



City Council Meeting & Public
Hearing
JANUARY 25, 2021

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

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE TO THE FLAG
- IV. PRESENTATIONS & PROCLAMATIONS
 - A. Milton High School's 100th Anniversary
- V. CONSENT AGENDA
 - A. Council Meeting Minutes (Meeting of 1/19/2021)
- VI. PUBLIC HEARING
 - A. **CU-20-08 Peach Coffee Roasters/Henderson Commons**
Consideration of a conditional use to allow a 'Restaurant, with drive-through' for Peach Coffee Roasters. The property is located at 735 North Main Street and is legally described as being located in Land Lot 1122, 2nd District, 2nd Section, Fulton County, Georgia.
 - B. **CU-21-01/V-21-01 C'est Vert Nails & Spa/55 Roswell Street**
Consideration of a conditional use to allow 'Spa Services' associated with a nail salon for C'est Vert Nails & Spa. A variance is requested to reduce the minimum distance requirement between 'Spa Services' businesses. The property is located at 55 Roswell Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.
 - C. **PH-20-18 Unified Development Code Text Amendments – North Point Overlay**
Consideration of text amendments to the Unified Development Code to amend the North Point Overlay boundary and priority areas.
- VII. OLD BUSINESS
 - A. Consideration of an Amendment to the Safe Hotel Ordinance (2nd Reading)
- VIII. NEW BUSINESS
 - A. Board And Commission Appointments: Planning Commission
 - B. Consideration of a Resolution to Provide Certain Benefits to Members of the City's Boards, Commissions and Authorities
Sponsored By: Council Member Burnett & Council Member Merkel
- IX. WORKSHOP
 - A. Tech Alpharetta Update
- X. PUBLIC COMMENT
- XI. REPORTS

XII. ADJOURNMENT



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: January 25, 2021

I. AGENDA ITEM TITLE: COUNCIL MEETING MINUTES (MEETING OF 1/19/2021)

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Council Meeting Minutes Draft 1-19-2021



City Council Meeting
January 19, 2021
Office of the City Clerk
CITY HALL 2 PARK PLAZA | 6:30 PM

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

I. CALL TO ORDER

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

II. ROLL CALL

- **Council Members**

- o Mayor Jim Gilvin
- o Mayor Pro Tem Donald F. Mitchell
- o Jason Binder
- o Ben Burnett
- o John Hipes
- o Dan Merkel
- o Karen Richard

- **Staff**

- o Bob Regus, City Administrator
- o Sam Thomas, City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Kathi Cook, Director of Community Development
- o Pete Sewczwicz, Director of Public Works
- o John Robison, Director of Public Safety
- o Tom Harris, Director of Finance

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 1/11/2021)
- B. Financial Management Report: Month Ending November 30, 2020
- C. Alcoholic Beverage License Application

1. PH-21-AB-02 Jones Financial Services, LLC
 d/b/a Painting with A Twist
 11770 Haynes Bridge Road Suite 801
 Alpharetta, GA 30009

 Art Studio
 Consumption on Premises
 Liquor, Beer, Wine & Sunday Sales

 Owner: Jones Financial Services, LLC
 Registered Agent: Portia C. Turner

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

V. NEW BUSINESS

A. Vulnerable Population Grant Program: Award Recommendation

- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of Alpharetta Vulnerable Population Grant Funds in an amount not to exceed \$34,918 to Amana Academy as presented and authorize the Mayor to execute all necessary documents.
- The City of Alpharetta created its Vulnerable Population Grant Program (VPGP) for the purpose of assisting Alpharetta families and residents who have suffered significant financial hardship due to the COVID-19 pandemic.
- Because the City lacks established support programs, processes, and experience to provide such support in a direct manner, the VPGP was designed to provide funding to established not-for-profit agencies offering established programs that serve Alpharetta residents and which programs have experienced increased capacity demands due to the pandemic. Specific services on which the VPGP was created to support include overdue rent and mortgage assistance; utility assistance; food and nutrition; childcare; distance learning support; or other unforeseen financial/ emergency needs of the community. It may also focus on providing group community services such as food kitchens or pantries for the same population as mentioned above and/or may also focus on organizations that provide mental health services for vulnerable individuals.

- Eligible applications under this program are reviewed by a staff committee tasked with reviewing all applications for consistency with the program purpose and intent, ability, and efficiency of the applicant to deliver specified services / programs, and delivery of programs and services to residents of Alpharetta. The committee is further tasked with bringing forward for consideration by the Mayor and City Council recommendations on award and allocation of funding within the limits of the funding designated for the Alpharetta Vulnerable Population Grant Program.
- The City has received an application for award under the VPGP from Amana Academy which has been providing support to Alpharetta residents in the category of learning support in the form of devices and software necessary for remote learning. The application has been reviewed and found to be in compliance with all terms and requirements of the program, so Staff recommends that funds be awarded to Amana Academy in an amount not to exceed \$34,918.
- If this recommendation is approved by City Council, the total value of awards granted to-date would be \$280,000. This represents the total funding allocated for the Vulnerable Population Grant Program.

Public Comment

- No Public Comment
- ❖ Council Member Binder offered a motion to approve the award of Alpharetta Vulnerable Population Grant Funds in an amount not to exceed \$34,918 to Amana Academy as presented and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Hipes
 - The motion was approved (5-2); Council Member Burnett and Mayor Pro Tem Mitchell voted in opposition

B. Consideration of an Amendment to the Safe Hotel Ordinance (1st Reading)

- Director of Public Safety, John Robison, and City Attorney, Sam Thomas, came forward to present this item.
- Staff is recommending that Mayor and Council approve an amendment to Article VI of Chapter 42 of the City Code to amend regulations promoting safe hotels.
- The Safe Hotels Ordinance, which was adopted by Council on May 6, 2019, required the City Council to review its provisions before January 1, 2021. Staff and legal presented this review as a workshop during the January 11, 2021 Regular City Council Meeting. As a result, City Council determined it in the best interest of the public health, safety, and welfare to amend the Safe Hotel Ordinance.
- The following amendments are included in this ordinance:
 - o Change the tier system to create a matrix that is based on criminal calls in nature only, not just calls for service at it currently stands.
 - o Update the tier system to:
 - Tier One: Any percentage less than 3%
 - Tier Two: 3.0%-8.0%
 - Tier Three: Any percentage above 8%

- o Require all guests responsible for checking in to a room to be at least 18 years old and all guests checking in must provide a valid identification and a vehicle tag number.
- o Allow all calls (including front desk) made to ADPS to count towards the calls for service ratio (in the current ordinance, calls from front desk staff are not factored into the ratio).
- o A quarterly review of stats by Public Safety, Community Development staff and the City Administrator. A minimum of two meetings a year between Public Safety Staff, Community Development Staff, and each hotel's management/ ownership.
- Attached to the agenda packet is the clean version and red-lined version of the proposed amendments.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Hipes offered a motion to approve an amendment to Article VI of Chapter 42 of the City Code to amend regulations promoting safe hotels.
 - The motion received a second from Council Member Binder
 - The motion was approved (6-1); Council Member Merkel voted in opposition

VI. WORKSHOP

A. Horizon 2040 Comprehensive Plan - Housing Study

- ***This item has been deferred by Staff and will neither be heard nor discussed at this meeting.***

B. UDC Text Amendment to Historic Preservation Incentives

Sponsored By: Council Member Binder and Mayor Pro Tem Mitchell

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is requesting that Mayor and Council consider text amendments to the Unified Development Code (UDC) Section 2.9 Historic Preservation Incentive Zoning, to allow Historic Preservation Incentives for properties on Appendix A – Historic Resources Inventory Contributing Historic Buildings and Article 2 – Downtown Overlay in order to allow a façade grant program.
- The program would be similar to our previous Downtown Façade Grant program whereby we allow up to a \$15,000 match for improvements to historic properties located in the downtown. In order to receive the grant, the owner would need to apply and be designated historic. Material changes as well as application would require Director approval.
- Staff also recommends the Council consider waiving any building application, permit, design review board fees for any property in the City considered as Contributing Historic Properties and Designated Historic Properties. The intent of the program is to promote the preservation of historic housing.

- The proposed criteria and Downtown Historic Façade Grant application would closely follow criteria for the previous Façade Grant listed below:
- Proposed Eligibility requirements for grants:
 - o Grants would be available to merchants or building owners within the designated Downtown for improvements to existing historic building facades. Properties must be Contributing Historic Property or Designated Historic Property to begin the application process.
 - o All applicable permits must be obtained from the City of Alpharetta, Community Development Department.
 - o Improvements for consideration:
 - Material changes on the exterior that conform to United States Secretary of the Interior's Standards for the Treatment of Historic Buildings with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.
 - All street facing facades must be compatible with the existing or original structure.
 - Compliance with the Historic Preservation Ordinance
- Applicant shall designate property Historic if currently designated as Contributing Historic.
- Work that has already been completed on any building or structure in this calendar year is NOT eligible for the grant program.
- Funding is not guaranteed. Longevity of the project and how well the project complements the building, and the surrounding block will be a factor in determining allocation amounts.
- Building/business owner assumes 100% responsibility for qualifying ADA compliance work to satisfy all necessary codes and regulations.
- If owner does the work: all materials and paid labor qualify. Not to include labor paid to owner. Must include a labor quote from a professional contractor.
- Structural Building Improvements:
 - o \$5,000 - \$9,999 – 30% project cost up to \$3,000.
 - o \$10K – \$14,999 – 35% project cost up to \$5,200.
 - o \$15K – \$19,999 – 40% project cost up to \$7,900.
 - o \$20,000 + – 50% project cost up to \$15,000.
- Council Member Merkel and Council Member Burnett recommended including an annual cap.
- Director Cook reminded Mayor Pro Tem Mitchell and Council Member Richard that the recommended incentives would only apply to commercial not residential.
- Mayor Gilvin recommended that the Community Development Department work with members of the Finance Department and the City's legal team to finalize this proposal and bring back to Council as another workshop.
- This workshop was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

C. Discussion of a Resolution to Provide Certain Homeowner Tax Relief on Homesteaded Property - Sponsored By: Council Member Burnett

- City Administrator, Bob Regus, came forward to present this item.
- Council Member Burnett is presenting this discussion to provide certain discretionary homeowner tax relief on homesteaded property from the City ad valorem taxes for municipal purposes for taxable years beginning on or after January 1, 2021.
- In order to provide the City, the opportunity, at its discretion, to the homeowner tax relief, it is necessary that an Act be introduced in the Regular 2021 Session of the General Assembly of Georgia, subject to approval in a city-wide referendum.
- The Act would authorize the City, in its discretion, to annually appropriate a fund (not to exceed \$300,000.00) to be used exclusively to provide taxpayers, owning qualified homesteaded property, credits from City ad valorem taxes for general governmental purposes.
- Council Member Merkel appreciates the thought and effort that was put into this proposal but is opposed to this resolution coming forward due to the financial hardship that COVID-19 has placed on the City.
- Mayor Gilvin ended the workshop by stating that we will continue this discussion at the City Council Planning Retreat.
- This workshop was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

VII. PUBLIC COMMENT

- No Public Comment

VIII. REPORTS

- Mayor Pro Tem Mitchell appointed Sandy Hoffman as his appointee to the Ethics Commission and Kendrick McLaughlin as his appointee to the Cultural Arts Commission.
- Mayor Gilvin appointed John Norton to the Recreation Commission.
- Council Member Binder announced that the City won the Cigna Well Being Award and

IX. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 7:36 P.M.

Respectfully submitted,


Erin Cobb, City Clerk



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CU-20-08 PEACH COFFEE ROASTERS/HENDERSON COMMONS

CITY COUNCIL: JANUARY 25, 2021

This item was heard at the 1/7/2021 Planning Commission meeting. Staff recommended approval subject to ten (10) conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and accepting some changes requested by the applicant (**Changes by the Planning Commission shown in RED**). Vote 6-0

II. RECOMMENDATION:

Approve CU-20-08 Peach Coffee Roasters/Henderson Commons, subject to the following conditions:

1. 'Restaurant w/Drive-Thru Window' shall be added as a conditional use at 735 North Main Street, Building A and limited to no more than 2,000 square feet.
2. Conditional use approval shall be limited to Peach Coffee Roasters, **which is primarily a coffee shop**; no additional 'Restaurant w/Drive-Thru Window' use or subleasing shall be permitted on the approved outparcel.
3. Building **with drive-thru** shall be substantially like the submitted architecture and materials, with final approval by DRB. New buildings shall be non-painted brick, with final approval by DRB.
4. Drive-thru lane shall be screened **to car height** along its east side with a row of taller growing evergreen shrubs, such as Hollies or Tea Olives.
5. Outside speakers shall not be audible from off-site properties.
6. Hours of operation shall be **Monday – Sunday 6:00 AM – 10:00 PM. Friday 7:00 AM – 6:00 PM, Saturday 8:00 AM – 5:00 PM and Sunday 8:00 AM – 3:00 PM.**
7. Pots planted with ornamental trees and shrubs of various sizes and colors shall be provided along the frontage of the main shopping center building. Pots shall be of a material and color that is compatible with the shopping center, with final approval by DRB.
8. Developer shall assess and replace any dead, dying or missing required landscape material.
9. Developer shall provide a pedestrian connection from the Highway 9 sidewalk to the front door of the business, including adequate striping through the parking lot, as approved by Staff.
10. Developer shall **provide right-of-way, if needed, make accommodations** for the GDOT Highway 9 project, including right-of-way and permanent and temporary easements. The landscape strip along Highway 9 shall be accommodated with the GDOT Highway 9 project and required landscaping removed as a result of the project shall be replaced at project completion.
11. **Developer shall be allowed to install a code-compliant monument sign in front of the building with the drive-thru approved pursuant to CU-20-08. In addition, the existing monument sign may be removed and upon removal, one additional code-compliant monument sign may be installed on the Henderson Commons development, substantially as depicted on Exhibit C.**

III. REPORT IN BRIEF:

The applicant, David Pittman, is requesting a conditional use to allow Peach Coffee Roasters to operate a 'Restaurant w/Drive-Thru Window' in a 2,000 square foot building on a pad-ready site within the Henderson

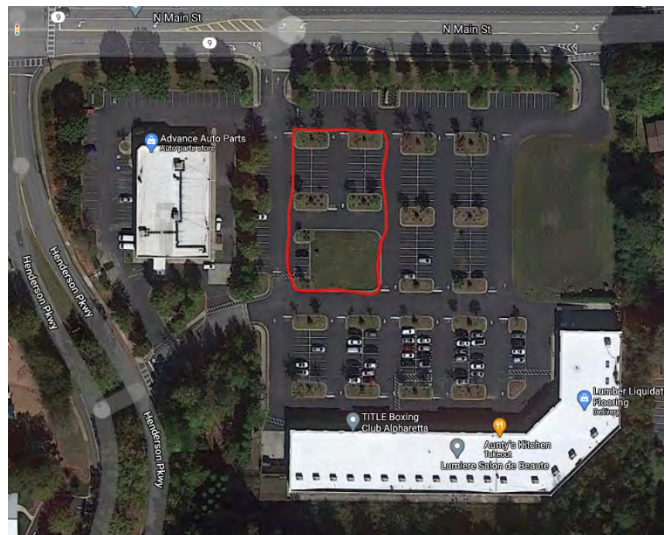
Commons shopping center. The proposed use requires approval of a conditional use in the C-1 (Neighborhood Commercial) zoning district. The subject property is located at 735 North Main Street near the southeast corner of North Main Street and Henderson Parkway.

DISCUSSION

The submitted request, if approved, would allow Peach Coffee Roasters to operate a 'Restaurant w/Drive-Thru Window' in a 2,000 square foot building on a pad-ready site within the Henderson Commons shopping center. The subject property is located at 735 North Main Street near the southeast corner of North Main Street and Henderson Parkway.

The property is part of an 8.6-acre site developed as a shopping center with two (2) commercial outparcels. The zoning of the property is C-1 (Neighborhood Commercial), which allows 'Restaurant w/Drive-Thru Window' with approval of a conditional use. Surrounding properties are zoned C-1 to the north, east and west and CUP (Community Unit Plan) to the south. Addington Place Assisted Living Facility is located to the north, Advance Auto Parts to the west, Children's Cottage Montessori to the east and Somerset at Henderson Village to the south. The Comprehensive Land Use Plan designation of the property is 'Commercial'.

Henderson Commons shopping center is approximately 8.6 acres and was developed in 2008 with a 32,990 square foot shopping center. Two (2) outparcels were created in the parking lot, including the applicant's proposed location called out in the aerial photo below. Businesses occupying the shopping center include Lumber Liquidators, Leather Creations, and Title Boxing Club, to name a few. A conditional use was approved to allow 'Restaurant w/Drive-Thru Window' for Dunkin Donuts at the Stonewood Village shopping center in 2019, which is located at the northwest corner of North Main Street and Cogburn Road.



The property is located within the Highway 9 LCI, which was adopted by the Cities of Alpharetta and Milton in 2012. The property is located in the southern portion of the 'Transitional Area' and includes a vision to improve walkability and overall character of the area. This area includes several retail developments that are underutilized and underperforming, including Henderson Commons. In general, drive-thru restaurants do not promote walkability; however, a local coffee shop will generate fewer trips than a Starbucks or national fast food chain restaurant. Additionally, a patio and green space is planned which will promote walkability. The location is near existing residential development.

While the LCI calls for buildings to be brought up to the street, the property is already pad-graded with surface parking around the perimeter. However, the proposed outparcels buildings are much closer to Highway 9 than the main building in the shopping center and only one (1) row of parking will remain between the coffee shop building and the street. The new buildings will also help screen the large surface parking lot from Highway 9. GDOT's Highway 9 project will improve walkability in the area with the installation of twelve-foot (12') wide sidewalks.

Peach Coffee Roasters currently has one (1) location in Johns Creek at 10875 Jones Bridge Road. The business is different than most coffee shops as they roast their coffee beans on-site. The business also offers packaged coffee and a frequently changing food menu. Hours of operation are Monday through Friday 7:00 AM to 6:00 PM, Saturday 8:00 AM to 5:00 PM and Sunday 8:00 AM to 3 :00 PM. The applicant anticipates between nine (9) to twelve (12) employees.

The Henderson Commons location is proposed in a multi-tenant building, depicted as Building A on the site plan, with a single lane drive-thru on an existing outparcel within the parking lot. The applicant proposes to occupy approximately 2,000 square feet of the 4,200 square foot Building A. There is enough parking to serve the existing and proposed uses on the property. The applicant's public hearing application states that the drive-thru facilities are essential to the business as a result of the Covid-19 pandemic.

TRAFFIC

It is estimated that the 2,000 square foot coffee shop with drive-thru would generate 178 AM Peak Hour trips and 87 PM Peak Hour trips. However, this trip generation is more closely associated with a chain coffee shop, such as Starbucks or Dunkin Donuts. A local coffee shop, as proposed, would generate fewer trips than national coffee shops and fast food chain restaurants.

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 has access from Highway 9 and Henderson Parkway. The proposed use would not have significant impacts on vehicular and pedestrian access since it is a local coffee shop generating fewer trips than a national coffee shop or fast food restaurant chain. If approved, a condition is recommended requiring a pedestrian connection from the public sidewalk to the front door of the business, including striping through the parking lot.

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

Response: The above-mentioned improvements are sufficiently addressed on the applicant's site plan. The drive-thru facility has sufficient stacking. If approved, a condition is recommended requiring that landscape strip plantings removed as a result of GDOT's Highway 9 project be replaced at project completion.

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

Response: The proposal should not have significant impacts on surrounding properties or businesses, which are also developed with commercial uses. In addition, the coffee shop will help with the retail synergy within Henderson Commons shopping center, which should improve business activity.

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

Response: Not applicable.

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

Response: The proposal should not impede the normal and orderly development of surrounding properties or businesses, which are also developed with commercial uses. The coffee shop would not be supported at this location, if it was a national coffee shop or fast food restaurant chain generating a higher number of trips. This coffee shop also promotes outdoor seating and encourages walk up customers.

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

Response: The subject property is a shopping center, which typically have restaurants with drive-thru facilities on outparcels. Promoting walkability along Main Street is a goal; therefore, a drive-thru should be carefully considered based upon traffic generated as well as supporting restaurants with outdoor space. This location will incorporate an adjacent green space.

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: The coffee shop with drive-thru is sufficiently separated from the nearest residential properties, which are located to the south behind the Henderson Commons shopping center. A Dunkin Donuts with drive-thru was approved at the northwest corner of North Main Street and Cogburn Road in the Stonewood Village shopping center, which is approximately 600' away (as measured in a straight-line distance).

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that the request is not in conflict with the established review criteria for a conditional use. The proposal should not have significant impacts on surrounding properties, which are also developed with commercial uses. Promoting walkability along Main Street is a goal; therefore, a drive-thru should be carefully considered based upon traffic generated, as well as supporting restaurants with outdoor space. This location will incorporate an adjacent green space.

CITIZEN PARTICIPATION PLAN

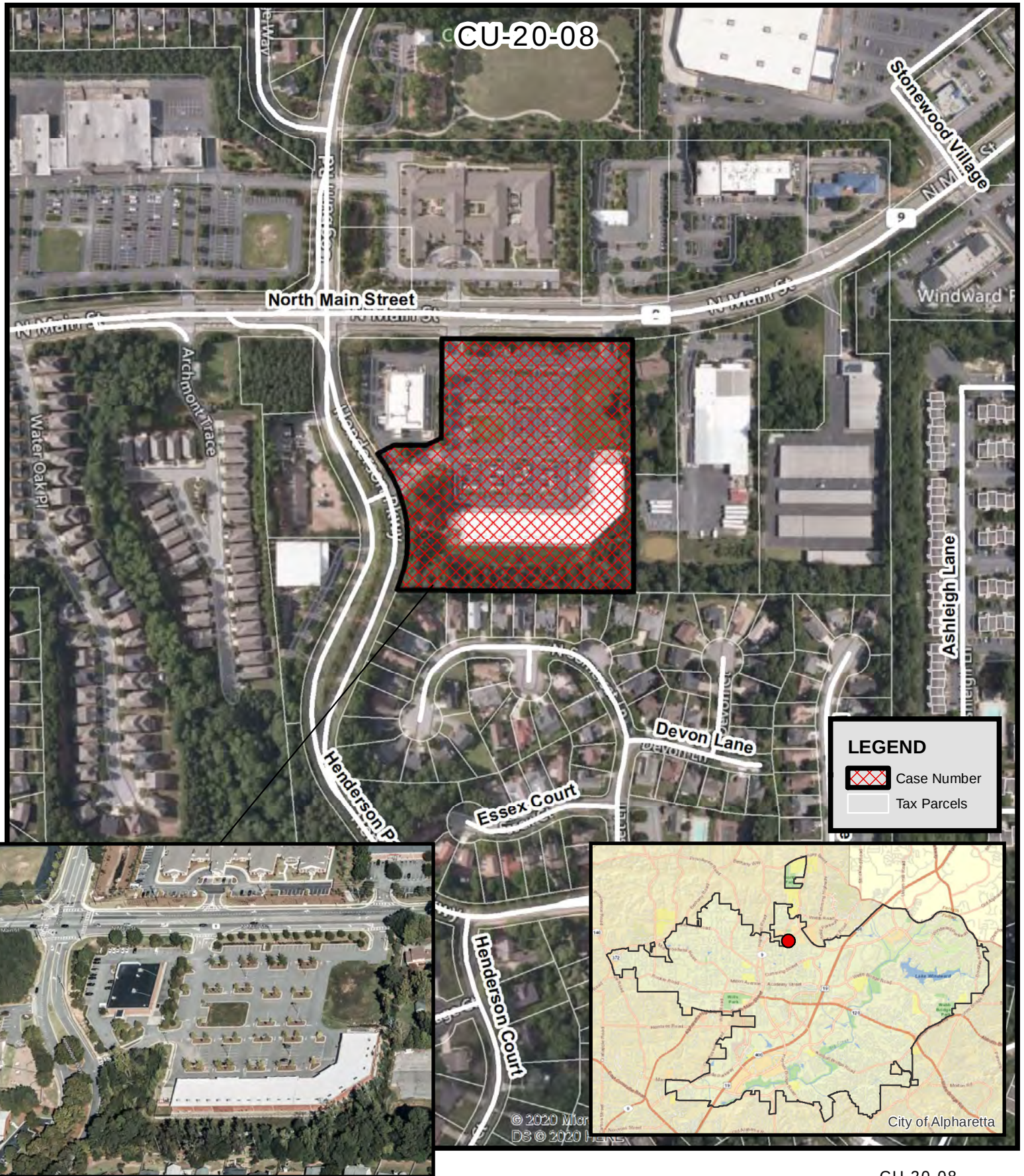
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on October 14, 2020. There were no public comments.

