



PLANNING COMMISSION MEETING OCTOBER 1, 2020

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MEETING MINUTES**
 - a. September 3, 2020 Meeting Minutes**
- IV. ITEMS FROM BOARD MEMBERS**
- V. ITEMS FROM STAFF**
- VI. PUBLIC HEARING**
 - a. PH-20-13 Unified Development Code Text Amendments – Animal Hospital, Small Animal**
Consideration of text amendments to the Unified Development Code to add ‘Animal Hospital, Small Animal’ as a conditional use in the O-I (Office-Institutional) zoning district.
 - b. MP-20-04/CU-20-07 Veterinary Emergency Group/2725 Old Milton Parkway**
Consideration of a master plan amendment to Parkway 400 Master Plan Pod A to add ‘Animal Hospital, Small Animal’ and a conditional use to allow an ‘Animal Hospital, Small Animal’ for Veterinary Emergency Group. The property is located at 2725 Old Milton Parkway, Suite A and is legally described as being located in Land Lots 803 & 804, 1st District, 2nd Section, Fulton County, Georgia.
- VII. ADJOURNMENT**



PLANNING COMMISSION MEETING SEPTEMBER 3, 2020

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

*This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by the Planning Commission, but not quoted or paraphrased. This document includes limited presentation by the Planning Commission and invited speakers in **summary** form.*

I. CALL TO ORDER

Chairman Kung'u called the meeting to order at 6:30 p.m.

II. ROLL CALL

Members

- Francis Kung'u (Chair)
- Fergal Brady (Vice-Chair)
- Larry Attig
- John Goss
- William Perkins
- Candy Waylock
- Martine Zurinkas
- Jamie Bendall (Absent)(Alternate)
- Jill Bernard(Absent)(Alternate)

Staff Present

- Kathi Cook, Director of Community Development
- Michael Woodman, Senior Planner
- Elicia Taylor Planning and Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

a. August 6, 2020

- ❖ Commissioner Zurinkas offered a motion to approve
- Commissioner Perkins seconded the motion
- The motion was approved (7-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. MP-20-03/CU-20-06 C3 North Atlanta Church /5815 Windward Parkway

Kathi Cook, Senior Planner, presented consideration of a master plan amendment to Windward Master Plan Pod 66 to add 'Church, Synagogue' and a conditional use to allow a 'Church, Synagogue' for C3 North Atlanta Church. The property is located at 5815 Windward Parkway, Suite 302 and is legally described as being located in Land Lot 1112, 2nd District, 1st Section, Fulton County, Georgia.

- Background on C3 North Atlanta Church
- Parking
- Windward Master Plan POD 66 Amendments and "Church" use
- Religious facilities located in Commercial Areas
- Standards for Master Plan Amendments:
 - Whether the zoning proposal will permit a use that is suitable in view of the zoning use and development of adjacent and nearby property.

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. The applicant proposes to utilize coworking office space on Sundays when the space is not being used by others. In addition, the space is located on the 2nd floor of the building, which is designated for office use. Therefore, the proposed church use would not take away from the retail synergy of the shopping center.

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

Response: The zoning proposal should not adversely affect existing businesses within the retail/office center. However, approval of the church would impact new requests for alcoholic beverage licenses, which require a minimum 300' distance from a church. The 300' distance, as measured from door to door, would cover all buildings on the subject property and including the two (2) outparcels.

Director Cook stated while it doesn't impact existing alcohol licenses, it would impact future licenses. They would have to apply for a variance in order to obtain an alcohol

license which would be an additional process.

- Read Staff recommended conditions

There was discussion of

- Variances for future restaurants and alcohol variances
- Applicant not objecting to an alcohol variance request for future restaurants
- Impacts to existing properties with Faith based use
- Hours of operations
- Trigger for needing a police officer
- Expense and time frame of Variance process
- Chair did not think it would be the proper procedure to condition the Applicant to not object to a variance request to obtain an alcohol license
- Distance requirements for alcohol license from a church
- Approval of Conditional Use will eliminate the distance requirements for existing businesses. Confirmed by City Attorney.

Applicant presented:

- Have been in existence for 3 years
- Have been in ROAM facility since June.
- Came to this Board to follow proper procedures
- Hosting one service with plans to go to 2 services.
- Requested hours from 7 a.m. to 7 p.m.
- Will support current or new tenants for alcohol licenses
- Future growth plans

There was no public comment.

Board Discussion:

- Consideration of 10th Condition “ Applicant shall not object to a variance request to reduce the distance requirement associated with an alcohol license”
- Variance fee of \$400.00
- Impact of restaurants having to go through a variance in the future that they don't have to go through today.
- Issues of Faith Based uses
- If they wanted changes to hours in the future Applicant would have to go before the Council
- Citizenship Part B Report had no comments from property owners within 500'

- ❖ Commissioner Attig offered a motion to approving all the conditions as listed except for Condition #5 with the hours of operation to be changed from 7 a.m. to 7 p.m.
- Commissioner Waylock seconded the motion
- The motion was approved (7-0)

Final Conditions:

1. 'Church, Synagogue' shall be added as a conditional use in Pod 66 of the Windward Master Plan at 5815 Windward Parkway, Suite 302, and limited to no more than 2,044 square feet.
2. Conditional use approval shall be limited to C3 North Atlanta Church; no additional 'Church, Synagogue' uses or subleasing shall be permitted within the approved space.
3. Maximum number of seats permitted for a single worship service shall not exceed 100 seats.
4. The use shall be limited to Sunday worship service. There shall not be ancillary services, such as Mother's morning out, day care (except during service), vacation bible school, or similar services.
5. Hours of operation shall be limited to Sundays from 7:00 AM to 7:00 PM.
6. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.
7. An officer shall be utilized for services in order to manage and direct traffic, if determined by the City to be necessary.
8. Signage shall comply with the City's Sign regulations required for an office building. The church shall not have outdoor displays, including displaying vehicles with church advertisements that are visible from the street.
9. C3 North Atlanta Church shall obtain a business license from the City.

b. CU-20-05 Brightmont Academy/1230 Upper Hembree Road Michael

Michael Woodman, Senior Planner, presented consideration of a conditional use to allow a 'School, Commercial' on a property zoned O-P (Office-Professional). The property is located at 1230 Upper Hembree Road and is legally described as being located in Land Lot 553, 1st District, 2nd Section, Fulton County, Georgia.

Mr. Woodman presented:

- Background of school
- Conditional Use Criteria
- Table of Academic and Commercial Schools locate in Commercial & office Zoning Districts
- Parking
- Citizen Participation Plan had no comments
- Community Zoning Information Meeting had no comments
- Read Proposed Staff Conditions
- Street view of property
-

There was discussion from the Board:

- Renovations to the building will be interior

Applicant Presented

There was no public comment.

There was discussion from the Board:

- Liked revitalization of the area
- Liked the proposed use

❖ Vice Chair Brady offered a motion to approve

- Commissioner Zurinkas seconded the motion
- The motion was approved (7-0)

Final Conditions:

1. 'School, Academic' shall be added as a conditional use at 1230 Upper Hembree Road, Suite 101, and limited to no more than 11 instructional offices and a total of 3,541 square feet.
2. Conditional use approval shall be limited to Brightmont Academy; no additional 'School, Academic' uses or subleasing shall be permitted within the approved space.
3. The use shall be limited to one-on-one academic school instruction and tutoring.
4. Hours of operation shall be limited to Monday – Thursday 8:30 AM – 6:00 PM and Friday 8:30 AM – 5:00 PM.

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 7:15 p.m.



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-20-13 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – ANIMAL HOSPITAL, SMALL ANIMAL

PLANNING COMMISSION: OCTOBER 1, 2020

CITY COUNCIL: OCTOBER 19, 2020

II. RECOMMENDATION:

Approve text amendments to the Unified Development Code related to Animal Hospital, Small Animal.

III. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Section 2.2 Permitted Use Districts and Regulations, to add 'Animal Hospital, Small Animal' as a conditional use in the O-I (Office-Institutional) zoning district. The text amendment is at the request of Jessica Hill, which is the applicant and counsel for the Veterinary Emergency Group. The applicant provided information showing that the use is permitted by-right or by administrative permit in office zoning districts in nearby jurisdictions, including City of Milton, Johns Creek, Sandy Springs and Roswell.

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Animal Hospital, Small Animal (Veterinarian)	O											O	<u>O</u>		O	O	O	X			

IV. ATTACHMENTS:

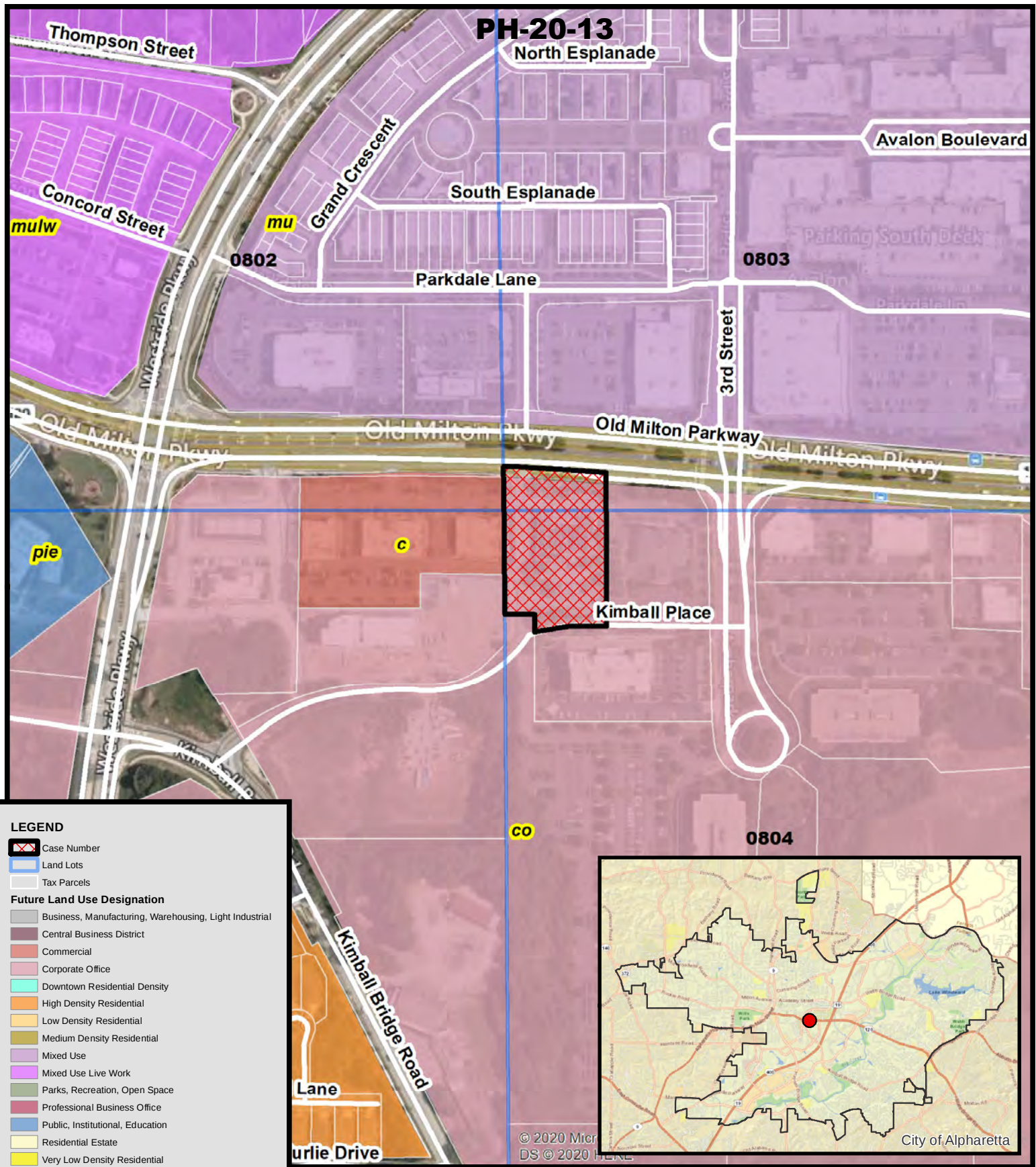
- UDC Strike Through and Underline Edits
- Animal Hospital in Other Local Gov't Office Zoning Districts



