: 1/2/655, 656, 685, 686  
 CC Date: **11/18/19**



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: Studio Movie Grill E-19-06

Contact Name: Rebecca Talafous

Telephone: 706-219-1225

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.

no comments are calls or emails received

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.*

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

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: Rebecca Talafous

Date: 10/17/19

Print Form



**SIGN SERVICES**

48 Bloodroot Drive  
Cleveland, GA 30528  
Office: 706-219-1225  
Fax: 706-219-0017

---

**Purpose of Variance Request**

8.22.19

To whom this may concern,

This letter is to inform you that Studio Movie Grill located at 7660 North Point Pkwy intends to make a sign application request for a sign variance to have more than one sign on the front elevation. They are asking for 310sqft of total aggregate of signage on all elevations and a total of (5) wall signs to install on their building. They are still not exceeded the 336sqft allowed for a Cinema Complex per the current code with City of Alpharetta.

Signs will be posted for Variance hearing November 18<sup>th</sup> 6:30 p.m. in Council Chambers, 2 Park Plaza, Alpharetta, GA, 30009. Also

If you have any questions or comments please contact me at the email or phone number above.

Thanks  
Rebecca Talafous  
SMG Representative  
Rebecca@naiservices.com

AHP H6 ALPHARETTA LLC  
5950 BERKSHIRE LN SUITE 850  
DALLAS TX 75225

ARC CAFEUSA001 LLC  
6230 SHILOH RD STE 215  
ALPHARETTA GA 30005

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

CENTRO WATT OPERATING PTNRSHIP TWO LLC  
1 FAYETTE ST SUITE 150  
CONSHOHOCKEN PA 19428

COLE BN ALPHARETTA GA LLC  
14800 QUORUM DR STE 510  
DALLAS TX 75254

DB TRIPLE DIPPER RESTAURANT LLC  
6820 LBJ FRWY  
DALLAS TX 75240

FAMILY INVESTMENT GROUP LLC  
1345 CHARLOTTESVILLE BLVD  
KNOXVILLE TN 37922-6663

GREATER ATLANTA HOTEL LLC  
116 B TOMMY STALNAKER DR  
WARNER ROBINS GA 31088

HAY FAMILY TRUST THE  
78140 CALLE TEMPICO # 201  
LA QUINTA CA 92253-2327

MANSELL III LLC  
40 SKOKIE BLVD SUITE 601  
NORTHBROOK IL 60062

MANSELL NORTH POINT L L C  
3565 PIEDMONT RD NE  
ATLANTA GA 30305-4657

MANSELL RD L P  
1842 INDEPENDENCE SQ STE C  
ATLANTA GA 30338

ORIGINAL HONEY BAKED HAM CO OF GA INC  
THE  
3875 MANSELL RD  
ALPHARETTA GA 30022-1532

RESURGENS PARK OWNERS ASSOCIATION INC  
1945 VAUGHN RD  
KENNESAW GA 30144

RUBY REDS II  
9690 CONE CT  
ROSWELL GA 30075

SHOPS AT MANSELL LLC  
2022 US HIGHWAY 1  
VERO BEACH FL 32960

SMGA LLC  
635 WEST 7TH ST # S 310  
CINCINNATI OH 45203

TRU TWO THOUSAND FIVE RE I LLC  
2825 WILCREST DR 669  
HOUSTON TX 77042

WIGGINS W B JR  
2964 PEACHTREE RD NW STE 530  
ATLANTA GA 30305-4928

9/3/19

# CITY OF ALPHARETTA

## PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: \_\_\_\_\_

Fee Paid      Initial: \_\_\_\_\_

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

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

### Contact Information:

Contact Name: Rebecca Talafous Telephone: 706-219-1225

Address: 48 Bloodroot Drive Suite: \_\_\_\_\_

City: Cleveland State: GA Zip: 30528 Fax: \_\_\_\_\_

Mobile Tel: 70-363-2428 Email: rebecca@naiservices.com

### Subject Property Information:

Address: 7660 North Point Pkwy Current Zoning: \_\_\_\_\_

District: 1st Section: 2nd Land Lot: 655/686 Parcel ID: 12 250006550236

Proposed Zoning: PSC Current Use: Theater

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

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Conditional Use              | <input type="checkbox"/> Master Plan Amendment  | <input checked="" type="checkbox"/> Exception |
| <input type="checkbox"/> Rezoning                     | <input type="checkbox"/> Master Plan Review     |   |
| <input checked="" type="checkbox"/> Variance          | <input type="checkbox"/> Public Hearing         |   |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Other (Specify): _____ |   |

9/3/19

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## APPLICANT REQUEST AND INTENT

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

This site was a AMC theater and now Studio Movie Grill will be moving in. So it will remain a theatre.

Applicant's Request (Please itemize the proposal):

The wall signage we are asking for is Studio Movie Grill letters 97.65sqft on the front elevation. We are also asking for a blade/wall sign on the front elevation 37.67sqft and letters at the entrance reading EAT, DRINK, MOVIES letters at 40sqft. So there are 3 wall signs on the front elevation.

There will be a set of letters on the rear/back elevation reading STUDIO MOVIE GRILL letters that is 97.65sqft .

We are asking for a blade /wall sign 37.67sqft on the opposite corner which is the right elevation as well.

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

Studio Movie Grill is asking for the aggregate total to be 310sqft of the 336 total allowed. They are currently allowed 156 on each street facing road and the rear is currently allowed to have 24 sqft facing the greenway for a total of 336sqft allowed. We are just using the total sqft allowed and spreading it out on all elevations .

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: Brett Milke, Brixmor Property Group Telephone: 770-442-3834  
 Address: 1003 Holcomb Woods Parkway Suite: \_\_\_\_\_  
 City Roswell State: GA Zip: 30076

## Authorization:

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

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


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

Note: Applicant is approved to submit variance application for signage related to the Studio Movie Grill project only. Further, applicant is not authorized to enter into any binding conditions on behalf of the property owner which may otherwise encumber the underlying property.