IV. ATTACHMENTS:

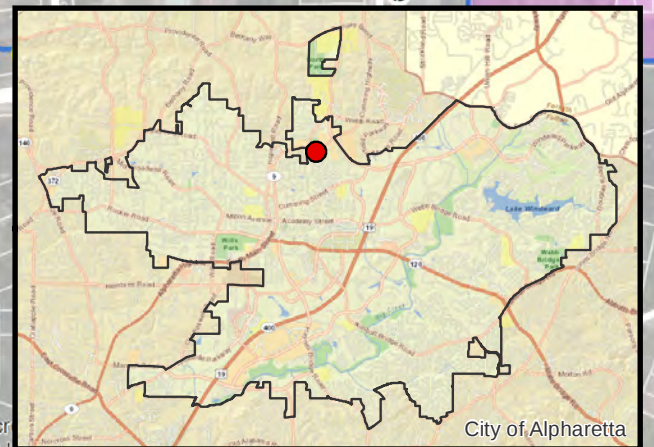
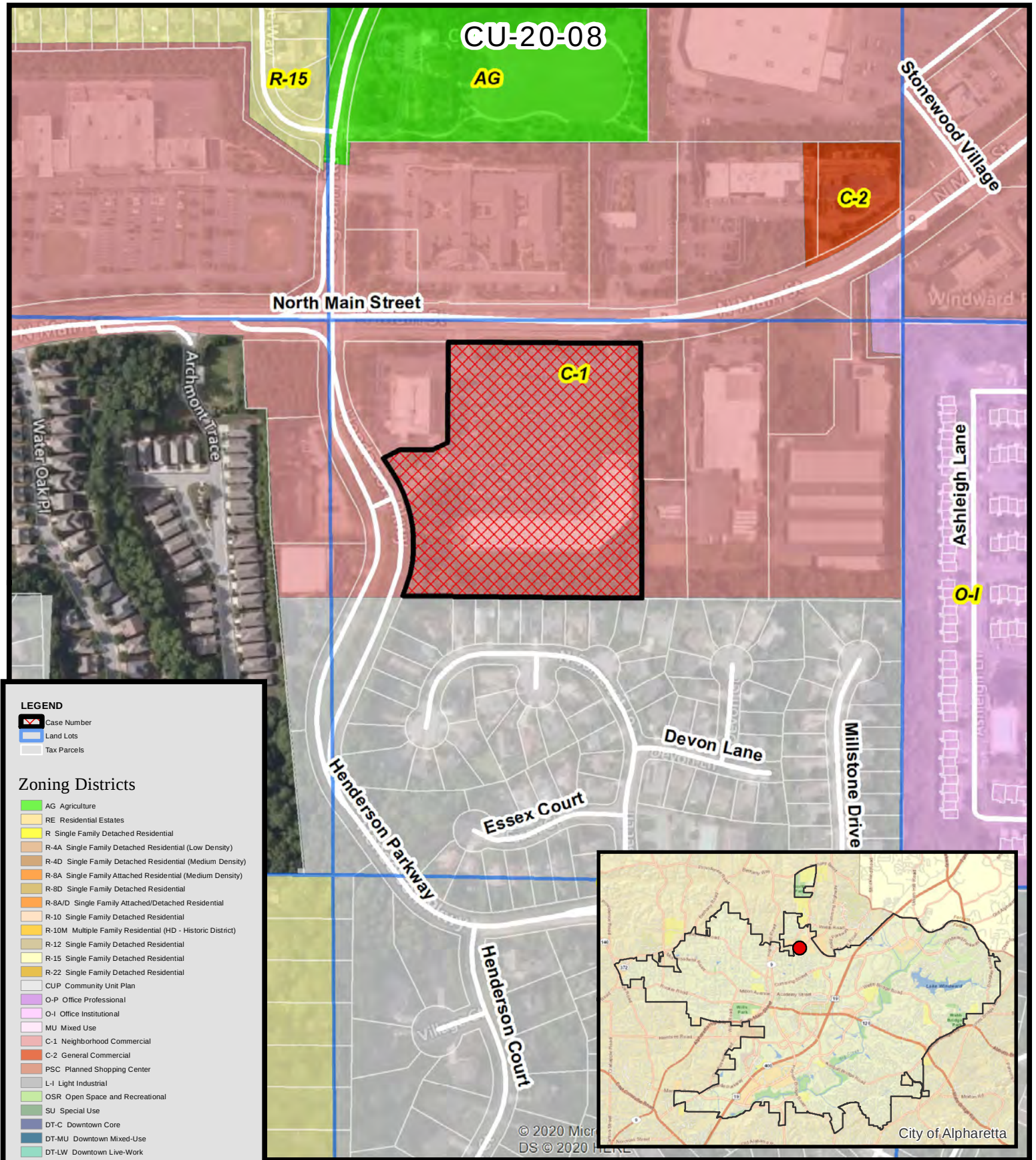
- Site Plan
- Building Elevations



Aerial Map
Peachtree Roasters Coffee Shop
Henderson Commons

CU-20-08
D/LL: 1/1/0050
PC: 1/7/21
CC: 1/25/21

Location Map Provided by:
Community Development - GIS

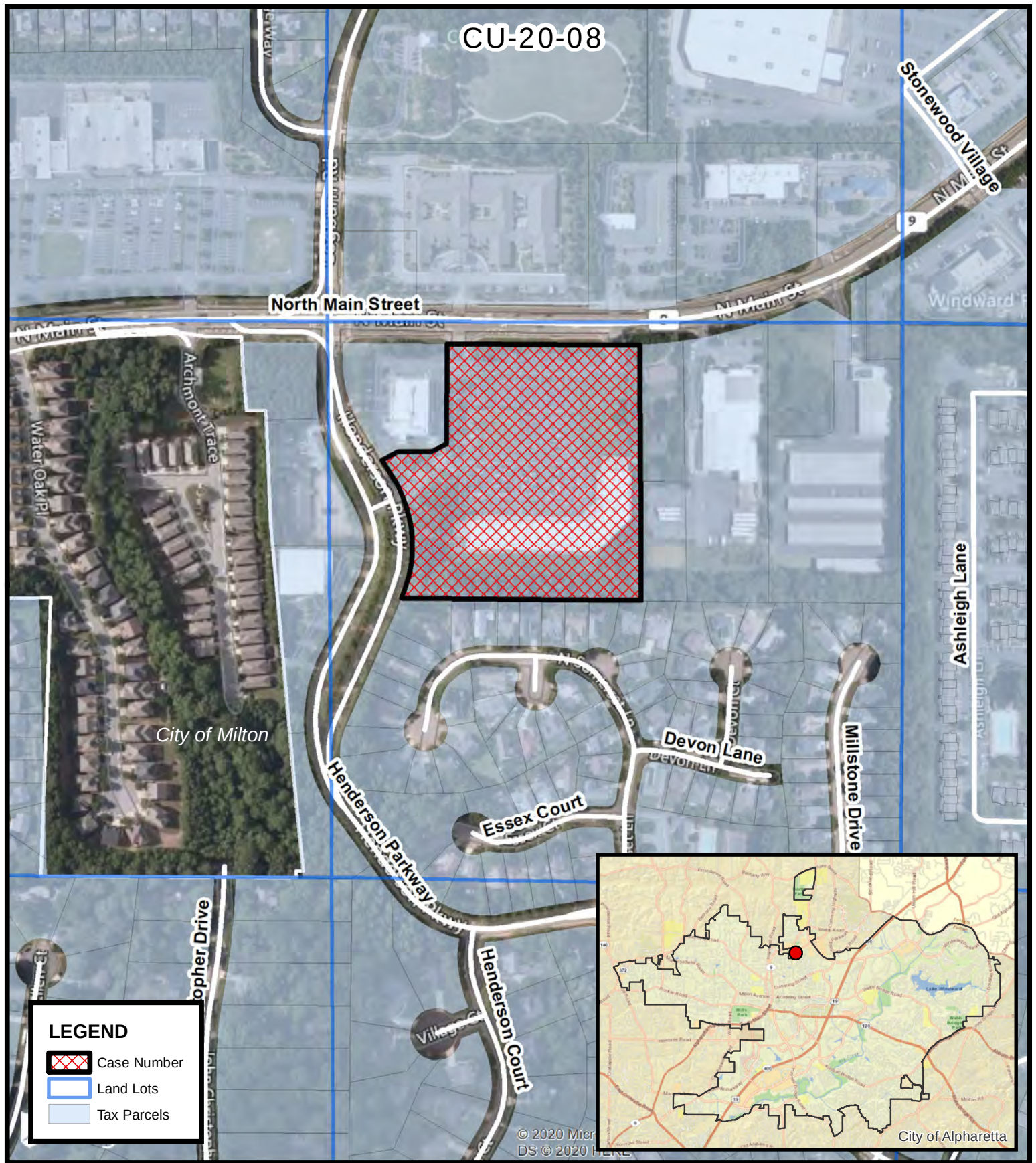


Zoning Map Peachtree Roasters Coffee Shop Henderson Commons

CU-20-08
D/LL: 1/1/0050
PC: 1/7/21
CC: 1/25/21



Location Map Provided by:
Community Development - GIS



Location Map
Peach **Coffee** Roasters
Henderson Commons

CU-20-08
D/LL: 1/1/0050
PC:1/07/21
CC: 1/25/21

Location Map Provided by:
Community Development - GIS

CZIM Comments (10/14/20):

CU-20-08 Peach Coffee Roasters/Henderson Commons

 Mentimeter





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: CU-20-08 PEACH COFFEE ROASTERS COFFEE SHOP

Contact Name: David Pittman

Telephone: 404-414-1965

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

No Comments were received.

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



Letter



Personal Visits



Telephone



Group Meeting



Email



Other (Please Specify) _____

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

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

Signature of Authorized Agent: 

Date: 9-28-2020

Print Form

ABDI HASHIM M ✓
12691 ARCHMONT TRC
ALPHARETTA GA 30009

ALICKI BENJAMIN ✓
12715 ARCHMONT TRCE
ALPHARETTA GA 30009

AP REAL ESTATE HOLDINGS INC
3129 W ADDISON LN ✓
ALPHARETTA GA 30022-2586

ARHC ALALPGA01 LLC ✓
7621 LITTLE AVE SUITE 200 ✓
CHARLOTTE NC 28226

ATASSI MAJD TONY ✓
1025 ESSEX CT ✓
ALPHARETTA GA 30004

BHATIA HOLDINGS ALPHARETTA LLC
315 HENDERSON VILLAGE PKWY ✓
ALPHARETTA GA 30004

BONNE JAMES R & SUSAN C ✓
4920 ATLANTA HIGHWAY # #220 ✓
ALPHARETTA GA 30004

BOUDOURIS GEORGE ✓
5040 NORTH SOMERSET LANE
ALPHARETTA GA 30004

BROWN RUDY CSR & BETTY ANN
1370 MILLSTONE DR ✓
ALPHARETTA GA 30004

BUTLER AUSTIN ✓
5030 N SOMERSET LANE ✓
ALPHARETTA GA 30004

CHAUBEY AMARENDRA KUMARI PRITI
2516 HIGHGLEN CT ✓
ALPHARETTA GA 30004

CIANCIOLO DAVID A & CIANCIOLO SHIRLEY A
5071 N SOMERSET LANE ✓
ALPHARETTA GA 30004

COMA DENISE ✓
5125 NORTH SOMERSET LN ✓
ALPHARETTA GA 30004

CONN WILLIAM C ✓
1430 MILLSTONE DR ✓
ALPHARETTA GA 30004

COX HELEN R ✓
5090 NORTH SOMERSET LN ✓
ALPHARETTA GA 30004

CRANDALL RUSSELL C & CRANDALL MARY L ✓
311 DEVON CT ✓
ALPHARETTA GA 30004

DAALI NAZHA & JOSEPH ✓
5080 N SOMERSET LANE ✓
ALPHARETTA GA 30004

DAS ANJANA ✓
1535 DULUTH HWY SUITE 1901
LAWRENCEVILLE GA 30043-9001

DAWSON GINA ✓
5220 NORTH SOMERSET LN ✓
ALPHARETTA GA 30004

DENMIN SERGEY V ✓
13964 SUNFISH BND ✓
ALPHARETTA GA 30004

ELENA IACONO FAMILY LIMITED PARTNERSHIP ✓
235 MONTGOMERY ST STE 870
SAN FRANCISCO CA 94104-3004

ENRIQUEZ MARIA THERESA C ✓
5175 N SOMERSET LANE ✓
ALPHARETTA GA 30004

EXTRA SPACE PROPERTIES TWO LLC ✓
2795 E COTTONWOOD PKWY # 300 ✓
SALT LAKE CITY UT 84121

FAIRGREEN CAPITAL LP ✓
P.O. BOX 421068
ATLANTA GA 30342

FLEMING TERRENCE ✓
12707 ARCHMONT TRC ✓
ALPHARETTA GA 30009

FLESHIER VLADIMIR & STELLA ✓
1035 ESSEX CT ✓
ALPHARETTA GA 30004

FLORES JOEL ✓
1065 ESSEX CT ✓
ALPHARETTA GA 30004

GANOTE JEANNINE B ✓
5190 NORTH SOMERSET LN ✓
ALPHARETTA GA 30004

GG HENDERSON COMMONS LLC & SFGG
INVESTMENTS LLC
10946 STATE BRIDGE RD SUITE 401-177
ALPHARETTA GA 30022

GHAEMI SAEID & YAZDANI SEDIGHI ✓
5185 NORTH SOMERSET LANE
ALPHARETTA GA 30004 ✓

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300 RIDGEMILL VW
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5070 N SOMERSET LN
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2508 HIGHGLEN CT
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HARDER IRINA & BRIAN
5155 N SOMERSET LANE
ALPHARETTA GA 30004

HEARING MICHAEL L
351 DEVON CT
ALPHARETTA GA 30004-3810

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SANTOSHI
2512 HIGHGLEN CT
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4776 MYSTIC DR NE
ATLANTA GA 30342

HENDERSON LANDING HOMEOWNERS ASSN INC
5665 ATLANTA HWY
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HHC REAL ESTATE LLC
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5210 NORTH SOMERSET LN
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HPA BORROWER 2018 1 MS LLC
180 N STETSON AVE SUITE 3650
CHICAGO IL 60601

IMAM SYED M
12690 ARCHMONT TRCE
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KANOHLANI JERRY & CHOI MONICA S
1410 MILLSTONE DR
ALPHARETTA GA 30004

KEANE PHYLLIS
4841 DEVON LANE
ALPHARETTA GA 30004

KESSLER ROBERT J & SHEILA S
1015 ESSEX CT
ALPHARETTA GA 30004

KHODADADI SHAPEEHI
4801 DEVON LANE
ALPHARETTA GA 30004

KING HAROLD E
5215 NORTH SOMERSET LN
ALPHARETTA GA 30004-7417

KJM HOLDINGS LLC
1418 DRESIDEN DR STE 220
ATLANTA GA 30319

KOPPISETTI MURTHY VENKATA SURYA &
VITTHALANALA LAKSHMI
12735 ARCHMONT TRC
ALPHARETTA GA 30009

LASALLE JULIE M
4821 DEVON LN
ALPHARETTA GA 30004

LEONARD RICHELLE
320 RIDGEMILL VW
MILTON GA 30009

LIGHTSKY CARDWELL JULIE ANNE
5165 N SOMERSET LN
ALPHARETTA GA 30004

LOUIMA ODILES & MARIE L
1390 MILLSTONE DR
ALPHARETTA GA 30004

LOWES HOME CENTERS INC
1000 LOWE'S BLVD
MOORESVILLE NC 28117

MAHENDRA SUDHIER & RINKY
2640 AUGERON CT
ALPHARETTA GA 30004 3864

MAHONEY JAMES
1400 MILLSTONE DR
ALPHARETTA GA 30004

MC KILLOP JENNIE B
5051 NORTH SOMERSET LN
ALPHARETTA GA 30004

MEHMETI IZJA
1380 MILLSTONE DR
ALPHARETTA GA 30004

MIES MICHAEL F & SCHEMANSKE JANE M
350 RIDGEMILL VW
ALPHARETTA GA 30009

MILLER HENRAY E & PAULA J
341 DEVON CT NE
ALPHARETTA GA 30004

MOLUGU SUNNETH DAYAL ARYA
340 RIDGEMILL VW
ALPHARETTA GA 30009

MULLER ASSOCIATES OF MILTON LLC
885 FOXHOLLOW RUN
ALPHARETTA GA 30004

MURPHY PATRICIA D & MARLYN M
7400 S HEATHERRIDGE AVE
SIOUX FALLS SD 57108-3352

NAVARRO ROSARIO I
3772 AVENSONG VILLAGE CIR
ALPHARETTA GA 30004

NG STONEWOOD VILLAGE LLC
1430 BROADWAY ST SUITE 1605
NEW YORK NY 10018

NGUYEN TOMMY Q
4820 DEVON LANE
ALPHARETTA GA 30004

NWOSU OBIORA M
301 DEVON CT
ALPHARETTA GA 30004

OSUJI CHINWE
4811 DEVON LANE
ALPHARETTA GA 30004

PARK BYEONG & KIM MYUNG
5135 N SOMERSET LANE
ALPHARETTA GA 30004

PATRICK BRENNAN & SUZANNE DEVOE JOINT
REVOCABLE TRUST TRF
12699 ARCHMONT TRC
ALPHARETTA GA 30009

PAULIN JEFFREY S & THERESA
5050 NORTH SOMERSET LN
ALPHARETTA GA 30004

PEDDAPATTA CIANDU KUMAR & RAJYAM
JYOTHI
12682 ARCHMONT TRC
ALPHARETTA GA 30009

PEGJOON LLC
P.O. BOX 76228
ATLANTA GA 30358-1228

PERKINS ALJAI A.
310 DEVON CT
ALPHARETTA GA 30004

PHAM TRAM THU
5195 N SOMERSET LN
ALPHARETTA GA 30004

PHILLIPS ANDREA L
12743 ARCHMONT TRCE
MILTON GA 30009

PICIRILLO JAMES P
12703 ARCHMONT TRCE
ALPHARETTA GA 30009

POURKHOSROW IRANA
100 THOMAS CREEK CT
ALPHARETTA GA 30004

RACHAMALLA RAGHAVENDHAR RAMINENI SWATHI
12678 ARCHMONT TRCE
ALPHARETTA GA 30009

ROCHA ALBERTO ET AL
4810 DEVON LN
ALPHARETTA GA 30004-3807

RODRIGUEZ SERGIO
331 DEVON CT
ALPHARETTA GA 30004

RYAN GEORGE
1420 MILLSTONE DR
ALPHARETTA GA 30004

SARBAGH HOSSEIN & OSKOOI FARZIN
4831 DEVON LANE
ALPHARETTA GA 30004

SAKA OLUYEMI B & ADEREMI
310 RIDGEMILL VIEW
ALPHARETTA GA 30004

SAMPLE JANE A & LEONARD T
199 LAVALLEY RD
CHAMPLAIN NY 12919

SARRIS GEORGE S & ANNE B
7665 S SPALDING LAKE DR
SANDY SPRINGS GA 30350-1047

SCHULMAN JEROLD L & JENNIFER V
1045 ESSEX CT
ALPHARETTA GA 30004-3811

SERMENO OSCAR I GARDUNO
5180 NORTH SOMERSET LANE
ALPHARETTA GA 30004

SHIVVA SANTOSH KUMAR & RANGA ANUSHA
12698 ARCHMONT TRC
ALPHARETTA GA 30009

SMITH MITCHELL
5205 N SOMERSET LN
ALPHARETTA GA 30004

SOLLOGUB JACQUELINE
12731 ARCHMONT TRCE
MILTON GA 30004

SOMERSET HOME OWNER ASSOC INC
P.O. BOX 2458
ALPHARETTA GA 30023

SOUFASTAI BADRY
1270 CREST VALLEY DR
ATLANTA GA 30327-4529

SOUZA RICHAN M
5235 N SOMERSET LANE
ALPHARETTA GA 30004

SPIELER THOMAS T & KRISTIANA H
12671 ARCHMONT TRCE
ALPHARETTA GA 30009

TEAGUE REBECCA EDEN
12675 ARCHMONT TRCE
ALPHARETTA GA 30009

TINATI HELEN & ARDABILI SHAHIN D G
340 DEVON CT
ALPHARETTA GA 30004

TORRENCE EVELYN
5200 NORTH SOMERSET LN
ALPHARETTA GA 30004

VARELA LAURA & NAVA LEONEL
12687 ARCHMONT TRC
MILTON GA 30009

WAGNER JEFFREY E & WAGNER RUTH E
5110 N SOMERSET LANE
ALPHARETTA GA 30004

WATERCREST COMMUNITY ASSOCIATION INC
1630 MILITARY CUTOFF STE 200
WILMINGTON NC 28403

WAYSACK JAMES O
5111 NORTH SOMERSET LN
ALPHARETTA GA 30004-3804

WHITE MICHAEL C
5081 NORTH SOMERSET LN
ALPHARETTA GA 30004

WILLIS STEPHEN P
5100 NORTH SOMERSET LN
ALPHARETTA GA 30201

YOUNG PHILIP & YOUNG MARIA H
5020 N SOMERSET LANE
ALPHARETTA GA 30004

YU CHUNG G & YU SHERRYLYN
12719 ARCHMONT TRC
ALPHARETTA GA 30009

Henderson Commons

735 N. Main Street – Alpharetta, GA 30009

October 1, 2020

Dear Neighbor,

RE: Conditional Use Permit, CU-20-08, for Property Located at 735 N. Main Street, Alpharetta, GA

My name is David Pittman. I am the owner of Peach Coffee Roasters located at 10875 Jones Bridge Road in Johns Creek. I am looking to open an additional location at Henderson Commons located at 735 N. Main Street in Alpharetta. This new neighborhood location will feature a drive-thru, a large green space area, a patio for your convenience, more food items and will be located in a new building to be constructed at the property in 2021. Please visit our website at www.peachcoffeeroasters.com.