Aerial Map
 Veterinary Emergency Group
 2725 Old Milton Parkway

PH-20-13
 D/L: 1/2/803, 804
 PC: 10/1/20
 CC: 10/26/20

Location Map Provided by:
 Community Development - GIS

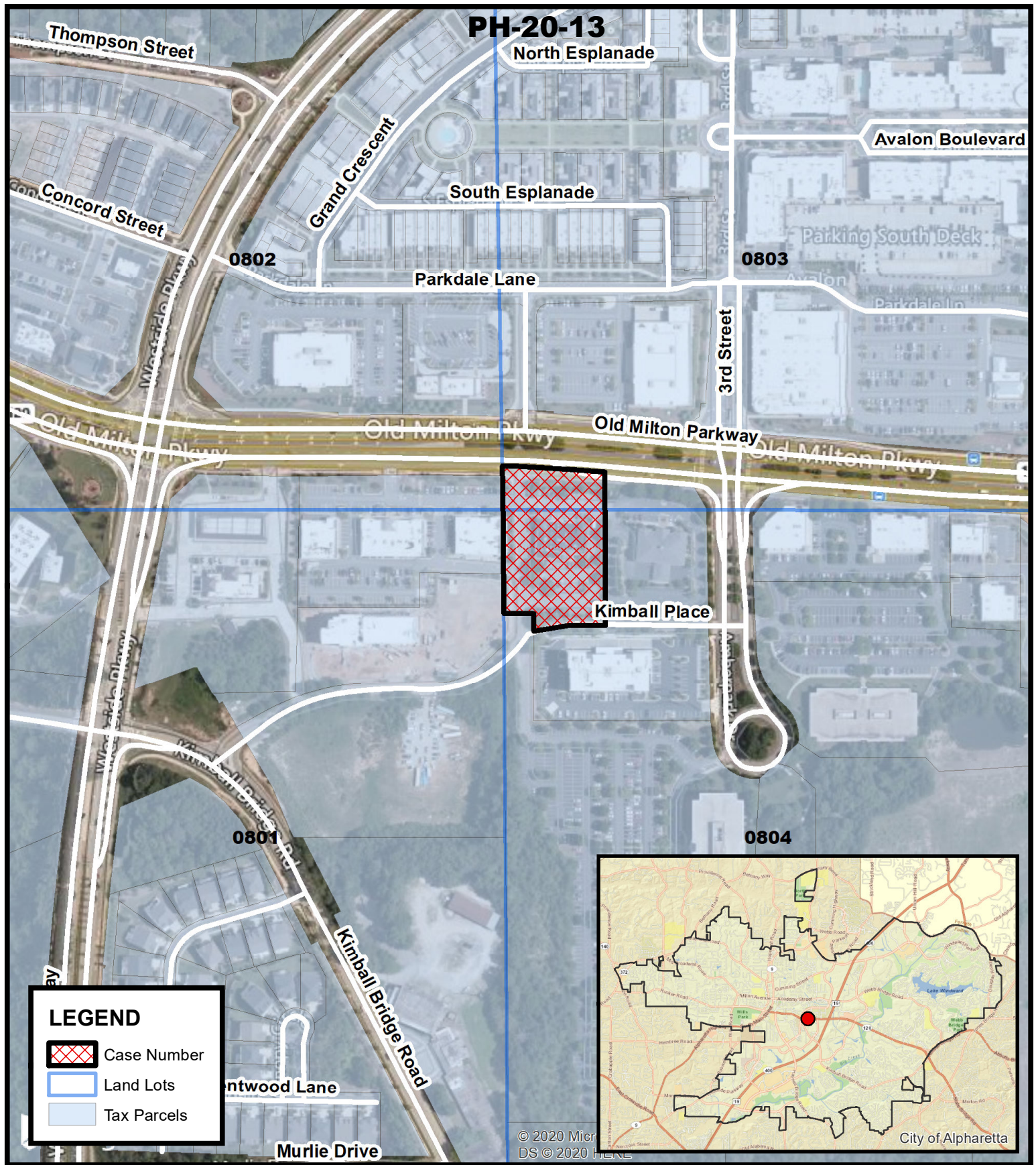


Future Land Use
Veterinary Emergency Group
2725 Old Milton Parkway

PH-20-13
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20



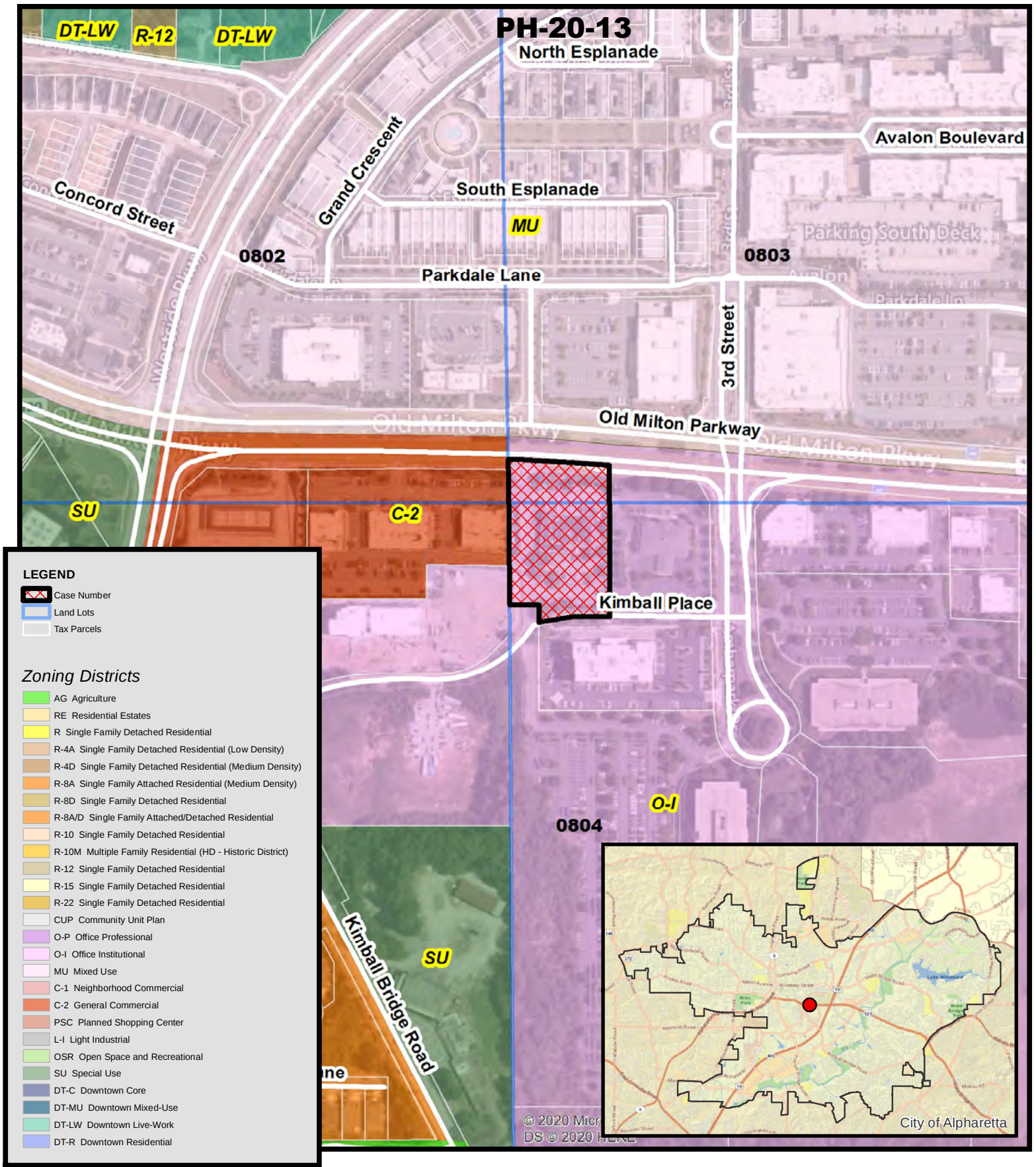
Location Map Provided by:
Community Development - GIS



Location Map
Veterinary Emergency Group
2725 Old Milton Parkway

PH-20-13
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

Location Map Provided by:
Community Development - GIS



Zoning Map
Veterinary Emergency Group
2725 Old Milton Parkway

PH-20-13
D/L: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

Location Map Provided by:
Community Development - GIS

SECTION 2.2 - PERMITTED USE DISTRICTS AND REGULATIONS

The following provisions apply to each of the zoning districts, as noted. In addition, requirements are contained in the Supplementary Regulations and in other Sections that apply to some or all of the Zoning Districts collectively.

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

- A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank or office use without public hearing subject to Design Review Board Approval.
1. Residential Uses.
 - a. Dwelling, Group (limited to nursing home, children's home congregate housing or assisted living facility).
 2. Business Uses.
 - a. Bank, Savings and Loan.
 - b. Broadcasting Studio (radio or TV).
 - c. Clinic.
 - d. Congregate Housing.
 - e. Day Care Center.
 - f. Drug Store.
 - g. Golf Course, Driving Range.
 - h. Office Building or Office Park.
 - i. Recreational Facilities (Indoor or Outdoor).
 - j. Theater, Cinema.
 3. Semipublic Uses, Utilities.
 - a. Church, Synagogue, or other religious institutions.
 - b. Club, association or lodge.
 - c. Heliport.
 - d. Library.
 - e. Museum.
 - f. Public Building.
 - g. School, Academic.
 - h. Recreation Facilities (Indoor or Outdoor).
- B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or

Proposed Edits

through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Animal Hospital, Small Animal.
 - b. Art Galleries.
 - c. Automobile Service Station.
 - d. Bakery.
 - e. Barber Shop.
 - f. Beauty Shop.
 - g. Book Store.
 - h. Boutique Hotel.

Proposed Edits

- i. Bowling Alley.
- j. Brewery.
- k. Car Wash.
- l. Contractor's Office without outside storage.
- m. Commercial Parking Lot.
- n. Convenience Market with or without gas pumps.
- o. Dance Studio.
- p. Distillery.
- q. Dry Cleaning Pick-up Station.
- r. Extended Stay Hotel (see Sec. 2.7).
- s. Florist, Retail without Greenhouse.
- t. Funeral Home w/out cemetery or mausoleum.
- u. Hotel/motel.
- v. Golf, Miniature, or Golf Driving Range.
- w. Laboratory, Research or Commercial.
- x. Liquor Store.
- y. Print Shop.
- z. Radio or TV, Transmitter or Studio.
- aa. Restaurant.
- bb. Restaurant, Drive-In or Fast-Food.
- cc. Retail Sales and Services Establishment subject to the limitation of Subsection 2.2.13 B 8.
- dd. School, Commercial.
- ee. Spa Services.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Manufacturing, Light.
- 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Athletic Facility.
 - d. Auditorium.
 - e. Country Club.
 - f. Hospital.
 - g. Fire Station.
 - h. Park or Playground.
 - i. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - j. Wireless Tower.

Proposed Edits

D. *District Regulations.*

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5.).*

F. *Open space.* All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

([Ord. No. 718](#), §§ 3, 6, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

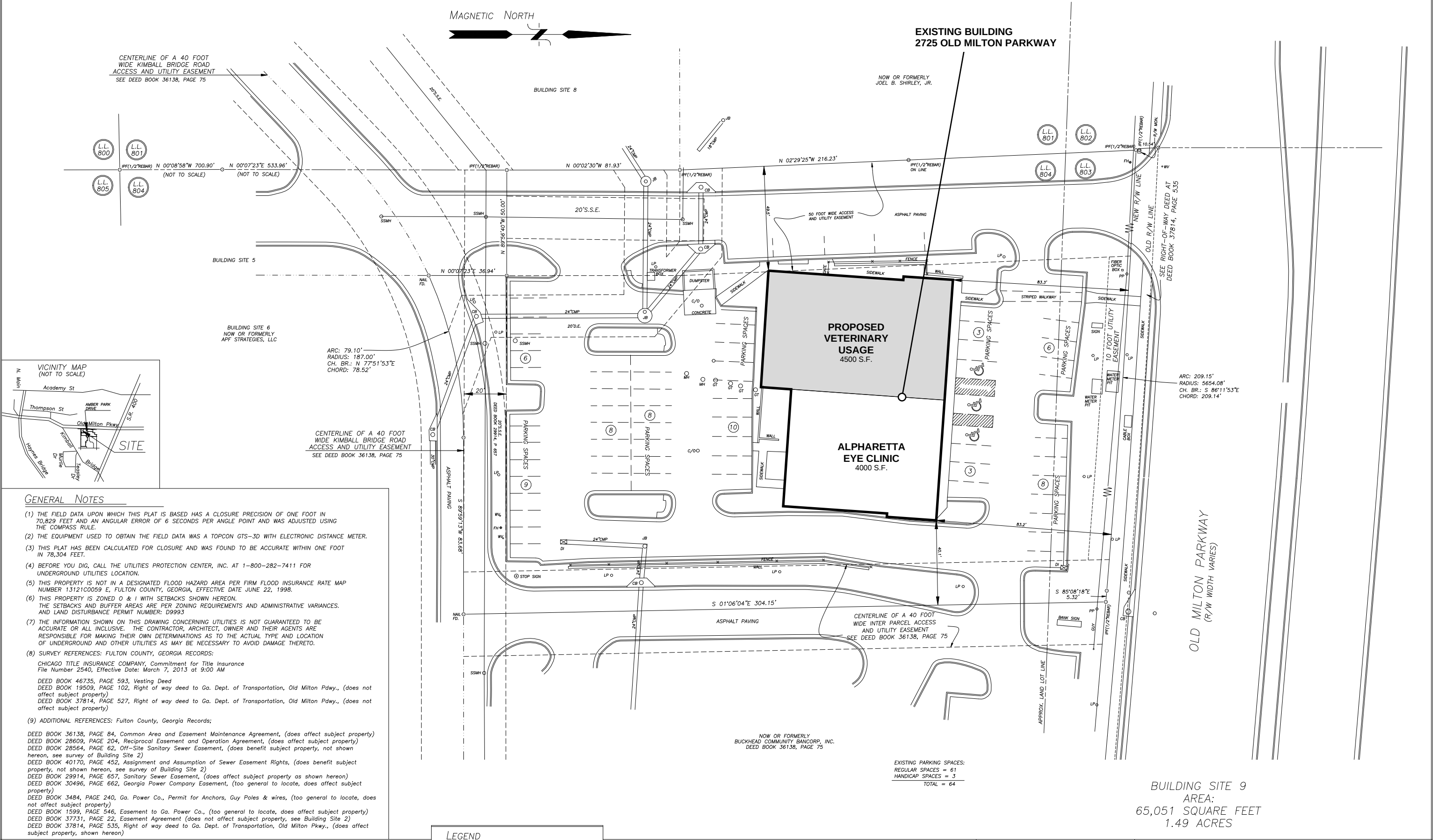
On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Animal Hospital, Small Animal (Veterinarian)	O											O	<u>O</u>		O	O	O	X			