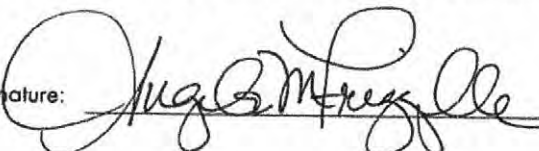
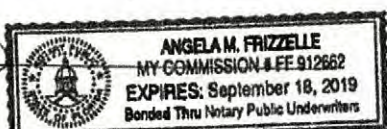
## Identify Authorized Applicant:

Name of Authorized Applicant: Rebecca Talafous, NAI Sign Services Telephone: 706-219-1225  
 Address: 48 Bloodroot Drive Suite: \_\_\_\_\_  
 City Cleveland State: GA Zip: 30528

## So Sworn and Attested:

Owner Signature:  Date: 8-28-19  
 By: Brixmor Management Joint Venture 2, LP, a Delaware limited partnership, as managing agent  
 By: BRE Retail Management GP Holdings LLC, its general partner

## Notary:

Notary Signature:  Date: 8/28/19  


9/3/19

# 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: Rebecca Talafous

Subject Public Hearing Case: Studio Movie Grill

### 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: N/A Value: \_\_\_\_\_

Description of Contribution: N/A Value: \_\_\_\_\_

Description of Contribution: N/A Value: \_\_\_\_\_

Description of Contribution: N/A Value: \_\_\_\_\_

Description of Contribution: N/A 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: Rebecca Talafous

Date: 8/21/19

9/3/19

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## SIGN VARIANCE REVIEW CRITERIA

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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

9/3/19

# 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: Studio Movie Grill

Contact Name: Rebecca Talafous

Telephone: 706-219-1225

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

**see attached sheet**

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

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

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

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

**I will mail letters with my contact information for questions or concerns and give email for contacts.**

STUDIO MOVIE GRILL  
SIGN EXCEPTION

9/3/19

ORIGINAL HONEY BAKED HAM CO OF GA  
INC THE  
3875 MANSELL RD  
ALPHARETTA GA 30022-1532

CITY OF ALPHARETTA  
2 SOUTH MAIN ST  
ALPHARETTA GA 30004

WIGGINS W B JR  
2964 PEACHTREE RD NW STE 530  
ATLANTA GA 30305-4928

COLE BN ALPHARETTA GA LLC  
14800 QUORUM DR STE 510  
DALLAS TX 75254

CITY OF ROSWELL  
38 HILL ST  
ROSWELL GA 30075

SCOTT & ASSOCIATES SIX LLC  
900 CIRCLE 75 PKWY STE 720  
ATLANTA GA 30339

SMGA LLC  
635 WEST 7TH ST # S 310  
CINCINNATI OH 45203

CITY OF ALPHARETTA  
2 SOUTH MAIN ST  
ALPHARETTA GA 30004

CITY OF ALPHARETTA  
2 S SOUTH MAIN ST  
ALPHARETTA GA 30004

DB TRIPLE DIPPER RESTAURANT LLC  
6820 LBJ FRWY  
DALLAS TX 75240

FAMILY INVESTMENT GROUP LLC  
1345 CHARLOTTESVILLE BLVD  
KNOXVILLE TN 37922-6663

WIGGINS W B JR  
2964 PEACHTREE RD NW STE 530  
ATLANTA GA 30305-4928

ARC CAFEUSA001 LLC  
6230 SHILOH RD STE 215  
ALPHARETTA GA 30005

MANSELL RD L P  
1842 INDEPENDENCE SQ STE C  
ATLANTA GA 30338

TRU TWO THOUSAND FIVE RE I LLC  
2825 WILCREST DR 669  
HOUSTON TX 77042

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

NOBLE I/WALTON ALPHARETTA LLC  
3424 PEACHTREE RD STE 2000  
ATLANTA GA 30328

MANSELL NORTH POINT L L C  
3565 PIEDMONT RD NE  
ATLANTA GA 30305-4657

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

CITY OF ALPHARETTA  
2 SOUTH MAIN ST  
ALPHARETTA GA 30004

CENTRO WATT OPERATING PTNRSHIP TWO  
LLC  
1 FAYETTE ST SUITE 150  
CONSHOHOCKEN PA 19428

RUBY REDS II  
9690 CONE CT  
ROSWELL GA 30075

CITY OF ROSWELL  
38 HILL ST  
ROSWELL GA 30075

HOSSENLOPP MANSELL PLAZA LLC ET AL  
P.O. BOX 56807  
ATLANTA GA 30343-0607

RESURGENS PARK OWNERS ASSOCIATION  
INC  
1945 VAUGHN RD  
KENNESAW GA 30144

CITY OF ROSWELL  
38 HILL ST  
ROSWELL GA 30075

GREATER ATLANTA HOTEL LLC  
116 B TOMMY STALNAKER DR  
WARNER ROBINS GA 31088

HAY FAMILY TRUST THE  
78140 CALLE TEMPICO # 201  
LA QUINTA CA 92253-2327

MANSELL ROAD LP  
1842 INDEPENDENCE SQ SUITE C  
ATLANTA GA 30338



**SIGN SERVICES**

48 Bloodroot Drive  
Cleveland, GA 30528  
Office: 706-219-1225  
Fax: 706-219-0017

---

**Purpose of Variance Request**

8.22.19

To whom this may concern,

This letter is to inform you that Studio Movie Grill located at 7660 North Point Pkwy intends to make a sign application request for a sign variance to have more than one sign on the front elevation. They are asking for 310sqft of total aggregate of signage on all elevations and a total of (5) wall signs to install on their building. They are still not exceeded the 336sqft allowed for a Cinema Complex per the current code with City of Alpharetta.

Signs will be posted for Variance hearing November 18<sup>th</sup> 6:30 p.m. in Council Chambers, 2 Park Plaza, Alpharetta, GA, 30009. Also

If you have any questions or comments please contact me at the email or phone number above.