This Conditional Use Permit is requested to allow a drive-thru at this location which is essential for my business to succeed, especially since the COVID-19 Pandemic.

The following meetings will be held at Alpharetta City Hall, Council Chambers:

Community Zoning Information Meeting at 6:00 pm, October 14, 2020

Planning Commission Meeting at 6:30 pm, November 5, 2020

City Council Meeting at 6:30 pm, November 16, 2020 .

The reason for this letter is to reach out to you, introduce myself and request your support in my latest endeavor. I can be reached by cell at 404-414-1965 or by email david@peachcoffeeroasters.com.

With kindest regards,

David Pittman

Owner, Peach Coffee Roasters

Johns Creek, GA

CITY OF ALPHARETTA

9/1/20

Peachtree Roasters Coffee Shop
Henderson Commons

CU-20-08
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: **David Pittman**

Telephone: **404-414-1965**

Address: **10875 Jones Bridge Road**

Suite: **5**

City: **Johns Creek**

State: **GA**

Zip: **30022**

Fax: **N/A**

Mobile Tel: **404-414-1965**

Email: **david@peachcoffeeroasters.com**

Subject Property Information:

Address: **735 N. Main Street - Alpharetta, GA 30009**

Current Zoning: **C-1**

District: **2nd**

Section: **2nd**

Land Lot: **1122**

Parcel ID: **22-496011233255**

Proposed Zoning: **C-1**

Current Use: **Land for Future Shopping Center**

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): _____

Alpharetta Planning Commission Review:

I am a small business owner in Johns Creek with my coffee shop business.

I would love to expand and open a second location in Alpharetta but in order for this location to survive a drive thru is essential for that to happen.

My Johns Creek location suffered severely these past several months due to Covid, we are slowly coming back but obviously will not know if it will return to normal.

It is an industry fact that a drive-thru operation will add an increase of 25% to 30% in revenue so this added revenue will be extremely important to my success at this location.

We will have a patio out front and the landlord has agreed to provide a very large green space area behind the building as an added feature that we will be able to use.

The restaurant will have a full kitchen so we will be able to provide various food items that we are very excited about and this property desperately needs since there are no other restaurants.

Thank you for your consideration of my request.



David Pittman

APPLICANT REQUEST AND INTENT

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

To open a coffee shop.

Applicant's Request (Please itemize the proposal):

Conditional Use Permit to allow a drive-thru lane.

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

We are a local coffee shop with one other location in Johns Creek. Our hours of operation are Monday - Friday 7:00 am - 6:00 pm, Saturday 8:00 am - 5:00 pm and Sunday 8:00 am - 3:00 pm.

What makes us different is we actually roast the coffee beans on site which creates our unique flavors. We also offer packages of coffee for you to take home. And, our food menu changes frequently.

Our shop will be approximately 2,000 SF and we offer inside and outside seating. The number of employees will range from 9 - 12. Please visit our website at www.peachcoffeeroasters.com.

9/1/20

Peachtree Roasters Coffee Shop

CU-20-08

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: **GG Henderson Commons, LLC**Telephone: **404-304-8414**Address: **10945 State Bridge Road**Suite: **401-177**City: **Johns Creek**State: **GA**Zip: **30022****8164**

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: **David Pittman**Telephone: **404-414-1965**Address: **10875 Jones Bridge Road**Suite: **5**City: **Johns Creek**State: **GA**Zip: **30022**

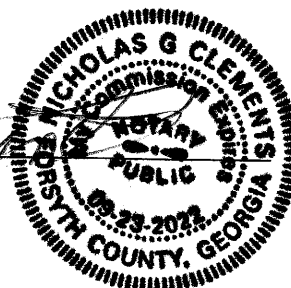
So Sworn and Attested:

Owner Signature: _____

Date: 8/26/20

Notary:

Notary Signature: _____

Date: 8/24/20

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: **David Pittman/Peach Coffee Roasters**

Subject Public Hearing Case: **N/A**

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: **0**

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____

Date: **8-27-2020**

How will this proposal be compatible with surrounding properties?

No problem, there are retail and service uses all around the property.

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

It will actually make the current property better because they do not have any food or coffee at the property and this should make the area better with more customers.

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

Coffee shop just needs conditional use for drive-thru, not new zoning.

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

We will average, maybe, 50 - 70 cars per day at the drive-thru. The average customer count per day will be approximately 100 - 125. So, the population should not be a problem.

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

N/A

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

N/A

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

Due to Covid-19, it is essential to have a drive-thru lane now if you have any chance to survive.

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.

See attached.

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: _____

Contact Name: **David Pittman**

Telephone: **404-414-1965**

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

See attached mailing list.

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

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

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

Email address and cell number was provided in the letter mailed to each name on list.

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: _____

Contact Name: **David Pittman** Telephone: **404-414-1965**

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

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

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

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

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

Signature of Authorized Agent: _____ Date: _____

Peachtree Roasters Coffee Shop
Henderson Commons

CU-20-08

9/1/20

ABDI HASHIM M
12691 ARCHMONT TRC
ALPHARETTA GA 30009

ALICKI BENJAMIN
12715 ARCHMONT TRCE
ALPHARETTA GA 30009

AP REAL ESTATE HOLDINGS INC
3129 W ADDISON LN
ALPHARETTA GA 30022-2586

ARHC ALALPGA01 LLC
7621 LITTLE AVE SUITE 200
CHARLOTTE NC 28226

ATASSI MAJD TONY
1025 ESSEX CT
ALPHARETTA GA 30004

BHATIA HOLDINGS ALPHARETTA LLC
315 HENDERSON VILLAGE PKWY
ALPHARETTA GA 30004

BONNE JAMES R & SUSAN C
4920 ATLANTA HIGHWAY # #220
ALPHARETTA GA 30004

BOUDOURIS GEORGE
5040 NORTH SOMERSET LANE
ALPHARETTA GA 30004

BROWN RUDY C SR & BETTY ANN
1370 MILLSTONE DR
ALPHARETTA GA 30004

BUTLER AUSTIN
5030 N SOMERSET LANE
ALPHARETTA GA 30004

CHAUBEY AMARENDRA KUMARI PRITI
2516 HIGHGLEN CT
ALPHARETTA GA 30004

CIANCIOLO DAVID A & CIANCIOLO SHIRLEY A
5071 N SOMERSET LANE
ALPHARETTA GA 30004

COMA DENISE
5125 NORTH SOMERSET LN
ALPHARETTA GA 30004

CONE WILLIAM C
1430 MILLSTONE DR
ALPHARETTA GA 30004

COX HELEN R
5090 NORTH SOMERSET LN
ALPHARETTA GA 30004

CRANDALL RUSSELL C & CRANDALL MARY L
311 DEVON CT
ALPHARETTA GA 30004

DAALI NAZHA & JOSEPH
5080 N SOMERSET LANE
ALPHARETTA GA 30004

DAS ANJANA
1535 DULUTH HWY SUITE 1901
LAWRENCEVILLE GA 30043-9001

DAWSON GINA
5220 NORTH SOMERSET LN
ALPHARETTA GA 30004

DENMIN SERGEY V
13964 SUNFISH BND
ALPHARETTA GA 30004

ELFNA IACONO FAMILY LIMITED PARTNERSHIP
235 MONTGOMERY ST STE 870
SAN FRANCISCO CA 94104-3004

ENRIQUEZ MARIA THERESA G
5175 N SOMERSET LANE
ALPHARETTA GA 30004

EXTRA SPACE PROPERTIES TWO LLC
2795 E COTTONWOOD PKWY # 300
SALT LAKE CITY UT 84121

FAIRGREEN CAPITAL L P
P.O. BOX 421068
ATLANTA GA 30342

FLEMING TERRENCE
12707 ARCHMONT TRC
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FLESHLER VLADIMIR & STELLA
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CHICAGO IL 60601

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ALPHARETTA GA 30004

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ATLANTA GA 30319

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LOUIMA ODILES & MARIE L

1390 MILLSTONE DR

ALPHARETTA GA 30004

Peachtree Roasters Coffee Shop
Henderson Commons

CU-20-08

9/1/20

LOWES HOME CENTERS INC
1000 LOWE'S BLVD
MOORESVILLE NC 28117

MAHENDRA SUDHEER & RINKY
2640 AUGERON CT
ALPHARETTA GA 30004-3864

MAHONEY JAMES
1400 MILLSTONE DR
ALPHARETTA GA 30004

MC KILLOP JENNICE B
5051 NORTH SOMERSET LN
ALPHARETTA GA 30004

MEHMETI IZJA
1380 MILLSTONE DR
ALPHARETTA GA 30004

MIES MICHAEL F & SCHEMANSKE JANE M
350 RIDGEMILL VW
ALPHARETTA GA 30009

MILLER HENRAY E & PAULA J
341 DEVON CT NE
ALPHARETTA GA 30004

MOLUGU SUNEETH DAYAL ARYA
340 RIDGEMILL VW
ALPHARETTA GA 30009

MULLER ASSOCIATES OF MILTON LLC
885 FOXHOLLOW RUN
ALPHARETTA GA 30004

MURPHY PATRICIA D & MARLYN M
7400 S HEATHERRIDGE AVE
SIOUX FALLS SD 57108-3352

NAVARRO ROSARIO I
3772 AVENSONG VILLAGE CIR
ALPHARETTA GA 30004

NG STONEWOOD VILLAGE LLC
1430 BROADWAY ST SUITE 1605
NEW YORK NY 10018

NGUYEN TOMMY Q
4820 DEVON LANE
ALPHARETTA GA 30004

NWOSU OBIORA M
301 DEVON CT
ALPHARETTA GA 30004

OSUJI CHINWE
4811 DEVON LANE
ALPHARETTA GA 30004

PARK BYEONG & KIM MYUNG
5135 N SOMERSET LANE
ALPHARETTA GA 30004

PATRICK BRENNAN & SUZANNE DEVOE JOINT
REVOCABLE TRUST THE
12699 ARCHMONT TRC
ALPHARETTA GA 30009

PAULIN JEFFREY S & THERESA
5050 NORTH SOMERSET LN
ALPHARETTA GA 30004

PEDDAPATLA CHANDU KUMAR & RAJYAM
JYOTHI
12682 ARCHMONT TRC
ALPHARETTA GA 30009

PEGJOON LLC
P.O. BOX 76228
ATLANTA GA 30358-1228

PERKINS ALJAH A.
310 DEVON CT
ALPHARETTA GA 30004

PHAM TRAM THU
5195 N SOMERSET LN
ALPHARETTA GA 30004

PHILLIPS ANDREA L
12743 ARCHMONT TRCE
MILTON GA 30009

PICCIRILLO JAMES P
12703 ARCHMONT TRCE
ALPHARETTA GA 30009

POURKHOSROW IRANA
100 THOMAS CREEK CT
ALPHARETTA GA 30004

RACHAMALLA RAGHAVENDHAR RAMINENI SWATHI
12678 ARCHMONT TRCE
ALPHARETTA GA 30009

ROCHA ALBERTO ET AL
4810 DEVON LN
ALPHARETTA GA 30004-3807

RODRIGUEZ SERGIO
331 DEVON CT
ALPHARETTA GA 30004

RYAN GEORGE
1420 MILLSTONE DR
ALPHARETTA GA 30004

SABBAGH HOSSEIN & OSKOOI FARZIN
4831 DEVON LANE
ALPHARETTA GA 30004

Peachtree Roasters Coffee Shop
Henderson Commons

CU-20-08

9/1/20

SAKA OLUYEMI B & ADEREMI
310 RIDGEMILL VIEW
ALPHARETTA GA 30004

SAMPLE JANE A & LEONARD T
199 LAVALLEY RD
CHAMPLAIN NY 12919

SARRIS GEORGE S & ANNE B
7665 S SPALDING LAKE DR
SANDY SPRINGS GA 30350-1047

SCHULMAN JEROLD L & JENNIFER V
1045 ESSEX CT
ALPHARETTA GA 30004-3811

SERMENO OSCAR I GARDUNO
5180 NORTH SOMERSET LANE
ALPHARETTA GA 30004

SHIVVA SANTOSH KUMAR & RANGA ANUSHA
12698 ARCHMONT TRC
ALPHARETTA GA 30009

SMITH MITCHELL
5205 N SOMERSET LN
ALPHARETTA GA 30004

SOLLOGUB JACQUELINE
12731 ARCHMONT TRCE
MILTON GA 30004

SOMERSET HOME OWNER ASSOC INC
P.O. BOX 2458
ALPHARETTA GA 30023

SOUFASTAI BADRY
1270 CREST VALLEY DR
ATLANTA GA 30327-4529

SOUZA RENAN M
5235 N SOMERSET LANE
ALPHARETTA GA 30004

SPELLER THOMAS T & KRISTIANA H
12671 ARCHMONT TRCE
ALPHARETTA GA 30009

TEAGUE REBECCA EDEN
12675 ARCHMONT TRCE
ALPHARETTA GA 30009

TINATI HELEN & ARDABILI SHAHIN D G
340 DEVON CT
ALPHARETTA GA 30004

TORRENCE EVELYN
5200 NORTH SOMERSET LN
ALPHARETTA GA 30004

VARELA LAURA & NAVA LEONEL
12687 ARCHMONT TRC
MILTON GA 30009

WAGNER JEFFREY E & WAGNER RUTH E
5110 N SOMERSET LANE
ALPHARETTA GA 30004

WATERCREST COMMUNITY ASSOCIATION INC
1630 MILITARY CUTOFF STE 200
WILMINGTON NC 28403

WAYSACK JAMES O
5111 NORTH SOMERSET LN
ALPHARETTA GA 30004-3804

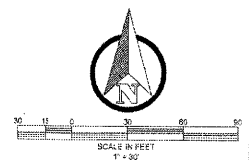
WHITE MICHAEL C
5081 NORTH SOMERSET LN
ALPHARETTA GA 30004

WILLIS STEPHEN P
5100 NORTH SOMERSET LN
ALPHARETTA GA 30201

YOUNG PHILIP & YOUNG MARIA H
5020 N SOMERSET LANE
ALPHARETTA GA 30004

YU CHUNG G & YU SHERRYLYN
12719 ARCHMONT TRC
ALPHARETTA GA 30009

~~9/1/20~~



BRICK NOTES:

1. PROVIDE FLASHING AT ALL WINDOW/DOOR HEADS, CHANGES OF PLANE, CHANGES OF MATERIAL
2. PROVIDE BRICK TIES AT 24" VERT/48" HORIZ
3. PROVIDE WEEPS AT 48" OC ABOVE ALL HEADERS/LINTELS AND BOTTOM OF THE WALL

9/1/20

LINE	BEARING	DISTANCE
L1	N89°26'04"E	64.65
L2	S13°27'00"W	38.67
L3	N62°42'30"E	42.61
L4	S89°49'30"E	78.82
L5	N63°02'26"E	34.35
L6	N89°26'04"E	14.31
L7	S60°21'17"E	55.30
L8	N88°48'47"E	50.34
L9	S00°21'13"E	58.11

REFERENCES -

REFERENCE SHOULD BE MADE TO SITE PLANS FOR HENDERSON COMMONS PREPARED BY HILL, FOLEY, ROSSI AND ASSOCIATES, DATED 03/15/06.
D.B. 50183, PG. 504
P.B. 138, PG. 4
P.B. 192, PG. 118
ADDITIONAL REFERENCES AS SHOWN HEREON

TITLE EXCEPTIONS FROM OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMENT NUMBER 11473, DATED JULY 13, 2018
GENERAL NOTE: SPECIAL EXCEPTIONS
ITEM 2 - DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HENDERSON COMMONS, BY CHARTERMAN HINES, INC. INITIALLY RECORDED AT DEED BOOK 2024, PAGE 244 OF FULTON COUNTY, GEORGIA RECORDS, LAST AMENDED BY RECYCLED DOCUMENTS OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AT DEED BOOK 2034, PAGE 122, AFTERWARD RECORDED.
ITEM 3 - COVENANCE OF ACCESS, INITIALLY RECORDED AT DEED BOOK 9375, PAGE 289, AFTERWARD RECORDED.
ITEM 4 - DECLARATION OF EASEMENTS AND RESTRICTIONS ORIGINALLY RECORDED AT DEED BOOK 2219, PAGE 60, AFTERWARD RECORDED, AMENDED AT DEED BOOK 2349, PAGE 13, AFTERWARD RECORDED.
ITEM 5 - DECLARATION OF EASEMENTS RECORDED AT DEED BOOK 2349, PAGE 13, AFTERWARD RECORDED.
ITEM 6 - DECLARATION OF EASEMENTS RECORDED AT DEED BOOK 2349, PAGE 13, AFTERWARD RECORDED.
ITEM 7 - ATLANTA DAY LIGHT EASEMENT RECORDED AT DEED BOOK 46472, PAGE 489, AFTERWARD RECORDED.
ITEM 8 - SHAWNEE ELECTRIC MEMORANDUM OF PART EASEMENT RECORDED AT DEED BOOK 46472, PAGE 489, AFTERWARD RECORDED.
ITEM 9 - MATTERS AFFECTING THE SUBJECT PROPERTY SHOWN ON PLATS RECORDED AT DEED BOOK 1942, PAGE 4 AND PLAT 1050/182, PAGE 116, AFTERWARD RECORDED.
ITEM 10 - DISTANCES AND TERMS STATED IN LIMITED WARRANTY DEED RECORDED AT DEED BOOK 3078, PAGE 284, FULTON COUNTY, GEORGIA, RECORDS.
AFFECTS THE SUBJECT PROPERTY, CANNOT BE PLOTTED

SURVEYOR
APALACHEE LAND SURVEYING, INC.
P.O. BOX 2147
LOGANVILLE, GA 30052
770-466-7720
CHARLES NORTON

OWNER/SUBDIVIDER
GO HENDERSON COMMONS, LLC
10945 State Bridge Road
Suite 401-177
Johns Creek, GA 30022-8164
404-304-8414
BARRY GOLD

A LEICA TS12 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PROPORTION OF ONE (1) IN 2,500 FEET AND AN ANGULAR ERROR OF 10" PER FACE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,000 FEET AND CONTAINS 7,101 ACRES.



As required by subsection (g) of O.C.G.A. Section 15-8-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements herein. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat on to intended use of any parcel. Furthermore, the undersigned and surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration of Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-8-67.

CHARLES D. NORTON, CARL52872

NOTES -

- NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A DESIGNATED FLOOD HAZARD AREA PER FULTON COUNTY FIRM, PANEL 131-210008E, DATED 08/18/10. THE PROPERTY IS LOCATED IN A ZONE "X".
- HORIZONTAL AND VERTICAL DATUM BASED ON NAD 83 GEORGIA STATE PLANE WEST ZONE COORDINATES.
- THE SUBJECT PROPERTY IS ZONED C1.
- THIS FINAL SUBDIVISION PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENTS ATTACHED HERETO, DATED 02/03/97, WHICH HEREBY BECOMES A PART OF THIS SUBDIVISION PLAT.
- THE SUBJECT PROPERTY IS LOCATED IN THE CITY OF ALPHARETTA.
- THE SITE ADDRESS IS 735 NORTH MAIN STREET, ALPHARETTA, GA.
- THIS SITE DOES NOT CONTAIN ANY STATE WATERS OR WETLANDS, PER THE ABOVE REFERENCED PLANS BY HILL, FOLEY, ROSSI AND ASSOCIATES.
- 100 YEAR FLOODING ELEVATION PROVIDED BY HILL, FOLEY, ROSSI AND ASSOCIATES.
- THE CITY OF ALPHARETTA DOES NOT ENFORCE RESTRICTIVE COVENANTS.
- THE PARENT TAX PARCEL IS 22 512011220587.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1122 OF THE 2nd DISTRICT, 2nd Section of Fulton County, Georgia, being more particularly described as follows:
Beginning at a concrete monument found at the intersection of the easterly right-of-way of Henderson Parkway and the southerly right-of-way of Georgia State Route 9 (a.k.a. Main Street); THENCE along said right-of-way of Georgia State Route 9 South 82 degrees 41 minutes 52 seconds East for a distance of 206.89 feet to an iron pin set at the TRUE POINT OF BEGINNING;
THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 51.41 feet to an iron pin set; THENCE leaving said right-of-way South 10 degrees 00 minutes 00 seconds East for a distance of 173.18 feet to an iron pin set; THENCE North 80 degrees 00 minutes 00 seconds East for a distance of 171.65 feet to an iron pin set; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 126.95 feet to an iron pin set; THENCE South 00 degrees 00 minutes 00 seconds East for a distance of 204.96 feet to an iron pin set; THENCE North 80 degrees 00 minutes 00 seconds East for a distance of 163.33 feet to an iron pin set; THENCE South 00 degrees 21 minutes 13 seconds East for a distance of 585.69 feet to a 3 inch rebar found on the southerly right-of-way of Henderson Parkway; THENCE along said right-of-way along a curve to the left being a radius of 322.22 feet, an arc length of 303.95 feet, being subdivided by a chord bearing N 17 degrees 17 minutes 10 seconds West for a distance of 192.75 feet to a point; THENCE continuing along said right-of-way North 31 degrees 22 minutes 10 seconds East for a distance of 36.62 feet to a 3 inch rebar found; THENCE leaving said right-of-way North 82 degrees 28 minutes 50 seconds East for a distance of 42.63 feet to a 3" nail found; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 78.92 feet to a 3" nail found; THENCE North 83 degrees 08 minutes 26 seconds East for a distance of 30.55 feet to an iron pin set; THENCE North 00 degrees 04 minutes 50 seconds East for a distance of 237.95 feet to an iron pin set on the southerly right-of-way of Georgia State Route 9, said point being the TRUE POINT OF BEGINNING.
Said property being designated as Tract One and containing 5.666 acres.
Together with:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1122 OF THE 2nd DISTRICT, 2nd Section of Fulton County, Georgia, being more particularly described as follows:
Beginning at a concrete monument found at the intersection of the easterly right-of-way of Henderson Parkway and the southerly right-of-way of Georgia State Route 9 (a.k.a. Main Street); THENCE along said right-of-way of Georgia State Route 9 South 82 degrees 41 minutes 52 seconds East for a distance of 206.89 feet to an iron pin set; THENCE continuing along said right-of-way South 89 degrees 13 minutes 41 seconds East for a distance of 51.41 feet to an iron pin set; THENCE continuing along said right-of-way North 80 degrees 00 minutes 00 seconds East for a distance of 173.18 feet to an iron pin set; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 126.95 feet to an iron pin set; THENCE South 00 degrees 00 minutes 00 seconds East for a distance of 204.96 feet to an iron pin set; THENCE North 80 degrees 00 minutes 00 seconds East for a distance of 163.33 feet to an iron pin set; THENCE South 00 degrees 21 minutes 13 seconds East for a distance of 585.69 feet to a 3 inch rebar found on the southerly right-of-way of Henderson Parkway; THENCE along said right-of-way along a curve to the left being a radius of 322.22 feet, an arc length of 303.95 feet, being subdivided by a chord bearing N 17 degrees 17 minutes 10 seconds West for a distance of 192.75 feet to a point; THENCE continuing along said right-of-way North 31 degrees 22 minutes 10 seconds East for a distance of 36.62 feet to a 3 inch rebar found; THENCE leaving said right-of-way North 82 degrees 28 minutes 50 seconds East for a distance of 42.63 feet to a 3" nail found; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 78.92 feet to a 3" nail found; THENCE North 83 degrees 08 minutes 26 seconds East for a distance of 30.55 feet to an iron pin set; THENCE North 00 degrees 04 minutes 50 seconds East for a distance of 237.95 feet to an iron pin set on the southerly right-of-way of Georgia State Route 9, said point being the TRUE POINT OF BEGINNING.
Said property being designated as Tract Two and containing 0.084 acres.
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1122 OF THE 2nd DISTRICT, 2nd Section of Fulton County, Georgia, being more particularly described as follows:
Beginning at a concrete monument found at the intersection of the easterly right-of-way of Henderson Parkway and the southerly right-of-way of Georgia State Route 9 (a.k.a. Main Street); THENCE along said right-of-way of Georgia State Route 9 South 82 degrees 41 minutes 52 seconds East for a distance of 206.89 feet to an iron pin set; THENCE continuing along said right-of-way South 89 degrees 13 minutes 41 seconds East for a distance of 51.41 feet to an iron pin set; THENCE continuing along said right-of-way North 80 degrees 00 minutes 00 seconds East for a distance of 173.18 feet to an iron pin set; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 126.95 feet to an iron pin set; THENCE South 00 degrees 00 minutes 00 seconds East for a distance of 204.96 feet to an iron pin set; THENCE North 80 degrees 00 minutes 00 seconds East for a distance of 163.33 feet to an iron pin set; THENCE South 00 degrees 21 minutes 13 seconds East for a distance of 585.69 feet to a 3 inch rebar found on the southerly right-of-way of Henderson Parkway; THENCE along said right-of-way along a curve to the left being a radius of 322.22 feet, an arc length of 303.95 feet, being subdivided by a chord bearing N 17 degrees 17 minutes 10 seconds West for a distance of 192.75 feet to a point; THENCE continuing along said right-of-way North 31 degrees 22 minutes 10 seconds East for a distance of 36.62 feet to a 3 inch rebar found; THENCE leaving said right-of-way North 82 degrees 28 minutes 50 seconds East for a distance of 42.63 feet to a 3" nail found; THENCE South 89 degrees 13 minutes 41 seconds East for a distance of 78.92 feet to a 3" nail found; THENCE North 83 degrees 08 minutes 26 seconds East for a distance of 30.55 feet to an iron pin set; THENCE North 00 degrees 04 minutes 50 seconds East for a distance of 237.95 feet to an iron pin set on the southerly right-of-way of Georgia State Route 9, said point being the TRUE POINT OF BEGINNING.
Said property being designated as Tract Three and containing 0.921 acres.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. ANY EMPLOYER OR OTHERS NOT EXTENDING TO ANY UNPAID PERSON WITHOUT AN EXPRESS RECONCILIATION BY THE SURVEYOR MAKING SAID PERSON.