([Ord. No. 671](#), § 1, 2-4-2013 ; [Ord. No. 675](#), § 1, 6-3-2013 ; [Ord. No. 692](#), § 1(Exh. 1), 7-21-2014 ; [Ord. No. 703](#), § 1, 6-1-2015; [Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 708](#), § 1, 8-10-2015; [Ord. No. 715](#), § 4, 9-28-2015; [Ord. No. 718](#), § 14(Exh. B), 12-14-2015; [Ord. No. 730](#), § 5, 12-5-2016; [Ord. No. 741](#), § 5(Exh. A), 6-5-2017; [Ord. No. 744](#), § 7(Exh. A), 7-10-2017; [Ord. No. 767](#), § 7(Exh. C), 10-22-2018; [Ord. No. 772](#), § 8(Exh. A), 2-4-2019)

Proposed Edits

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.



GENERAL NOTES

- (1) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 70,829 FEET AND AN ANGULAR ERROR OF 6 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
- (2) THE EQUIPMENT USED TO OBTAIN THE FIELD DATA WAS A TOPCON GTS-3D WITH ELECTRONIC DISTANCE METER.
- (3) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 78,304 FEET.
- (4) BEFORE YOU DIG, CALL THE UTILITIES PROTECTION CENTER, INC. AT 1-800-282-7411 FOR UNDERGROUND UTILITIES LOCATION.
- (5) THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA PER FIRM FLOOD INSURANCE RATE MAP NUMBER 13121C0059 E, FULTON COUNTY, GEORGIA, EFFECTIVE DATE JUNE 22, 1998.
- (6) THIS PROPERTY IS ZONED O & I WITH SETBACKS SHOWN HEREON. THE SETBACKS AND BUFFER AREAS ARE PER ZONING REQUIREMENTS AND ADMINISTRATIVE VARIANCES. AND LAND DISTURBANCE PERMIT NUMBER: D9993
- (7) THE INFORMATION SHOWN ON THIS DRAWING CONCERNING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR, ARCHITECT, OWNER AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.
- (8) SURVEY REFERENCES: FULTON COUNTY, GEORGIA RECORDS:
- CHICAGO TITLE INSURANCE COMPANY, Commitment for Title Insurance
File Number 2540, Effective Date: March 7, 2013 at 9:00 AM
- DEED BOOK 46735, PAGE 593, Vesting Deed
DEED BOOK 19509, PAGE 102, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does not affect subject property)
DEED BOOK 37814, PAGE 527, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does not affect subject property)
- (9) ADDITIONAL REFERENCES: Fulton County, Georgia Records;
- DEED BOOK 36138, PAGE 84, Common Area and Easement Maintenance Agreement, (does affect subject property)
DEED BOOK 28609, PAGE 204, Reciprocal Easement and Operation Agreement, (does affect subject property)
DEED BOOK 28564, PAGE 62, Off-Site Sanitary Sewer Easement, (does benefit subject property, not shown hereon, see survey of Building Site 2)
DEED BOOK 40170, PAGE 452, Assignment and Assumption of Sewer Easement Rights, (does benefit subject property, not shown hereon, see survey of Building Site 2)
DEED BOOK 29914, PAGE 657, Sanitary Sewer Easement, (does affect subject property as shown hereon)
DEED BOOK 30496, PAGE 662, Georgia Power Company Easement, (too general to locate, does affect subject property)
DEED BOOK 3484, PAGE 240, Ga. Power Co., Permit for Anchors, Guy Poles & wires, (too general to locate, does not affect subject property)
DEED BOOK 1599, PAGE 546, Easement to Ga. Power Co., (too general to locate, does affect subject property)
DEED BOOK 37731, PAGE 22, Easement Agreement (does not affect subject property, see Building Site 2)
DEED BOOK 37814, PAGE 535, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does affect subject property, shown hereon)

LEGEND

- IPS --- IRON PIN SET (1/2" REBAR)
IPF (1/2" REBAR) --- IRON PIN FOUND (TYPE)
R/W --- RIGHT OF WAY
PP --- POWER POLE
--- OVERHEAD WIRES
--- FENCE
L.L. --- LAND LOT
CMP --- CORRUGATED METAL PIPE
RCP --- REINFORCED CONCRETE PIPE
CB --- CATCH BASIN
DI --- DROP INLET
SSMH --- SANITARY SEWER MANHOLE
a.k.a. --- ALSO KNOWN AS
D.O.T. --- DEPARTMENT OF TRANSPORTATION
FP --- FLAG POLE
GT --- GREASE TRAP

PROJECT TITLE/NO.

PLAT OF BUILDING SITE 9

BEING IN LAND LOTS 803 AND 804 of the 1st DISTRICT, 2nd SECTION
FULTON COUNTY, GEORGIA



EXISTING PARKING SPACES:
REGULAR SPACES = 61
HANDICAP SPACES = 3
TOTAL = 64

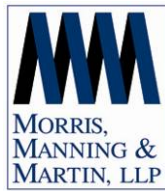
REVISIONS

NO.	DESCRIPTION	DATE
(1)	AS-BUILT/UP-DATE SURVEY	5/7/13



SHEET

S-1



August 28, 2020

VIA EMAIL DELIVERY

City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009
Attn: Michael Woodman

Re: PH-20-13 – UDC Text Amendment to Add Animal Hospital/Small Animal to O-I District

Dear Michael:

Enclosed with this letter is a chart providing details on nearby local governments that allow an animal hospital/small animals equivalent use in their O-I or other O-I equivalent zoning district. The chart includes the definitions of the use as well as the relevant code sections. Please amend application PH-20-12 to include the enclosed chart for use in evaluation of the proposed text amendment.

Best,

Jessica L. Hill

Enclosure

Animal Hospital-Small Animal Use
Allowed in Comparable Office Zoning Districts in Other Local Governments

Municipality	Approval Required	Relevant Section	Definition
City of Milton	Administrative Permit in the O-I district	Section 64-1615	Per Section 64-1, Veterinary Clinic/Hospital means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.
City of Johns Creek	Administrative Permit in the O-I district	Section 19.3.19	Per Section 3.3, Veterinary Clinic/Hospital means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.
City of Sandy Springs	Permitted Use in the ON (Office-Neighborhood) district	Section 7.2	Per Section 7.5.2, Indoor Animal Care means a facility providing care and boarding of domesticated animals for compensation including animal hospital, doggy day care, kennel, pet boarding, pet grooming, pet training facility, veterinary office, and horse stables.
City of Roswell	Permitted Use in the OR (Office-Residential) district	Section 6.5.2	Per Section 9.5.8.B., Animal Care (Indoor) means a facility designed or arranged for the care of animals without any outdoor activity. No outdoor activity associated with care of animals is allowed. Includes animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, cattery, commercial kennel (11 or more dogs) and doggy day care.
City of Chamblee	Supplemental Use in all districts except residential (no O-I equivalent zoning district)	Section 240-1(2).	Per Section 240-13(b)(43), Veterinarian means veterinarian, including animal hospitals, veterinary clinics with no outdoor boarding of animals, and county animal control shelter.

CITY OF ALPHARETTA

Veterinary Emergency Group

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: Veterinary Emergency Group c/o Jennifer Hanlon

Telephone: 914-582-5334

Address: 7 Legion Drive

Suite: _____

City Valhalla

State: NY

Zip: 10536

Fax: _____

Mobile Tel: 914-582-5334

Email: jhanlon@veg.vet

Subject Property Information:

Address: 2725 Old Milton Parkway

Current Zoning: O-I

District: 1st

Section: _____

Land Lot: 803 & 804

Parcel ID: 12 284008030269

Proposed Zoning: O-I

Current Use: eye clinic and vacant restaurant

This Application For (Check All That Apply):

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

Text amendment to O-I for animal hospital-small animals as a conditional use

8/10/20

APPLICANT REQUEST AND INTENT

Veterinary Emergency Group

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

The property is proposed to be used for an eye clinic (existing) and an animal hospital - small animals.

Applicant's Request (Please itemize the proposal):

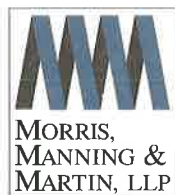
This Application proposes the following approvals:

1. Master Plan Amendment to the Parking 400 Master Plan to allow animal hospital - small animal use as a conditional use in Pod A; and
2. Conditional Use Permit to allow an animal hospital-small animal use on the subject property.

Concurrently with this Application, a text amendment to allow animal hospital-small animal use as a conditional use in the O-I district is also requested.

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

See attached letter of intent.



Jessica L. Hill, Esq.
404-504-7754
jhill@mmmlaw.com
www.mmmlaw.com

August 10, 2020

City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009

Re: Letter of Intent for Veterinary Emergency Group Application

To Whom It May Concern:

This application seeks land use approvals to allow Veterinary Emergency Group ("VEG") to operate an emergency veterinary care facility at 2725 Old Milton Parkway, Suite A in the City of Alpharetta located in Tract A of the Woodland Park Master Plan. Specifically, this application requests that (i) "animal hospital-small animals" be added as a conditional use in Tract A of the Woodland Park Master Plan and (ii) a conditional use permit be approved on the subject property to allow an animal hospital-small animals use be operated by VEG. The applicant also requests a text amendment to the O-I zoning district to allow animal hospital-small animals as a conditional use in O-I.

The property is currently developed with a two tenant commercial building that includes vacant space formerly occupied by a sushi and hibachi restaurant in Suite A and the Alpharetta Eye Clinic in Suite B. The owner of the property occupies Suite B and will be leasing Suite A to VEG. No exterior improvements are proposed to the property in connection with this application aside from signage to replace the former restaurant signage.

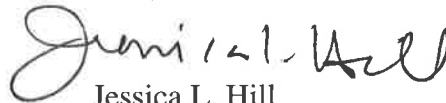
Approval of this application would allow for use of the existing 4,500 square foot suite as a 24-hour, 7-day a week, emergency animal hospital facility. VEG currently has 14 locations in New York, New Jersey, Massachusetts, Florida and Texas and is expanding into Colorado and California with a goal of 21 locations open or under construction by the end of 2020.

Approximately 4 to 5 employees will be working on site at any given time and based on other existing locations, peak hours of operation are between 6PM and midnight. Access to the animal hospital is provided through the front door or also through the secured rear access. Typically customers call prior to coming to VEG, so access accommodations can be made in advance of arrival depending on the nature of the emergency.

VEG does not perform routine or preventative care and does not board animals. Animals are only kept onsite for inpatient medical care with direct supervision by a nurse and veterinarian. VEG's most common patients are cats and dogs, however, VEG treats other

household animals, including but not limited to small mammals like rabbits and Guinea pigs, birds and reptiles.

