



PLANNING COMMISSION MEETING AUGUST 5, 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. Approval of Planning Commission Meeting Minutes from July 1, 2021.

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. Z-21-06/V-21-17 Kimball 154

This public hearing item has been deferred by the applicant. This item will not be heard or considered during this meeting.

Consideration of a rezoning and variances to allow for a 3-story, 120,000 square foot office building and re-use of 2 existing buildings for office use and amenities on 4.44 acres. A rezoning is requested from SU (Special Use) to O-P (Office-Professional). Variances are requested to reduce parking, increase lot coverage, reduce front building setback, increase building height and reduce minimum driveway separation. The property is located at 154 Kimball Bridge Road and is legally described as being located in Land Lot 801, 1st District, 2nd Section, Fulton County, Georgia.

b. MP-21-01/V-21-04 The Bailey/Northwinds

This public hearing item has been deferred by Staff. This item will not be heard or considered during this meeting.

Consideration of a master plan amendment and variance to allow a 158,000 square foot wellness center, 53,000 square foot of office use, a 100-room boutique hotel, and 25,500 square feet of retail/restaurant use on 4.72 acres. A master plan amendment to the Northwinds Master Plan is requested to amend development standards, such as building setbacks, building heights and building coverage. A variance is requested to increase the maximum impervious area in the O-I district. 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.

c. MP-21-05 / CU-21-10 George Animal Hospital / Windward Pod 4

Consideration of a master plan amendment and conditional use to allow an 'Animal Hospital, Small Animal' in a 2,600 square foot suite in the Market Forest strip center. A master plan amendment is requested to add 'Animal Hospital, Small Animal' to Pod 4 of the Windward Master Plan and a conditional use is requested to allow an animal hospital business owned by Erin George. The property is located at 6195 Windward Parkway, Suite 109 and is legally described as being located in Land Lots 1048 and 1107, 2nd District, 1st Section, Fulton County, Georgia.

d. MP-21-04 Adora Day Care Center / KB 400 Master Plan

This public hearing item has been rejected / withdrawn by Staff. This item will not be heard or considered during this meeting.

Consideration of a master plan amendment to add 'Day Care Center' as a permitted use in Pod B of the KB 400 Master Plan. The property is located at 5750 North Point Parkway and is legally described as being located in Land Lot 808, 2nd District, 1st Section, Fulton County, Georgia.

e. CU-21-09 Alpharetta Liquor & Wine / 11380 State Bridge Road

Consideration of a conditional use to allow a 'Liquor Store' for Alpharetta Liquor & Wine in a 4,960 square foot suite located in a new strip center. The property is located at 11380 State Bridge Road, Suites 130, 140 & 150 and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.

VII. ADJOURNMENT



PLANNING COMMISSION MEETING MEETING SUMMARY DRAFT

JULY 1, 2021

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

I. CALL TO ORDER

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

II. ROLL CALL

a. Planning Commissioners present:

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

b. Staff present:

- Kathi Cook, Director of Community Development
- Michael Woodman, Senior Planner
- Eric Graves, Senior Engineer
- Lauren Shapiro, Planning + Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

a. Approval of Planning Commission Meeting Minutes from June 3, 2021.

- Commissioner Attig offered a motion to approve the Planning Commission Meeting Minutes from June 3, 2021.
 - Commissioner Davis seconded the motion.
 - The motion was approved unanimously (5-0).

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. CU-21-07 Far East Beauty / 1115 Upper Hembree Road

Consideration of a conditional use to allow 'Spa Services' in a 2,576 square foot suite. A conditional use is requested to allow 'Spa Services' for Far East Beauty. The property is located at 1115 Upper Hembree Road, Suite A and is legally described as being located in Land Lot 550, 1st District, 2nd Section, Fulton County, Georgia.

Senior Planner, Michael Woodman, presented consideration of a conditional use permit to allow 'Spa Services' for Far East Beauty, which provides cosmetology and spa services, such as facials and waxing. The property is zoned O-I (Office-Institutional), which allows 'Spa Services' with approval of a conditional use permit. The subject property is located at 1115 Upper Hembree Road, Suite A in the Alpha Medical Plaza.

The property was approved in 1988 in conjunction with the Oswald/Upper Hembree Master Plan. Alpha Medical Plaza is developed as two (2) office buildings, which are 2-stories from Upper Hembree Road and 3-stories at the rear. Suites are accessed from the front and back of the buildings. The applicant's suite is accessed from the rear of the building. Other businesses operating in the office buildings include, Alpharetta Psychiatric Services, Revitalize You MD, BMI Surgical Institute, and Extra Mile Dentist.

Surrounding properties are zoned O-I and R-15 (Dwelling, 'For-Sale', Residential) to the north, O-I to the east and south and City of Roswell (Taylor Oaks subdivision) to the west. Peach State Pool Service & Builders and a residential lot are located to the north, City of Roswell to the west, and undeveloped office parcels to the south and east.

Far East Beauty is a new business with a primary focus on cosmetology and spa services such as, facials and waxing. The applicant's business also provides microblading, semi-permanent make-up, lash extensions, make-up, and nails. Services are by appointment only. Hours of operation are proposed to be Monday – Saturday 9:00 AM – 7:00 PM. The applicant anticipates between 4-6 employees at the proposed location.

The maximum size of a spa services suite is required to be less than 4,000 square feet, and the Applicant's suite is 2,576 square feet. There is also 2,000 feet distance requirement, meaning that no other spa services business could be located within 2,000 feet of the property. There are no other spa services business in the immediate area or within 2,000 feet of the property. There are also no conflicting uses within 300' of the property.

The Applicant did attend the Community Zoning Information Meeting on June 9, 2021, and there were no public comments. Staff has received seven (7) letters of support, including the Condo Association email that was sent out to Planning Commission earlier this week, and one (1) objection letter, which expressed concerns that the business could be a front for illegal activity.

Further, Spa Services businesses have been approved in other office condominium developments in the City, including A Healing Touch Day Spa and Organic Sugaring & Waxing at 1130 Powers Place and Tropical Bliss Spa & Beauty Bar at 5755 North Point Parkway.

Senior Planner Woodman read Staff's recommendation:

Approve CU-21-07 Far East Beauty/1115 Upper Hembree Road, subject to the following conditions:

1. 'Spa Services' shall be added as a conditional use at 1115 Upper Hembree Road, Suite A, and limited to no more than 2,576 square feet.
2. Conditional use approval shall be limited to Far East Beauty; no additional spa services businesses or subleasing shall be permitted within the approved space.
3. Spa services shall be limited to facials, semi-permanent makeup, microblading, waxing, lash extensions, make-up, and nails.
4. Hours of operation shall be Monday – Saturday 9:00 AM – 7:00 PM.
5. Window signage shall be limited to 10% or less of the window area. No lighting window trim.
6. In compliance with condition #21 related to file# MP-88-05 Oswald/Upper Hembree Master Plan, one of the 2 existing ground signs at the project entrance shall be removed prior to the issuance of a business license for Far East Beauty. Remaining development ground sign and wall shall be pressure-washed and/or painted and a decorative planting bed shall be installed at the base of the sign and wall.

Planning Commission questions:

- Medical services signs – will that be eliminated?
 - Senior Planner Woodman shared that there is a similar sign on the other side of the entrance, but there is a secondary monument sign that also displays the businesses operating in the two buildings (on the other side of the driveway). If the businesses are not on the sign by the road, they could be placed on the secondary sign.
- Previous Condition #21 / Current Condition #6: project entrance or internal signage?
 - Senior Planner Woodman commented that it does not apply to internal signage.
- How is the 2,000-foot distance measured?
 - Senior Planner Woodman shared that this is a GIS map, and both the 2,000 and the 300 foot distances are measured from the front door of the Spa Services business to the front door of the conflicting use or the other Spa Services business in a straight line distance, as prescribed by the Code.
- Has there been illegal activity in Alpharetta?
 - Senior Planner Woodman said that he is not aware of any type of illegal activity surrounding these businesses, and this case was sent to public safety for review, and there were no concerns associated with this business.
- Condition #6 was imposed on the entire development. Who is the applicant? Who is applying for the Spa in relation to the development? Would it be better to handle this through Code Enforcement, since this is an existing condition and not a new condition?
 - Senior Planner Woodman shared that these are office condos for purchase and are individually owned. There is a Condo Association for this property, and the Applicant and the Condo Association have discussed that this is just

a sign panel, but the Applicant is present and may have more information on this. This is a condition of zoning that Council placed on this property, so if Condition #6 was not placed on the Applicant today, the City can still have Code Enforcement enforce the previous Condition.

- Are Conditions #1-5 approximately the same as other previously approved spas?
 - Senior Planner Woodman commented that they are very much the same conditions.
- Sign condition: what if the Condo Association does not want to pressure wash?
 - Senior Planner Woodman commented that if this Condition is approved, the condo owner would not be able to get around not wanting to pressure wash. Today, Code Enforcement could go to the site and enforce the condition of removing the one sign panel based on the previous condition.

Applicant presentation:

David Weisser and Hung Bo Gore (Gigi) presented the application for CU-21-07 Far East Beauty / 1115 Upper Hembree Road.

- Applicant agrees with all staff conditions, even Condition #6.

Planning Commission questions:

- Any other facility like this anywhere else?
 - Applicant commented that this is the first facility. Gigi wanted to buy and own the space, which is how the Applicant ended up with the condo. However, they did not understand that Gigi would be unable to operate this type of business in this space.
- Does this type of work require any certifications?
 - Gigi is a licensed esthetician and graduated in 2016.
- Do we require any certifications for spas?
 - Senior Planner Woodman shared that Spa Services are required to be licensed through the City. If the Applicant were to receive approval, they would have to apply for a Spa License before receiving a Business License. This is already in the Code, so it would not need to be added as a condition.

There were no public comments for this item.

- Commissioner Perkins offered a motion to approve, subject to conditions as set forth by Staff, including Conditions #1-6.
 - Commissioner Davis seconded the motion.
 - The motion was approved unanimously (5-0).
 - There was discussion during the motion about the following:
 - Chairman Kung'u would not want to impose a condition on the Applicant that is outside of their responsibility, or if the Condo Association decides they do not want to upkeep and remove part of the sign, wants to make sure the Applicant is not penalized.
 - Commissioner Zurinkas said that the only thing that Code Enforcement cannot currently enforce is the landscape strip and the pressure washing.

b. **Z-21-06/V-21-17 Kimball 154**

DEFERRED: This item has been deferred by the Applicant and will not be heard until August 5, 2021. The item will not be heard or discussed during this evening's meeting.