SCALE 1"=50'

NO.	DATE	REVISION	DATE	LAND LOT	DISTRICT	SHEET NO.
1	07/17/19		07/17/19	1122	2nd	1 of 1
2						
3						
4						
5						
6						
7						
8						
9						
10						

ALTA/ACSM LAND TITLE SURVEY FOR:
GO HENDERSON COMMONS, LLC
COLUMBIA NATIONAL TITLE INSURANCE COMPANY
SFKG INVESTMENTS, LLC
APALACHEE LAND SURVEYING, INC.
LOGANVILLE, GA 30052
770-466-7720
CHARLES NORTON



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CU-21-01/V-21-01 C'est Vert Nails & Spa/55 Roswell Street

CITY COUNCIL:

JANUARY 25, 2021

This item was heard at the 1/7/2021 Planning Commission meeting. Staff recommended approval subject to five (5) conditions. There were no public comments. After discussion, Planning Commission recommended unanimous approval subject to staff's recommended conditions. Vote 7-0

II. RECOMMENDATION:

Approve CU-21-01/V-21-01 C'est Vert Nails & Spa/55 Roswell Street, subject to the following conditions:

1. 'Spa Services' shall be added as a conditional use at 55 Roswell Street, Suite 110, and limited to no more than 1,918 square feet.
2. Conditional use approval shall be limited to the C'est Vert Nails & Spa; no additional spa services businesses or subleasing shall be permitted within the approved space.
3. Spa services shall be limited to facials, waxing, and massage.
4. Hours of operation shall be Monday – Saturday 9:30 AM – 7:00 PM and Sunday 12:00 PM – 5:00 PM.
5. Window signage shall be limited to no more than 10% of the window area. No lighting window trim.

III. REPORT IN BRIEF:

The applicant, Laurence Patten, is requesting a conditional use permit to allow 'Spa Services' for C'est Vert Nails & Spa, which is a nail salon that provides some spa services, including facial, massage and waxing. A variance is requested to reduce the minimum distance requirement between comparable 'Spa Services' uses. The subject property is located at 55 Roswell Street, Suite 110.

DISCUSSION

The submitted request, if approved, will permit the applicant to provide 'Spa Services' (facial, massage and waxing) in conjunction with a nail salon in a 1,918 square foot suite for C'est Vert Nails & Spa. A variance is requested to reduce the minimum distance requirement between comparable 'Spa Services' businesses. The subject property is located at 55 Roswell St, Suite 110.

The property is zoned C-2 (General Commercial), which allows 'Spa Services' with approval of a conditional use permit. The property, which is currently under construction, received approval on May 18, 2015. The applicant's business is proposed within the ground-floor of a three (3) story office building. Surrounding properties are zoned C-2 to the north, east and south and R-10M to the west and north. The Roswell Street City Parking lot is located to the north and west, Made to the north, 54 Roswell Street to the east, and 61 Roswell Street to the south and west.

Unified Development Code (UDC) Section 1.4.2 defines 'Spa Services' as, "A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail

products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business."

The applicant is requesting a variance to the definition of 'Spa Services' to reduce the distance requirements between comparable businesses. There is a 'Spa Services' business, Natural Body Spa at 275 Commerce Street in City Center, that is located approximately 1,200' from the applicant's proposed site. However, Natural Body Spa is a day spa and does not provide nail services and the applicant's business is a nail salon with some accessory spa services.

C'est Vert Nails & Spa is a new business with a primary focus on nail services with some spa services that are typically found in a nail salon such as, facials, waxing, and massage. C'est Vert translates to 'It's Green' and the applicant's business model is to offer eco-friendly and sustainable nail and spa services with the use of healthy and quality products. Hours of operation are Monday – Saturday 9:30 AM – 7:00 PM and Sunday 12:00 PM – 5:00 PM. The applicant anticipates between 10 – 12 employees at the proposed location. The applicant's space will accommodate 13 manicure stations, eight (8) pedicure stations, retail display, and two (2) spa treatment rooms.

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: 55 Roswell Street was developed in compliance with all site access standards.

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

Response: The above-mentioned site requirements will be provided on the subject property.

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

Response: The proposed retail service use would complement the other uses along Roswell Street and contribute to the walkable environment in the Downtown. Therefore, approval of the applicant's business should not be injurious to the use and enjoyment of the area.

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

Response: Not applicable.

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

Response: The proposed retail service use would complement the other uses along Roswell Street and contribute to the walkable environment in the Downtown. Therefore, approval of the applicant's business should not impede the normal and orderly development of surrounding properties.

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

Response: The proposed retail service use would complement the other uses along Roswell Street and contribute to the walkable environment in the Downtown.

VARIANCE REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; or

Response: Not applicable.

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

Response: Application of the Ordinance would prohibit a 'Spa Services' business at this location. However, the distance requirement talks about separation between comparable businesses. The applicant's business is a nail salon with accessory spa services typically provided at a nail salon. Whereas, Natural Body Spa is a day spa that does not offer nail services. In addition, the applicant's response to the variance review criteria points out that the subject location complies with the distance requirement, if measured along a sidewalk or street. Staff measures the 'Spa Services' distance requirement as a straight-line distance, as the crow flies.

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

Response: There are not peculiar conditions on the subject property that affect its reasonable use as currently zoned. However, the distance requirement talks about separation between comparable businesses. The applicant's business is a nail salon with accessory spa services typically provided at a nail salon. Whereas, Natural Body Spa is a day spa that does not offer nail services. In addition, the applicant's response to the variance review criteria points out that the subject location complies with the distance requirement, if measured along a sidewalk or street. Staff measures the 'Spa Services' distance requirement as a straight-line distance, as the crow flies.

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

Response: Approval of the conditional use would not cause a substantial detriment to the public good. The applicant's business is a nail salon, while Natural Body Spa is a day spa that does not offer nail services.

CONCURRENCES

Staff has reviewed the applicant's proposal finds that the requested conditional use and variance are consistent with the established review criteria. The proposed retail service use would complement other uses along Roswell Street and contribute to the Downtown walkable environment. In addition, C'est Vert is a nail salon, while Natural Body Spa is a day spa that does not offer nail services. The businesses are different, generally offering different types of services. If approved, conditions are recommended limiting the approval to C'est Vert Nails & Spa and limiting any expansion of services.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on December 9, 2020. There were no public comments.

IV. ATTACHMENTS:

- Site Plan
- Floor Plan

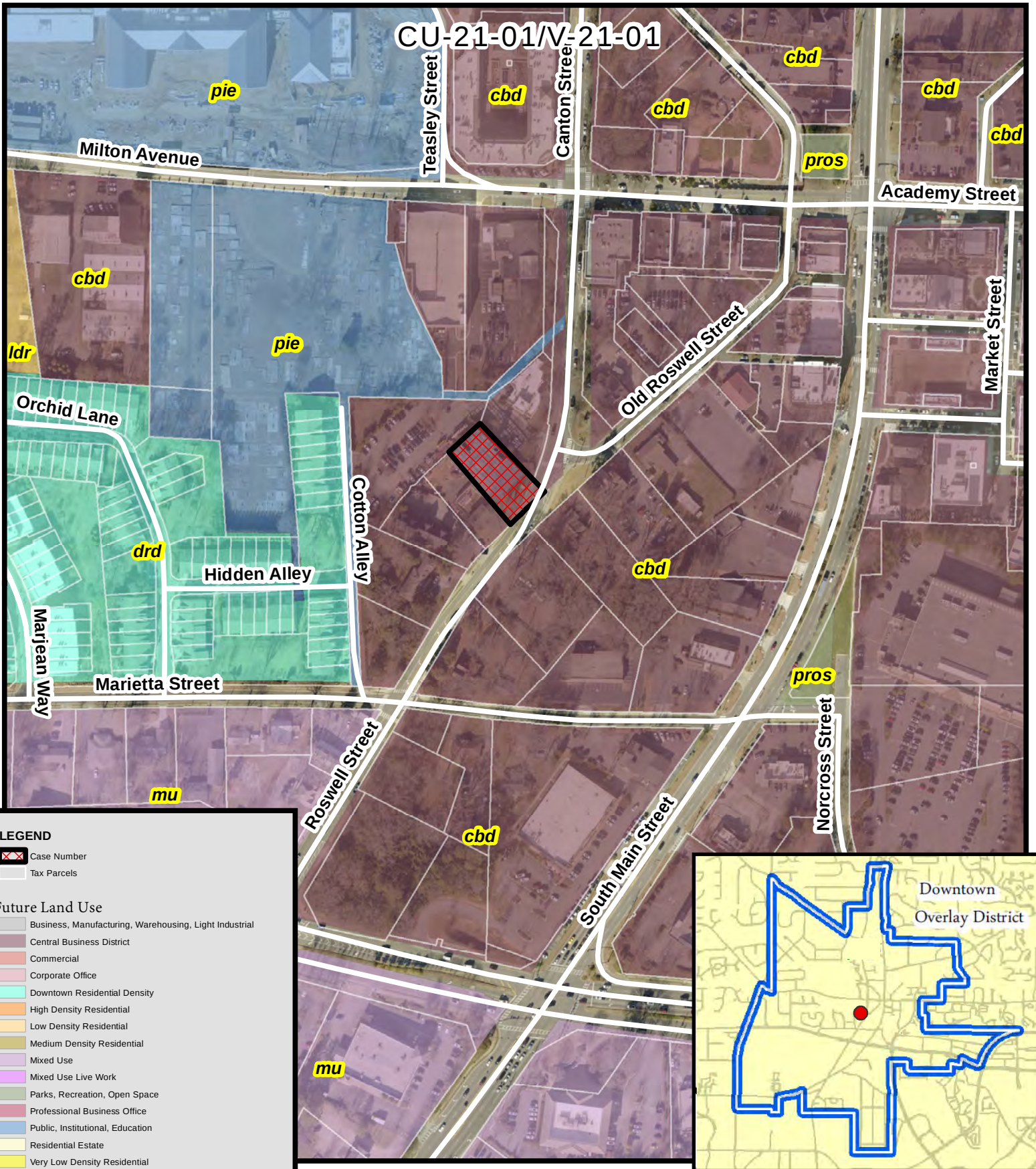


Aerial Map
C'est Vert Spa
55 Roswell Street

CU-21-01/V-21-01
D/LL: 2/2/1269
PC: 1/7/21
CC: 1/25/21

Location Map Provided by:
Community Development - GIS

CU-21-01/V-21-01



Future Land Use
C'est Vert Spa
55 Roswell Street

CU-21-01/V-21-01
D/LL: 2/2/1269
PC: 1/7/21
CC: 1/25/21



Location Map Provided by:
Community Development - GIS

CU-21-01/V-21-01

SU

R-15

Milton Avenue

Teasley Street

Canton Street

DT-C

OSR

SU

R-12

C-1

SU

Old Roswell Street

Market Street

MU

Cotton Alley

Hidden Alley

R-8A

Orchid Lane

R-10M

C-2

Norcross Street

South Main Street

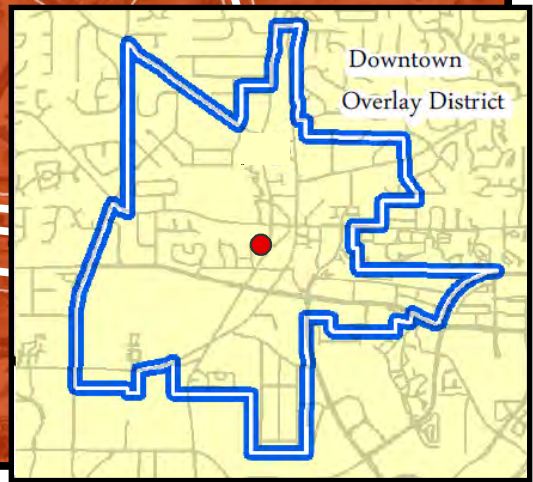
Roswell Street

LEGEND

- Case Number
- Tax Parcels

Zoning District

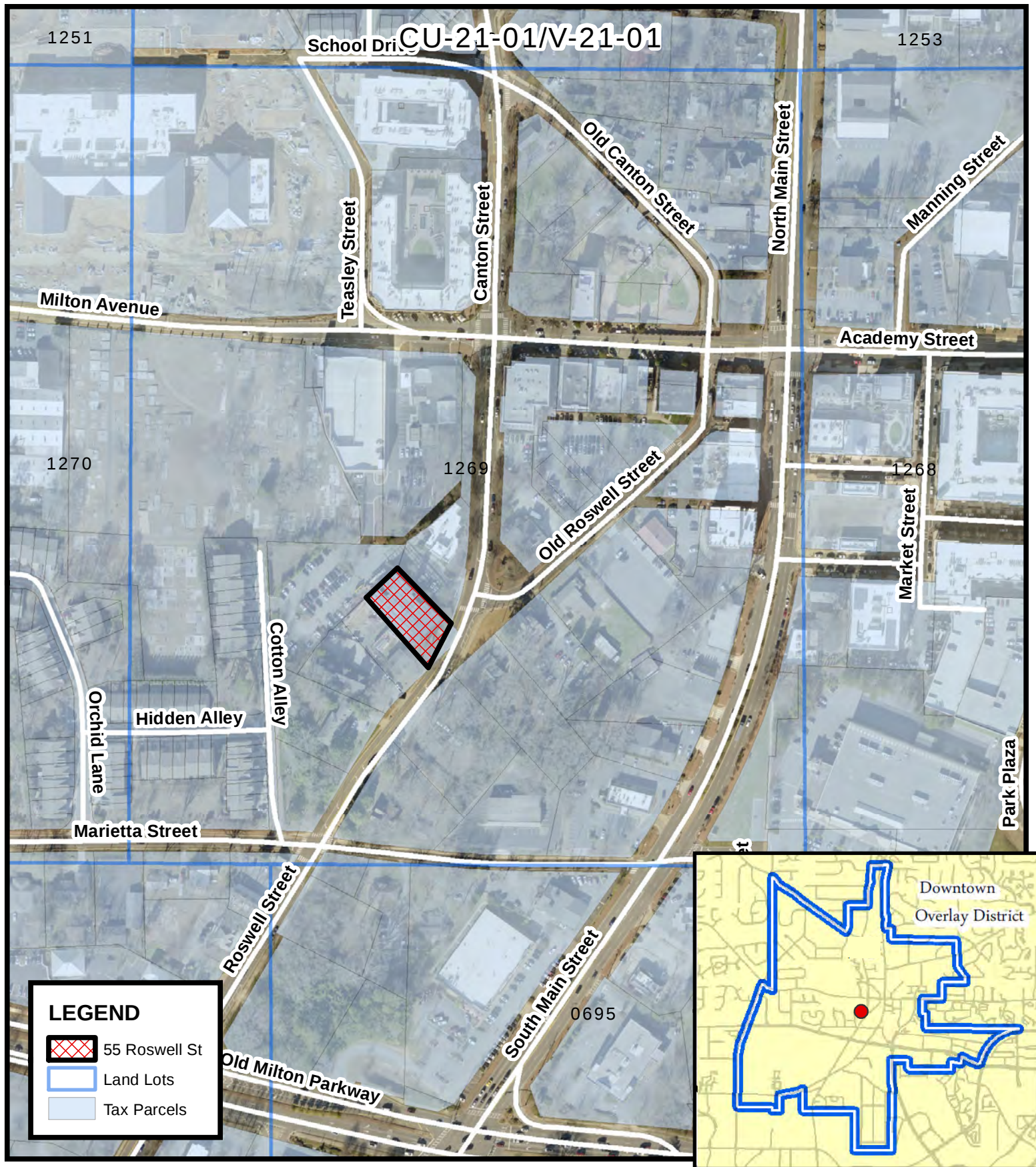
- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-4D Single Family Detached Residential (Medium Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-8D Single Family Detached Residential
- R-8A/D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



Zoning Map
C'est Vert Spa
55 Roswell Street

CU-21-01/V-21-01
D/LL: 2/2/1269
PC: 1/7/21
CC: 1/25/21

Location Map Provided by:
Community Development - GIS



Location Map
C'est Vert Spa
55 Roswell Street

CU-21-01/V-21-01
D/LL: 2/2/1269
PC: 1/7/21
CC: 1/25/21

Location Map Provided by:
Community Development - GIS



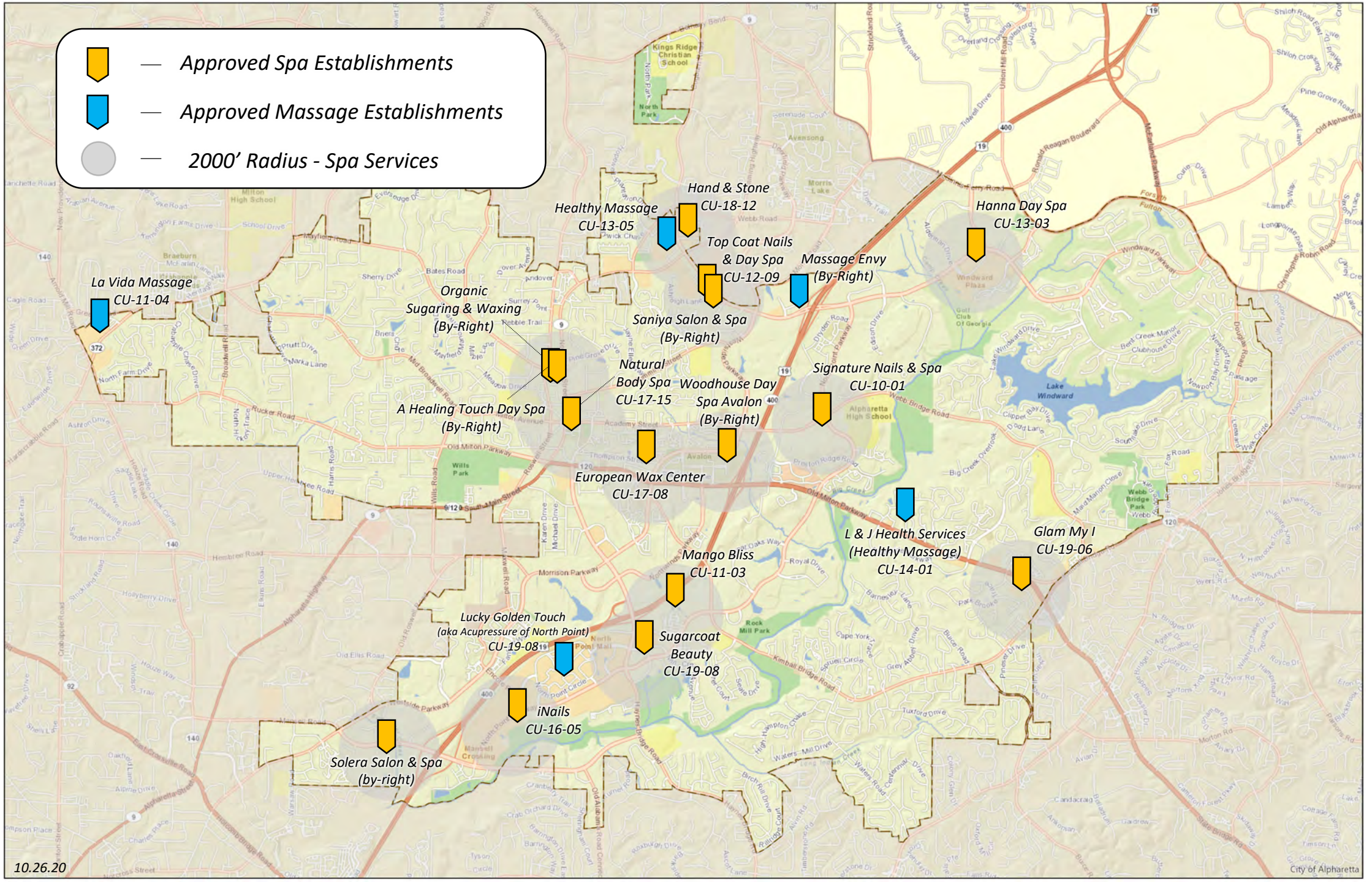
— Approved Spa Establishments



— Approved Massage Establishments



— 2000' Radius - Spa Services



12.9.20 CZIM

C'est Vert Nails and Spa/55 Roswell Street – CU-20-01 / V-21-01

NO COMMENTS

CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name:

C'est Vert Nails and Spa

CU-21-01/V-21-01

Contact Name:

Ms. Laurence "Cookie" Patten

Telephone:

646-637-6505

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

No Comments were received.

