



# PLANNING COMMISSION MEETING

## MAY 6, 2021

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

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES

a. Planning Commission Minutes 4.1.21

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. MP-21-03/CU-21-05 ADVANCED RECOVERY SYSTEMS, LLC DRUG REHABILITATION CENTER

Consideration of a master plan amendment and conditional use to allow a 62-bed DRUG REHABILITATION CENTER for Advanced Recovery Systems, LLC. A master plan amendment is requested to the Southfund Master Plan to add 'Congregate Housing, Assisted Living Facility' as a conditional use in Pod D. A conditional use is requested to allow 'Congregate Housing, Assisted Living Facility' for Advanced Recovery Systems, LLC. The zoning classification of the property is O-I (Office-Institutional) subject to the Southfund Master Plan Pod D. The property is located at 11725 Pointe Place and is legally described as being located in Land Lot 550, 1st District, 2nd Section, Fulton County, Georgia.

b. CU-21-06 The Parish Anglican Church/Kalen Center

*This item has been deferred by the Applicant. It will not be considered or discussed at this meeting.*

Consideration of a conditional use to allow a 'Church, Synagogue' for The Parish Anglican Church in an existing space at the Kalen Center. The property is located at 201 Vaughan Drive and is legally described as being located in Land Lot 1124, 2nd District, 2nd Section, Fulton County, Georgia.

c. CU-21-04/V-21-07 Westside Wine & Spirits/Cousins Westside Pod B

Consideration of conditional use and variance to allow a 9,880 square foot 'Liquor Store' on 3 acres. A variance is requested to reduce the landscape strip along Westside Parkway from 20' to 10'. The property is located at 2125 Hembree Road and is legally described as being located in Land Lot 691, 1st District, 2nd Section, Fulton County, Georgia.

**d. CLUP-21-03/Z-21-04/V-21-09 Hudson Park**

**Consideration of a comprehensive land use plan amendment, rezoning and variance to allow a 17-lot single-family detached subdivision on 2.411 acres in the Downtown. A rezoning is requested from R-10MHD (Dwelling, 'For-Rent' of 'For-Sale', Residential - Historic District) to DT-R (Downtown Residential) for approximately 2.3 acres and from R-10MHD to DT-LW (Downtown Live-Work) for approximately 0.15 acres. A comprehensive land use plan amendment is requested for approximately 0.15 acres from Downtown Residential Density to Mixed Use Live-Work. A variance is requested to allow a private alley to count toward the minimum lot size. The property was previously approved for 20 townhomes and single-family homes. The property is located at 0 and 193 Canton Street and is legally described as being located in Land Lots 1197 & 1252, 2nd District, 2nd Section, Fulton County, Georgia.**

**e. PH-21-10 Unified Development Code Text Amendment – Historic Preservation Incentive Zoning**

**Consideration of text amendments to Article II, Appendix A: Historic Resources Inventory – Contributing Historic Buildings and Appendix A: Alpharetta Downtown Code Subsection 3.2.4(l)(2) of the Unified Development Code to remove a property from the list.**

**VII. ADJOURNMENT**





# PLANNING COMMISSION MEETING SUMMARY APRIL 1, 2021

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

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

## I. CALL TO ORDER

## II. ROLL CALL

### Members

- Francis Kung'u (Chair)
- Fergal Brady ( Vice-Chair) (Absent)
- Dana Davis
- William Perkins
- Candy Waylock
- Martine Zurinkas
- Valerie Manley (Alternate)
- Larry Attig (Absent)
- Jamie Bendall (Alternate)(Absent)

### Staff Present

- Kathi Cook, Director of Community Development
- Michael Woodman, Senior Planner
- Ben Kern, Planner, GIS Specialist
- Kiersten Van Horn, Assistant City Clerk
- Elicia Taylor Planning and Zoning Coordinator
- Adam Montgomery, Information Technology
- Arick Furr, Public Safety

### III. APPROVAL OF MEETING MINUTES

#### a. March 4, 2021 Meeting Minutes

- ❖ Vice-Chair Brady offered a motion to approve
  - Commissioner XXX seconded the motion
  - The motion was approved (7-0)

### IV. ITEMS FROM BOARD MEMBERS

### V. ITEMS FROM STAFF

### VI. PUBLIC HEARING

#### a. Z-20-05/CU-20-09/V-20-14 Alcovy Condominiums 82/92 Thompson Street

Michael Woodman, Senior Planner, presented consideration of a rezoning from O-P (Office-Professional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work) to allow for the construction of 12 'For-Sale' condominium units on 1.13 acres in the Downtown. A conditional use is requested to increase the residential density to 10.62 dwelling units per acre and a variance to allow a stream buffer encroachment. The property is located at 82 and 92 Thompson Street and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

Staff recommended approval subject to the following conditions:

1. The site, consisting of approximately 1.13 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by Engineering 303, revised 3/22/2021, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Architecture and materials shall be developed substantially similar to the renderings prepared by D. Tracy Ward, dated 3/17/2021, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. The buildings shall not have rooftop amenities.
3. Thompson Street streetscape shall generally be improved, as follows: 30' half width right-of-way to incorporate an 8' sidewalk (concrete with brick banding), 6' planter, 8' on-street parking, 10' travel lane, street trees and decorative pedestrian lighting, with final approval by Staff.
4. Shade trees shall be required in the planter along Thompson Street and behind the sidewalk in the 10' landscape strip as a continuation of what has been planted or designed in the Downtown and outside of utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
5. Project pedestrian entrance shall include decorative landscaping and wall, as depicted on submitted renderings, with final approval by Staff.
6. Amenity space shall be developed with decorative landscaping, hardscape, walls and seating. Landscape plan shall include plant selections promoting the historic Downtown.
7. Tree removal shall be limited to the site plan prepared by Engineering 303, revised 3/22/2021.

8. Developer shall construct an 8' accessible, concrete connection between the Alpha Loop and Thompson Street sidewalk along the east side of the property, as shown on the site plan prepared by Engineering 303, revised 3/22/2021. Alpha Loop connection shall be placed within a minimum 12' public right-of-way or a permanent easement and shall include lighting (bollards), landscape, hardscape, wayfinding signage and crosswalk at Kingry Lane. Crosswalk at Kingry Lane shall be located on the west side of the intersection lining up with the existing sidewalk along Kingry Lane, as approved by Staff. If the developer is able to secure an easement for the Alpha Loop from the adjacent property to the east, Alpha Loop alignment may be shifted to the east along the common property line, as approved by Staff.
9. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff.
10. Prior to the issuance of an LDP, developer shall provide the City with an engineering justification showing that the proposed Alpha Loop connection and existing channel along eastern property line will function properly. Any modification to the existing channel would require a hydraulic trespass assessment.
11. Stream buffer encroachment shall be permitted as depicted on the site plan prepared by Engineering 303, revised 3/22/2021. Developer shall mitigate stream buffer encroachment through stream restoration on the subject property and the adjacent property to the west under common ownership. A stream restoration plan shall be approved by Staff prior to the issuance of an LDP and restoration completed prior to the commencement of building construction or at the beginning of the first planting season after building construction commences. A 3-year maintenance bond shall be provided to the City upon acceptance by the City of the completed stream restoration project.
12. Underground stormwater facility discharge point, as proposed, shall require permission from the adjacent downstream property owner to the east.
13. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

Staff presented and discussed:

- Discussion of Trees
- Approved in Downtown Mercantile Mill Style Architecture
- Flat Roof
- Applicant removed 1 unit from each building in response to CZIM comments
- Stepped building back on Alpha Loop side
- Brick is primary material
- Traffic
- CZIM Concerns

Applicant presented:

- Original renderings and site plan vs. latest proposal
- Height of condos is within 40'
- Price Points

- Natural Channel design Stream Restoration Project
- Length of stream approximately 200'
- Showed buffer before and after mitigation
- Underground detention
- 10-20 per cent additional storage capability

There was discussion from the Board:

- Mitigation
- Stream Condition
- Restoration project in Stream
- Stream Erosion Photos
- Possibility of setting Precedent
- Condition #12
- Explanation of reiteration from 12 units to 10 units
- Views from different vantage points
- Massing & Scale of Buildings
- Initial Rendering from Alpha Loop side
- Staff stated changes made significant impact in density of the project
- Amenities
- Open Space requirements are met
- Alpha Loop Civic Space has already been constructed
- Other conditions on Thompson St.
- Flat Roof Measurements
- On Street Parking
- Underground detention pond maintenance
- Stream restoration is meant to be permanent
- Condition # 7 pertaining to tree removal
- Stream restoration measures
- Army Corps of Engineers process
- Tree Removal for access to Stream,

There was Public Comment:

In Opposition:

1. Mark Hanley, 2720 Donnelan Place
2. Nick Grecco 310 Banbury Crossing
3. Sue Jacques, 12566 Wexcroft Lane
4. Steve Stolle, 2439 Claystone
5. Bob Collins, 12504 Wexcroft Lane

Concerns:

1. Mitigation not enough to prevent severe erosion
2. Current COA Stormwater Regulations are not working
3. Downstream impacts
4. Trees falling near stream
5. Building massing & scale not appropriate for the area
6. Density too high
7. Applicant should be required to complete downstream analysis

Applicant Discussed:

- Existing stream is in bad condition
- Buffer encroachment 10'
- Reason for previous tree removal
- Encroaching 1968sf into impervious setback

There was more discussion from the Board:

- Economic and Environmental cumulative effects of Watershed as a whole
- Aesthetics of project
- Not appropriate size, scale on streetscape and Alpha Loop
- Streamflow Plan
- Downstream Impact Requirement
- Stormwater management
- Detention Pond Maintenance
- Unsure if Mitigation measures are enough
- Applicant accepts all of Staff recommended conditions
- Wholistic Approach to Watershed
- Assessment Studies are expensive
- Conditional Use is required when there is a request for increased density

Staff discussed:

- Decrease in density from original application
- Changes to elevations
- Difference to mass and scale of buildings
- Height is in code compliant

There was more discussion:

- Footprint is the same
- Effect if there was no stream restoration
- Net Impervious area

- ❖ **Vice – Chair Brady offered a motion to deny**
  - Commissioner Perkins seconded the motion
  - The motion was approved (5-2) (Kung'u, Waylock)

**b. MP-21-01/CLUP-21-02/Z-21-03/CU-21-02/V-21-04 The Bailey/Northwinds**

Kathi Cook, Director of Community Development, presented consideration of a master plan amendment, comprehensive land use plan amendment, rezoning, conditional use and variances to allow a 238,017 square foot wellness center, a 119-room boutique hotel, 37 'For-Sale' condominium units and 35,400 square feet of retail/restaurant use. A master plan amendment to the Northwinds Master Plan is requested to add 'Dwelling, 'For-Sale', Attached' to Pod A. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'Mixed Use', as well as a rezoning from O-I (Office- Institutional) to MU (Mixed Use). A conditional use is requested to allow 'Dwelling, 'For-Sale', Attached' as a permitted use in the MU district. Variances are requested to reduce the minimum lot size in the MU district; to increase the maximum impervious area; to reduce the minimum open space; and to reduce landscape strips. The property is located at 2650 Northwinds Parkway and is legally described as being located in Land Lots 799, 805 and 806, 1st District, 2nd Section, Fulton County, Georgia.

**There was discussion of:**

- Comparison of previously approved plan vs. submitted plan
- Site Plan
- Variance Requests
- Heights of buildings in nearby developments
- Height being out of character for the area
- Staff does not support additional reduction in parking
- Entrances to development
- No existing retail at Kimball Bridge
- 14 story building
- There are no other LUX projects
- Alpha Loop

**Applicant discussed:**

- Uniqueness of the project
- State of the Are Wellness Center
- Need for residential in the development
- Changes from previously approved plan
- View from North Point Parkway
- "For Sale" Residential
- Hotel rooms reduced
- Public Art

- Parking is below grade
- Civic Space
- Amenity Space
- Active Roof Terraces
- Conditions 36, 11, 13, 17, 18 and 22
- History of the project

There was Public Comment:

In Favor

1. Andrew Barge 535 Hanlon Way
2. Bindley Sangster, 325 Newington Court

Reasons:

- Transformative Development
- Previously approved for rental units
- Heights in Avalon and Northwinds
- Increase in property values
- Brings value to City and State

There was more discussion:

- **Northwinds Pky**
- **20 stories for POD A in 1986**
- **Changed to 4 stories in 2018**
- **Tech 360**
- **2 Lane Bridge**
- **Great concept but too much difference between City vision and Applicant vision. Needs more collaboration**
- **There are 29 Hotels currently in the City of Alpharetta**
- **Retail and Office vacancies**
- **Traffic**
- **Density**
- **Applicant and Staff discussions concerning the project**
- **Condition #5**

- ❖ **Vice – Chair Brady offered a motion to deny**
  - **Commissioner Zurinkas seconded the motion**
  - **The motion was approved (7-0)**

**c. CU-21-03 Enriched Events/4150 Old Milton Parkway**

Michael Woodman, Senior Planner, presented consideration of a conditional use to allow a 'Special Event Facility' in a 5,520 square foot suite in The Shops at Old Milton. A conditional use is requested to allow a 'Special Event Facility' for Enriched Events. The property is located at 4150 Old Milton Parkway, Suites 212, 213, 214 and 215 and is legally described as being located in Land Lot 90, 1st District, 1st Section, Fulton County, Georgia.

There was no public comment

After presentation from the Applicant and discussion from the Commission, the Planning Commission recommended approval subject to Staff's recommended conditions, striking "traditional" in Condition # 4.

- ❖ Vice – Chair Brady offered a motion to approve with Staff conditions striking the word "traditional" in Condition #4.
  - Commissioner Waylock seconded the motion
  - The motion was approved (7-0)

1. 'Special Event Facility' shall be added as a conditional use at 4150 Old Milton Parkway, Suites 212, 213, 214, and 215 and limited to no more than 5,520 square feet.
2. Conditional use approval shall be limited to Enriched Events, LLC; no additional 'Special Event Facility' use or subleasing shall be permitted within the approved space.
3. Special event facility shall be limited to no more than 100 people. Tutoring for nursing school students shall be permitted within a 500 square foot conference room associated with the event facility and limited to no more than 4 people, including tutor.
4. Hours of operation for tutoring services, educational workshops and seminars shall be Monday – Friday 8:00 AM – 5:00 PM. Hours of operation for ~~traditional~~ special events shall be Friday 5:00 PM – 11:00 PM, Saturday 7:00 AM – 11:00 PM and Sunday 6:00 AM – 10:00 PM.
5. If a parking problem is identified by the City, Enriched Events, LLC shall be required to correct the problem by reducing the capacity of events or providing an off-site parking agreement for parking within 500' of the facility, as approved by Staff. Signage addressing no parking in adjacent parking lots shall be posted in a conspicuous place at the event facility.

## VII. ADJOURNMENT





# CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

## I. **AGENDA ITEM TITLE:** MP-21-03/CU-21-05 ADVANCED RECOVERY SYSTEMS/11725 POINTE PLACE

PLANNING COMMISSION: MAY 6, 2021

CITY COUNCIL: NOVEMBER 15, 2021 (TENTATIVE)

## II. **RECOMMENDATION:**

Approve MP-21-03/CU-21-05 Advanced Recovery Systems/11725 Pointe Place, subject to the following conditions:

1. Add 'Congregate Housing' to Pod D of the Southfund Master Plan as a conditional use.
2. 'Congregate Housing' shall be added as a conditional use at 11725 Pointe Place and limited to no more than 31,709+/- square feet and no more than 62 beds.
3. Conditional use approval shall be limited to Advanced Recovery Systems; no additional 'Congregate Housing' businesses or subleasing shall be permitted within the approved space.
4. The business shall be permitted to operate 24-hours/day, 7 days/week.
5. Addition and substance abuse rehabilitation center shall be limited to clients that are 18+ years of age and non-court mandated. Services shall be limited to the treatment of alcohol and drug abuse/dependency and treatment of secondary mental health disorders (mood/personality disorders & process additions). Level of care shall be limited to detox, intensive inpatient, residential, partial hospitalization, intensive outpatient, & outpatient care. No methadone clinic as stated by the applicant.
6. Landscape shall be added to the 50' undisturbed buffer, where sparse, as approved by Staff.
7. Based on a developer commitment, an 8' privacy fence shall be constructed along the south and west property lines. Fence shall be located to have the least impact to trees in the undisturbed buffer, as approved by Staff.
8. Outdoor gathering/seating areas shall be limited to the north and/or east sides of the building.

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

The applicant, Advanced Recovery Systems, LLC, is requesting a master plan amendment and conditional use to allow a 62-bed rehabilitation facility for the treatment of addiction and substance abuse in a 31,709 square foot building previously used as a nursing home. An amendment is requested to the Southfund Master Plan to add 'Congregate Housing' as a conditional use in Pod D. The subject property is located at 11725 Pointe Place, just south of the intersection at Upper Hembree Road and Pointe Place.

## **DISCUSSION**

The submitted request, if approved, will allow the applicant to operate a 62-bed rehabilitation facility for the treatment of addiction and substance abuse in a 31,709 square foot building previously used as a nursing home. A master plan amendment is requested to the Southfund Master Plan to add 'Congregate Housing' to Pod D and a conditional use is requested to allow a substance abuse (drug and alcohol) and addition rehabilitation center for Advanced

Recovery Systems, LLC. The subject property is located at 11725 Pointe Place, just south of the intersection at Upper Hembree Road and Pointe Place.

The property is zoned O-I (Office-Institutional) and is subject to the Southfund Master Plan Pod D. Surrounding properties are zoned O-I to the north and PSC (Planned Shopping Center) to the east. The former Harry's Market (Whole Foods) is located to the east, the Arthritis & Rheumatology Center is located to the north, Taylor Oaks subdivision (City of Roswell) is located to the west and Hembree Forest subdivision (City of Roswell) is located to the south.

Southfund Master Plan was approved in 1995 as a 13-acre office-institutional development with incidental retail uses. Pod A was approved for office-institutional and incidental retail uses and Pods B-D were approved for office-institutional uses. Pod D was developed as a 1-story, 31,709 square foot nursing home. The Veranda at Pointe Place nursing home was the last business to operate on the property and has recently closed.

Advanced Recovery Systems is a rehabilitation facility for the treatment of substance abuse and associated mental health disorders. According to the applicant's letter of intent, the State-licensed facility will treat people eighteen (18) years of age or older for alcohol and drug abuse including onsite detox, as well as secondary mental health disorders including mood disorders, personality disorders and process addictions. Levels of care offered at the facility would be detox, intensive inpatient, residential, partial hospitalization, intensive outpatient and outpatient care. Clients will not have vehicles. The applicant has stated that the clients are non-court mandated. The business has several locations across the U.S., including in Colorado, Florida, Maryland, New Jersey, Ohio and Washington. The business operates 24 hours per day, seven (7) days per week. The applicant anticipates a peak staff of 30 employees.

Staff prepared the table below in order to compare the applicant's proposal to existing substance abuse rehabilitation centers in the City. There are five (5) facilities in the City; however, only one (1) is a residential facility. Sunrise Detox is located at 4500 North Point Parkway, which is approximately 3.5 miles from the applicant's property (as measured in a straight-line distance).

**Drug & Alcohol Treatment Facilities Located in the City**

| <b>Project Name</b>        | <b>Address</b>                    | <b>Zoning</b> | <b>Distance to Residence</b> | <b>Notes</b>                                     |
|----------------------------|-----------------------------------|---------------|------------------------------|--------------------------------------------------|
| Sunrise Detox              | 4500 North Point Parkway          | O-I           | 0.35 miles                   | 30-bed residential drug & alcohol detox facility |
| NAD in Georgia             | 401 South Main Street             | O-I           | 0.05 miles                   | Outpatient treatment                             |
| Detox with Dignity         | 11800 Northfall Lane              | C-1           | 0.2 miles                    | Outpatient treatment                             |
| Centered Recovery Programs | 1250 Upper Hembree Road           | O-P           | 0.06 miles                   | Outpatient treatment                             |
| Living Healthy Medical     | 5755 North Point Parkway, Ste. 89 | O-I           | 0.16 miles                   | Outpatient treatment                             |

**SITE PLAN**

The site is located at the end of the cul-de-sac on Pointe Place. The property is developed with a 1-story, 31,709 square foot building previously used as a 62-bed nursing home. The primary

entrance to the building and all but four (4) parking spaces are located on the north side of the building. A drive aisle provides access to the southside of the building for the primary purpose of deliveries. A fenced outdoor amenity area is located at the northeast corner of the building. 50' undisturbed buffers are provided along the south and west property lines, as required by the Southfund Master Plan and Unified Development Code (UDC).

## **TRAFFIC**

The applicant provided a trip generation information, which shows that the proposed use would generate approximately ten (10) AM Peak Hour trips and thirteen (13) PM Peak Hour trips.

## **STANDARDS FOR MASTER PLAN AMENDMENTS**

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

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

*Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties, which are primarily developed with office-institutional uses. Adjacent properties to the west and south are developed with residential subdivision in the City of Roswell. However, there is no direct vehicular connection between the subject property and the two (2) surrounding residential subdivisions and the subject property was developed with the required 50' undisturbed buffer along the south and west property lines to buffer the use from the adjacent residential.*

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

*Response: The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties, which are primarily developed with office-institutional uses. Adjacent properties to the west and south are developed with residential subdivision in the City of Roswell. However, there is no direct vehicular connection between the subject property and the two (2) surrounding residential subdivisions and the subject property was developed with the required 50' undisturbed buffer along the south and west property lines to buffer the use from the adjacent residential.*

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

*Response: Not applicable. The subject property is already developed, and the applicant does not propose significant exterior changes.*

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

*Response: The applicant's proposal is compatible with the office-institutional uses that approved for the property in conjunction with the Southfund Master Plan.*

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

*Response: The zoning proposal should not have significant impacts on public facilities and services. The proposed use would generate 13 PM Peak Hour trips. The applicant states that clients will not have vehicles. The City's Public Safety Department is not aware of any issues with the proposed use.*

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

*Response: Not applicable.*

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

*Response: The zoning proposal reflects a reasonable balance. The applicant's proposal would be compatible with office-institutional uses and other locations for this business type, which are similarly situated in an office setting. Adjacent properties to the west and south are developed with residential subdivision in the City of Roswell. However, there is no direct vehicular connection between the subject property and the two (2) surrounding residential subdivisions and the subject property was developed with the required 50' undisturbed buffer along the south and west property lines to buffer the use from the adjacent residential.*

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

*Response: The subject property is approved for office-institutional uses, which is an appropriate location for the propose use. Adjacent properties to the west and south are developed with residential subdivision in the City of Roswell. However, there is no direct vehicular connection between the subject property and the two (2) surrounding residential subdivisions and the subject property was developed with the required 50' undisturbed buffer along the south and west property lines to buffer the use from the adjacent residential.*

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

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

## **CONDITIONAL USE REVIEW CRITERIA**

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

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

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

*Response: The subject property was developed in compliance with site access development standards with access to Upper Hembree Road from Pointe Place. The use should not have significant impacts on vehicular and pedestrian access.*

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

*Response: The subject property is in compliance with regard to refuse areas, loading and service areas, off-street parking, and buffers and screening. 50' undisturbed buffers are provided adjacent to the residential subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions.*

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

*Response: The proposed use would be compatible with the office-institutional uses and other locations for this business, which are similarly situated in an office setting. 50' undisturbed buffers are provided adjacent to the residential subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions.*

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

*Response: Not applicable.*

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

*Response: The proposed use would be compatible with the office-institutional uses and other locations for this business, which are similarly situated in an office setting. 50' undisturbed buffers are provided adjacent to the residential subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions.*

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

*Response: The proposed use would be compatible with the office-institutional uses and other locations for this business, which are similarly situated in an office setting. 50' undisturbed buffers are provided adjacent to the residential subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions.*

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

*Response: There is currently one (1) residential substance abuse rehabilitation facility in the City, which is Sunrise Detox located at 4500 North Point Parkway. That facility has 30 beds and is located approximately 3.5 miles away (as measured in a straight-line distance). 50' undisturbed buffers are provided adjacent to the residential subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions.*

## **CONCURRENCES**

City Staff has reviewed the applicant's proposal and finds that the use does not conflict with the established review criteria for a master plan amendment and conditional use. The proposed use would be compatible with the office-institutional uses and other locations for this business type, which are similarly situated in an office setting. 50' undisturbed buffers are provided adjacent to the Roswell subdivisions to the south and west. In addition, the applicant has agreed to install an eight-foot (8') privacy fence along the south and west property lines, which was at the request of residents in the adjacent subdivisions. However, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the business.

## **CITIZEN PARTICIPATION PLAN**

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

The City has received approximately 96 letters of objection to the applicant's proposal. The letters do not include addresses, but a resident from the adjacent subdivision has indicated to Staff that the letters are all from nearby residents in the two (2) adjacent residential subdivisions (Taylor Oaks and Hembree Forest). Generally, the residents are concerned that the facility will negatively impact their property values.

## **COMMUNITY ZONING INFORMATION MEETING**

The CZIM was held on April 14, 2021. There were several public comments and questions with concerns over negative impact on adjacent residential property values, cigarette smoke, and screening. Since the CZIM, the applicant has agreed to construction an eight-foot (8') privacy fence along the south and west property lines.

## **IV. ATTACHMENTS:**

- Site Plan





**MP-21-03/CU-21-05**

**Harris Ridge Court**

**Harris Road**

**Upper Hembree Road**

**Pointe Place**

**City of Roswell**

**Alpharetta Hwy**

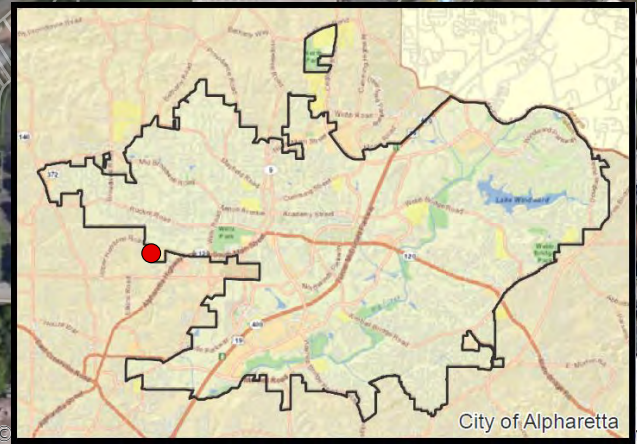
**North**

**9**

**UPPER HEMBREE RD**

**HARRIS**

**POINTE PLACE**



**City of Alpharetta**

© 2021 Microsoft Corporation

**MP-21-03/CU-21-05**

**D/LL: 1/2/550**

**PC: 5/6/21**

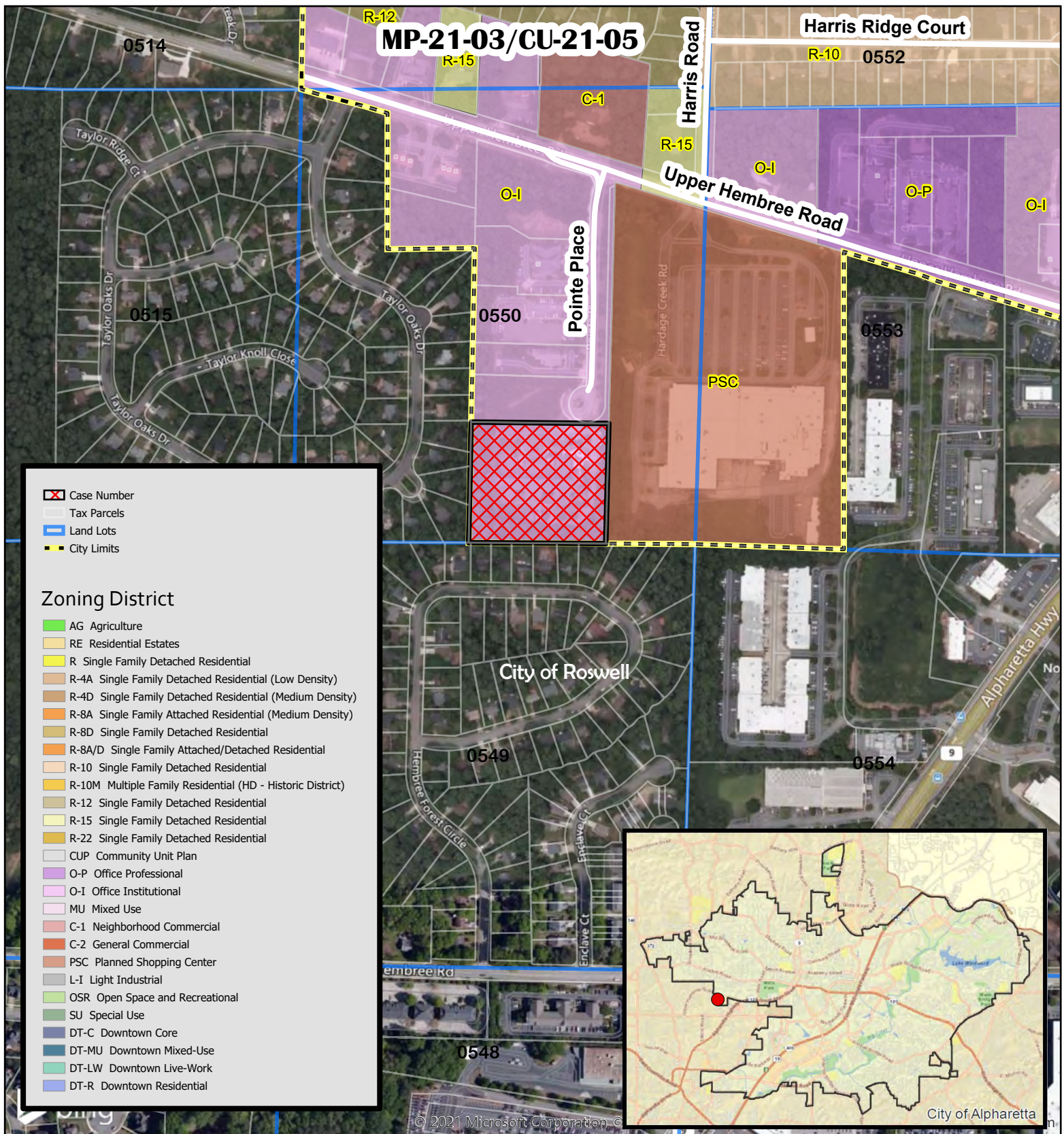
**CC: 11/15/21**



# **Aerial Map** **Advanced Recovery Systems LLC** **11725 Pointe Place**

Map Source :  
 Community Development GIS



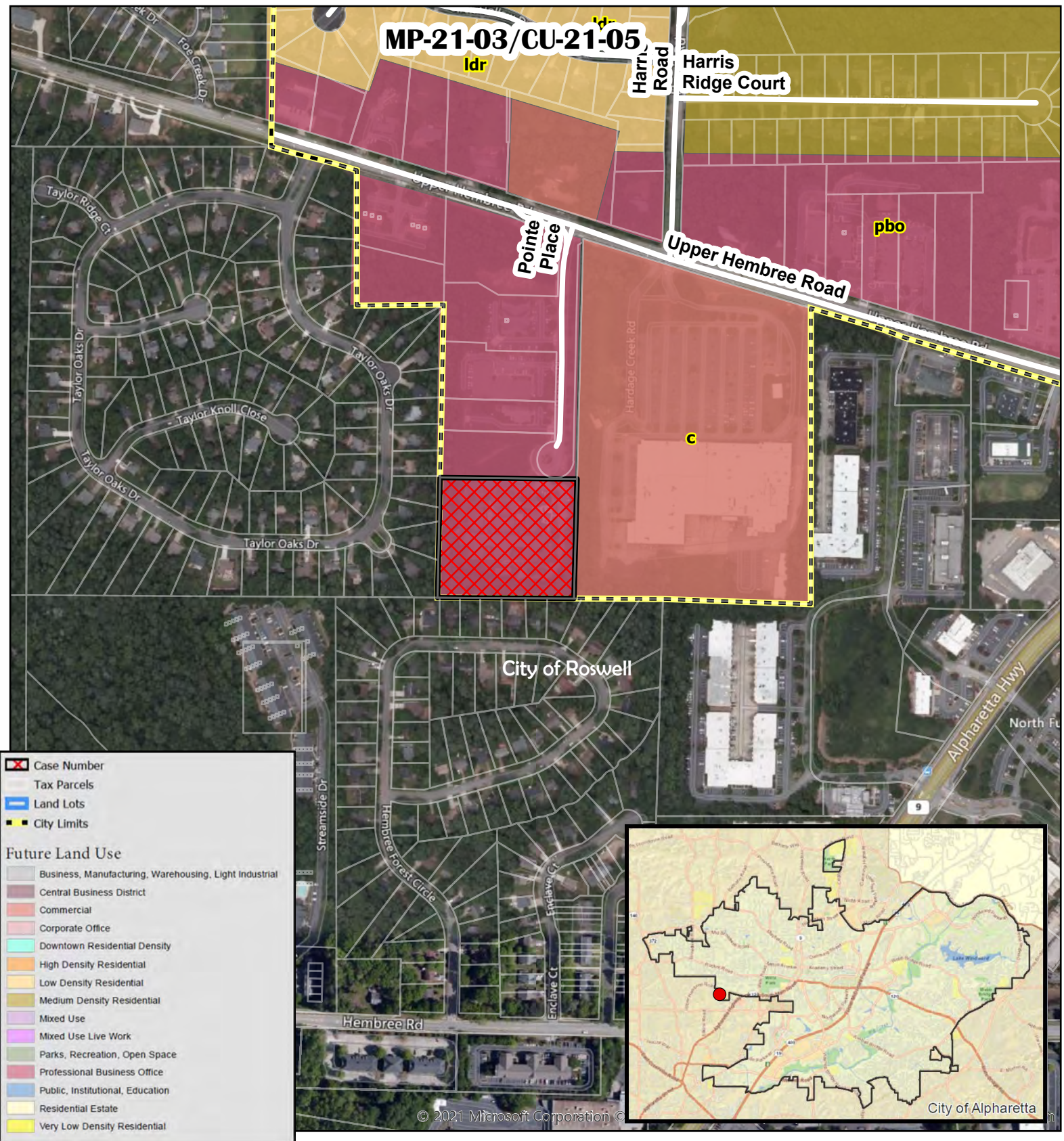


# Zoning Map Advanced Recovery Systems LLC 11725 Pointe Place

MP-21-03/CU-21-05  
D/LL: 1/2/550  
PC: 5/6/21  
CC: 11/15/21

Map Source :  
Community Development GIS





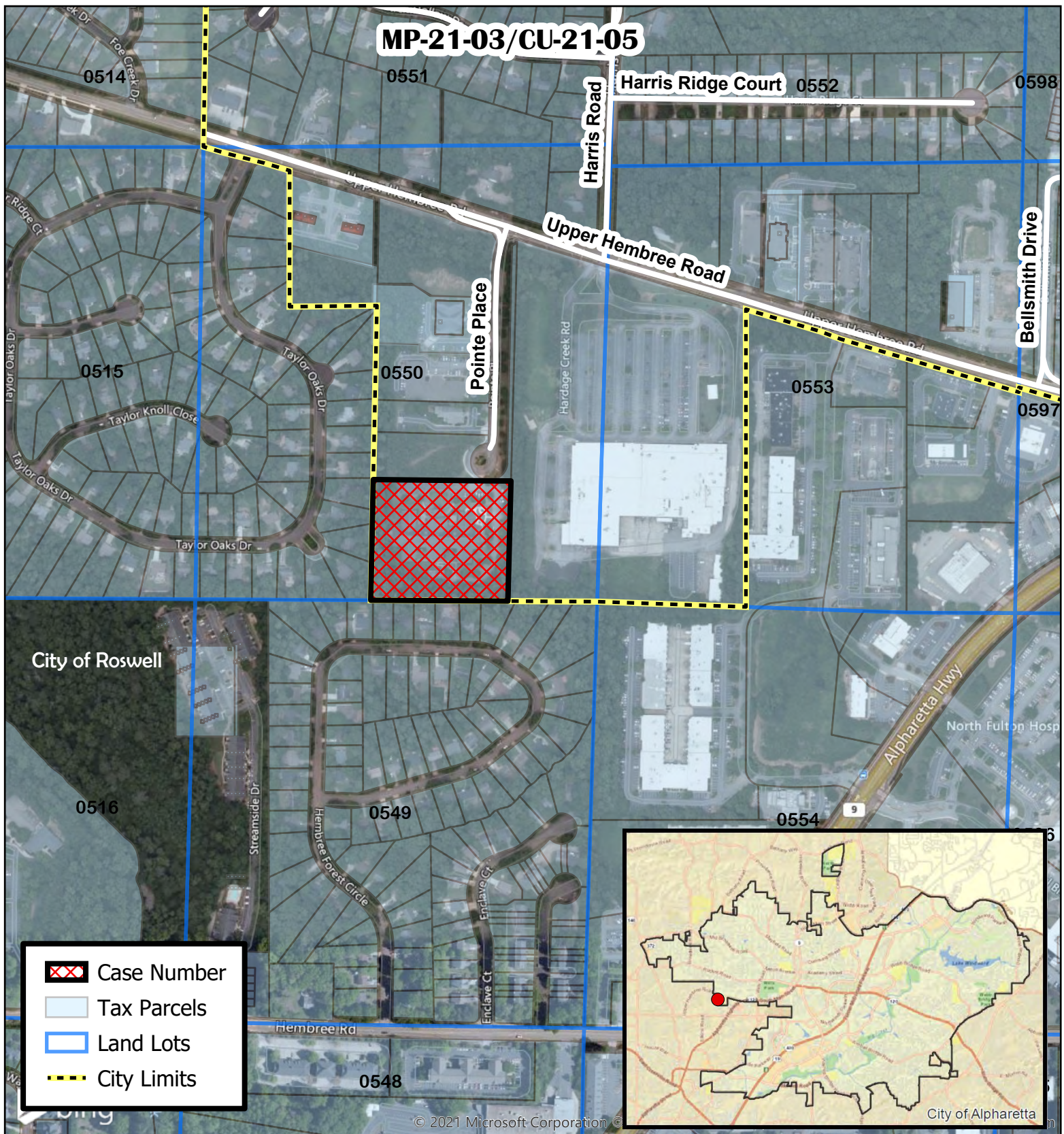
MP-21-03/CU-21-05  
D/LL: 1/2/550  
PC: 5/6/21  
CC: 11/15/21



# Future Land Use Advanced Recovery Systems LLC 11725 Pointe Place

Map Source :  
Community Development GIS





# Location Map Advanced Recovery Systems LLC 11725 Pointe Place

MP-21-03/CU-21-05  
D/LL: 1/2/550  
PC: 5/6/21  
CC: 11/15/21

Map Source :  
Community Development GIS



Sunday, April 18, 2021



## Letter of Objection to...

### Online Letter of Objection

Name

Dawn Fix

E-mail

[REDACTED]

Signature

*Dawn Fix*

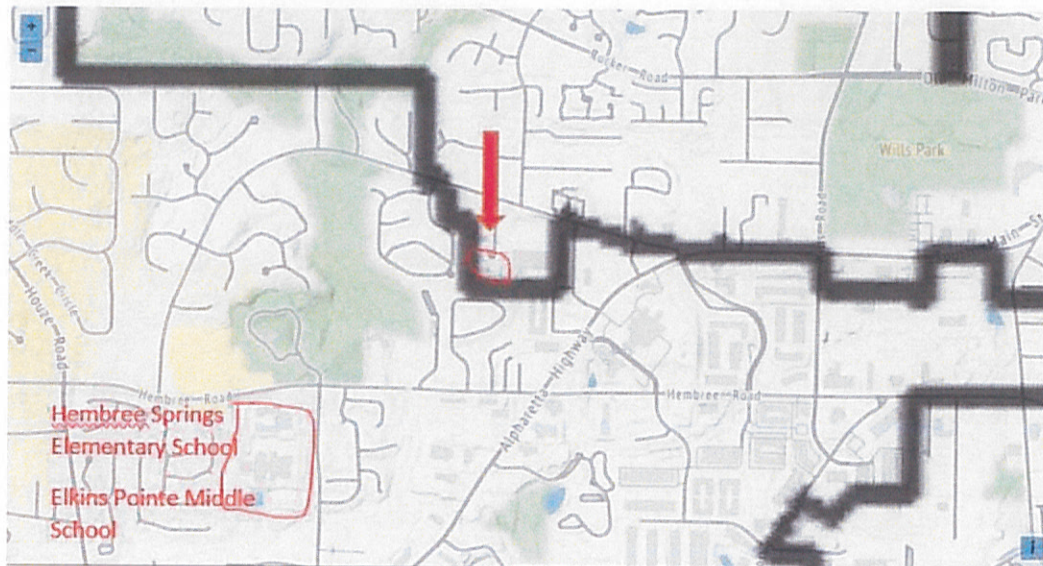
Dear Alpharetta Mayor Gilvin, Office of Zoning and Planning, Council Members, and Planning Commission:

We are writing to express our **strong OBJECTION** to MP-21-03 / CU-21-05 Advanced Recovery Systems LLC Drug Rehabilitation Center, the proposed Consideration of a master plan amendment and conditional use TO ALLOW A 62-BED DRUG REHABILITATION CENTER for Advanced Recovery Systems, LLC.