Thanks

Rebecca Talafous

SMG Representative

Rebecca@naiservices.com

9/3/19

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EXHIBIT A-2: SHOPPING CENTER LEGAL DESCRIPTION

PARCEL D-1

ALL THAT TRACT OR PARCEL of lying and being in Land Lots 655, 656, 685 and 686 of the 1st District of the 2nd Section of Fulton County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the northwesterly end of a mitered corner which forms the intersection of the northerly right-of-way line of Mansell Road (having a variable right-of-way width) and the southeasterly right-of-way line of Eastside Drive (120 foot right-of-way); proceeding thence along said southeasterly right-of-way line of Eastside Drive 209.18 feet along the arc of a curve to the right, said curve having a radius of 805.07 feet and being subtended by a chord bearing and distance of North 17° 16' 24" East 208.59 feet, to a point; continuing thence along said southeasterly right-of-way line of Eastside Drive 46.78 feet along the arc of a curve to the right to a point, said curve having a radius of 805.07 feet and being subtended by a chord bearing and distance of North 26° 22' 53" East 46.78 feet; continuing thence North 28° 02' 47" East along said right-of-way line a distance of 189.83 feet to a point, said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING as thus established, thence continuing North 28° 02' 47" East along said southeasterly right-of-way line of Eastside Drive a distance of 211.71 feet to a point; continuing thence along said southeasterly right-of-way line 470.52 feet along the arc of a curve to the right, said curve having a radius of 3088.54 feet and being subtended by a 470.06 foot chord bearing North 32° 24' 37" East; thence leaving said southeasterly right-of-way line and proceeding South 61° 35' 03" East a distance of 820.62 feet to a point; thence proceeding South 10° 21' 10" West a distance of 55.20 feet to a point; thence proceeding South 59° 23' 56" West, a distance of 153.46 feet to a point; thence proceeding South 49° 39' 17" West a distance of 205.20 feet to a point; thence proceeding South 28° 55' 22" West a distance of 523.06 feet to a point located on the northern right-of-way line of Mansell Road; running thence along said northern right-of-way line of Mansell Road, in a generally northwesterly direction, North 86° 43' 27" West a distance of 264.24 feet to a point; thence leaving said northern right-of-way line of Mansell Road and proceeding North 49° 52' 42" East a distance of 75.65 feet to a point; thence proceeding North 04° 13' 05" East a distance of 5.51 feet to a point; thence proceeding 138.61 feet along the arc of a curve to the right, said curve having a radius of 524 feet and being subtended by a 138.20 foot chord bearing North 11° 01' 42" East; thence proceeding North 61° 01' 45" West a distance of 208.40 feet to a point; thence

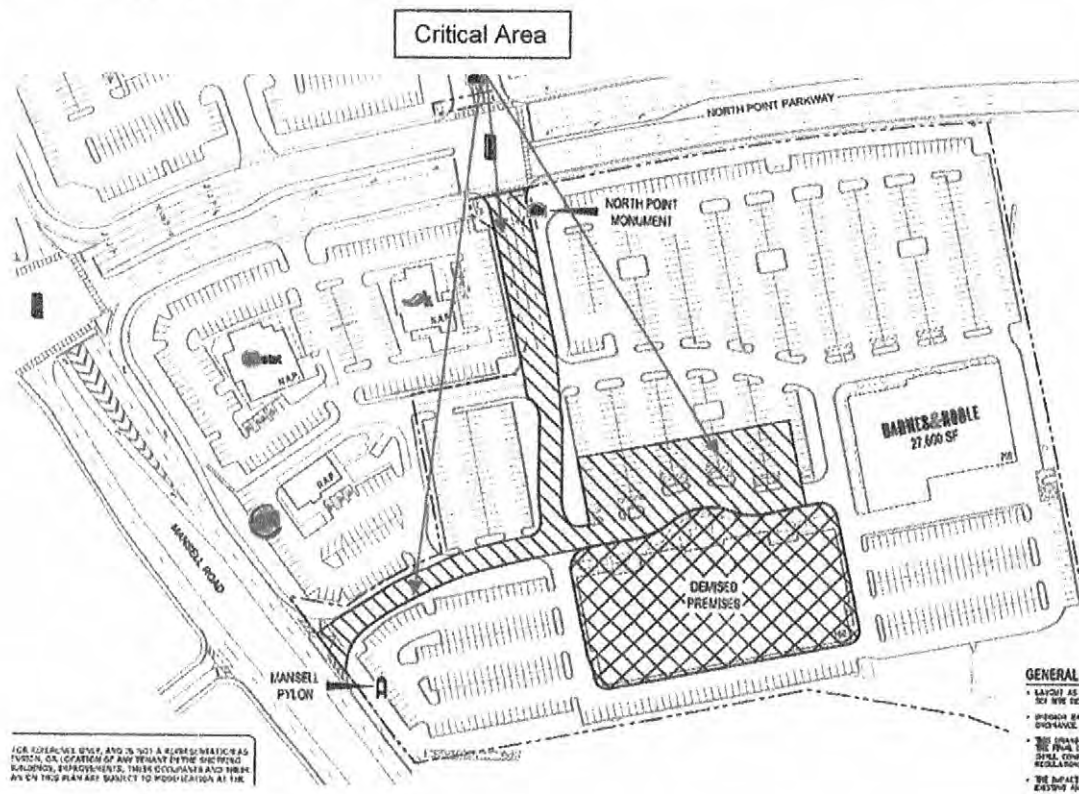
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9/3/19

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**EXHIBIT A: SHOPPING CENTER**