Consideration of a rezoning and variances to allow for a 3-story, 120,000 square foot office building and re-use of 2 existing buildings for office use and amenities on 4.44 acres. A rezoning is requested from SU (Special Use) to O-P (Office-Professional). Variances are requested to reduce parking, increase lot coverage, reduce front building setback, increase building height and reduce minimum driveway separation. The property is located at 154 Kimball Bridge Road and is legally described as being located in Land Lot 801, 1st District, 2nd Section, Fulton County, Georgia.

c. **PH-21-13 UDC Text Amendments - Supplementary Regulations Accessory Backyard Chickens Located in Residential Zoning Districts**

Consideration of a text amendment to Unified Development Code (UDC) Subsection 2.3.3(C) Uses Customarily Accessory to Dwellings Located in Residential Zoning Districts, to add regulations allowing backyard chickens as an accessory use on minimum one (1) acre properties.

Director of Community Development, Kathi Cook, presented consideration of text amendments to Unified Development Code (UDC) Subsection 2.3.3 Supplementary Regulations, Uses Customarily Accessory to Dwellings Located in Residential Zoning Districts, to allow backyard chickens in any residential zoning district on minimum one (1) acre properties. Regulations limiting the number of chickens to six (6), prohibiting roosters and requiring a minimum 25' setback for related structures would remain the same.

Further, this proposed UDC change will keep the one (1) acre minimum requirement, but it will not designate the zoning category. For example, if a property owner is in a R-12 zoning and has an acre lot, they could have chickens because they meet the size requirement, however, the property owner would still be subjected to any Homeowner Association covenants. Additionally, this proposed change would allow a property owner with less than an acre to request a variance to allow backyard chickens.

Director Cook read the proposed amendment for Article II, Subsection 2.2.3(C)(9).

Planning Commission questions:

- Does the number of structures matter?
 - Director Cook explained that this applies to one (1) home on one (1) acre. If there were 2 homes, then the property would be split and would not likely meet the acreage requirement.
- Previous applicant with less than one (1) acre, what was the final disposition of that case and how does this affect other people like this?
 - Director Cook explained that the resident in that case is in an R-12 zoning and did not meet the acre requirement. This proposed amendment would allow residents with similar situations to have the opportunity to request a variance. Currently, without this proposed amendment, that specific resident and others in similar situations did not have a path to request a variance to allow chickens.
- With no permitting process, unless a person who has backyard chickens is brought to the city's attention, is this a moot point?
 - Director Cook shared that Code Enforcement will find some instances where there are chickens on less than one (1) acre. If a resident does request a

variance from the one (1) acre requirement, then there would be specific conditions placed on that specific approval, which may require a special permit. However, in general, we would not want to process permits if a property owner meets the one (1) acre requirement.

- Would that go to City Council?
 - Director Cook stated that it would depend on the size of the reduction. If it were less than 50% reduction, then it would go to the Board of Zoning Appeals. If it was more than 50%, then it would go to City Council.
- It would be ideal to review this after a year and see where we are at with backyard chickens.
 - Director Cook mentioned that this has not been a huge issue in the community, probably because the owners do not have roosters or maybe because their neighbors are okay with having them.
- Are there any other cities that require permitting for chickens?
 - Director Cook shared that in the research that was sent by a resident, there was a permitting process in Fairfax. Further, Staff did check the surrounding cities and did not find any permitting processes in the surrounding cities.
- Did the previous applicant with one (1) acre near the old Harry's get to keep their chickens?
 - Director Cook shared that this case is still on hold. We have not required the resident to remove their chickens. Staff believed that it would be best to make an appropriate recommendation for a change to the code, so that the resident will have a path for him to be able to go forward with his case. We did not want to make a code change for that specific person, but instead wanted to make a change that would make sense for the whole City.

There were no public comments for this item.

- ❖ Commissioner Zurinkas offered a motion to approve with the text that is shown on the screen, including the buffers, wetlands, and regulated floodplain.
 - Commissioner Perkins seconded the motion.
 - The motion was approved unanimously (5-0).

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 7:08 p.m.



STAFF REPORT

Submitting Department: Community Development

Submitted By:

Sponsored By:

Meeting Date: August 5, 2021

I. AGENDA ITEM TITLE: MP-21-01/V-21-04 THE BAILEY/NORTHWINDS

THIS PUBLIC HEARING ITEM HAS BEEN DEFERRED BY STAFF. THIS ITEM WILL NOT BE HEARD OR CONSIDERED DURING THIS MEETING.

CONSIDERATION OF A MASTER PLAN AMENDMENT AND VARIANCE TO ALLOW A 158,000 SQUARE FOOT WELLNESS CENTER, 53,000 SQUARE FOOT OF OFFICE USE, A 100-ROOM BOUTIQUE HOTEL, AND 25,500 SQUARE FEET OF RETAIL/RESTAURANT USE ON 4.72 ACRES. A MASTER PLAN AMENDMENT TO THE NORTHWINDS MASTER PLAN IS REQUESTED TO AMEND DEVELOPMENT STANDARDS, SUCH AS BUILDING SETBACKS, BUILDING HEIGHTS AND BUILDING COVERAGE. A VARIANCE IS REQUESTED TO INCREASE THE MAXIMUM IMPERVIOUS AREA IN THE O-I DISTRICT. 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.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** MP-21-05/CU-21-10 GEORGE ANIMAL HOSPITAL/6195 WINDWARD PARKWAY

PLANNING COMMISSION: AUGUST 5, 2021

CITY COUNCIL: AUGUST 23, 2021

II. **RECOMMENDATION:**

Approve MP-21-05/CU-21-10 George Animal Hospital/6195 Windward Parkway, subject to the following conditions:

1. 'Animal Hospital, Small Animals' shall be added as a conditional use to the Windward Master Plan Pod 4.
2. 'Animal Hospital, Small Animals' shall be added as a conditional use at 6195 Windward Parkway, Suite 109 and limited to no more than 2,600 square feet.
3. Conditional use approval shall be limited to Erin & Wade George; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted in the approved space.
4. Business shall be permitted to operate Monday – Friday 7:00 AM – 6:00 PM and Saturday 7:00 AM – 1:00 PM.
5. Boarding of animals is limited to short-term care incidental to the hospital use.
6. Pet relief area shall be improved with artificial turf or sod and shall be screened with a decorative fence or shrubs, as approved by Staff. Wayfinding signage shall be provided in the parking area and at the front of the business directing patrons to the pet relief area.
7. Interior tenant improvements shall include noise mitigation measures.
8. Mobile resources supporting the business, such as a mobile MRI or X-ray, shall not be parked between the building and the street.

III. **REPORT IN BRIEF:**

The applicant, Erin George, DVM, is requesting a master plan amendment and conditional use to allow an 'Animal Hospital, Small Animals' for Erin and Wade George in a 2,600 square foot suite within an existing shopping center. An amendment to the Windward Master Plan Pod 4 is requested to add the proposed use. The subject property is located at 6195 Windward Parkway, Suite 109 in the Windward Market Forest shopping center.

DISCUSSION

The submitted request, if approved, would allow the applicant to operate a 'Animal Hospital, Small Animal' use in a 2,600 square foot suite within an existing shopping center. An amendment to the Windward Master Plan is requested to add the use to Pod 4 and a conditional use is requested to allow the use for Erin and Wade George. The subject property is located at 6195 Windward Parkway, Suite 109 in the Windward Market Forest shopping center.

The property is zoned CUP (Community Unit Plan) and is subject to the Windward Master Plan Pod 4. The property was developed in 2007 with a 1-story, 18,172 square foot strip center building. Surrounding properties are zoned CUP. E-Trade Financial is located to the north,

Starbucks is located to the east, Shell gas station is located to the west, and Windward Plaza Office and Hilton Garden Inn are located to the south.

Windward Master Plan was approved in 1980 with a substantial update in 1993 (MP-92-03) for a 3,000+ acre planned community, including residential, commercial, office, industrial and recreational uses. Windward Pod 4 has a land use designation of 'Commercial', which allows professional office, banks, restaurant, theater, health club, retail commercial, service commercial, gas station, civic buildings, medical facilities, hotel and conference center, specialty retail shops and boutiques and day care center. 'Commercial' pods in Windward represent less than 2%, or 60 acres, of the total land area within the Master Plan. The Windward Master Plan has been amended on a few occasions, including the non-residential master plan amendments as shown in the table below.

Windward Master Plan – Past Non-Residential Master Plan Amendments

File #	Project Name	Pod	Requested Change	Outcome	Date
MP-18-06	Starbucks	4	Restaurant with drive-through	Approved	8/27/18
MP-13-04 / CU-13-09	HealthSouth	66	60-bed acute inpatient rehabilitation hospital	Approved	8/26/13
MP-12-08 / CU-12-08	Karate Atlanta	56	Karate School	Denied	9/23/12
MP-11-03 / CU-11-01	Amana Academy	14A	School, Academic	Denied	12/19/11
MP-07-08 / CLUP-07-08	Windward Mill	66	80,000 SF retail, 800,000 SF office, 250-room full-service hotel (10,000 SF meeting space), 400 For-Sale Condominiums	Approved	4/28/08
MP-07-07 / CLUP-07-07	1st Baptist Church	66	Church and associated uses	Approved	10/22/07
MP-06-14 / CU-06-04	Habakkuk Center	56	Church use	Approved	1/22/06
MP-04-02 / CU-04-02	Comprehensive Martial Arts	56	Personal Training Studio with Office	Approved	6/21/04
MP-01-08	Source Fitness	14A	Health Club	Approved	9/24/01

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

Dr. Erin George proposes a new full-service veterinary clinic providing preventative care, medicine, surgery, dentistry and chemotherapy to cats and dogs. The business will not provide boarding or grooming services. Hours of operation will be Monday – Friday from 7:00 AM to 6:00 PM and Saturday from 7:00 AM to 1:00 PM. The applicant anticipates 6-8 employees.

Windward Market Forest shopping center is occupied by several tenants, including Secreto Southern Kitchen, Tarahumata Mexican Grill, Majestic Nails, Subway and Synergy Fitness. The applicant proposes to occupy Suite 109, which is located at the end of the building and was

formerly occupied by an urgent care clinic. The end of the building has a drive-through lane, which were used by the former urgent care clinic. The applicant proposes to re-purpose the drive-through lane as a pet relief area. Improvements would include adding turf an accent fence of shrubs, as well as a pet bag station and trash can. Animal clinic staff will maintain the area on a daily basis. In addition, noise mitigation measures are proposed in the applicant's suite and client areas will be concentrated on the right-side of the suite, which is furthest from adjacent tenants in the shopping center. Access to the building will be through the front door.