Nearly all residents in the surrounding neighborhoods are completely opposed to the amendment of the current zoning.

When it comes to home value, the age-old belief has been all about location, location, location. However, just as important as location is what is in the neighborhood. Before buying our homes, we did our due diligence. We are not wealthy people; many of us live paycheck to paycheck. We searched for homes in the best neighborhoods we could afford, with the best schools, hospitals, fire and police departments. We checked the zoning of the commercial properties around us. We were relieved to see that Alpharetta zoning had the zoning classification of this property as O-I (Office-Institutional). So we bought our homes, which for most of us is our biggest investment. We need your assistance in protecting residents from having a Drug Rehab Center operating in their backyards. This property was wisely zoned to keep such businesses out of residential areas. Families choose their homes believing that Alpharetta zoning was protecting their investment and their families. Allowing a multi-million dollar company to amend the zoning is irresponsible. There are other properties zoned for this type of business, which do not share a property line with residential properties or are in walking distance from an elementary and middle school.

## Complete List of Citizen Objections Thru 4.30.21



Here are some photos of the homes from the parking lot of the proposed drug rehab center. Some homes have no fences and are only a few feet from this facility. There is nothing in writing but during the zoom meeting, there was conversation by a resident of the possibility of Advanced Recovery Systems (ARS) putting up a fence. In following up with Senior Planner Mike Woodman, he mentioned fencing along two sides of the property along the residential property lines. A fence that is not around



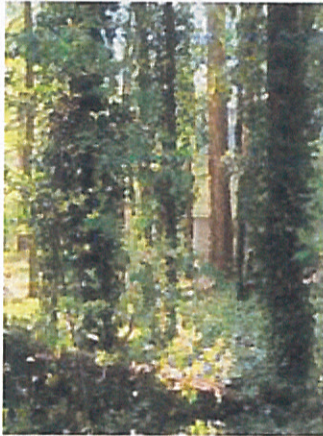
## Complete List of Citizen Objections Thru 4.30.21

the entire property would not keep anybody in or out.





## Complete List of Citizen Objections Thru 4.30.21





## Complete List of Citizen Objections Thru 4.30.21



View of the building from a neighbor's house.

Both lighted windows are from the proposed rehab center.

During the 4/14/21 zoom call, one of the ARS representatives described the Drug Rehab Center as "a

## Complete List of Citizen Objections Thru 4.30.21

good neighbor". We have to ask: Is a good neighbor someone who has a revolving door of 62 addicts that are replaced monthly, weekly or even daily? Does a good neighbor have 62 addicts on supervised smoke breaks outside our backyards throughout the day? Do good neighbors need to have their cars and cellphones taken away from them? Do good neighbors need to be locked inside all day except for smoke breaks? Further, there are no outside facilities at this location for recovering addicts to do anything but sit and smoke. Will they just be locked up all day or is ARS planning to add outside recreational areas for residents to get some exercise? Is it safe for our children to play in the woods behind our own homes with residents that need to be locked in and supervised when outside? Will they overhear inappropriate conversations? With the previous tenant, a memory care facility, we did not worry about the residents trying to escape or smell cigarette smoke all day. Conversations out on the patio were at a very low volume and if you were in your yard and could hear them, they were family friendly. Residents stayed for years not just short term. They were great neighbors. For those of us who chose to, we were able to go visit and get to know the residents in the memory care facility.

**IMPACT ON HOMES NEARBY:** A study has found that residential substance abuse treatment centers in a neighborhood can have an adverse impact on nearby homes. The study used MLS data to support the position that facilities can potentially hamper nearby values.

While centers treating alcohol and substance abuse are more frequently being located within residential neighborhoods, more property owners are making a stand. They contend that the recovering addicts could bring higher crime risk to their community.

Researchers Claire Reeves La Roche, Bennie D. Waller, and Scott A. Wentland at Longwood University in Farmville, Va., conducted the study using MLS data from central Virginia to estimate the impact of substance abuse treatment centers on nearby home values. [https://0e9fc465-b7e9-4030-b244-9896f7f44a38.filesusr.com/ugd/d3c709\\_c6bc5d15570a4284a8b933dc829c0704.pdf](https://0e9fc465-b7e9-4030-b244-9896f7f44a38.filesusr.com/ugd/d3c709_c6bc5d15570a4284a8b933dc829c0704.pdf)

Their research found that homes located within an eighth of a mile from a treatment center on average had an 8 percent drop in value when stacked up against comparable homes that are farther away. The discount is magnified even more when the treatment centers are for those that specifically treat opiate addiction, which includes addictions to heroin or morphine. In those cases, home values are reduced by up to 17 percent, researchers found. Homes sold for approximately 6 percent or 5 percent less if they were located within 0.15 miles or 0.175 miles of a rehab center, respectively.

To bring that in perspective, 8 percent of a \$350,000 home is a loss of \$28,000 for each homeowner. And 17% is \$59,500. These families do not deserve this. When we looked for a home we only looked at residential listings, we did not look at commercial listings and expect to have them rezoned for us. When we looked for properties for our businesses, we did not look at properties that were not already zoned for our businesses and expect the zoning to be changed for us. Drug rehab centers are needed, there are properties already zoned for drug rehab centers. We are asking that Advanced Recovery Systems (ARS) look at properties zoned for their business already instead of asking to amend the current zoning, which prohibits them from running a drug rehab center on that property.

We were also disappointed that only 92 or so notices were mailed to residents. These seem to only be to the properties that directly share a property line with the facility and that none were delivered to our neighborhood HOAs, who could have informed all of the residents in time for them to attend the first Zoom meeting on April 14.

**We urge you to deny the proposed amendment to the current zoning.** From recent meetings and discussions with our neighbors, we know our opinions are shared by many who have not yet been able



## Complete List of Citizen Objections Thru 4.30.21

to attend meeting or write letters and emails. This is due to the fact that they were not informed by ARS, leaving the responsibility to reach the other residents impacted by this on the shoulders of the few residents who received and actually read the letter.

Thank you for your continued service and support of our communities and for your assistance in protecting these families and their investment.

Best regards,



## Complete List of Citizen Objections Thru 4.30.21

|                                                                                                                               |                    |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------|
|  11725 Pointe Place LLC. Applicant seeks ... | 4/15/2021 11:55 AM |
|  Abiy-Dadi                                   | 4/26/2021 2:37 PM  |
|  Alexander-Jenkins                           | 4/22/2021 11:48 AM |
|  Amanda-Gardner                              | 4/23/2021 1:59 PM  |
|  Annie-Scoles                                | 4/22/2021 11:48 AM |
|  Betty-Williams                              | 4/26/2021 2:37 PM  |
|  BRIAN-UITVLUGT                              | 4/22/2021 11:48 AM |
|  Britt-Argo (1)                              | 4/23/2021 1:59 PM  |
|  Bryant-Baker                                | 4/26/2021 2:37 PM  |
|  Cathy-Ferrigno                              | 4/22/2021 11:48 AM |
|  Cathy-Read-Baca                             | 4/22/2021 8:46 AM  |
|  Cedra-Hill                                  | 4/22/2021 8:46 AM  |
|  CHIQUITA-PEARSON                            | 4/26/2021 2:37 PM  |
|  Christie-Street                             | 4/26/2021 2:37 PM  |
|  Cynthia-Sayers                              | 4/26/2021 2:37 PM  |
|  Cynthia-Tchio                               | 4/26/2021 2:37 PM  |
|  Dakota-Brown                                | 4/26/2021 2:37 PM  |
|  Dana-Giacchino                              | 4/29/2021 8:15 AM  |
|  David-Branson                               | 4/26/2021 2:37 PM  |
|  Dawn Fix                                   | 4/16/2021 1:23 PM  |
|  Dawn-Agueros                              | 4/22/2021 11:49 AM |
|  Dawn-Fix letter of objection              | 4/21/2021 3:29 PM  |
|  Dean-Francola                             | 4/23/2021 2:00 PM  |
|  DeForest-Nolen                            | 4/22/2021 11:48 AM |
|  Don-Argo                                  | 4/26/2021 2:38 PM  |
|  Emily-Jenkins                             | 4/22/2021 11:49 AM |
|  Eric-Trieper (1)                          | 4/23/2021 2:00 PM  |
|  Evan-Daeschler                            | 4/27/2021 12:42 PM |
|  George-Owen                               | 4/22/2021 8:45 AM  |
|  Glynnis-Goldstein                         | 4/22/2021 8:46 AM  |
|  Grey-Eaton                                | 4/22/2021 8:45 AM  |
|  Guillermo-Pancich                         | 4/26/2021 2:38 PM  |
|  Haley-Jones                               | 4/27/2021 12:42 PM |
|  Honorine-Dega                             | 4/26/2021 2:38 PM  |
|  James-Poss                                | 4/27/2021 12:42 PM |
|  Jay-Patel                                 | 4/22/2021 8:45 AM  |
|  Jeff-Meador                               | 4/22/2021 8:46 AM  |
|  Jennifer-Cannon                           | 4/22/2021 11:49 AM |
|  Jennifer-Carbajal                         | 4/23/2021 2:00 PM  |
|  Jennifer-Fix                              | 4/22/2021 8:46 AM  |
|  Jordan-Taylor                             | 4/22/2021 8:46 AM  |
|  Judith-Leet                               | 4/22/2021 11:49 AM |

*1040 Taylor Oaks Dr*

## Complete List of Citizen Objections Thru 4.30.21

|                                                                                   |                                             |                    |
|-----------------------------------------------------------------------------------|---------------------------------------------|--------------------|
|      | Judith-Leet                                 | 4/22/2021 11:49 AM |
|     | JW-Cannon                                   | 4/22/2021 8:45 AM  |
|    | Kajal-Makhijani                             | 4/22/2021 8:45 AM  |
|    | Katherine-Abrahamson                        | 4/27/2021 12:42 PM |
|    | Katlin-Pettyjohn                            | 4/22/2021 8:45 AM  |
|    | Kelly-Hicks                                 | 4/22/2021 11:49 AM |
|    | Kim Solomon                                 | 4/15/2021 8:42 AM  |
|    | Kristy-Thai                                 | 4/27/2021 12:42 PM |
|    | Laura-Elkins                                | 4/22/2021 8:45 AM  |
|    | Laura-Nay                                   | 4/23/2021 2:00 PM  |
|    | Lauren-Ing                                  | 4/27/2021 12:43 PM |
|    | Linda-McLeroy                               | 4/27/2021 12:43 PM |
|    | Lindy-Todd                                  | 4/23/2021 2:00 PM  |
|    | List for Fix Letter                         | 4/30/2021 9:35 AM  |
|    | Lizzie-Armstrong                            | 4/27/2021 12:43 PM |
|    | Lori-Kennedy                                | 4/22/2021 11:49 AM |
|    | Lorraine-Ferrigno                           | 4/22/2021 11:49 AM |
|    | Lynn-Goldstein                              | 4/22/2021 8:45 AM  |
|    | Mamadou-Diallo                              | 4/27/2021 12:42 PM |
|    | Margarita-Tello                             | 4/27/2021 12:45 PM |
|    | Margie-Cohan                                | 4/22/2021 8:45 AM  |
|    | Marilyn-Burke                               | 4/29/2021 8:15 AM  |
|    | marjory-segal                               | 4/22/2021 8:45 AM  |
|   | Maryam-Poosti                               | 4/22/2021 11:49 AM |
|  | Maryann-Malena                              | 4/22/2021 8:45 AM  |
|  | Mary-Margaret-Owen (1)                      | 4/22/2021 8:45 AM  |
|  | Matthew-Montgomery                          | 4/22/2021 8:45 AM  |
|  | Michael-Howatt-McMurry                      | 4/22/2021 8:45 AM  |
|  | Neel-Patel                                  | 4/27/2021 12:45 PM |
|  | Negative impact on housing values           | 4/29/2021 8:18 AM  |
|  | Nidhi-Singh                                 | 4/22/2021 8:46 AM  |
|  | Noah-Dooley                                 | 4/22/2021 11:49 AM |
|  | Norma-Martinez                              | 4/27/2021 12:45 PM |
|  | Objection to ARS application for Drug re... | 4/26/2021 3:00 PM  |
|  | Oren-Gruber                                 | 4/23/2021 2:01 PM  |
|  | Patricio-Felix                              | 4/27/2021 12:45 PM |
|  | Paul-Tchio                                  | 4/27/2021 12:45 PM |
|  | Payvand-Bina                                | 4/22/2021 11:49 AM |
|  | Peter-Ong                                   | 4/29/2021 8:15 AM  |
|  | Ramya-Nadig                                 | 4/27/2021 12:45 PM |
|  | RE_ Objection to ARS application for Dru... | 4/26/2021 3:01 PM  |
|  | Rinku-Gokal                                 | 4/22/2021 8:45 AM  |
|  | Robin-Troxell                               | 4/22/2021 11:49 AM |

## Complete List of Citizen Objections Thru 4.30.21

|                          |                    |
|--------------------------|--------------------|
| Rueben-Street            | 4/27/2021 12:45 PM |
| Samuel-Tchio             | 4/27/2021 12:45 PM |
| Sandy-Henderson          | 4/22/2021 11:50 AM |
| Sarah-Rosenberg          | 4/23/2021 2:00 PM  |
| Scott-Stilwell           | 4/22/2021 11:50 AM |
| SheaAnn-Janus-Mellendorf | 4/22/2021 8:45 AM  |
| SPENCER-GRAVES           | 4/22/2021 8:46 AM  |
| Steph-Griffith           | 4/22/2021 8:46 AM  |
| Susan-Morris             | 4/22/2021 11:50 AM |
| Tammy-Defilipo           | 4/23/2021 2:00 PM  |
| Theresa-Mullen           | 4/27/2021 12:45 PM |
| Thomas-Hackett           | 4/22/2021 8:45 AM  |
| Tiffany-Gruber           | 4/23/2021 2:00 PM  |
| Vinay-Sathyanarayana     | 4/27/2021 12:46 PM |
| Waiss-Bouraleh           | 4/29/2021 8:15 AM  |
| Whitney-Present          | 4/22/2021 8:45 AM  |
| Yvonne-Wichman           | 4/27/2021 12:46 PM |
| Zapora-Johnson           | 4/27/2021 12:46 PM |



## Complete List of Citizen Objections Thru 4.30.21

|                                                                                                         |                   |
|---------------------------------------------------------------------------------------------------------|-------------------|
|  Alan-Smith                | 4/30/2021 8:06 AM |
|  Alex-Stelmachers         | 4/30/2021 8:06 AM |
|  Amanda-Murray-Murray    | 4/30/2021 8:07 AM |
|  Bryan-Tharp             | 4/30/2021 8:06 AM |
|  C-Sayers                | 4/30/2021 8:06 AM |
|  Darren-Pearson          | 4/30/2021 8:07 AM |
|  Evan-Daeschler          | 4/30/2021 8:07 AM |
|  KAREN-SANDS             | 4/30/2021 8:07 AM |
|  Linda-Daeschler         | 4/30/2021 8:07 AM |
|  objection to drug rehab | 4/30/2021 8:07 AM |
|  Owen-Skarpness          | 4/30/2021 8:07 AM |
|  Scott-Connors           | 4/30/2021 8:07 AM |
|  Sean-Murray             | 4/30/2021 8:07 AM |
|  Yi-Tsai                 | 4/30/2021 8:08 AM |

Stelmachers  
Smith

475 Hembree Forest Cir, Roswell 30076  
275 Bent Grass Dr.

C Sayers

Bryan Tharp

Amanda Murray

1090 Taylor Knoll Chase

***MP-21-03/CU-21-05 ADVANCED RECOVERY SYSTEMS, LLC Drug Rehabilitation Center***

1. Fence between neighborhood and facility? **No plan for fence; but not opposed to fencing if City approves**
2. Property value concerns – stats show 12-15% decline w/facility nearby. **ADA allows detox facility near residential. Based on their stats for State of Washington, treatment facility did not affect property values based on town approving for expanded services.**
3. Outpatients? **All patients will be admitted & living at the property (no cellphones/cars allowed)**
4. What process for ensuring patients are limited from leaving facility? **Cameras inside & outside with a 15-second delay if someone leaves**
5. Court Ordered Clients? **No**
6. Methadone distribution? **Facility will not be a Methadone clinic.**
7. Smoking outside? **Smoking pavilions will be provided.**
8. Intended used says outpatient care **Insurance may consider it outpatient; but they are not outpatients.**
9. Teenagers going there? **Ages 18-60**
10. Whole Foods facility plans? **Currently vacant**
11. Truck traffic i.e. dumpsters & delivers **No different than previous facility operators**

18:06:07 From Leslie Howard : does the no cars item apply to all patients or only those in residential programs?

18:07:46 From Leslie Howard : what is the process for ensuring the people who are staying there are limited from leaving the property?

18:08:45 From Phil G : I would agree on the fence line between the facility and the nearby neighborhoods....

18:09:46 From Dawn Fix : will there be court ordered clients?

18:10:33 From Dawn Fix : will there be methadone? will there be smoking outside?

18:11:21 From Dawn Fix : research shows this will negatively impact the value of our homes.

18:13:21 From Shivawn G : according to the documents released out to the public, intended uses 5 and 6 involve intensive outpatient and outpatient care

18:15:55 From Dawn Fix : a fence will not protect our property value. what is the plan for that?

18:17:33 From Shivawn G : yeah, and I have had to deal with insurance in that regard with physical therapy. thanks

18:18:31 From Shivawn G : with regard to inpatient vs outpatient, that is

18:21:00 From iPhone : Is there any plan for the Whole Foods property?- currently there is a chain link fence between them and your facility. It has an opening for access there. Evidently there are folks using that now.

18:22:27 From iPhone : Teenagers going there

18:23:01 From iPhone : Truck traffic early hours?

## April 14, 2021 CZIM – Meeting Minutes

18:23:20        From iPhone : Trash and deliveries

18:23:52        From iPhone : Dumpsters?

18:24:26        From Shivawn G : curious after about what needs to happen and by whom to continue with persuing a fence

18:25:31        From Shivawn G : thank you

18:25:32        From Phil G : I think the fence line is south and west? its for both neighborhoods

18:25:35        From Phil G : thanks

18:25:43        From iPhone : Thanks



# 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: MP-21-03/CU-21-05Don

Contact Name: Don Rolader Telephone: 770-442-0330

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.

Curtis Hazelton, Hembree Forest, Roswell made a general inquiry by telephone wanting to know the nature of the use.

Dawn Fix at 1120 Taylor Oaks Drive, Roswell contacted me by email wanting to know the nature of the development abutting her home in Taylor Oaks. I responded and forwarded her the entire application as filed and offered to answer additional questions. There has been no further response as of this date.

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.* Sample Attached

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

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

Attached

*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: Don A. Rolader

Date: 4-6-2021

Print Form

March 29, 2021

Property Owner

RE: Application for Conditional Use Permit/Master Plan Amendment for property  
Located at 11725 Pointe Place, Alpharetta, GA 30004 (request for  
Congregate Housing as a land use); MP-21-03/CU-21-05

Dear Property Owner:

Advanced Recovery Systems, LLC has filed a Public Hearing Application with the City of Alpharetta for consideration of a request for a Conditional Use for a Rehabilitation Facility which requires a land use designation as Congregate Housing. Applicant will also amend the Master Plan to include Congregate Housing as a use. The facility was previously an assisted living/memory care facility. No changes to the buildings or layout of the property are planned. The property is part of a mixed use development on the south side of Upper Hembree Road abutting the west side of the former Whole Foods/Harry's Farmers' Market location.

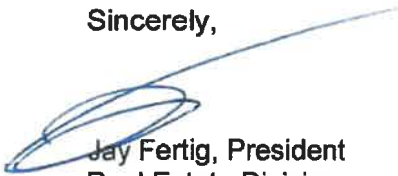
The Community Zoning Information Meeting (CIM) will be held via ZOOM on Wednesday, April 14, 2021 at 6:00 p.m. The link to the ZOOM Meeting is <https://zoom.us/j/95896318191>. This is an informal meeting to allow the Public to view current Applications and speak with the Applicants.

The Planning Commission meeting is scheduled for Thursday, May 6, 2021  
at 6:30 p.m. at City Hall.

The City Council hearing is scheduled for Monday, November 15, 2021 at 6:30 p.m. at City Hall.

If you have questions or wish further information, please contact our representative Don Rolader at Rolader & Rolader, P.C., P.O. Box 277, Marble Hill, GA 30148 (street address 200 Foothills Parkway, Marble Hill, GA 30148), phone number 770-442-0330, email [don@roladerandrolader.com](mailto:don@roladerandrolader.com).

Sincerely,



Jay Fertig, President  
Real Estate Division

EXHIBIT A-1

| Tax Parcel      | Owner                                        | Address                |            |
|-----------------|----------------------------------------------|------------------------|------------|
| 12 223005500825 | WHOLE FOODS MARKET GROUP INC                 | 1180 UPPER HEMBREE RD  | Alpharetta |
| 12 223005500866 | 11725 POINTE PLACE LLC                       | 11725 UPPER HEMBREE RD | Alpharetta |
| 12 223005500924 | POINTE PLACE LLC                             | 11731 POINTE PL        | Alpharetta |
| 12 223005500965 | ICREATE LLC                                  | 11755 POINTE PL        | Alpharetta |
| 12 223005501229 | SC INVESTMENT HOLDINGS LLC                   | 11735 POINTE RD        | Alpharetta |
| 12 223205500344 | DORSETT DAVID EDWARDS & DORSETT LAUREN MARIE | 1060 TAYLOR OAKS DR    | Roswell    |
| 12 223205500351 | ECHOLS BRANDON T                             | 1070 TAYLOR OAKS DR    | Roswell    |
| 12 223205500369 | MODUSER SUSAN A & HUNTER JEFFREY E           | 1080 TAYLOR OAKS DR    | Roswell    |
| 12 223205500377 | ARGO E DONALD & BRITT A                      | 1090 TAYLOR OAKS DR    | Roswell    |
| 12 223205500385 | HILL ANDRE S & HILL CEDRA ALANA              | 1100 TAYLOR OAKS DR    | Roswell    |
| 12 223205500013 | ARREH ABDORACHID C & BARKAD KADIDJA A        | 1110 TAYLOR OAKS DR    | Roswell    |
| 12 223205500021 | FIX DAWN & KRISTOFER D                       | 1120 TAYLOR OAKS DR    | Roswell    |
| 12 223205500039 | 1130 TAYLOR OAKS DR                          | 1130 TAYLOR OAKS DR    | Roswell    |
| 12 223205500047 | BINA PAYVAND & POOSTI MARYAM                 | 1140 TAYLOR OAKS DR    | Roswell    |
| 12 223205500054 | MARTIN MARTINA PATRICE                       | 1150 TAYLOR OAKS DR    | Roswell    |
| 12 223205500062 | DAHER BOBBIE L & SHIPP JEAN W                | 1160 TAYLOR OAKS DR    | Roswell    |
| 12 223205500070 | STILWELL GABRIELA & SCOTT                    | 1170 TAYLOR OAKS DR    | Roswell    |
| 12 223205500088 | PEARSON DARREN L & CHIQUITA L                | 1180 TAYLOR OAKS DR    | Roswell    |
| 12 223205500096 | TRABER RICHARD J                             | 1190 TAYLOR OAKS DR    | Roswell    |
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| 12 223205500203 | GARDNER JOSHUA N & GARDNER AMANDA MARIE      | 1155 TAYLOR OAKS DR    | Roswell    |
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| 12 223205500237 | WILLIAMS HEATHER MARLO & ELMER TROY          | 1125 TAYLOR OAKS DR    | Roswell    |
| 12 223205500245 | YOGENDRA ANAND & BOETTCHER YOGENDRA URSULA   | 1115 TAYLOR OAKS DR    | Roswell    |
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| 12 215005490833 | THOMPSON GAGE ALAN                           | 522 STREAMSIDE DR      | Roswell    |
| 12 215005490841 | STINSON RALPH T                              | 514 STREAMSIDE DR      | Roswell    |
| 12 224105490156 | WENG TAI SHENG & TSAI YI CHUN                | 240 HEMBREE FOREST CIR | Roswell    |
| 12 224105490578 | MILLER KEITH D                               | 250 HEMBREE FOREST CIR | Roswell    |



## EXHIBIT A-2

|                 |                                                   |                        |         |
|-----------------|---------------------------------------------------|------------------------|---------|
| 12 224105490560 | CONTRERAS ARMANDO                                 | 260 HEMBREE FOREST CIR | Roswell |
| 12 224105490552 | SHLOSSMAN MORTON L & MERYL A                      | 270 HEMBREE FOREST CIR | Roswell |
| 12 224105490545 | BRYANT CLOVER C                                   | 280 HEMBREE FOREST CIR | Roswell |
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| 12 224105490495 | VICTOR WARREN PROPERTIES INC                      | 330 HEMBREE FOREST CIR | Roswell |
| 12 224105490487 | PANCICH GUILLERMO ISRAEL RAMOS & MARTINEZ NORMA A | 340 HEMBREE FOREST CIR | Roswell |
| 12 224105490479 | GOMEZ ALEXEI MENDIETA & GARCIA MIRLA PEREZ        | 350 HEMBREE FOREST CIR | Roswell |
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| 12 224105490453 | GOODRICH PHYLLIS JEAN                             | 370 HEMBREE FOREST CIR | Roswell |
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| 12 224105490438 | SWAY 2014 1 BORROWER LLC                          | 390 HEMBREE FOREST CIR | Roswell |
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| 12 224105490412 | JIMENEZ LUIS & JIMENEZ HOLLY                      | 410 HEMBREE FOREST CIR | Roswell |
| 12 224105490404 | BOLDEN LES                                        | 420 HEMBREE FOREST CIR | Roswell |
| 12 224105490396 | WRIGHT LISA L                                     | 430 HEMBREE FOREST CIR | Roswell |
| 12 224105490388 | JENNIFER JEAN MARTIN LIVING TRUST THE             | 440 HEMBREE FOREST CIR | Roswell |
| 12 224105490370 | MORALES FLORENCIO VALDEZ                          | 450 HEMBREE FOREST CIR | Roswell |
| 12 224105490362 | MICHEL ROSE M                                     | 460 HEMBREE FOREST CIR | Roswell |
| 12 224105490354 | LEAL JANE CHASTAIN & PITER                        | 470 HEMBREE FOREST CIR | Roswell |
| 12 224105490347 | SARAVIA OSWALDO A & SARAVIA KELSEY B              | 480 HEMBREE FOREST CIR | Roswell |
| 12 224105490339 | SWANSON KIMBERLY A                                | 490 HEMBREE FOREST CIR | Roswell |
| 12 224105490321 | LONG WILLIAM ERIC                                 | 500 HEMBREE FOREST CIR | Roswell |
| 12 224105490313 | GEERTESEMA JOHN JR                                | 510 HEMBREE FOREST CIR | Roswell |
| 12 224105490305 | IH3 PROPERTY GEORGIA LP                           | 520 HEMBREE FOREST CIR | Roswell |
| 12 224105490206 | AZIAKOU ADZO                                      | 530 HEMBREE FOREST CIR | Roswell |
| 12 224105490198 | ROSE THOMAS E III                                 | 215 HEMBREE FOREST CIR | Roswell |
| 12 224105490180 | SELTZER IRIS                                      | 225 HEMBREE FOREST CIR | Roswell |
| 12 224105490172 | HAZELTON CURTIS & SHENICQUA                       | 235 HEMBREE FOREST CIR | Roswell |
| 12 224105490164 | MC GEE LASHANDA                                   | 245 HEMBREE FOREST CIR | Roswell |
| 12 224105490586 | WYNN JOHN C                                       | 255 HEMBREE FOREST CIR | Roswell |
| 12 224105490594 | PLANK WILLIAM J JR                                | 295 HEMBREE FOREST CIR | Roswell |

## EXHIBIT A-3

|                     |                                              |                        |         |
|---------------------|----------------------------------------------|------------------------|---------|
| 12 224105490602     | HENEGAR BRADLEY T & CATHARINE T              | 305 HEMBREE FOREST CIR | Roswell |
| 12 224105490610     | LERNER VLADIMIR & SUAREZ BETILUZ             | 315 HEMBREE FOREST CIR | Roswell |
| 12 224105490628     | PRUSSIANO JOSEPH B JR & RICHARDSON CORINNE P | 325 HEMBREE FOREST CIR | Roswell |
| 12 224105490636     | CONNORS SCOTT A & LINDSAY K                  | 335 HEMBREE FOREST CIR | Roswell |
| 12 224105490644     | VAN CHRISTIAN T & VAN KELLY T                | 345 HEMBREE FOREST CIR | Roswell |
| 12 224105490651     | JACKSON CAROLYN J                            | 355 HEMBREE FOREST CIR | Roswell |
| 12 224105490677     | PEREZ MARIA E & CASTENA GABRIEL L            | 385 HEMBREE FOREST CIR | Roswell |
| 12 224105490685     | SHAFIK BAHAA M & KANATER SAHAR               | 425 HEMBREE FOREST CIR | Roswell |
| 12 224105490693     | SOTO ALEJANDRO ALANIS                        | 435 HEMBREE FOREST CIR | Roswell |
| 12 224105490701     | ROJAS WILLIAM R & ROJAS MANUELA M            | 445 HEMBREE FOREST CIR | Roswell |
| 12 224105490719     | WHIGHAM LAURA V & WHIGHAM RODNEY E           | 465 HEMBREE FOREST CIR | Roswell |
| 12 224105490727     | STELMACHERS ALEXANDER                        | 475 HEMBREE FOREST CIR | Roswell |
| 12 224105490735     | MCKINNEY MARILYN CHARLES                     | 485 HEMBREE FOREST CIR | Roswell |
| 12 224105490743     | FELKINS SIRLENE DA SILVEIRA                  | 495 HEMBREE FOREST CIR | Roswell |
| 12 224105490669     | HILL KATHY P & CURTIS                        | 505 HEMBREE FOREST CIR | Roswell |
| 12 -2150-0549-078-5 | GEBERT TANNA C                               | 1490 CHEROKEE TRL      | Roswell |
| 12 -2150-0549-080-5 | SARACCO WILLIAM D & SARACCO LYNN B           | 513 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-086-6 | ESTREMS MARIA DEL AMOR ORTEGA                | 515 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-088-2 | TEWFIK FARID SHAWKY                          | 517 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-079-1 | DECKER BONNIE L                              | 521 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-081-7 | BAGHERI ALI                                  | 523 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-089-5 | SOLORIO RAUL                                 | 527 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-087-4 | SERFOZO PATRICIA A                           | 525 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-085-8 | ROBINSON MICHAEL D                           | 524 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-082-5 | LOVEDAY BETTY                                | 512 STREAMSIDE DR      | Roswell |

MP-21-03/CU-21-05

# 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: Jay Fertig

Telephone: 754-300-3120 X4015

Address: 100 S.E. Third Ave

Suite: 1800

City: Ft. Lauderdale

State: FL

Zip: 33394

Fax: \_\_\_\_\_

Mobile Tel: 305 793 3541

Email: JFertig@advancedrecoveryystems.com

### Subject Property Information:

Address: 11725 Pointe Place

Current Zoning: O-I

District: 1

Section: 2

Land Lot: 550

Parcel ID: 12-2230-0550-086-6

Proposed Zoning: O-I

Current Use: vacant-former assisted living facility

### 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): \_\_\_\_\_



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## APPLICANT REQUEST AND INTENT

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

The proposed use is a rehabilitation facility for treatment of people suffering from addictions and substance abuse.

Applicant's Request (Please itemize the proposal):

To add congregate housing as a conditional use and to amend the master plan for the property to show congregate housing as a use. Congregate housing is a permitted use in the O-I zoning district (1. a.).

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

Applicant intends to operate an Advanced Recovery Systems Rehabilitation Facility for medical treatment of addictions and substance abuse in the existing structure at 11725 Pointe Place, Alpharetta, Georgia.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: 11725 Pointe Place LLC

Telephone: \_\_\_\_\_

Address: One SeaGate

Suite: 1500

City Toledo

State: Ohio

Zip: 43604

## 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

**Master Plan amendment**

## Identify Authorized Applicant:

Name of Authorized Applicant: Advanced Recovery Systems, LLC

Telephone: 754-300-3120X4015

Address: \_\_\_\_\_

Suite: \_\_\_\_\_

City Ft. Lauderdale

State: FL

Zip: 33394

## So Sworn and Attested:

Owner Signature: \_\_\_\_\_

Date: 2-18-21

**John J. Getchey**  
Authorized Signatory

Notary: \_\_\_\_\_

Notary Signature: \_\_\_\_\_

Date: 2/18/21



**LAURA A. SULLIVAN**  
Notary Public, State of Ohio  
My Commission Expires  
July 7, 2025

# DISCLOSURE FORM

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

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

Name of Applicant or Opponent: **Advanced Recovery Systems, LLC**

Subject Public Hearing Case: \_\_\_\_\_

## Campaign Contribution Information:

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

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

Name of Official: **NONE**

Position: \_\_\_\_\_

Description of Contribution: **N/A**

Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_

Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_

Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_

Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_

Value: \_\_\_\_\_

## Campaign Contribution Information:

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

Signature: \_\_\_\_\_

Date: **3/17/21**

---

# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

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How will this proposal be compatible with surrounding properties?

Property is part of an existing mixed O-I development and was formerly occupied by residents and staff of an assisted living/memory care facility. Surrounding properties are zoned PSC (former Whole Foods distribution center), office (north) and residential (west [Taylor Oaks] & south [Hembree Forest] in Roswell). No exterior changes are planned. The project is compatible with little change from prior use.

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

The approval of this use should have no impact on surrounding property values. The zoning is not changing nor is the building exterior. The use "congregate housing" is being added as a conditional use. The property was formerly used as an assisted living facility.

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

The property is fully developed and complete. This application only adds a conditional use. The zoning category is not being changed. The property is vacant and was previously occupied by assisted living/memory care patients.