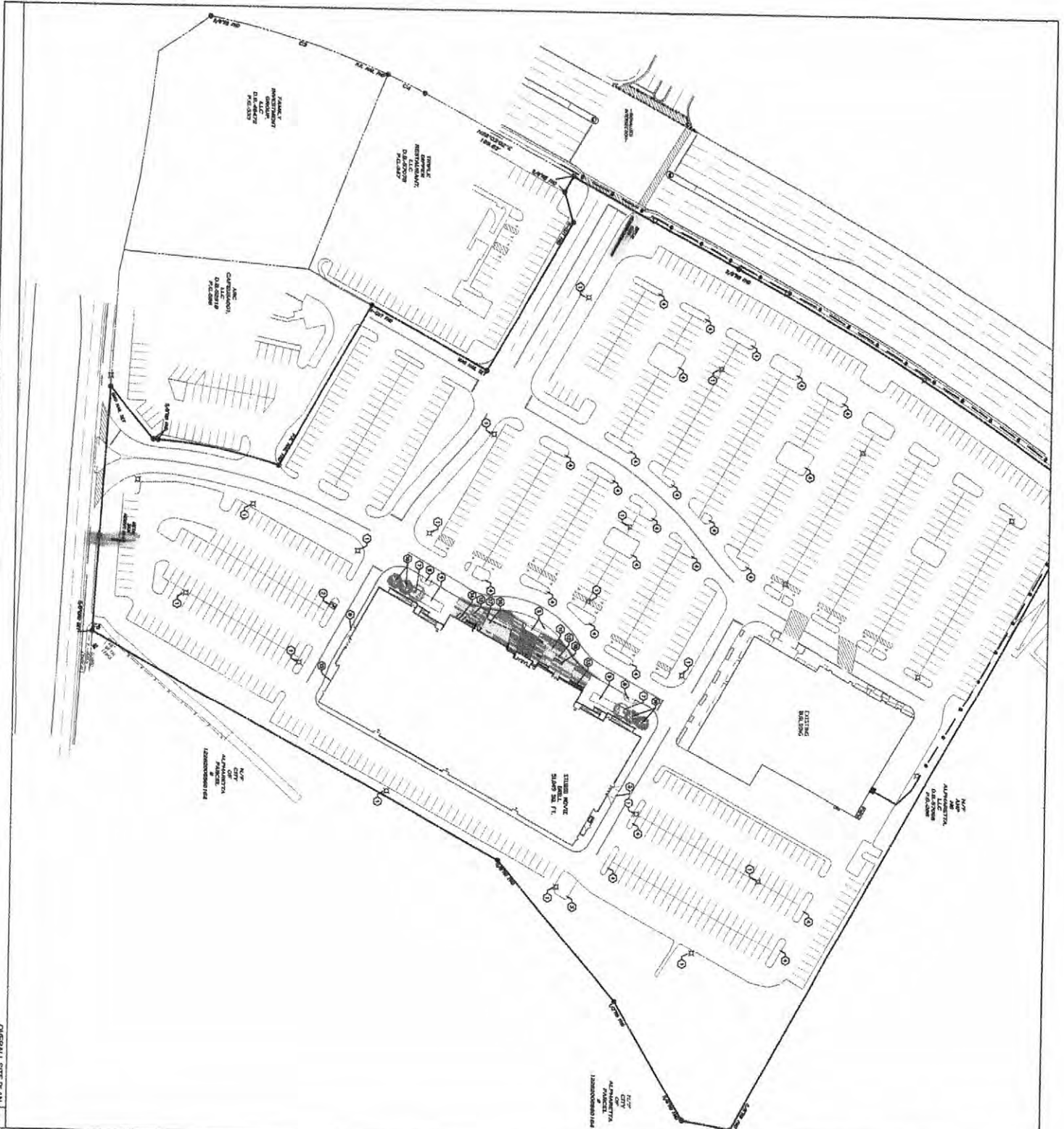
It is understood and agreed that the site plan attached hereto is merely for the purpose of showing the general layout of the Shopping Center and the approximate location of the Demised Premises and is not to be deemed to be a warranty, representation or agreement on the part of Landlord that the Shopping Center will be exactly as depicted therein or that tenants depicted therein (if any) are now in occupancy or will be in occupancy at any time during the Lease Term. The site plan is not final, is not to scale and is subject to change without notice to Tenant. Nothing contained therein shall be deemed to limit or restrict Landlord's right to change, alter or expand the Shopping Center, any buildings thereon, the land area, any improvements thereon, the parking areas, the Common Facilities or any other part or parts thereof; except that Landlord shall not be entitled to modify the Critical Area. The Shopping Center, all private roads and driveways, all buildings, all land areas, the Common Facilities and parking areas and/or any part or parts thereof, all as the same may be provided from time to time, shall be deemed to be included in the Shopping Center.



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FOR INFORMATION ONLY, AND IS NOT A REPRESENTATION OF THE LOCATION OF ANY TENANT IN THE SHOPPING CENTER, IMPROVEMENTS, THEIR OCCUPANCY AND THEREIN AS SHOWN IN THIS PLAN ARE SUBJECT TO MODIFICATION AT THE

**GENERAL**  
• LAYOUT AS SHOWN IS NOT TO SCALE  
• DIMENSIONS SHOWN IN FEET  
• THIS DRAWING IS FOR INFORMATION ONLY  
• THE OWNER SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS AND REGULATIONS  
• THE OWNER SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS AND REGULATIONS



OVERALL SITE PLAN

1

- GENERAL NOTES:**
1. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  2. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  3. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  4. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  5. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
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  9. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  10. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  11. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
  12. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ALPHARETTA SIGNAGE ORDINANCE AND THE TEXAS SIGNAGE REGULATIONS.
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**STUDIO MOVIE GRILL**  
EAT · DRINK · MOVIES