Staff prepared the table below to compare the applicant's proposal to existing animal hospitals in the City. There are seven (7) animal hospitals/clinics currently operating in the City. The applicant's business would be approximately 1.3 miles away from the nearest animal hospital, which is the Webb Bridge Animal Hospital.

Animal Hospital Located in the City

Project Name	Address	Zoning
Alpharetta Animal Hospital	80 Milton Ave	C-2
North Main Animal Hospital	562 North Main St	C-2
Paw Patch Animal Clinic	1150 Upper Hembree Rd	C-1
Webb Bridge Animal Hospital	3953 Webb Bridge Rd	AG
Country Place Animal Hospital	2165 Old Milton Pkwy	C-2
EasyVet Clinic	12850 Alpharetta Hwy, Ste 2200	C-2
Veterinary Emergency Group	2725 Old Milton Pkwy, Ste A	O-I

TRAFFIC

Staff estimates that the 2,600 square foot animal hospital would generate twelve (12) 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. Properties in the immediate vicinity are primarily developed with commercial and office uses.

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

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

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

Response: The applicant's proposal should not have significant impacts on the natural environment. The applicant proposes to occupy a suite within an existing shopping center.

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

Response: The subject property is approved for commercial use.

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

Response: The zoning proposal should not have significant impacts on public facilities and services. The proposed use is estimated to generate twelve (12) PM Peak Hour trips.

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

Response: Not applicable.

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

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

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

Response: The subject property is approved for commercial use.

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 'Commercial'.

CONDITIONAL USE REVIEW CRITERIA

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

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

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

Response: Windward Market Forest shopping center was developed in compliance with site access development standards with access from Windward Parkway and Market 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 property is in compliance with regard to refuse areas, loading and service areas, off-street parking, and buffers and screening.

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

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

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

Response: Not applicable.

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

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

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

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

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

Response: The nearest animal hospital is located approximately 1.3-miles to the south at the Webb Bridge Animal Hospital. There does not appear to be any conflicting uses in the immediate vicinity of the applicant's property.

CONCURRENCES

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 surrounding uses and other locations for this business type, which are similarly situated along commercial corridors. In addition, the nearest animal hospital is located approximately 1.3-miles away to the south. It is recommended that conditions be established as part of this application that regulate and limit any expansion of the business.

CITIZEN PARTICIPATION PLAN

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

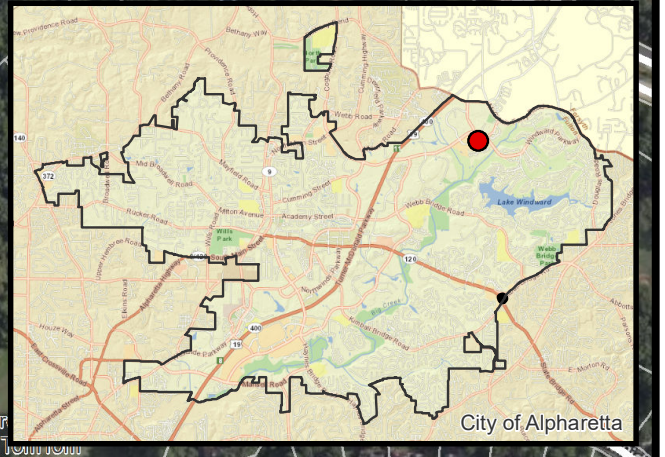
COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on July 14, 2021. There were no public comments.