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

The typical daily population will be 75 people. The average daily trip count will be 164 trips with an AM Peak of 10 trips and a PM Peak trip count of 13 trips.

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

There will be no impact to schools and no increase in students. The development is presently served by all public utilities in sufficient quantities. This use will not increase the demand.

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

The Future Land Use Plan shows the property as Professional Business Office. The proposed use is consistent. Aggregate Housing is permitted in the district.

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

This is not a rezoning application. It is a Conditional Use application. No response is required. The surrounding area is all developed and stable.

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.



# 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: 11725 Pointe Place

Contact Name: Don Rolader

Telephone: 770-442-0330

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

All of those persons listed on Exhibit A attached

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

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

They may respond by telephone, email, written correspondence or by in person or Zoom meeting

# EXHIBIT A-1

| Tax Parcel      | Owner                                        | Address                |            |
|-----------------|----------------------------------------------|------------------------|------------|
| 12 223005500825 | WHOLE FOODS MARKET GROUP INC                 | 1180 UPPER HEMBREE RD  | Alpharetta |
| 12 223005500866 | 11725 POINTE PLACE LLC                       | 11725 UPPER HEMBREE RD | Alpharetta |
| 12 223005500924 | POINTE PLACE LLC                             | 11731 POINTE PL        | Alpharetta |
| 12 223005500965 | ICREATE LLC                                  | 11755 POINTE PL        | Alpharetta |
| 12 223005501229 | SC INVESTMENT HOLDINGS LLC                   | 11735 POINTE RD        | Alpharetta |
| 12 223205500344 | DORSETT DAVID EDWARDS & DORSETT LAUREN MARIE | 1060 TAYLOR OAKS DR    | Roswell    |
| 12 223205500351 | ECHOLS BRANDON T                             | 1070 TAYLOR OAKS DR    | Roswell    |
| 12 223205500369 | MIODUSER SUSAN A & HUNTER JEFFREY E          | 1080 TAYLOR OAKS DR    | Roswell    |
| 12 223205500377 | ARGO E DONALD & BRITT A                      | 1090 TAYLOR OAKS DR    | Roswell    |
| 12 223205500385 | HILL ANDRE S & HILL CEDRA ALANA              | 1100 TAYLOR OAKS DR    | Roswell    |
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| 12 224105490180 | SELTZER IRIS                                      | 225 HEMBREE FOREST CIR | Roswell |
| 12 224105490172 | HAZELTON CURTIS & SHENICQUA                       | 235 HEMBREE FOREST CIR | Roswell |
| 12 224105490164 | MC GEE LASHANDA                                   | 245 HEMBREE FOREST CIR | Roswell |
| 12 224105490586 | WYNN JOHN C                                       | 255 HEMBREE FOREST CIR | Roswell |
| 12 224105490594 | PLANK WILLIAM J JR                                | 295 HEMBREE FOREST CIR | Roswell |

# EXHIBIT A-3

|                     |                                              |                        |         |
|---------------------|----------------------------------------------|------------------------|---------|
| 12 224105490602     | HENEGAR BRADLEY T & CATHARINE T              | 305 HEMBREE FOREST CIR | Roswell |
| 12 224105490610     | LERNER VLADIMIR & SUAREZ BETILUZ             | 315 HEMBREE FOREST CIR | Roswell |
| 12 224105490628     | PRUSSIANO JOSEPH B JR & RICHARDSON CORINNE P | 325 HEMBREE FOREST CIR | Roswell |
| 12 224105490636     | CONNORS SCOTT A & LINDSAY K                  | 335 HEMBREE FOREST CIR | Roswell |
| 12 224105490644     | VAN CHRISTIAN T & VAN KELLY T                | 345 HEMBREE FOREST CIR | Roswell |
| 12 224105490651     | JACKSON CAROLYN J                            | 355 HEMBREE FOREST CIR | Roswell |
| 12 224105490677     | PEREZ MARIA E & CASTENA GABRIEL L            | 385 HEMBREE FOREST CIR | Roswell |
| 12 224105490685     | SHAFIK BAHAA M & KANATER SAHAR               | 425 HEMBREE FOREST CIR | Roswell |
| 12 224105490693     | SOTO ALEJANDRO ALANIS                        | 435 HEMBREE FOREST CIR | Roswell |
| 12 224105490701     | ROJAS WILLIAM R & ROJAS MANUELA M            | 445 HEMBREE FOREST CIR | Roswell |
| 12 224105490719     | WHIGHAM LAURA V & WHIGHAM RODNEY E           | 465 HEMBREE FOREST CIR | Roswell |
| 12 224105490727     | STELMACHERS ALEXANDER                        | 475 HEMBREE FOREST CIR | Roswell |
| 12 224105490735     | MCKINNEY MARILYN CHARLES                     | 485 HEMBREE FOREST CIR | Roswell |
| 12 224105490743     | FELKINS SIRLENE DA SILVEIRA                  | 495 HEMBREE FOREST CIR | Roswell |
| 12 224105490669     | HILL KATHY P & CURTIS                        | 505 HEMBREE FOREST CIR | Roswell |
| 12 -2150-0549-078-3 | GEBERT TANNA C                               | 1490 CHEROKEE TRL      | Roswell |
| 12 -2150-0549-080-5 | SARACCO WILLIAM D & SARACCO LYNN B           | 513 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-086-6 | ESTREMS MARIA DEL AMOR ORTEGA                | 515 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-088-7 | TEWFIK FARID SHAWKY                          | 517 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-079-1 | DECKER BONNIE L                              | 521 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-081-7 | BAGHERI ALI                                  | 523 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-089-0 | SOLORIO RAUL                                 | 527 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-087-4 | SERFOZO PATRICIA A                           | 525 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-085-8 | ROBINSON MICHAEL D                           | 524 STREAMSIDE DR      | Roswell |
| 12 -2150-0549-082-5 | LOVEDAY BETTY                                | 512 STREAMSIDE DR      | Roswell |

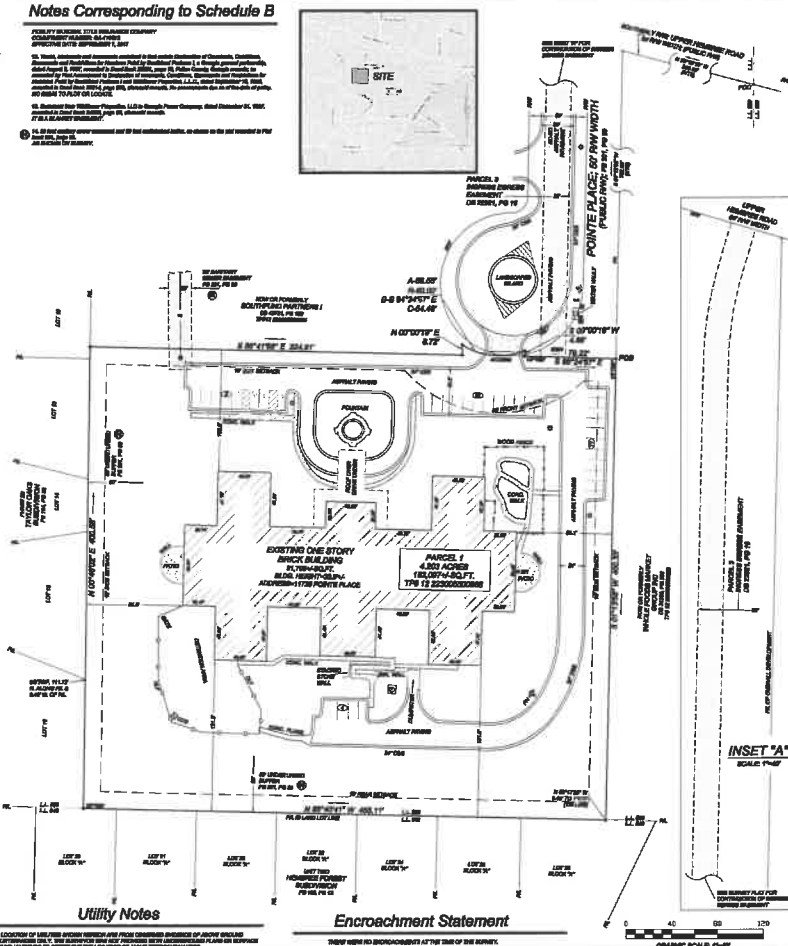


[illegible][illegible][illegible][illegible]

My greatest pleasure in this property is in thought \_\_\_\_\_ of the Food Services State Rep. Community  
 Food \_\_\_\_\_, which began on October 1st of \_\_\_\_\_ and is not in a  
 Special Food Service Area.

THE LOCATION OF THE/THIS AVIATION SECTION ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND  
APPROXIMATIONS ONLY. THE AIRCRAFT ARE NOT PRESENTLY WITH UNDEVELOPED PLANS ON SURFACE  
GROUND MARKERS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN TUNNEL.

**Encroachment Statement**  
THERE WERE NO ENCROACHMENTS AT THE TIME OF THE SURVEY.

[illegible][illegible][illegible]

**CRESURVEYS**  
**EMAIL: INFO@CRESURVEYS.COM**  
**PHONE: (330) 777-0502**  
**24 N. High Street, Suite 103, Akron, OH 44308**

## **EXHIBIT A**

### **Depiction of Land**

#### **PARCEL 1:**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LAND LOT 550 OF THE 1ST DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION FORMED BY THE SOUTHERLY RIGHT OF WAY LINE OF UPPER HEMBREE ROAD (80 FOOT RIGHT OF WAY AND EASTERLY LINE OF LAND LOT 550) (SAID LAND LOT LINE ALSO BEING THE COMMON LINE BETWEEN LAND LOTS 550 AND 553); THENCE NORTH 75 DEGREES 16 MINUTES 18 SECONDS WEST A DISTANCE OF 310.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 13 MINUTES 58 SECONDS WEST A DISTANCE OF 792.69 FEET TO A 1/2 INCHES REBAR SET AT THE TRUE POINT BEGINNING; THENCE SOUTH 01 DEGREE 13 MINUTES 58 SECONDS WEST A DISTANCE OF 400.33 FEET TO A 1 INCH OPEN TOP PIPE FOUND; THENCE NORTH 88 DEGREES 40 MINUTES 41 SECONDS WEST A DISTANCE OF 455.11 FEET TO A 3/8 INCH REBAR FOUND; THENCE NORTH 00 DEGREES 46 MINUTES 02 SECONDS EAST A DISTANCE OF 400.58 FEET TO A 5/8 INCH REBAR SET; THENCE SOUTH 88 DEGREES 41 MINUTES 56 SECONDS EAST A DISTANCE OF 324.91 FEET TO A POINT; THENCE N 00°00'19" E A DISTANCE OF 8.72 FEET TO A POINT IN THE RIGHT-OF-WAY OF POINTE PLACE; THENCE ALONG SAID RIGHT-OF-WAY LINE AND FOLLOWING A REGULAR CURVE TO THE LEFT AN ARC DISTANCE OF 56.55 FEET, SAID CURVE HAVING CHORD BEARING OF SOUTH 84 DEGREES 24 MINUTES 57 SECONDS EAST AND A CHORD DISTANCE 54.48 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY LINE S 00°00'19" W A DISTANCE OF 4.66 FEET TO A POINT; THENCE SOUTH 88 DEGREES 24 MINUTES 57 SECONDS EAST A DISTANCE OF 79.22 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL CONTAINING 183,097 SQUARE FEET OR 4.203 ACRES OF LAND MORE OR LESS.

#### **PARCEL 2:**

TOGETHER WITH THOSE EASEMENT RIGHTS ARISING UNDER THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR HEMBREE POINT BY SOUTHFUND PARTNERS I, A GEORGIA GENERAL PARTNERSHIP, DATED AUGUST 5, 1997, FILED FOR RECORD AUGUST 6, 1997, AT 12:45 P.M., RECORDED IN DEED BOOK 22921, PAGE 16, RECORDS OF FULTON COUNTY, GEORGIA; AS AMENDED BY THAT FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR HEMBREREE POINT BY SOUTHFUND PARTNERS 1 AND WILDFLOWER PROPERTIES, L.L.C., DATED SEPTEMBER 15, 1998, FILED FOR RECORD SEPTEMBER 22, 1998 AT 10:30 A.M., RECORDED IN DEED BOOK 25214, PAGE 209, AFORESAID RECORDS.

**ROLADER & ROLADER, P.C.**

**ATTORNEYS & COUNSELORS AT LAW**

**P.O. Box 277**

**MARBLE HILL, GEORGIA 30148**

**(770) 442-0330**

**Physical Address: 200 Foothills Pkwy.**

**Marble Hill, Georgia 30148**

**www.roladerandrolader.com**

**DONALD A. ROLADER**  
**don@roladerandrolader.com**

**D.W. "Pete" ROLADER**  
**1924 – 2011**

March 1, 2021

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

RE: Application of Advanced Recovery Systems, LLC for Conditional Use (Congregate Housing) and Master Plan Amendment, 4.203 acres at 11725 Pointe Place, City of Alpharetta, Fulton County, Georgia; Letter of Intent

Dear Mayor and Councilpersons:

This firm represents Advanced Recovery Systems, LLC, the Applicant, which is seeking approval of this Conditional Use Application and Master Plan Amendment. This correspondence shall be construed as the Letter of Intent for this Application.

The subject property contains approximately 4.203 acres and is located on Pointe Place adjacent to the Whole Foods site on Upper Hembree Road. It is presently owned by 11725 Pointe Place LLC. Applicant seeks a Conditional Use Permit and Master Plan Amendment to allow the operation of a Rehabilitation facility for the treatment of persons suffering from addictions and substance abuse. The property is fully developed and was previously a memory care/assisted living facility.

Applicant operates multiple rehabilitation facilities in the United States and is experienced in this medical field. Applicant will treat people eighteen years of age or older for Alcohol and Drug Abuse/Dependency including onsite detoxification; Secondary Mental Health Disorders including mood disorders (anxiety, depression and bipolar disorders), personality disorders (Borderline, Histrionic, Narcissistic and Dependent) and Process Addictions.

Mayor and City Council  
March 1, 2021  
Page Two

The levels of care offered at the facility will be 1) Detox, 2) Intensive Inpatient, 3) Residential, 4) Partial Hospitalization, 5) Intensive Outpatient and 6) Outpatient Care. The leadership Team will include a Medical Director, Clinical Director, Executive Director, Nursing Director and BHT Supervisor. Patients range in age from eighteen to those in their sixties. Clients will not have automobiles and their access to cell phones is restricted to certain levels of care. The facility will be licensed by the State of Georgia. Housekeeping and meals will be provided onsite. Within forty-eight hours after admission, each client will receive a medical history and physical examination as well as a psychiatric evaluation. The facility accepts most private insurance policies but does not accept Medicare and Medicaid. The facility operates twenty-four hours a day seven days a week with a peak staff of approximately thirty.

The granting of this Conditional Use will have no negative impact on adjoining or nearby properties, but will provide a compatible use similar in nature to the previous use. This development will not unduly tax any City of Alpharetta services, including, but not limited to, fire and police protection, and garbage collection. Presently water and sewer services are available through Fulton County. The use change will have no impact on the Fulton County School System. This application, if approved, provides benefit to the City, the Applicant and the citizens who may have a need for its services. It is a quiet, unobtrusive use which generates little traffic.

Constitutional Objections are attached hereto as Exhibit A, and made a part hereof by reference.

Property owner respectfully requests that the Mayor and City Council approve this Conditional Use Application and Master Plan Amendment to allow the use of the property as stated in this Letter of Intent.

Very truly yours,  
ROLADER & ROLADER, P.C.



Donald A. Rolader



## **CONSTITUTIONAL OBJECTIONS**

Georgia Law and the procedures of the City of Alpharetta require us to raise Federal and State Constitutional objections during the rezoning application process. While the Owner anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the owner will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

A denial of the Application would be unconstitutional in that it would destroy the Owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Alpharetta, or the Unified Development Code of the City of Alpharetta, to the Subject Property that prohibits the Owner from developing the Subject Property as proposed is unconstitutional, illegal, null and void because such an application constitutes a taking of the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and a violation of the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would also constitute an arbitrary and capricious act by the City of Alpharetta without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Alpharetta to grant the Application would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner and Owners of similarly situated property in violation of Article I,

Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Application that subjects the Subject Property to conditions that are different from the conditions requested by the Owner, to the extent such different conditions would have the effect of further restricting the Owner's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional category and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

In addition, this constitutes formal written notice to City of Alpharetta, pursuant to O.C.G.A. § 36-33-5, that the Owner plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Subject Property by the City of Alpharetta. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Subject Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner respectfully requests that the City of Alpharetta grant the Application as requested.

ROLADER & ROLADER, P.C.

By:   
Donald A. Rolader  
Attorney for Owner

P.O. Box 277  
Marble hill, GA 30148  
770-442-0330



# CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

## I. AGENDA ITEM TITLE: CU-21-04/V-21-07 WESTSIDE WINE & SPIRITS

PLANNING COMMISSION: MAY 6, 2021

CITY COUNCIL: MAY 24, 2021

## II. RECOMMENDATION:

Approve CU-21-04 Westside Wine & Spirits subject to the conditions below and deny V-21-07 request for landscape strip variance.

1. 'Liquor Store' shall be added as a conditional use at 2125 Hembree Road and limited to no more than 9,880 square feet.
2. Conditional use approval shall be limited to Westside Wine & Spirits; no additional 'Liquor Store' use or subleasing shall be permitted within the approved space.
3. Liquor Store shall be limited to package sales of beer, wine and liquor.
4. Hours of operation shall be Monday – Thursday 9:00 AM – 10:00 PM, Friday – Saturday 9:00 AM – 11:00 PM and Sunday 12:30 PM – 8:00 PM.
5. The site shall be developed substantially similar to site plan prepared by Contineo Group, dated 4/29/2021, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
6. Hembree and Westside streetscapes shall be substantially as shown on the submitted site plan with heavy ornamental landscaping between the buildings and the sidewalk. The landscape strip along Westside Parkway shall be 20'.
7. Existing street trees along Westside Parkway shall be saved as depicted on the site plan prepared by Contineo Group, dated 4/29/2021.
8. Property shall be limited to 1 curb cut on Hembree Road and 1 curb cut on Westside Parkway.
9. Buildings shall have an exterior which is primarily brick or stone, as approved by DRB. Buildings shall be oriented to the street and shall include a street-facing front door and windows with no glazing. There shall be no blank walls visible from the street.
10. Retaining walls over 14' shall be terraced with a minimum 4' planter in between and planted with a mix of shrubs and vines, with final approval by DRB. Retaining wall at the rear of the property shall be faced with a decorative masonry product that is compatible with materials used on the principal buildings, with final approval by DRB. Retaining wall along Hembree Road shall be faced with brick or stone and shall be terraced if over 7' with a minimum 4' planter in between and planted with a mix of shrubs and vines, with final approval by DRB. Fall protection railing required for retaining walls shall be decorative, as approved by DRB.
11. A minimum 30% open space shall be provided on the property and shall be improved with hardscape and landscape, with final approval by Staff.
12. Developer shall dedicate a permanent easement across the south end of the property for a pedestrian walking path for future connection to Maxwell Road.
13. EcoDistrict measures for the proposed development shall include the use of Sustainable Landscaping and Bio-Retention, as approved by Staff.

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

The applicant, Contineo Group, is requesting a conditional use and variance to allow Westside Wine & Spirits to operate a 'Liquor Store' in a 9,880 square foot free-standing building. A convenience center with sixteen (16) gas pumps is also proposed as part of the development; however, the use is permitted by-right on the subject property. A variance is requested to reduce the landscape strip along Westside Parkway from twenty-feet (20') to ten-feet (10'). The subject property is located at 2125 Hembree Road at the west corner of Hembree Road and Westside Parkway.

### **DISCUSSION**

The submitted request, if approved, would allow Westside Wine & Spirits to operate a 'Liquor Store' in a 9,880 square foot free-standing building. A convenience center with sixteen (16) gas pumps is also proposed as part of the development; however, the use is permitted by-right on the subject property. A conditional use is requested to allow a 'Liquor Store' and a variance is requested to reduce the landscape strip along Westside Parkway from twenty-feet (20') to ten-feet (10'). The subject property is located at 2125 Hembree Road at the northwest corner of Hembree Road and Westside Parkway.

The 3.05-acre undeveloped property is zoned CUP (Community Unit Plan) and is subject to the Cousins Westside Master Plan Pod B, which allows 'Liquor Store' with approval of a conditional use. Surrounding properties are zoned CUP, except the property to the west is zoned LI (Light Industrial). An undeveloped property is located to the north, two (2) office buildings are located to the east, Public Storage and a concrete plant are located to the west, and Westside Villas is located to the south. The Comprehensive Land Use Plan designation of the property is 'Business, Manufacturing, Warehousing, Light Industrial'.

Westside Wine & Spirits is a new business. The applicant has experience in liquor store management and will focus on high end liquors and wines. Hours of operation are Monday – Thursday 9:00 AM – 10:00 PM, Friday – Saturday 9:00 AM – 11:00 PM and Sunday 12:30 PM to 8:00 PM. The applicant anticipates approximately three (3) employees.

A variance is requested from Unified Development Code (UDC) Subsection 3.2.8(D) Landscape Strips, to reduce the landscape strip along Westside Parkway from twenty-feet (20') to ten-feet (10'). According to the applicant, the variance is necessary due to the shape and topography of the site. The elevation difference from the street frontage to the rear of the property is approximately thirty-feet (30'). The applicant believes that the reduced landscape strip would help keep the height of the retaining wall down at the rear of the property. According to the applicant, the retaining wall is approximately ten-feet (10') to fifteen-feet (15') assuming a reduced landscape strip. It is recommended that the retaining wall have a decorative finish and that the wall is terraced with planters in between.

### **SITE PLAN**

The submitted site plan depicts a 9,880 square free-standing Liquor Store on the northern half of the property and a 5,500 square foot convenience center with sixteen (16) gas pumps on the middle portion of the property with surface parking behind the buildings. The south end of the site is depicted to remain undeveloped. The liquor store is pulled up to Hembree Road with a ten-foot (10') setback. The convenience center is pulled up to the intersection with the gas pumps located behind, which is an orientation required by the Cousins Westside Master Plan.



Two (2) driveways are depicted providing access to the property: one (1) from Hembree Road and one (1) from Westside Parkway. The Westside Parkway streetscape is depicted with a ten-foot (10') planter, twelve-foot (12') sidewalk and ten-foot (10') landscape strip. The Hembree Road streetscape is depicted with a six-foot (6') planter, twelve-foot (12') sidewalk and ten-foot (10') landscape strip. 69 parking spaces are provided to serve the proposed uses, which meets the minimum parking requirements for each use and including the required twenty percent (20%) reduction in parking in the North Point Overlay.

Retaining walls are depicted at the rear of the property and within approximately 20' of Hembree Road on the north end of the property. According to the applicant, the retaining walls are needed due to the steep topography of the site. The retaining wall proposed at the rear of the property is proposed to be between 10' – 15' in height and located approximately 15' off the rear property line. The retaining wall along Hembree Road is four-feet (4') in height and setback approximately 22' from the property line. A note on the site plan indicates that the wall will be faced with brick or decorative stone.

The site plan calls out 54%, or 71,110 square feet of open space, of which the North Point Overlay requires a minimum 15%. If approved, open space should be improved with seating/gathering areas, hardscape and landscape. The applicant proposes to meet the North Point EcoDistrict requirements using the following measures: Building Energy Efficiency – 2 points, Building Water Efficiency – 2 points, Bio-Retention – 2 points and Alternative Measure – 1 point. The use of Sustainable Landscaping and Bio-Retention is strongly encouraged at this location.

## **TRAFFIC**

Staff estimates that the 9,880 square foot 'Liquor Store' would generate 128 PM Peak Hour trips. According to the traffic study submitted by the applicant, the convenience store with gas pumps would generate 224 PM Peak Hour trips. Therefore, the total expected PM Peak Hour traffic is 352 trips into and out of the development. The applicant's traffic study reduces the total trips to account for internal capture and pass-by trips; however, the information in the traffic study does not properly account for the liquor store and includes a car wash, which has since been removed from the proposed site plan.

## **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 proposed use should not have significant impacts on vehicular and pedestrian access. The site plan depicts access to the property from Hembree Road and Westside Parkway.*

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 applicant's site plan complies with the above-mentioned improvements.*

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, which are primarily developed with office and industrial uses. The nearest residential use is located at Westside Villas to the south, of which the nearest residential unit is approximately 750' away from the liquor store.*

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, which are primarily developed with office and industrial uses. The nearest residential use is located at Westside Villas to the south, of which the nearest residential unit is approximately 750' away from the liquor store.*

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 located in a transitional area. Properties are developed with industrial and office uses to the north, east and west and residential uses to the south.*

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 nearest residence to the proposed 'Liquor Store' is located to the south in Westside Villas, which is approximately 750' away and complies with the City's minimum distance of 200' associated with an alcohol license. The nearest school to the proposed Liquor Store is located to the west at the International Charter School of Atlanta, which is approximately 2,225' away and complies with the City's minimum distance of 300' associated with an alcohol license. The nearest similar uses are Red's Package Store and Total Wine, which are approximately 3,300' and 5,200' away, respectively. All distances above were measured in a straight-line distance, as the crow flies.*

## **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 upon a finding that":

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

*Response: The property has an unusual shape and steep topography. However, the hardship does not relate to the requested variance. The site could be developed with the depicted development mix and accommodating the required landscape strip.*

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

*Response: Application of the ordinance would not create an unnecessary hardship. The site could be developed with the depicted development mix and accommodating the required landscape strip.*

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

*Response: The property has an unusual shape and steep topography. However, the hardship does not relate to the requested variance. The site could be developed with the depicted development mix and accommodating the required landscape strip.*

(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: Granting the variance would cause a substantial detriment to the public good. The site could be developed with the depicted development mix and accommodating the required landscape strip.*

## **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 developed with office and industrial uses. The City's Public Safety Department was not aware of any issues at other liquor stores in the City.

The requested variance is in conflict with the established variance review criteria. The site could be developed with the proposed development mix and accommodating the required twenty-foot (20') landscape strip along Westside Parkway.

## **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 concerns were raised by parents from the International Charter School of Atlanta, which is located at 1675 Hembree Road. Concerns voiced were proximity of the liquor store to the school and crime associated with a liquor store.

City Staff has received sixteen (16) emails objecting to the proposed Liquor Store. Concerns include crime, traffic, and proximity to the International Charter School of Atlanta.

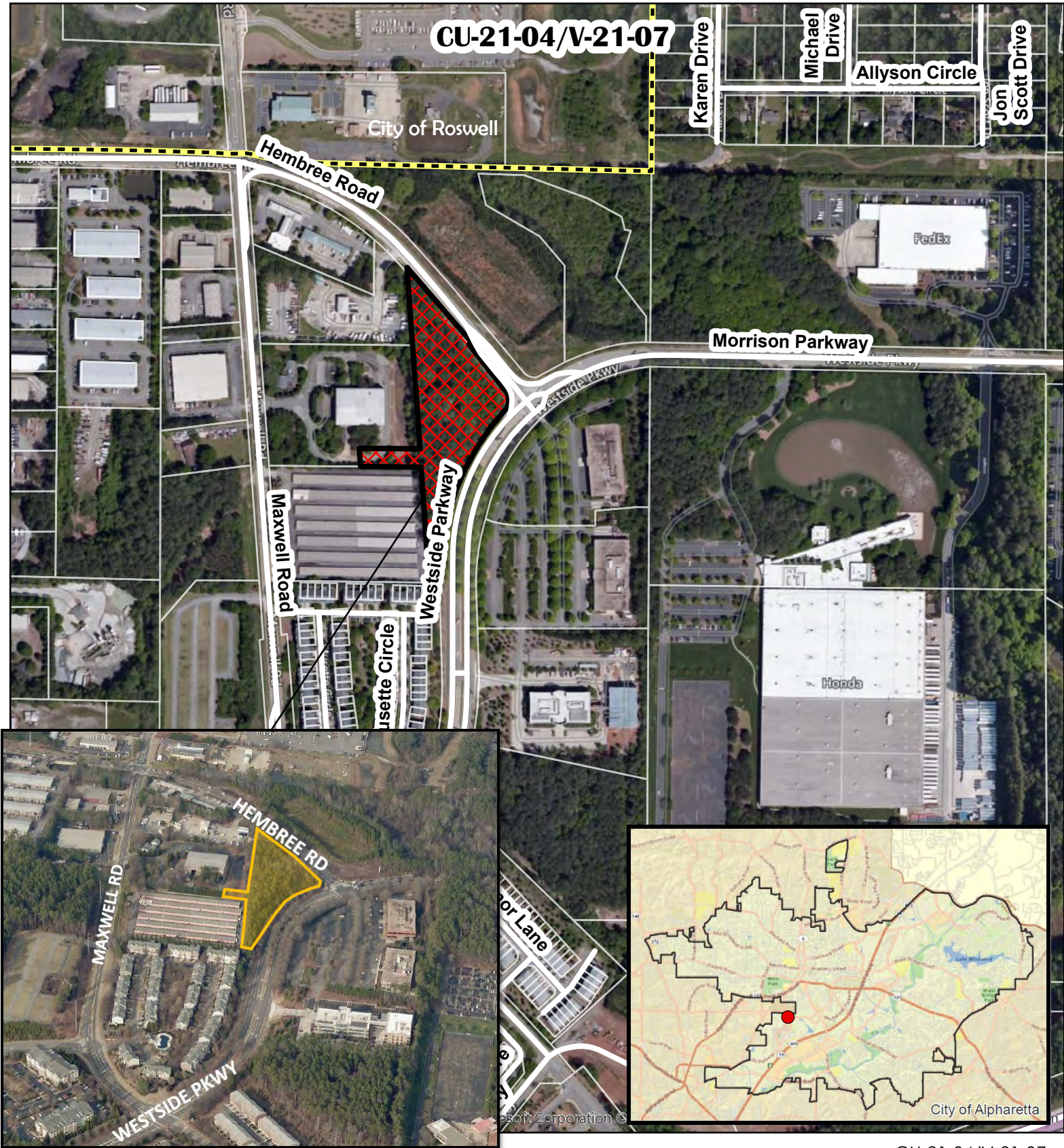
## **COMMUNITY ZONING INFORMATION MEETING**

The CZIM was held on April 14, 2021. There were several public comments and questions with concerns over crime, entrance too close to the intersection, why an additional liquor store is needed given the proximity to Red's and Total Wine, proximity to the International Charter School of Atlanta, and what the liquor store will specialize in.

### **IV. ATTACHMENTS:**

- Site Plan
- Building Elevations





Aerial Map  
Westside Wine & Spirits  
2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS





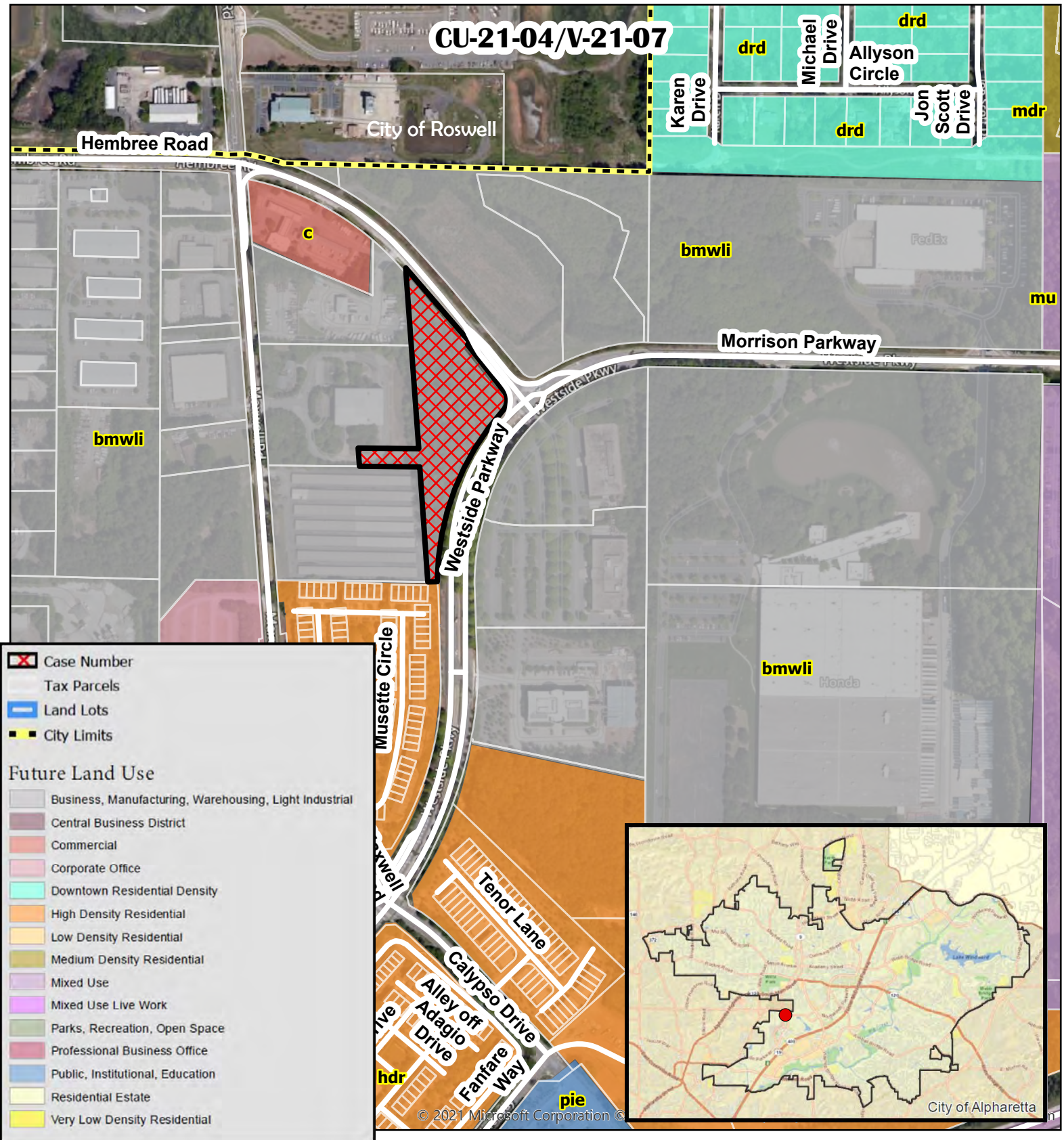
# Zoning Map Westside Wine & Spirits 2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21



Map Source :  
Community Development GIS



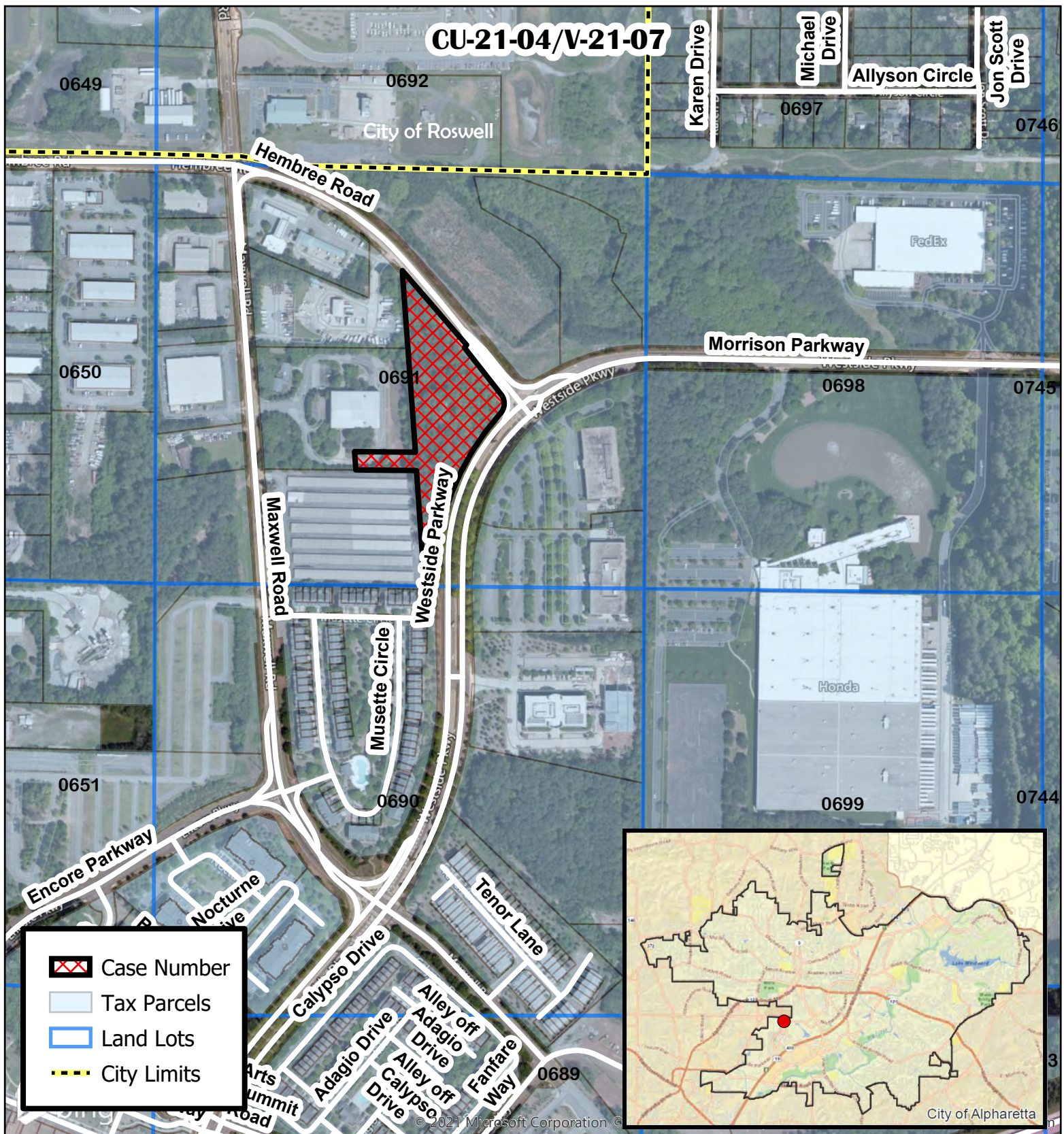


# Future Land Use Westside Wine & Spirits 2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS





# Location Map Westside Wine & Spirits 2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS



| <i><b>PARKING SUMMARY</b></i>                                                                                                                          |          |      |         |            |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|---------|------------|----------|
|                                                                                                                                                        | BUILDING | MIN. | REDUCED | MIN. ALLOW | PROVIDED |
| C-STORE                                                                                                                                                | 5,500-SF | 22   | -4      | 18         | 22       |
| GAS PUMP                                                                                                                                               | 8 PUMPS  | 16   | -3      | 13         | 16       |
| RETAIL                                                                                                                                                 | 9,700-SF | 48   | -10     | 38         | 29       |
| TOTAL                                                                                                                                                  |          | 86   | -17     | 69         | 69       |
| REQUIREMENTS BASED ON:                                                                                                                                 |          |      |         |            |          |
| <ul style="list-style-type: none"> <li>CONVENIENCE STORE: 2 SPACES/PUMP + 1/250-SF</li> <li>RETAIL: 1/200-SF</li> <li>20% REDUCTION ALLOWED</li> </ul> |          |      |         |            |          |

|          | BUILDING | MIN. | REDUCED | MIN. ALLOW | PROVIDED |
|----------|----------|------|---------|------------|----------|
| C-STORE  | 5,500-SF | 22   | -4      | 18         | 22       |
| GAS PUMP | 8 PUMPS  | 16   | -3      | 13         | 16       |
| RETAIL   | 9,700-SF | 48   | -10     | 38         | 29       |
| TOTAL    |          | 86   | -17     | 69         | 69       |