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



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:

Laurence Patten

Date:

12/18/2020

Received 12.18.20



November 17, 2020

RE:CU-21-01/V-21-01 C'est Vert Nails and Spa

Dear Property Owner:

We have filed a Public Hearing Application with the City of Alpharetta for consideration of a request for a conditional use to allow 'Spa Services' associated with a nail salon. A variance is requested to reduce the minimum distance requirement between 'Spa Services' businesses. The business is located at 55 Roswell Street, Ste 110, Alpharetta, GA 30009

The Community Zoning Information Meeting will be held on Wednesday, December 9, 2020 at 6:00 p.m. in Council Chambers at City Hall. This is an informal, drop in style meeting to allow the public to view current applications and speak with the applicants.

The Public Hearings are scheduled for:
Planning Commission: Thursday, January 7, 2021
City Council: Monday, January 25, 2021

Both meetings are at 6:30pm in Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have questions or wish further information, please contact Cookie at 646.637.6505.

Sincerely,

Ms Laurence "Cookie" Patten
C'est Vert Nails and Spa
Cell: 646.637.6505
Tel: 929.219.7812
cestvertnailspa@gmail.com

Received 12.18.20

44 MILTON AVENUE PARTNERS LLC

53 S MAIN ST SUITE 300

ALPHARETTA GA 30009

ALPHARETTA TOWN COMMONS LLC

2801 BUFORD HWY NE SUITE T 70

ATLANTA GA 30329

ARIEL HOLDINGS II FIFTY FOUR ROSWELL ST LLC

54 ROSWELL ST

ALPHARETTA GA 30009-1930

ARIEL HOLDINGS LLC

48 OLD ROSWELL ST

ALPHARETTA GA 30009-7908

ARMISTEAD PROPERTY GROUP LLC

3765 BOZEMAN LAKE RD NW

KENNESAW GA 30144

BAILEY DIANE C

12084 COTTON AVE

ALPHARETTA GA 30009

BENSON J B

122 MARIETTA ST

ALPHARETTA GA 30004

BERGGREN CATHERINE C

2015 HIDDEN AVE

ALPHARETTA GA 30009

BISH TRAVIS J & JACKSON KATHERINE E

12096 COTTON AVE

ALPHARETTA GA 30009

BISHOP PAULINE THYNNE & BISHOP THOMAS M

12068 COTTON AVE

ALPHARETTA GA 30009

BLALOCK ESTATE HOLDINGS LLC

7215 DONCASTER CT

CUMMING GA 30040-7662

BLEAKLEY CRAIG & CATHERINE

508 OSCEOLA RD

ROSWELL GA 33756

BUR ROG INC

PO BOX 642

ALPHARETTA GA 30009

CARLOS L BAGWELL REVOCABLE TRUST THE

40 ROSWELL ST

ALPHARETTA GA 30009

CEMETERY

3693 STEWART ROAD

ATLANTA GA 30340

CIACCIA LOUIS & MARYANNE

12009 ORCHID LANE

ALPHARETTA GA 30009

COLLINS MARINE GROUP THE

725 COOPER SANDY CV

MILTON GA 30004

COTTON ALLEY LLC

11785 NORTHFALL LANE SUITE 510

ALPHARETTA GA 30009

D & R MILLER HOLDINGS LLC

980 BIRMINGHAM RD SUITE 501-391

ALPHARETTA GA 30004

DAWSON JERRY W & GRACE

738 MUSTANG DR

HARTWELL GA 30643

DELSON STORES INC

3270 COCHISE DR

ATLANTA GA 30339

DETCHON TRACI L

2011 HIDDEN AVE

ALPHARETTA GA 30009

DUANE JAMES G & EDITH E

12460 CRABAPPLE RD SUITE 202 #317

ALPHARETTA GA 30004

EDGE JULIAN D III

2008 HIDDEN AVE

ALPHARETTA GA 30009

FRIEL TODD & FRIEL SUSAN

12021 ORCHID LANE

ALPHARETTA GA 30009

GRANGER STUART A

2006 HIDDEN AVE

ALPHARETTA GA 30009

GROSS SCOTT & LEA ANN

12090 COTTON AVE

ALPHARETTA GA 30009

HATFIELD HOWARD H & ALANNA

12072 COTTON AVE

ALPHARETTA GA 30009

HEIGHT EQUITIES INC

16 BROAD ST

RED BANK NJ 07701

HERZ MARCIA

12086 COTTON AVE

ALPHARETTA GA 30009

Received 12.18.20

HINTON MICHAEL E
2007 HIDDEN ALY
ALPHARETTA GA 30009

HOWELL DOROTHY O & HOWELL JAMES A
12064 COTTON ALY
ALPHARETTA GA 30009

JACK & KATHLEEN NUGENT REVOCABLE TR THE
12082 COTTON ALY
ALPHARETTA GA 30009

JCH PROPERTIES LLC
80 MILTON AVE
ALPHARETTA GA 30009-1508

JONES WILLIAM W & JONES DEBORAH J
2016 HIDDEN ALY
ALPHARETTA GA 30009

JWJ REAL ESTATE LLC
45 ROSWELL ST SUITE A
ALPHARETTA GA 30009

KELL BUILDING PARTNERS LLC
131 ROSWELL ST SUITE B201
ALPHARETTA GA 30009

LEINENWEBER FREDERICK W & KATHLEEN S
12066 COTTON ALY
ALPHARETTA GA 30009

MINICHIELLO DONALD & MARILYN
2012 HIDDEN ALLEY
ALPHARETTA GA 30004

MOHAMED M YUSUF M & KHEDR SHEREEN M
4649 PERSIMMON DR
DUBLIN CA 94568-7646

NASO VICKI
12092 COTTON ALY
ALPHARETTA GA 30009

PALMER FAMILY INVESTMENTS LLC
11460 ALPHARETTA HWY
ROSWELL GA 30076-3801

PALMER FAMILY INVESTMENTS LLC
79 S MAIN ST
ALPHARETTA GA 30009

PARK PLAZA PARTNERS LLC
15144 TAYLOR RD
ALPHARETTA GA 30004

PARSONS ACE HARDWARE INC
10465 STONEFIELD LNDG
DULUTH GA 30097-5951

PEACHTREE RESIDENTIAL LLC
7380 MC GINNIS FERRY RD
SUWANEE GA 30024

PRANA VIDA LLC
12023 ORCHID LANE
ALPHARETTA GA 30009

PRINCE FRANKLIN D & PRINCE VIRGINIA C
12088 COTTON ALY
ALPHARETTA GA 30009

PURE TAQUERIA LLC
103 ROSWELL ST
ALPHARETTA GA 30009

ROZEMA DONALD RAY & HEATHER S
2002 HIDDEN ALY
ALPHARETTA GA 30009

RUDD NICOLE M
2013 HIDDEN ALY
ALPHARETTA GA 30009

SASSER MICHAEL G & CURTIN LISA
12062 COTTON ALY
ALPHARETTA GA 30009

SMITH DAVID A
12070 COTTON ALLEY
ALPHARETTA GA 30004

SUTTON MARY LOU
12094 COTTON ALY
ALPHARETTA GA 30009-7983

TAPP THOMAS C TAPP NADIA B
12011 ORCHID LN
ALPHARETTA GA 30009

TAYLOR TRACE S & TAYLOR FRANCENE H
2017 HIDDEN ALY
ALPHARETTA GA 30009

VANCE DAVID A
2000 HIDDEN ALLEY
ALPHARETTA GA 30009-7986

VICTORIA SQUARE TOWNHOME ASSOCIATION
INC
P.O. BOX 2458
ALPHARETTA GA 30023-2458

VICTORIA SQUARE TOWNHOME ASSOCIATION INC
7380 MCGINNIS FERRY RD SUITE 200
SUWANEE GA 30024

WATSON DAVID E & HAMLIN MARK S
12025 ORCHID LN
ALPHARETTA GA 30004

Received 12.18.20

WOOD LY CEMETERY

1300 SYLVAN ROAD

ATLANTA GA 30310

YACKEI STEFFANIE

2010 HIDDEN AVE

ALPHARETTA GA 30009

Proposed Interior Renderings 1.4.21



Proposed Interior Renderings 1.4.21



Proposed Interior Renderings 1.4.21



Proposed Interior Renderings 1.4.21



CU-21-01/V-21-01
11/6/2020 C'est Vert Nails and Spa

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Laurence Patten Telephone: 6466376505

Address: 198 Parkmont Lane Suite: _____

City: Dallas State: GA Zip: 30132 Fax: _____

Mobile Tel: 6466376505 Email: laurencepatten@gmail.com

Subject Property Information:

Address: 55 Roswell St, Alpharetta, GA 30009 Current Zoning: Commerical

District: 2nd Section: 2nd Land Lot: 1269 Parcel ID: 22482312690302

Proposed Zoning: _____ Current Use: Mixed-use Commerical Building

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): _____ | |

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

The proposed use of the property is for C'est Vert Nails and Spa is to offer eco-friendly and sustainable nail and spa services with the use of healthy and quality products to give the customer a unique experience.

Applicant's Request (Please itemize the proposal):

Our request is for approval to offer spa body treatment services in addition to nail services.

Services offered:

Nail Services - manicure and pedicures

Full body waxing - full face, under arms, chest, back, bikini line, arms, legs

Facials - face, chest and back

Massages - full body

Hours of operation: Mon-Friday 9:30am-7pm, Saturday 9:30am-7pm, Sunday 12-5pm
10-12 employess

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

This proposal will facilitate the current quality standards and needs of the local market in the city of Alpharetta. The space (1,918 sqft) is sufficient to accomodate 13 manicure stations, 8 pedicure stations, retail display, 2 spa treatment rooms, restroom and breakroom/office for staff/employees.

In addition to nail services offered, C'est Vert will offer spa/body treatments, such as waxing, facials and massages. It has become more prevalent that consumers receiving nail services or other pampered treatments in any capacity always inquire about spa/body treatments. This is one of the primary reasons for the \$8.5 billion nail industry's rapid growth and expansion in offering spa/body treatments as well. C'est Vert will be unique in all services due to our holistic and health conscious approach. We will not be utilizing any strong peels, microdermabrasion, extractions or the use of any harsh products for our spa treatments. We will utilize luxury and high quality brands of products that will allow our clients options for a customized and unique experience.

11/6/2020

CU-21-01/V-21-01

West Vert Nails and Spa

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name:

Brian Burks

Telephone:

770-891-2082

Address:

65 Roswell Street

Suite:

400

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:

Laurence Patten

Telephone:

646-637-6505

Address:

198 Parkmont Lane

Suite:

City

Dallas

State:

GA

Zip:

30132

So Sworn and Attested:

Owner Signature:



Date:

11-2-2020

Notary:

Notary Signature:



Date:

11/2/20

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: **Laurence Patten/C'est Vert Nails and Spa**

Subject Public Hearing Case: _____

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution 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: **\$0**

Description of Contribution: **N/A** Value: **\$0**

Description of Contribution: **N/A** Value: **\$0**

Description of Contribution: **N/A** Value: **\$0**

Description of Contribution: **N/A** Value: **\$0**

Campaign Contribution Information:

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

Signature: 

Date: 11/4/2020

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

C'est Vert will meet and exceed the current standards of the local market that current surrounding businesses offer. Alpharetta's resident population is a market that expects quality and high standards in products and services as seen offered by local businesses. C'est Vert will meet these standards. C'est Vert is a chic and fashion forward nails & spa that offers eco-friendly & sustainable products & services. We will have strong retail presence due to our unique, luxury and exclusive products and services. Our primary mission is the health awareness approach to nail and spa services as well as the beauty industry as a whole due to the use of organic ingredients, the use of sustainable furnishings and a ventilation system that exceeds the required codes.

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

C'est Vert will collaborate with local businesses, such as restaurants, cafes, clothing stores, gift shops, and hospitality. Collaboration by cross marketing allows consumers to be aware of other local businesses which can contribute to the growth of all businesses and an increase of revenue in the community. Without fail when local businesses cross market and compliment each other, it results in an economic growth for all.

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

Yes. The property can be developed for a reasonable economic use as currently zoned. C'est Vert will collaborate with local businesses, such as restaurants, cafes, clothing stores, gift shops, and hospitality. Collaboration by cross marketing allows consumers to be aware of other local businesses which can contribute to the growth of all businesses and an increase of revenue in the community. Without fail when local businesses cross market and compliment each other, it results in an economic growth for all.

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

There will be no negative affect on population or traffic. C'est Vert will not generate any more than any other commerical use.

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

N/A

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

The use of the site is consistent with current land use.

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

N/A

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

11/6/2020

C'est Vert Nails and Spa

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

We are different than Natural Body Spa located on 275 Commerce St due several factors. Primarily, Natural Body Spa does not offer nail services; they offer and utilize spa treatments that include strong peels, microdermabrasion and extraction services for facials and body treatments which C'est Vert does not. Our spa services include the options for our clients to have a customized and unique experience by choosing products available to meet their choices.

The other main difference between Natural Body Spa and C'est Vert Nails and Spa is the distance between the two locations which is 2,112 feet for pedestrians and driving. This is determined by pedestrian and driving traveling. The distance in miles is 0.4 to 0.8 depending if it's via S. Main St or Old Milton Pkwy. The minimum distance in miles is 0.4 miles = 2,112 feet. This clearly is a greater distance than 2000 feet which is the required distance.

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

Yes. The current zoning code standards as they relate to the subject property would create an unnecessary hardship. It would impede us to offer additional spa services that are in high demand which is one of the contributing factors to the great success of the nail and beauty industry. Many spas in the city of Alpharetta, in close proximity to C'est Vert, many times are unable to meet and accommodate the demands of spa services, along with hair salons, fitness centers and hospitality. Our availability would meet the demand and need.

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

No. There are no conditions that are peculiar to the subject property.

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

No. If relief were granted it would not cause substantial detriment to the public good or impair the purpose and intent of the zoning code. If variance is granted, it would allow a highly demanded quality and healthy service to the community. Since C'est Vert is a chic & fashion forward nails & spa salon that offers eco-friendly & sustainable products and services with a unique, luxury and exclusive experience, it would be an added benefit to the many beauty and health conscious consumers in the area as well as beauty industry.

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.

11/6/2020

CU-21-01/V-21-01
C'est Vert Nails and Spa
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: _____

Contact Name: **Laurence Patten**

Telephone: **6466376505**

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

See attached list

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

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

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

A phone number, email and mailing address will be provided

CITY OF ALPHARETTA PERMIT # D180046
FULTON COUNTY PERMIT # 18-085WVR

AS-BUILT PLANS FOR 55 ROSWELL STREET

55 & 61 ROSWELL STREET
ALPHARETTA, FULTON COUNTY, GEORGIA 30004

LOCATED IN
LAND LOT(S) 1269
2 DISTRICT, 2 SECTION
PID# 22 482 312 690 724
22 482 312 260 302
OWNER/DEVELOPER
PARK PLAZA PARTNERS
1800 Howell Mill Road, Suite 110
Atlanta, Georgia, 30318
Mr. Robble Brannon
(404)697-0803

CONTRACTOR
JK LOCKWOOD
5 SOUTH MAIN STREET
ALPHARETTA, GEORGIA 30009
TODD LARSON
(770)713-8866

SURVEYOR
ALLAN LEIKAM
COVAL ENTERPRISES, INC.
435 MILLERS COURT
ALPHARETTA, GEORGIA 30004
(404)401-9436

CIVIL ENGINEER

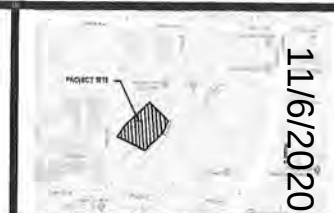


AEC CONTACT:
CHRISTOPHER J. FINKE
770-641-1942
GSWCC #: 29494

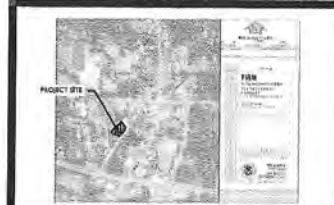
24 HOUR EROSION CONTROL CONTACT:

JOHN WATERS
770-663-3024
GSWCC #: 0000031312
EXP: 6/1/2021

AEC JOB # 18-4176
INITIAL AS-BUILT SUBMITTAL: SEPTEMBER 18, 2020



LOCATION MAP
N.T.S.



FEMA MAP
N.T.S.

TABLE OF CONTENTS

SHEET	TITLE
AB1.0	COVER
AB2.0	SANITARY SEWER AS-BUILT
AB2.1	WATER AS-BUILT
AB3.0	STORM SEWER AS-BUILT

SITE DATA: OWNER: C-3 GENERAL CONTRACTOR JOB # 18-4176 VARIANCE / PUBLIC HEARING 9-17-21 USE: OFFICE BUREAU AS (2400 SF) - 1.5M AC IMPERVIOUS (92%) LIMITS OF DISTURBANCE: 0.9 AC - 0.9 AC SITE AC - 0.01 AC OFFSITE 0.9 AC REMARKS: FRONT: 1/4" (1" LANDSCAPE STRIP) SIDE: 1/4" REAR: 10' BARRIERS: USE: IMPROVED VINE (CONCRETE, RETAIL, RESTAURANT) VEGETATION: 40' MAX STORMWATER: FOOTPRINT: 2400 SF OF 180,000 SF TOTAL PARKING: OFFICE: 3 / 1,500 - RESTAURANT: 1 / 500 REQ: 10,000 + 1 / 500 = 15,000 + 1,500 = 16,500 + 1,500 = 18,000 PROV: 41 OFFICE PARKING SPACES (1.5 CAR / 1.5 OFFICE BUILDING) RELANDER PROVIDED VIA OFFICE PARKING LOT / ADJACENT BARRIERS: PARKING REQ: 7.50 + 1.00 / 200 = 3.75 + 4.00 = 7.75 ELECTRIC: NONE	BUILDING USE BREAKDOWN: 1ST FLOOR: OFFICE, RESTAURANT, KITCHEN 2ND FLOOR: OFFICE 3RD FLOOR: OFFICE
--	--



Georgia 811
Dial 811 or Call 1-800-282-7411

AB 1.0

11/6/2020

CU 21 01/V 21 01
East Vert Nails and Spa

CITY OF ALPHARETTA APPROVAL STAMPS

FULTON COUNTY PERMIT # 18-085WR

OWNER/DEVELOPER
PARK PLAZA PARTNERS
1800 Howell Mill Road, Suite 110
Atlanta, Georgia, 30318
Mr. Robbie Brannon
(404)697-0803

PROPERTY LOCATION
LAND LOT(S) 1269
2 DISTRICT, 2 SECTION
PID# 22 482 312 690 724
22 482 312 260 302

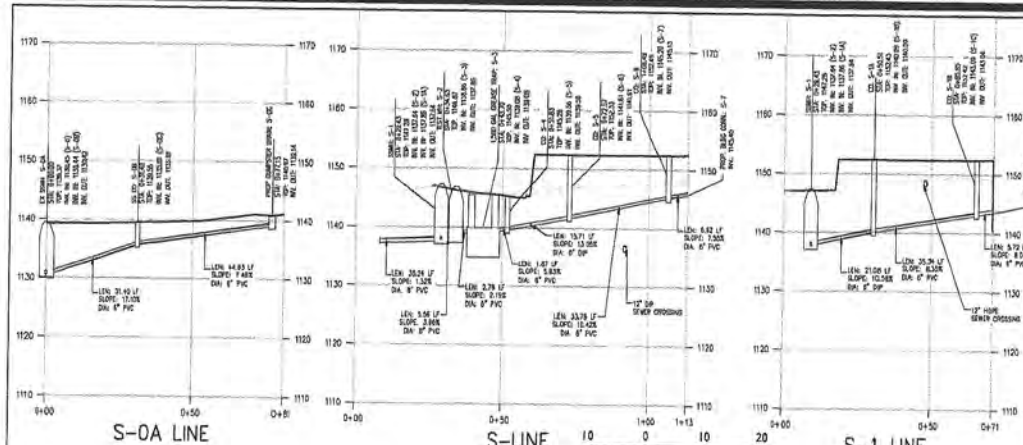
SURVEYOR
Allen Leikari
Caval Enterprises Inc.
435 Millers Court
Alpharetta, GA. 30004
cavalinc@bellsouth.net
404-401-9436

CONTRACTOR
JK LOCKWOOD CONSTRUCTION
5 South Main Street
Alpharetta, Georgia 30009

TODD LARKIN
Cell: 770.713.8866
todd.larkin@jlockwood.com

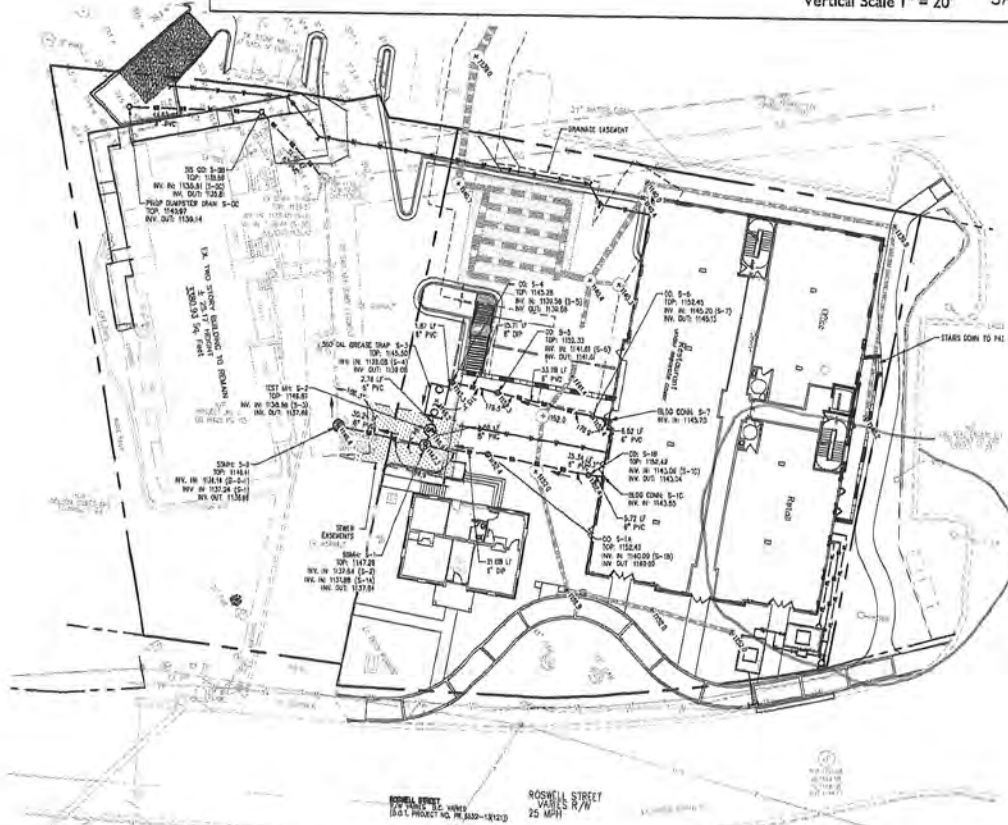
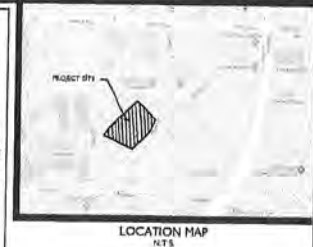
FULTON COUNTY INSPECTOR APPROVAL

DESIGNED BY	DATE
PRINTED NAME	



Horizontal Scale 1" = 10'
Vertical Scale 1" = 20'

SANITARY SEWER PROFILES



UTILITY LEGEND	
W/P	BACKFLOW PREVENTOR
CO	SANITARY SEWER CLEANOUT
CV	CHECK VALVE
CB	CONCRETE THROST BLOCKING
CU	TYPE 'K' COPPER
CM	COLD WATER
DP	DUSTILE IRON PIPE (CLASS 50)
DOM	DOMESTIC
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
FPMH	FIRE MAIN MANHOLE
OV	ORATE VALVE
INV	INVERT
LF	LINEAR FEET
PVC	POLYVINYL CHLORIDE PIPE
RPE	REDUCED PRESSURE ZONE
SMH	SANITARY SEWER MANHOLE
TR	TRANSFORMER
WL	WATER LINE
WV	WATER VALVE
LD	LIGHTS
LINE TYPE LEGEND	
PVC	SANITARY SEWER LINE
DP	SANITARY SEWER LINE
WL	WATER LINE
FL	FIRE LINE
SL	STORM SEWER LINE
ES	SANITARY SEWER EASEMENT

GEORGIA811
Utilities Protection Center, Inc.
Call before you dig
Dial 811 or Call 1-800-282-7411

Scale 1" = 20'
NORTH

11/6/21
AEC
Civil, Mechanical, Land Planning, Geotechnical Engineering, Surveying, Precipitation, Privacy Services, Airports Services
20 Warm Springs Circle, Roswell, Georgia 30075
(770) 641-4441 • www.aecusa.com

SANITARY SEWER
LINE S-0A LINE
LINE S-LINE
LINE S-1 LINE
55 ROSWELL STREET
ALPHARETTA, GEORGIA 30009
FULTON COUNTY, GEORGIA

DATE	
REVISIONS	
NO.	