IV. ATTACHMENTS:

- Site Plan

MP-21-05 / CU-21-10



MP-21-05 / CU-21-10

D/LL: 2/1/1107

PC: 8/05/21

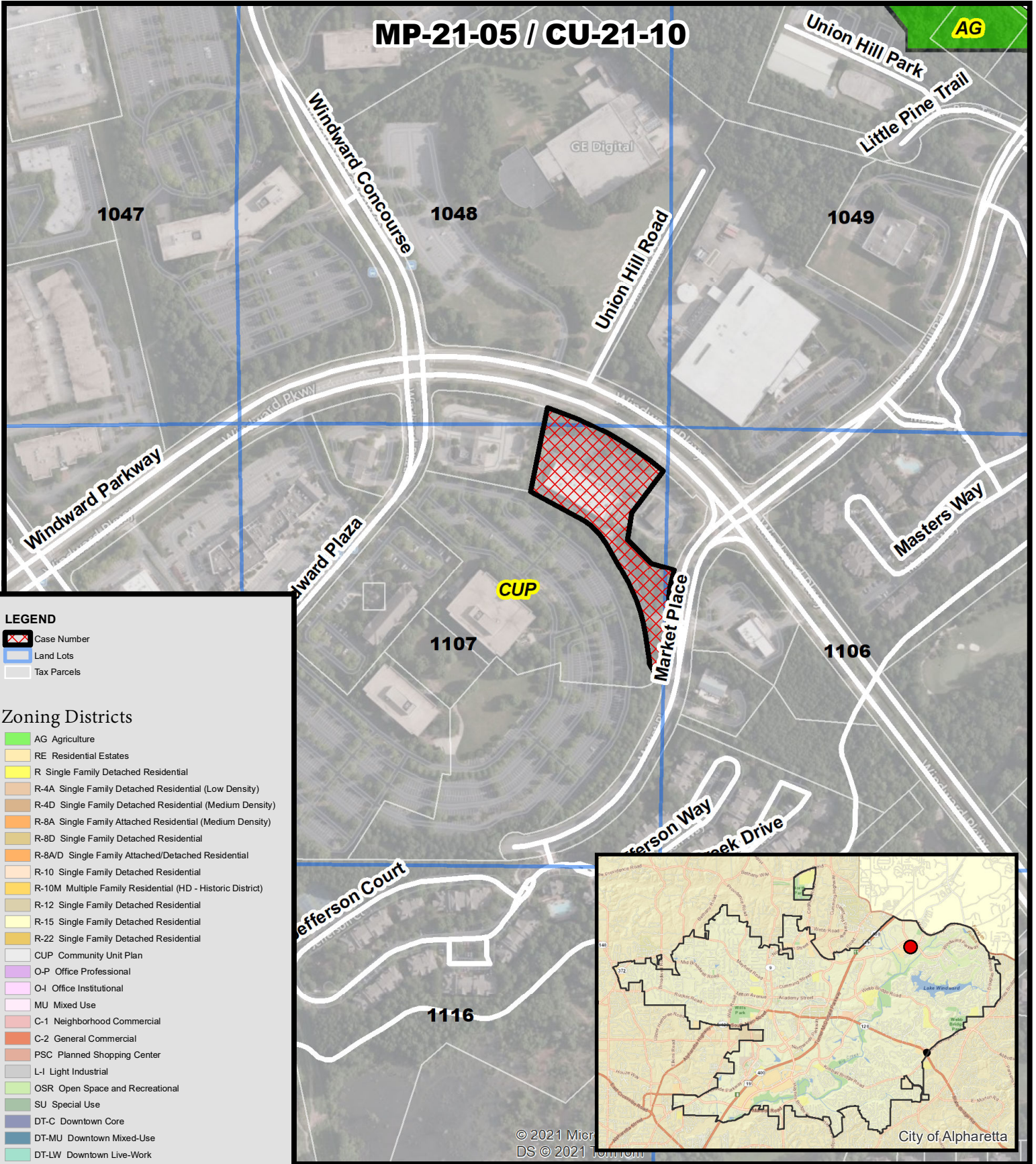
CC: 8/23/21



Aerial Map
George Animal Hospital
6195 Windward Parkway

Location Map Provided by:
Community Development - GIS

MP-21-05 / CU-21-10



LEGEND

- Case Number
- Land Lots
- Tax Parcels

Zoning Districts

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



Zoning Map
George Animal Hospital
6195 Woodward Parkway

MP-21-05 / CU-21-10

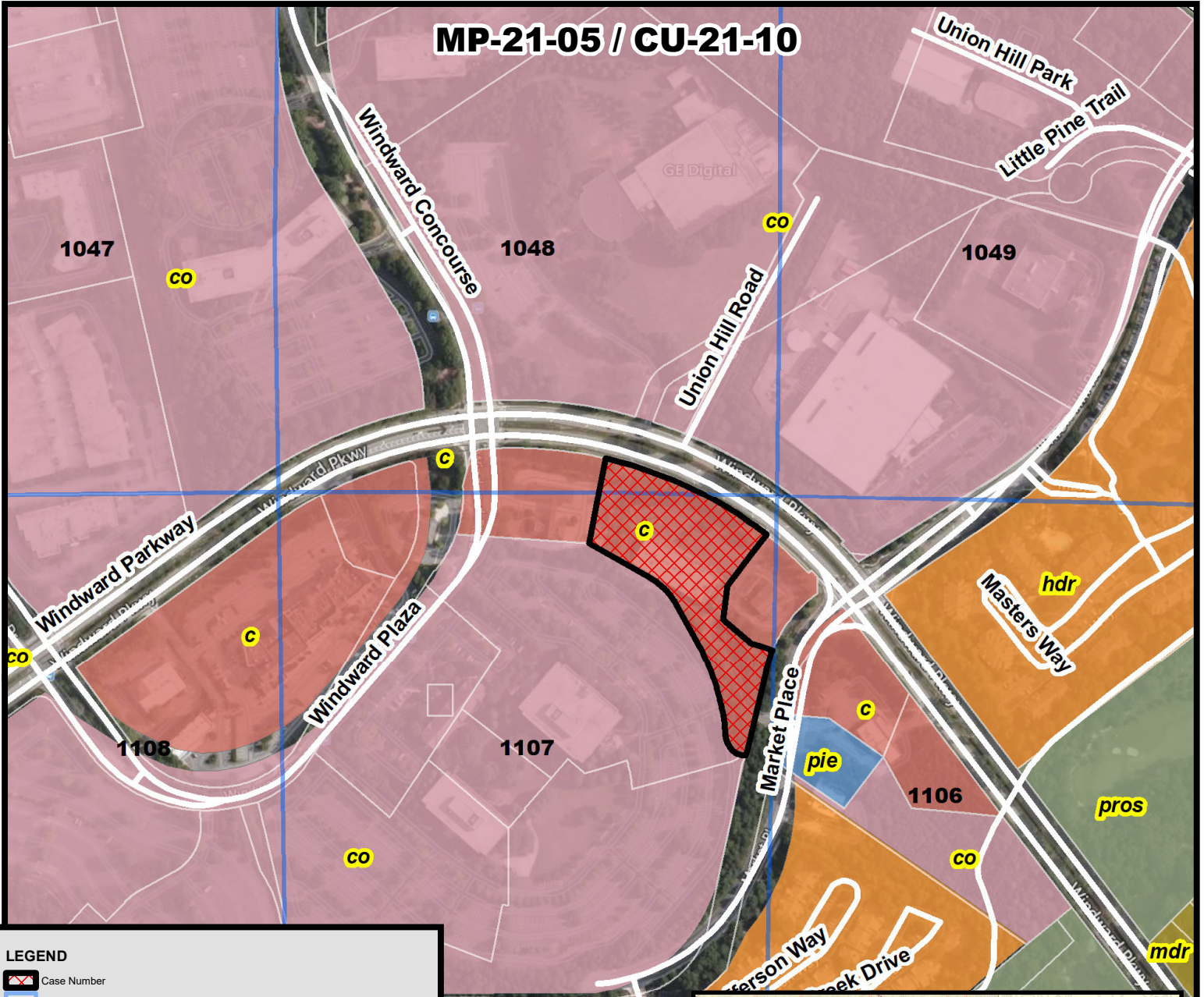
D/LL: 2/1/1107

PC: 8/05/21

CC: 8/23/21

Location Map Provided by:
Community Development - GIS

MP-21-05 / CU-21-10

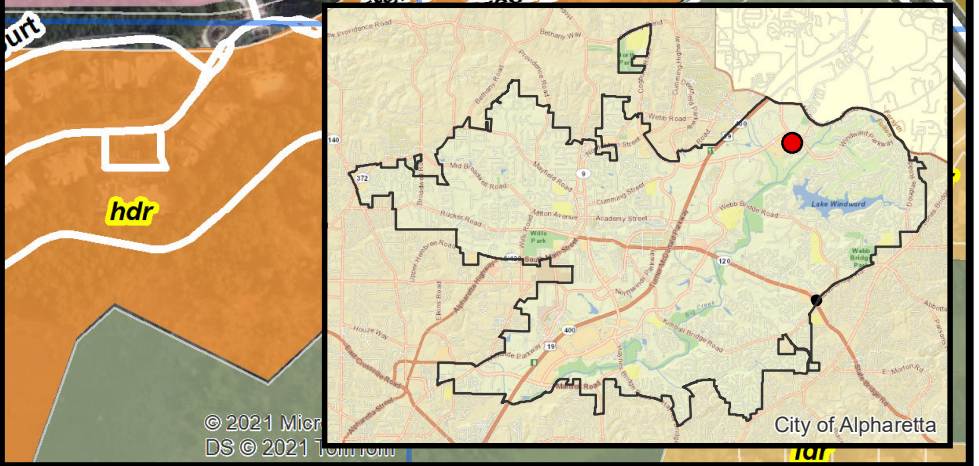


LEGEND

- Case Number
- Land Lots
- Tax Parcels

Future Land Use Designation

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



MP-21-05 / CU-21-10

D/LL: 2/1/1107

PC: 8/05/21

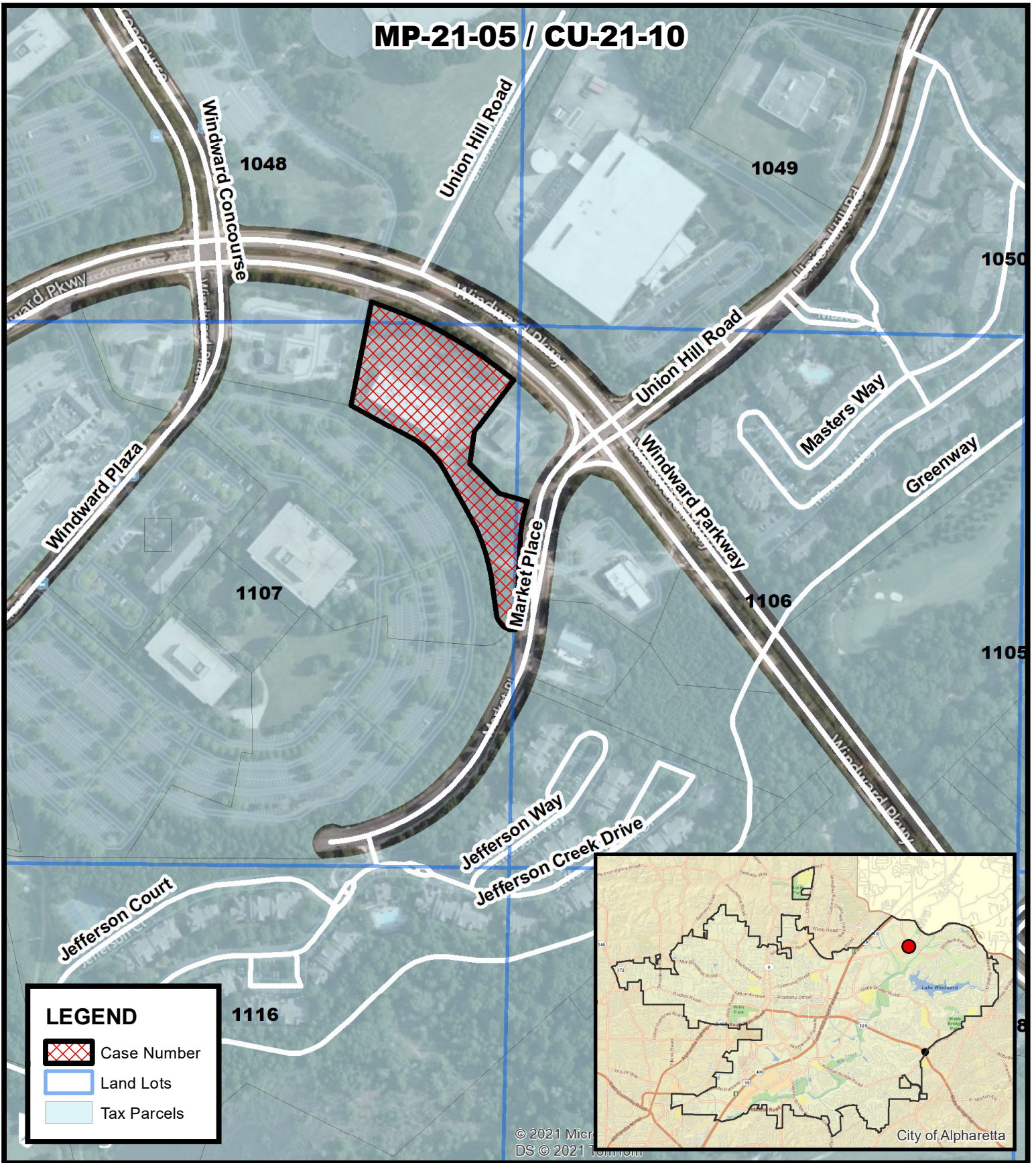
CC: 8/23/21



**Future Land Use
George Animal Hospital
6195 Woodward Parkway**

**Location Map Provided by:
Community Development - GIS**

MP-21-05 / CU-21-10



Location Map
George Animal Hospital
6195 Windward Parkway

MP-21-05 / CU-21-10

D/LL: 2/1/1107

PC: 8/05/21

CC: 8/23/21

Location Map Provided by:
Community Development - GIS



COMMUNITY DEVELOPMENT
COMMUNITY ZONING INFORMATION MEETING
JULY 14, 2021
ZOOM
6:00 PM

I. Staff Present

- a. Michael Woodman
- b. Ben Kern
- c. Lauren Shapiro

II. George Animal Hospital

a. Applicant Presentation: Erin George, Small Animal Veterinarian

- i. Applied for a Conditional Use to convert an Immediate Care Facility into a small animal vet clinic (no grooming or boarding services provided)
- ii. Applicant will be the sole owner and operate 8:00 am – 6:00 p.m. Monday through Friday and 8:00 a.m. – 12:00 p.m. on Saturdays.
- iii. Renovation project to improve the interior and exterior; windows will be added on the right side of the building for the treatment areas; sound reduction insulation will be added through the clinic
- iv. A pet relief area will replace the current drive through lane and will have AstroTurf. The relief area can be used by other customers in this shopping center.

b. Public Comment

- i. There were no public comments or questions for this item.

III. There were no chat comments for this CZIM.

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: George Animal Hospital

Contact Name: Erin George

Telephone: 224-402-5716

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 no feedback by mail, email, or phone in regards to the letter we sent.

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

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

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

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

Signature of Authorized Agent: 

Date: 07/07/21

June 27th, 2021

Erin & Wade George
1581 Southridge Trail
Algonquin, IL 60102

RE: MP-21-05 / CU-21-10 George Animal Hospital (New Veterinary Clinic)

Dear Property Owner:

Please allow this letter to serve as public notice for a conditional use request at 6195 Windward Pky Suite 109 to a veterinary clinic (current use is an immediate care facility).

The Community Zoning Information Meeting (CZIM) for this request will be held on Wednesday, July 14, 2021 at 6:00 p.m. via Zoom. The link to the meeting is <https://zoom.us/j/93938220246>. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the Planning Commission on Thursday, August 5, 2021 at 6:30 PM and City Council on Monday, August 23, 2021 at 6:30 PM. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at eringeorge15@gmail.com or 224-402-5716

Sincerely,

Erin George, DVM

DC 1001 WINDWARD CONCOURSE LLC
4890 W KENNEDY BLVD SUITE 650
TAMPA FL 33609

GH WINDWARD PLAZA INC
225 PEACHTREE ST NE SUITE 200
ATLANTA GA 30303

MAIN STREET BANK
P O BOX 167
WINSTON SALEM NC 27102-0167

GH WINDWARD PLAZA INC
225 PEACHTREE ST NE SUITE 200
ATLANTA GA 30303

BANK OF AMERICA NA
101 N TRYON ST
CHARLOTTE NC 28255

MAIN STREET BANK
P.O. BOX 167
WINSTON SALEM NC 27102-0167

CITY OF ALPHARETTA
287 SOUTH MAIN ST
ALPHARETTA GA 30004

GH WINDWARD PLAZA INC
225 PEACHTREE ST NE SUITE 200
ATLANTA GA 30303

DC 1650 UNION HILL ROAD LLC
4890 W KENNEDY BLVD SUITE 650
TAMPA FL 33609

WINDWARD MARKET FOREST LLC
1300 PEACHTREE IND BLVD STE 3209
SUWANEE GA 30024

MRI REAL ESTATE HOLDINGS LLC
6415 SHILOH RD E
ALPHARETTA GA 30005

WINDWARD MARKET CORP
1251 AVE OF THE AMERICAS
NEW YORK NY 10020

MFREVF II WINDWARD LLC
353 N CLARK ST
CHICAGO IL 60654

TERRA HOSPITALITY GIANT LLC
P.O. BOX 56607
ATLANTA GA 30343

WACHOVIA BANK
P.O. BOX 2609
CARLSBAD CA 92018-2609

WINDWARD ASSCOIATES LLC
6400 POWERS FERRY RD NW # #100
ATLANTA GA 30339

PNC BANK NATL ASSN
620 LIBERTY AVE FLOOR 18TH
PITTSBURGH PA 15222-2722

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA210029☒ Fee Paid Initial: DH

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: Erin GeorgeTelephone: 224-402-5716Address: 1581 Southridge Trail

Suite: _____

City: AlgonquinState: ILZip: 60102

Fax: _____

Mobile Tel: 224-402-5716Email: eringeorge15@gmail.comSubject Property Information:Address: 6195 Windward Parkway, Suite 109Current Zoning: CUPDistrict: 2ndSection: 1stLand Lot: 1047.1048,
1107 & 1106Parcel ID: 91-5570-1107-045-0Proposed Zoning: Veterinary
ClinicCurrent Use: Immediate Care/MedicalThis Application For (Check All That Apply):☒ Conditional Use☐ Rezoning☐ Variance☐ Comprehensive Plan Amendment☒ Master Plan Amendment☐ Master Plan Review☐ Public Hearing☐ Other (Specify): _____☐ Exception

APPLICANT REQUEST AND INTENT

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

Small animal veterinary clinic.