**STUDIO MOVIE GRILL  
MANSELL CROSSING**  
7750 NORTH POINTE PKWY  
ALPHARETTA, GA 30022

CLIENT: STUDIO MOVIE GRILL  
13404 PARK CENTRAL DRIVE, SUITE 400H  
DALLAS, TX 75221

OVERALL SITE PLAN  
SMG19009

A0.4

**idstudio**

14700 W. STATE HIGHWAY 147  
SUITE 100  
DALLAS, TX 75244  
WWW.IDSTUDIO.COM

ISSUE FOR DRB

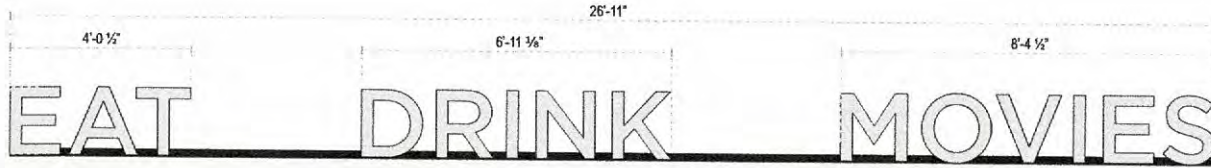
STUDIO MOVIE GRILL  
13404 PARK CENTRAL DRIVE, SUITE 400H  
DALLAS, TX 75221







5/8" 18"



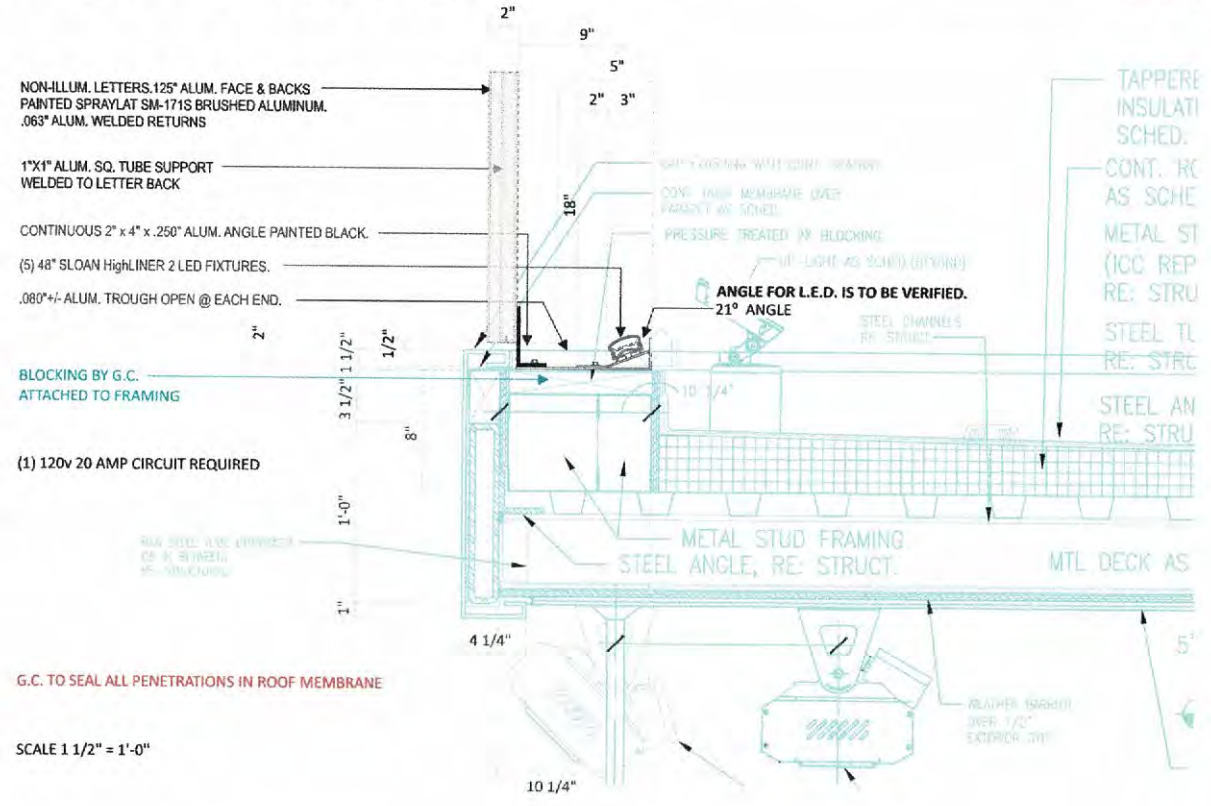
SECTION (1) 6'-8" SECTION (2) 10'-4" SECTION (3) 9'-11 1/2"

**SIGN LETTER DETAIL**

ONE ( 1 ) SET REQUIRED - MANUFACTURE AND INSTALL

SCALE: 3/8" = 1'-0"

40 SQ. FT.



SCALE 1 1/2" = 1'-0"



Design #	0622322AR4
Sheet	5 of 8
Client	
Address	7660 North Point Pkwy, Alpharetta, GA
Acct. Rep. / Coordinator	DEBBIE MOLTZ / LAUREN STACKHOUSE
Approval / Date	IH / 6/26/19

1. Increase size of CO. 2. Increase size of CO. 3. Change sign F to be within code. Maximum height 12 ft. Max area 120 sq ft. Max area to cover 10 sq ft covering with public. This may require change of building to comply with code.

**CHANDLER SIGNS**  
chandler signs.com

National Headquarters  
14321 Overlook Blvd #101  
Fort Worth, TX 76155  
214.880.0800

San Antonio  
17319 San Pedro Ave  
San Antonio, TX 78233  
210.340.0800

West Coast  
26250 Via Arroyo #104 #202  
Van Nuys, CA 91411  
818.708.0800

Northeast US  
2084 South Hill Road, Suite 201  
Louisville, KY 40236  
502.491.0800