REQUIREMENTS BASED ON:

- CONVENIENCE STORE: 2 SPACES/PUMP + 1/250-SF
- RETAIL: 1/200-SF
- 20% REDUCTION ALLOWED

| <b><i>SITE DATA</i></b> |                              |
|-------------------------|------------------------------|
| LOCAL JURISDICTION      | CITY OF ALPHARETTA           |
| PRIMARY PARCEL ID       | 12 25900610670               |
| ZONING DESIGNATION      | CUP                          |
| OVERLAY DISTRICT        | NORTHPOINT ACTIVITY AREA     |
| TOTAL PROPERTY ACREAGE  | 3.049 ACRES (132,803 SQ.FT.) |
| MAX. BUILDING HEIGHT    | LESSER OF 4-STORY OR 65'     |
| MIN. BUILDING HEIGHT    | 2-STORY OR 20'               |

ECODISTRICT REQUIREMENTS:  
7 POINT MINIMUM FOR CONSTRUCTION OF NEW BUILDINGS

PROPOSED MEASURES:

- |                               |          |
|-------------------------------|----------|
| 1. BUILDING ENERGY EFFICIENCY | 2 POINTS |
| 2. BUILDING WATER EFFICIENCY  | 2 POINTS |
| 3. BIO-RETENTION              | 2 POINTS |
| 4. *ALTERNATIVE MEASURE       | 1 POINTS |

\* PEDESTRIAN BENCH AND TRASH CONTAINER IN PLANTER STRIP ALONG STREET FRONTAGE. 5 OF EACH TOTAL

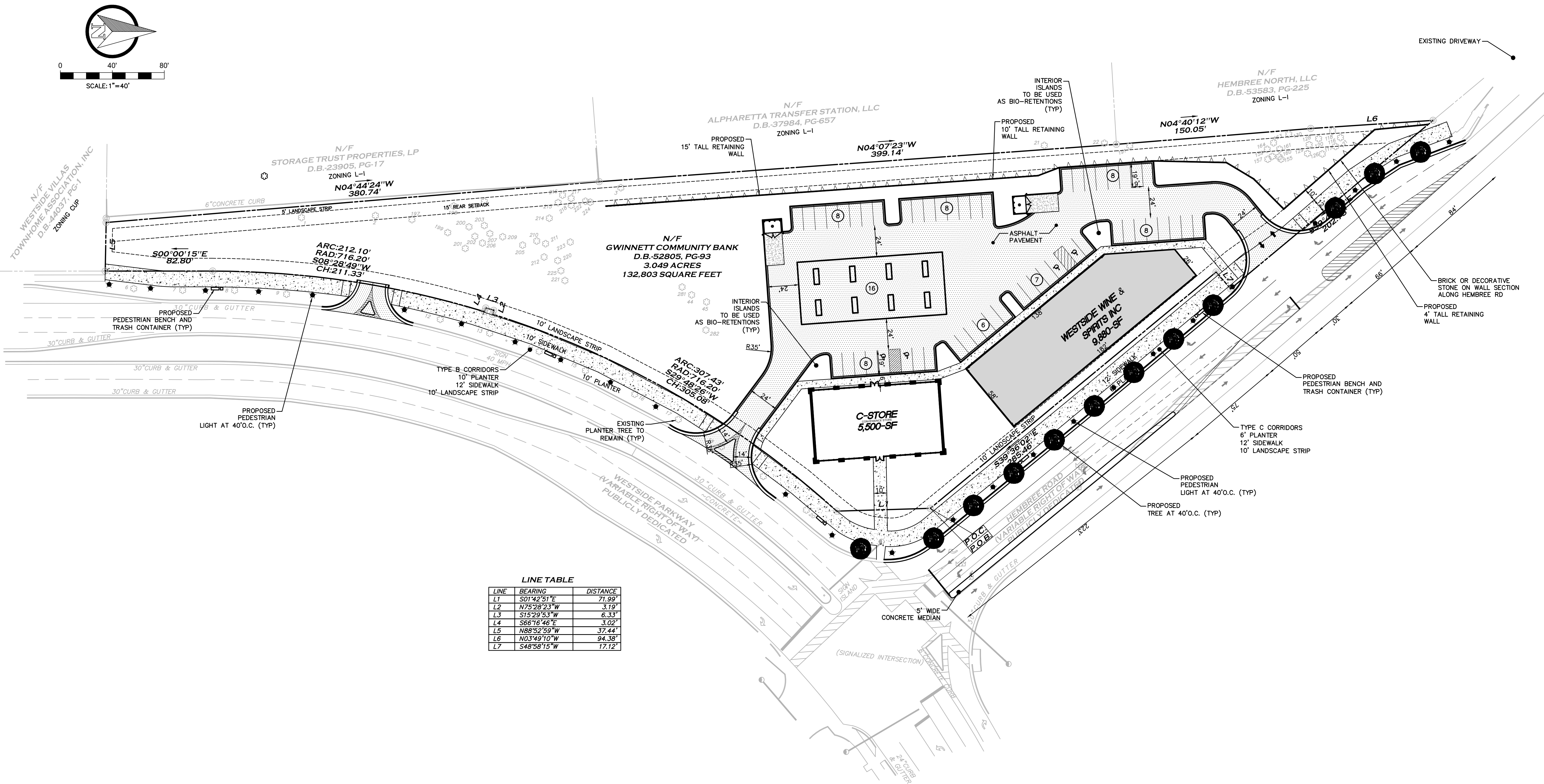
|                             |                 |
|-----------------------------|-----------------|
| MINIMUM OPEN SPACE REQUIRED | 15% (19,921 SF) |
| PROPOSED OPEN SPACE         | 54% (71,110 SF) |



PROPERTY LINE  
 BUILDING SETBACK/BUFFER  
 10  
 PARKING COUNT

[illegible]

N.T.S.



| <b>LINE</b> | <b>BEARING</b>     | <b>DISTANCE</b> |
|-------------|--------------------|-----------------|
| <b>L1</b>   | <b>S01°42'51"E</b> | <b>71.99'</b>   |
| <b>L2</b>   | <b>N75°28'23"W</b> | <b>3.19'</b>    |
| <b>L3</b>   | <b>S15°29'53"W</b> | <b>6.33'</b>    |
| <b>L4</b>   | <b>S66°16'46"E</b> | <b>3.02'</b>    |
| <b>L5</b>   | <b>N88°52'59"W</b> | <b>37.44'</b>   |
| <b>L6</b>   | <b>N03°49'10"W</b> | <b>94.38'</b>   |
| <b>L7</b>   | <b>S48°58'15"W</b> | <b>17.12'</b>   |

A circular professional engineer seal for the State of Georgia. The outer ring contains the text "GEORGIA" at the top and "REGISTERED" at the bottom. Inside the ring, the text "No. 27880" is printed above "PROFESSIONAL ENGINEER". A handwritten signature, "Bryan H. Russell", is written across the center of the seal. The initials "P.E." are written to the right of the seal.

**CONTINEO GROUP**  
755 COMMERCE DRIVE  
SUITE 800  
DECATUR, GA 30030  
770.335.9403  
[www.tcg.engineer](http://www.tcg.engineer)



**WESTSIDE COMMERCIAL  
PROPERTIES INC**

2363 SEABORN PLACE  
DULUTH, GA 30097  
CONTACT: MIKE PANJWANI  
770.401.9655

WESTSIDE PARKWAY  
DEVELOPMENT

ISSUED FOR: PERMITTING

JURISDICTION: CITY OF ALPHARETTA

LOCATION: 2125 HEMBREE ROAD,  
ALPHARETTA, GA 30009

[illegible]

These drawings and the design represented herein are the exclusive property of The Centino Group. Reproduction or any use of these drawings other than for the project intended without the express written consent of The Centino Group is prohibited. Any unauthorized use will be subject to legal action.

|                      |                      |
|----------------------|----------------------|
| DRAWN:<br><b>JPD</b> | CHECK:<br><b>BHR</b> |
|----------------------|----------------------|

|               |                 |
|---------------|-----------------|
| JOB NO:       | DATE:           |
| <b>20-253</b> | <b>04/29/21</b> |

## SITE PLAN

SHEET **C2**

**C2**



***CU-21-04/V-21-07 WESTSIDE WINE & SPIRITS***

1. Aren't there already 2 liquor stores close by – do we need another one? [Felt this was a strategic location for high-end liquor sales.](#)
2. School located .4 mile – not appropriate for area. Concerned about pedestrian foot traffic with alcohol. [Expect most traffic to be vehicles.](#)
3. Already a gas station nearby?
4. Retaining wall detail plan?
5. Crime concern – smoke shop & recycling center have had issues.
6. What will store offer that Red's & Total Wine don't have? [High-end liquor](#)
7. Entrance from Hembree close to light? [Entrance has been moved](#)
8. Competition is a good thing

19:01:18 From Megan A : I live in the area and aren't there already 2 liquor stores within a mile of the proposed location? Do we really need another liquor store?

19:02:18 From Marisa Salcines : I am the Governing Board Chair for the International Charter School of Atlanta a school located on Hembree Road about 4/10ths of a mile away from this location. As a Board Member and parent, I noticed that the application specifically asks for a variance on landscaping in order to promote pedestrian traffic. Where are you expecting pedestrian traffic to come from? As you can imagine, there is some concern about additional foot traffic from customers with alcohol in the area as there have been several reports of break-ins and robberies at liquor stores in Alpharetta and Roswell over the last few months as well as criminal activity at the tobacco store on Hembree.

19:02:31 From Megan A : Isn't there already a gas station within a block there too?

19:06:31 From Jim : do they have detail plan about retaining wall

19:07:16 From Jim : so many school buses going there overall for our city such development is not suitable at all

19:07:35 From Megan A : Are you concerned about crime at your location?

19:08:04 From Jim : as statistics shows ,as marrissa from school board said, such development bring nuisance

19:09:19 From Jim : the overall area is industrial , so to city personnel please do right thing , and we cannot see any detail on ingress on this plan

19:09:23 From Megan A : What will your store offer that reds and total wine don't offer?

19:11:14 From Jim : entrance from hembree, it seems close to light ?

19:11:23 From Marisa Salcines : There have been issues with similar type businesses in the area in terms of increased crime. There was an issue with Alpha Smoke up the street recently as opposed to an issue with the recycling center.

19:13:15 From Megan A : Total wine has the same high end selection, why is another store needed so close?



April 14, 2021 CZIM – Meeting Minutes

19:14:21        From Daniel : Increased competition is a good thing in any market, liquor stores included.

# 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: **PHA210008 - 2125 Hembree Road**

Contact Name: **Juan Del Rio**

Telephone: **404-399-5192**

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.

We received a couple of concerns from parents from International School of Roswell. There was mention of the proximity to the school, but it was explained to them that the proposed liquor store meets the separation requirements for alcohol sales. Another neighbor raised an issue with statistics for liquor stores and crime. However, this statistic vary wildly depending on demographics and business presentation. As explained to them, the proposed development will beatify the intersection and security will be increased in the area. The parking lot and pedestrian areas will be properly lighted and security cameras installed for added security.

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:

*Juan P. Del Rio*

Date: **04/05/2021**

Print Form

|                 |                                                      |                                |                          |
|-----------------|------------------------------------------------------|--------------------------------|--------------------------|
| 12 248006510465 | MAXWELL ROAD PROPERTIES LLC                          | 544 LADY FERN PT               | ALPHARETTA GA 30022-1462 |
| 12 259006910605 | STORAGE TRUST PROPERTIES L P                         | P O BOX 25025                  | GLENDAL CA 91201-5025    |
| 12 259006910696 | ANGEL & KARINA LLC                                   | 635 CITATION TRL               | ALPHARETTA GA 30004      |
| 12 259006910704 | HEMBREE NORTH LLC                                    | P O BOX 28953                  | ATLANTA GA 30358         |
| 12 260006900141 | WESTSIDE VILLAS TOWNHOME ASSN INC                    | 2555 WESTSIDE PKWY SUITE 600   | ALPHARETTA GA 30004      |
| 12 260006900398 | ROBINSON COREY                                       | 1045 RICELAND CT               | ROSWELL GA 30075         |
| 12 260006900406 | CHEN TIANJIN                                         | 11257 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900463 | PERY VINCENT M                                       | 11332 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900471 | SCINEAUX TRESSA R                                    | 13222 ANTLER RIDGE             | ALPHARETTA GA 30009-2127 |
| 12 260006900489 | JAMES JOEL & JAMES KATHY B                           | 11320 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900497 | DAKER MARK ET AL                                     | 11038 ESTATES CIR              | ALPHARETTA GA 30022      |
| 12 260006900547 | NIDOY VICTOR S JR                                    | 11308 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900554 | SHARPE BONNIE M                                      | 11036 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900562 | CASH KEVIN EUGENE                                    | 11304 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900570 | KRAUTER BRIDGETTE                                    | 2591 PIEDMONT RD NE APT 1323   | ATLANTA GA 30324         |
| 12 260006900620 | DI ZHOU & TSANG TOMMY                                | 11292 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900638 | PATEL CHIRAG & THAKKAR HATARTHI                      | 11290 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900646 | HORNIG KLAUS H & ROJAS CAROLINA D                    | 11288 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900653 | RICE JANET C                                         | 11286 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900711 | CHANG SHARON S                                       | 11274 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900729 | ALI HASSAN                                           | 11272 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900737 | WOOLLEY MARTINE F & DELSOIN EDNER                    | 11270 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900745 | KIM MYUNG SOOK                                       | 11268 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900794 | UNG JIMMY & UNG DIANE HUYNH                          | 11261 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900802 | DEL BARRIO IVAN                                      | 11263 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900810 | BENNETT SARAH MC GARITY                              | 11265 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900828 | HUFF JOSHUA W                                        | 11267 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900877 | KURTZ CLINTON J                                      | 11277 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900885 | TEENA FNU MOHAN & SRIVASTAVA HIMANSHU                | 11279 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900893 | WILKINSON ELIZABETH JOHNSON WILKINSON ZACHARY LYNDON | 11311 MUSETTE CIR              | ALPHARETTA GA 30004      |
| 12 260006900901 | MANTELLA BROCK                                       | 11313 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900919 | RERIKH VLADIMIR                                      | 11315 MUSETTE CIR              | ALPHARETTA GA 30009-2127 |
| 12 260006900968 | SCHNARRE ANDREW A & ESQUIVIA LEE VERONICA E          | 11335 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900976 | SHAH PURVI G                                         | 11337 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006900984 | LIN JIANG TRUST                                      | 11339 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006901040 | MORAWSKI BARRETT R                                   | 11350 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006901057 | LEE SANGWOOK                                         | 11351 MUSETTE CIR              | ALPHARETTA GA 30022      |
| 12 260006901065 | SHRAGA TOVAH A DERMER SUSAN                          | 11353 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 260006901073 | MOSALMANI BATOUL MITRA & TABRIZI MARYAM BITA         | 11355 MUSETTE CIR              | ALPHARETTA GA 30009      |
| 12 259006910712 | SMTT INVESTMENTS LLC                                 | 1950 SPECTRUM CIR SE SUITE 360 | MARIETTA GA 30067-8470   |
| 12 260006893304 | ADVANCE EDUCATION INC                                | 9115 WESTSIDE PKWY             | ALPHARETTA GA 30009-8000 |

|                 |                                                 |                             |                          |
|-----------------|-------------------------------------------------|-----------------------------|--------------------------|
| 12 259006980541 | AMERICAN HONDA MOTOR CO INC                     | 1919 TORRANCE BLVD          | TORRANCE CA 90501-2722   |
| 12 259006920729 | CITY OF ROSWELL                                 | 38 HILL ST                  | ROSWELL GA 30075         |
| 12 259006910282 | KAHN DAVID H & NIX MICHAEL                      | 13286 REGION TRCE           | ALPHARETTA GA 30004      |
| 12 260006890201 | KSFW PROPERTIES LLC                             | 16880 W BERNARDO DR STE 150 | SAN DIEGO CA 92127       |
| 12 260006900414 | ZULLIG GREGORY P & ZULLIG MARLYN T              | 11259 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900422 | VENUTI KERRY J                                  | 11340 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900430 | PATEL DIPAL R & RITESH K                        | 11338 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900448 | NEWKIRK BRUCE E & NEWKIRK BEVERLY S             | 11336 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900455 | HERNANDEZ PATRICIA HERNANDEZ JUAN R             | 11334 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900505 | AFRIYIE KWABENA A                               | 11316 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900513 | JOHNSON ANDREW & JOHNSON TAMARA                 | 11314 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900521 | CLAXTON ANDREW P & STEPHANIE A                  | 810 BELMONT BAY DR APT 402  | WOODBIDGE VA 22191-5464  |
| 12 260006900539 | IFILL KEN A & DEBORAH                           | 675 PROSPECT ST             | MAPLEWOOD NJ 07040       |
| 12 260006900588 | SUTARIA SAILESH J & MONA                        | 11300 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900596 | HOWARD AKIMA & HARRIGAN MARC J                  | 11298 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900604 | ROSS DOUGLAS E                                  | 11296 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900612 | PELLERITO MICHAEL NORMAN & PELLERITO LEE        | 11294 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900661 | HERNANDEZ MARTIN I                              | 11284 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900679 | DETWILER PAUL F & DETWILER KIM A                | 11282 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900687 | POTLAPALLY DIRAJ KUMAR                          | 11280 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900695 | PARK SEUNG NAM                                  | 11278 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900703 | SUTTON STEPHANIE & JERRY                        | 11276 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900752 | NATARAJAN VIJAYAKUMAR & SUBRAMANIAN VARUNA DEVI | 11266 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900760 | PRESHA VALERIE R                                | 11264 MUSETTE CIR           | ALPHARETTA GA 30346      |
| 12 260006900778 | WARNER JENNIFER                                 | 11262 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900786 | BARNEY ALICIA                                   | 11260 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900836 | MAYOTTE ROBERT A JR                             | 11269 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900844 | REN JIACHENG                                    | 11271 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900851 | NAYAK RAJIV MANEL                               | 11273 MUSETTE CIR           | ALPHARETTA GA 30004      |
| 12 260006900869 | MENG CHARLES Q & CHEN LEI                       | 2291 CHANCE LN              | GRAYSON GA 30017         |
| 12 260006900927 | RAWDIN SHEILA & RAWDIN DAVID                    | 11317 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900935 | SOSEBEE CATHLEEN B & JASON M                    | 785 BRICKWOOD LN            | ALPHARETTA GA 30004-0875 |
| 12 260006900943 | BRIZUELA GISELLE N                              | 11331 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006900950 | PICKETT KATRINA                                 | 11333 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006901016 | BLEM ANNE M                                     | 11356 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006901024 | DURHAM GINA B                                   | 11354 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006901032 | DODSON JOHN                                     | 11352 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006901081 | JUNKINS JONATHAN L & CRYSTAL L                  | 11357 MUSETTE CIR           | ALPHARETTA GA 30009      |
| 12 260006910165 | WESTSIDE PARKWAY GA LLC                         | 800 SUPERIOR AVE E 21ST FL  | CLEVELAND OH 44114       |
| 12 259006910613 | CITY OF ALPHARETTA                              | 2 SOUTH MAIN ST             | ALPHARETTA GA 30004      |
| 12 259006910563 | CITY OF ROSWELL                                 | 38 HILL ST                  | ROSWELL GA 30075         |



|                 |                                 |
|-----------------|---------------------------------|
| 12 259006910662 | ALPHARETTA TRANSFER STATION LLC |
| 12 259006910639 | C&J REALTY                      |
| 12 259006910670 | GWINNETT COMMUNITY BANK         |
| 12 259006980558 | SEALY ALPHARETTA L L C          |
| 12 259006920653 | FULTON COUNTY                   |

|                          |
|--------------------------|
| P O BOX 1450             |
| 11460 MAXWELL RD         |
| 2775 BUFORD HWY          |
| 333 TEXAS ST STE 1050    |
| 141 PRYOR ST SW STE 7000 |

|                       |
|-----------------------|
| CHICAGO IL 60690-1450 |
| ALPHARETTA GA 30004   |
| DULUTH GA 30096       |
| SHREVEPORT LA 71101   |
| ATLANTA GA 30303      |

**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Subject:** OBJECT to liquor store near ICSATLANTA on Hembree  
**Date:** Tuesday, March 2, 2021 7:32:55 PM

---

Hi Elicia!

I'm reaching out to you regarding the possibility of zoning being approved near Weatside/Hembree for a liquor store.

My daughter attends ICSA with plans to head to the upper campus. We really love the school and hope that Hembree continues to improve for all of Alpharetta.

I'm sure you're aware of the statistics of higher crime incidents near liquor stores. While I certainly think businesses have a right to flourish and people should have the ability to purchase alcohol, I would love for all making these decisions to consider the proximity to a school.

I've included a link to a study about the crime increases in neighborhoods being linked to liquor stores.

Thank you for your time and consideration!

<https://www.ojp.gov/pdffiles1/nij/grants/227646.pdf>

Bernice Booker

**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Subject:** Re: Opposition to CU-21-04/V-21-07 Westside Wines & Spirits  
**Date:** Tuesday, March 2, 2021 3:20:55 PM

---

Thank you, Ms. Taylor! I will pass this along to others I know who are concerned.

Be well,  
Michele

On Tue, Mar 2, 2021 at 2:30 PM Taylor, Elicia <[etaylor@alpharetta.ga.us](mailto:etaylor@alpharetta.ga.us)> wrote:

Ms. Neely,

Thank you for participating in the public hearing process. We will include your comments with this file as it moves through the process. The Community Zoning Information Meeting will be held on Wednesday, March 10, 2021 via ZOOM . This is an informal meeting to allow the Public to view current Applications and speak with the Applicants. The link to that meeting is <https://zoom.us/j/96248834346>. Please note that public comment is also available at the Planning Commission and City Council meetings scheduled for Thursday, April 1<sup>st</sup> and Monday, April 26<sup>th</sup> at 6:30 PM, respectively.

Please let me know if you have any questions.

Best Regards,

Elle

Elicia Taylor

Planning and Zoning Coordinator

Community Development

City of Alpharetta

678.297.6074

**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Cc:** [REDACTED]  
**Subject:** Objection to licorice store  
**Date:** Tuesday, March 2, 2021 5:32:48 PM

---

Attention to Elicia Taylor  
Planning and Zoning Coordinator  
Community Development  
City of Alpharetta  
678.297.6074

I want to express my opposition to the building of a licor store by Hembre rd and Westside parkway in Alpharetta GA due the proximity of my kids school.

Thank you,  
Carolina Smith



**From:** [Borden, Brian](#)  
**To:** [Taylor, Elicia](#)  
**Subject:** FW: Stop a liquor store  
**Date:** Sunday, March 7, 2021 9:12:38 AM

---

Brian Borden, AICP  
Zoning Administrator

2 Park Plaza  
Alpharetta, GA 30009  
Office: 678-297-6076



---

**From:** Yanelin Petersen [REDACTED]  
**Sent:** Friday, March 5, 2021 11:20 PM  
**To:** Borden, Brian <bborden@alpharetta.ga.us>  
**Subject:** Stop a liquor store

Hi. I am writing to you on behalf of my family. I heard there is an application to build a liquor store at the corner of Hembree and westside parkway. My family and I opposed to this planning. First at all because it will be built near our children school. Building an alcohol store **increases the** alcohol consumption, increases in arrests mostly due to robberies, assaults, alcohol-related offenses, and nuisance **crimes**. We don't want to feel unsafe. We want our children to be able to walk home without being exposed to alcoholic or drugs. Usually liquor stores attracts also sexual predators and drugs when they know it is near a school. Please take it as a consideration. Thank you very much!

Sent from my iPhone

**From:** [Borden, Brian](#)  
**To:** [Taylor, Elicia](#)  
**Subject:** FW: Liquor store  
**Date:** Friday, March 5, 2021 9:48:49 AM

---

See below.

Brian Borden, AICP  
Zoning Administrator

City of Alpharetta  
Community Development  
2 Park Plaza  
Alpharetta, Georgia 30009  
(678) 297-6070 (office)  
(678) 297-6076 (direct)  
[www.alpharetta.ga.us](http://www.alpharetta.ga.us)



---

**From:** Amy Squires [REDACTED]  
**Sent:** Friday, March 05, 2021 9:48 AM  
**To:** Borden, Brian <[bborden@alpharetta.ga.us](mailto:bborden@alpharetta.ga.us)>  
**Subject:** Liquor store

Hi Brian, I'm writing to express my disapproval of building a liquor store at Westside and Hembree, which is within walking distance of my children and some of my patients school (ICS Atlanta). This poses a huge safety concern for children in the area as liquor stores in this area of Roswell draws people with addiction. Furthermore, the incidence of alcoholism in this country is growing and many of those people headed to the liquor store are drinking and driving which poses a huge liability and endangerment to the kids. People who are intoxicated make poor choices and may even choose to do something drastic like go on school grounds even armed.  
Pls see attached link from the CDC.

[https://www.cdc.gov/motorvehiclesafety/pdf/impaired\\_driving/Drunk\\_Driving\\_in\\_GA.pdf](https://www.cdc.gov/motorvehiclesafety/pdf/impaired_driving/Drunk_Driving_in_GA.pdf)

**Amy Squires** / Director/Owner  
MS CCC-SLP  
Speech Language Pathologist  
Therapy and Learning Center of GA

[REDACTED]

[REDACTED]

11285 Elkins Road

Suite G2

Roswell GA 30076

[www.TLCGeorgia.com](http://www.TLCGeorgia.com)

[REDACTED]

**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Subject:** Re: Opposition to CU-21-04/V-21-07 Westside Wines & Spirits  
**Date:** Tuesday, March 2, 2021 3:20:55 PM

---

Thank you, Ms. Taylor! I will pass this along to others I know who are concerned.

Be well,  
Michele

On Tue, Mar 2, 2021 at 2:30 PM Taylor, Elicia <[etaylor@alpharetta.ga.us](mailto:etaylor@alpharetta.ga.us)> wrote:

Ms. Neely,

Thank you for participating in the public hearing process. We will include your comments with this file as it moves through the process. The Community Zoning Information Meeting will be held on Wednesday, March 10, 2021 via ZOOM . This is an informal meeting to allow the Public to view current Applications and speak with the Applicants. The link to that meeting is <https://zoom.us/j/96248834346>. Please note that public comment is also available at the Planning Commission and City Council meetings scheduled for Thursday, April 1<sup>st</sup> and Monday, April 26<sup>th</sup> at 6:30 PM, respectively.

Please let me know if you have any questions.

Best Regards,

Elle

Elicia Taylor

Planning and Zoning Coordinator

Community Development

City of Alpharetta

678.297.6074





**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Cc:** [REDACTED]  
**Subject:** Objection to licorice store  
**Date:** Tuesday, March 2, 2021 5:32:48 PM

---

Attention to Elicia Taylor  
Planning and Zoning Coordinator  
Community Development  
City of Alpharetta  
678.297.6074

I want to express my opposition to the building of a licor store by Hembre rd and Westside parkway in Alpharetta GA due the proximity of my kids school.

Thank you,  
Carolina Smith

**From:** [REDACTED]  
**To:** [Taylor, Elicia](#)  
**Cc:** [REDACTED]  
**Subject:** Objection to licorice store  
**Date:** Tuesday, March 2, 2021 5:32:48 PM

---

Attention to Elicia Taylor  
Planning and Zoning Coordinator  
Community Development  
City of Alpharetta  
678.297.6074

I want to express my opposition to the building of a licor store by Hembre rd and Westside parkway in Alpharetta GA due the proximity of my kids school.

Thank you,  
Carolina Smith



March 31, 2021

City of Alpharetta – Department of Community Development  
2 Park Plaza  
Alpharetta, GA 30009

**RE: Letter of Intent for Special Use Permit and Variance (Revised)**  
**Property location: 2125 Hembree Road, Alpharetta, GA**

To whom it may concern,

This letter is being submitted to the City of Alpharetta, on behalf of the future property owner Westside Commercial Properties, Inc, for the property located at 2125 Hembree Road, which is seeking a Special Use Permit and Variance for a development. The property consists of 3.049 acres and is currently vacant and heavily wooded.

The property is part of a CUP, and the future owner would like to apply for a SUP to build and operate a liquor store. The owner and operator of the liquor store will be Westside Wine & Spirits, Inc. The condition for a SUP comes from the approved CUP under MP-03-02/Z-03-01/CLUP-03-01/V-03-17 Cousins Westside, Conditional Uses. The owner has experience in liquor store management and will focus on high end liquors, wines and cigars. The store will have at least three employees during business hours and up to 6 during peak times. Hours of operation will be similar to other liquor stores in the City, they will be: Monday through Thursday 9 am to 10 pm, Friday and Saturday 9 am to 11 pm, and Sundays 12:30 pm through 8 pm.

A variance is also being requested to allow for the reduction of the landscape strip along Westside Parkway from 20 feet to 10 feet. This variance relates to code section UDC Sec.3.2.8.D. This reduction will allow for the building to be closer to the street and reduce the height of a retaining wall to about 15 feet. This wall is necessary because the elevation difference between the existing road frontages and the rear of the property is about 30 feet. Site topography and shape are the factors for this variance request.

Thank you for your consideration and please contact me, Juan Del Rio at 770-648-3317 or [juand@thecontineogroup.com](mailto:juand@thecontineogroup.com) if you have any questions.

Sincerely,

Juan Del Rio  
Contineo Group  
[juand@thecontineogroup.com](mailto:juand@thecontineogroup.com)



# 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: Juan Del Rio Telephone: 404-399-5192

Address: 755 Commerce Drive Suite: 800

City: Decatur State: GA Zip: 30030 Fax: \_\_\_\_\_

Mobile Tel: 404-399-5192 Email: juand@thecontineogroup.com

### Subject Property Information:

Address: 2125 Hembree Road Current Zoning: CUP

District: 1 Section: 2 Land Lot: 691 Parcel ID: 12259006910670

Proposed Zoning: CUP Current Use: Vacant

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

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

**Special Use Permit**

---

# APPLICANT REQUEST AND INTENT

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

Commercial development to include the construction of a 5,500 SF Convenience Store with 8 gas pumps, and 9,700 SF Liquor Store

Applicant's Request (Please itemize the proposal):

1. Obtain Special Use Permit for the construction of a Liquor Store per CUP under MP-03-02/Z-03-01/CLUP-03-01/V-03-17 Cousins Westside, Conditional Uses.
2. Obtain Variance to allow for the reduction of the landscape strip along Hembree Road from 10 feet to 0 feet. This variance relates to code section UDC Sec.3.2.8.D.

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

The proposed request will allow for the owner to build and operate a Liquor Store. It will also allow for the building to be placed closer to the street which will allow for a better interaction of the building with the pedestrians, and reducing the height of a large retaining wall that needs to be placed along the West side of the property due to the site's elevation in the rear being higher an average of 15 feet from the property frontage.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: Mike Panjwani Telephone: 770-401-9655

Address: 2363 Seaborn Place Suite: \_\_\_\_\_

City: Duluth State: GA Zip: 30097 - \_\_\_\_\_

## Authorization:

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

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

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

## Identify Authorized Applicant:

Name of Authorized Applicant: Juan Del Rio Telephone: 404-399-5192

Address: 755 Commerce Drive Suite: 800

City: Decatur State: GA Zip: 30030 - \_\_\_\_\_

## So Sworn and Attested:

Owner Signature: \_\_\_\_\_ Date: 2/1/2021

## Notary:

Notary Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# DISCLOSURE FORM

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

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

Name of Applicant or Opponent: **Mike Panjwani**

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: **N/A**

Description of Contribution: \_\_\_\_\_ Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_ Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_ Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_ Value: \_\_\_\_\_

Description of Contribution: \_\_\_\_\_ Value: \_\_\_\_\_

## Campaign Contribution Information:

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

Signature: \_\_\_\_\_

Date: **2/1/2021**



---

# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

---

How will this proposal be compatible with surrounding properties?

Due to a growing residential demand in the area, a high end liquor store that tenders for the surrounding community is in line would be compatible with the surrounding developments.

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

It wont as the proposed development is in line with the proposed growth of the surrounding area.

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

The proposed conditional use will not affect the City's future zoning. The intent of this area is for businesses that provide services to the community and the proposed uses are in this category.

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

Transportation improvements are being proposed to improve the safety access for consumers into the property. The increase of traffic in such high volume roads is minimal.

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

None. The proposed alcohol sales meets the distance requirements to protected establishments.

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

The proposed use is in line with the City's vision.

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

The property development requires a major investment due to the topography, shape, and required improvements to the R/W.

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.

A proposed site plan showing the buildings location, topography, and improvements to the R/W has been provided to support this request.

---

# BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

Yes. As shown in the proposed site plan, the site has about 30 feet of elevation difference between the road frontages and the rear of the property. Also the shape of the property, forces the development to be as close to the street as possible in order to reduce the size of a large retaining wall which will be holding the properties to the rear.

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

Yes. The 20' landscape strip will force the buildings to be pushed further back, and this requires the reduction of the building footing and increase in the retaining wall height along the rear of the property.

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

Yes. The site has an elevation difference of approximately 30 feet from the street frontages and the rear. This creates a very challenging situation because the intent of the development is to keep the building easily accessible from the sidewalks which request the finish floor elevations to be close the street elevation they front. Also the topography of the site forces the buildings to be along the center and north of the 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. The property to the south has already been developed and the buildings will be screen from the street by the required trees to be planted along the street planter and the landscape strip.

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.

March 31, 2021

City of Alpharetta – Department of Community Development  
2 Park Plaza  
Alpharetta, GA 30009

**RE: Letter of Intent for Special Use Permit and Variance (Revised)**  
**Property location: 2125 Hembree Road, Alpharetta, GA**

To whom it may concern,

This letter is being submitted to the City of Alpharetta, on behalf of the future property owner Westside Commercial Properties, Inc, for the property located at 2125 Hembree Road, which is seeking a Special Use Permit and Variance for a development. The property consists of 3.049 acres and is currently vacant and heavily wooded.

The property is part of a CUP, and the future owner would like to apply for a SUP to build and operate a liquor store. The owner and operator of the liquor store will be Westside Wine & Spirits, Inc. The condition for a SUP comes from the approved CUP under MP-03-02/Z-03-01/CLUP-03-01/V-03-17 Cousins Westside, Conditional Uses. The owner has experience in liquor store management and will focus on high end liquors, wines and cigars. The store will have at least three employees during business hours and up to 6 during peak times. Hours of operation will be similar to other liquor stores in the City, they will be: Monday through Thursday 9 am to 10 pm, Friday and Saturday 9 am to 11 pm, and Sundays 12:30 pm through 8 pm.

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Thank you for your consideration and please contact me, Juan Del Rio at 770-648-3317 or [juand@thecontineogroup.com](mailto:juand@thecontineogroup.com) if you have any questions.

Sincerely,

Juan Del Rio  
Contineo Group  
[juand@thecontineogroup.com](mailto:juand@thecontineogroup.com)

## LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 691, IN THE 1ST DISTRICT, IN THE 2ND SECTION, IN FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE RIGHT OF WAY MONUMENT FOUND AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF HEMBREE ROAD (HAVING A VARIABLE WIDTH, PUBLICLY DEDICATED RIGHT OF WAY) AND THE NORTHERLY RIGHT OF WAY OF WESTSIDE PARKWAY (HAVING A VARIABLE WIDTH, PUBLICLY DEDICATED RIGHT OF WAY; SAID CONCRETE RIGHT OF WAY MONUMENT BEING THE TRUE POINT OF BEGINNING.