PROJECT NO: 18-085WR
CALCULATED BY: J. L. LARKIN
CHECKED BY: J. L. LARKIN
DESIGNED BY: J. L. LARKIN
DATE: 11/6/21

AB 2.0

FULTON COUNTY PERMIT # 18-085WR

OWNER/DEVELOPER
PARK PLAZA PARTNERS
1800 Howell Mill Road, Suite 110
Atlanta, Georgia, 30318
Mr. Robbie Brannon
(404)697-0803

PROPERTY LOCATION
LAND LOT(S) 1269
2 DISTRICT, 2 SECTION
PID# 22 482 312 690 724
22 482 312 260 302

SURVEYOR
Allan Leikam
Coval Enterprises Inc.
435 Millers Court
Alpharetta, GA, 30004
covalinc@ellsouth.net
404-401-9436

CONTRACTOR
JK LOCKWOOD CONSTRUCTION
5 South Main Street
Alpharetta, Georgia 30009

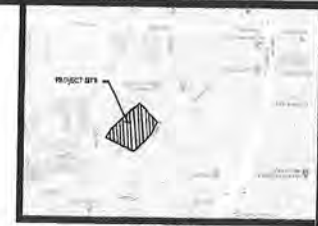
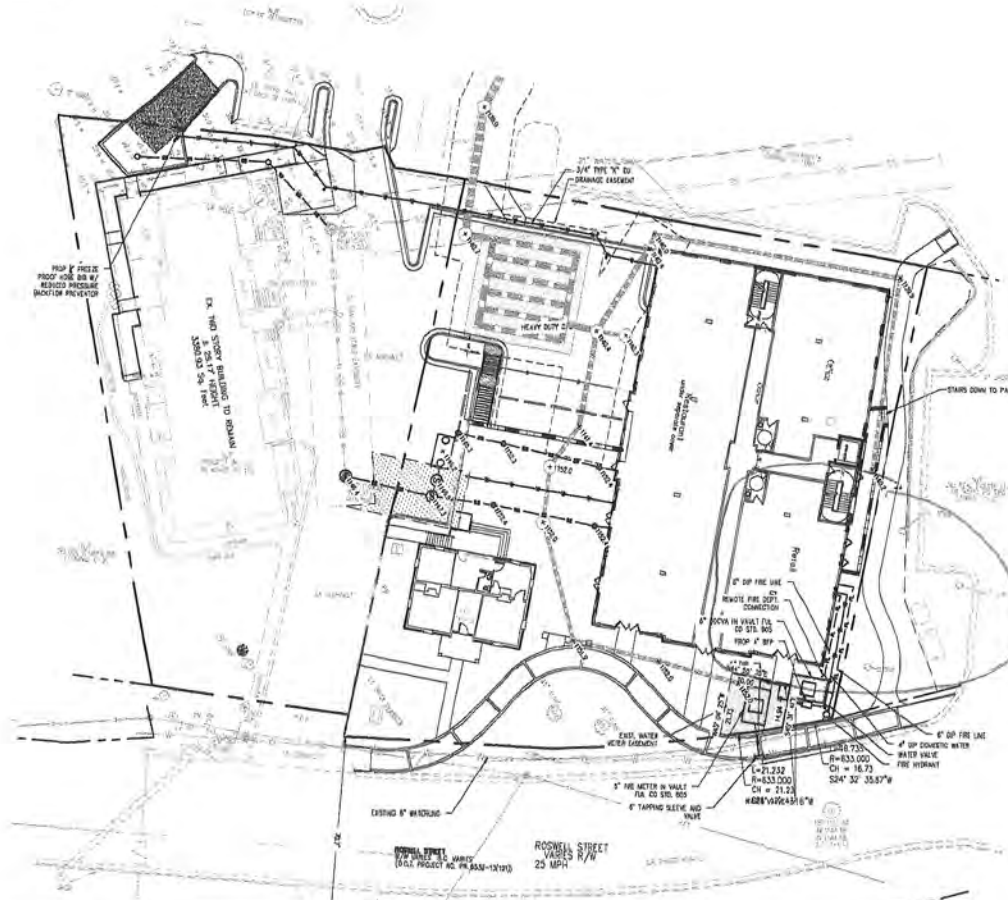
TODD LARKIN
Cell: 770.713.8866
todd.larkin@jlockwood.com

FULTON COUNTY INSPECTOR APPROVAL

DATE: _____

DATE: _____

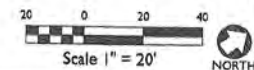
NAME: _____



LOCATION MAP
NTA

UTILITY LEGEND	
BPP	BACKFLOW PREVENTER
CO	SANITARY SEWER CLEANOUT
	CHECK VALVE
	CONCRETE THRUST BLOCKING
CU	TYPE "K" COPPER
CW	COLD WATER
DIP	DUCTILE IRON PIPE (CLASS 50)
DOM	DOMESTIC
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
F/MH	FORCE MAIN MANHOLE
GV	GATE VALVE
INV	INVERT
LF	LINEAR FEET
PVC	POLYVINYL CHLORIDE PIPE
RPL	REDUCED PRESSURE ZONE
SSMH	SANITARY SEWER MANHOLE
TS	TRANSFORMER
WL	WATER LINE
WV	WATER VALVE
	LIGHTPOLE
LINE TYPE LEGEND	
PVC	SANITARY SEWER LINE
DIP	SANITARY SEWER LINE
	WATER LINE
	FIRE LINE
	STORM SEWER LINE
	SANITARY SEWER EASEMENT

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TELEPHONE - COUNCIL BLVD.
POWER - GEORGIA POWER, INC.
WATER - FULTON COUNTY
GAS - ATLANTA GAS LIGHT, INC.

11/6/2018
A-E-C
12000
28 Warm Springs Circle
Roswell, Georgia 30075
(770)441-1442 • www.aec.com

Crest View
Vertical
55 ROSWELL STREET
ALPHARETTA, GEORGIA
FULTON COUNTY, GEORGIA
WATER MAIN
AS-BUILT

DATE	REVISIONS	BY	DATE

PROJECT NO: 18-0118
CIVIL DRAWN BY: JLM
CIVIL DESIGNED BY: QJL
LANDSCAPE DRAWN BY: JLM
LANDSCAPE DESIGNED BY: JLM
DATE: 1/2020

SHEET
AB 2.1

ALPHARETTA PERMIT # D180046

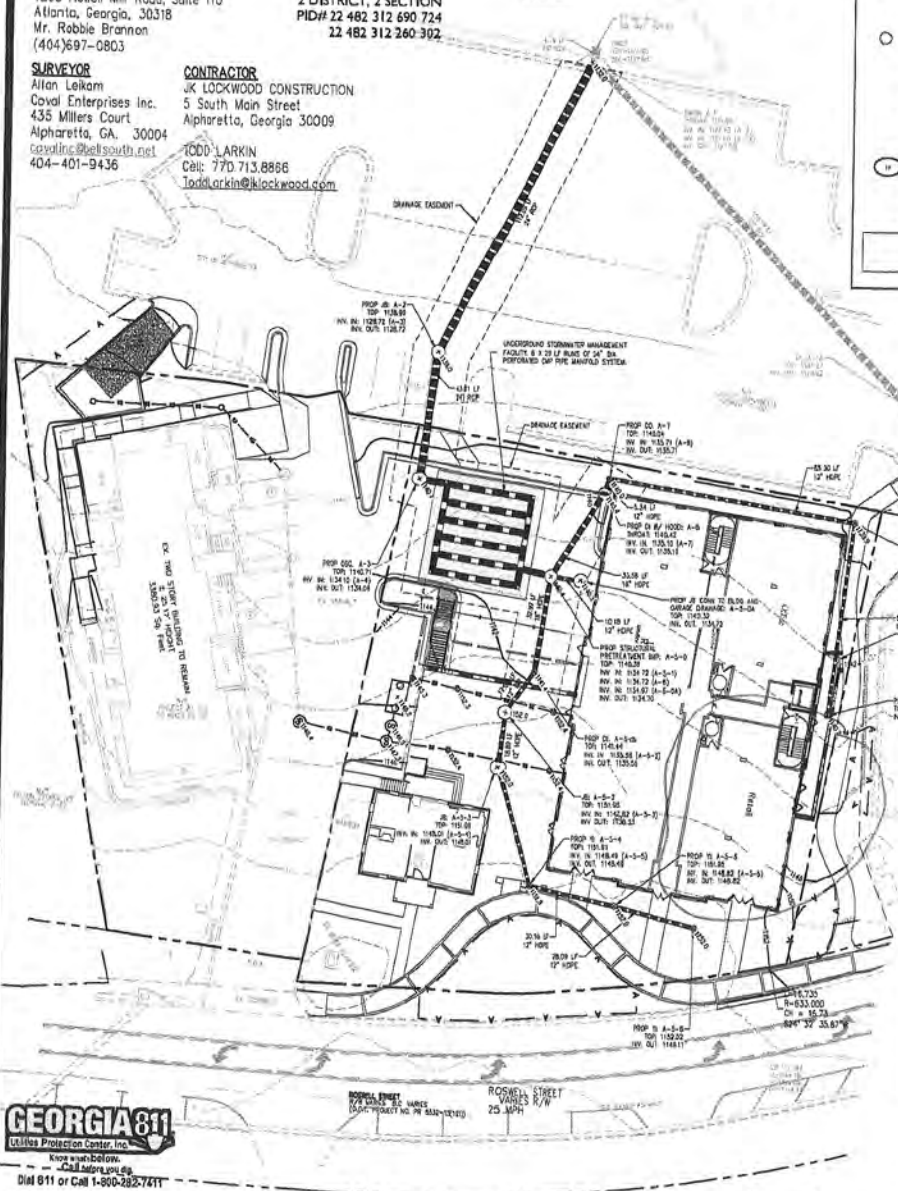
OWNER/DEVELOPER
PARK PLAZA PARTNERS
1800 Howell Mill Road, Suite 110
Atlanta, Georgia, 30318
Mr. Robble Brannon
(404)697-0803

PROPERTY LOCATION
LAND LOT(S) 1269
2 DISTRICT, 2 SECTION
PID# 22 462 312 690 724
22 462 312 260 302

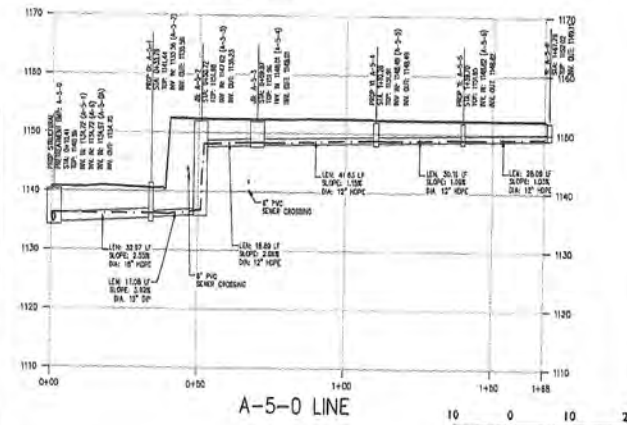
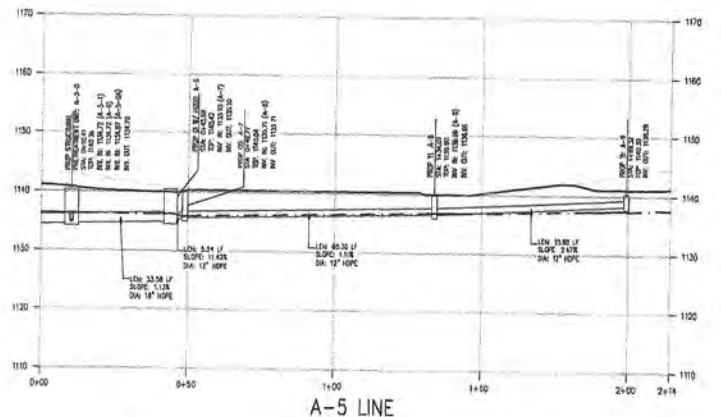
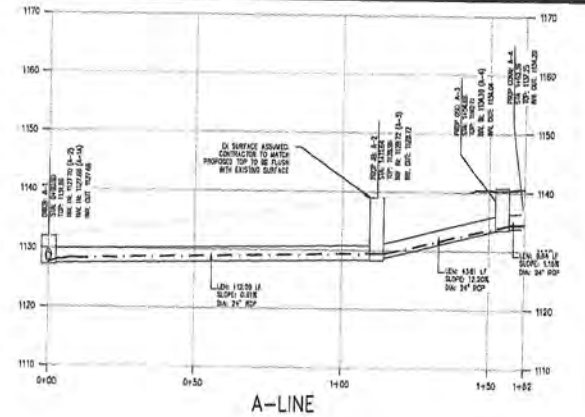
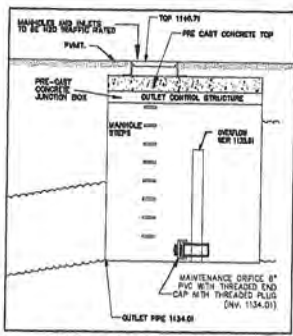
SURVEYOR
Alan Leikam
Caval Enterprises Inc.
435 Millers Court
Alpharetta, GA, 30004
cavalinc@earthlink.net
404-401-9436

CONTRACTOR
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5 South Main Street
Alpharetta, Georgia 30009

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Cell: 770.713.8886
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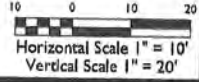
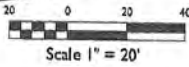


Site #110



Know what's below.
Call before you dig.
Dial 811 or Call 1-800-282-7411

NOTE:
1. THIS SITE DOES NOT CONTAIN ANY STATE WATERS OR WETLANDS.
2. THIS SITE DOES NOT CONTAIN ANY FEMA OR ALPHARETTA FLOOD PLANS.



Crest Vent Nails and Seal
ALPHARETTA, FULTON COUNTY, GEORGIA
55 ROSWELL STREET

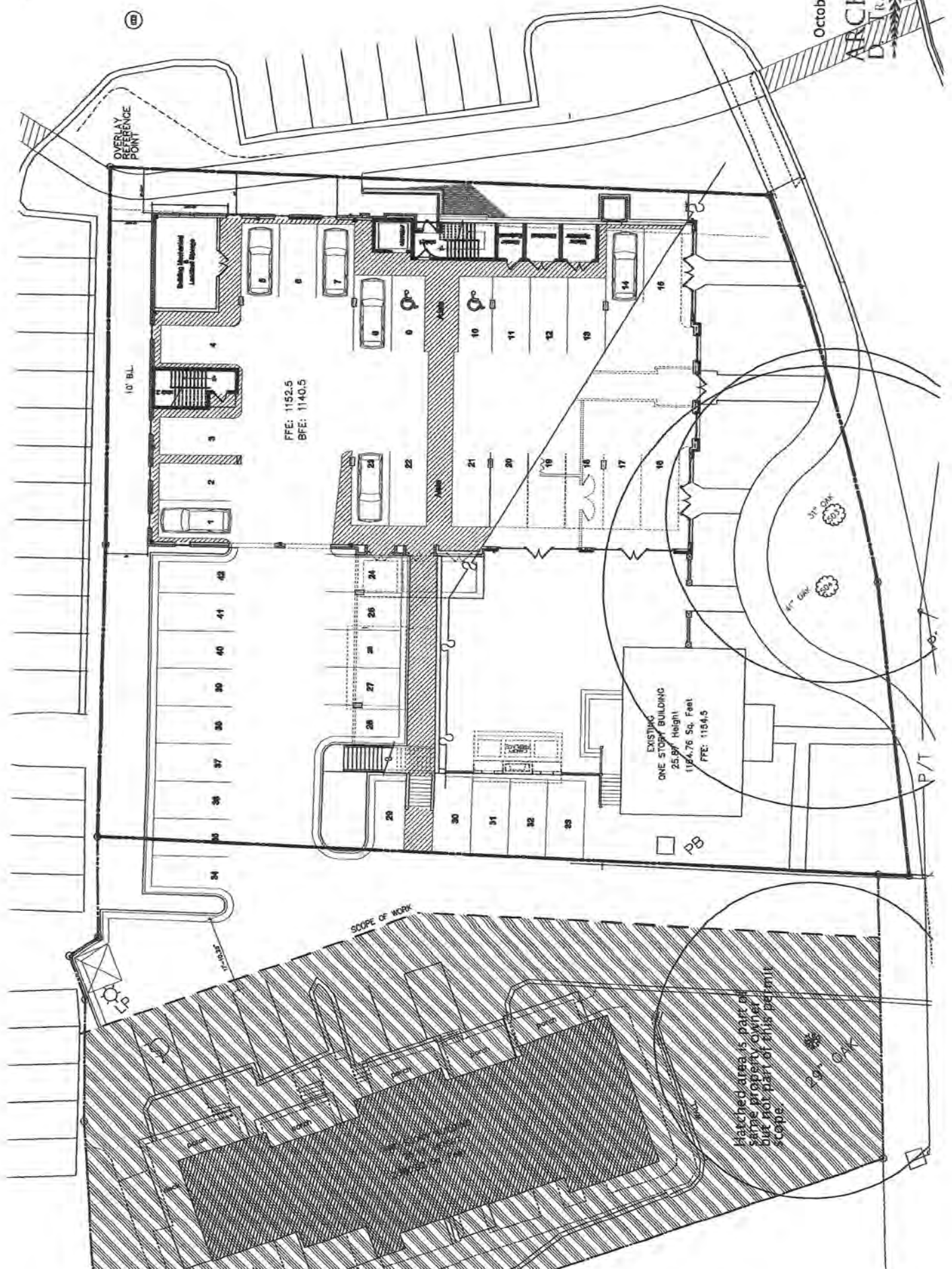
DATE	REVISIONS	NO.