Florida  
2084 South Hill Road, Suite 201  
Boca Raton, FL 33433  
561.426.0800

Georgia  
111 Macintosh Place  
Doraville, GA 30034  
404.390.0800

Texas  
PO BOX 125 206 Forest Green  
Portland, TX 78121  
512.288.0800

**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

UL logo

9/3/19

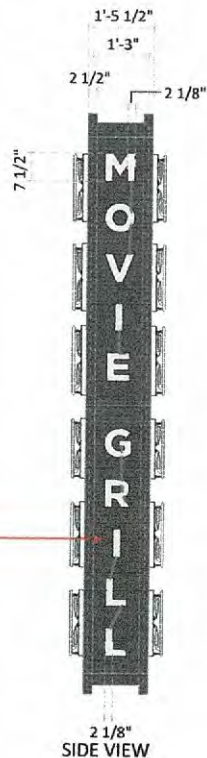
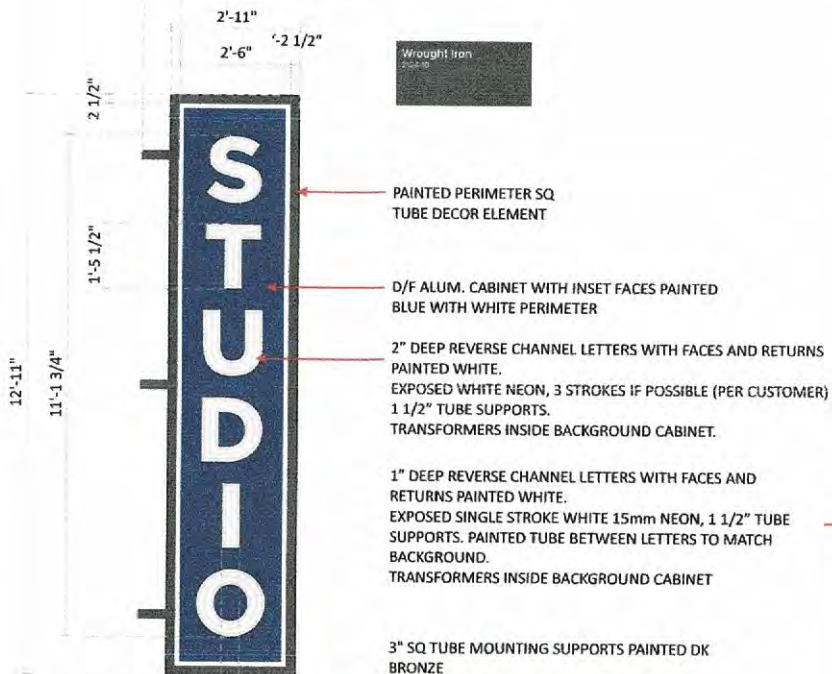
STUDIO MOVIE GRILL  
SIGN EXCEPTION

E-19-06

10" +/- SURVEY REQUIRED



TOP VIEW



SIDE VIEW



**D** D/F BLADE SIGNS SCALE: 3/8" = 1' - 0"  
 ONE (1) REQUIRED - MANUFACTURE & INSTALL 37.67 SQ. FT.

**ESTUDIO**  
MOVIE GRILL

Design # 0622322AR4

Sheet 6 of 8

Client

Address  
7660 North Point Pkwy,  
Alpharetta, GA

Acct. Rep. DEBBE MOLTZ  
Coordinator LAMBERN STACHOWICZ

IH  
6/26/19

Approval / Date

1. 1/4" x 1/4" BRKT Adjust mount on blade sign, if needed, on 3/16" sq. Change L to Max width. Reduce size if wall sign A.  
 2. 1/4" x 1/4" BRKT 1. Remove being wall from elevation. 2. Change elevation wall detail with the sign. The being wall is not allowed for sign.  
 3. Show Quick Mount L&R mounted on the rear elevation.  
 4. The elevation signs facing should be on side of the building to 1/4" sq. and the face for the front and side elevation to 1/4" sq. Recommended that the sign height be 1/4" sq. of the elevation that 1/4" square be held in a single study panel for elevation.  
 5. Show an option to enclose the mounting base. 6. Current drawing callouts. 7. Detail mounting sign. 8. Show a detail base to the underside of the sign.  
 9. 1/4" x 1/4" BRKT 1. Remove sign.  
 2. Increase size of 2" (all front surface, not the 4" depth).  
 3. Change sign to be within code. Maximum height 12'. Max area 12' sq. Max area to have full sign facing both public. This may require design of existing to comply with code.  
 4. 1/4" x 1/4" BRKT 1. Fabricated sign to be fit of rear elevation and change elevation elevation and general elevation. 2. Add elevation design detail to sign E specification.

**CHANDLER**  
SIGNS

chandlersigns.com

National Headquarters  
14811 Snowflake Road #1121  
Fort Worth, TX 76155  
(817) 412-1111

San Antonio  
17122 San Pedro Ave  
San Antonio, TX 78232  
(214) 349-1111

West Coast  
32211 Linderoth Road  
Van Nuys, CA 91411  
(818) 704-1111

Northeast US  
2910 River Road  
Lynchburg, VA 43026  
(434) 431-1111

Florida  
2541 South Hill Plaza Circle  
Davensport, FL 33817  
(888) 441-1111

Georgia  
111 Mountain Plaza  
Dawsonville, GA 30734  
(706) 841-1111

South Texas  
4000 N. 115th Street  
Portland, TX 78274  
(281) 441-1111

**FINAL ELECTRICAL CONNECTION BY CUSTOMER**

THE SIGN IS A TRADE OF 12 MONTHS  
 1. THE COMPANY WILL BE RESPONSIBLE FOR THE  
 NATIONAL ELECTRICAL CORP AND ITS AFFILIATES  
 NATIONAL ELECTRICAL CORP AND ITS AFFILIATES  
 NATIONAL ELECTRICAL CORP AND ITS AFFILIATES  
 NATIONAL ELECTRICAL CORP AND ITS AFFILIATES



Sol Construction, LLC	\$732,384.50
Multiplex, LLC	\$738,950.00
Summit Construction	\$754,999.00

The apparent low bidder, DAF Concrete, Inc., is an experienced contractor and has worked on numerous projects with similar scopes of work in Georgia for several agencies including Gwinnett County, Forsyth County, and City of Brookhaven. The contacted references stated that DAF Concrete, Inc. provided reliable work on time and within budget and would use their services again.