Best,



Jessica L. Hill

8/10/20

Veterinary Emergency Group

PROPERTY OWNER AUTHORIZATION**Property Owner Information:**

Contact Name: Windward Eye Group, LLC c/o Tommy Arey Telephone: 678-557-3693

Address: 2725 Old Milton Parkway Suite: B

City Alpharetta State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant:

Name of Authorized Applicant: Veterinary Emergency Group Telephone: 914-582-5334

Address: 7 Legion Drive Suite: _____

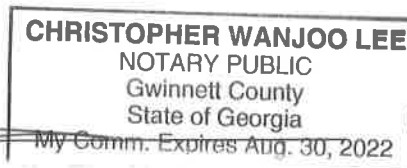
City Valhalla State: NY Zip: 10595

So Sworn and Attested:

Owner Signature:  Date: 7-30-2020

Notary:

Notary Signature:  Date: 7/30/2020



8/10/20

Veterinary Emergency Group

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:

Windward Eye Group, LLC c/o Tommy AreySubject Public Hearing Case: 2725 Old Milton Parkway**Campaign Contribution Information:**

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

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

Name of Official:

N/A

Position:

N/A

Description of Contribution:

N/A

Value:

N/A

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:

Tommy Arey

Date:

7-30-2020

8/10/20

MP-20-04/CU-20-07
Veterinary Emergency Group

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: **Veterinary Emergency Group**

Subject Public Hearing Case: **2725 Old Milton Parkway**

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: Jennifer Hanlon

Date: 7/14/2020

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The subject property is located in an area with a wide variety of uses including retail, restaurant, office, hotel, institutional and residential uses and is located in close proximity to access to Georgia 400. The Avalon development is located directly north of the site across Old Milton Parkway. The subject property is zoned O-I and is located at the edge of a pocket of office and institutional uses on the south side of Old Milton Parkway. Immediately west of the property is a Starbucks and several restaurants. South of the property across Kimball Bridge Road is a Courtyard by Marriott hotel. The proposal would allow an animal hospital for small animals on the property. This use would be a transition between the office and clinic uses to the east and the more commercial uses to the west and would serve the animals of the nearby households. The proposal is compatible with the development in the immediate area and on surrounding properties.

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

The immediately surrounding properties are used primarily for commercial purposes. The proposal is to replace a former hibachi and sushi restaurant with the proposed animal hospital. The replacement of the restaurant space with an animal hospital use will not adversely impact the use and value of the surrounding properties. The owner of the Alpharetta Eye Clinic on the property is leasing the adjacent suite to the applicant and therefore is supportive of the proposal. The other surrounding properties are all nonresidential uses that would not be adversely impacted by the proposal.

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

The current zoning pursuant to the Master Plan allows several uses such as restaurant, bank, clinic, day care center, school and office uses. Although the site has economic value under the current zoning as a restaurant, provision of an animal hospital on the property will provide a use that is underserved in the immediate area and would be additive to the development fabric than replacement of the tenant space with another restaurant.

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

The proposal to convert an existing restaurant use to an animal hospital use would not result in any increase in population due to the nature of both uses. From a traffic perspective, overall daily trips are expected to be reduced by more than half of what the former restaurant use generated as demonstrated by the ITE trip generation included in the application. The busiest hours of operation for the animal hospital are expected to be 6PM through midnight which is later than typical peak hour traffic for other uses. Between 6PM and midnight, between 7 and 25 customers are expected. Between 8AM and 6PM, it is expected that approximately 10 to 12 customers will visit the animal hospital. Between midnight and 8AM approximately 4 to 5 customers are forecast. Accordingly the expectation is that overall traffic will not be increased pursuant to this proposal.

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

There would be no impact to schools from the change in use from restaurant to animal hospital. Similarly, no adverse impact is anticipated on utilities as the building is existing.

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

Although the Future Land Use Map shows the site as Corporate Office, that designation is not particularly consistent with the development on the site or in the surrounding area, particularly given its commercial character. In many other local governments, the office zoning districts allow clinic uses, including veterinary clinics similar to the one proposed in this application. Further, the property is located within the Old Milton Corridor Character Area, which has the express intent of enhancing existing commercial and office character along the corridor. The proposed use provides an appropriate medical clinic transition between the more office and institutional uses to the east and south and the more commercial retail and restaurant uses to the north and west. The proposed use will add a use not located along the corridor that will serve the area's emergency pet care needs.

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

The land use conditions and built environment in the immediate area are evolving. With the development of the Avalon project directly across the street from the subject property, the area has become more diverse with a variety of uses and an influx of commercial and residential activity. This has had the effect of creating a neighborhood with varying types of residential, office and commercial uses. As a result, there is becoming more of a need to have the type of services, including animal veterinary care, often found in proximity to or within more established neighborhoods. Many restaurants and other commercial space exists in this immediate area but the area is lacking the animal hospital use proposed by this application. Approving this application will allow for an experienced company to operate in a bustling part of Alpharetta that will serve the emergency veterinary needs of the area.

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.

N/A

8/10/20

MP-20-04/CU-20-07
Veterinary Emergency Group

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: 2725 Old Milton Parkway

Contact Name: Jennifer Hanlon Telephone: 914-582-5334

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.

All adjoining property owners and owners within 500 feet

of the property will be notified of the Application.

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

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

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

The letter will provide contact information to facilitate any necessary discussion about the Application. If requested by the contacted owners, a meeting will be held.

Trip Generation Report – 2725 Old Milton Parkway**Proposed:**

Land Use (ITE Code)	Intensity	Daily Total	AM Peak – In	AM Peak- Out	AM Peak Total	PM Peak – In	PM Peak – Out	PM Peak - Total
Animal Hospital - Veterinary Clinic (640)	4,500 SF	96	11	5	16	6	10	16
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		248	23	8	31	10	19	29

Existing:

Land Use (ITE Code)	Intensity	Daily Total	AM Peak – In	AM Peak- Out	AM Peak Total	PM Peak – In	PM Peak – Out	PM Peak - Total
Quality Restaurant (931)	4,500 SF	378	2	1	3	23	12	35
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		530	14	4	18	27	21	48

LEGAL DESCRIPTION
(2725 Old Milton Parkway)

All that tract or parcel of land lying and being in land lots 803 and 804 of the 1st District, 2nd Section, Fulton County, Georgia, being more particularly described as follows:

COMMENCING at an iron pin found at the land lot corner shared by land lots 800, 801, 804 and 805; Thence along the lot line common to land lots 801 and 804, North 00 degrees 08 minutes 58 seconds West a distance of 700.90 feet to a point; Thence North 00 degrees 07 minutes 23 seconds East a distance of 533.96 feet to an iron pin found and the POINT OF BEGINNING.

From the POINT OF BEGINNING, Thence North 00 degrees 02 minutes 30 seconds West a distance of 81.93 feet to an iron pin found; Thence North 02 degrees 29 minutes 25 seconds West a distance of 216.23 feet to an iron pin found on the southerly right of way line of Old Milton Parkway (right of way width varies); Thence proceeding along the southerly right of way line of Old Milton Parkway along a curve to the right having an arc length of 209.15 feet, a radius of 5,654.08, a chord bearing of South 86 degrees 11 minutes 53 seconds East and a chord distance of 209.14 feet to a point; Thence South 85 degrees 08 minutes 18 seconds East a distance of 5.32 feet; Thence leaving said southerly right of way line of Old Milton Parkway and proceed South 01 degrees 06 minutes 04 seconds East a distance of 304.15 feet to a point; Thence South 89 degrees 59 minutes 13 seconds West a distance of 83.68 feet to a point; Thence along a curve to the left having an arc length 79.10 feet, a radius of 187.00 feet, a chord bearing of North 77 degrees 51 minutes 53 seconds East and a chord distance of 78.52 feet to a point; Thence North 00 degrees 07 minutes 23 seconds East a distance of 36.94 feet to a point; Thence North 89 degrees 56 minutes 40 seconds West a distance of 50.00 feet to an iron pin found and the POINT OF BEGINNING. Said tract or parcel of land being 65,051 square feet (1.49 acres).

8/10/20

MP-20-04/CU-20-07
Veterinary Emergency Group

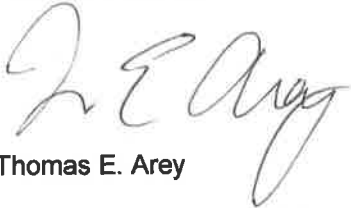
Windward Eye Group

07/16/2020

To the staff and council of the city of Alpharetta,

I am the owner of the property, as well as a tenant, at 2725 Old Milton Parkway, Alpharetta, GA 30005. I am submitting a letter of support and approval as owner and tenant for the application of Veterinary Emergency Group to be our adjacent tenant. We are aware that we will have animals as neighbors. We are thrilled for the potential need this could bring for our pet owning community here in Alpharetta. Remedies will be put into place to soundproof the walls and the crating areas for the animals. We look forward to making this building a medically oriented facility to serve both our human and not so human friends and neighbors.

With great thanks,

A handwritten signature in cursive script, appearing to read 'T E Arey', written in dark ink.

Thomas E. Arey

Windward Eye Group, LLC
2725 Old Milton Pkwy
Alpharetta, GA 30005



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: MP-20-04/CU-20-07 VETERINARY EMERGENCY GROUP/2725 OLD MILTON PARKWAY

PLANNING COMMISSION: OCTOBER 1, 2020

CITY COUNCIL: OCTOBER 26, 2020

II. RECOMMENDATION:

Approve MP-20-04/CU-20-07 Veterinary Emergency Group/2725 Old Milton Parkway, subject to the following conditions:

1. Add 'Animal Hospital, Small Animals' to Pod A of the Parkway 400 Master Plan as a conditional use.
2. 'Animal Hospital, Small Animals' shall be added as a conditional use at 2725 Old Milton Parkway, Suite A and limited to no more than 4,500 square feet.
3. Conditional use approval shall be limited to Veterinary Emergency Group; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.
4. The business shall be permitted to operate 24-hours/day, 7 days/week.
5. Boarding of animals is limited to short-term care incidental to the hospital use.
6. Interior tenant improvements associated with Suite A shall include wall soundproofing, per letter from Thomas E. Arey, dated 7/16/2020.
7. Mobile resources supporting the business, such as a mobile MRI or X-ray, shall not be parked between the building and the street.

III. REPORT IN BRIEF:

The applicant, Veterinary Emergency Group, is requesting a master plan amendment and conditional use permit to allow an 'Animal Hospital, Small Animals' for Veterinary Emergency Group in a 4,500 square foot suite within an existing building. An amendment to the Parkway 400 Master Plan Pod A is requested to add the proposed use. The applicant has also requested, as a separate public hearing, a text amendment to the City's Unified Development Code (UDC) to allow 'Animal Hospital, Small Animal' as a conditional use in the O-I (Office-Institutional) zoning district. The subject property is located at 2725 Old Milton Parkway, Suite A in the Parkway 400 Master Plan.

DISCUSSION

The submitted request, if approved, will allow the applicant to operate a 'Animal Hospital, Small Animal' use in a 4,500 square foot suite within an existing building. An amendment to the Parkway 400 Master Plan is requested to add the use to Pod A and a conditional use is requested to allow the use for Veterinary Emergency Group. The applicant has also requested a text amendment to the City's Unified Development Code (UDC) to allow 'Animal Hospital, Small Animal' as a conditional use in the O-I (Office-Institutional) zoning district. The subject property is located at 2725 Old Milton Parkway, Suite A in the Parkway 400 Master Plan.

The property is zoned O-I and is subject to the Parkway 400 Master Plan Pod A. In 2008, the property was developed with a 1-story, 8,155 square foot commercial building. Approximately half of the building is occupied by Alpharetta Eye Clinic (A.K.A. Windward Eye Care), which is also the owner of the building. The applicant proposes to use the other half of the building, which was formerly occupied by Aomi Hibachi and Sushi. Surrounding properties are zoned O-I to the south and east, MU (Mixed Use) to the north, and C-2 and O-I to the west. Avalon is located to the north, The Atwater retail center and Even Hotel are located to the west, Courtyard by Marriott is located to the south and Fifth Third Bank is located to the east.

Parkway 400 Master Plan was approved in 1998 (MP-98-01 Myrick Company) as an office park, including 435,000 square feet of office use and 63,000 square feet of retail/commercial use. Pod A has a land use designation of office with subordinate commercial uses permitted. The table below reflects the master plan amendments proposed in the Parkway 400 Master Plan.