Applicant's Request (Please itemize the proposal):

We request that this property be granted a conditional use permit to accomodate our veterinary clinic (currently, the property is an immediate care facility).

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

The intent of this building is to provide the community with a full service veterinary clinic that provides wellness care, medicine, surgery, dentistry, and chemotherapy. Our goal is to provide local residents with the highest quality of care possible for their animal companions while diminishing the volume and impact of local animal diseases—generating a healthier, safer Alpharetta.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Windward Market Forest, LLC
By: Lavista Associates, Inc. as agent

Telephone: 770-448-6400

Address: 3490 Piedmont Rd., NE

Suite: 1300

City: Atlanta

State: GA

Zip: 30305

Authorization:

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

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

☐ Annexation

☐ Special Use

☐ Rezoning

☒ Conditional Use

☐ Variance

☒ Master Plan

☐ Land Use Application

☐ Other

Identify Authorized Applicant:

Name of Authorized Applicant: Erin George

Telephone: (224) 402-5716

Address: 1581 Southridge Trail

Suite: _____

City: Algonquin

State: IL

Zip: 60102

So Sworn and Attested:

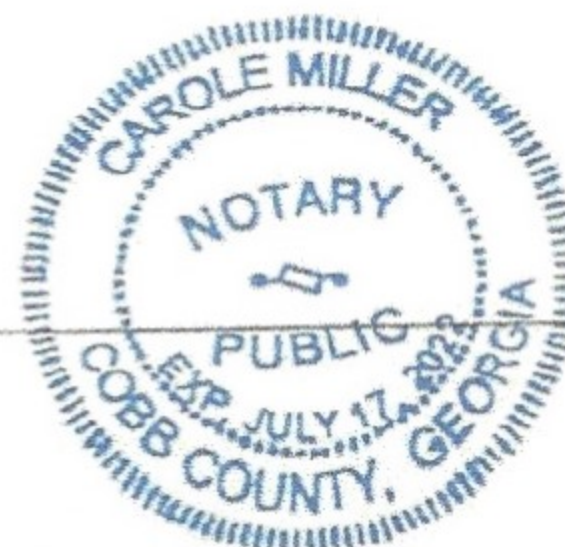
Owner Signature: _____

Date: 5/19/21

Notary:

Notary Signature: _____

Date: 5/19/21



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: Erin George, DVM

Subject Public Hearing Case: Erin and Wade George - Veterinary Practice
at Market Forest (6195 Windward Pky, Ste 109)

Campaign Contribution Information:

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

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

Name of Official:

n/a

Position:

n/a

Description of Contribution:

n/a

Value:

\$ 0

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Campaign Contribution Information:

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

Signature:

E. George, DVM

Date:

5/23/21

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

This pod was developed to serve the community, and its owners are committed to this mission. Much like the surrounding properties, the goal of this practice is to provide veterinary services to the community (an area that is lacking in veterinary clinics; the closest one is 2.7 miles from this location). Veterinary clinics decrease local disease and improve quality of life for residents and their animals.

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

Clients who visit the clinic on a regular basis will likely frequent the surrounding restaurants as well as take notice of the other businesses in the area (increase use). The value of the surrounding properties will increase as our current renovation plan is to add \$260,000 of improvements to the current space.

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

There is significant overlap between this unit's prior use (human immediate care clinic) and our proposed use (small animal veterinary clinic). The location has been held without tenants for some time now, so our interest and unique application is a novel proposal.

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

This unit's prior use as an immediate care clinic likely produced more traffic than our veterinary clinic will (our projection is 15-40 client visits per day). Our clinic plans include 4 exam rooms, whereas the prior clinic hosted 6. Thus, we anticipate a smaller traffic footprint than our predecessors. No increase to population should be expected.

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

None.

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

The Future Land Use Map designates this location for Commercial Use, so a veterinary clinic is consistent with the Alpharetta Comprehensive Plan.

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

We are fully funded via Wells Fargo with a budget of up to \$260,000 to provide renovations and improvements to the building. We have significant additional capital for early expenses and a long financial runway as the business grows.

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

See attached: Additional notes

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: Erin and Wade George - Veterinary Practice
at Market Forest (6195 Windward Pky, Ste 109)

Contact Name: Erin George Telephone: 224-402-5716

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

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.

Additional Notes

- This is a new business venture.
- The square footage of the premises is approximately 2,600 SF
- The hours of operation include 7am-6pm Mon-Fri, 7am-1pm Sat.
- The number of employees range from 6-8
- One note to make regarding changes to the exterior property is that the plan is to improve the drive-thru lane to offer a relief area for the pets/patients. These plans include adding artificial turf in a professional manner to conform to the existing nature of the building so that it does not look like a temporary improvement.

DC 1001 WINDWARD CONCOURSE LLC
4890 W KENNEDY BLVD SUITE 650
TAMPA FL 33609

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225 PEACHTREE ST NE SUITE 200
ATLANTA GA 30303

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6400 POWERS FERRY RD NW # #100
ATLANTA GA 30339

PNC BANK NATL ASSN
620 LIBERTY AVE FLOOR 18TH
PITTSBURGH PA 15222-2722

Market Forest



Windward Plaza Office

- Building 1 - 203,248 SF
 - Building 2 – 133,512 SF
- ## Hilton Garden Inn
- 125 Rooms

Suite	Tenant	SF
101	Tarahumata Mexican Grill	4,180
104	Secreto	2,160
105	Synergy Fitness	3,200
106	Available (Former Hair Salon)	1,300
107	Majestic Nails	1,200
108	Subway	1,400
109	Available (Former Urgent Care)	2,600

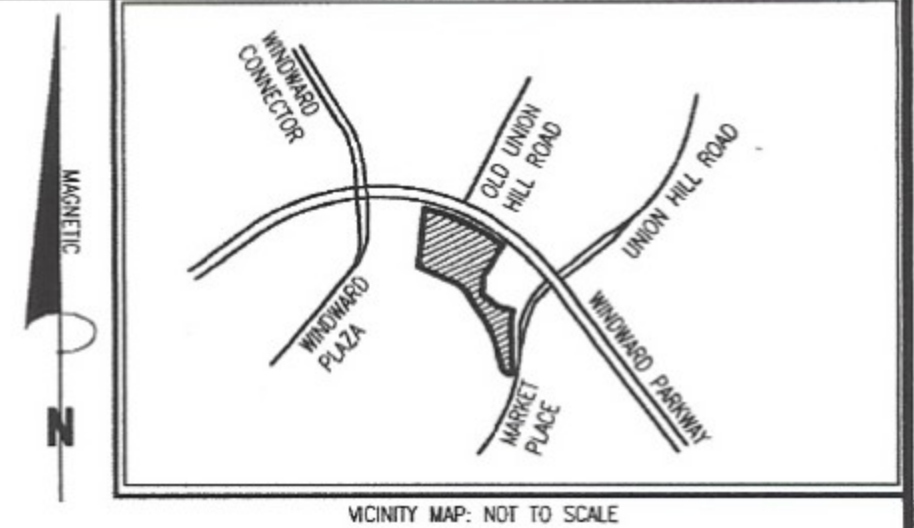
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 38,817 FEET AN ANGULAR ERROR OF 00 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARED METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 349,857 FEET.

BEARINGS SHOWN ARE BASED ON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION AND ARE SUBJECT TO FIELD CONDITIONS.

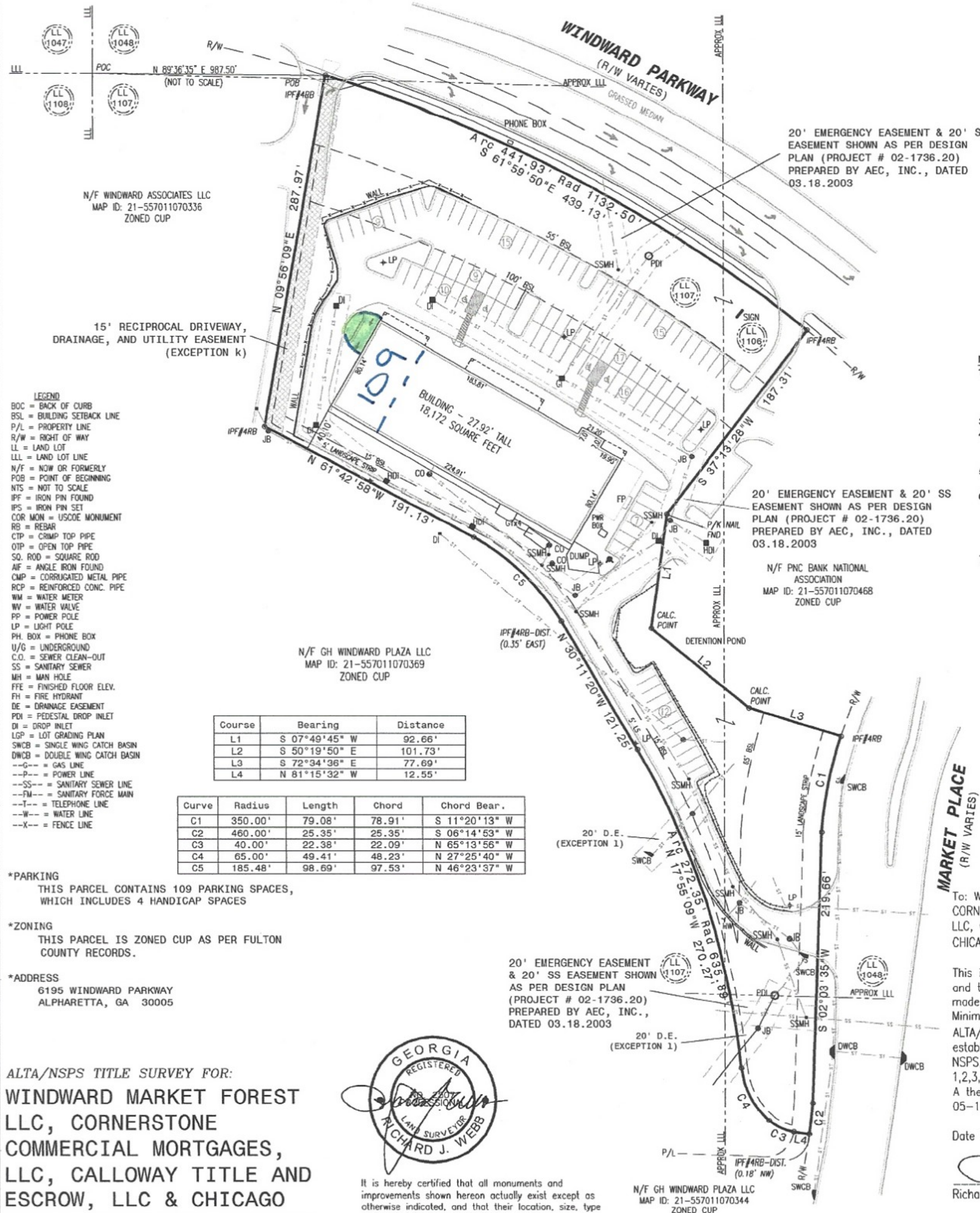
THE EQUIPMENT USED FOR ANGULAR AND DISTANCE MEASUREMENTS WAS A NIKON TOPGUN.

THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP NOS. 13121C0091 & 0092G, DATED 09/18/13.

PARCEL 21 557011070450



VICINITY MAP: NOT TO SCALE



NOTES & REFERENCES:

1. PLAT FOR MARKET FOREST PARTNERS, LLC BY RICHARD WEBB AND ASSOCIATES DATED MAY 27, 2014.
3. THERE ARE NO ENCROACHMENTS.
4. THIS PROPERTY FORMS A CONTIGUOUS PARCEL WITH NO GAPS, GORES OR OVERLAPS.
5. THERE HAS BEEN NO RECENT EARTH MOVING WORK.
6. THERE HAS BEEN NO RECENT STREET AND/OR SIDEWALK CONSTRUCTION AND NO CHANGES TO THE STREET RIGHT-OF-WAY LINES.
7. THIS PROPERTY HAS NOT BEEN USED AS A LANDFILL OR AS A CEMETERY.

MARKET PLACE
(R/W VARIES)

TO: WINDWARD MARKET FOREST LLC,
CORNERSTONE COMMERCIAL MORTGAGES,
LLC, CALLOWAY TITLE AND ESCROW, LLC &
CHICAGO TITLE INSURANCE COMPANY

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1,2,3,4,7a,7b,8,9,11,13,14,16,17,19 of Table A thereof. The fieldwork was completed on 05-15-2020.

Date of Plat or Map: March 23, 2021

Richard J. Webb/RLS 2507

JOB NO.
21063

SHEET 1 OF 2

ALTA/NSPS TITLE SURVEY FOR:
WINDWARD MARKET FOREST
LLC, CORNERSTONE
COMMERCIAL MORTGAGES,
LLC, CALLOWAY TITLE AND
ESCROW, LLC & CHICAGO
TITLE INSURANCE COMPANY

LAND LOTS 1048, 1106 & 1107
2ND DISTRICT-1ST SECTION
FULTON COUNTY, GEORGIA
MARCH 23, 2021

It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated, and that their location, size, type and material are correctly shown.

By: [Signature]
Registered Georgia Land Surveyor No.: RLS2507


 TECHNICAL LAND SERVICES INC. d/b/a
RICHARD WEBB & ASSOCIATES
Land Surveying Consultants
 P.O. BOX 561 CUMMING GA. 30028 (770)-889-6103
 100 KELLY MILL ROAD CUMMING GA. 30040

20211035121063\21063 ALTA.dwg, 3/25/2021 4:44:31 PM, DWG To PDF.pc3, 1:60

- (f) Lease as evidenced by that certain Memorandum of Lease by and between Windward Market Forest, LLC (Landlord) and Subway Real Estate, LLC, a Delaware limited liability company ("Tenant"), dated September 1, 2013, filed for record December 29, 2016 at 7:53 a.m., recorded in Deed Book 57023, Page 429, Records of Fulton County, Georgia. (Affects - Not Plottable)
- (g) First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Windward Community Services Association and By-Laws of Windward Community Services Association, Inc. by Windward Community Services Association, Inc., dated April 22, 1983, filed for record May 6, 1983 at 3:49 p.m., recorded in Deed Book 8458, Page 198, aforesaid Records; as amended from time to time; but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. (Affects - Not Plottable)
- (h) Declaration of Covenants, Conditions, and Restrictions for Windward Business Center Association by Windward Properties, Inc., a Delaware corporation, dated March 28, 1983, filed for record October 25, 1983 at 4:33 p.m., recorded in Deed Book 8700, Page 362, aforesaid Records; as re-recorded December 6, 1983 at 3:11 p.m., recorded in Deed Book 8750, Page 82, aforesaid Records; as amended and supplemented from time to time, including, but not limited to that certain Amendment to the Declaration of Covenants, Conditions and Restrictions for Windward Business Center Association by Westerra Windward LLC, a Delaware limited liability company, dated June 2, 1998, filed for record June 5, 1998 at 8:30 a.m., recorded in Deed Book 24690, Page 207, aforesaid Records; but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. (Affects - Not Plottable)
- (i) Declaration of Restrictive Covenants by Westerra Windward, L.L.C., dated as of July 22, 1997, filed for record July 28, 1997 at 2:10 p.m., recorded in Deed Book 22881, Page 104, aforesaid Records; as amended by that certain Supplemental Amendment to Declaration of Restrictive Covenants by Westerra Windward, L.L.C., dated as of April 15, 1998, filed for record April 21, 1998 at 8:54 a.m., recorded in Deed Book 24269, Page 292, aforesaid Records; but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. (Affects - Not Plottable)
- (j) Restrictions as contained in that certain Limited Warranty Deed from Westerra Windward, L.L.C., a Delaware limited liability company to Windward Partners, L.L.C., a Georgia limited liability company, dated June 2, 1998, filed for record June 5, 1998 at 8:30 a.m., recorded in Deed Book 24690, Page 290, aforesaid Records; but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons. (Affects - Not Plottable)
- (k) Reciprocal Driveway, Drainage and Utility Easement Agreement by and between Westerra Windward, L.L.C., a Delaware limited liability company and Windward Partners, L.L.C., a Georgia limited liability company, dated June 2, 1998, filed for record June 5, 1998 at 8:30 a.m., recorded in Deed Book 24690, Page 304, aforesaid Records. (Affects - As Shown)
- (l) Terms, conditions and obligations as contained in that certain Easement Agreement by and between Georgia Wind III, LLC, a Florida limited liability company and Market Forest Shoppes, LLC, a Georgia limited liability company, dated April 30, 2004, filed for record May 21, 2004 at 9:17 a.m., recorded in Deed Book 37612, Page 422, aforesaid Records. (Affects - As Shown)
- (m) Easement from Market Forest Shoppes, LLC to Georgia Power Company, dated November 4, 2005, filed for record December 29, 2005 at 8:30 a.m., recorded in Deed Book 41641, Page 38, aforesaid Records. (Affects - Not Plottable) - Service Easement
- (n) Those matters as disclosed by that certain survey entitled "ALTA/ACSM Title Survey For: Market Forest Partners, LLC, Georgia Commerce Bank, Chicago Title Insurance Company, & Calloway Title & Escrow, LLC", prepared by Technical Land Services Inc. d/b/a Richard Webb & Associates, bearing the seal and certification of Nathan M. McClure, Georgia Registered Land Surveyor No. 3086, dated May 27, 2014, as follows: (Affects - As Shown) See Survey
- (1) Curbing and accessways crossing the northeasterly and northwesterly boundary lines of subject property;
 - (2) Parking areas crossing the northeasterly boundary lines of subject property;
 - (3) Twenty (20') foot sanitary sewer easement crossing the northeasterly and southerly boundary lines of subject property;
 - (4) Twenty (20') foot emergency easement crossing the northeasterly and southerly boundary lines of subject property;
 - (5) Detention pond with fences crossing the easterly boundary line of subject property;
 - (6) Light pole located on the southerly boundary line of subject property;
 - (7) Storm drainage lines crossing the northeasterly, southwesterly, northwesterly and southeasterly boundary lines of subject property;
 - (8) Twenty (20') foot drainage easements crossing the southwesterly and westerly boundary lines of subject property;
 - (9) One hundred (100') foot building setback line along the Right-of-Way of Windward Parkway;
 - (10) Sixty-five (65') foot building setback line along the Right-of-Way of Market Place;
 - (11) Fifty-five (55') foot building setback line along the Right-of-Way of Windward Parkway;
 - (12) Fifteen (15') foot landscape strip along the Right-of-Way of Market Place;
 - (13) Fifteen (15') foot building setback line along the southerly boundary line of subject property, and Five (5') foot landscape strip along the southerly and westerly boundary lines of subject property.