Staff met with representatives of DAF Concrete, Inc. to review the scope of work and the City's expectations. DAF Concrete, Inc. assured staff that they could complete the project for the bid amount and within the allocated time frames. Thus, Staff determined DAF Concrete, Inc. to be the lowest responsive and responsible bidder. Once a contract with DAF Concrete, Inc. has been finalized and executed, construction may begin immediately. The anticipated completion date for work is no more than 60 days from notice to proceed.

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

20-004 - FY 2020 SIDEWALK REPAIR REPLACEMENT - Scoring Summary



# 20-004 - FY 2020 SIDEWALK REPAIR / REPLACEMENT

## Scoring Summary

### Active Submissions

	Total	A-1 - Bid Bond	A-2 - E-Verify	B-1 - Schedule of Items	C-1 - Disclosure/Debarment
Supplier	/ 100 pts	Pass/Fail	Pass/Fail	/ 100 pts	Pass/Fail
DAF Concrete, Inc.	100	Pass	Pass	100 (\$450,850.00)	Pass
Autaco Development LLC	69.05	Pass	Pass	69.05 (\$652,900.00)	Pass
Sol Construction LLC	61.56	Pass	Pass	61.56 (\$732,384.50)	Pass
MULTIPLEX, LLC OF GEORGIA	61.01	Pass	Pass	61.01 (\$738,950.00)	Pass
Summit construction and development	59.72	Pass	Pass	59.72 (\$754,888.00)	Pass



**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

FY 2020 TREE - Rucker Roundabouts and Other (002)



Tuesday, November 12, 2019

**Property: City of Alpharetta**

**Project: FY 2020 Tree & Landscape – Rucker Road Roundabouts and Other Landscape Improvements**

Attn: Will

Ruppert Landscape proposes to furnish all labor, tools, materials, equipment and insurance necessary to perform the following Landscape Enhancements at the above referenced property. Specifically, the scope of work shall be described herein:

### Rucker Road Roundabouts

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
6	Regal Prince Oak	3.5"	\$ 593.42	\$ 485.53	\$ 1,078.95	\$ 445.00	\$ 1,523.95	\$ 9,143.70
3	Exclamation Planetree	5"	\$ 584.49	\$ 478.22	\$ 1,062.70	\$ 510.50	\$ 1,573.20	\$ 4,719.60
159	Kaleidoscope Abelia	3 Gal	\$ 22.76	\$ 18.63	\$ 41.39	\$ 11.34	\$ 52.73	\$ 8,384.07
30	Rose Creek Abelia	3 Gal	\$ 14.15	\$ 11.58	\$ 25.73	\$ 11.34	\$ 37.07	\$ 1,112.10
480	Creeping St. Johnswort	1 Gal	\$ 6.77	\$ 5.54	\$ 12.31	\$ 3.27	\$ 15.58	\$ 7,478.40
177	Crimson Fire Loropetalum	3 Gal	\$ 22.15	\$ 18.12	\$ 40.27	\$ 11.34	\$ 51.61	\$ 9,134.97
173	Liriope Spicata	Flat	\$ 24.61	\$ 20.14	\$ 44.75	\$ 1.52	\$ 46.27	\$ 8,004.71
149	Creeping Phlox 'Emerald Pink'	1 Gal	\$ 6.77	\$ 5.54	\$ 12.31	\$ 3.27	\$ 15.58	\$ 2,321.42
2	Prairiefire Crabapple	2"	\$ 177.81	\$ 145.48	\$ 323.29	\$ 340.00	\$ 663.29	\$ 1,326.58
20	Roll 18" x 20' Root Barrier		\$ 56.42	\$ 102.58	\$ 102.58	\$ 120.00	\$ 222.58	\$ 4,451.58
1-Jan	Crane/Lull Rental		\$ -	\$ -	\$ -		\$ 670.00	\$ 670.00

**PLANTING COST: \$56,747.13**

### Soil Installation

Soil			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
575	CY Soil - 60/40 Planting Mix		\$ 41.00	\$ 17.57	\$ 58.57		\$ 58.57	\$ 33,677.75

**INSTALLATION COST: \$33,677.75**

**Cost for Watering per Specifications:**

**Year One –**

- • 16 trees at 4 minutes/tree/visit
- • 366 shrubs at 0.4 minutes/shrub/visit
- • 629 (1 gallon) groundcover at 0.2 minutes/shrub/visit
- • 173 flats groundcover at 0.25 minutes/flat/visit

**FIRST YEAR WATERING= \$51,292.80**

**Installation of tree diapers for 16 trees for year two watering. Includes drenching of diapers to activate. May need to do supplemental watering during dry periods.**

Materials			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item	
Qty	Description	Size	Cost	up	Unit Price	Price	Labor Total	Price	
16	Tree Diapers		\$ 79.98	\$ 65.44	\$ 145.42	\$ 60.00	\$ 960.00	\$ 205.42	\$ 3,286.76