Parkway 400 Master Plan – Past Master Plan Amendments

File #	Project Name	Pod	Requested Change	Outcome	Date
CLUP-17-07 / MP-17-06 / Z-17-20 / CU-17-18 / V-17-44	Greenstone	C	Add freestanding theatre and retail bldgs., 325 For-Rent units and accessory retail uses.	Withdrawn by Applicant	N/A
MP-16-08 / PH-16-11 / V-16-18	Courtyard by Marriott	C	Add Hotel use for 115-room Courtyard by Marriott hotel, reduce parking and setback, increase lot coverage	Approved	9/26/2016
MP-16-01 / V-16-03	Greenstone	C	Increase number of hotel rooms from 131 to 132, reduce and eliminate setbacks	Approved	3/28/2016
MP-15-06 / V-15-12	Courtyard by Marriott	C	Add Hotel use for 115-room Courtyard by Marriott hotel, reduce parking and setback, increase lot coverage	Denied	2/1/2016
MP-14-09 / V-15-14	Greenstone	C	Add Hotel use for 131-room Even Hotel, reduce parking	Approved	5/26/2015
MP-13-05 / V-13-14	Greenstone	C	Increase office density from 265,737 SF to 630,000 SF, allow freestanding restaurant, reduce buffer and parking	Approved	10/28/2013
MP-07-06	Nylo Hotel	C	Add Hotel use for 200-room hotel	Denied	8/27/2007
MP-06-15 / V-06-28	Greenstone	C	Increase office density from 323,100 SF to 826,623 SF, increase bldg. height, freestanding restaurant and service retail bldgs., allow hotel, eliminate buffer and reduce setbacks	Withdrawn by Applicant	N/A
MP-03-03 / V-03-18	Parkway 400	B	Allow 2 single story office bldgs., reduce setbacks and landscape strip	Approved	8/25/2003

UDC Section 1.4.2 defines 'Animal Hospital, Small Animals' as, "A place where dogs, cats, birds or other animals normally kept as household pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use." The use is permitted by-right in the LI (Light Industrial) district and as a conditional use in the AG (Agriculture), CUP (Community Unit Plan), C-1 (Neighborhood Commercial), C-2 (General

Commercial), and PSC (Planned Shopping Center) districts. The applicant proposes a text amendment to add 'Animal Hospital, Small Animal' as a conditional use in the O-I district.

Veterinary Emergency Group (VEG) is an emergency veterinary business serving cats and dogs primarily, as well as household pets such as rabbits, birds, guinea pigs and reptiles. VEG has 14 locations in New York, New Jersey, Massachusetts, Florida and Texas and is currently expanding in Georgia, Colorado and California. The business operates 24 hours per day, seven (7) days per week, with peak hours typically between 6:00 PM and midnight. The business does not perform routine or preventative care and does not board animals. The applicant anticipates 4-5 employees. Access to the building will be through the front door, as well as through the secured rear access. The applicant submitted a letter from the property owner who is also the adjacent tenant, Alpharetta Eye Clinic, stating that walls would be soundproofed.

Staff prepared the table below in order to compare the applicant's proposal to existing animal hospitals in the City. There are six (6) animal hospitals and clinics in the City; however, there are no emergency animal hospitals currently located in the City. The nearest emergency animal hospitals are located at 900 Mansell Road (Animal Emergency Center of North Fulton) and 6460 Atlanta Hwy (All Pets Emergency & Referral).

Animal Hospital Located in the City

Project Name	Address	Zoning
Alpharetta Animal Hospital	80 Milton Ave	C-2
North Main Animal Hospital	562 North Main St	C-2
Paw Patch Animal Clinic	1150 Upper Hembree Rd	C-1
Webb Bridge Animal Hospital	3953 Webb Bridge Rd	AG
Country Place Animal Hospital	2165 Old Milton Pkwy	C-2
EasyVet Clinic	12850 Alpharetta Hwy, Suite 2200	C-2

TRAFFIC

The applicant provided a trip generation report, which shows that the proposed use would generate approximately 19 fewer PM Peak Hour trips than a restaurant, which represents the former use of the subject suite.

Proposed:

Land Use (ITE Code)	Intensity	Daily Total	AM Peak – In	AM Peak-Out	AM Peak Total	PM Peak – In	PM Peak – Out	PM Peak - Total
Animal Hospital - Veterinary Clinic (640)	4,500 SF	96	11	5	16	6	10	16
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		248	23	8	31	10	19	29

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Quality Restaurant (931)	4,500 SF	378	2	1	3	23	12	35
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		530	14	4	18	27	21	48

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 zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. Properties in the immediate vicinity are primarily developed with office and retail uses.

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

Response: The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties, which are primarily developed with office and retail uses.

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

Response: The applicant's proposal should not have significant impacts on the natural environment. The applicant proposes to occupy suite within an existing building and does not propose any exterior changes to the site.

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

Response: The subject property is approved for office (medical and professional) with accessory retail uses. 'Animal Hospital, Small Animal' operates similar to a medical office.

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

Response: The zoning proposal should not have significant impacts on public facilities and services. The proposed use would generate nine (9) fewer PM Peak Hour trips than a restaurant.

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

Response: Not applicable.

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

Response: The zoning proposal reflects a reasonable balance. The applicant's proposal would be compatible with surrounding uses and other locations for this business type, which are similarly situated along commercial corridors.

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

Response: The subject property is approved for office (medical and professional) with accessory retail uses. 'Animal Hospital, Small Animal' operates similar to a medical office.

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

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

CONDITIONAL USE REVIEW CRITERIA

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

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

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

Response: The subject property was developed in compliance with site access development standards with access to Old Milton Parkway and Amber Park Drive from two (2) private driveways, as well as interparcel access to the property to the east. The use should not have significant impacts on vehicular and pedestrian access.

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 subject property is in compliance with regard to refuse areas, loading and service areas, off-street parking, and buffers and screening.

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 use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated along commercial corridors. In addition, the City does not currently have an emergency veterinary office.

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

Response: Not applicable.

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

Response: The proposed use would be compatible with the surrounding uses and other locations for this business, which are similarly situated along commercial corridors.

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

Response: The proposed use would be compatible with the surrounding uses and other locations for this business, which are similarly situated along commercial corridors.

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

Response: There are currently no emergency animal hospitals in the City and the nearest animal hospital is located approximately one (1) mile to the east at Country Place Animal Hospital. There does not appear to be any conflicting uses in the immediate vicinity of the applicant's property.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that the use does not conflict with the established review criteria for a conditional use. The proposed use would be compatible with surrounding uses and other locations for this business type, which are similarly situated along commercial corridors. In addition, there are currently no emergency animal hospitals in the City and the nearest animal hospital is located approximately one (1) mile to the east. However, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the business.

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 September 9, 2020. There were no public comments.