THENCE LEAVING SAID RIGHT OF WAY OF HEMBREE ROAD AND CONTINUING ALONG SAID RIGHT OF WAY OF WESTSIDE PARKWAY THE FOLLOWING COURSES AND DISTANCES: SOUTH 01 DEGREES 42 MINUTES 51 SECONDS EAST A DISTANCE OF 71.99 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 716.20 FEET, WITH AN ARC DISTANCE OF 307.43 FEET, WITH A CHORD BEARING SOUTH 29 DEGREES 48 MINUTES 26 SECONDS WEST, AND A CHORD DISTANCE OF 305.08 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; NORTH 75 DEGREES 28 MINUTES 23 SECONDS WEST A DISTANCE OF 3.19 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SOUTH 15 DEGREES 29 MINUTES 53 SECONDS WEST A DISTANCE OF 6.33 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SOUTH 66 DEGREES 16 MINUTES 46 SECONDS EAST A DISTANCE OF 3.02 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 716.20 FEET, WITH AN ARC DISTANCE OF 212.10 FEET, WITH A CHORD BEARING SOUTH 08 DEGREES 28 MINUTES 49 SECONDS WEST, AND A CHORD DISTANCE OF 211.33 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SOUTH 00 DEGREES 00 MINUTES 15 SECONDS EAST A DISTANCE OF 82.80 FEET TO A 1/2-INCH REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY OF WESTSIDE PARKWAY NORTH 88 DEGREES 52 MINUTES 59 SECONDS WEST A DISTANCE OF 37.44 FEET TO A 1/2-INCH REBAR FOUND; THENCE NORTH 04 DEGREES 44 MINUTES 24 SECONDS WEST A DISTANCE OF 380.74 FEET TO A 1/2-INCH REBAR FOUND; THENCE NORTH 04 DEGREES 07 MINUTES 23 SECONDS WEST A DISTANCE OF 399.14 FEET TO A 1/2-INCH REBAR FOUND; THENCE NORTH 04 DEGREES 40 MINUTES 12 SECONDS WEST A DISTANCE OF 150.05 FEET TO A 1/2-INCH REBAR FOUND; THENCE NORTH 03 DEGREES 49 MINUTES 10 SECONDS WEST A DISTANCE OF 94.38 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND ON THE WESTERLY RIGHT OF WAY OF HEMBREE ROAD; THENCE CONTINUING ALONG SAID RIGHT OF WAY OF HEMBREE ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 39 DEGREES 46 MINUTES 57 SECONDS EAST A DISTANCE OF 202.73 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SOUTH 48 DEGREES 58 MINUTES 15 SECONDS WEST A DISTANCE OF 17.12 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SOUTH 39 DEGREES 36 MINUTES 02 SECONDS EAST A DISTANCE OF 285.46 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND, SAID CONCRETE RIGHT OF WAY MONUMENT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 3.049 ACRES (132,803 SQUARE FEET).



PARKING SUMMARY

|          | BUILDING | MIN. | REDUCED | MIN. | ALLOW | PROVIDED |
|----------|----------|------|---------|------|-------|----------|
| C-STORE  | 5,500-SF | 22   | -4      | 18   | 22    |          |
| GAS PUMP | 8 PUMPS  | 16   | -3      | 13   | 16    |          |
| RETAIL   | 9,700-SF | 48   | -10     | 38   | 29    |          |
| TOTAL    |          | 86   | -17     | 69   | 69    |          |

REQUIREMENTS BASED ON:

- CONVENIENCE STORE: 2 SPACES/PUMP + 1/250-SF
- RETAIL: 1/200-SF
- 20% REDUCTION ALLOWED

SITE DATA

|                        |                             |
|------------------------|-----------------------------|
| LOCAL JURISDICTION     | CITY OF ALPHARETTA          |
| PRIMARY PARCEL ID      | 12 25900610670              |
| ZONING DESIGNATION     | CUP                         |
| OVERLAY DISTRICT       | NORTHPOINT ACTIVITY AREA    |
| TOTAL PROPERTY ACREAGE | 3.049 ACRES (132,803 SQ.FT) |
| MAX. BUILDING HEIGHT   | LESSER OF 4-STORY OR 65'    |
| MIN. BUILDING HEIGHT   | 2-STORY OR 20'              |

ECODISTRICT REQUIREMENTS:  
7 POINT MINIMUM FOR CONSTRUCTION OF NEW BUILDINGS

|                               |          |
|-------------------------------|----------|
| PROPOSED MEASURES:            |          |
| 1. BUILDING ENERGY EFFICIENCY | 2 POINTS |
| 2. BUILDING WATER EFFICIENCY  | 2 POINTS |
| 3. BIO-RETENTION              | 2 POINTS |
| 4. *ALTERNATIVE MEASURE       | 1 POINTS |

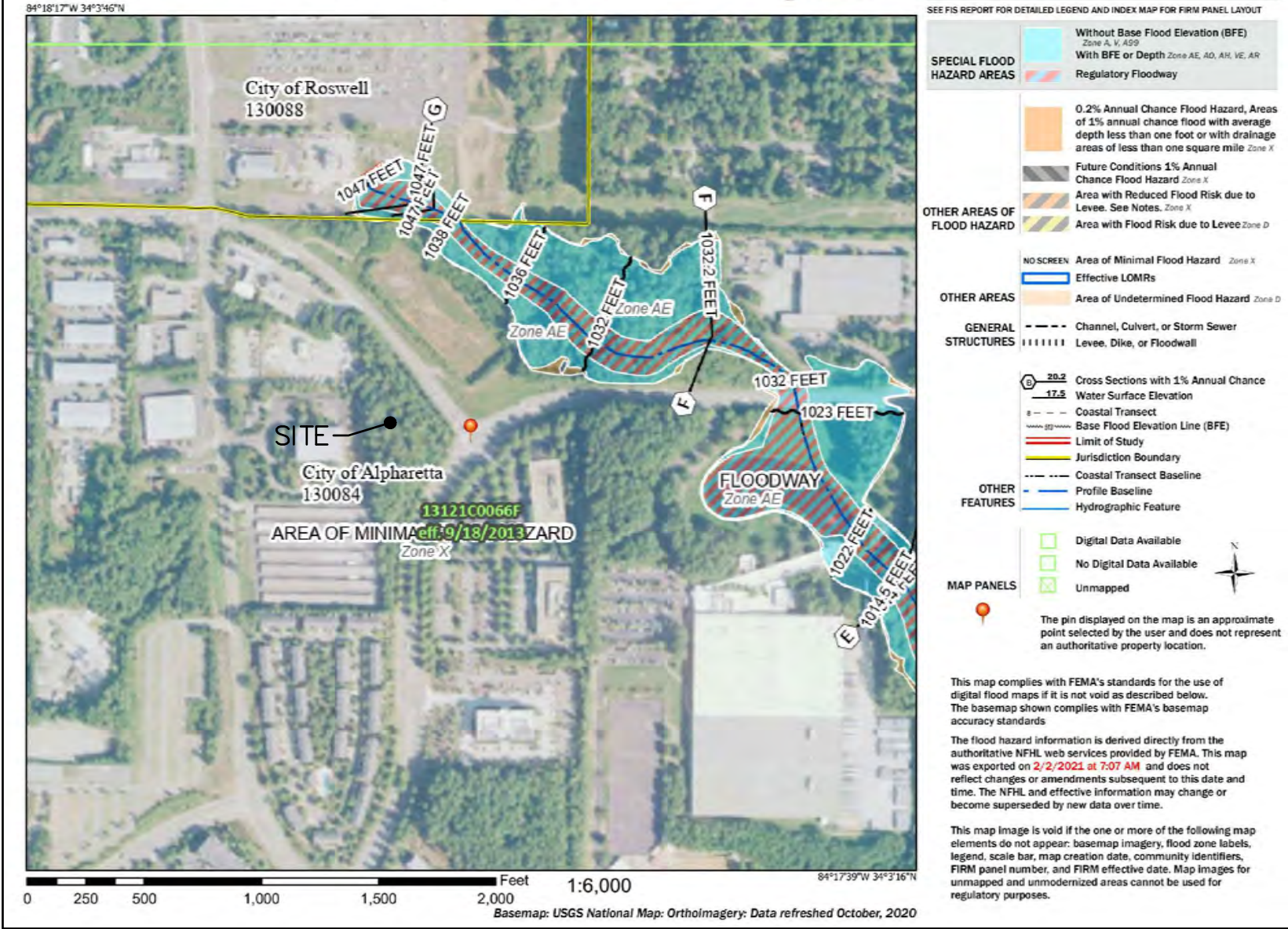
\* PEDESTRIAN BENCH AND TRASH CONTAINER IN PLANTER STRIP ALONG STREET FRONTAGE, 5 OF EACH TOTAL

|                             |                 |
|-----------------------------|-----------------|
| MINIMUM OPEN SPACE REQUIRED | 15% (19,921 SF) |
| PROPOSED OPEN SPACE         | 54% (71,110 SF) |

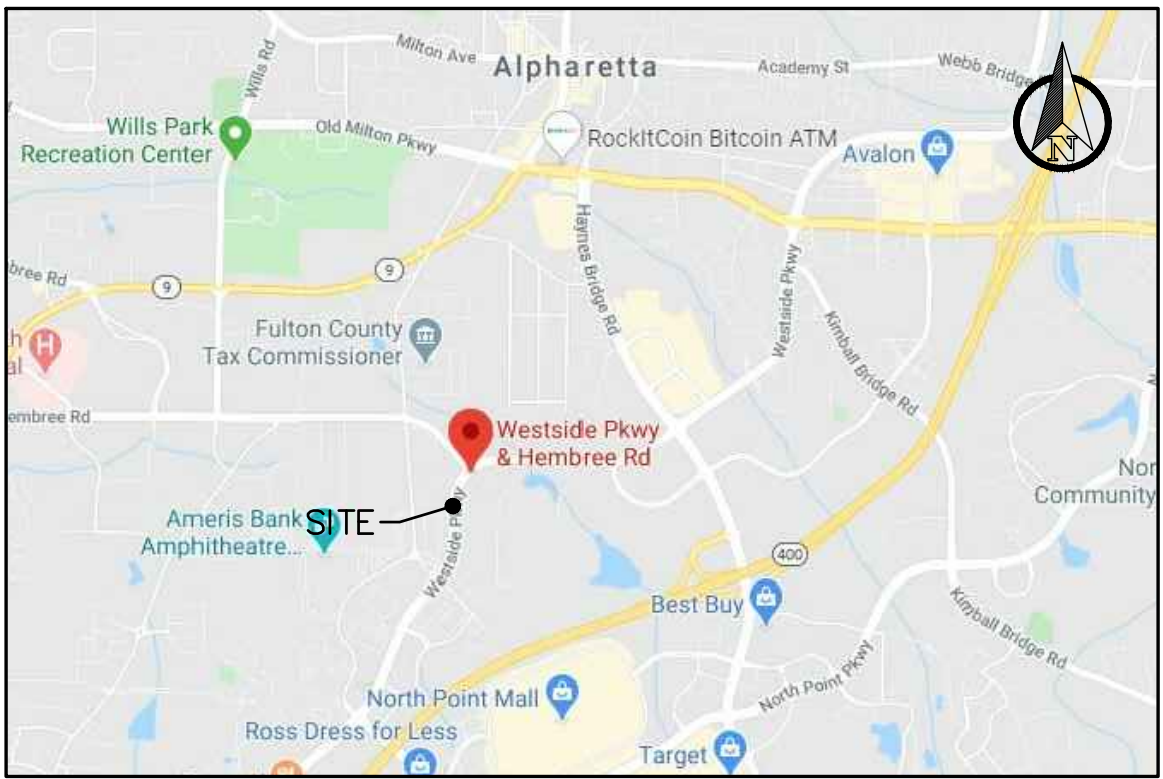
SITE LEGEND

|  |                         |
|--|-------------------------|
|  | PROPERTY LINE           |
|  | BUILDING SETBACK/BUFFER |
|  | PARKING COUNT           |

National Flood Hazard Layer FIRMette



FEMA MAP



VICINITY MAP

N.T.S.



CONTINEO GROUP  
755 COMMERCE DRIVE  
SUITE 800  
DECATUR, GA 30030  
770.335.9403  
www.tcg.engineer



WESTSIDE COMMERCIAL PROPERTIES INC

2363 SEABORN PLACE  
DULUTH, GA 30097  
CONTACT: MIKE PANUWANI  
770.401.9655

WESTSIDE PARKWAY DEVELOPMENT

ISSUED FOR: PERMITTING  
JURISDICTION: CITY OF ALPHARETTA  
LOCATION: 2125 HEMBREE ROAD, ALPHARETTA, GA 30009

| # | DATE | REVISIONS |
|---|------|-----------|
|   |      |           |
|   |      |           |
|   |      |           |
|   |      |           |

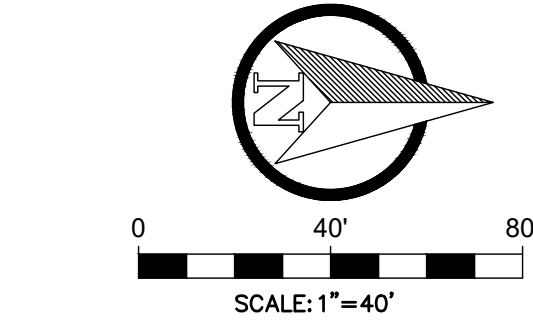
DRAWN: JPD  
CHECK: BHR

JOB NO: 20-253  
DATE: 03/28/20

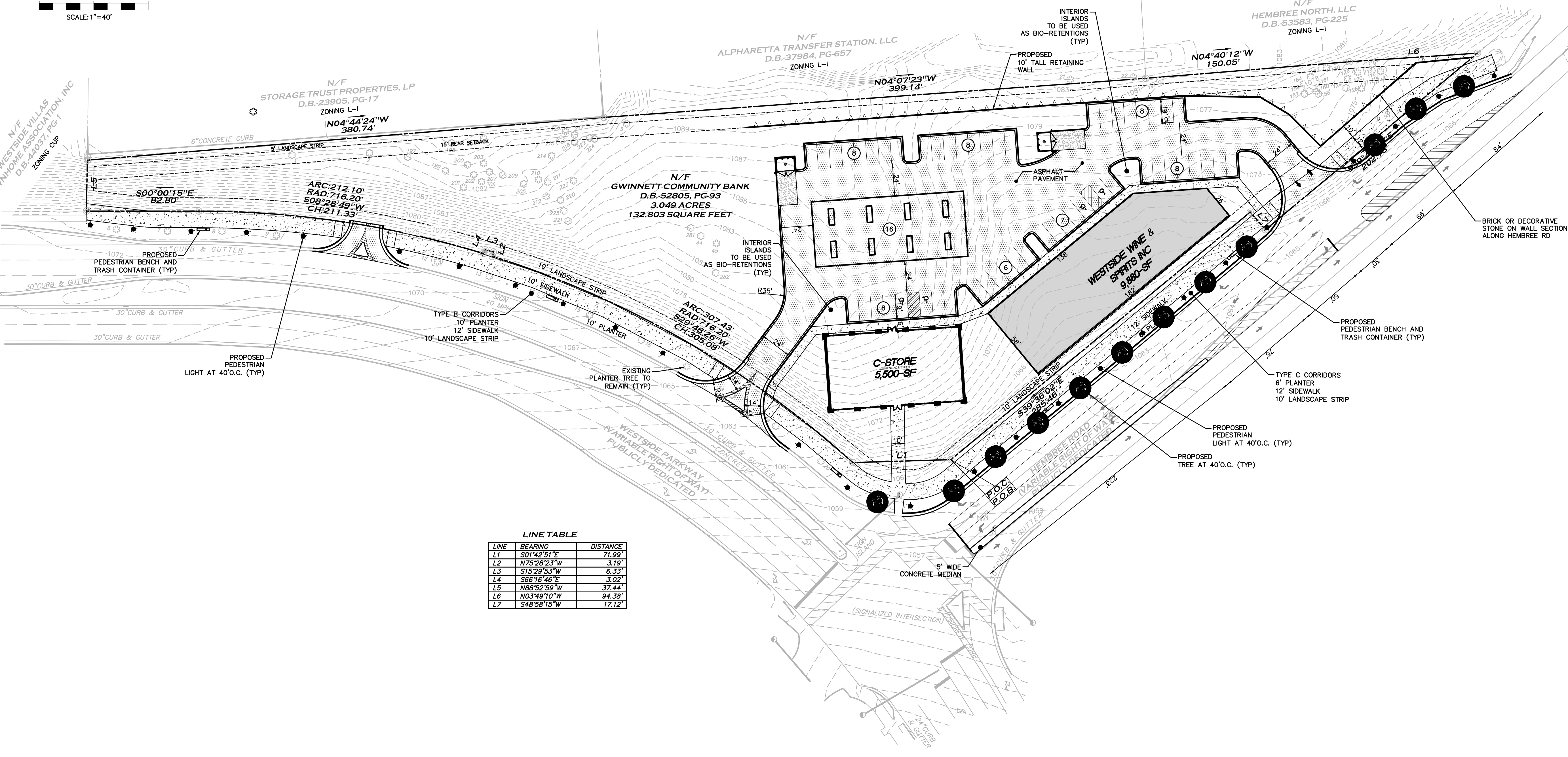
SITE PLAN

SHEET C200

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SCALE: 1"=40'



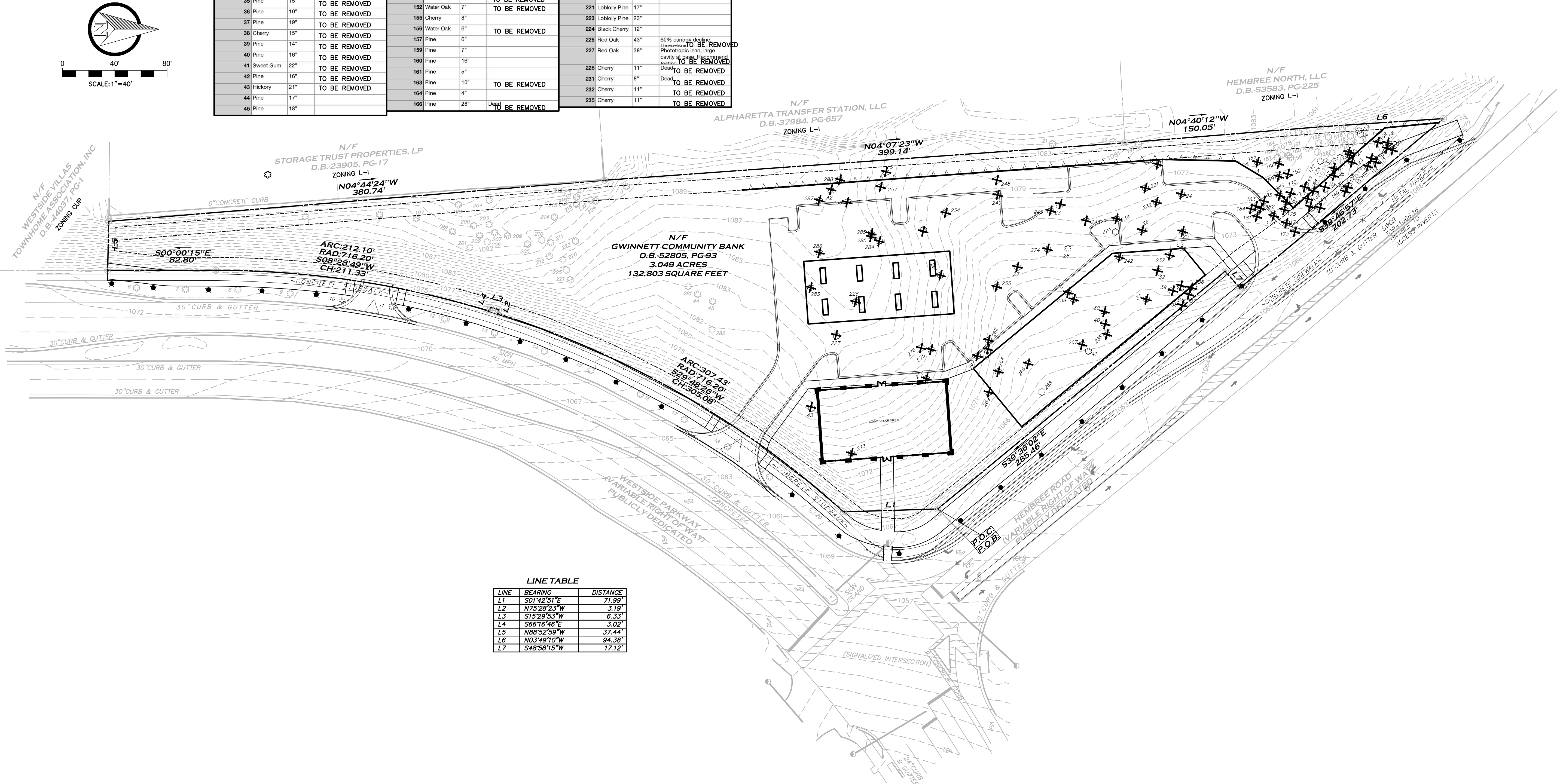
LINE TABLE

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S01°42'51"E | 71.99'   |
| L2   | N75°28'23"W | 3.19'    |
| L3   | S15°29'53"W | 6.33'    |
| L4   | S66°16'48"E | 3.02'    |
| L5   | N88°52'59"W | 37.44'   |
| L6   | N03°49'10"W | 94.38'   |
| L7   | S48°58'15"W | 17.12'   |



| Tree Inventory |               |          |                            |     |           |     |                  |     |               |     |                                         |     |          |     |                  |
|----------------|---------------|----------|----------------------------|-----|-----------|-----|------------------|-----|---------------|-----|-----------------------------------------|-----|----------|-----|------------------|
| Tree Number    | Species       | Diameter | Condition                  |     |           |     |                  |     |               |     |                                         |     |          |     |                  |
| 1              | Loblolly Pine | 25"      |                            | 105 | Pine      | 24" | DDH, 50% decline | 169 | Pine          | 6"  | TO BE REMOVED                           | 236 | Dogwood  | 5"  | Dead             |
| 2              | Loblolly Pine | 23"      |                            | 107 | Water Oak | 14" | Dead             | 170 | Pine          | 9"  | TO BE REMOVED                           | 237 | Cherry   | 12" | Dead             |
| 3              | Loblolly Pine | 21"      |                            | 108 | Water Oak | 4"  | Dead             | 172 | Pine          | 11" | TO BE REMOVED                           | 238 | Cherry   | 11" | Dead             |
| 4              | Loblolly Pine | 26"      | TO BE REMOVED              | 109 | Cherry    | 6"  | Dead             | 173 | Water Oak     | 14" | TO BE REMOVED                           | 239 | Cherry   | 12" | DDH, 50% decline |
| 5              | Loblolly Pine | 25"      | TO BE REMOVED              | 110 | Water Oak | 7"  | TO BE REMOVED    | 174 | Water Oak     | 17" | TO BE REMOVED                           | 240 | Cherry   | 8"  | Dead             |
| 6              | Willow Oak    | 12"      | TO BE REMOVED              | 111 | Pine      | 24" | DDH, 50% decline | 175 | Water Oak     | 17" | TO BE REMOVED                           | 242 | Cherry   | 16" | Dead             |
| 7              | Willow Oak    | 13"      |                            | 112 |           |     | TO BE REMOVED    | 177 | Pine          | 7"  | TO BE REMOVED                           | 243 | Cherry   | 14" | Dead             |
| 8              | Willow Oak    | 12"      |                            | 113 | White Oak | 5"  | Dead             | 178 | Pine          | 12" | TO BE REMOVED                           | 245 | Cherry   | 11" | Dead             |
| 9              | Willow Oak    | 13"      |                            | 114 | Elm       | 5"  | Dead             | 181 | Pine          | 11" | TO BE REMOVED                           | 246 | Cherry   | 12" | DDH, 50% decline |
| 10             | Willow Oak    | 11"      | TO BE REMOVED              | 115 | Water Oak | 10" | TO BE REMOVED    | 182 | Pine          | 13" | TO BE REMOVED                           | 249 | Cherry   | 10" | Dead             |
| 11             | Willow Oak    | 12"      | TO BE REMOVED              | 116 | Pine      | 9"  |                  | 183 | Pine          | 8"  | TO BE REMOVED                           | 254 | Cherry   | 10" | Dead             |
| 12             | Willow Oak    | 13"      |                            | 117 | Pine      | 17" |                  | 184 | Pine          | 5"  | TO BE REMOVED                           | 255 | Cherry   | 8"  | Dead             |
| 13             | Willow Oak    | 11"      |                            | 118 | Cherry    | 8"  |                  | 185 | Pine          | 12" | TO BE REMOVED                           | 257 | Cherry   | 12" | Dead             |
| 14             | Willow Oak    | 11"      |                            | 120 | Pine      | 5"  |                  | 186 | White Oak     | 8"  | TO BE REMOVED                           | 258 | Cherry   | 15" | Dead             |
| 15             | Willow Oak    | 12"      |                            | 121 | Sourwood  | 6"  |                  | 191 | Cherry        | 15" |                                         | 261 | Cherry   | 10" | TO BE REMOVED    |
| 16             | Willow Oak    | 11"      |                            | 122 | Cherry    | 4"  | Dead             | 197 |               |     |                                         | 262 | Cherry   | 13" | TO BE REMOVED    |
| 17             | Willow Oak    | 11"      |                            | 123 | Maple     | 7"  | TO BE REMOVED    | 198 | Loblolly Pine | 29" |                                         | 263 | Cherry   | 11" | Dead             |
| 18             | Willow Oak    | 11"      |                            | 124 | Water Oak | 20" | TO BE REMOVED    | 199 | Loblolly Pine | 16" |                                         | 264 | Cherry   | 14" | TO BE REMOVED    |
| 19             | Willow Oak    | 12"      |                            | 125 | Water Oak | 8"  | TO BE REMOVED    | 200 | Loblolly Pine | 18" |                                         | 266 | Cherry   | 10" | TO BE REMOVED    |
| 20             | Willow Oak    | 13"      |                            | 126 | Poplar    | 8"  |                  | 201 | Loblolly Pine | 16" |                                         | 267 | Cherry   | 10" | TO BE REMOVED    |
| 21             | Pine          | 22"      |                            | 128 | Pine      | 10" |                  | 202 | Loblolly Pine | 13" | Severely decayed                        | 268 | Cherry   | 15" | TO BE REMOVED    |
| 22             | Elm           | 18"      | DDH, storm damaged         | 129 | Pine      | 11" |                  | 203 | Loblolly Pine | 13" | TO BE REMOVED                           | 269 | Sourwood | 14" | TO BE REMOVED    |
| 23             | Pine          | 21"      | TO BE REMOVED              | 130 | Water Oak | 9"  |                  | 204 | Loblolly Pine | 17" | Large fusiform canker at base           | 270 | Dogwood  | 9"  | TO BE REMOVED    |
| 24             | Pine          | 27"      | TO BE REMOVED              | 132 | Water Oak | 13" | TO BE REMOVED    | 205 | Loblolly Pine | 15" | TO BE REMOVED                           | 273 | Cherry   | 14" | TO BE REMOVED    |
| 25             | Pine          | 21"      | TO BE REMOVED              | 133 | Cherry    | 4"  | Dead             | 206 | Loblolly Pine | 9"  |                                         | 274 | Cherry   | 15" | TO BE REMOVED    |
| 26             | Pine          | 25"      | TO BE REMOVED              | 134 | Water Oak | 5"  | TO BE REMOVED    | 207 | Loblolly Pine | 14" | Large cavity in trunk                   | 275 | Cherry   | 12" | TO BE REMOVED    |
| 27             | Pine          | 30"      | TO BE REMOVED              | 135 | Pine      | 18" | TO BE REMOVED    | 208 | Loblolly Pine | 17" | TO BE REMOVED                           | 276 | Cherry   | 12" | TO BE REMOVED    |
| 28             | Pine          | 16"      | TO BE REMOVED              | 136 | Water Oak | 8"  | TO BE REMOVED    | 209 | Loblolly Pine | 15" |                                         | 281 | Cherry   | 9"  | TO BE REMOVED    |
| 29             | Pine          | 20"      | DDH, Large fusiform canker | 138 | Pine      | 8"  | TO BE REMOVED    | 210 | Loblolly Pine | 20" |                                         | 282 | Cherry   | 10" | Dead             |
| 30             | Pine          | 18"      | TO BE REMOVED              | 139 | Dogwood   | 5"  | TO BE REMOVED    | 211 | Loblolly Pine | 13" | Dead, only 1/2 trunk remaining          | 283 | Cherry   | 8"  | Dead             |
| 31             | Pine          | 20"      | TO BE REMOVED              | 140 | Pine      | 9"  | TO BE REMOVED    | 212 | Loblolly Pine | 15" |                                         | 284 | Cherry   | 15" | TO BE REMOVED    |
| 32             | Pine          | 16"      | TO BE REMOVED              | 144 | Pine      | 12" | TO BE REMOVED    | 214 | Loblolly Pine | 23" |                                         | 285 | Cherry   | 14" | TO BE REMOVED    |
| 33             | Pine          | 15"      | TO BE REMOVED              | 145 | Dogwood   | 16" | TO BE REMOVED    | 215 | Black Cherry  | 8"  | Dead                                    | 286 | Cherry   | 9"  | TO BE REMOVED    |
| 34             | Pine          | 18"      | TO BE REMOVED              | 146 | Cherry    | 9"  | TO BE REMOVED    | 216 | Loblolly Pine | 19" | Large fusiform canker                   | 287 | Cherry   | 10" | TO BE REMOVED    |
| 35             | Pine          | 15"      | TO BE REMOVED              | 148 | Pine      | 4"  | TO BE REMOVED    | 217 | Black Cherry  | 10" | 50% decline                             | 288 | Cherry   | 12" | Dead             |
| 36             | Pine          | 10"      | TO BE REMOVED              | 149 | Cherry    | 10" | TO BE REMOVED    | 218 | Loblolly Pine | 16" |                                         |     |          |     |                  |
| 37             | Pine          | 19"      | TO BE REMOVED              | 152 | Water Oak | 7"  | TO BE REMOVED    | 220 | Dogwood       | 5"  |                                         |     |          |     |                  |
| 38             | Cherry        | 15"      | TO BE REMOVED              | 155 | Cherry    | 8"  |                  | 221 | Loblolly Pine | 17" |                                         |     |          |     |                  |
| 39             | Pine          | 14"      | TO BE REMOVED              | 156 | Water Oak | 6"  | TO BE REMOVED    | 223 | Loblolly Pine | 23" |                                         |     |          |     |                  |
| 40             | Pine          | 16"      | TO BE REMOVED              | 157 | Pine      | 6"  |                  | 224 | Black Cherry  | 12" |                                         |     |          |     |                  |
| 41             | Sweet Gum     | 22"      | TO BE REMOVED              | 159 | Pine      | 7"  |                  | 226 | Red Oak       | 43" | 60% canopy decline                      |     |          |     |                  |
| 42             | Pine          | 16"      | TO BE REMOVED              | 160 | Pine      | 16" |                  | 227 | Red Oak       | 38" | Massive decline                         |     |          |     |                  |
| 43             | Hickory       | 21"      | TO BE REMOVED              | 161 | Pine      | 5"  |                  | 228 | Cherry        | 11" | Phototropic lean, large cavity in trunk |     |          |     |                  |
| 44             | Pine          | 17"      | TO BE REMOVED              | 163 | Pine      | 10" | TO BE REMOVED    | 231 | Cherry        | 8"  | Dead                                    |     |          |     |                  |
| 45             | Pine          | 18"      |                            | 164 | Pine      | 4"  |                  | 232 | Cherry        | 11" | TO BE REMOVED                           |     |          |     |                  |
|                |               |          |                            | 166 | Pine      | 28" | Dead             | 235 | Cherry        | 11" | TO BE REMOVED                           |     |          |     |                  |

TREE ASSESSMENT PERFORMED BY:  
JOSHUA PAUL CORRELL  
DIRECTOR, PLANT HEALTH CARE DIVISION  
ISA CERTIFIED ARBORIST #: SO-6730A  
PESTICIDE APPLICATOR #: 10984  
ISA TREE RISK ASSESSMENT QUALIFIED  
CELL: 404-392-0129  
CORRELL@ATLANTAARBOR.COM  
ATLANTA ARBOR TREE CARE SPECIALIST, LLC  
301 OLD CLAY ST SE  
MARIETTA, GA 30060



| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S01°42'51"E | 71.99'   |
| L2         | N75°28'23"W | 3.19'    |
| L3         | S15°29'53"W | 6.33'    |
| L4         | S66°16'48"E | 3.02'    |
| L5         | N88°52'59"W | 37.44'   |
| L6         | N03°49'10"W | 94.38'   |
| L7         | S48°58'15"W | 17.12'   |



CONTINEO GROUP  
755 COMMERCE DRIVE  
SUITE 800  
DECATUR, GA 30030  
770.335.9403  
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WESTSIDE COMMERCIAL  
PROPERTIES INC  
2363 SEABORN PLACE  
DULUTH, GA 30097  
CONTACT: MIKE PANUWANI  
770.401.9655

WESTSIDE PARKWAY  
DEVELOPMENT  
ISSUED FOR: PERMITTING  
JURISDICTION: CITY OF ALPHARETTA  
LOCATION: 2125 HEMBREE ROAD,  
ALPHARETTA, GA 30009

| # | DATE | REVISIONS |
|---|------|-----------|
|   |      |           |
|   |      |           |
|   |      |           |
|   |      |           |

DRAWN: JPD  
CHECK: BHR  
JOB NO: 20-253  
DATE: 03/28/20

TREE  
REMOVAL  
SHEET





# CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

## I. **AGENDA ITEM TITLE:** CLUP-21-03/Z-21-04/V-21-09 HUDSON PARK

PLANNING COMMISSION: MAY 6, 2021

CITY COUNCIL: MAY 24, 2021

## II. **RECOMMENDATION:**

Approve CLUP-21-03/Z-21-04/V-21-09 HUDSON PARK, subject to the following conditions:

1. Approximately 0.14 acres including the historic Weatherford House shall be zoned DT-LW and the remaining site, consisting of approximately 2.3 acres, shall be zoned DT-R and developed substantially similar to site plan prepared by Plum Creek Consulting, revised 4/26/2021, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use designation of the 0.14-acre property with the historic Weatherford House shall be 'Mixed Use Live-Work'.
3. Single-family lots may include the alley in order to comply with the minimum lot size. Lots shall not be permitted variances to the maximum lot coverage requirement.
4. The historic Weatherford House shall be used for an office or residence. A garage and driveway shall be provided with both accommodating at least 2 side-by-side parking spaces.
5. The historic Weatherford House shall be saved on the property, restored and designated under the City's Historic Preservation Incentive Ordinance. Restoration shall be completed by the 8<sup>th</sup> Certificate of Occupancy, subject to a Certificate of Appropriateness from the Historic Preservation Commission.
6. Architecture and materials shall be developed substantially similar to the submitted renderings, except for modifications required to comply with Staff comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. All homes shall have 4-sided architecture, materials and details with a unique front elevation. All homes shall have a chimney. A minimum of 5 homes on Canton Street or Mayfield Road shall be substantially brick or stone.
7. Building heights along Canton Street and Mayfield Road shall be limited to no more than 2 stories over basement and 35'.
8. Lots shall have a front yard defined by a decorative low wall (brick or stone), hedge with columns (brick or stone) or decorative fence, as approved by DRB. Hardscape in front yards shall be limited to decorative brick or pervious pavers and/or stepping stones and shall not be placed within the required landscape strip, except to connect to the sidewalk along the street.
9. Canton Street streetscape shall be improved as follows: minimum 6' planter planted with street trees, 8' brick sidewalk, and decorative pedestrian lights, with final approval by Staff. Brick sidewalk shall follow the future right-of-way to accommodate the roundabout and shall connect to the sidewalk on Mayfield Road. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
10. Mayfield Road streetscape shall be improved as follows: minimum 6' planter planted with street trees, 8' concrete sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
11. On-street parallel parking and brick sidewalk on the City's property to the south shall be constructed as depicted on the submitted site plan, with final approval by Staff.