PROJECT NO: 11-0111
CIVIL DRAWN BY: JLN
CIVIL DESIGNED BY: CF, SA
LANDSCAPE DRAWN BY: JLN
LANDSCAPE DESIGNED BY: JLN
CHECKED BY:
DATE: 9/20/20

SHEET
AB 3.0

CU-21-01/V-21-01
C'est Vert Nails and Spa

ARCHITECT
D. TRACY WARD



C'est Vert Nails and Spa

11/6/2020

44 MILTON AVENUE PARTNERS LLC

53 S MAIN ST SUITE 300

ALPHARETTA GA 30009

ALPHARETTA TOWN COMMONS LLC

2801 BUFORD HWY NE SUITE T 70

ATLANTA GA 30329

ARIEL HOLDINGS II FIFTY FOUR ROSWELL ST L.L.C

54 ROSWELL ST

ALPHARETTA GA 30009-1930

ARIEL HOLDINGS LLC

48 OLD ROSWELL ST

ALPHARETTA GA 30009-7908

ARMISTEAD PROPERTY GROUP LLC

3765 BOZEMAN LAKE RD NW

KENNESAW GA 30144

BAILEY DIANE C

12084 COTTON ALY

ALPHARETTA GA 30009

BENSON J B

122 MARIETTA ST

ALPHARETTA GA 30004

BERGGREN CATHERINE C

2015 HIDDEN ALY

ALPHARETTA GA 30009

BISH TRAVIS J & JACKSON KATHERINE E

12096 COTTON ALY

ALPHARETTA GA 30009

BISHOP PAULINE THYNNE & BISHOP THOMAS M

12068 COTTON ALY

ALPHARETTA GA 30009

BLALOCK ESTATE HOLDINGS LLC

7215 DONCASTER CT

CUMMING GA 30040-7662

BLEAKLEY CRAIG & CATHERINE

508 OSCEOLA RD

ROSWELL GA 33756

BUR ROG INC

PO BOX 642

ALPHARETTA GA 30009

CARLOS L BAGWELL REVOCABLE TRUST THE

40 ROSWELL ST

ALPHARETTA GA 30009

CEMETERY

3693 STEWART ROAD

ATLANTA GA 30340

CIACCIA LOUIS & MARYANNE

12009 ORCHID LANE

ALPHARETTA GA 30009

COLLINS MARINE GROUP THE

725 COOPER SANDY CV

MILTON GA 30004

COTTON ALLEY LLC

11785 NORTHFALL LANE SUITE 510

ALPHARETTA GA 30009

D & R MILLER HOLDINGS LLC

980 BIRMINGHAM RD SUITE 501-391

ALPHARETTA GA 30004

DAWSON JERRY W & GRACE

738 MUSTANG DR

HARTWELL GA 30643

DELSON STORES INC

3270 COCHISE DR

ATLANTA GA 30339

DETHON TRACI L

2011 HIDDEN ALY

ALPHARETTA GA 30009

DUANE JAMES G & EDITH E

12460 CRABAPPLE RD SUITE 202 #317

ALPHARETTA GA 30004

EDGE JULIAN D III

2008 HIDDEN ALY

ALPHARETTA GA 30009

FRIEL TODD & FRIEL SUSAN

12021 ORCHID LANE

ALPHARETTA GA 30009

GRANGER STUART A

2006 HIDDEN ALY

ALPHARETTA GA 30009

GROSS SCOTT & LEA ANN

12090 COTTON ALY

ALPHARETTA GA 30009

HATFIELD HOWARD H & ALANNA

12072 COTTON ALY

ALPHARETTA GA 30009

HEIGHT EQUITIES INC

16 BROAD ST

RED BANK NJ 07701

HERZ MARCIA

12086 COTTON ALY

ALPHARETTA GA 30009

C'est Vert Nails and Spa

11/6/2020

HINTON MICHAEL E

2007 HIDDEN ALY

ALPHARETTA GA 30009

HOWE J. DOROTHY O & HOWE J. JAMES A

12064 COTTON ALY

ALPHARETTA GA 30009

JACK & KATHLEEN NUGENT REVOCABLE TR THE

12082 COTTON ALY

ALPHARETTA GA 30009

JCH PROPERTIES LLC

80 MILTON AVE

ALPHARETTA GA 30009-1508

JONES WILLIAM W & JONES DEBORAH J

2016 HIDDEN ALY

ALPHARETTA GA 30009

JWJ REAL ESTATE LLC

45 ROSWELL ST SUITE A

ALPHARETTA GA 30009

KELL BUILDING PARTNERS LLC

131 ROSWELL ST SUITE B201

ALPHARETTA GA 30009

LEINENWEBER FREDERICK W & KATHLEEN S

12066 COTTON ALY

ALPHARETTA GA 30009

MINICHELLO DONALD & MARILYN

2012 HIDDEN ALLEY

ALPHARETTA GA 30004

MOHAMED M YUSUF M & KHEDR SHEREEN M

4649 PERSIMMON DR

DUBLIN CA 94568-7646

NASO VICKI

12092 COTTON ALY

ALPHARETTA GA 30009

PALMER FAMILY INVESTMENTS LLC

11460 ALPHARETTA HWY

ROSWELL GA 30076-3801

PALMER FAMILY INVESTMENTS LLC

79 S MAIN ST

ALPHARETTA GA 30009

PARK PLAZA PARTNERS LLC

15144 TAYLOR RD

ALPHARETTA GA 30004

PARSONS ACE HARDWARE INC

10465 STONEFIELD LNDG

DULUTH GA 30097-5951

PEACHTREE RESIDENTIAL LLC

7380 MC GINNIS FERRY RD

SUWANEE GA 30024

PRANA VIDA LLC

12023 ORCHID LANE

ALPHARETTA GA 30009

PRINCE FRANKLIN D & PRINCE VIRGINIA C

12088 COTTON ALY

ALPHARETTA GA 30009

PURE TAQUERIA LLC

103 ROSWELL ST

ALPHARETTA GA 30009

ROZEMA DONALD RAY & HEATHER S

2002 HIDDEN ALY

ALPHARETTA GA 30009

RUDD NICOLE M

2013 HIDDEN ALY

ALPHARETTA GA 30009

SASSER MICHAEL G & CURTIN LISA

12062 COTTON ALY

ALPHARETTA GA 30009

SMITH DAVID A

12070 COTTON ALLEY

ALPHARETTA GA 30004

SUTTON MARY LOU

12094 COTTON ALY

ALPHARETTA GA 30009-7983

TAPP THOMAS C TAPP NADIA B

12011 ORCHID LN

ALPHARETTA GA 30009

TAYLOR TRACE S & TAYLOR FRANCENE H

2017 HIDDEN ALY

ALPHARETTA GA 30009

VANCE DAVID A

2000 HIDDEN ALLEY

ALPHARETTA GA 30009-7986

VICTORIA SQUARE TOWNHOME ASSOCIATION
INC

P.O. BOX 2458

ALPHARETTA GA 30023-2458

VICTORIA SQUARE TOWNHOME ASSOCIATION INC

7380 MCGINNIS FERRY RD SUITE 200

SUWANEE GA 30024

WATSON DAVID E & HAMLIN MARK S

12025 ORCHID LN

ALPHARETTA GA 30004

11/6/2020

WOODLY CEMETERY

1300 SYLVAN ROAD

ATLANTA GA 30310

CU-21-01/V-21-01

C'est Vert Nails and Spa

YACKEJ, STEFFANIE

2010 HIDDEN AVE

ALPHARETTA GA 30009



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-20-18 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – NORTH POINT OVERLAY

CITY COUNCIL:

JANUARY 25, 2021

This item was heard at the 1/7/2021 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 7-0

II. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Subsection 2.10.2 North Point Overlay Use and Density, to amend the Overlay boundaries and priority areas. The City Council may authorize an increase to the residential density permitted in the underlying zoning district in conjunction with a request for conditional use permit for properties depicted in a priority area.

There are two (2) parcels of land, the Morrison Property at the northwest corner of Haynes Bridge Road and Morrison Parkway and the KB400 Property at the southwest corner of North Point Parkway and Kimball Bridge Road, where common ownership only includes a portion of the property within the North Point Overlay boundaries. In addition, the area south of the Mansell Road and North Point Parkway intersection is proposed to be added to the Overlay and become a priority area. There are currently three (3) shuttered restaurants and undeveloped properties in this area, which provide an opportunity to implement the vision of the Overlay to become a walkable, mixed-use environment.

III. ATTACHMENTS:

- UDC Strike Through and Underline Edits

AN ORDINANCE TO AMEND ARTICLE II OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO AMEND SECTION 2.10 NORTH POINT OVERLAY WITH RESPECT TO THE OVERLAY BOUNDARIES AND PRIORITY AREAS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, on or about May 21, 2001, the City of Alpharetta (the “City”) adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the “Unified Development Code”); and

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs; and

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

WHEREAS, the City Council desires to amend Article II of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: **Section 2.10**, “North Point Overlay” of Article II of the Unified Development Code is hereby amended as set forth in Exhibit “A” attached hereto as if fully set forth herein.

Section 2: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3: This Ordinance shall be effective immediately upon its adoption by the City Council and incorporated into the Unified Development Code of the City of Alpharetta, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2020.

Approved:

Jim Gilvin, Mayor

Attest:

COUNCILMEMBERS

Erin Cobb, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

Exhibit A:

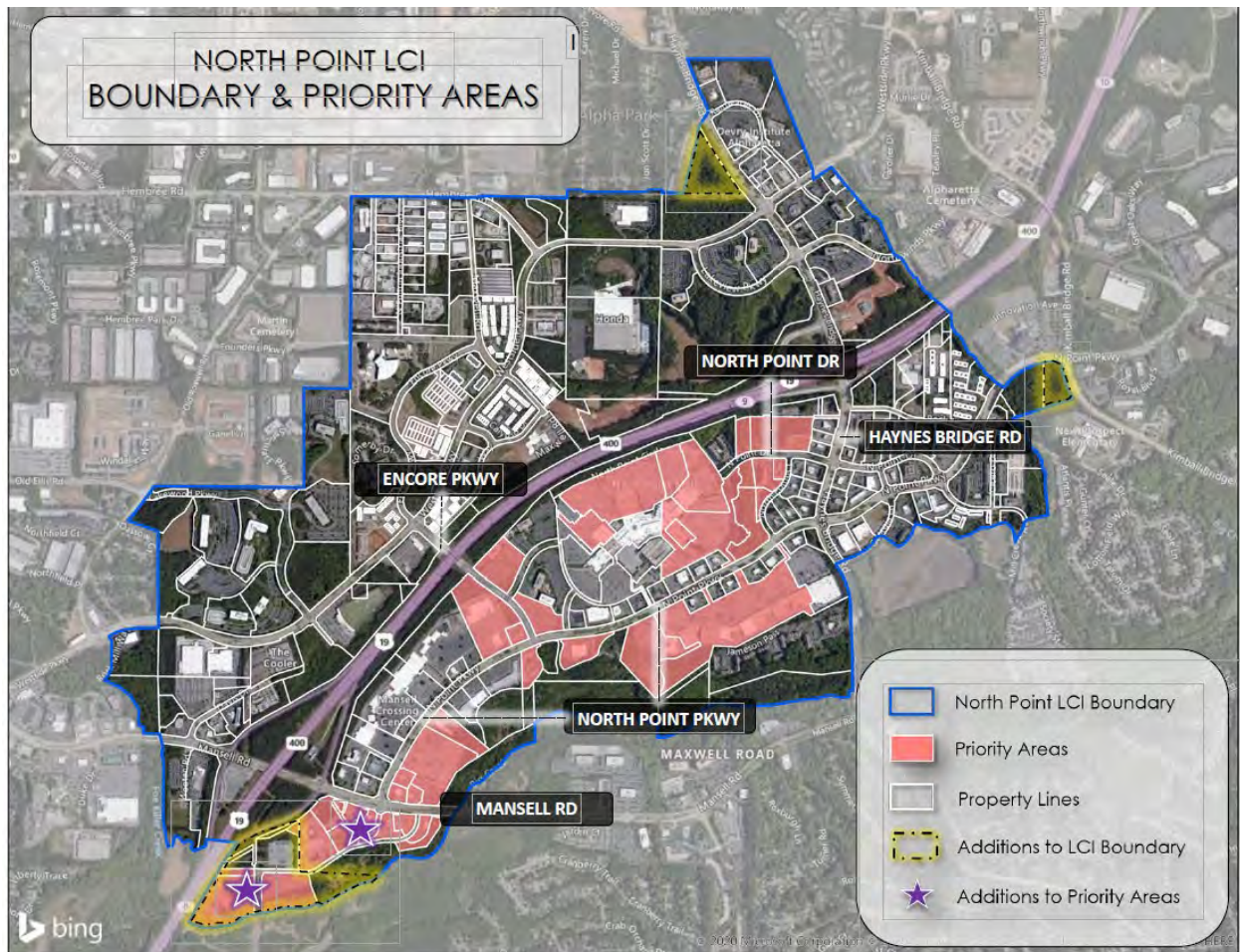
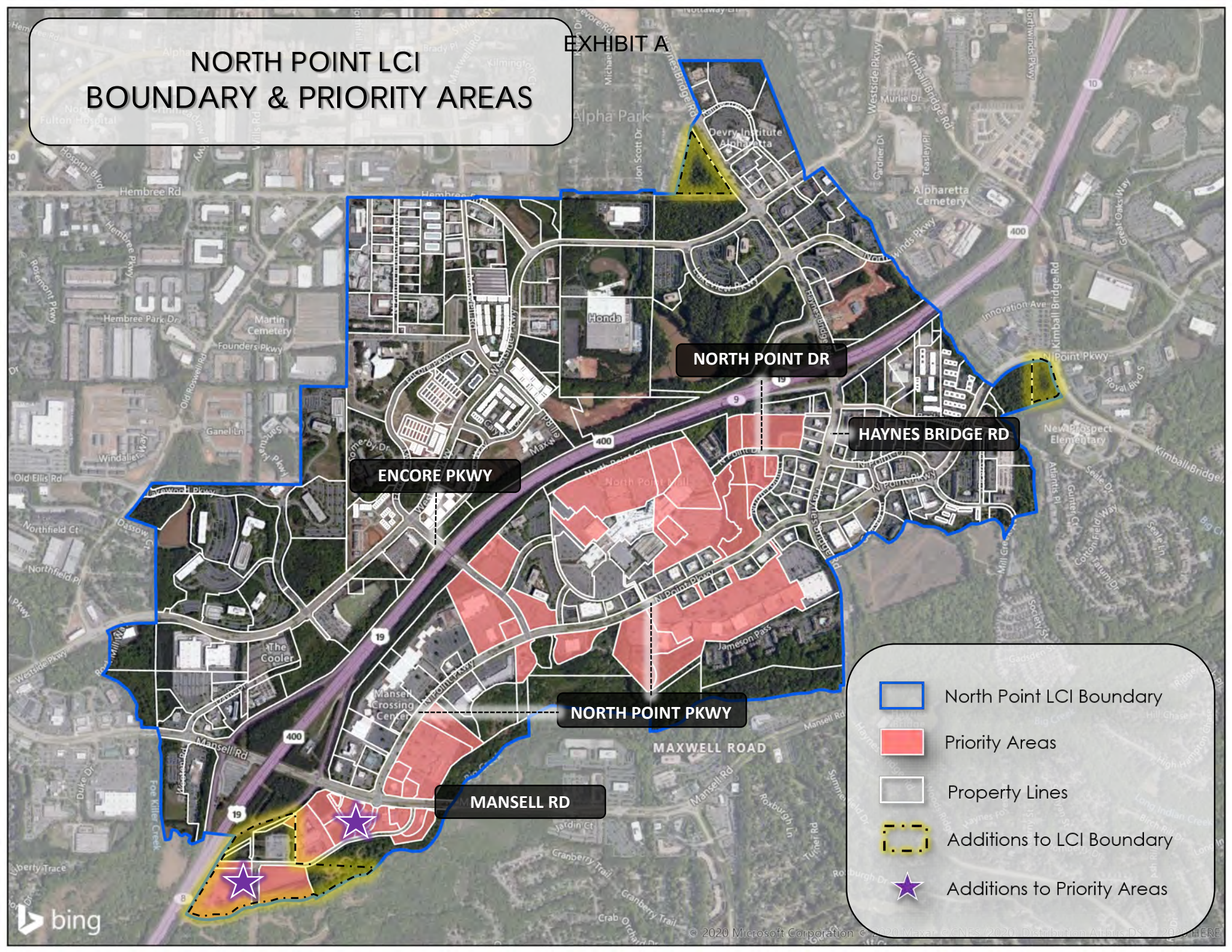


EXHIBIT A

NORTH POINT LCI BOUNDARY & PRIORITY AREAS



NORTH POINT DR

HAYNES BRIDGE RD

ENCORE PKWY

NORTH POINT PKWY

MANSELL RD

- North Point LCI Boundary
- Priority Areas
- Property Lines
- Additions to LCI Boundary
- Additions to Priority Areas



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By: John Robison

Sponsored By:

Meeting Date: January 25, 2021

**I. AGENDA ITEM TITLE: CONSIDERATION OF AN AMENDMENT TO THE SAFE HOTEL ORDINANCE
(2ND READING)**

II. RECOMMENDATION:

Staff is recommending that Mayor and Council approve an amendment to Article VI of Chapter 42 of the City Code to amend regulations promoting safe hotels.

III. REPORT IN BRIEF:

The Safe Hotels Ordinance required the City Council to review its provisions before January 1, 2021. Staff and legal presented this review as a workshop during the January 11, 2021 Regular City Council Meeting. As a result, City Council determined it in the best interest of the public health, safety, and welfare to amend the Safe Hotel Ordinance and approved the first reading of the ordinance on January 19, 2021.

Attached is the clean version and red-lined version of the proposed amendments.

IV. ALTERNATIVES:

V. ATTACHMENTS:

SAFE HOTELS ORDINANCE (NEW DRAFT - 1.14.2021) - CLEAN(4003906.2) (003), SAFE HOTELS ORDINANCE - REDLINE - 1.14.2021(4004026.1)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE VI OF CHAPTER 42 OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA, TO AMEND REGULATIONS PROMOTING SAFE HOTELS WITHIN THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Alpharetta, Georgia (the "City Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta, Georgia (the "City"); and

WHEREAS, the City Council, on May 6, 2019, enacted "An Ordinance of the Mayor and Council of the City of Alpharetta, Georgia to Amend Chapter 42 of the Code of the City of Alpharetta, Georgia, to Add Regulations to Promote Safe Hotels within the City; to Repeal Conflicting Ordinances; to Provide for an Effective Date; and for Other Purposes" (the "Safe Hotels Ordinance"), codified as Article VI of Chapter 42 of the Code; and

WHEREAS, the Safe Hotels Ordinance required the City Council to review its provisions before January 1, 2021; and

WHEREAS, the City Council conducted said review and determined it in the best interest of the public health, safety, and welfare to amend the Safe Hotel Ordinance.

NOW, THEREFORE, the Mayor and City Council of the City of Alpharetta, Georgia hereby ordains, as follows:

Section 1. Article VI of Chapter 42 of the Code is hereby amended by deleting the same in its entirety and replacing it with the following:

"ARTICLE VI. SAFE HOTELS

Sec. 42-225. - Title and Purpose of this article.

This article shall be referred to and commonly known as the "Alpharetta Safe Hotels Ordinance," and its purpose is to promote safe hotels within the City of Alpharetta and to protect the public health, safety and welfare.

Sec. 42-226. - Applicability; definitions.

(a) This article shall apply to Hotels licensed under chapter 42, article V, section 42-187, *et seq.* of this Code ("article V").

(b) Nothing in this article shall waive or replace the obligations of a licensee under article V; the provisions of this article shall be deemed supplemental to that ordinance.

(c) For purposes of this article only, the following terms shall have the meanings ascribed to them in this section.

Calls that are Criminal in Nature means the total number of calls to the Alpharetta Public Safety Department ("APS") that result in a request that a representative be dispatched or directed to the hotel, over a one-year period, when those responses:

(1) Result in a representative being dispatched or directed to the hotel;

(2) Allege evidence of criminal activity;

(3) Result in an arrest, charge, citation or discovery of criminal activity; or

(4) Find an imminent threat to safety of persons or property.

Calls that are Criminal in Nature shall not include calls resulting from a mass casualty event or calls relating to fire alarms, emergency medical situations, warrants, transportation by the APS, training, police escorts, traffic stops, maintenance, security checks initiated by APS, or calls initiated by off-duty officers hired by the hotel to provide security.

Calls that are Criminal in Nature Ratio means the number of Calls that are Criminal in Nature divided by the number of rooms in service at the hotel.

Code means the revised Code of the City of Alpharetta.

Employee means any person who earns qualifying wages, commissions or other type of compensation from the hotel.

Guest means any person that occupies a guestroom.

Guestroom shall have the meaning prescribed to it in Section 42-188 of the Code.

Hotel shall mean a Hotel, as that term is defined in Section 42-188 of the Code, to which a Certificate of Authority has been

issued.

Hotel operation means the occupancy of any guestroom or use of any hotel facility.

Manager means the general manager, shift manager, or any person in any supervisory position at the hotel.

Operator means any person who works at a hotel in a capacity to facilitate the offering of guestrooms to guests, including, but not limited to, front desk workers.

Owner means a corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.

Sec. 42-227. - Certificate of authority required; permit required; permit fee.

(a) All operators shall continue to annually register, apply for, and obtain a certificate of authority pursuant to article V, and collect and remit taxes as set forth therein. In addition, a copy of the application and certificate shall be registered annually with the department of public safety within ten days of the submission of the application and receipt of the certificate of authority. Upon receipt of the copy by the department of public safety and the receipt of the regulatory fee set forth below, the department shall issue a permit to the operator. It shall be unlawful to operate a hotel within the city without a permit as provided herein.

(b) Officials of the department of public safety and department of community development, and health officials shall have the authority to regularly inspect the premises of a hotel to ensure compliance with applicable codes and standards. Such inspections shall be conducted at least annually.

(c) In order to defray the annual regulatory costs associated with the implementation of the city's safe hotels program, including inspections, safety improvement recommendations and excess calls that are criminal in nature, the following annual permit fees are established:

<u>Tier:</u>	<u>Fee:</u>
One	N/A
Two	\$1.00
Three	\$5,000.00

Sec. 42-228. - Tier system.

(a) For the purposes of this article only, the following tiers are established for hotels:

Tier One: A hotel that has a calls that are criminal in nature ratio (as defined in section 42-226), equal to or less than 3.0 percent (for example, a hotel with 100 rooms that has 3 or less calls that are criminal in nature on an annualized basis by calendar year, is a tier one hotel).

Tier two: A hotel that has a calls that are criminal in nature ratio in excess of 3.0 percent, but equal to or less than 8.0 percent.

Tier three: A hotel that (1) either has a calls that are criminal in nature ratio in excess of 8.0 percent; or (2) has been in tier two or tier three (or a combination of tier two and three) for at least the two prior calendar years, and has not been in tier one at any point during that time period.

(b) Every Hotel shall:

(1) Ensure that every guest that rents a guestroom is at least 18 years of age or older;

(2) Obtain from each and every guest that rents a guestroom a copy of the guest's photo identification and, if applicable, vehicle registration (i.e., license plate number); and

(3) Keep and store, on the hotel's premises for a period of no less than 60 days from the date it is obtained, the information obtained pursuant to subsection (b)(2) above.

Sec. 42-229. - Probationary period.

(a) A hotel that reaches tier two for the first time shall be notified it is operating in a probationary period.

(b) Any hotel that enters a probationary period shall complete meetings, separately or combined, with public safety, health, and community development officials to discuss issues related to the property contributing to criminal activity and actions to mitigate them and limit their impact.

Sec. 42-230. - Automatic security requirements for tier three hotels.

(a) Tier three hotels shall hire and maintain on the property, at the owner's sole expense, the presence of an off-duty officer with arresting authority between 9:00 p.m. and 3:00 a.m. seven days a week.

(b) Tier three hotels shall also implement policies to reduce calls that are criminal in nature, including but not limited to:

(1) A meeting with public safety, health, and community development officials to discuss issues related to the property contributing to criminal activity and actions to mitigate them and limit their impact;

(2) Installation of safety and security measures such as, but not limited to, fencing, lighting, public space surveillance, if any are found by law enforcement to not be in place and necessary to prevent further criminal activity;

(3) Creation and posting of guest rules, which shall be approved by the director of public safety;

(4) Implementation and enforcement of a no trespass list;

(5) Implementation of minimum age of 21 for check-in for lodging properties; and

(6) Requirement of use of valid credit card at check-in.

Sec. 42-231. - Suspension and revocation of license.

(a) The director of public safety may suspend the permit of a tier three hotel for a period of up to 30 days if the director determines that the operator is not making reasonable progress in

reducing calls that are criminal in nature. The director shall notify the operator in writing of the proposed suspension. The operator may appeal the determination of the director to the mayor and council by providing written notice to the city clerk within 15 days of receipt of the notice. If the operator fails to timely appeal, the suspension shall take effect upon expiration of the deadline for filing an appeal. If the operator files a timely appeal, the suspension shall not take effect until the matter is heard by the mayor and council. The suspension, if upheld by the mayor and council, shall begin within three days of the date of the mayor and council's decision.

(b) If a permit is suspended, the hotel is prohibited from furnishing guestrooms or other space to new guests, including but not limited to, conference rooms, ballrooms, pools and spas, and parking lots. The hotel may only continue to operate and furnish guestrooms to current guests unless an emergency order requires immediate evacuation of the property.

(c) The permit of a tier three hotel may be revoked by the director of public safety following two suspensions, and further failure to make reasonable progress in reducing calls that are criminal in nature. The method for appealing a revocation is the same as for the appeal of a suspension. If a permit is revoked, the owner/operator of the property is prohibited from furnishing guestrooms or rented space to new guests and must cease operations within 30 days of a final decision.

Sec. 42-232. - Reward program.

Each hotel employee who makes a public safety call that results in an arrest shall receive a reward of up to \$200.00, at the discretion of the public safety department. In addition, the public safety department may provide additional non-monetary reward recognition. Rewards shall be funded from fees generated pursuant to section 42-227(c).