IV. ATTACHMENTS:

- Site Plan

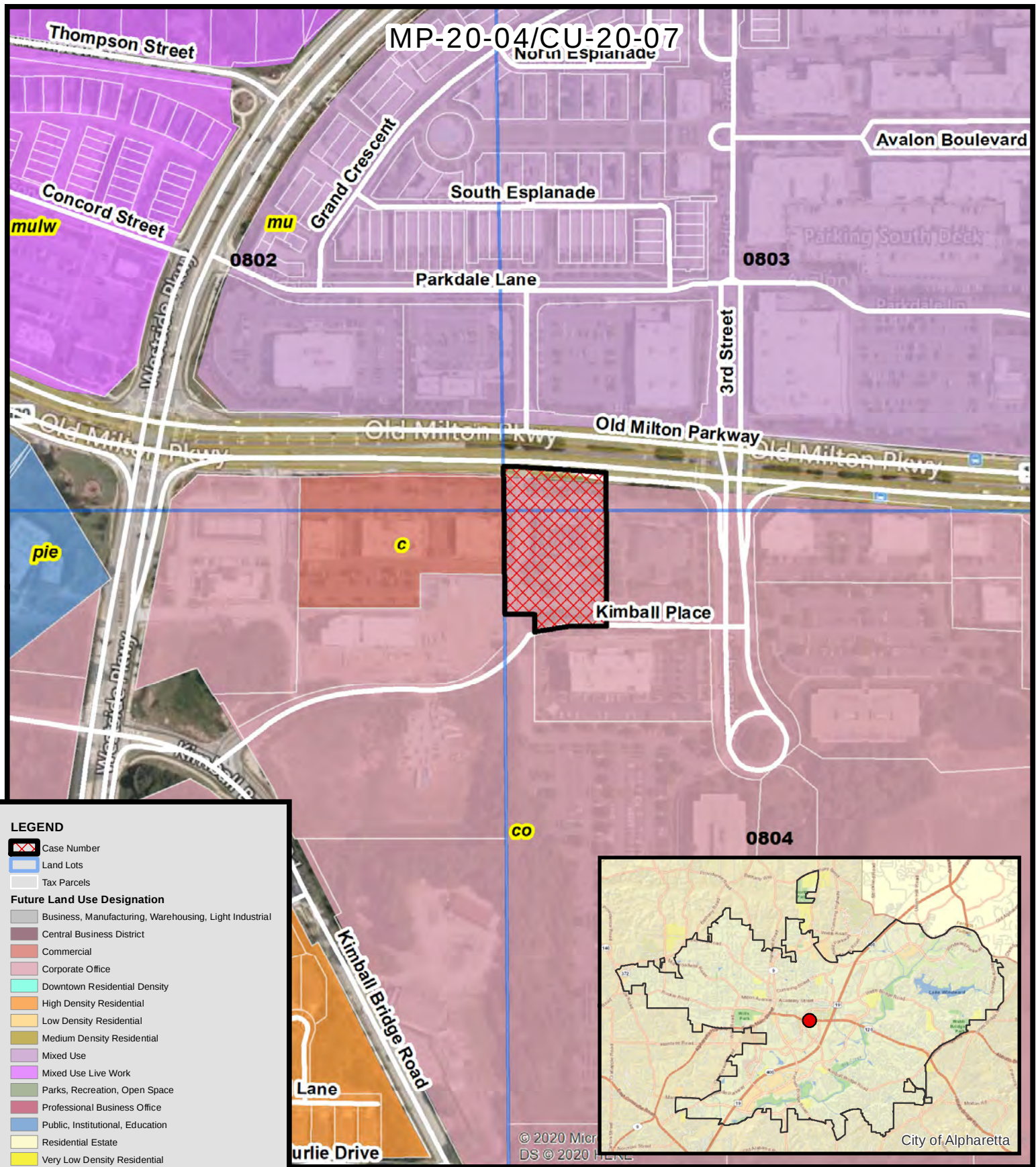


Aerial Map
Veterinary Emergency Group
2725 Old Milton Parkway

MP-20-04/CU-20-07
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

Location Map Provided by:
Community Development - GIS

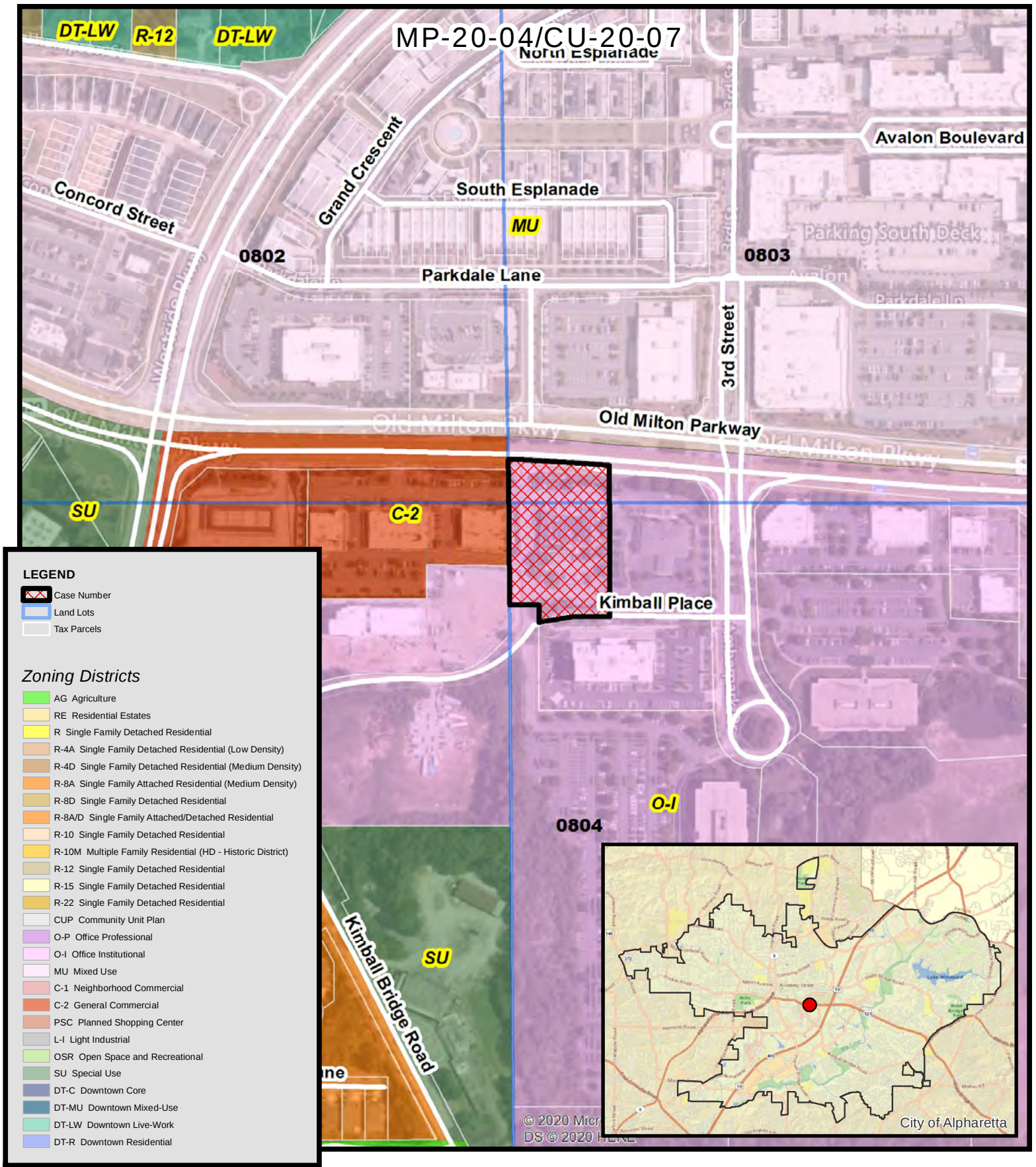




Future Land Use Veterinary Emergency Group 2725 Old Milton Parkway

MP-20-04/CU-20-07
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

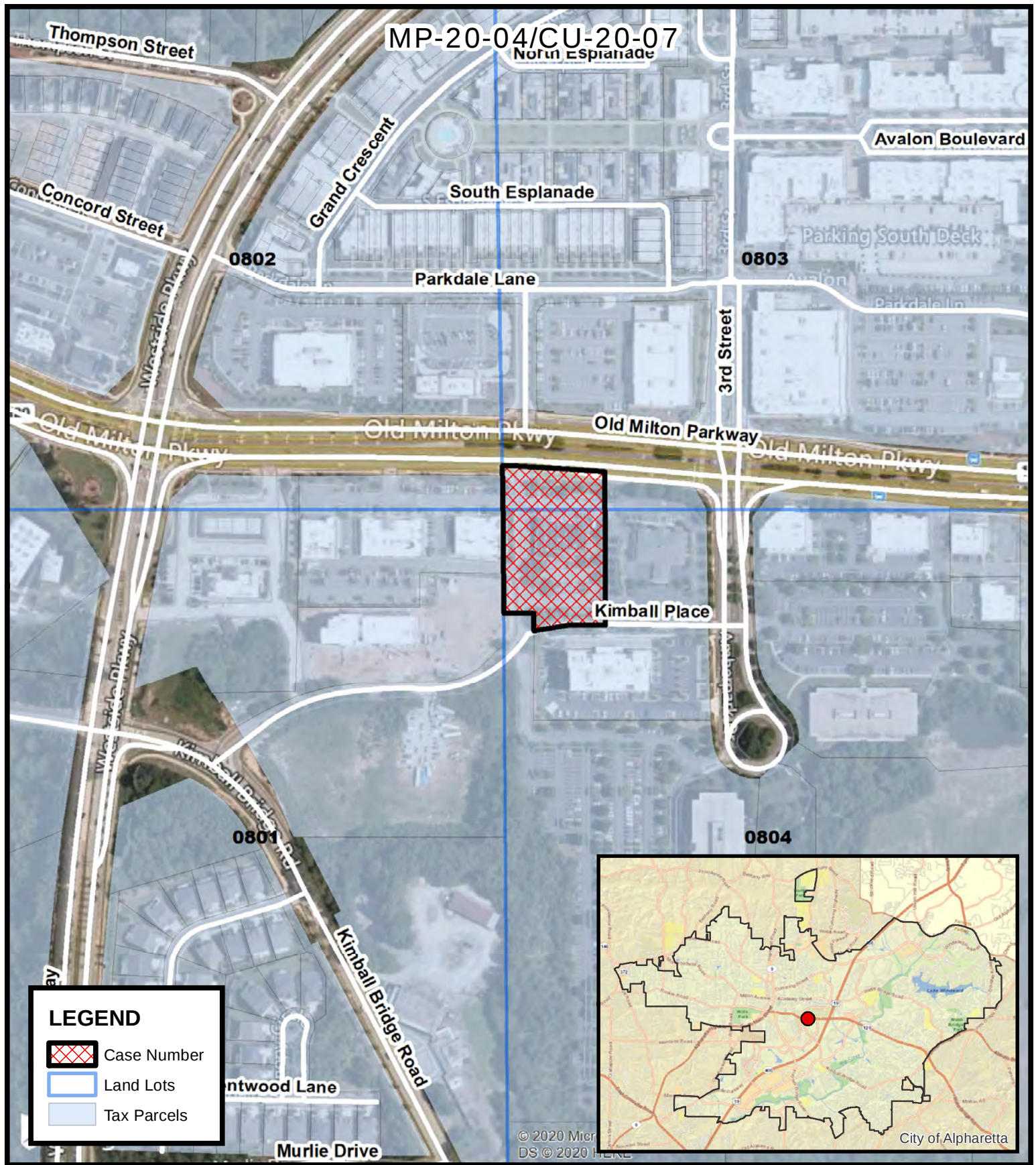
Location Map Provided by:
Community Development - GIS



Zoning Map
Veterinary Emergency Group
2725 Old Milton Parkway

MP-20-04/CU-20-07
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

Location Map Provided by:
 Community Development - GIS



Location Map
Veterinary Emergency Group
2725 Old Milton Parkway

MP-20-04/CU-20-07
D/LL: 1/2/803, 804
PC: 10/1/20
CC: 10/26/20

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: 2725 Old Milton Parkway

Contact Name: Jennifer Hanlon (VEG), Jessica Hill (attorney for applicant)

Telephone: 914-582-5334 (J. Hanlon)
404-504-7754 (J. Hill)

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.

As of the date of this submittal, no comments or concerns have been received regarding the requests in public hearing applications PH-20-13, MP-20-04 or CU-20-07. Letters were mailed to all property owners within 500 feet of the subject property, including all adjoining property owners. Attached to this Citizen Participation Form - Part B is a copy of the letter sent, the list of owners that were notified and a copy of the certificate of mailing confirming the letters were sent.

Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

- | | |
|--|---|
| ☒ Letter | ☐ Personal Visits |
| ☐ Telephone | ☐ Group Meeting |
| ☐ Email | ☐ Other (Please Specify) _____ |

Attach a list of people who have been notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified.

I, the undersigned, as an authorized representative of the applicant and Public Hearing item identified above, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Citizen Participation Form - Part B and in any and all documents provided in support of this report are true and accurate. I further understand that any false statements provided by representatives of the applicant as part of this report may result in penalties up to and including denial of the subject application.

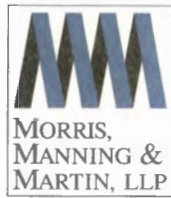
Signature of Authorized Agent: _____

Jessica L. Hill

Date: _____

9/1/20

Print Form



Jessica L. Hill, Esq.
404-504-7754
jhill@mmmlaw.com
www.mmmlaw.com

August 17, 2020

VIA U.S. MAIL

Re: Applications PH-20-13, MP-20-04 and CU-20-07 – Veterinary Emergency Group

Dear Property Owner:

Veterinary Emergency Group (“VEG”) has filed applications to allow VEG to provide emergency veterinarian services on the property addressed as 2725 Old Milton Parkway in the City of Alpharetta. Specifically, the applications request (a) a text amendment to the O-I zoning district to allow “animal hospital-small animals” as a conditional use in the O-I zoning district, (b) a master plan amendment to allow “animal hospital-small animals” as a conditional use and (c) a conditional use permit for 2725 Old Milton Parkway to have an animal hospital-small animal use. You are receiving this letter because you own property near 2725 Old Milton Parkway and the City of Alpharetta requires notification of nearby property owners in connection with any zoning related application.

VEG proposes to occupy the vacant restaurant space in the existing building on the property. No exterior improvements are proposed in connection with this application aside from signage to replace the former restaurant signage. VEG provides emergency services only and does not perform routine preventative care or board animals. VEG has 14 locations open across the country and additional details about VEG’s operations can be found on their website, <https://veterinaryemergencygroup.com>.

The applications are scheduled for the following meetings:

1. Community Zoning Information Meeting: September 9, 2020 at 6:00 p.m.
2. PH-20-13 UDC Text Amendment to Add Animal Hospital, Small Animal as a Conditional Use to O-I District:
 - a. Planning Commission: Thursday, October 1, 2020 at 6:30 p.m.
 - b. City Council: Monday, October 19, 2020 at 6:30 p.m.
 - c. If approved: 2nd Reading, Monday, October 26, 2020 at 6:30 p.m.
3. MP-20-04/CU-20-07 Veterinary Emergency Group
 - a. Planning Commission: Thursday, October 1, 2020 at 6:30 p.m.
 - b. City Council: Monday, October 26, 2020 at 6:30 p.m.

Please contact me at (404) 504-7754 if you have any questions or concerns about the proposal. All meetings are currently held in Council Chambers at Alpharetta City Hall.

Best,

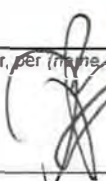
Jessica L. Hill

List of All Property Owners within 500 Feet of 2725 Old Milton Parkway

Owner	OwnerAddr1	OwnerAddr2
ALPHARETTA CY LLC	6 CONCOURSE PKWY SUITE 2075	ATLANTA GA 30328
ANDALUSIA PROPERTIES INC	P.O. BOX 2437	SMYRNA GA 30081
AVALON RESIDENTIAL COMMUNITY ASSOCIATION INC	1465 NORTHSIDE DR NW 128	ATLANTA GA 30318
AVALON ROW HOUSE LLC	2002 SUMMIT BLVD STE 825	ATLANTA GA 30319
BRISKIN ALAN M	311 S ESPLANADE	ALPHARETTA GA 30009
CH RETAIL FUND I ATLANTA ATWATER L L C	3520 PIEDMONT RD NE STE 410	ATLANTA GA 30305-1512
DAVIDSON CATHERINE	317 S ESPLANADE	ALPHARETTA GA 30009
DEVELOPMENT AUTHORITY OF FULTON COUNTY	2200 AVALON BLVD	ALPHARETTA GA 30009
DEVELOPMENT AUTHORITY OF FULTON COUNTY	10525 VISTA SORRENTO PKWY STE 110	SAN DIEGO CA 92121
DEVELOPMENT AUTHORITY OF FULTON COUNTY	5200 BUFFINGTON RD	ATLANTA GA 30349
DOTY AMY E	3049 FAIRWAY HILL CT	PARK CITY UT 84060
EDG ALPHARETTA EH LLC	175 SW 7TH ST SUITE 1702	MIAMI FL 33130
FIFTH THIRD BANK	38 FOUNTAIN SQUARE PLAZA	CINCINNATI OH 45202-3191
FULTON COUNTY BOARD OF EDUCATION	786 CLEVELAND AVE	ATLANTA GA 30315
GREENSTONE PARKWAY FOUR HUNDRED LLLP	3301 WINDY RIDGE PKWY SUITE 320	ATLANTA GA 30339
HAIDER MUHAMMAD A & SYEDA	968 3RD ST	ALPHARETTA GA 30009
HUCKEBA DAVID	329 S ESPLANADE	ALPHARETTA GA 30009
ISAACS BRYANT KENNETH & ISAACS KIM HELEN	337 S ESPLANADE	ALPHARETTA GA 30009
JARVIS MICHAEL T & BLACKMON REBECCA BROOK	1440 HARING PL APT 501	CHARLOTTE NC 28204
JOHNSON HUEY L JR	355 S ESPLANADE	ALPHARETTA GA 30009
LINN CREEK CAPITAL INVESTMENT LLC	P O BOX 777	SAINT JAMES CITY FL 33956
LYDER SGL LLC	235 CENTRO BOITUVA	18550-000 BRAZIL
MCC 2012 ACCESS TRUST THE	5700 BUCK HOLLOW DR	ALPHARETTA GA 30005
MUENKEL ROBERT E & MUENKEL KARIN L	345 S ESPLANADE	ALPHARETTA GA 30009
PRADO AVALON LLC	3425 DULUTH PARK LANE	DULUTH GA 30096
PREIS SCOTT K	331 S ESPLANADE	ALPHARETTA GA 30009
RESNICK NATHAN & RESNICK LISA	343 S ESPLANADE	ALPHARETTA GA 30009
SCHNEIDER KURT	333 S ESPLANADE	ALPHARETTA GA 30009
SCHUH KATHY	341 S ESPLANADE	ALPHARETTA GA 30009
SMITH TODD & SMITH DABNEY	315 S ESPLANADE	ALPHARETTA GA 30009
SUTLIVE SCARLETT	327 S ESPLANADE	ALPHARETTA GA 30009
VELOCIS PARKWAY LP	300 CRESCENT CT SUITE 850	DALLAS TX 75201
VERY TIMOTHY L & TAYLOR LYNDSEY C	347 S ESPLANADE	ALPHARETTA GA 30009
WINDWARD EYE GROUP LLC	5315 F WINDWARD PKWY	ALPHARETTA GA 30004
XU JIAN	8025 PRESTWICK CIR	DULUTH GA 30097
XU JING & YIN YANQING	319 S ESPLANADE	ALPHARETTA GA 30009