**SECOND YEAR WATERING: \$3,286.76**

**Northfield Entrance Installation**

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
5	October Glory	4"	\$ 694.43	\$ 568.17	\$ 1,262.60	\$ 323.00	\$ 1,585.60	\$ 7,928.00
8	Eastern Redbud	4"	\$ 614.02	\$ 502.38	\$ 1,116.40	\$ 323.00	\$ 1,439.40	\$ 11,515.19
6	Cherokee Brave Dogwood	4"	\$ 290.40	\$ 237.60	\$ 528.00	\$ 323.00	\$ 851.00	\$ 5,105.98
1	Regal Prince Oak	3.5"	\$ 585.72	\$ 479.22	\$ 1,064.94	\$ 300.00	\$ 1,364.94	\$ 1,364.94
6	Overcup Oak	4"	\$ 473.74	\$ 387.61	\$ 861.35	\$ 323.00	\$ 1,184.35	\$ 7,106.10
15	Green Giant Arborvitae	12'	\$ 369.15	\$ 302.03	\$ 671.18	\$ 309.00	\$ 980.18	\$ 14,702.73
16	Emerald Arborvitae	8'	\$ 190.73	\$ 156.05	\$ 346.78	\$ 220.00	\$ 566.78	\$ 9,068.44
8	Pansy Delta Cool Water Mix	Flat	\$ 13.23	\$ 10.82	\$ 24.05	\$ 45.00	\$ 69.05	\$ 552.41
27	Tiffuf Bermuda Sod	Pallet	\$ 227.64	\$ 186.25	\$ 413.90	\$ 275.00	\$ 688.90	\$ 18,600.18
28	Kaleidoscope Abelia	3 Gallon	\$ 20.92	\$ 17.12	\$ 38.03	\$ 14.72	\$ 52.75	\$ 1,477.10
17	Rose Creek Abelia	3 Gallon	\$ 12.92	\$ 10.57	\$ 23.49	\$ 14.72	\$ 38.21	\$ 649.59
30	Endless Summer Hydrangea	3 Gallon	\$ 25.84	\$ 21.14	\$ 46.98	\$ 14.72	\$ 61.70	\$ 1,851.08
81	Ruby Loropetalum	7 Gallon	\$ 44.30	\$ 36.24	\$ 80.54	\$ 19.79	\$ 100.33	\$ 8,126.88
30	Variegated Liriope	Flat of 4"	\$ 23.26	\$ 19.03	\$ 42.28	\$ 27.36	\$ 69.64	\$ 2,089.33
83	Mondo Grass	Flat of 4"	\$ 24.61	\$ 20.14	\$ 44.75	\$ 27.36	\$ 72.11	\$ 5,984.75
67	Formosa Azalea	7 Gallon	\$ 39.99	\$ 32.72	\$ 72.71	\$ 19.79	\$ 92.50	\$ 6,197.59
3	Roll 18"x20' Root Barrier		\$ 56.42	\$ 46.16	\$ 102.58	\$ 97.20	\$ 199.78	\$ 599.34
1000	Sq.Ft. 4" Thick Sidewalk Per Specs		\$ 3.69	\$ 3.02	\$ 6.71	\$ 3.00	\$ 9.71	\$ 9,711.82
	Hardscape Patio With Sitting Wall							\$ 26,331.43
	Irrigation System		\$ -	\$ -	\$ -		\$ -	\$ 26,928.57

**INSTALLATION COST: \$165,891.45**

**Allocation for Landscape Restoration of Properties Affected by Roadway Improvements (including planting, hardscape, irrigation repair, etc)**

**COST: \$250,000.00**

**TOTAL COST: \$560,895.89**

**\*All planting covered under City of Alpharetta 02900 Landscaping Specifications**

Payment shall be requisitioned upon completion and will be due, in full, within fifteen (15) days. Due to the availability of certain plant material, this proposal shall only be valid for thirty (30) days. Following thirty (30) days the price for this proposal will need to be evaluated. If this proposal meets with your approval, please sign and return one copy. If I may be of further service, please contact me at 770-931-9900 or (678)630-2553.

Sincerely,

Daniel Stutts  
Area Manager  
Ruppert Landscape, Inc.

**Acceptance of Proposal**

Client: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



# City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Public Safety  
Submitted By: John Robison  
Sponsored By:  
Meeting Date: November 18, 2019

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**I. AGENDA ITEM TITLE: RING ACCESS AGREEMENT**

**II. RECOMMENDATION:**

Requesting council approval to sign agreement with the doorbell-camera company Ring.

**III. REPORT IN BRIEF:**

The doorbell-camera company Ring has forged video-sharing partnerships with more than 400 police forces across the United States, granting them potential access to homeowners' camera footage and a powerful role in what the company calls the nation's "new neighborhood watch." The partnerships let police request the video recorded by homeowners' cameras within a specific time and area, helping officers see footage from the company's millions of Internet-connected cameras installed nationwide, the company said. Officers don't receive ongoing or live-video access, and homeowners can decline the requests, which Ring sends via email thanking them for "making your neighborhood a safer place."

\*\*Residents must give prior approval to allow their doorbell video to be included in the agreement.

**IV. ALTERNATIVES:**

**V. ATTACHMENTS:**

Ring Access Agreement - Alpharetta Department of Public Safety



**Neighbors by Ring**  
Access Agreement

This agreement provides the Alpharetta Department of Public Safety (“Agency”) access to the Neighbors Portal for the purpose of engaging Fulton County Neighbors app users subject to the following terms and conditions:

**Ring**

- Will make the Neighbors app available to community residents free of charge.
- Will make the Neighbors Portal available to Agency free of charge.

**Agency**

- Will maintain appropriate user access control to Neighbors Portal for Agency personnel, including ensuring credentials are not shared beyond the Agency’s law enforcement personnel and ensuring that terminated personnel will not have access to the Neighbors Portal.
- Will use Neighbors Portal only for legitimate law enforcement purposes.

**Public Announcement**

Neither party may use the other party’s name, logo, or likeness in any advertising or press release without prior written approval of the other party. Notwithstanding the foregoing, Ring shall be permitted to provide in-app announcements to Ring Neighbors announcing Agency’s participation in the Neighbors app.

**Cost and Compensation**

There is no cost associated with this agreement nor any endorsement or promotional requirements. At no point shall either party receive compensation from each other as a result of this program.

**Ring Standard Terms**

Ring’s Terms of Service, Privacy Notice, and the Ring Neighbors’ Community Guidelines as posted on Ring.com, shall apply to all uses of the Neighbors App and, as applicable, the Neighbors Portal.

**Notification**

You will promptly notify Ring if you become aware that you or your Agency’s personnel have violated any of the foregoing terms.

RING LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Alpharetta Department of Public Safety

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Verification code:** \_\_\_\_\_

*\*A verification code was mailed to the primary contact for this agency at the address listed in public records. Please enter that verification code here prior to submitting this access agreement for processing.*