12. Landscape strips along Canton Street and Mayfield Road shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements, as approved by DRB.
13. Project entrance at Canton St shall include a decorative paver apron, landscaping and low wall.
14. In lieu of placing public art on the property, the applicant shall transfer to the City at no cost the 3,325 SF area labeled 'Roundabout R/W' on the submitted site plan. Applicant will pay a sum of \$12,500 to the City toward the cost of future public art as part of the future roundabout project.
15. Amenity areas shall be developed with a park-like setting with decorative landscape, hardscape, low walls and seating. Amenity walking trails shall include a gravel or slate chip path, seating areas and landscaping. Landscape shall include plant selections promoting the historic Downtown.
16. Developer shall construct a pedestrian bridge across the stream connecting the east and west sides of the development.
17. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
18. The following trees shall be saved: #736 (34" Water Oak) and #748 (41" Yellow Poplar) within the stream buffer. A climbing risk assessment with a resistograph or similar testing to determine the health and structural integrity of the tree and main scaffold limbs shall be conducted to determine if tree #734 (38" Water Oak) should be saved, as approved by Staff. Developer shall make reasonable efforts to save additional trees of quality and/or tree groupings.
19. Access from the private drive along east property line (behind CVS) shall require an access agreement from the property owner.
20. Developer shall plant 10' landscape strip along the private driveway behind CVS and the 5' landscape strip along the south property line to landscape buffer standards, as approved by DRB.
21. Fences and walls visible from the public right-of-way shall be decorative, as approved by DRB. Unfinished wood fences and decks shall not be visible from the street.
22. Fire access shall meet IFC 2018 Appendix D and Fire Hydrants.
23. Developer shall remove exotic and invasive species in the stream buffers and revegetate the area, as approved by Staff.
24. Stormwater management facilities shall be provided on an independent lot and shall not impede access to homes, with final approval by Staff.
25. Garbage pickup shall be from the alley.
26. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

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

The applicant, Harrison Development & Construction, LLC, is requesting a comprehensive land use plan amendment, rezoning and variance to allow for the construction of a sixteen (16) lot single-family detached subdivision and to save and restore the historic Weatherford House in order to allow for its use as an office or residence. On approximately 0.14 acres (historic Weatherford House), a comprehensive land use plan amendment is requested from 'Downtown Residential Density' to 'Mixed Use Live-Work' and a rezoning is requested from R-10MHD (Dwelling, 'For-Rent' or 'For-Sale', Residential – Historic District) to DT-LW (Downtown Live-Work). On approximately 2.3 acres (remaining property), a rezoning is requested from R-10MHD to DT-R (Downtown Residential). A variance is requested to allow a private alley to count toward the minimum lot size. The subject property is located at 0 and 193 Canton Street at the southeast corner of Canton Street and Mayfield Road.

### **DISCUSSION**

The submitted request, if approved, would allow for the construction of sixteen (16) 'For-Sale' single-family detached homes and a historic structure to be saved, restored and used for an office or residence on 2.41 acres in the Downtown. The proposed residential density is 6.64 dwelling units per acre, which does not include the historic Weatherford House. The applicant proposes a comprehensive land use plan amendment from 'Downtown Residential Density' to 'Mixed Use Live-Work' and a rezoning from R-10MHD to DT-LW for the historic Weatherford House

property (approximately 0.14 acres). A rezoning is proposed for the remainder of the property (approximately 2.3 acres) from R-10MHD to DT-R. A variance is requested to allow an alley to count toward the minimum lot size. The subject property is located at 0 and 193 Canton Street at the southeast corner of Canton Street and Mayfield Road.

The property is developed with a single-family detached home known as the historic Weatherford House. The rest of the property is wooded with a non-perennial stream that divides the property from east and west. Surrounding properties are zoned R-15 to the north and west and C-1 (Neighborhood Commercial) to the south and east. The City owns the property located to the north, the historic Teasley Upshaw House is located to the west, CVS is located to the east and City-owned property and Main Street Commons Office Park are located to the south. The Comprehensive Land Use Plan designation of the property is 'Downtown Residential Density', which allows the proposed single-family detached homes.

The applicant is requesting a variance from Unified Development Code (UDC) Section 1.4, Definitions. A variance is requested to the definition of a 'Lot' to allow a private alley to count toward meeting the minimum lot size on a residential lot. 'Lot' is defined as:

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

The minimum lot size in DT-R district is 4,500 square feet. The applicant's site plan depicts a 20' private alley providing access to each lot. The average lot size including the alley is 4,814 square feet. The average lot size drops to 4,213 square feet when the alley is removed. Subdivisions in the Downtown have been granted variances to allow an alley to count toward the minimum lot size, including East of Main Phase 2 and The 1858. If approved, it is recommended that lots not be permitted to vary the maximum lot coverage requirement.

The Downtown Master Plan 5-Year market demand study reflects a demand potential of 40 – 45 single-family detached units. The demand analysis is intended to be a measure of market viability, not a prediction or recommendation for Downtown development. As shown in the table below, 361 single-family detached homes have been approved in the Downtown in the six (6) years since the adoption of the 2015 Downtown Master Plan update. The applicant's proposed density of 6.64 dwelling units per acre is in-line with past approvals in the Downtown.

#### **Downtown Overlay – Residential Approvals since the 2015 Downtown Master Plan Update**

| <b>Development Name</b>        | <b>Type</b>            | <b>Acres</b> | <b>Density</b> |
|--------------------------------|------------------------|--------------|----------------|
| The 1858                       | 11 SFD                 | 1.68 acres   | 6.55 du/ac     |
| AlphaDev                       | 11 SFD, 6 TH           | 2.21 acres   | 7.7 du/ac      |
| Alcove Place                   | 10 SFD                 | 1.23 acres   | 8.1 du/ac      |
| City Center/Voysey             | 42 SFD, 168 For-Rent   | 25 acres     | 8.0 du/ac      |
| Midwick                        | 17 SFD, 23 TH          | 5.85 acres   | 6.8 du/ac      |
| Old Milton Holdings (Foundry)  | 25 SFD, 137 TH         | 23.89 acres  | 6.8 du/ac      |
| Thompson Street Flats (Kairos) | 24 Condo (High)        | 2.39 acres   | 10.0 du/ac     |
| Burnett Circle (Ouray)         | 43 TH                  | 5.72 acres   | 7.5 du/ac      |
| Weyhill                        | 9 SFD                  | 3.1 acres    | 2.9 du/ac      |
| Teasley Place                  | 24 Condo (High)        | 2.2 acres    | 10.9 du/ac     |
| East of Main                   | 60 SFD, 42 TH          | 13.87 acres  | 7.35 du/ac     |
| Twelve on Canton               | 12 SFD                 | 5.46 acres   | 2.2 du/ac      |
| The Maxwell                    | 58 SFD, 80 Condo (Mid) | 12.91 acres  | 10.7 du/ac     |



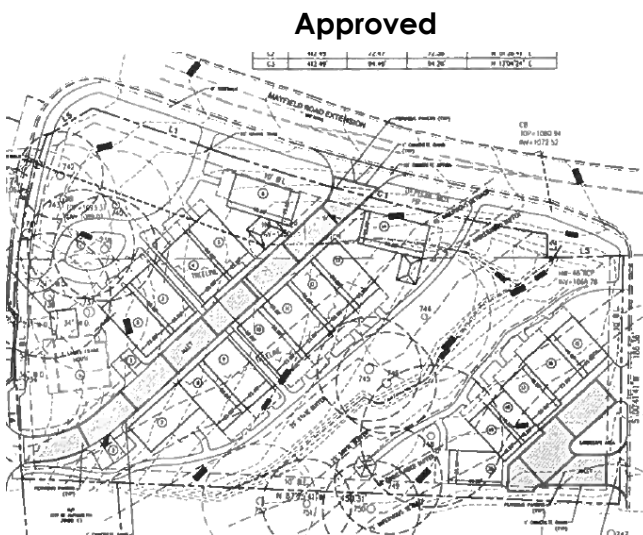
|                       |        |            |            |
|-----------------------|--------|------------|------------|
| Rowes Downtown        | 22 SFD | 3.26 acres | 6.75 du/ac |
| Chelsea Walk          | 49 TH  | 7.04 acres | 7.0 du/ac  |
| Manning on the Square | 58 SFD | 11.7 acres | 4.96 du/ac |
| Villa Magnolia        | 26 SFD | 3.53 acres | 7.37 du/ac |

#### Downtown Overlay – Number of Approved Residential Units by Type

| Residential Type        | Number Approved                       |
|-------------------------|---------------------------------------|
| Single-Family Detached  | 361 units                             |
| Townhome                | 300 units                             |
| Condominium (Mid-Entry) | 80 units                              |
| Condominium (High-End)  | 48 units                              |
| For-Rent                | 168 units                             |
| TOTAL                   | 957 units (82% For-Sale/18% For-Rent) |

#### SITE PLAN ANALYSIS

In 2014, the subject property was approved for a rezoning to construct twenty (20) single-family detached homes and townhome units. Conditions of approval required that the historic Weatherford House be saved and restored as a residence. The density of that development, which was called Stonewalk Mayfield, was 8.3 dwelling units per acre and did not include the historic structure. The applicant's proposed site plan depicts sixteen (16) single-family detached lots and an additional lot for the historic Weatherford House. The proposed density, not including the historic save, is 6.64 dwelling units per acre. The maximum height of the homes is proposed to be two (2) stories over a basement and 35'.



The submitted site plan depicts sixteen (16) single-family detached lots and the historic Weatherford House oriented to Canton Street, Mayfield Road and a stream. Access is provided from Canton Street by way of a twenty-foot (20') private alley and from an existing private driveway off Mayfield Road behind CVS. Lots range in size from 4,500 to 6,000 square feet with an average lot size of 4,814 square feet. A 10' setback is provided along Canton Street, Mayfield Road and the private driveway. An eight-foot (8') brick sidewalk is depicted along Canton Street and an eight-foot (8') concrete sidewalk is depicted on Mayfield Road. Minimum building setbacks are consistent with the DT-LW and DT-R development standards.

Each home will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. The Downtown Code requires 40 parking spaces for the proposed subdivision, of which 64 parking spaces would be provided on-site. There is currently no parking proposed for the historic Weatherford House. The applicant proposes to construct approximately fifteen (15) on-street parallel parking spaces along the east side of Canton Street and on the City-owned property to the south.

The proposed development complies with the minimum required open space by way of saving the historic Weatherford House. However, the site plan depicts a few amenity walking trails and a 1,100 square foot amenity area within the development and on both sides of the stream. The applicant's proposal complies with the minimum 10% amenity space required in the DT-R and DT-LW districts. If approved, amenity areas should include improvements associated with gathering and seating areas.

There are a few specimen trees on the subject property, consisting primarily of Hardwoods. The applicant's site plan depicts two (2) tree saves (tree# 745 - 31" Water Oak and tree# 746 - 29" Poplar) in the stream buffer. Three (3) specimen trees are depicted to be removed, including a 35" Poplar, 25" Water Oak and 42" Poplar. The City Arborist recommends a climbing risk assessment be conducted on tree #734 – 40" Water Oak to determine if the tree should be saved. In addition, tree #748 (42" Poplar) cannot be removed as the tree is located within the stream buffer. It is recommended that the developer make reasonable efforts to save additional trees of quality and tree groupings on the property.

A site plan note indicates that stormwater management would be provided underground and in the alley off Canton Street. In addition, water quality will be provided for Lots 14 – 17, located on the east side of the property, independently from the rest of the development.

## **RENDERINGS**

According to the applicant's architect, homes will be designed to be compatible with the architecture of the historic Weatherford House and surrounding homes along Canton Street. Homes are proposed to be designed in the Tudor Eclectic and Folk Victorian architectural styles, which are both approved in the Downtown. Façade materials will combine brick, stone, shingles and board and batten. Roof material is proposed to be architectural asphalt shingles resembling the period-correct shingle associated with each architectural style. The submitted renderings depict the homes to be 2-stories over basement with gable rooftops. Staff has reviewed the renderings and has the following comments:

- Tudor Eclectic style has a façade that is dominated by one or more prominent front-facing gables and windows should be tall and narrow.
- Shingle style almost always has a porch and wall cladding and roofs are continuous wood shingles.
- Shingles should be cedar shake or composite material acceptable to the City.
- Use of accent windows does not appear to be appropriate in either of the chosen styles.
- Chimney should be prominent and usually capped with decorative clay pots.
- Recommend the use of a color brick.
- Renderings only show the front elevation. A condition will be recommended requiring 4-sided architecture, materials and details.

## TRAFFIC

The applicant provided a trip generation report, which estimates that the proposed 17-lot single-family detached subdivision would generate 13 AM Peak Hour trips and 17 PM Peak Hour trips.

## SCHOOLS

Residential development is known to increase school enrollment. Fulton County calculated the potential maximum number of children who may live on the property by using the Fulton County Schools standard calculation to identify the number of children that a residential development will generate. The following chart outlines these figures:

### FULTON COUNTY SCHOOLS – 17 Detached Homes

| School                       | Single Family Average # |
|------------------------------|-------------------------|
| Alpharetta Elementary School | 1 to 7 students         |
| Hopewell Middle School       | 0 to 3 students         |
| Cambridge High School        | 2 to 7 students         |
| TOTAL                        | 3 to 17 students        |

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 3 – 17 school age children. Numbers provided by Fulton County Schools show that all three (3) schools have capacity.

## COMPREHENSIVE LAND USE PLAN (CLUP) AMENDMENT

Unified Development Code Section 4.1.3 Standards for CLUP amendment approval, provides the following criteria for consideration when evaluating a request for a change in land use:

A. The extent to which a change in the economy, land use or development opportunities of the area has occurred.

*Response: The historic Weatherford House was conditioned to be saved in conjunction with the 2014 rezoning of the subject property for Stonewalk Mayfield. The applicant's request is similar to rezonings approved at the Ben Manning House and Lewis Manning House in 2017 to allow those structures to be used as a residence or office.*

B. The extent to which the proposed designation is in compliance with the goals and policies of the Plan.

*Response: The applicant's proposal is consistent with many of the goals and policies in the City's Comprehensive Plan, including promoting a mix of uses, walkability and historic preservation in the Downtown.*

C. The extent to which the proposed designation would require changes in the provision of public facilities and services.

*Response: The proposal would not have significant impacts on public facilities and services.*

D. The extent to which the proposed designation would impact the public health, safety, and welfare.

*Response: The restoration and protection of the historic Weatherford House is a benefit to the community by preserving cultural resources.*

E. The extent to which additional land area is needed to be developed for a specific type of use.

*Response: The success of the Downtown Master Plan has led to an increasing demand for both office space and residential development in the Downtown.*

F. The extent to which area demographics or projections are not occurring as projected.

*Response: Not applicable.*

## **STANDARDS FOR ZONING CHANGES**

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

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

*Response: The zoning proposal would be suitable as it relates to the use and development of adjacent and nearby properties, which are primarily developed with similar residential uses and densities. The applicant's request represents a reduction in density and a change to all detached product.*

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

*Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are primarily developed with similar residential uses and densities. The applicant's request represents a reduction in density and a change to all detached product.*

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

*Response: The applicant's proposal should not have significant impacts on the natural environment, if additional trees are saved on the property.*

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

*Response: The subject property was approved in 2014 for a rezoning to allow for the construction of twenty (20) townhome units and detached homes. The current proposal represents a reduction in density (16 units) and a change to all detached product.*

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



*Response: The current proposal would have less impact on public facilities and services as it relates to parks and recreation, fire and police and schools, since the number of dwelling units on the property has been reduced by four (4) units.*

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

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

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

*Response: The request should not negatively impact public health, safety or welfare. The proposed zoning is consistent with the future land use designation of the property and represents a reduction in density from the 2014 rezoning approval.*

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

*Response: The subject property was approved in 2014 for a rezoning to allow for the construction of twenty (20) townhome units and detached homes. The current proposal represents a reduction in density (16 units) and a change to all detached product.*

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

*Response: The Comprehensive Land Use Plan designation of the property is 'Downtown Residential Density', which allows the proposed single-family detached subdivision. A comprehensive land use plan amendment is required for the 0.14-acre historic Weatherford House property to 'Mixed Use Live-Work' to allow for that structure to be used for an office.*

## **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 upon a finding that":

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

*Response: The request to allow an alley to count toward the minimum lot size has been approved at other Downtown subdivisions, including East of Main 2 and The 1858. The average area of a lot minus the alley is 4,213 square feet, representing a 9% reduction.*

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

*Response: The request to allow an alley to count toward the minimum lot size has been approved at other Downtown subdivisions, including East of Main 2 and The 1858. The average area of a lot minus the alley is 4,213 square feet, representing a 9% reduction.*

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

*Response: The request to allow an alley to count toward the minimum lot size has been approved at other Downtown subdivisions, including East of Main 2 and The 1858. The average area of a lot minus the alley is 4,213 square feet, representing a 9% reduction.*

(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 variance should not cause substantial detriment to the public good. The request to allow an alley to count toward the minimum lot size has been approved at other Downtown subdivisions, including East of Main 2 and The 1858. The average area of a lot minus the alley is 4,213 square feet, representing a 9% reduction.*

## **CONCURRENCES**

Staff has reviewed the applicant's proposal and finds that it can generally support the request for comprehensive land use plan amendment, rezoning and variance. The comprehensive land use plan amendment is consistent with the designation assigned to historic structure saves in the Downtown, such as the Ben Manning House and the Lewis-Manning House. The zoning proposal is consistent with the vision of the Downtown Master Plan and is suitable as it relates to the use and development of adjacent or nearby properties, which are primarily developed with similar residential uses and densities. In addition, the applicant's proposal represents a decrease in density from the 2014 approval on the subject property. Approval of the variance should not cause substantial detriment to the public good.

## **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 the applicant was contacted by two (2) residents with general informational questions. Neither resident expressed any concerns.

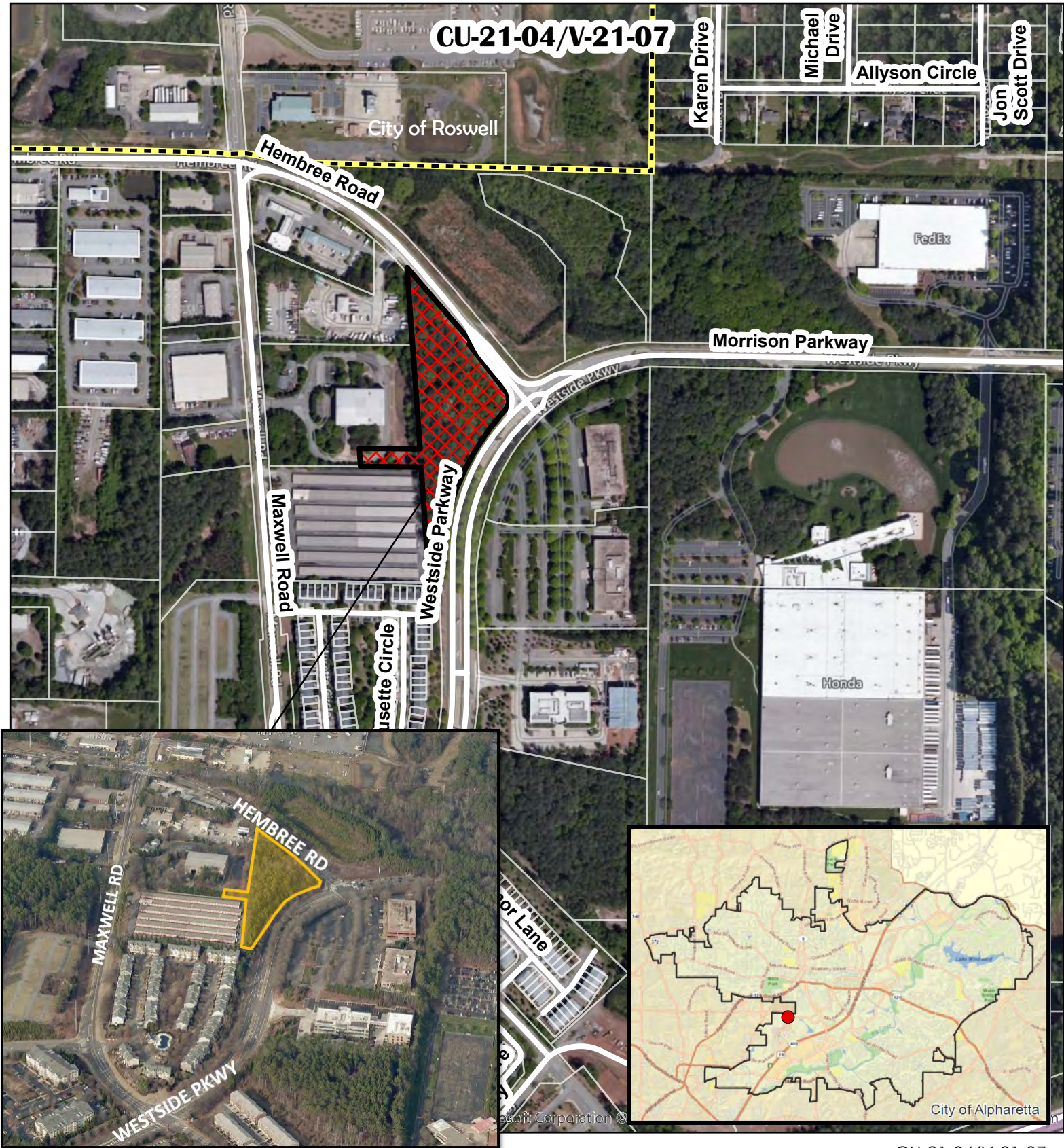
## **COMMUNITY ZONING INFORMATION MEETING**

CZIM was held on April 14, 2021. There was one (1) public comment in support of the proposal.

### **IV. ATTACHMENTS:**

- Site Plan
- Renderings





CU-21-04/V-21-07

City of Roswell

Hembree Road

Karen Drive

Michael Drive

Allyson Circle

Jon Scott Drive

FedEx

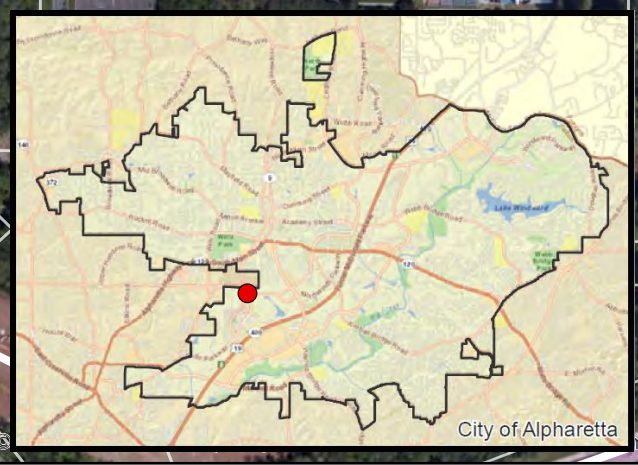
Morrison Parkway

Honda

Maxwell Road

Westside Circle

Westside Parkway



CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21



# Aerial Map Westside Wine & Spirits 2125 Hembree Road

Map Source :  
Community Development GIS



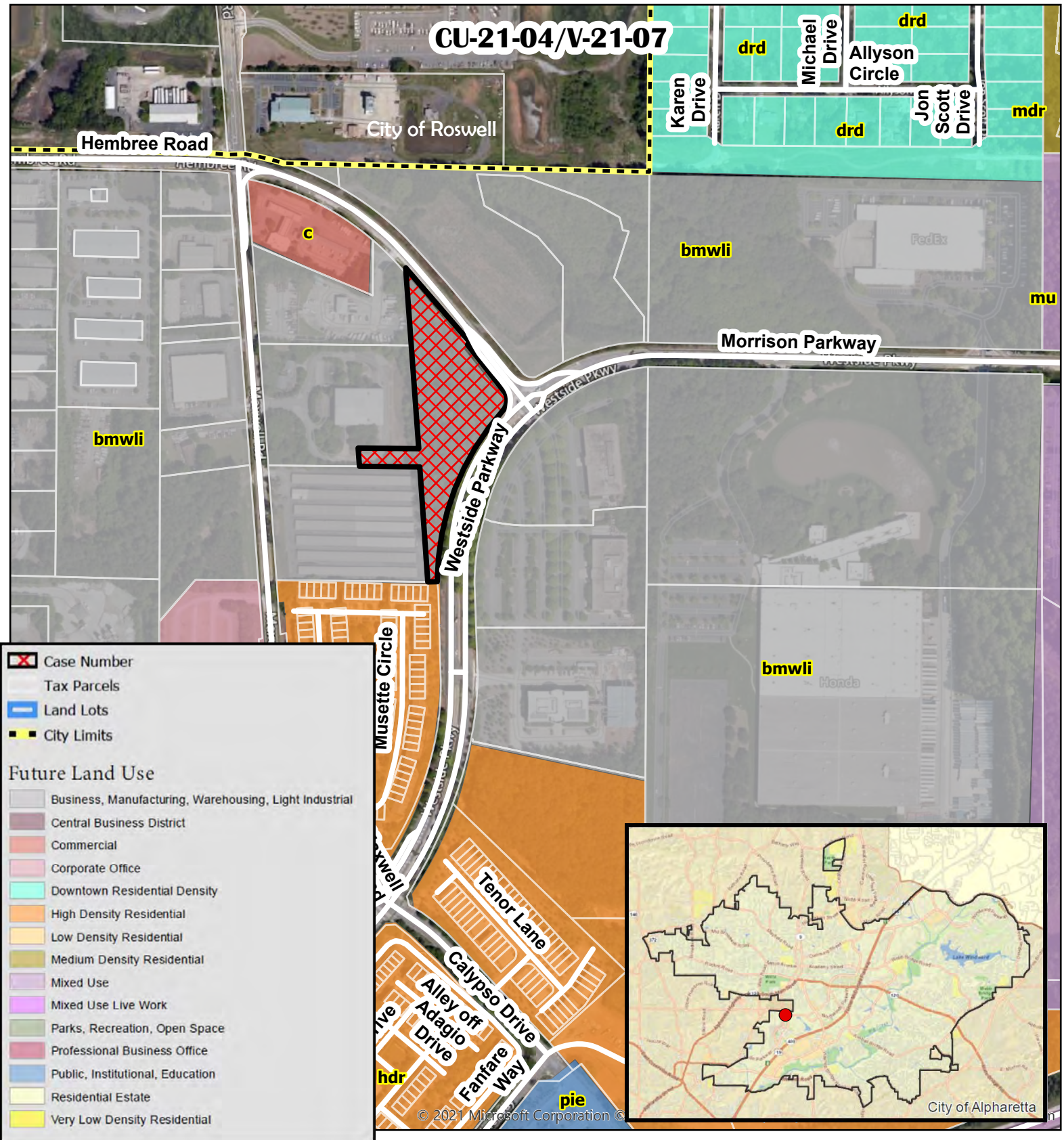


# Zoning Map Westside Wine & Spirits 2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS



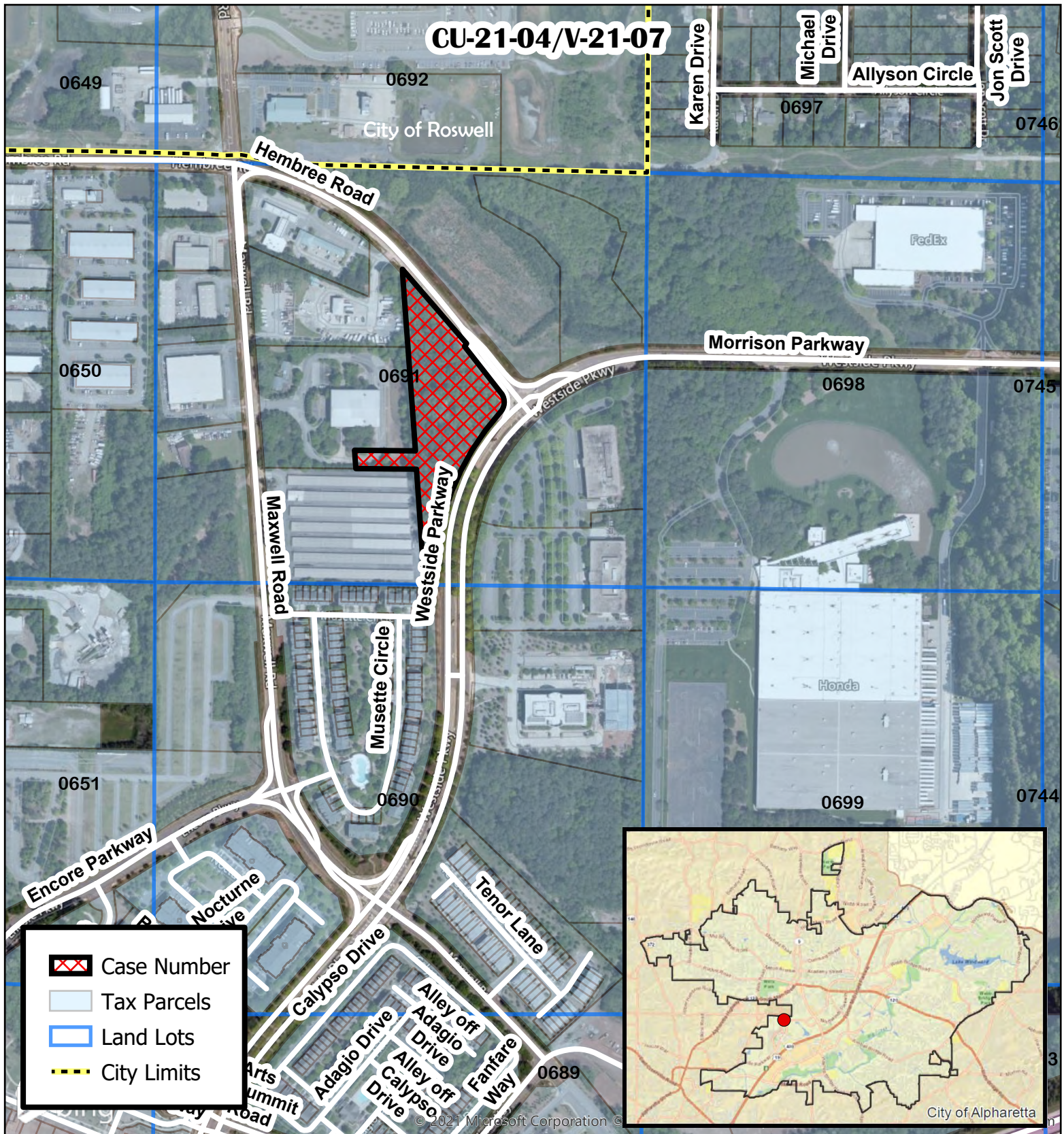


# Future Land Use Westside Wine & Spirits 2125 Hembree Road

CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS





# Location Map Westside Wine & Spirits 2125 Hembree Road

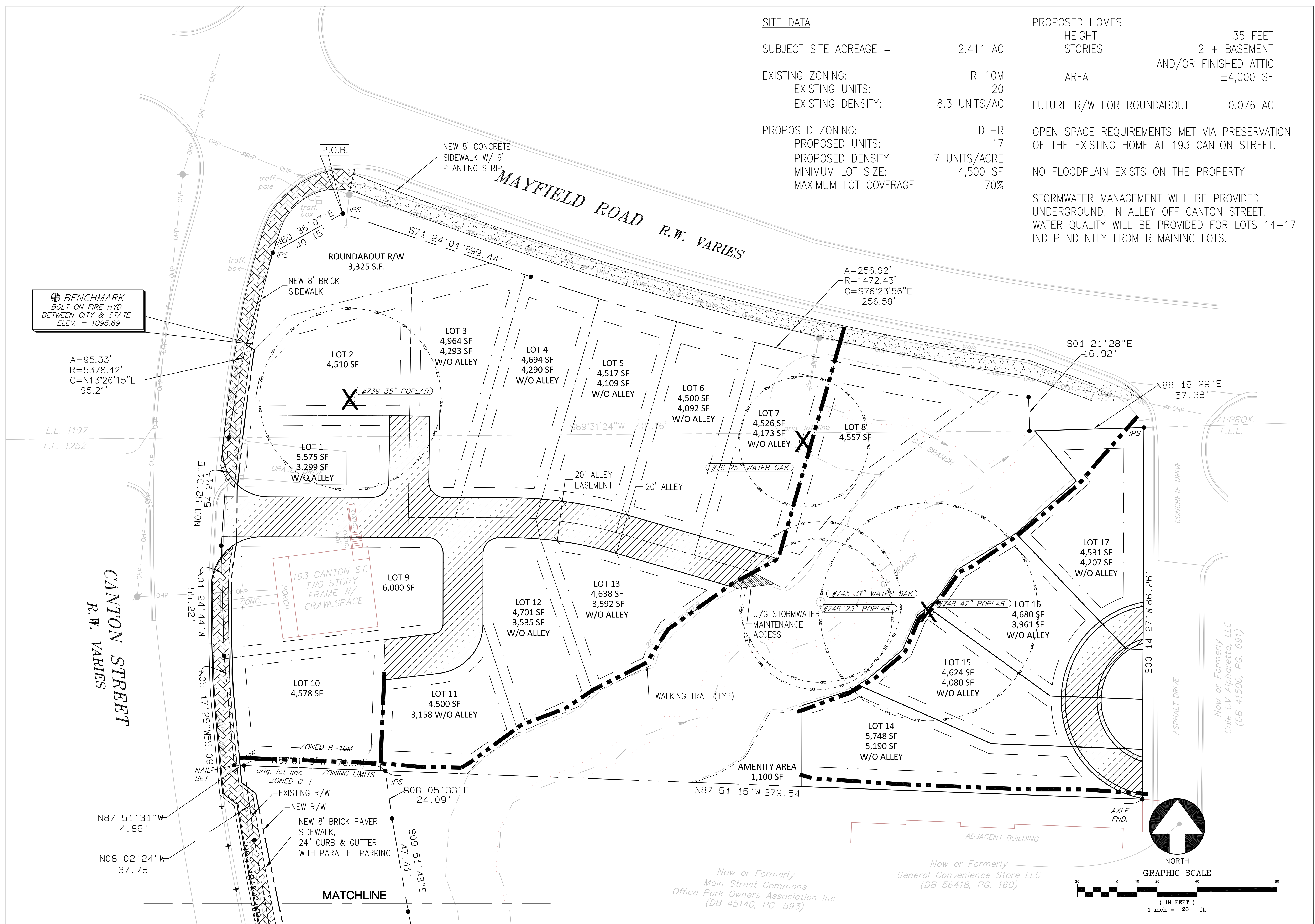
CU-21-04/V-21-07  
D/LL: 1/2/691  
PC: 5/6/21  
CC: 5/24/21

Map Source :  
Community Development GIS



| REVISIONS                                                                                                                                                                                                                                                                                                                         |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| NO.                                                                                                                                                                                                                                                                                                                               | DATE       |
| 1                                                                                                                                                                                                                                                                                                                                 | 2021-04-26 |
|                                                                                                                                                                                                                                                                                                                                   |            |
|                                                                                                                                                                                                                                                                                                                                   |            |
|                                                                                                                                                                                                                                                                                                                                   |            |
|                                                                                                                                                                                                                                                                                                                                   |            |
| DATE: 03/01/2021                                                                                                                                                                                                                                                                                                                  |            |
| COPYRIGHT © 2020 BY PLUM CREEK CONSULTING. THIS DOCUMENT IS THE PROPERTY OF PLUM CREEK CONSULTING, LLC AND IS TO BE USED ONLY FOR THE PROJECT SPECIFIED HEREIN. IT IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, IN WHOLE OR IN PART, EXCEPT BY EXPRESSLY WRITTEN AGREEMENT WITH PLUM CREEK CONSULTING, LLC. |            |
| THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT IS PROPERLY SIGNED AND SEALED.                                                                                                                                                                                                                                 |            |

|                        |              |                           |                       |
|------------------------|--------------|---------------------------|-----------------------|
| <u>SITE DATA</u>       |              | PROPOSED HOMES            |                       |
|                        |              | HEIGHT                    | 35 FEET               |
| SUBJECT SITE ACREAGE = | 2.411 AC     | STORIES                   | 2 + BASEMENT          |
|                        |              |                           | AND/OR FINISHED ATTIC |
| EXISTING ZONING:       | R-10M        | AREA                      | ±4,000 SF             |
| EXISTING UNITS:        | 20           |                           |                       |
| EXISTING DENSITY:      | 8.3 UNITS/AC | FUTURE R/W FOR ROUNDABOUT | 0.076 AC              |





## **Architectural Narrative for Hudson Park**

The homes at Hudson Park are designed to be compatible with the vernacular architecture of the historic Weatherford House and surrounding homes along Canton Street. The exteriors draw primarily from the Tudor Eclectic and Folk Victorian styles as described under Sec. 2.8.7 of the Alpharetta Downtown Code. Due to the layout of the site, the front facades of the homes are narrow and asymmetrical and feature elements such as more prominent front-facing gables, arches, entry porches of varying size, or decorative wood accents such as brackets or window pediments. Façade materials combine brick, stone, shingles, and board-and-batten while applying the woven corner technique to emphasize the horizontal lines rather than verticals. All units will have prominent fenestration on main levels, with some designs including accent metal roofing above window bays and entry porches. The main roofs of all homes will be architectural asphalt shingles and resemble the period-correct shingle for each architectural style used. The color schemes for the homes will largely be rendered in neutral colors, featuring whites and greys.

The existing Weatherford House, which is considered by the City of Alpharetta to fit into the Folk Victorian style, will be renovated with period-appropriate details such as window shutters, brackets under roof eaves, and spindle-work detailing on the front porch.



***CLUP-21-03/Z-21-04/V-21-09 HUDSON PARK***

1. Great improvement – currently an eyesore

18:30:21            From Bo Towns : Great improvement! It is an eye-sore at the moment

18:30:35            From Chris Owens : Thank you, Bo!

# 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: **Hudson Park**

Contact Name: **Ken Warlick**

Telephone: **404-965-7114**

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.

We mailed the attached notification letter to all property owners located within 500 feet of the property on March 1, 2021. As shown on the mailing list previously provided, a total of 60 property owners were contacted. Each of these owners was provided with a site plan, information about the project, and contact information for Harrison Development & Construction. We mailed an updated package to all 60 recipients on March 11, 2021 that included corrected information regarding the dates of the upcoming CZIM and public hearings, along with all other materials that were in the initial mailing. We received a phone call from Ms. Juanita Rocca in response to this mailing and answered her questions about the project. She did not offer any comments.

We additionally reached out directly to Mrs. Claudia Lewis, owner of the property directly across from the site at 184 Canton Street. We met Mrs. Lewis and her son Nat "Shack" Lewis on the site on March 5, 2021. We walked the site with them and answered their questions about the project. They did not express any major concerns or objections regarding the development.