Certificate of Mailing — Firm

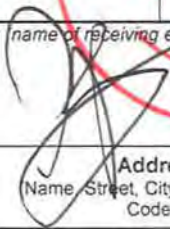
Name and Address of Sender Jessica L. Hill, Esq. Morris, Manning & Martin, LLP 3343 Peachtree Road, NE, Suite 1600 Atlanta, Georgia 30326	TOTAL NO. of Pieces Listed by Sender 36 Postmaster, per (name of receiving employee) 	TOTAL NO. of Pieces Received at Post Office™ 				
USPS® Tracking Number	Address (Name, Street, City, State, and ZIP Code™)		Postage	Fee	Special Handling	Parcel Airlift
Firm-specific Identifier						

1.	ALPHARETTA CY LLC 6 CONCOURSE PKWY SUITE 2075 ATLANTA GA 30328				
2.	ANDALUSIA PROPERTIES INC P.O. BOX 2437 SMYRNA GA 30081				
3.	AVALON RESIDENTIAL COMMUNITY ASSOCIATION INC 1465 NORTHSIDE DR NW 128 ATLANTA GA 30318				
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7.	DAVIDSON CATHERINE 317 S ESPLANADE ALPHARETTA GA 30009				
8.	DEVELOPMENT AUTHORITY OF FULTON COUNTY 2200 AVALON BLVD ALPHARETTA GA 30009				

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9.	DEVELOPMENT AUTHORITY OF FULTON COUNTY 10525 VISTA SORRENTO PKWY STE 110 SAN DIEGO CA 92121				
10.	DEVELOPMENT AUTHORITY OF FULTON COUNTY 5200 BUFFINGTON RD ATLANTA GA 30349				
11.	DOTY AMY E 3049 FAIRWAY HILL CT PARK CITY UT 84060				
12.	EDG ALPHARETTA EH LLC 175 SW 7TH ST SUITE 1702 MIAMI FL 33130				
13.	FIFTH THIRD BANK 38 FOUNTAIN SQUARE PLAZA CINCINNATI OH 45202-3191				
14.	FULTON COUNTY BOARD OF EDUCATION 786 CLEVELAND AVE ATLANTA GA 30315				
15.	GREENSTONE PARKWAY FOUR HUNDRED LLLP 3301 WINDY RIDGE PKWY SUITE 320 ATLANTA GA 30339				
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USPS® Tracking Number	Postmaster, per (name of receiving employee) Address (Name, Street, City, State, and ZIP Code™)		Postage	Fee	Special Handling	Parcel Airlift
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17.	HUCKEBA DAVID 329 S ESPLANADE ALPHARETTA GA 30009				
18.	ISAACS BRYANT KENNETH & ISAACS KIM HELEN 337 S ESPLANADE ALPHARETTA GA 30009				
19.	JARVIS MICHAEL T & BLACKMON REBECCA BROOK 1440 HARING PL APT 501 CHARLOTTE NC 28204				
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21.	LINN CREEK CAPITAL INVESTMENT LLC P O BOX 777 SAINT JAMES CITY FL 33956				
22.	LYDER SGL LLC 235 CENTRO BOITUVA 18550-000 BRAZIL				
23.	MCC 2012 ACCESS TRUST THE 5700 BUCK HOLLOW DR ALPHARETTA GA 30005				
24.	MUENKEL ROBERT E & MUENKEL KARIN L 345 S ESPLANADE ALPHARETTA GA 30009				



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Firm-specific Identifier						

25.	PRADO AVALON LLC 3425 DULUTH PARK LANE DULUTH GA 30096				
26.	PREIS SCOTT K 331 S ESPLANADE ALPHARETTA GA 30009				
27.	RESNICK NATHAN & RESNICK LISA 343 S ESPLANADE ALPHARETTA GA 30009				
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31.	SUTLIVE SCARLETT 327 S ESPLANADE ALPHARETTA GA 30009				
32.	VELOCIS PARKWAY LP 300 CRESCENT CT SUITE 850 DALLAS TX 75201				



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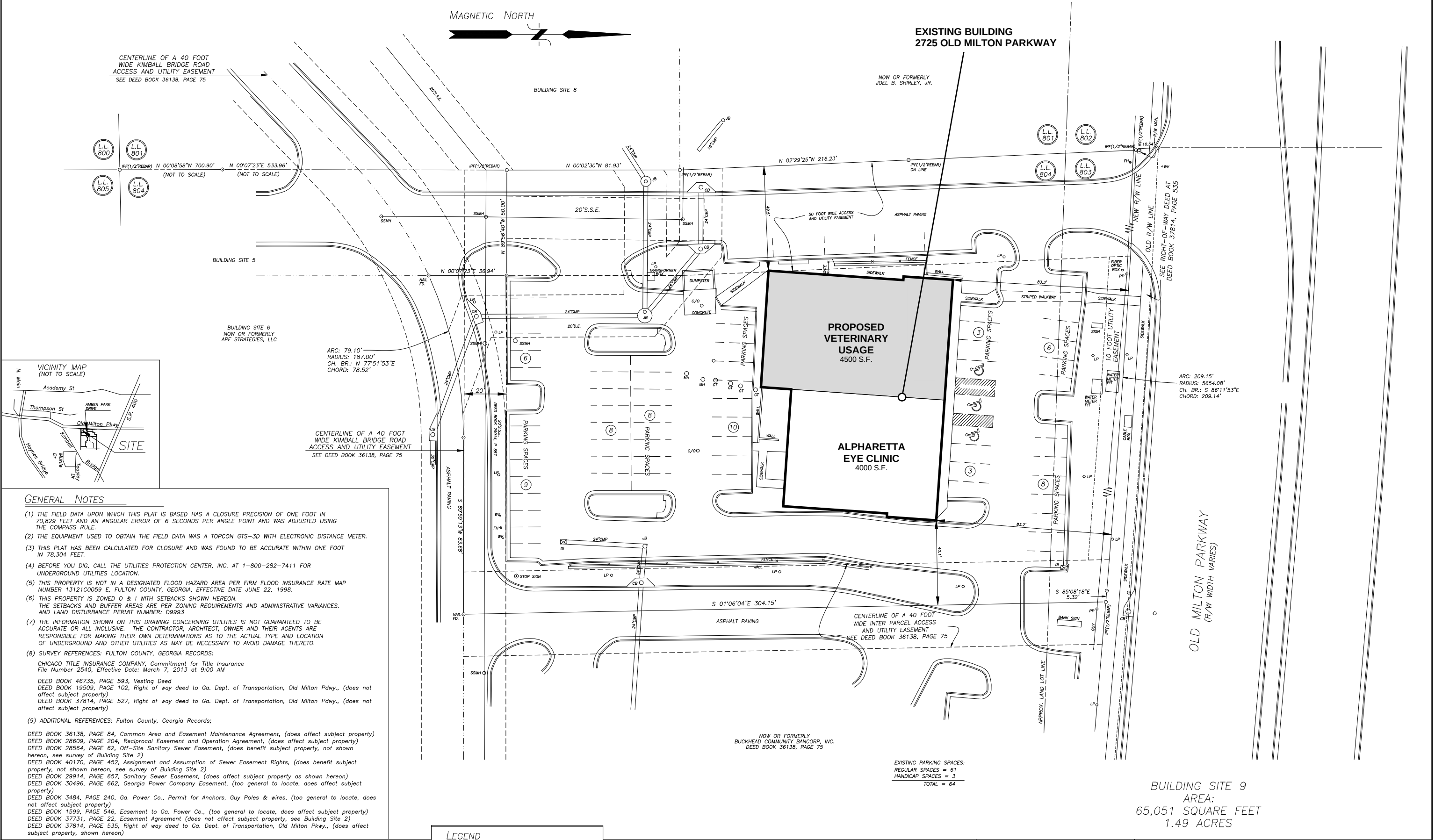
CZIM Comments – 9.9.20 (No Public Comment)

Go to www.menti.com and use the code 14 61 31 3

**Veterinary Emergency Group (2725 Old Milton
Pkwy)**

 Mentimeter





GENERAL NOTES

- (1) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 70,829 FEET AND AN ANGULAR ERROR OF 6 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
- (2) THE EQUIPMENT USED TO OBTAIN THE FIELD DATA WAS A TOPCON GTS-3D WITH ELECTRONIC DISTANCE METER.
- (3) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 78,304 FEET.
- (4) BEFORE YOU DIG, CALL THE UTILITIES PROTECTION CENTER, INC. AT 1-800-282-7411 FOR UNDERGROUND UTILITIES LOCATION.
- (5) THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA PER FIRM FLOOD INSURANCE RATE MAP NUMBER 13121C0059 E, FULTON COUNTY, GEORGIA, EFFECTIVE DATE JUNE 22, 1998.
- (6) THIS PROPERTY IS ZONED O & I WITH SETBACKS SHOWN HEREON. THE SETBACKS AND BUFFER AREAS ARE PER ZONING REQUIREMENTS AND ADMINISTRATIVE VARIANCES. AND LAND DISTURBANCE PERMIT NUMBER: D9993
- (7) THE INFORMATION SHOWN ON THIS DRAWING CONCERNING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR, ARCHITECT, OWNER AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.
- (8) SURVEY REFERENCES: FULTON COUNTY, GEORGIA RECORDS:
- CHICAGO TITLE INSURANCE COMPANY, Commitment for Title Insurance
File Number 2540, Effective Date: March 7, 2013 at 9:00 AM
- DEED BOOK 46735, PAGE 593, Vesting Deed
DEED BOOK 19509, PAGE 102, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does not affect subject property)
DEED BOOK 37814, PAGE 527, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does not affect subject property)
- (9) ADDITIONAL REFERENCES: Fulton County, Georgia Records;
- DEED BOOK 36138, PAGE 84, Common Area and Easement Maintenance Agreement, (does affect subject property)
DEED BOOK 28609, PAGE 204, Reciprocal Easement and Operation Agreement, (does affect subject property)
DEED BOOK 28564, PAGE 62, Off-Site Sanitary Sewer Easement, (does benefit subject property, not shown hereon, see survey of Building Site 2)
DEED BOOK 40170, PAGE 452, Assignment and Assumption of Sewer Easement Rights, (does benefit subject property, not shown hereon, see survey of Building Site 2)
DEED BOOK 29914, PAGE 657, Sanitary Sewer Easement, (does affect subject property as shown hereon)
DEED BOOK 30496, PAGE 662, Georgia Power Company Easement, (too general to locate, does affect subject property)
DEED BOOK 3484, PAGE 240, Ga. Power Co., Permit for Anchors, Guy Poles & wires, (too general to locate, does not affect subject property)
DEED BOOK 1599, PAGE 546, Easement to Ga. Power Co., (too general to locate, does affect subject property)
DEED BOOK 37731, PAGE 22, Easement Agreement (does not affect subject property, see Building Site 2)
DEED BOOK 37814, PAGE 535, Right of way deed to Ga. Dept. of Transportation, Old Milton Pkwy., (does affect subject property, shown hereon)

LEGEND

- IPS --- IRON PIN SET (1/2" REBAR)
IPF (1/2" REBAR) --- IRON PIN FOUND (TYPE)
R/W --- RIGHT OF WAY
PP --- POWER POLE
--- OVERHEAD WIRES
--- FENCE
L.L. --- LAND LOT
CMP --- CORRUGATED METAL PIPE
RCP --- REINFORCED CONCRETE PIPE
CB --- CATCH BASIN
DI --- DROP INLET
SSMH --- SANITARY SEWER MANHOLE
a.k.a. --- ALSO KNOWN AS
D.O.T. --- DEPARTMENT OF TRANSPORTATION
FP --- FLAG POLE
GT --- GREASE TRAP

PROJECT TITLE/NO.

PLAT OF BUILDING SITE 9

BEING IN LAND LOTS 803 AND 804 of the 1st DISTRICT, 2nd SECTION
FULTON COUNTY, GEORGIA



EXISTING PARKING SPACES:
REGULAR SPACES = 61
HANDICAP SPACES = 3
TOTAL = 64

REVISIONS

NO.	DESCRIPTION	DATE
(1)	AS-BUILT/UP-DATE SURVEY	5/7/13

BUILDING SITE 9
AREA:
65,051 SQUARE FEET
1.49 ACRES



SHEET

S-1

CITY OF ALPHARETTA

Veterinary Emergency Group

FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

PUBLIC HEARING APPLICATION

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: Veterinary Emergency Group c/o Jennifer Hanlon

Telephone: 914-582-5334

Address: 7 Legion Drive

Suite: _____

City Valhalla

State: NY

Zip: 10536

Fax: _____

Mobile Tel: 914-582-5334

Email: jhanlon@veg.vet

Subject Property Information:

Address: 2725 Old Milton Parkway

Current Zoning: O-I

District: 1st

Section: _____

Land Lot: 803 & 804

Parcel ID: 12 284008030269

Proposed Zoning: O-I

Current Use: eye clinic and vacant restaurant

This Application For (Check All That Apply):

☒ Conditional Use

☒ Master Plan Amendment

☐ Exception

☐ Rezoning

☐ Master Plan Review

☐ Variance

☒ Public Hearing

☐ Comprehensive Plan Amendment

☒ Other (Specify):

Text amendment to O-I for animal hospital-small animals as a conditional use

8/10/20

APPLICANT REQUEST AND INTENT

Veterinary Emergency Group

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

The property is proposed to be used for an eye clinic (existing) and an animal hospital - small animals.