LEGAL DESCRIPTION

All that tract or parcel of land lying in Land Lots 1048, 1106 & 1107 of the 2nd District, 1st Section of Fulton County, Georgia and being more fully described as follows:

Beginning at the corner common to Land Lots 1047, 1048, 1107, & 1108, thence North 89 degrees 36 minutes 35 seconds East for a distance of 987.50 feet to an IPF#4RB on the southerly R/W of Windward Parkway, said road having a Variable R/W, and this being the True Point of Beginning;

THENCE along said Right-of-Way and along a curve to the right having a radius of 1132.50 feet and an arc length of 441.93 feet, being subtended by a chord of South 61 degrees 59 minutes 50 seconds East for a distance of 439.13 feet to an IPF#4RB (Capped);

THENCE leaving said Right-of-Way, South 37 degrees 13 minutes 28 seconds West for a distance of 187.31 feet to a P/K Nail Found;

THENCE South 07 degrees 49 minutes 45 seconds West for a distance of 92.66 feet to a POINT;

THENCE South 59 degrees 19 minutes 50 seconds East for a distance of 101.73 feet to a POINT;

THENCE South 72 degrees 34 minutes 36 seconds East for a distance of 77.69 feet to an IPF#4RB on the westerly Right-of-Way of Market Place, said road having a Variable Right-of-Way;

THENCE along said Right-of-Way and along a curve to the left having a radius of 350.00 feet and an arc length of 79.08 feet, being subtended by a chord of South 11 degrees 20 minutes 13 seconds West for a distance of 78.91 feet to a POINT;

THENCE South 02 degrees 03 minutes 35 seconds West for a distance of 219.66 feet to a POINT;

THENCE along a curve to the right having a radius of 460.00 feet and an arc length of 25.35 feet, being subtended by a chord of South 06 degrees 14 minutes 53 seconds West for a distance of 25.35 feet to a POINT;

THENCE leaving said Right-of-Way, North 81 degrees 15 minutes 32 seconds West for a distance of 12.55 feet to a POINT;

THENCE along a curve to the right having a radius of 40.00 feet and an arc length of 22.38 feet, being subtended by a chord of North 65 degrees 13 minutes 56 seconds West for a distance of 22.09 feet to a POINT;

THENCE along a curve to the right having a radius of 65.00 feet and an arc length of 49.41 feet, being subtended by a chord of North 27 degrees 25 minutes 40 seconds West for a distance of 48.23 feet to a POINT;

THENCE along a curve to the left having a radius of 635.89 feet and an arc length of 272.35 feet, being subtended by a chord of North 17 degrees 55 minutes 09 seconds West for a distance of 270.27 feet to a POINT;

THENCE North 30 degrees 11 minutes 20 seconds West for a distance of 121.25 feet to a POINT;

THENCE along a curve to the left having a radius of 185.48 feet and an arc length of 98.69 feet, being subtended by a chord of North 46 degrees 23 minutes 37 seconds West for a distance of 97.53 feet to a POINT;

THENCE North 61 degrees 42 minutes 58 seconds West for a distance of 191.13 feet to an IPF#4RB;

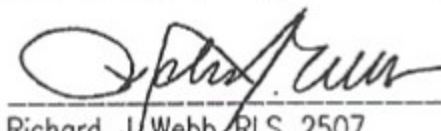
THENCE North 09 degrees 56 minutes 09 seconds East for a distance of 287.97 feet to an IPF#4RB (capped) on the southerly Right-of-Way of Windward Parkway, thus being the True Point of Beginning.

Said property contains 3.447 acres more or less.

To: WINDWARD MARKET FOREST LLC,
CORNERSTONE COMMERCIAL MORTGAGES,
LLC, CALLOWAY TITLE AND ESCROW, LLC &
CHICAGO TITLE INSURANCE COMPANY

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1,2,3,4,7a,7b,8,9,11,13,14,16,17,19 of Table A thereof. The fieldwork was completed on 05-15-2020.

Date of Plat or Map: March 23, 2021


Richard J. Webb, RLS 2507



It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated, and that their location, size, type and material are correctly shown.

By: 
Registered Georgia Land Surveyor No.: RLS2507

TECHNICAL LAND SERVICES INC. d/b/a

 **RICHARD WEBB & ASSOCIATES**
Land Surveying Consultants
P.O. BOX 561 CUMMING GA. 30028 (770)-889-6103
100 KELLY MILL ROAD CUMMING GA. 30040
Email: rjwebb6103@comcast.net

JOB NO.
21063

SHEET 2 OF 2

ALTA/NSPS TITLE SURVEY FOR:
**WINDWARD MARKET FOREST
LLC, CORNERSTONE
COMMERCIAL MORTGAGES,
LLC, CALLOWAY TITLE AND
ESCROW, LLC & CHICAGO
TITLE INSURANCE COMPANY**
LAND LOTS 1048, 1106 & 1107
2ND DISTRICT-1ST SECTION
FULTON COUNTY, GEORGIA
MARCH 23, 2021

AY,
ENT
k)

N 09° 56' 09" E

WALL

IPF#4RB

JB

N 61° 42'

5' LANDSCAPE STRIP

15' BSL

HDI

CO @

224.91'

80.14'

Pet
Relief
Area

LP

DI

DI

BUILDING - 27.92' TALL
18,172 SQUARE FEET

183.81'

BSL

100'

55'

15

9

10

9



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CU-21-09 ALPHARETTA LIQUOR & WINE/11380 STATE BRIDGE ROAD

PLANNING COMMISSION: AUGUST 5, 2021

CITY COUNCIL: AUGUST 23, 2021

II. RECOMMENDATION:

Deny CU-21-09 Alpharetta Liquor & Wine/11380 State Bridge Road request for conditional use permit.

If approval is considered, recommend the following conditions:

1. 'Liquor Store' shall be added as a conditional use at 11380 State Bridge Road, Suites 130, 140, & 150 and limited to no more than 4,960 square feet.
2. Conditional use approval shall be limited to Alpharetta Liquor & Wine; 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 distilled spirits.
4. Hours of operation shall be Monday – Thursday 9:00 AM – 9:30 PM, Friday – Saturday 9:00 AM – 10:30 PM and Sunday 12:30 PM – 7:00 PM.

III. REPORT IN BRIEF:

The applicant, Ramzanali Sadruddin, is requesting a conditional use to allow Alpharetta Liquor & Wine to operate a 'Liquor Store' in a 4,960 square foot suite within a new shopping center. The property is zoned C-1 (Neighborhood Commercial), which requires approval of a conditional use to allow a 'Liquor Store'. The subject property is located at 11380 State Bridge Road, Suites 130, 140 & 150 at the northeast corner of State Bridge Road and Kimball Bridge Road in the Kimball Plaza shopping center.

DISCUSSION

The submitted request, if approved, would allow Alpharetta Liquor & Wine to operate a 'Liquor Store' in a 4,960 square foot suite within a new shopping center. The property is zoned C-1 (Neighborhood Commercial), which requires approval of a conditional use to allow a 'Liquor Store'. The subject property is located at 11380 State Bridge Road, Suites 130, 140 & 150 at the northeast corner of State Bridge Road and Kimball Bridge Road in the Kimball Plaza shopping center.

The 1.15-acre property is developed as Kimball Plaza, which is a new 1-story, 9,464 square foot shopping center building. Surrounding properties are zoned C-1, except the property to the east and south is City of Johns Creek. Georgia Clinic and U-Store Climate Controlled Storage are located to the north, a commercial strip center and City of Johns Creek are located to the east, Honda Carland Service Center is located to the west and City of Johns Creek to the south. The Comprehensive Land Use Plan designation of the property is 'Commercial'.

Alpharetta Liquor & Wine is a new business. The applicant proposes to occupy Suites 130, 140 and 150, which have a combined area of 4,960 square feet. According to the applicant, products sold will include beer, wine, spirits and associated items related to alcohol package sales. Hours of operation are Monday – Thursday 9:00 AM – 9:30 PM, Friday – Saturday 9:00 AM – 10:30 PM and Sunday 12:30 PM – 7:00 PM. The applicant anticipates less than ten (10) employees.

TRAFFIC

Staff estimates that the 4,960 square foot 'Liquor Store' would generate 503 daily trips and 95 PM Peak Hour trips.

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: Access into and out of the subject property is difficult. The property is located at a busy intersection, which has an unusual geometry. Access from State Bridge Road (Old Milton Parkway) is a restricted right-in/right-out and access from Kimball Bridge Road is through an adjoining shopping center property, which also has a restricted right-in/right-out. Vehicular access is a concern given that the 'Liquor Store' would generate 95 PM Peak Hour trips.

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 could have impacts on surrounding properties. While the intersection of State Bridge Road and Kimball Bridge Road is developed as a commercial node, the properties immediately behind the commercial development are developed as residential subdivisions and an elementary school. In addition, there are two (2) liquor stores in Alpharetta and one (1) in Johns Creek within ¾-mile of the applicant's proposed location.

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 could have impacts on surrounding properties. While the intersection of State Bridge Road and Kimball Bridge Road is developed as a commercial node, the properties immediately behind the commercial development are developed as residential subdivisions and an elementary school. In addition, there are two (2) liquor stores in Alpharetta and one (1) in Johns Creek within ¾-mile of the applicant's proposed location.

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: While the intersection of State Bridge Road and Kimball Bridge Road is developed as a commercial node, the properties immediately behind the commercial development are developed as residential subdivisions and an elementary school. In addition, there are two (2)

liquor stores in Alpharetta and one (1) in Johns Creek within ¾-mile of the applicant's proposed location.

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

Response: There are similar uses in the immediate vicinity of the subject property. Royal Liquor Store is located in the Publix shopping center at 4305 State Bridge Road, Suite 109 and Old Milton Beverage is located in Brookside Station at 4045 Old Milton Parkway, which are approximately 1,350' and 3,915' away, respectively. In addition, there are two (2) liquor stores in Johns Creek to the northeast and south, which are approximately 1.75 miles and 0.5 miles away, respectively. The nearest residence to the proposed 'Liquor Store' is located to the west in the Park Brooke subdivision, which is approximately 630' away. Ocee Elementary School is located to the south, which is approximately 1,240' away. All distances above were measured in a straight-line distance, as the crow flies.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that the request is in conflict with the established review criteria for a conditional use. There are two (2) liquor stores in Alpharetta and one (1) in Johns Creek within ¾-mile of the applicant's proposed location. In addition, residential subdivisions have been developed adjacent to the commercial development in all four (4) quadrants of the intersection, as well as, Ocee Elementary School, which is less than ¼-mile from the applicant's property to south in Johns Creek.