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: **3/23/2021**

Print Form



March 10, 2021

RE: Rezoning Request from R10-MHD to DT- R  
Hudson Park – Single Family Detached Residential Neighborhood  
Location – 193 Canton Street at Mayfield Road  
Parcel # 22-482212520161 and 22-481411970862

Dear Neighbor:

Harrison Homes has filed for a rezoning of 2.411 acres on Canton Street at Mayfield Road in the City of Alpharetta, Fulton County, Georgia from R10-MHD to DT-R. We are seeking approval for a 17-lot subdivision of single-family homes in lieu of the current approval of 20 units that includes a mixture of townhomes and single-family homes. A copy of the site plan is attached to this letter.

If you should have any questions regarding this matter, or would like some further information and details, please feel free to contact Harrison Homes at:

Telephone: 404-965-7114

Email: [info@harrisonatl.com](mailto:info@harrisonatl.com)

Address: 1954 Airport Road, Suite 242, Chamblee GA 30341

The hearings on this matter will be as follows:

**Community Zoning Information Meeting (CZIM) via ZOOM:** April 14, 2021 at 6:00 pm

Zoom Link: <https://zoom.us/j/95896318191>

**Planning Commission Meeting:**

May 6, 2021 at 6:30 pm; and

**City Council Hearing:**

May 24, 2021 at 6:30 pm

Both Public Hearings will take place in Council Chambers, 2 Park Place, Alpharetta, GA 30009

For more details and meeting schedules, please visit:

<https://www.alpharetta.ga.us/government/departments/community-development/public-hearings/z-21-04-v-21-09-hudson-park-193-canton-street>

Sincerely,

**KEN WARLICK**

COO / VP OF COMMUNITIES

**HARRISON HOMES** | [HarrisonATL.com](http://HarrisonATL.com)



Attachment: Zoning Site Plan



| Parcel          | Owner                                  | Address 1                  | Address 2                |
|-----------------|----------------------------------------|----------------------------|--------------------------|
| 22 482212521318 | AB REAL ESTATE INVESTMENTS LLC         | 1110 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212520807 | APPEN RAYMOND C & CHRISTINA B          | 316 LYNNE CIR              | ALPHARETTA GA 30004      |
| 22 482112510064 | BEAULY LLC                             | 8665 E HARTFORD DR STE 200 | SCOTTSDALE AZ 85255      |
| 22 482212520666 | BELL LINDA REESE & JONES ELLON W       | 159 NORTH MAIN ST          | ALPHARETTA GA 30009      |
| 22 482212520872 | BENSON DOROTHY C                       | 133 CANTON ST              | ALPHARETTA GA 30004-1606 |
| 22 482212521169 | BERMIC RPROPERTIES LLC                 | 1040 POWERS PL             | ALPHARETTA GA 30009      |
| 22 482212521052 | BOBE & SNELL LLC                       | 1095 POWERS PL             | ALPHARETTA GA 30009      |
| 22 481411970185 | BURGESS JOHN R SR & BURGESS VIRGINIA P | 255 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521193 | BUTTS ROBERT R                         | 5360 FRANKLIN GOLDMINE RD  | CUMMING GA 30028         |
| 22 481411970441 | CMP PROPERTIES LLC                     | 254 N MAIN ST              | ALPHARETTA GA 30009      |
| 22 482212521011 | COLE CV ALPHARETTA LLC                 | P.O. BOX 4900 DEPT 604     | SCOTTSDALE AZ 85261-4900 |
| 22 482212521185 | COLLINS MARINE GROUP LLC               | 88 ROSWELL ST              | ALPHARETTA GA 30009      |
| 22 481411970540 | COOK BETTY R                           | 146 MAYFIELD RD            | ALPHARETTA GA 30004-1538 |
| 22 481411970904 | COOK JUSTEN S                          | 191 UPSHAW DR              | ALPHARETTA GA 30009-1547 |
| 22 482112510072 | DELAPEIRRIERE DARREN A & KELLEY P      | 11985 CRABAPPLE RD         | ROSWELL GA 30075-2419    |
| 22 482212521276 | EHORSE L L C                           | 1070 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521300 | ERIC S CHOFNAS PC                      | 1100 POWERS PL             | ALPHARETTA GA 30004      |
| 22 481411970797 | FILIPOWICZ DAVID F & LAURA             | 260 CANTON ST              | ALPHARETTA GA 30009      |
| 22 481411970839 | FRANCIS SCHINDLER LLC                  | 143 MAYFIELD RD            | ALPHARETTA GA 30009      |
| 22 482212520047 | GDCI GA 4 L P                          | 5755 DUPREE DR SUITE 130   | ATLANTA GA 30327         |
| 22 482212521201 | GEISEL PAMELA A                        | 1000 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521045 | GENERAL CONVENIENCE STORE LLC          | 501 N CENTRAL AVE          | ATLANTA GA 30354         |
| 22 482212521292 | GRONHOLM SCOTT                         | 12200 KING CIR             | ROSWELL GA 30075         |
| 22 482212521250 | HARMAN DEMPSEY PROPERTIES LLC          | 1145 POWERS PL             | ALPHARETTA GA 30009-8358 |
| 22 481411970847 | HAYMEADOW GROUP LLC                    | 244 N MAIN ST              | ALPHARETTA GA 30009-3625 |
| 22 482212520039 | HEMBREE GEORGIA R                      | 168 CANTON ST              | ALPHARETTA GA 30009-3670 |
| 22 482212521227 | HI RIVER PROPERTIES LLC                | 7917 SONATA BAY POINT      | LAKE WORTH FL 33467-7067 |
| 22 481411970912 | HUDSON ZACHERY CLEMETH & JENNY ROGERS  | 253 CANTON ST              | ALPHARETTA GA 30009      |
| 22 481411970607 | HUDSPETH ELIZABETH                     | 1385 SUMMIT RD             | ALPHARETTA GA 30004      |
| 22 481411970342 | JMA HOMES LLC                          | 565 WAYT RD                | ROSWELL GA 30076         |
| 22 482212521086 | JOBETH PROPERTIES LLC                  | 745 GLENLEIGH LN           | DULUTH GA 30097          |
| 22 482112510080 | KASSAM AMIN                            | 4957 SUMMER WIND DR        | BUFORD GA 30519-3496     |
| 22 482212520708 | KIM KON & SOON JA                      | 1160 ALPHARETTA ST         | ROSWELL GA 30075         |
| 22 482212521094 | KLAM INC                               | 4465 PINEHOLLOW CT         | ALPHARETTA GA 30022      |
| 22 482212521144 | LEE ANGELA D                           | 959 BRIDGEGATE DR          | MARIETTA GA 30066        |
| 22 482212520948 | LEWIS CLAUDIA B                        | 184 CANTON ST              | ALPHARETTA GA 30004-1606 |
| 22 481411970680 | LIPSCOMB MICHAEL K & SUSAN MARIE       | 233 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521235 | LORVEN PROPERTIES LLC                  | 1125 GOLDENROD LANE        | SUWANEE GA 30024         |
| 22 481411970656 | LOWER LATIGO GROUP LLC                 | 244 N MAIN ST              | ALPHARETTA GA 30009      |
| 22 482212521359 | MAIN STREET COMMONS OFFICE PARK OWNERS | 1102 ABBEY CT              | ALPHARETTA GA 30004      |
| 22 481411970888 | MAX AUTO REAL ESTATE LLC               | 1101 MONROE ST             | TOLEDO OH 43604          |
| 22 482212520161 | MAYFIELD LLC                           | 11785 NORTHFALL LN STE 510 | ALPHARETTA GA 30009      |
| 22 482212521136 | MC MANES A SPENCER & A SPENCER JR      | 1015 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482112510056 | MEADE ERIC A                           | 355 CHELSEA CT             | ALPHARETTA GA 30004      |
| 22 482212521151 | MERIDIAN GROUP INC THE                 | 1050 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212520765 | O DONNELL ROBERT J & CHERYL C          | 134 N MAIN ST              | ALPHARETTA GA 30004-1623 |
| 22 482212521268 | OBEROI MADANJIT OBEROI MADHU           | 205 W SMOKETREE TER        | ALPHARETTA GA 30005      |
| 22 482212520989 | PHILLIPS ALPHARETTA LLC                | 830 KENNESAW AVE NW        | MARIETTA GA 30060        |
| 22 482212521078 | RM BILOXI LLC                          | 1075 POWERS PL STE B       | ALPHARETTA GA 30009      |
| 22 482212521326 | ROBERTSON SHERYL S                     | 1120 POWERS PL             | ALPHARETTA GA 30009-8359 |
| 22 482212521177 | SBLD PROPERTIES LLC                    | 1030 POWERS PL             | ALPHARETTA GA 30004      |
| 22 497011950047 | SNH AL GEORGIA LLC                     | 255 WASHINGTON ST          | NEWTON MA 02458          |
| 22 482212521219 | SOLLEY ROBERT A                        | 1105 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521342 | SRISAI REALTY LLC                      | 5755 N POINT PKWY SUITE 85 | ALPHARETTA GA 30022      |
| 22 481411970862 | STONEWALK MAYFIELD CORNERS LLC         | 660 GLENOVER DR            | ALPHARETTA GA 30004      |
| 22 482212520914 | SUMMERS DOLLEH KIM                     | 1660 HAMIOTA RDG           | ALPHARETTA GA 30004      |
| 22 482212521060 | TINK WISE LLC                          | 1085 POWERS PL             | ALPHARETTA GA 30009      |
| 22 481411970672 | WATSON RICHARD A & WATSON RENE O       | 243 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521128 | WHITMAN ARNOLD                         | 3500 LENOX RD NE STE 510   | ATLANTA GA 30326         |
| 22 482212521110 | WHITMAN ARNOLD M                       | 3820 MANSELL RD SUITE 280  | ALPHARETTA GA 30022      |
| 22 481411970565 | WILLIAMS KATHRYN P                     | 212 CANTON ST              | ALPHARETTA GA 30004-1337 |

3/1/21

CLUP-21-03/Z-21-04/  
V-21-09

Hudson Park 193 Canton St

# 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: Ken WarlickTelephone: 404-965-7114Address: 1954 Airport RoadSuite: 242City: ChambleeState: GAZip: 30341Fax: naMobile Tel: 678-409-7549Email: ken@harrisonatl.com

### Subject Property Information:

Address: 193 Canton StreetCurrent Zoning: R-10MDistrict: 2ndSection: 2ndLand Lot: 1197 & 1252Parcel ID: 22-482212520161 & 22-481411970862Proposed Zoning: DT-RCurrent Use: Residential/Vacant Land

### 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): \_\_\_\_\_

---

# APPLICANT REQUEST AND INTENT

---

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

17-home neighborhood of single-family detached homes, including the rehabilitation of the historic Weatherford House.

Applicant's Request (Please itemize the proposal):

- 1) Rezone the subject property from R-10M to DT-R
- 2) Variance to permit land located within private alleys to be counted as part of Lots 1, 3, 4, 5, 6, 7, 11, 12, 13, 15, 16, and 17.
- 3) Amending previously approved conditions as indicated in the Letter of Intent

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

Applicant proposes to develop Hudson Park, a 17-lot neighborhood of single-family detached homes. The development includes the rehabilitation of the historic Weatherford House, which has been vacant and deteriorating for many years. This home will be renovated in a respectful and historically appropriate manner as part of the development. The development will also include pedestrian and streetscaping improvements along Mayfield Road and Canton Street, an on-site footbridge and walking trails, and improvements to the adjacent city-owned parcel along Canton Street. This development will enhance the appearance of a long-neglected site at the northern gateway to downtown, restore the character of a prominent historic home, and improve pedestrian connections and safety along both Canton Street and Mayfield Road.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: GEORGE H. JACKSON III Telephone: 770-403-3592  
Address: 766 BLACKFOOT TRAIL Suite: \_\_\_\_\_  
City: SUWANEE State: GA Zip: 30024

## Authorization:

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

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

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

## Identify Authorized Applicant:

Name of Authorized Applicant: Ken Warlick Telephone: 404-965-7114  
Address: 1954 Airport Road, Suite 242 Suite: \_\_\_\_\_  
City: Chamblee State: GA Zip: 30341

## So Sworn and Attested:

Owner Signature: [Signature] Date: FEB 10, 2021

## Notary:

Notary Signature: [Signature] Date: 02-10-2021





# DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Harrison Development & Construction, LLC

Subject Public Hearing Case: Hudson Park (Mayfield/Canton)

## 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: Ben Burnett Position: City Council

Description of Contribution: Friends of Ben Burnett Value: \$300

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: 2/8/21



March 1, 2021

VIA HAND DELIVERY

Ms. Kathi Cook  
Department of Community Development  
City of Alpharetta  
2 Park Plaza  
Alpharetta, GA 30009

RE: Letter of Intent for Rezoning and Concurrent Variances on behalf of Harrison Development & Construction, LLC for subject property located at 193 Canton Street, City of Alpharetta, Fulton County, Georgia

Harrison Development & Construction, LLC ("Applicant") is the contract purchaser of the property located at 193 Canton Street in the City of Alpharetta, Georgia (Parcel IDs 22-482212520161 and 22-481411970862, Land Lots 1197 and 1252). The property is approximately 2.41 acres in size and is zoned R-10M. The property is also located in the City of Alpharetta's Downtown Overlay zoning district. Applicant is seeking a Rezoning from the current R-10M to Downtown Residential (DT-R), with a Variance. This letter shall be construed as Applicant's Letter of Intent for this Application.

Applicant proposes to develop the property as Hudson Park, a 17-lot subdivision of single-family detached homes. The arrangement and design of the lots and homes will be consistent with the City of Alpharetta Comprehensive Plan and the standards of the Downtown Overlay zone. One of the proposed lots contains the historic Weatherford House that is located on the property and has been vacant and deteriorating for many years. This home will be renovated in a respectful and historically appropriate manner as part of the development. The development will also include significant improvements to the visual and pedestrian environment around the perimeter of the site.

The property is situated in the southeast quadrant of the intersection of Canton Street and Mayfield Road. This highly visible location is at the northern gateway of Alpharetta's Downtown Overlay district, opposite from the Alpharetta Arts Center. We are aware that the City of Alpharetta plans to convert the intersection from its present four-way, signalized configuration to a roundabout. Applicant has obtained preliminary plans for the roundabout from the City of

Alpharetta's Department of Public Works and the proposed site plan has been designed to accommodate this design.

The proposed development represents a decrease in both density and lot coverage from the Mayfield Corners project (Z-13-15/V-13-18) that was approved by the City of Alpharetta on July 28, 2014. Mayfield Corners was a 20-lot subdivision that included a mix of townhouses and detached single-family units. Hudson Park would only consist of detached single-family units and would be less dense than recently completed townhouse developments along the Canton Street corridor such as West Main and Canton Street Commons. Unit sizes and setbacks will be consistent and compatible with these nearby developments, but individual lots will be larger, as the homes will all be detached. Hudson Park will provide another high quality, walkable neighborhood that reinforces the City's vision for its Downtown district.

The City's 2014 approval of Mayfield Corners included 22 separate conditions. Applicant acknowledges these conditions and requests the following modifications:

- Condition 1: Strike and replace with: "Property shall be zoned DT-R and limited to single-family for-sale residential."
- Condition 2: Strike and replace with: "Development shall comply with Building Design requirements in Sec. 2.8 of the Alpharetta Downtown Code, including architectural style."
- Condition 3: Strike the second sentence stating: "Brick walls as depicted along Mayfield shall be required with final approval by Staff."
- Condition 4: Strike and replace with: "Site plan shall fully preserve the critical root zones of offsite specimens and preserve tree #76 (25" Water Oak), #739 (35" Tulip Poplar), and #746 (29" Tulip Poplar), as well as tree #748 (#42 Tulip Poplar) that is located within the stream buffer as shown on the submitted site plan."
- Condition 5: No changes.
- Condition 6: No changes.
- Condition 7: Strike and replace with: "A pedestrian bridge shall be constructed across the stream as shown on the submitted site plan."
- Condition 8: Strike and replace with: "Adequate off-street parking/guest parking shall be provided as shown on the submitted site plan."
- Condition 9: Strike.
- Condition 10: Strike and replace with: "Vehicle access on Canton Street shall be limited to one alley as shown on the submitted site plan."
- Condition 11: Strike, as the private drive has been acquired from the adjacent landowner and will be part of this site.
- Condition 12: No changes.
- Condition 13: strike and replace with: "In lieu of placing public art on the property, Applicant shall transfer to the City of Alpharetta at no cost the 3,325 SF area labeled 'Roundabout RW' on the submitted site plan. Applicant will also pay a sum of \$12,500 to the City of Alpharetta towards the cost of a future public art piece as part of the future roundabout project."

- Condition 14: Strike and replace with: "Brick sidewalks shall be installed along Canton Street up to the area being reserved as right-of-way for the proposed roundabout."
- Condition 15: No changes.
- Condition 16: Strike—this is now covered by Section 2.8 in the Downtown Overlay code.
- Condition 17: No changes.
- Condition 18: No changes.
- Condition 19: No changes.
- Condition 20: No changes.
- Condition 21: Strike and replace with: "Property shall be developed in a substantially similar manner to the site plans, elevations, and renderings submitted by the Applicant."
- Condition 22: Strike.

Applicant additionally requests a Concurrent Variance to allow land area located within private alleys to be counted as part the lot area. This variance request applies to Lots 1, 3, 4, 5, 6, 7, 11, 12, 13, 15, 16, and 17.

The granting of this Rezoning and Variance will have no negative impact on adjoining or nearby properties. Rather, it will represent a significant improvement to a neglected site at the northern gateway to Downtown Alpharetta, and the full restoration of a long vacant historic home. This will result in increased property values in the surrounding area. The development will have limited impact on City of Alpharetta and Fulton County utility, public safety, or public-school services. The Applicant and its representatives respectfully request that the City Council approve this Application.

Respectfully submitted this 1<sup>st</sup> day of March, 2021.



**KEN WARLICK**

COO / VP OF COMMUNITIES

**HARRISON HOMES** | [HarrisonATL.com](http://HarrisonATL.com)

O. 404.965.7114

[1954 Airport Rd. Suite 242](#)

[Chamblee, GA 30341](#)



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# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

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How will this proposal be compatible with surrounding properties?

This residential community will be compatible with the surrounding area, which is largely residential. The proposed development provides an effective transition from higher density townhouses to the south and older single-family units to the north.

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

The development will replace a vacant and neglected site with high-quality housing, restore a long vacant historic home, and provide significant improvements to streetscaping and pedestrian access. These investments will have positive impacts on property values in the surrounding area.

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

No. The previously approved plan for the site is out of date; the unit mix and site design is not marketable in the current market. Since the current zoning was approved prior to the enactment of the city's Downtown Overlay zone, any substantive change to this plan will require replacing the now-obsolete R-10M zoning with a DT-R zoning that is compatible with the standards of the current code.

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

Increases to population and traffic from a 17-unit residential development will be minimal. The development is expected to add fewer than 50 residents. Traffic impacts will be very minor and will be further mitigated by the site's proximity to Downtown and the proposed pedestrian improvements.

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

Impacts on schools and utilities will be very minor. The project and unit design and pricing will be geared towards empty nesters, so few residents are likely to have school-age children. All public utilities are readily available and have sufficient capacity to accommodate the development.

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

The Comprehensive Plan shows the site as being within the Downtown Activity Center character area, and the Future Land Use Map shows the site's future designation as "Downtown Residential Density." The proposed development is designed to be consistent with these standards.

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

This is the last remaining development site in the Canton Street corridor within the Downtown area. The vast majority of new residential developments along the corridor have been condos or townhouses. This is likely the last opportunity to add a different housing type to the corridor before it reaches buildout conditions.

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.

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# BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

In order to develop the property in accordance with the City's vision for the Downtown Area, internal alleys will be needed. Without these alleys the site would only be able to be developed in a lower density fashion than what is envisioned for Downtown Alpharetta. Allowing the private alley to be counted as part of the lot area for Lots 1, 3, 4, 5, 6, 7, 11, 12, 13, 15, 16, and 17 will be necessary allow for the site to be developed in accordance with the City's vision for the Downtown area.

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

Yes. If the land area within the alleys was not able to be counted as part of the lot area for individual lots, the site would only be able to be developed at a significantly lower density. Also a private alley is necessary on the east side of the creek in order to provide a safer access point and a buffer from the high-traffic commercial uses located on adjacent parcels. Given the high cost of land in Downtown Alpharetta, the reduction in the number of lots and the value of lots would prevent this development from being economically feasible.

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

There are two unique conditions that create potential hardships on the site: 1) the home located on the site is designated as an historic property in the City's Downtown Master Plan, and the City has made it a priority to preserve this home; and 2) the eastern portion of the site fronts on a private access drive that serves multiple high-volume commercial uses.

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. The development plan was designed to be compatible with the vision and standards for Downtown Alpharetta as expressed in the Comprehensive Plan, Downtown Master Plan, and Downtown Code. The granting of this variance would allow for the plan to be executed as designed, resulting in a significant improvement to a long-neglected site and the enhancement of pedestrian access, the visual environment, and property values in the surrounding neighborhood.

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.

193 Canton Street

Surveyed Legal Description

Tract 1

All that tract or parcel of land lying and being in Land Lot 1197, 2<sup>nd</sup> District, 2<sup>nd</sup> Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set at the northeast end of the mitered line of the intersection of the easterly right of way of Canton Street (right of way varies) and the southerly right of way of Mayfield Road (right of way varies); thence leaving said mitered line and continuing along said right of way of Mayfield Road for the following courses and distances: S71°24'01"E a distance of 99.44 feet to a point; thence along a curve to the left, following the curvature thereof for an arc distance of 256.92 feet, said curve having a radius of 1472.43 feet and being subtended by a chord of S76°23'56"E 256.59 feet to a point; thence S01°21'28"E a distance of 16.92 feet to a point at the intersection of said right of way of Mayfield Road and the south line of Land Lot 1197; thence leaving said right of way of Mayfield Road and continuing along said Land Lot line S89°31'24"W a distance of 401.16 feet to a point at the intersection of said Land Lot line and the easterly right of way of Canton Street; thence leaving said Land Lot line and continuing along said right of way for the following courses and distances: along a curve to the right, following the curvature thereof for an arc distance of 95.33 feet, said curve having a radius of 537.42 feet and being subtended by a chord of N13°26'15"E 95.21 feet to a 1/2 inch rebar set at the southwest end of the mitered line of the intersection of the easterly right of way of Canton Street and the southerly right of way of Mayfield Road; thence along said mitered line N60°36'07"E a distance of 40.15 feet to the POINT OF BEGINNING. Said tract contains 24,785 square feet or 0.569 acre and is shown as Tract 1 on a Boundary and Topographic Survey for Mayfield, LLC etal, prepared by Barton Surveying, Inc., dated February 17, 2017.

Together with

DS  
SHADON  
DS  
[Signature]

Tract 2

All that tract or parcel of land lying and being in Land Lot 1252, 2<sup>nd</sup> District, 2<sup>nd</sup> Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

To find the POINT OF BEGINNING, commence at a 1/2 inch rebar set at the northeast end of the mitered line of the intersection of the easterly right of way of Canton Street (right of way varies) and the southerly right of way of Mayfield Road (right of way varies); thence continuing along said mitered line S60°36'07"W a distance of 40.15 feet to a 1/2 inch rebar set at the southwest end of said mitered line; thence along said right of way of Canton Street, along a curve to the left, following the curvature thereof for an arc

distance of 95.33 feet, said curve having a radius of 537.42 feet and being subtended by a chord of S13°26'15"W 95.21 feet to a point at the intersection of said right of way of Canton Street and the south line of Land Lot 1197 and the POINT OF BEGINNING; thence leaving said right of way of Canton Street and continuing along said Land Lot line N89°31'24"E a distance of 401.16 feet to a point at the intersection of said Land Lot line and the southerly right of way of Mayfield Road; thence continuing along said Land Lot line and along said right of way N88°16'29"E a distance of 57.38 feet to a 1/2 inch rebar set; thence leaving said Land Lot line and leaving said right of way of Mayfield Road, along the westerly line of the property now or formerly owned by Cole CV Alpharetta, LLC, S00°14'27"W a distance of 186.26 feet to an axle found; thence along the northerly line of Main Street Commons N87°51'15"W a distance of 450.40 feet to a 1/2 inch rebar found on the easterly right of way of Canton Street; thence continuing along said right of way for the following courses and distances: N87°51'31"W a distance of 4.86 feet to a nail set; thence N05°17'26"W a distance of 55.09 feet to a point; thence N01°24'44"W a distance of 55.22 feet to a point; thence N03°52'31"E a distance of 54.21 feet to the POINT OF BEGINNING. Said tract contains 80,240 square feet or 1.842 acres and is shown as Tract 2 on a Boundary and Topographic Survey for Mayfield, LLC et al, prepared by Barton Surveying, Inc., dated February 17, 2017.

DS  
SHADU  
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# 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: Hudson Park

Contact Name: Ken Warlick Telephone: 404-965-7114

*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 on Exhibit A

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

☐

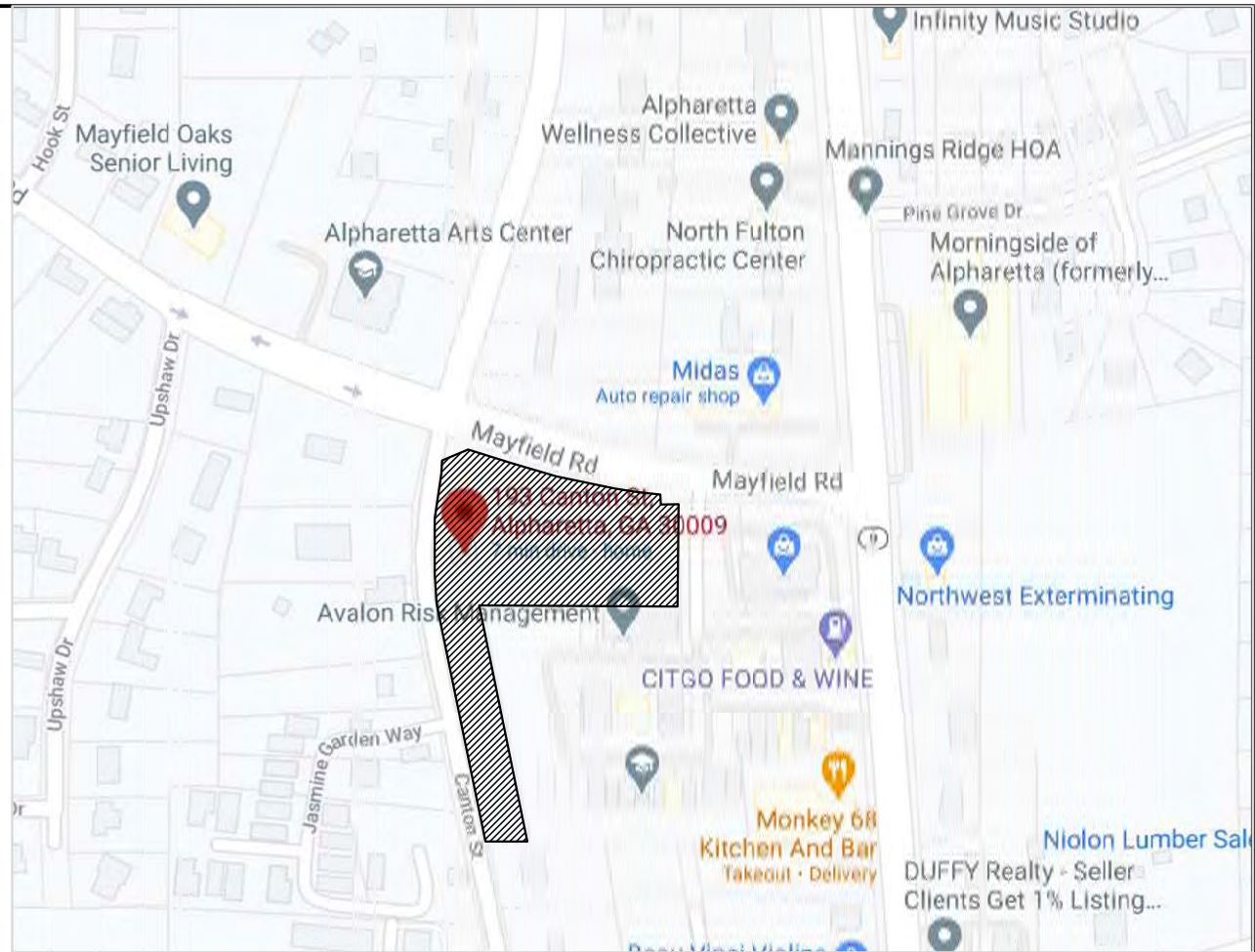
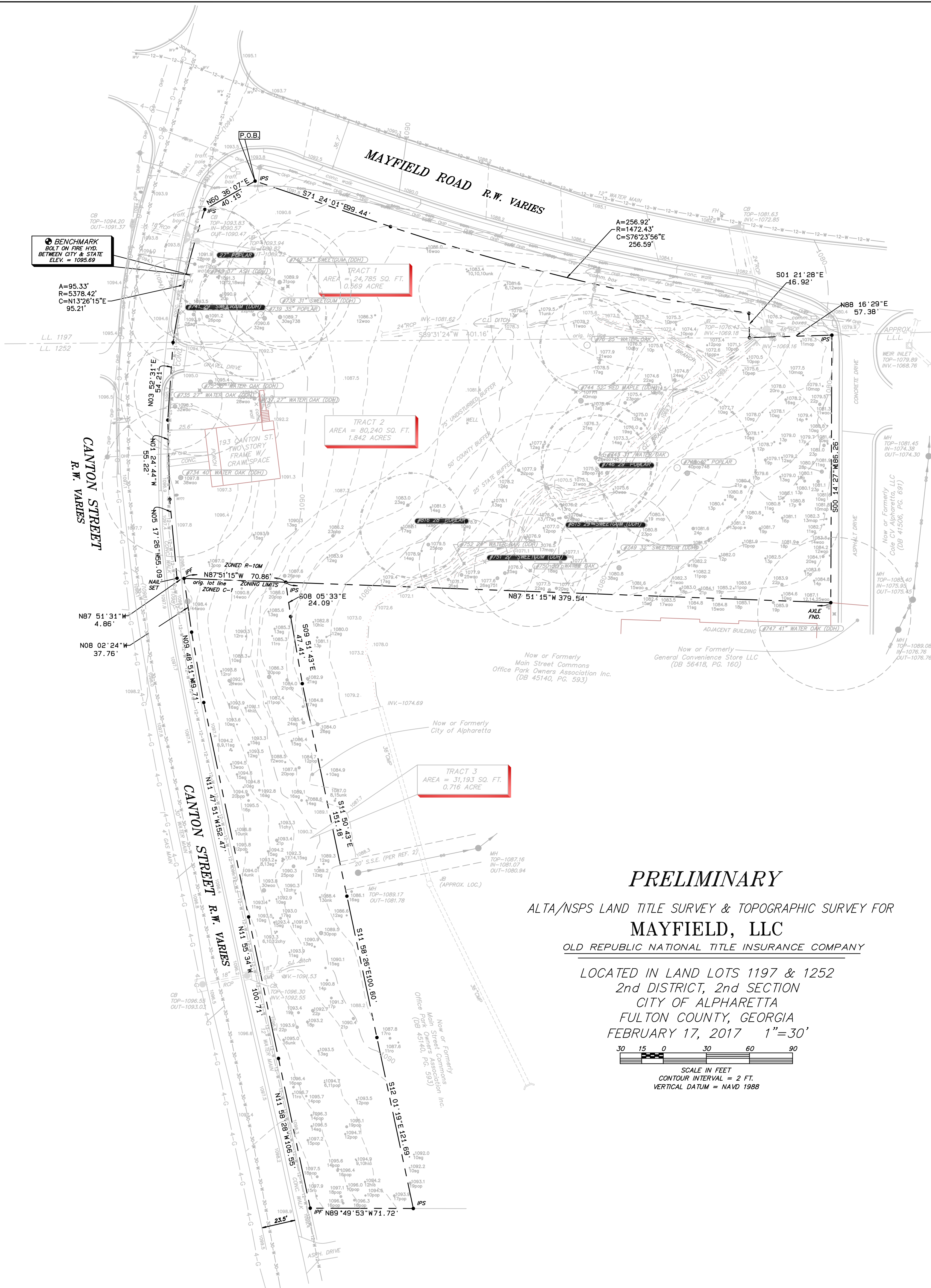
Other *(Please Specify)*

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.