Applicant's Request (Please itemize the proposal):

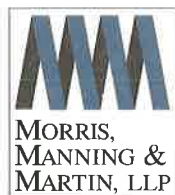
This Application proposes the following approvals:

1. Master Plan Amendment to the Parking 400 Master Plan to allow animal hospital - small animal use as a conditional use in Pod A; and
2. Conditional Use Permit to allow an animal hospital-small animal use on the subject property.

Concurrently with this Application, a text amendment to allow animal hospital-small animal use as a conditional use in the O-I district is also requested.

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

See attached letter of intent.



Jessica L. Hill, Esq.
404-504-7754
jhill@mmmlaw.com
www.mmmlaw.com

August 10, 2020

City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009

Re: Letter of Intent for Veterinary Emergency Group Application

To Whom It May Concern:

This application seeks land use approvals to allow Veterinary Emergency Group (“VEG”) to operate an emergency veterinary care facility at 2725 Old Milton Parkway, Suite A in the City of Alpharetta located in Tract A of the Woodland Park Master Plan. Specifically, this application requests that (i) “animal hospital-small animals” be added as a conditional use in Tract A of the Woodland Park Master Plan and (ii) a conditional use permit be approved on the subject property to allow an animal hospital-small animals use be operated by VEG. The applicant also requests a text amendment to the O-I zoning district to allow animal hospital-small animals as a conditional use in O-I.

The property is currently developed with a two tenant commercial building that includes vacant space formerly occupied by a sushi and hibachi restaurant in Suite A and the Alpharetta Eye Clinic in Suite B. The owner of the property occupies Suite B and will be leasing Suite A to VEG. No exterior improvements are proposed to the property in connection with this application aside from signage to replace the former restaurant signage.

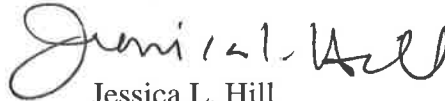
Approval of this application would allow for use of the existing 4,500 square foot suite as a 24-hour, 7-day a week, emergency animal hospital facility. VEG currently has 14 locations in New York, New Jersey, Massachusetts, Florida and Texas and is expanding into Colorado and California with a goal of 21 locations open or under construction by the end of 2020.

Approximately 4 to 5 employees will be working on site at any given time and based on other existing locations, peak hours of operation are between 6PM and midnight. Access to the animal hospital is provided through the front door or also through the secured rear access. Typically customers call prior to coming to VEG, so access accommodations can be made in advance of arrival depending on the nature of the emergency.

VEG does not perform routine or preventative care and does not board animals. Animals are only kept onsite for inpatient medical care with direct supervision by a nurse and veterinarian. VEG’s most common patients are cats and dogs, however, VEG treats other

household animals, including but not limited to small mammals like rabbits and Guinea pigs, birds and reptiles.

Best,



Jessica L. Hill

8/10/20

Veterinary Emergency Group

PROPERTY OWNER AUTHORIZATION**Property Owner Information:**

Contact Name:

Windward Eye Group, LLC c/o Tommy AreyTelephone: 678-557-3693Address: 2725 Old Milton ParkwaySuite: BCity AlpharettaState: GAZip: 30009**Authorization:**

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

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

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

Identify Authorized Applicant:Name of Authorized Applicant: Veterinary Emergency GroupTelephone: 914-582-5334Address: 7 Legion Drive

Suite: _____

City ValhallaState: NYZip: 10595**So Sworn and Attested:**

Owner Signature: _____

Date: 7-30-2020**Notary:**

Notary Signature: _____



CHRISTOPHER WANJOO LEE
 NOTARY PUBLIC
 Gwinnett County
 State of Georgia
 My Comm. Expires Aug. 30, 2022

Date: 7/30/2020

8/10/20

Veterinary Emergency Group

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:

Windward Eye Group, LLC c/o Tommy AreySubject Public Hearing Case: 2725 Old Milton Parkway**Campaign Contribution Information:**

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

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

Name of Official:

N/A

Position:

N/A

Description of Contribution:

N/A

Value:

N/A

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:

Tommy Arey

Date:

7-30-2020

8/10/20

DISCLOSURE FORM

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Name of Applicant or Opponent: **Veterinary Emergency Group**

Subject Public Hearing Case: **2725 Old Milton Parkway**

Campaign Contribution Information:

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

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Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: Jennifer Hanlon

Date: 7/14/2020

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The subject property is located in an area with a wide variety of uses including retail, restaurant, office, hotel, institutional and residential uses and is located in close proximity to access to Georgia 400. The Avalon development is located directly north of the site across Old Milton Parkway. The subject property is zoned O-I and is located at the edge of a pocket of office and institutional uses on the south side of Old Milton Parkway. Immediately west of the property is a Starbucks and several restaurants. South of the property across Kimball Bridge Road is a Courtyard by Marriott hotel. The proposal would allow an animal hospital for small animals on the property. This use would be a transition between the office and clinic uses to the east and the more commercial uses to the west and would serve the animals of the nearby households. The proposal is compatible with the development in the immediate area and on surrounding properties.

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

The immediately surrounding properties are used primarily for commercial purposes. The proposal is to replace a former hibachi and sushi restaurant with the proposed animal hospital. The replacement of the restaurant space with an animal hospital use will not adversely impact the use and value of the surrounding properties. The owner of the Alpharetta Eye Clinic on the property is leasing the adjacent suite to the applicant and therefore is supportive of the proposal. The other surrounding properties are all nonresidential uses that would not be adversely impacted by the proposal.

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

The current zoning pursuant to the Master Plan allows several uses such as restaurant, bank, clinic, day care center, school and office uses. Although the site has economic value under the current zoning as a restaurant, provision of an animal hospital on the property will provide a use that is underserved in the immediate area and would be additive to the development fabric than replacement of the tenant space with another restaurant.

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

The proposal to convert an existing restaurant use to an animal hospital use would not result in any increase in population due to the nature of both uses. From a traffic perspective, overall daily trips are expected to be reduced by more than half of what the former restaurant use generated as demonstrated by the ITE trip generation included in the application. The busiest hours of operation for the animal hospital are expected to be 6PM through midnight which is later than typical peak hour traffic for other uses. Between 6PM and midnight, between 7 and 25 customers are expected. Between 8AM and 6PM, it is expected that approximately 10 to 12 customers will visit the animal hospital. Between midnight and 8AM approximately 4 to 5 customers are forecast. Accordingly the expectation is that overall traffic will not be increased pursuant to this proposal.

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

There would be no impact to schools from the change in use from restaurant to animal hospital. Similarly, no adverse impact is anticipated on utilities as the building is existing.

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

Although the Future Land Use Map shows the site as Corporate Office, that designation is not particularly consistent with the development on the site or in the surrounding area, particularly given its commercial character. In many other local governments, the office zoning districts allow clinic uses, including veterinary clinics similar to the one proposed in this application. Further, the property is located within the Old Milton Corridor Character Area, which has the express intent of enhancing existing commercial and office character along the corridor. The proposed use provides an appropriate medical clinic transition between the more office and institutional uses to the east and south and the more commercial retail and restaurant uses to the north and west. The proposed use will add a use not located along the corridor that will serve the area's emergency pet care needs.

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

The land use conditions and built environment in the immediate area are evolving. With the development of the Avalon project directly across the street from the subject property, the area has become more diverse with a variety of uses and an influx of commercial and residential activity. This has had the effect of creating a neighborhood with varying types of residential, office and commercial uses. As a result, there is becoming more of a need to have the type of services, including animal veterinary care, often found in proximity to or within more established neighborhoods. Many restaurants and other commercial space exists in this immediate area but the area is lacking the animal hospital use proposed by this application. Approving this application will allow for an experienced company to operate in a bustling part of Alpharetta that will serve the emergency veterinary needs of the area.

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.

N/A

8/10/20

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: 2725 Old Milton Parkway

Contact Name: Jennifer Hanlon Telephone: 914-582-5334

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.

All adjoining property owners and owners within 500 feet

of the property will be notified of the Application.

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

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

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

The letter will provide contact information to facilitate any necessary discussion about the Application. If requested by the contacted owners, a meeting will be held.

Trip Generation Report – 2725 Old Milton Parkway**Proposed:**

Land Use (ITE Code)	Intensity	Daily Total	AM Peak – In	AM Peak- Out	AM Peak Total	PM Peak – In	PM Peak – Out	PM Peak - Total
Animal Hospital - Veterinary Clinic (640)	4,500 SF	96	11	5	16	6	10	16
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		248	23	8	31	10	19	29

Existing:

Land Use (ITE Code)	Intensity	Daily Total	AM Peak – In	AM Peak- Out	AM Peak Total	PM Peak – In	PM Peak – Out	PM Peak - Total
Quality Restaurant (931)	4,500 SF	378	2	1	3	23	12	35
Clinic (630)	4,000 SF	152	12	3	15	4	9	13
TOTAL		530	14	4	18	27	21	48

LEGAL DESCRIPTION
(2725 Old Milton Parkway)

All that tract or parcel of land lying and being in land lots 803 and 804 of the 1st District, 2nd Section, Fulton County, Georgia, being more particularly described as follows:

COMMENCING at an iron pin found at the land lot corner shared by land lots 800, 801, 804 and 805; Thence along the lot line common to land lots 801 and 804, North 00 degrees 08 minutes 58 seconds West a distance of 700.90 feet to a point; Thence North 00 degrees 07 minutes 23 seconds East a distance of 533.96 feet to an iron pin found and the POINT OF BEGINNING.

From the POINT OF BEGINNING, Thence North 00 degrees 02 minutes 30 seconds West a distance of 81.93 feet to an iron pin found; Thence North 02 degrees 29 minutes 25 seconds West a distance of 216.23 feet to an iron pin found on the southerly right of way line of Old Milton Parkway (right of way width varies); Thence proceeding along the southerly right of way line of Old Milton Parkway along a curve to the right having an arc length of 209.15 feet, a radius of 5,654.08, a chord bearing of South 86 degrees 11 minutes 53 seconds East and a chord distance of 209.14 feet to a point; Thence South 85 degrees 08 minutes 18 seconds East a distance of 5.32 feet; Thence leaving said southerly right of way line of Old Milton Parkway and proceed South 01 degrees 06 minutes 04 seconds East a distance of 304.15 feet to a point; Thence South 89 degrees 59 minutes 13 seconds West a distance of 83.68 feet to a point; Thence along a curve to the left having an arc length 79.10 feet, a radius of 187.00 feet, a chord bearing of North 77 degrees 51 minutes 53 seconds East and a chord distance of 78.52 feet to a point; Thence North 00 degrees 07 minutes 23 seconds East a distance of 36.94 feet to a point; Thence North 89 degrees 56 minutes 40 seconds West a distance of 50.00 feet to an iron pin found and the POINT OF BEGINNING. Said tract or parcel of land being 65,051 square feet (1.49 acres).

8/10/20

MP-20-04/CU-20-07
Veterinary Emergency Group

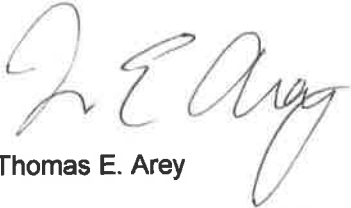
Windward Eye Group

07/16/2020

To the staff and council of the city of Alpharetta,

I am the owner of the property, as well as a tenant, at 2725 Old Milton Parkway, Alpharetta, GA 30005. I am submitting a letter of support and approval as owner and tenant for the application of Veterinary Emergency Group to be our adjacent tenant. We are aware that we will have animals as neighbors. We are thrilled for the potential need this could bring for our pet owning community here in Alpharetta. Remedies will be put into place to soundproof the walls and the crating areas for the animals. We look forward to making this building a medically oriented facility to serve both our human and not so human friends and neighbors.

With great thanks,

A handwritten signature in cursive script, appearing to read 'T E Arey', written in dark ink.

Thomas E. Arey

Windward Eye Group, LLC
2725 Old Milton Pkwy
Alpharetta, GA 30005