Section 2. It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of the City of Alpharetta, Georgia and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

Section 3. If any section, subsection, provision, or clause of any part of this Ordinance shall be declared invalid or

unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 4. This Ordinance shall become effective immediately upon its adoption. Yearly, the Director of the Department of Public Safety will provide to the Mayor and City Council a report of every Hotel within the City and the tier in which those hotels are classified in under this Ordinance.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO ORDINANCE No.: _____]

THE CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCILMEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

(SEAL)

Karen Richard

Attest: APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney

First Reading: _____

Second Reading: _____

Adopted: _____
4003906

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLE VI OF CHAPTER 42 OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA, TO AMEND REGULATIONS PROMOTING SAFE HOTELS WITHIN THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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WHEREAS, the Mayor and Council of the City of Alpharetta, Georgia (the "City Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta, Georgia (the "City"); and

WHEREAS, the City Council, on May 6, 2019, enacted "An Ordinance of the Mayor and Council of the City of Alpharetta, Georgia to Amend Chapter 42 of the Code of the City of Alpharetta, Georgia, to Add Regulations to Promote Safe Hotels within the City; to Repeal Conflicting Ordinances; to Provide for an Effective Date; and for Other Purposes" (the "Safe Hotels Ordinance"), codified as Article VI of Chapter 42 of the Code; and

WHEREAS, the Safe Hotels Ordinance required the City Council to review its provisions before January 1, 2021; and

WHEREAS, the City Council conducted said review and determined it in the best interest of the public health, safety, and welfare to amend the Safe Hotel Ordinance.

NOW, THEREFORE, the Mayor and City Council of the City of Alpharetta, Georgia hereby ordains, as follows:

Section 1. Article VI of Chapter 42 of the Code is hereby amended by deleting the same in its entirety and replacing it with the following:

"ARTICLE VI. SAFE HOTELS

Sec. 42-225. - Title and Purpose of this article.

~~The~~This article shall be referred to and commonly known as the "Alpharetta Safe Hotels Ordinance," and its purpose of this article is to promote safe hotels within the City of Alpharetta, and to protect the public health, safety and welfare.

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Sec. 42-226. - Applicability; definitions.

(a) This article shall apply to ~~hotels/motels~~Hotels licensed under chapter 42, article V, section 42-187, et seq. of this Code ("article V").

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(b) Nothing in this article shall waive or replace the obligations of a licensee under article V. ~~The; the~~ provisions of this article shall be deemed supplemental to that ordinance.

(c) For purposes of this article only, the following terms shall have the meanings ascribed to them in this section.

Calls ~~for service~~that are Criminal in Nature means the total number of calls to the Alpharetta Public Safety Department ("APS") that result in a request that a representative be dispatched or directed to the hotel, over a one-year period, when those responses:

(1) Result in a representative being dispatched or directed to the hotel;

(2) Allege evidence of criminal activity;

(3) Result in an arrest, charge, citation or discovery of criminal activity; or

(4) Find an imminent threat to safety of persons or property.

~~Calls for service shall not include calls to law enforcement made by employees or agents of the hotel property itself or traffic citations in which the hotel property address is used as the address for the citation.~~

~~Calls for service~~Calls that are Criminal in Nature shall not include calls resulting from a mass casualty event or calls relating to fire alarms, emergency medical situations, warrants, transportation by the APS, training, police escorts, traffic stops, maintenance, security checks initiated by APS, or calls initiated by off-duty officers hired by the hotel to provide security.

Calls ~~for service~~ratiothat are Criminal in Nature Ratio means the number of ~~calls for service~~Calls that are Criminal in Nature divided by the number of rooms in service at the hotel.

Code means the revised Code of the City of Alpharetta.

Employee means any person who earns qualifying wages, commissions or other type of compensation from the hotel.

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Guest means any person that occupies a guestroom.

~~Guestroom means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.~~

~~Hotel shall have the same definition as set forth in article V.~~
Guestroom shall have the meaning prescribed to it in Section 42-188 of the Code.

Hotel shall mean a Hotel, as that term is defined in Section 42-188 of the Code, to which a Certificate of Authority has been issued.

Hotel operation means the occupancy of any guestroom or use of any hotel facility.

Manager means the general manager, shift manager, or any person in any supervisory position at the hotel.

Operator means any person who works at a hotel in a capacity to facilitate the offering of guestrooms to guests, including, but not limited to, front desk workers.

Owner means a corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.

Sec. 42-227. - Certificate of authority required; permit required; permit fee.

(a) All operators shall continue to annually register, apply for, and obtain a certificate of authority pursuant to article V, and collect and remit taxes as set forth therein. In addition, a copy of the application and certificate shall be registered annually with the department of public safety within ten days of the submission of the application and receipt of the certificate of authority. Upon receipt of the copy by the department of public safety and the receipt of the regulatory fee set forth below, the department shall issue a permit to the operator. It shall be unlawful to operate a hotel within the city without a permit as provided herein.

(b) Officials of the department of public safety and department

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of community development, and health officials shall have the authority to regularly inspect the premises of a hotel to ~~insure~~ensure compliance with applicable codes and standards. Such inspections shall be conducted at least annually.

(c) In order to defray the annual regulatory costs associated with the implementation of the city's safe hotels program, including inspections, safety improvement recommendations and excess calls ~~for service~~that are criminal in nature, the following annual permit fees are established:

<u>Tier:</u>	<u>Fee:</u>
One	N/A
Two	\$1.00
Three	\$5,000.00

Sec. 42-228. - Tier system.

(a) For the purposes of this article only, the following tiers are established for hotels:

- Tier One: A hotel that has a ~~call for service~~calls that are criminal in nature ratio (as defined in section 42-226), equal to or less than ~~303.0~~303.0 percent (for example, a hotel with 100 rooms that has ~~303~~ or less calls ~~for service~~that are criminal in nature on an annualized basis by calendar year, is a tier one hotel).
- Tier two: A hotel that has a ~~call for service~~calls that are criminal in nature ratio in excess of ~~303.0~~428.0 percent, but equal to or less than ~~428.0~~428.0 percent.
- Tier three: A hotel that (1) either has a ~~call for service~~calls that are criminal in nature ratio in excess of ~~428.0~~428.0 percent; or (2) has been in tier two or tier three (or a combination of tier two and three) for at least the two prior calendar years, and has not been in tier one at any point during that time period.

(b) Every ~~Tier Two and Tier Three hotel~~Hotel shall:

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(1) Ensure that every guest that rents a guestroom is at least 18 years of age or older;

(2) Obtain from each and every guest that rents a guestroom a copy of the guest's photo identification and, if applicable, vehicle registration (i.e., license plate number); and

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(3) Keep and store, on the hotel's premises for a period of no less than 60 days from the date it is obtained, the information obtained pursuant to subsection (b) (2) above.

Sec. 42-229. - Probationary period.

(a) A hotel that reaches tier two for the first time shall be notified it is operating in a probationary period.

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(b) Any hotel that enters a probationary period shall complete meetings, separately or combined, with public safety, health, and community development officials to discuss issues related to the property contributing to criminal activity and actions to mitigate them and limit their impact.

Sec. 42-230. - Automatic security requirements for tier three hotels.

(a) Tier three hotels shall hire and maintain on the property, at the owner's sole expense, the presence of an off-duty officer with arresting authority between 9:00 p.m. and 3:00 a.m. seven days a week.

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(b) Tier three hotels shall also implement policies to reduce calls for service that are criminal in nature, including but not limited to:

(1) A meeting with public safety, health, and community development officials to discuss issues related to the property contributing to criminal activity and actions to mitigate them and limit their impact;

(2) Installation of safety and security measures such as, but not limited to, fencing, lighting, public space surveillance, if any are found by law enforcement to not be in place and necessary to prevent further criminal activity;

(3) Creation and posting of guest rules, which shall be approved by the director of public safety;

- (4) Implementation and enforcement of a no trespass list;
- (5) Implementation of minimum age of 21 for check-in for lodging properties; and
- (6) Requirement of use of valid credit card at check-in.

Sec. 42-231. - Suspension and revocation of license.

(a) The director of public safety may suspend the permit of a tier three hotel for a period of up to 30 days if the director determines that the operator is not making reasonable progress in reducing calls for service that are criminal in nature. The director shall notify the operator in writing of the proposed suspension. The operator may appeal the determination of the director to the mayor and council by providing written notice to the city clerk within 15 days of receipt of the notice. If the operator fails to timely appeal, the suspension shall take effect upon expiration of the deadline for filing an appeal. If the operator files a timely appeal, the suspension shall not take effect until the matter is heard by the mayor and council. The suspension, if upheld by the mayor and council, shall begin within three days of the date of the mayor and council's decision.

(b) If a permit is suspended, the hotel is prohibited from furnishing guestrooms or other space to new guests, including but not limited to, conference rooms, ballrooms, pools and spas, and parking lots. The hotel may only continue to operate and furnish guestrooms to current guests unless an emergency order requires immediate evacuation of the property.

(c) The permit of a tier three hotel may be revoked by the director of public safety following two suspensions, and further failure to make reasonable progress in reducing calls for service that are criminal in nature. The method for appealing a revocation is the same as for the appeal of a suspension. If a permit is revoked, the owner/operator of the property is prohibited from furnishing guestrooms or rented space to new guests and must cease operations within 30 days of a final decision.

Sec. 42-232. - Reward program.

Each hotel employee who makes a public safety call that results in an arrest shall receive a reward of up to \$200.00, at the discretion of the public safety department. In addition, the public safety department may provide additional non-monetary reward recognition. Rewards shall be funded from fees generated pursuant

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to section 42-227(c).

Section 2. It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of the City of Alpharetta, Georgia and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

Section 3. If any section, subsection, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 4. This Ordinance shall become effective ~~January 1, 2020.~~ ~~This Ordinance shall be reviewed by~~ immediately upon its adoption. Yearly, the Director of the Department of Public Safety will provide to the Mayor and City Council ~~on or before January 1, 2021~~ a report of every Hotel within the City and the tier in which those hotels are classified in under this Ordinance.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

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[SIGNATURES ON FOLLOWING PAGE]

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THE CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCILMEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

(SEAL)

Karen Richard

Attest: APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney

First Reading: _____

Second Reading: _____

Adopted: _____
4003906



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: January 25, 2021

I. AGENDA ITEM TITLE: BOARD AND COMMISSION APPOINTMENTS: PLANNING COMMISSION

II. RECOMMENDATION:

Council Member Richard is recommending that Mayor and Council approve the appointment of Valerie Manley as an alternate member of the Planning Commission.

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By: Council Members Burnett & Merkel

Meeting Date: January 25, 2021

I. AGENDA ITEM TITLE: CONSIDERATION OF A RESOLUTION TO PROVIDE CERTAIN BENEFITS TO MEMBERS OF THE CITY'S BOARDS, COMMISSIONS AND AUTHORITIES

SPONSORED BY: COUNCIL MEMBER BURNETT & COUNCIL MEMBER MERKEL

II. RECOMMENDATION:

The recommendation is for Mayor and Council to approve a resolution to provide certain benefits to members of the City of Alpharetta Boards, Commissions and Authorities.

III. REPORT IN BRIEF:

The City of Alpharetta has a number of volunteer boards, commissions and authorities whose members devote countless hours of service to the betterment of the City and the Community.

The Department of Recreation, Parks and Cultural Services provides a wide variety of classes, programs and activities for the Community, some of which require the payment of registration and other fees as a condition to participation. Currently the City provides a one hundred percent (100%) waiver of such fees for full-time City employees.

If the presented resolution is approved then the City would be able to provide the same waiver of fees to members of boards, commissions and authorities and their respective immediate family members.

IV. ALTERNATIVES:

V. ATTACHMENTS:

RESOLUTION TO PROVIDE CERTAIN BENEFITS TO MEMBERS OF CITY OF ALPHARETTA BOARDS COMMISSIONS AND AUTHORITIES(4014192.1)

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO PROVIDE CERTAIN BENEFITS TO MEMBERS OF THE CITY OF ALPHARETTA BOARDS, COMMISSIONS AND AUTHORITIES; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS; AND FOR OTHER PURPOSES

WHEREAS, the City of Alpharetta, Georgia (the "City") has a number of volunteer boards, commissions and authorities whose members devote countless hours of service to the betterment of the City and the Community; and

WHEREAS, the City Department of Recreation, Parks and Cultural Services provides a wide variety of classes, programs and activities for the Community, some of which require the payment of registration and other fees as a condition to participation; and

WHEREAS, the City currently provides a one hundred percent (100%) waiver of such fees for full-time City employees; and

WHEREAS, the Mayor and Council have determined that it would be appropriate to provide the same waiver of fees to members of boards, commissions and authorities and their respective immediate family members.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Alpharetta, Georgia hereby grants a one hundred percent (100%) waiver of City of Alpharetta Recreation, Parks and Cultural Services fees and charges to members of City of Alpharetta boards, commissions and authorities, including immediate family of such members; and **IT IS**

FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption, and shall apply to fees that come due following the effective date of this Resolution; and **IT IS**

FURTHER RESOLVED, that all ordinances and resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict; and **IT IS**

FURTHER RESOLVED, that this Resolution shall remain in full force and effect until repealed.

SO RESOLVED, this _____ day of _____, 2021.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

(SEAL)

Attest:

Donald Mitchell

Erin Cobb, City Clerk

Karen Richard

Approve as to form and legal sufficiency:

C. Sam Thomas, City Attorney



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Sponsored By:

Meeting Date: January 25, 2021

I. AGENDA ITEM TITLE: TECH ALPHARETTA UPDATE

II. RECOMMENDATION:

No action needed.

III. REPORT IN BRIEF:

Tech Alpharetta CEO Karen Cashion will provide the PowerPoint and update of Tech Alpharetta's 2020 accomplishments for calendar year and goals for 2021.

IV. ALTERNATIVES:

V. ATTACHMENTS:

Tech Alpharetta 2020 Update & Metrics (1.21.21)



Tech Alpharetta 2020 Update

Tech Alpharetta
Chairman of the Board Felipe Smolka, LeasePlan USA
CEO Karen Cashion
1/25/21



Tech Alpharetta is a Tech Economic Development Engine for the
City of Alpharetta

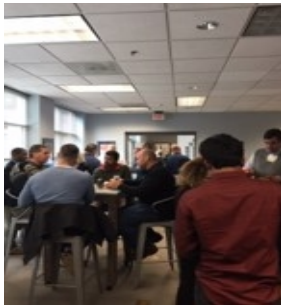
We grow new companies & new jobs for the City

We help attract & retain tech companies in the City

We help to attract, retain & grow skilled tech workforce

We grow new companies & new jobs for the City

- 45-55 tech startups incubate at our Center at any given time
- Each of our startups is creating cutting edge, new technology
- 14 have graduated from our incubator since 2015
- Our graduates have created **nearly 600 new tech & service industry jobs for the City** since 2015
- And nearly 1000 new jobs total for the state
- The City of Greenville SC studied our incubator as prototype for creating one



We help to attract & retain tech companies in the City

- **By growing & supporting a thriving tech ecosystem in Alpharetta**

EVENTS ➡ 40 Events attended by 2000 tech execs in 2020

INCUBATOR ➡ Running a vibrant startup incubator, connecting startups & enterprise

BOARD ➡ Offering opps. for Board engagement & thought leadership

A thriving tech ecosystem & opps. for engagement attract more tech companies & help to retain the ones that are already here.

- **By offering Board assistance with Recruiting, upon request by the City**



We help to attract, retain & grow Skilled Tech Workforce for the City

- **By growing & supporting a thriving tech ecosystem in Alpharetta**
- **Through Tech Alpharetta's partnership with the Innovation Academy, we are helping to grow the next generation STEM workforce in Alpharetta**



2020's gatherings & challenges were different. But our mission remained the same, & our persistence brought exceptional results...

- Felipe Smolka, EVP of LeasePlan USA, began his term as our new Chair
- Added new Board cos: ADP, BoA, & Park Avenue Gaming
- Added new Sponsor cos: ADP, BitPay, BoA, Hi-Rez Studios, Park Avenue Gaming & RestorePoint
- Pivoted to all-virtual events late March 2020
- From 22 events in 2019 ➡ 40 events in 2020
- Nearly 2000 program attendees in 2020, doubling 2019
- Current startups: 48. Net loss of startup members in 2020 due to pandemic: 0
- 7 mentors, 281 startup mentoring sessions held
- 3 startup graduates in 2020 (14 since 2015)
- 4 startups actively hiring: DataSeers, Farmwave, Finosec, Voxie
- \$6.7 mil Series A funding round just closed by Voxie
- > \$100 million total in investor funding received by our startups since 2015
- Launched our new podcast series, Driving Innovation



Tech Alpharetta 2020 Financial Update

- ✓ Exceeded 2020 revenue projections
- ✓ Beat 2020 expense projections
- ✓ Net Profit
- ✓ Record level of Sponsorship Revenue in 2020, 188% of projection

2020 Financial Projections/Actual

Details	Actual 2017	Actual 2018	Actual 2019	Projections for Calendar Years 2020 & 2021	Actual 12/31/20
Cash Revenue (Operations, sponsorships events, other)	\$177,733	\$229,972 * *(does not incl. 2018 AgTech Conference)	\$292,774	\$250,000	\$306,924
Support: City of Alpharetta	\$122,083	\$125,000	\$114,583	\$100,000 7/19- 6/20 \$95,000 7/20- 6/21	\$105,833
=Total Combined Revenue	\$299,816	\$354, 972	\$407,357	\$350,000	\$412,758
Expense	\$299,049	\$327,277	\$346,629	\$350,000	\$326,189
EBIT			\$60,728	\$0	\$86,569
In-kind sponsorships		\$222,000 in-kind services	\$242,000 in- kind services (incl. new website)	\$222,000 in-kind services	\$234,000 in-kind services

Incubator Metrics



	COVID Cancellation	Goal Met	Goal Exceeded		
2020 Goal	Actual		2020 Goal	Actual	
Retain our startup members	48 in 2/20; 48 as of 12/31/20		Host 66 ATDC and One Mil Cups Mtgs	84	
Graduate 2 startups per year	3		Place 2 FSC HS Interns	6 (+2 college interns placed)	
Work with Ec. Dev on incentives to HQ in Alpharetta	Yes -1/20 Ec Dev presentation		Host 30 free CPA & law firm office hours	48 CPA firm hours held, some virtual	
Min. 10 Lunch & Learns	Cancelled due to COVID but replaced by 136 virtual workshops and programs.		Host 2 monthly tech meetups	Wordpress & SEIA met monthly til COVID	
6 VC firm visits	Cancelled due to COVID (but held 2 virtual, investor-led programs).		Host City Council & Mayor for lunch with startups	COVID eliminated that possibility	
\$2 mil more in startup funding	\$62 mil invested in our members & grads in 2020 & > \$100 mil to date		12 Center startups mentored	21 mentored; 281 total mentoring sessions held	

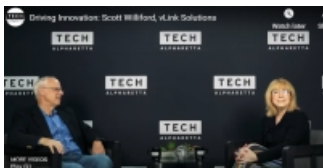
Industry Verticals represented by Tech Alpharetta's Current Tech Startups

- AI-based marketing platform
- AI-based optimization software
- AI-enabled HR platform
- AR/VR platform technology
- Automotive app
- Biotech
- Voice recognition software
- College/Career planning tech
- Construction industry asset management and procurement
- Corporate commuter program app
- Cyber security for enterprise companies
- Cyber security for enterprise fleet vehicles
- Data analytics platform--enterprise-level data
- Educational technology
- Energy Innovation
- Fashion design technology
- Healthcare IT
- Health Record reconciliation
- Internet Protocol-based streaming video platform
- Intelligent Account Resolution/Finance
- IOT solutions
- Marketing technology
- Medical devices
- Mobile customer care for broadband industry
- On demand labor platform serving manufacturer labor needs
- Closed Network recruiting app
- Scalable text messaging marketing platform
- Serverless Technology Enhancements
- Solar / Energy Microgrid
- Staffing apps
- Streaming digital signage app
- Workplace Management software

Branding & PR Metrics



2020 Followers:
 Twitter: 1237 (1,092)
 Facebook: 176 (128)
 LinkedIn: 1817 (1,331)
 Total: 3230 (2551)



	 Below Goal	 Goal Met	 Goal Exceeded		
2020 Goal	2020 Actual		2020 Goal	2020 Actual	
225 Social Media Posts	1731		6 press releases	4	
20 Million Impressions	20 million Media Impressions		Con't in-kind PR services	Yes	
250 news articles quoting/mentioning Tech Alpharetta	235		Host 15 tech events, serving 700 tech execs	40, serving 2000	
12 original blogs	15		Continue to grow/renew organizational Partnerships	30+ in 2020	
Launched New Podcast Series, Driving Innovation	Launched 8/20. 5 episodes to date.		90 weekly e newsletters to > 2500 area tech execs	104	
Featured in one 3 rd party podcast	5 Karen: 2 (Business RadioX North Fulton, 1/23/20; Business RadioX Sandy Springs, 10/30/20), +3 startups featured in same				
5 Exec. Spotlight Videos	5		6 metro speaking engagements	7	

We have more than 2 dozen senior & C-level area tech exec Board members

Board Metrics



COVID Cancellation



Goal Met



Goal Exceeded



Board
companies' 2020
level of financial
participation:
\$121,000 2020
\$76,500 2019
(\$17,500 in 2018)



2020 Goal	2020 Actual		2020 Goal	2020 Actual	
10 Board Meetings	10		100% of new Board companies to sponsor	Yes.	
6 Board Committees, 30 Committee Mtgs	6, 30		50% of all Board companies to sponsor in 2019, 75% in 2020	Yes. 2020 87% (77% cash) 2019: 70% (60% cash) 2018: 22%	
Grow Board to 30 tech companies (compared to 18 at end 2018, 10 end of 2017), plus add 3 CIOs from enterprise, non-tech companies.	31 tech co. members as of 12/31/20. Added 2 new tech companies and 1 non-tech co. in 2020				
Recruit 75% of Alpharetta's largest employers to the Board	5 of Alpharetta's 6 largest employers serve on our Board (83%).				

Tech Alpharetta Board of Directors

12/31/20

City of Alpharetta Board Members

Mayor Gilvin

Councilman Burnett

Ec. Dev. Mgr Matthew Thomas

Tech Alpharetta Chairman of the Board

Felipe Smolka, LeasePlan USA

Tech Alpharetta Treasurer

Paul Nagrowski, Siemens

ADP

Aptum Technologies

AT&T

Bank of America

BitPay

Colonial Pipeline

DataSeers

Digital Scientists

Edge Solutions

Equifax

Flexential

Healthcare Staffing

Technologies

Hi-Rez Studios

HPE

IntegraConnect

Jackson Healthcare

KORE Wireless

LexisNexis Risk Solutions

Microsoft

OneSpring

Park Avenue Gaming

Priority Payment Systems

Pyramid

Scientific Games

Skillshot Media

Tier 4 Advisors

TireHub

UPS

Verint

Verizon Wireless

ZKTeco

Community Partner Board Members

Alpharetta Chamber of Commerce

ATDC

GNFCC

Gwinnett Tech

MACOC

TAG

(31 tech companies; 2 non-tech companies; 6 community partners; 3 City Board seats)

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STARTUP LOUNGE SPONSOR