Recipients will be informed of the application and told that they will be able to contact the applicant via phone or email or request an in-person meeting to ask questions or provide feedback on the application.

| Parcel          | Owner                                  | Address 1                  | Address 2                |
|-----------------|----------------------------------------|----------------------------|--------------------------|
| 22 482212521318 | AB REAL ESTATE INVESTMENTS LLC         | 1110 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212520807 | APPEN RAYMOND C & CHRISTINA B          | 316 LYNNE CIR              | ALPHARETTA GA 30004      |
| 22 482112510064 | BEAULY LLC                             | 8665 E HARTFORD DR STE 200 | SCOTTSDALE AZ 85255      |
| 22 482212520666 | BELL LINDA REESE & JONES ELLON W       | 159 NORTH MAIN ST          | ALPHARETTA GA 30009      |
| 22 482212520872 | BENSON DOROTHY C                       | 133 CANTON ST              | ALPHARETTA GA 30004-1606 |
| 22 482212521169 | BERMIC RPROPERTIES LLC                 | 1040 POWERS PL             | ALPHARETTA GA 30009      |
| 22 482212521052 | BOBE & SNELL LLC                       | 1095 POWERS PL             | ALPHARETTA GA 30009      |
| 22 481411970185 | BURGESS JOHN R SR & BURGESS VIRGINIA P | 255 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521193 | BUTTS ROBERT R                         | 5360 FRANKLIN GOLDMINE RD  | CUMMING GA 30028         |
| 22 481411970441 | CMP PROPERTIES LLC                     | 254 N MAIN ST              | ALPHARETTA GA 30009      |
| 22 482212521011 | COLE CV ALPHARETTA LLC                 | P.O. BOX 4900 DEPT 604     | SCOTTSDALE AZ 85261-4900 |
| 22 482212521185 | COLLINS MARINE GROUP LLC               | 88 ROSWELL ST              | ALPHARETTA GA 30009      |
| 22 481411970540 | COOK BETTY R                           | 146 MAYFIELD RD            | ALPHARETTA GA 30004-1538 |
| 22 481411970904 | COOK JUSTEN S                          | 191 UPSHAW DR              | ALPHARETTA GA 30009-1547 |
| 22 482112510072 | DELAVERRIERE DARREN A & KELLEY P       | 11985 CRABAPPLE RD         | ROSWELL GA 30075-2419    |
| 22 482212521276 | EHORSE L L C                           | 1070 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521300 | ERIC S CHOFNAS PC                      | 1100 POWERS PL             | ALPHARETTA GA 30004      |
| 22 481411970797 | FILIPOWICZ DAVID F & LAURA             | 260 CANTON ST              | ALPHARETTA GA 30009      |
| 22 481411970839 | FRANCIS SCHINDLER LLC                  | 143 MAYFIELD RD            | ALPHARETTA GA 30009      |
| 22 482212520047 | GDCI GA 4 L P                          | 5755 DUPREE DR SUITE 130   | ATLANTA GA 30327         |
| 22 482212521201 | GEISEL PAMELA A                        | 1000 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521045 | GENERAL CONVENIENCE STORE LLC          | 501 N CENTRAL AVE          | ATLANTA GA 30354         |
| 22 482212521292 | GRONHOLM SCOTT                         | 12200 KING CIR             | ROSWELL GA 30075         |
| 22 482212521250 | HARMAN DEMPSEY PROPERTIES LLC          | 1145 POWERS PL             | ALPHARETTA GA 30009-8358 |
| 22 481411970847 | HAYMEADOW GROUP LLC                    | 244 N MAIN ST              | ALPHARETTA GA 30009-3625 |
| 22 482212520039 | HEMBREE GEORGIA R                      | 168 CANTON ST              | ALPHARETTA GA 30009-3670 |
| 22 482212521227 | HI RIVER PROPERTIES LLC                | 7917 SONATA BAY POINT      | LAKE WORTH FL 33467-7067 |
| 22 481411970912 | HUDSON ZACHERY CLEMETH & JENNY ROGERS  | 253 CANTON ST              | ALPHARETTA GA 30009      |
| 22 481411970607 | HUDSPETH ELIZABETH                     | 1385 SUMMIT RD             | ALPHARETTA GA 30004      |
| 22 481411970342 | JMA HOMES LLC                          | 565 WAYT RD                | ROSWELL GA 30076         |
| 22 482212521086 | JOBETH PROPERTIES LLC                  | 745 GLENLEIGH LN           | DULUTH GA 30097          |
| 22 482112510080 | KASSAM AMIN                            | 4957 SUMMER WIND DR        | BUFORD GA 30519-3496     |
| 22 482212520708 | KIM KON & SOON JA                      | 1160 ALPHARETTA ST         | ROSWELL GA 30075         |
| 22 482212521094 | KLAM INC                               | 4465 PINEHOLLOW CT         | ALPHARETTA GA 30022      |
| 22 482212521144 | LEE ANGELA D                           | 959 BRIDGEGATE DR          | MARIETTA GA 30066        |
| 22 482212520948 | LEWIS CLAUDIA B                        | 184 CANTON ST              | ALPHARETTA GA 30004-1606 |
| 22 481411970680 | LIPSCOMB MICHAEL K & SUSAN MARIE       | 233 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521235 | LORVEN PROPERTIES LLC                  | 1125 GOLDENROD LANE        | SUWANEE GA 30024         |
| 22 481411970656 | LOWER LATIGO GROUP LLC                 | 244 N MAIN ST              | ALPHARETTA GA 30009      |
| 22 482212521359 | MAIN STREET COMMONS OFFICE PARK OWNERS | 1102 ABBEY CT              | ALPHARETTA GA 30004      |
| 22 481411970888 | MAX AUTO REAL ESTATE LLC               | 1101 MONROE ST             | TOLEDO OH 43604          |
| 22 482212520161 | MAYFIELD LLC                           | 11785 NORTHFALL LN STE 510 | ALPHARETTA GA 30009      |
| 22 482212521136 | MC MANES A SPENCER & A SPENCER JR      | 1015 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482112510056 | MEADE ERIC A                           | 355 CHELSEA CT             | ALPHARETTA GA 30004      |
| 22 482212521151 | MERIDIAN GROUP INC THE                 | 1050 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212520765 | O DONNELL ROBERT J & CHERYL C          | 134 N MAIN ST              | ALPHARETTA GA 30004-1623 |
| 22 482212521268 | OBEROI MADANJIT OBEROI MADHU           | 205 W SMOKETREE TER        | ALPHARETTA GA 30005      |
| 22 482212520989 | PHILLIPS ALPHARETTA LLC                | 830 KENNESAW AVE NW        | MARIETTA GA 30060        |
| 22 482212521078 | RM BILOXI LLC                          | 1075 POWERS PL STE B       | ALPHARETTA GA 30009      |
| 22 482212521326 | ROBERTSON SHERYL S                     | 1120 POWERS PL             | ALPHARETTA GA 30009-8359 |
| 22 482212521177 | SBLD PROPERTIES LLC                    | 1030 POWERS PL             | ALPHARETTA GA 30004      |
| 22 497011950047 | SNH AL GEORGIA LLC                     | 255 WASHINGTON ST          | NEWTON MA 02458          |
| 22 482212521219 | SOLLEY ROBERT A                        | 1105 POWERS PL             | ALPHARETTA GA 30004      |
| 22 482212521342 | SRISAI REALTY LLC                      | 5755 N POINT PKWY SUITE 85 | ALPHARETTA GA 30022      |
| 22 481411970862 | STONEWALK MAYFIELD CORNERS LLC         | 660 GLENOVER DR            | ALPHARETTA GA 30004      |
| 22 482212520914 | SUMMERS DOLLEH KIM                     | 1660 HAMIOTA RDG           | ALPHARETTA GA 30004      |
| 22 482212521060 | TINK WISE LLC                          | 1085 POWERS PL             | ALPHARETTA GA 30009      |
| 22 481411970672 | WATSON RICHARD A & WATSON RENE O       | 243 CANTON ST              | ALPHARETTA GA 30009      |
| 22 482212521128 | WHITMAN ARNOLD                         | 3500 LENOX RD NE STE 510   | ATLANTA GA 30326         |
| 22 482212521110 | WHITMAN ARNOLD M                       | 3820 MANSELL RD SUITE 280  | ALPHARETTA GA 30022      |
| 22 481411970565 | WILLIAMS KATHRYN P                     | 212 CANTON ST              | ALPHARETTA GA 30004-1337 |





LOCATION MAP

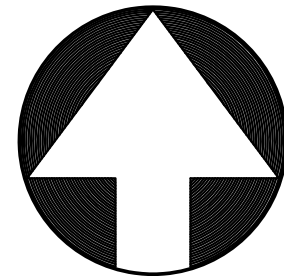
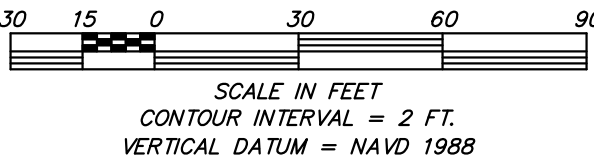
| REVISIONS                                                                                                                                                                                                                                                                                                                                                                                                 |      |
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| NO.                                                                                                                                                                                                                                                                                                                                                                                                       | DATE |
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|                                                                                                                                                                                                                                                                                                                                                                                                           |      |
| DATE: 03/01/2021                                                                                                                                                                                                                                                                                                                                                                                          |      |
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| THE WORK SHOWN HEREIN IS NOT TO BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT IS PROPERLY SIGNED AND SEALED.                                                                                                                                                                                                                                                                                               |      |

HUDSON PARK  
A RESIDENTIAL COMMUNITY  
PREPARED FOR  
HARRISON HOMES  
1864 AIRPORT ROAD, SUITE 242  
CHAMBLEE, GA 30341

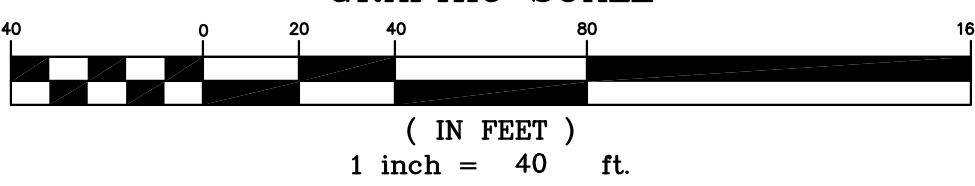
PRELIMINARY

ALTA/NSPS LAND TITLE SURVEY & TOPOGRAPHIC SURVEY FOR  
MAYFIELD, LLC  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

LOCATED IN LAND LOTS 1197 & 1252  
2nd DISTRICT, 2nd SECTION  
CITY OF ALPHARETTA  
FULTON COUNTY, GEORGIA  
FEBRUARY 17, 2017 1"=30'



NORTH



EXISTING CONDITIONS PLAN OVERALL

Plum Creek Consulting, LLC  
7425 Midway Road  
Alpharetta, GA 30004  
P: (404) 518-5505 E: chris.owens@plumcc.com

PLUM CREEK CONSULTING

|             |       |
|-------------|-------|
| DRAWN BY    | KO    |
| CHECKED BY  | CO    |
| PROJECT NO. | 21-00 |
| SHEET       | C100  |

NOT ISSUED FOR CONSTRUCTION



[illegible]

DATE: 03/01/2021

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THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT IS PROPERLY SIGNED AND SEALED.

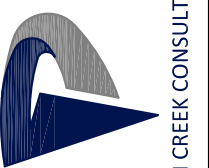
**HUDSON PARK**  
**A RESIDENTIAL COMMUNITY**  
PREPARED FOR  
**HARRISON HOMES**  
1954 AIRPORT ROAD, SUITE 242  
CHAMBLEE, GA 30341

**EXISTING CONDITIONS PLAN**

Plum Creek Consulting, LLC  
7425 Mid Broadway Trace  
Alpharetta, GA 30004  
P: (404) 518-5505 E: [chris.owens@plumcc.com](mailto:chris.owens@plumcc.com)

CONSULTING

Plum Creek Consulting, LLC  
7425 Mid Broadwell Trace  
Alpharetta, GA 30004  
P: (404) 518-5505 E: chris.o



|                        |                          |                              |
|------------------------|--------------------------|------------------------------|
| DRAWN BY:<br><b>KO</b> | CHECKED BY:<br><b>CO</b> | PROJECT NO.<br><b>21-100</b> |
| SHEET<br><b>C101</b>   |                          |                              |

**NOT ISSUED FOR CONSTRUCTION**



STORMWATER MANAGEMENT WILL BE PROVIDED UNDERGROUND, IN ALLEY OFF CANTON STREET. WATER QUALITY WILL BE PROVIDED FOR LOTS 14-17 INDEPENDENTLY FROM REMAINING LOTS.

**HUDSON PARK**  
**A RESIDENTIAL COMMUNITY**  
PREPARED FOR  
**HARRISON HOMES**  
1854 AIRPORT ROAD, SUITE 242  
CHAMBLEE, GA 30341

## SITE PLAN

7425 Mid Broadwell Trace  
Alpharetta, GA 30004  
P: (404) 518-5505 E: chris.ow



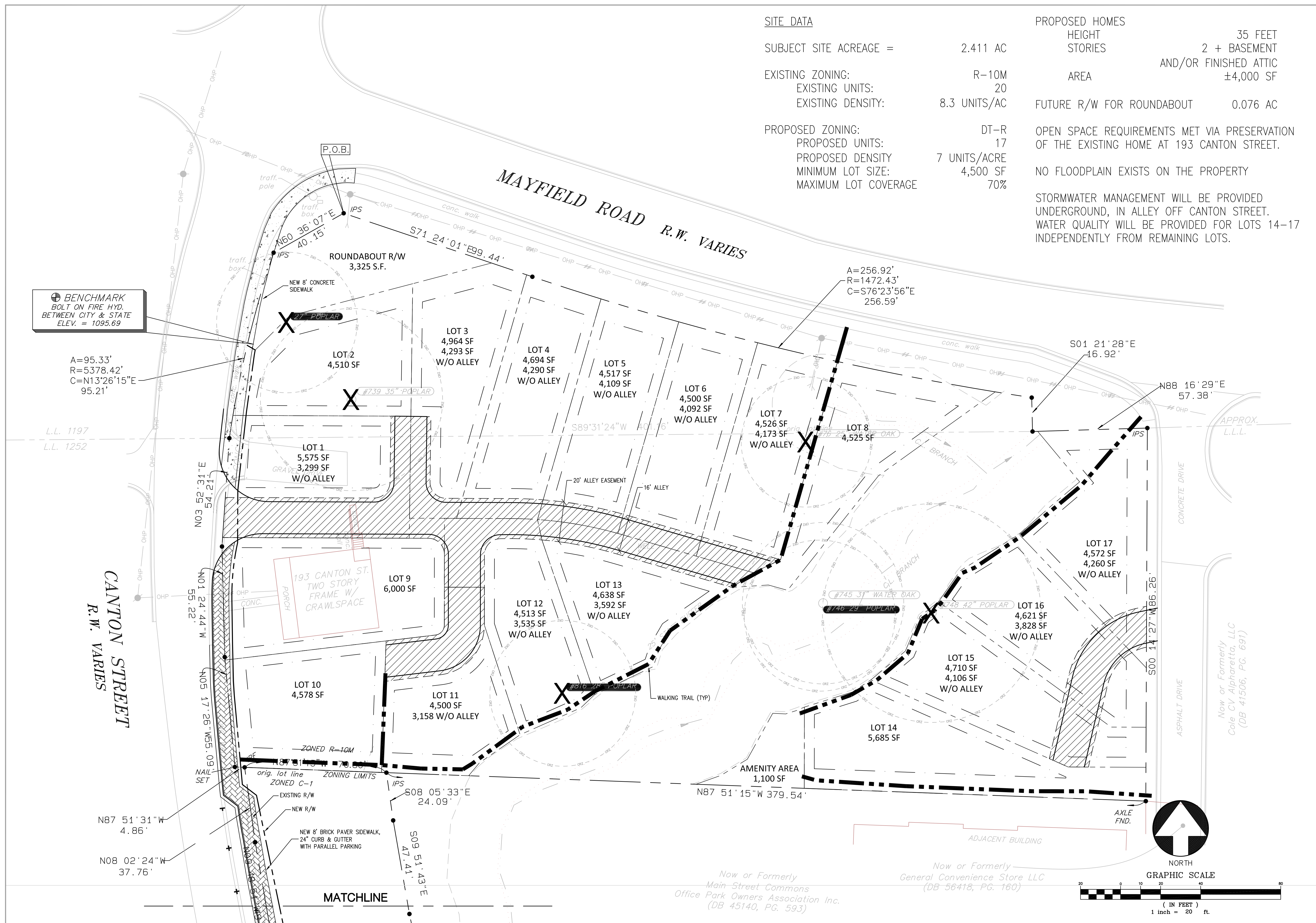
PLUM CREEK CONSULTING

**CO**

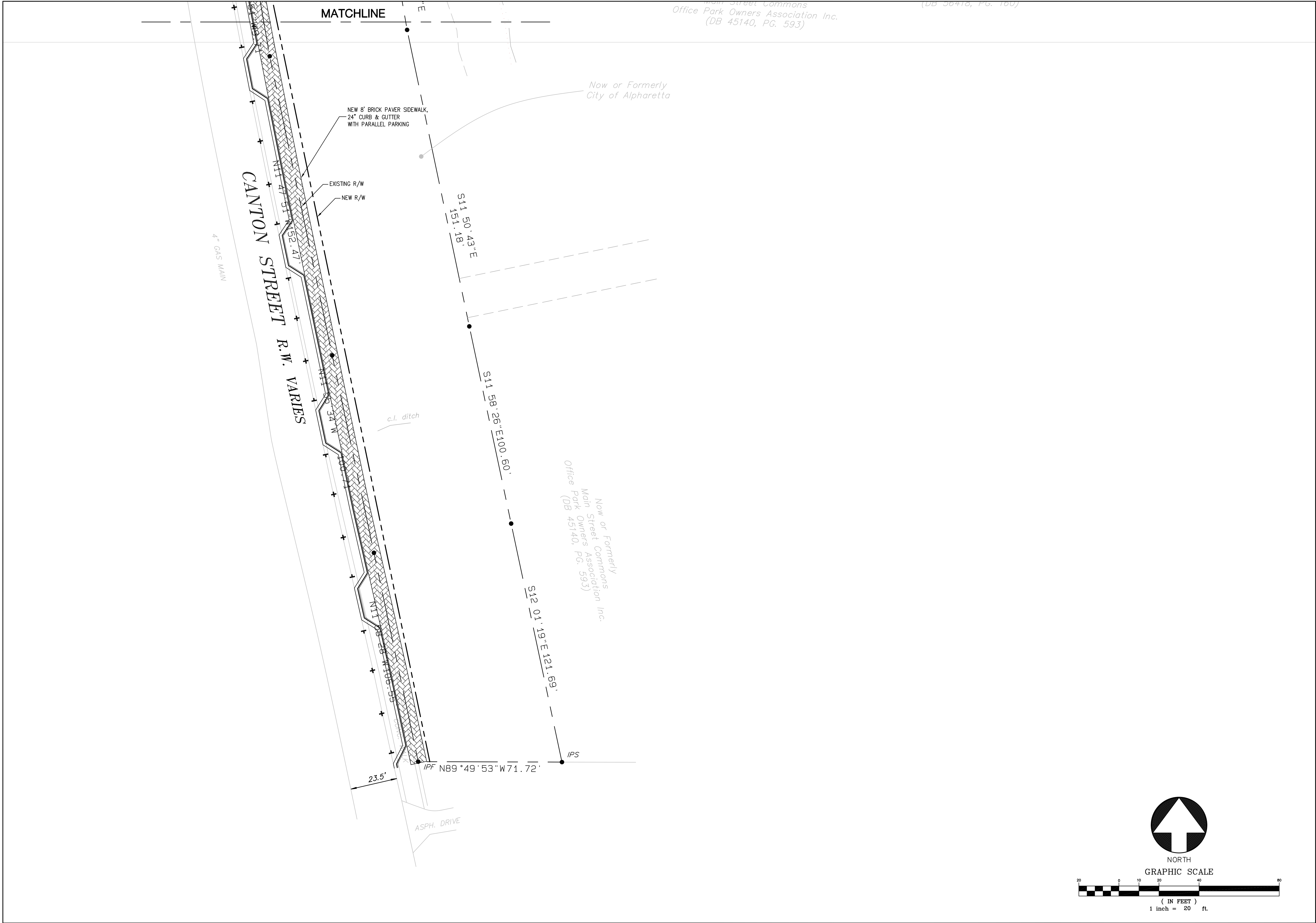
PROJECT NO. 21-100

**C300**

**NOT ISSUED FOR CONSTRUCTION**







| REVISIONS                                                                                                                                                                                                                                                                                                                                 |                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| NO.                                                                                                                                                                                                                                                                                                                                       | DATE              |
|                                                                                                                                                                                                                                                                                                                                           |                   |
|                                                                                                                                                                                                                                                                                                                                           |                   |
|                                                                                                                                                                                                                                                                                                                                           |                   |
|                                                                                                                                                                                                                                                                                                                                           |                   |
|                                                                                                                                                                                                                                                                                                                                           |                   |
| DATE: 03/01/2021                                                                                                                                                                                                                                                                                                                          |                   |
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| <small>THIS DRAWING SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT IS PROPERLY SEALED AND SIGNED.</small>                                                                                                                                                                                                                        |                   |
| HUDSON PARK<br>A RESIDENTIAL COMMUNITY<br>PREPARED FOR<br>HARRISON HOMES<br>1864 AIRPORT ROAD, SUITE 242<br>CHAMBLEE, GA 30341                                                                                                                                                                                                            |                   |
| SITE PLAN (SOUTH)<br>Plum Creek Consulting, LLC<br>7425 Mid-Brookwood Trace<br>Alpharetta, GA 30004<br>P: (404) 518-5505 E: chris.owens@plumcco.com                                                                                                                                                                                       |                   |
| DRAWN BY:<br>KO                                                                                                                                                                                                                                                                                                                           | CHECKED BY:<br>CO |
| PROJECT NO:<br>21-100                                                                                                                                                                                                                                                                                                                     |                   |
| SHEET<br>C301                                                                                                                                                                                                                                                                                                                             |                   |

NOT ISSUED FOR CONSTRUCTION



REVISIONS  
DATE:

HUDSON PARK  
Canton Street at Mayfield Road  
Alpharetta, GA



HARRISON  
HOMES  
1964 Airport Road  
Suite 242  
Chamblee, GA 30341

DRAWING TITLE:  
PRELIMINARY  
TREE  
REPLACEMENT  
PLAN

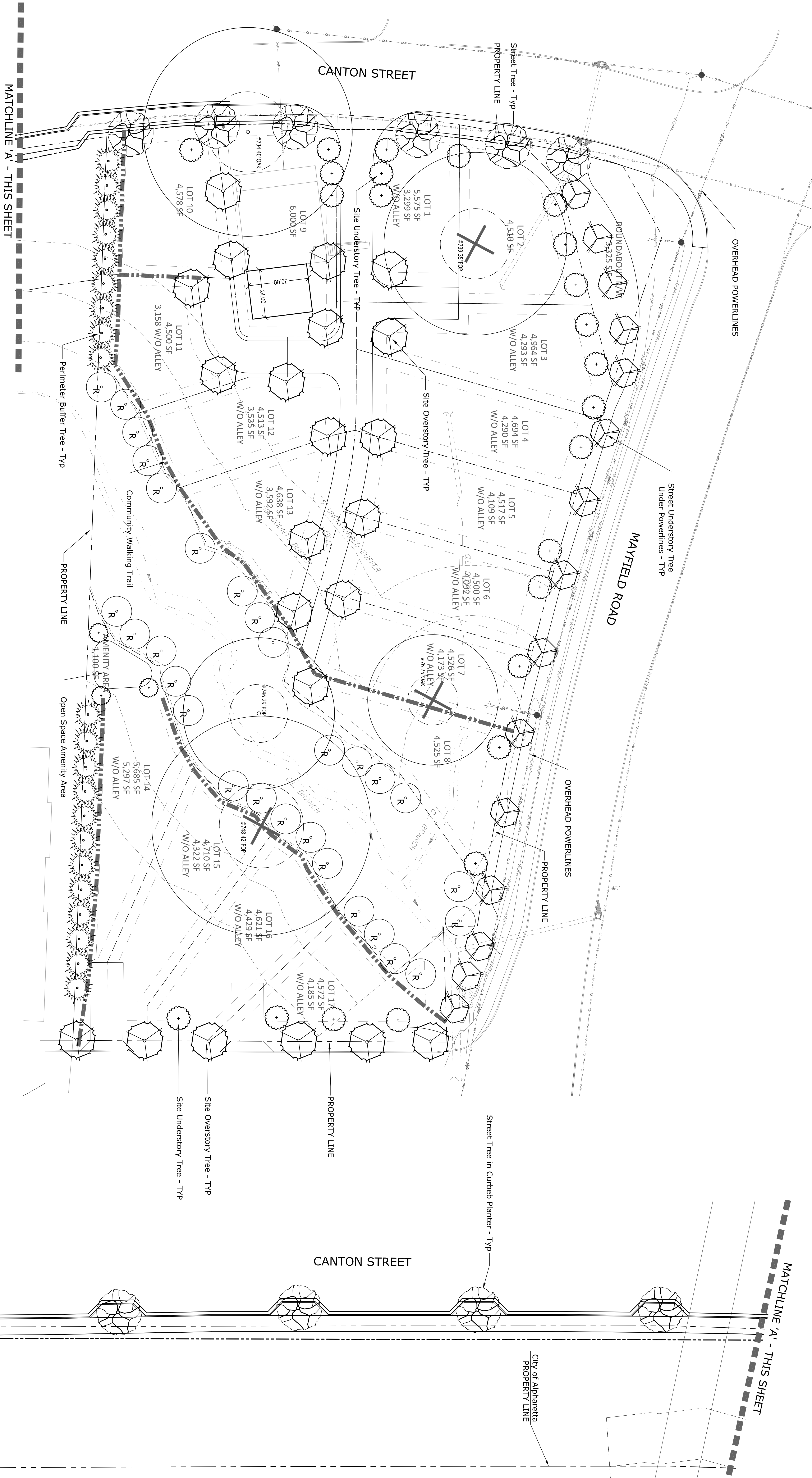
DATE: 03.01.21

DRAWN: PIC

SCALE: 1"=20'-0"

SHEET:

TP1.0



CONCEPTUAL PLANT LIST

STREET TREE (6):  
4" Caliper Minimum  
Allele Elm Red Maple  
Black Gum European Hornbeam

STREET UNDERSTORY TREE - Under Powerlines (15):  
4" Caliper Minimum  
Crape Myrtle Cherry  
Serviceberry Japanese Maple  
Redbud Chaste Tree  
Dogwood Fringetree

SITE OVERSTORY TREE (22):  
2" Caliper Minimum  
Chinese Pistache Sugar Maple  
Black Gum Decadal Cedar  
Dawn Redwood Oak  
Magnolia Princeton Elm

SITE UNDERSTORY TREE (27):  
4" Caliper Minimum  
Crape Myrtle Cherry  
Serviceberry Japanese Maple  
Redbud Chaste Tree  
Dogwood Fringetree

PERIMETER BUFFER TREE (21):  
4" Caliper or 13' Height Minimum  
Eastern Red Cedar  
American Holly  
Teddy Bear Magnolia  
Green Giant Arborvitae  
Nellie Stevens Holly

R - SPECIMEN RECOMPENSE TREE - 4" Caliper Minimum

TREE DENSITY CALCULATIONS - 130-INCHES PER ACRE

SITE AREA = 2.41 ACRES

SITE DENSITY FACTOR (SDF) = 2.41ac x 130 = 313.3"

SPECIMEN TREES TO REMAIN = NONE

= 0.0 INCHES DENSITY CREDIT

SITE DENSITY FACTOR (SDF) = 313.3" REQUIRED

320" PROVIDED

SPECIMEN TREE RECOMPENSE = 10" REMOVED

76 Oak 35"

739 Poplar 42"

RECOMPENSE = 3 x 102 = 306" Caliper Required

ON-SITE RECOMPENSE PROVIDED (29 @ 4") = 116"

RECOMPENSE SHORTAGE (306-116-10) = 174"

LANDSCAPE STRIP CALCULATIONS

MAYFIELD ROAD: 10-FOOT LANDSCAPE STRIP = 420 L.F.

STREET TREE SPACING AT 35' = 12 - 4" CALIPER TREES

- Note: Overhead Powerlines run the entire length of the ROW

CANTON STREET: 10-FOOT LANDSCAPE STRIP = 260 L.F.

STREET TREE SPACING AT 35' = 8 - 4" CALIPER TREES

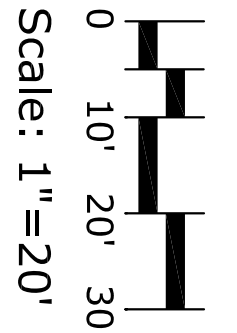
SOUTH LANDSCAPE STRIP: 5-FOOT LANDSCAPE STRIP = 340 L.F.

REQUIRED: 1 TREE PER 50 FEET = 7 TREES REQUIRED

- Note: Landscape Strip does not include 25' Stream Buffer

EAST LANDSCAPE STRIP: 5-FOOT LANDSCAPE STRIP = 190 L.F.

REQUIRED: 1 TREE PER 50 FEET = 4 TREES REQUIRED







PATRICK CORKILL  
LANDSCAPE ARCHITECTURE  
404.680.2392

## REVISIONS

DATE: \_\_\_\_\_

**HUDSON PARK**  
Canton Street at Mayfield Road  
Alpharetta, GA



**HARRISON  
HOMES**  
1954 Airport Road  
Suite 242  
Chamblee, GA 30341

DRAWING TITLE:

# CONCEPTUAL LANDSCAPE PLAN

DATE: 03.01.21

DRAWN: PJC

SCALE: 1"=20'-0"

SHEET:

LP1.0





# HUDSON PARK

## EXTERIOR RENDERINGS

ALPHARETTA, GA



### Narrative of Architectural Design 3.11.21

Here is a narrative regarding the architectural design of Hudson Park:

**The homes at Hudson Park are designed to be compatible with the vernacular architecture of the historic Weatherford House and surrounding homes along Canton Street. The home designs draw primarily from the Tudor Eclectic style with elements of the Shingle style, both as described under Sec. 2.8.7 of the Alpharetta Downtown Code. Due to the layout of the site, the front facades of the homes are narrow and asymmetrical and feature Tudor elements such as gables and arches. Façade materials combine brick, stone, shingles, and board and batten. All units will have prominent fenestration on main levels, with some designs including accent metal roofing above windows bays and entry porches. The main roofs of all homes will be architectural asphalt shingles. The color schemes for the homes will largely be rendered in neutral colors, featuring whites and greys.**

# HUDSON PARK

ALPHARETTA, GA



PARTIAL MAYFIELD STREETSCAPE



# HUDSON PARK

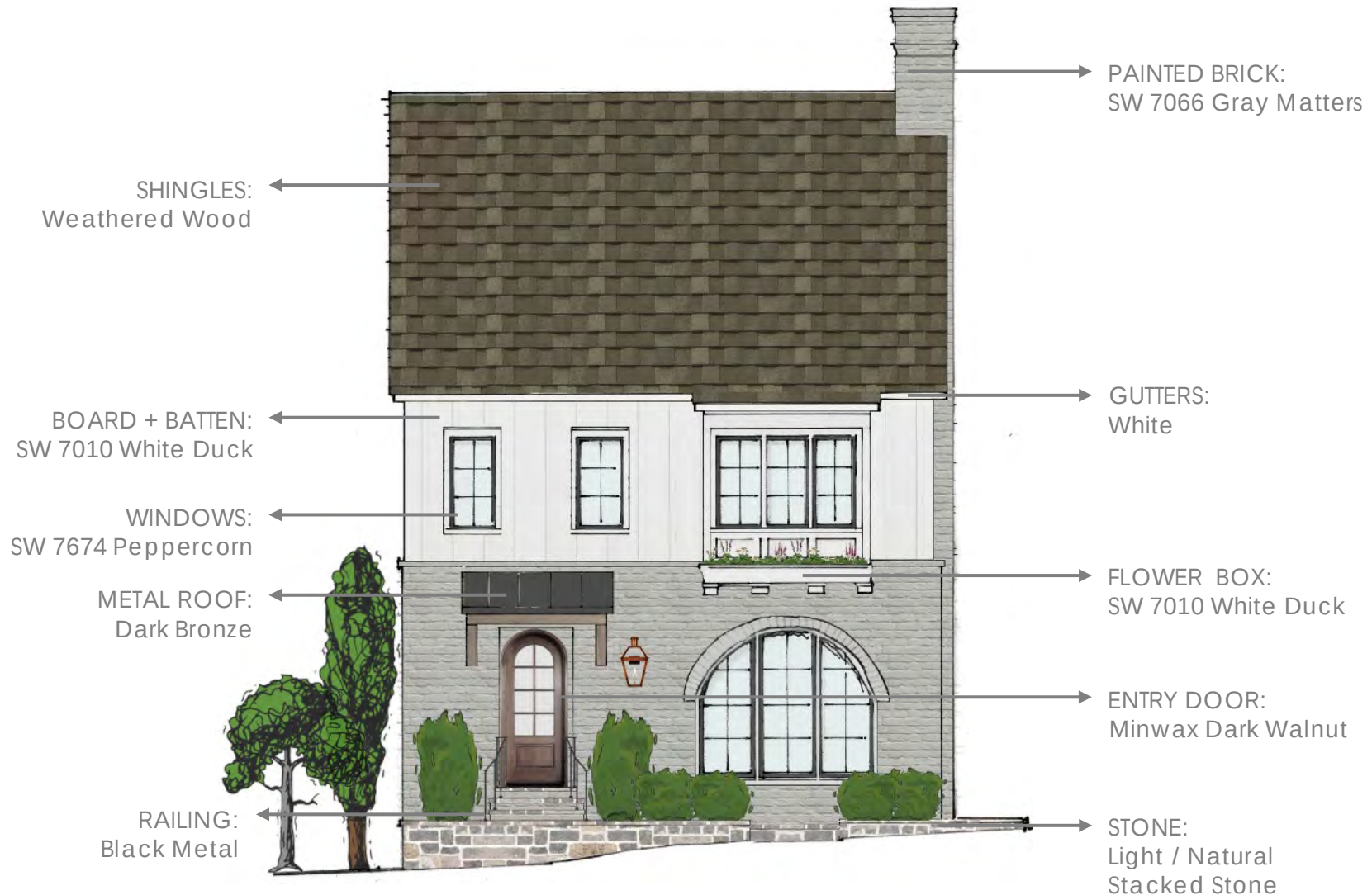
ALPHARETTA, GA



PARTIAL MAYFIELD STREETSCAPE

# HUDSON PARK

ALPHARETTA, GA



# HUDSON PARK

ALPHARETTA, GA





# HUDSON PARK

ALPHARETTA, GA



# HUDSON PARK

ALPHARETTA, GA



## Trip Generation Report

### Hudson Park Development

#### Single-Family Residential (ITE Code 210)

Number of Units: 17

|                                  | Total      | AM Peak   | PM Peak   |
|----------------------------------|------------|-----------|-----------|
| <b>Project Summary</b>           |            |           |           |
| Daily Trips Per Unit             | 9.52       | 0.75      | 1.00      |
| <b>Total Daily Trips (2-Way)</b> | <b>162</b> | <b>13</b> | <b>17</b> |
| <b>Inbound Trips</b>             |            |           |           |
| Percentages                      |            | 25%       | 63%       |
| Trips                            |            | 3         | 11        |
| <b>Outbound Trips</b>            |            |           |           |
| Percentages                      |            | 75%       | 37%       |
| Trips                            |            | 10        | 6         |

Source: Trip Generation, 10th Edition, ITE





# CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

---

**I. AGENDA ITEM TITLE:** PH-21-10 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – HISTORIC PRESERVATION INCENTIVE ORDINANCE

PLANNING COMMISSION: MAY 6, 2021

CITY COUNCIL: MAY 24, 2021

**II. REPORT IN BRIEF:**

Consideration of text amendments to Unified Development Code (UDC) Article II, Appendix A: Historic Resources Inventory – Contributing Historic Buildings and Appendix A: Alpharetta Downtown Code, Subsection 3.2.4(l)(2) to remove 126 North Main Street from the Contributing Historic Property list. The property has been modified over the years and does not represent 1) an outstanding example of a building representative of its era, 2) one of the few remaining examples of a past architectural style or type, and 3) a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation.

According to information provided by the Alpharetta Historic Society, 126 North Main Street was the second house of Dr. Morris and is believed to be constructed around 1933. There is no information regarding the architectural style of the home. Fulton County Tax Assessor information indicates that the home was built in 1950. The property is 0.69 acres and the 1-story home is approximately 2,140 square feet. The current property owner is Judge Roy Roberts, who is the grandson of Dr. Morris.

**III. ATTACHMENTS:**

- UDC Strike Through and Underline Edits

Sec. 3.2. - Rules of Interpretation.

I. A site's Open space requirements shall be considered completely satisfied when a development incorporates a historic building that complies with all of the following:

1. The building is at least 75 years old and is listed on the following table:

2.

|                                  |
|----------------------------------|
| <b>Original Building Address</b> |
|----------------------------------|

|                   |                       |                     |
|-------------------|-----------------------|---------------------|
| 94 Academy Street | 25 Milton Avenue      | 61 Roswell Street   |
|                   |                       |                     |
| 375 Brady Place   | 90 Milton Avenue      | 88 Roswell Street   |
|                   |                       |                     |
| 184 Canton Street | 333 Milton Avenue     | 103 Roswell Street  |
|                   |                       |                     |
| 193 Canton Street | 20 North Main Street  | 119 Roswell Street  |
|                   |                       |                     |
| 212 Canton Street | 31 North Main Street  | 164 Roswell Street  |
|                   |                       |                     |
| 36 Church Street  | 38 North Main Street  | 86 School Drive     |
|                   |                       |                     |
| 37 Church Street  | 69 North Main Street  | 3 South Main Street |
|                   |                       |                     |
| 10 Cumming Street | 101 North Main Street | 1 South Main Street |

|                     |                                  |                       |
|---------------------|----------------------------------|-----------------------|
|                     |                                  |                       |
| 18 Cumming Street   | 116 North Main Street            | 3 South Main Street   |
|                     |                                  |                       |
| 40 Cumming Street   | <del>126 North Main Street</del> | 9 South Main Street   |
|                     |                                  |                       |
| 112 Cumming Street  | 126 North Main Street            | 21 South Main Street  |
|                     |                                  |                       |
| 130 Cumming Street  | 11 Old Canton Street             | 23 South Main Street  |
|                     |                                  |                       |
| 133 Cumming Street  | 1815 Old Milton Pkwy             | 25 South Main Street  |
|                     |                                  |                       |
| 122 Marietta Street | 1835 Old Milton Pkwy             | 29 South Main Street  |
|                     |                                  |                       |
| 1825 Mayfield Road  | 48 Old Roswell Street            | 50 South Main Street  |
|                     |                                  |                       |
| 20 Milton Ave       | 37 Roswell Street                | 531 South Main Street |
|                     |                                  |                       |
| 24 Milton Avenue    | 54 Roswell Street                |                       |
|                     |                                  |                       |



- 
3. The building is deemed fit for human habitation in accordance with Article III of Chapter 5 of The Code of the City of Alpharetta, Georgia; and
  4. A binding legal agreement that established a program for guaranteeing maintenance of said building through a condominium association, a homeowner association, bonding, or other protective maintenance guarantees is signed by all property owners and/or their prospective successors in title and is submitted to the City of Alpharetta.
- J. When a historic building used to satisfy open space requirements in accordance with Section 3.2.4.I. is subsequently completely destroyed, the applicable open space requirements of the zoning district must be satisfied within one year unless a variance is granted by the Board of Appeals.

( [Ord. No. 732](#), §§ 47—55, 2-6-2017; [Ord. No. 738](#), § 4(Exhs. C, D), 5-1-2017; [Ord. No. 757](#), § 1(Exh. A), 5-9-2018)

## APPENDIX A - HISTORIC RESOURCES INVENTORY—CONTRIBUTING HISTORIC BUILDINGS

### Building Address

|                   |                        |                       |
|-------------------|------------------------|-----------------------|
| 94 Academy Street | 1825 Mayfield Rd.      | 37 Old Roswell Street |
|                   |                        |                       |
| 375 Brady Place   | 1405 Mid-Broadwell Rd. | 48 Old Roswell Street |
|                   |                        |                       |
| 184 Canton Street | 20 Milton Avenue       | 755 Old Rucker Rd.    |
|                   |                        |                       |
| 193 Canton Street | 22 Milton Avenue       | 760 Old Rucker Rd.    |
|                   |                        |                       |
| 212 Canton Street | 24 Milton Avenue       | 54 Roswell Street     |
|                   |                        |                       |
| 248 Canton Street | 26 Milton Avenue       | 61 Roswell Street     |
|                   |                        |                       |
| 36 Church Street  | 28 Milton Avenue       | 88 Roswell Street     |
|                   |                        |                       |
| 37 Church Street  | 210 Milton Avenue      | 103 Roswell Street    |
|                   |                        |                       |
| 10 Cumming Street | 333 Milton Avenue      | 119 Roswell Street    |

|                     |                                  |                       |
|---------------------|----------------------------------|-----------------------|
|                     |                                  |                       |
| 18 Cumming Street   | 38 North Main Street             | 1080 Rucker Rd.       |
|                     |                                  |                       |
| 112 Cumming Street  | 31 North Main Street             | 1670 Rucker Rd.       |
|                     |                                  |                       |
| 40 Cumming Street   | 69 North Main Street             | 1 South Main Street   |
|                     |                                  |                       |
| 130 Cumming Street  | 101 North Main Street            | 3 South Main Street   |
|                     |                                  |                       |
| 133 Cumming Street  | 116 North Main Street            | 9 South Main Street   |
|                     |                                  |                       |
| 122 Marietta Street | <del>126 North Main Street</del> | 23 South Main Street  |
|                     |                                  |                       |
| 11475 Maxwell Rd.   | 134 North Main Street            | 25 South Main Street  |
|                     |                                  |                       |
| 1145 Mayfield Rd.   | 11 Old Canton Street             | 29 South Main Street  |
|                     |                                  |                       |
| 1750 Mayfield Rd.   | 1815 Old Milton Pkwy             | 50 South Main Street  |
|                     |                                  |                       |
|                     | 1835 Old Milton Pkwy             | 531 South Main Street |



( [Ord. No. 712](#), § 1(Exh. A), 9-8-2015; [Ord. No. 738](#), § 3(Exhs. A, B), 5-1-2017)