CITIZEN PARTICIPATION PLAN

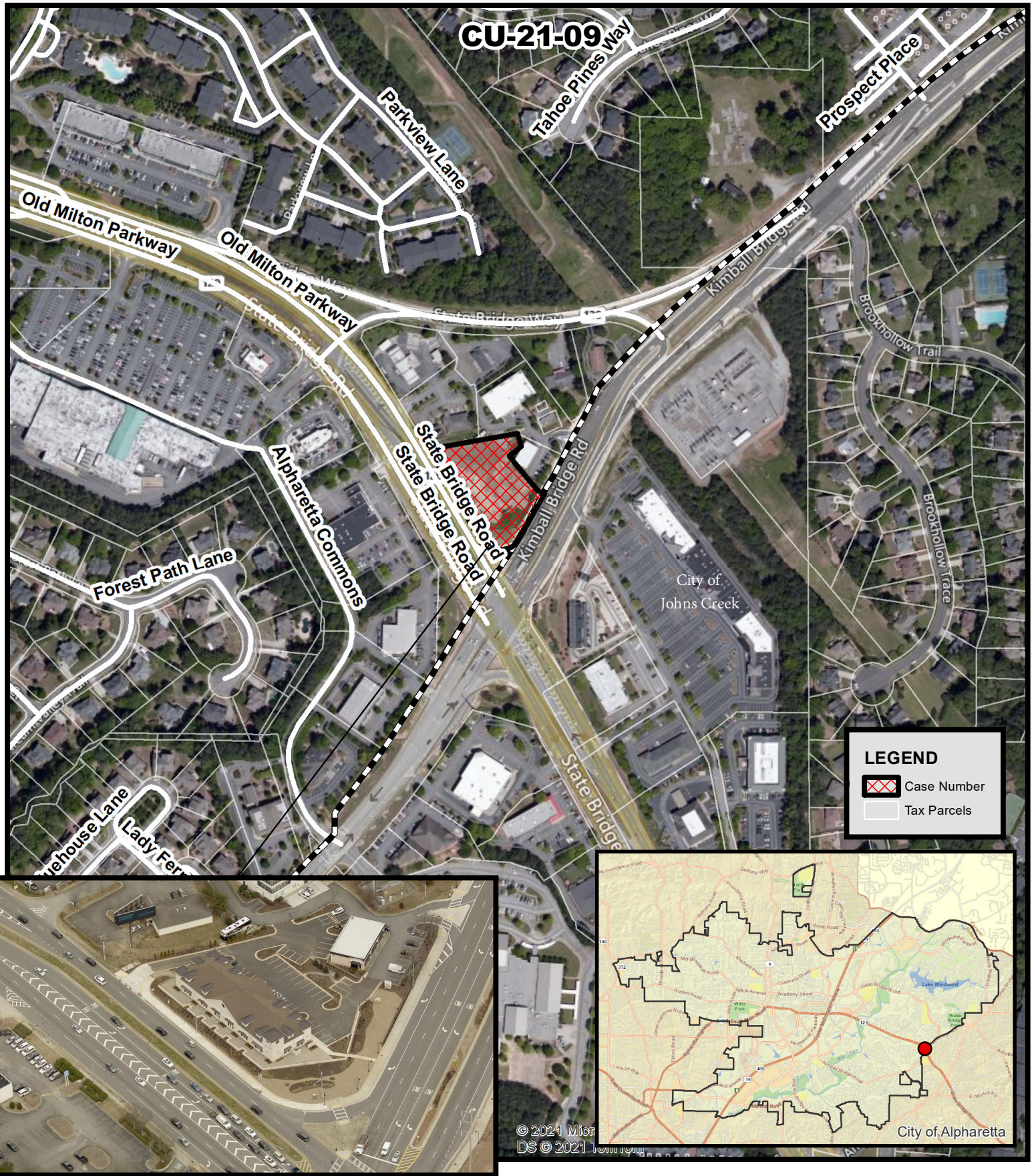
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on July 14, 2021. There were no public comments.

IV. ATTACHMENTS:

- Survey/Site Plan

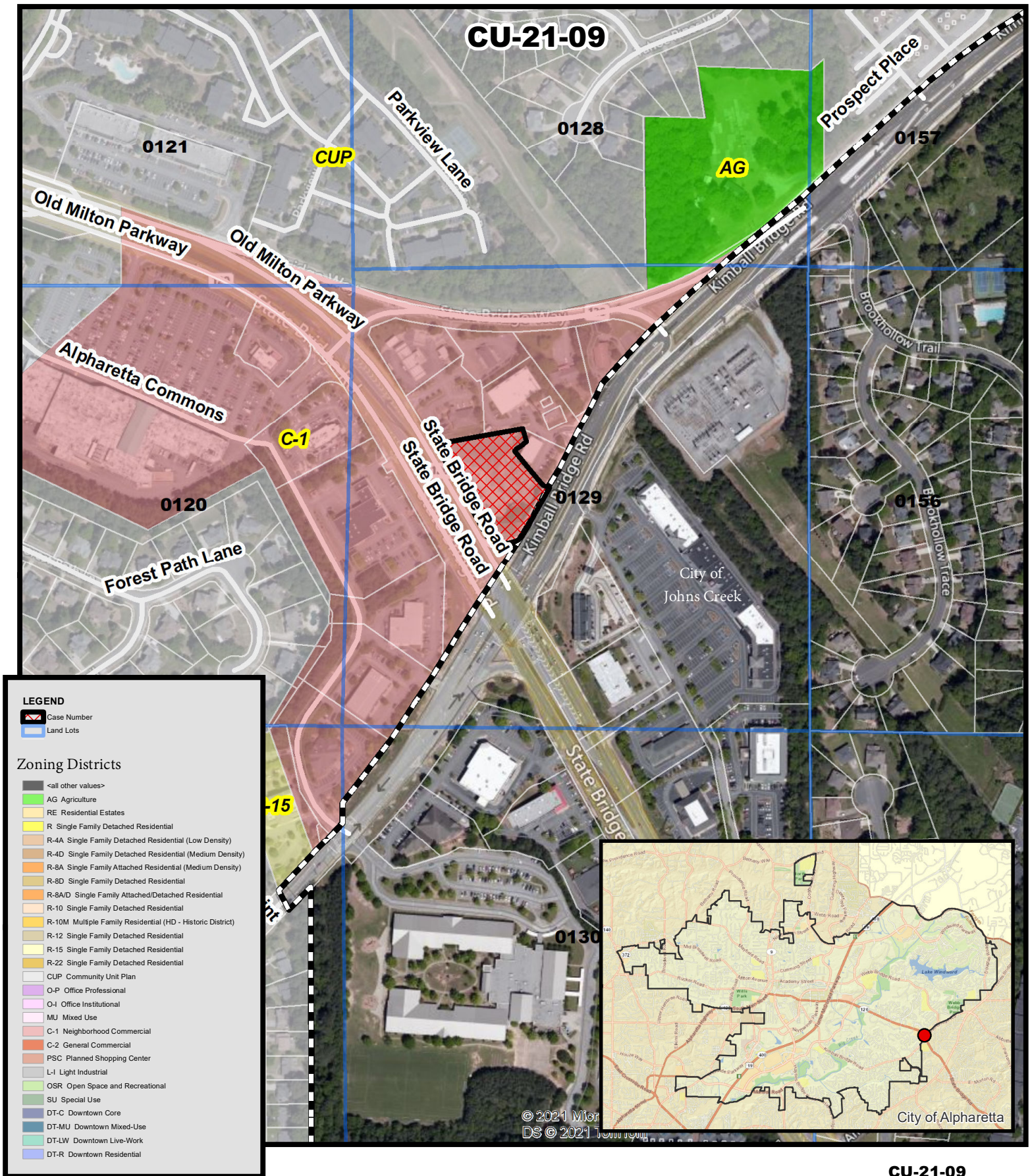


Aerial Map
Alpharetta Liquor & Wine
11380 State Bridge Road

CU-21-09
D/LL: 1/1/0129
PC: 8/05/21
CC: 8/23/21



Location Map Provided by:
Community Development - GIS



Zoning Map **Alpharetta Liquor & Wine** **11380 State Bridge Road**

CU-21-09

D/LL: 1/1/0129

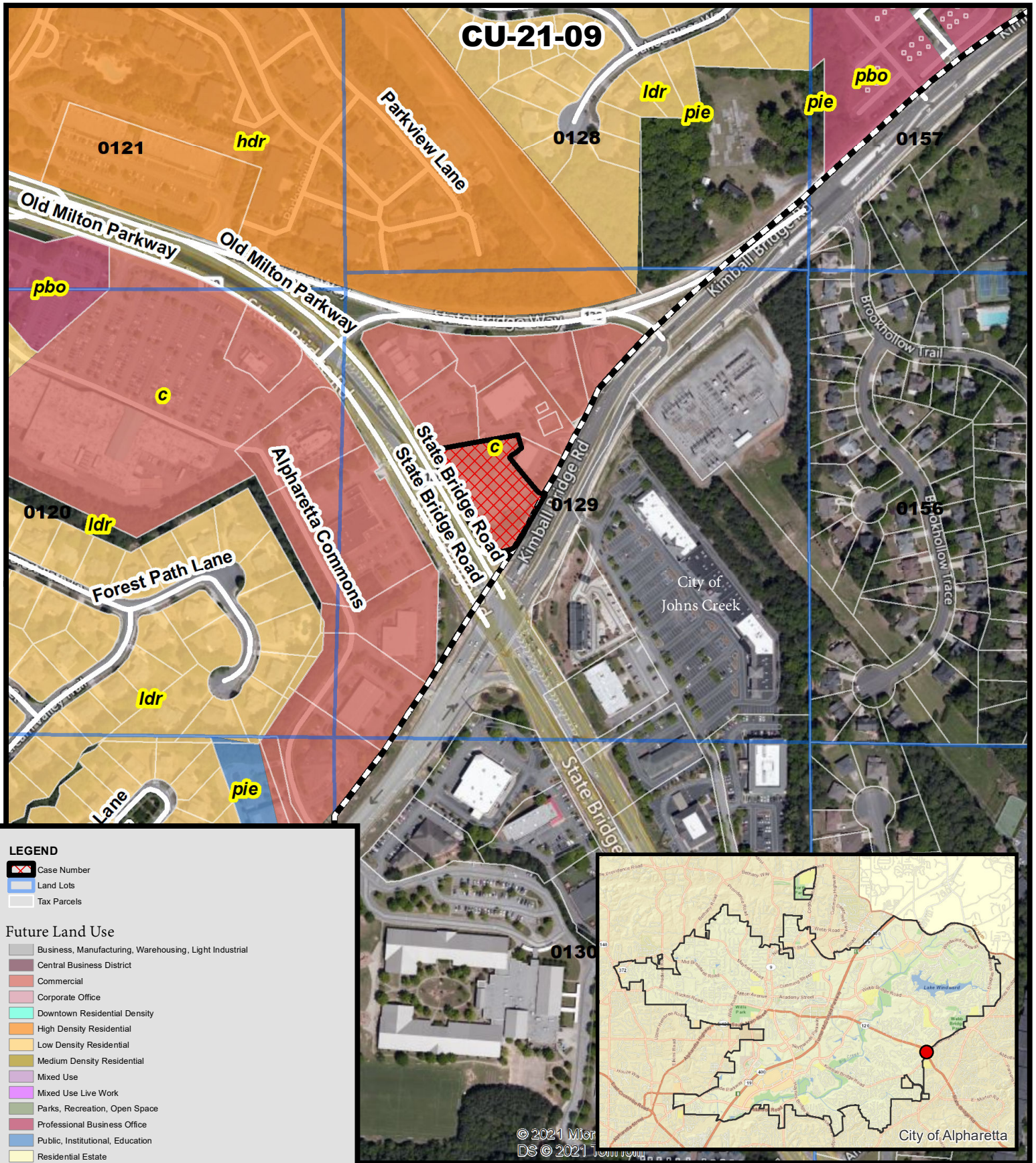
PC: 8/05/21

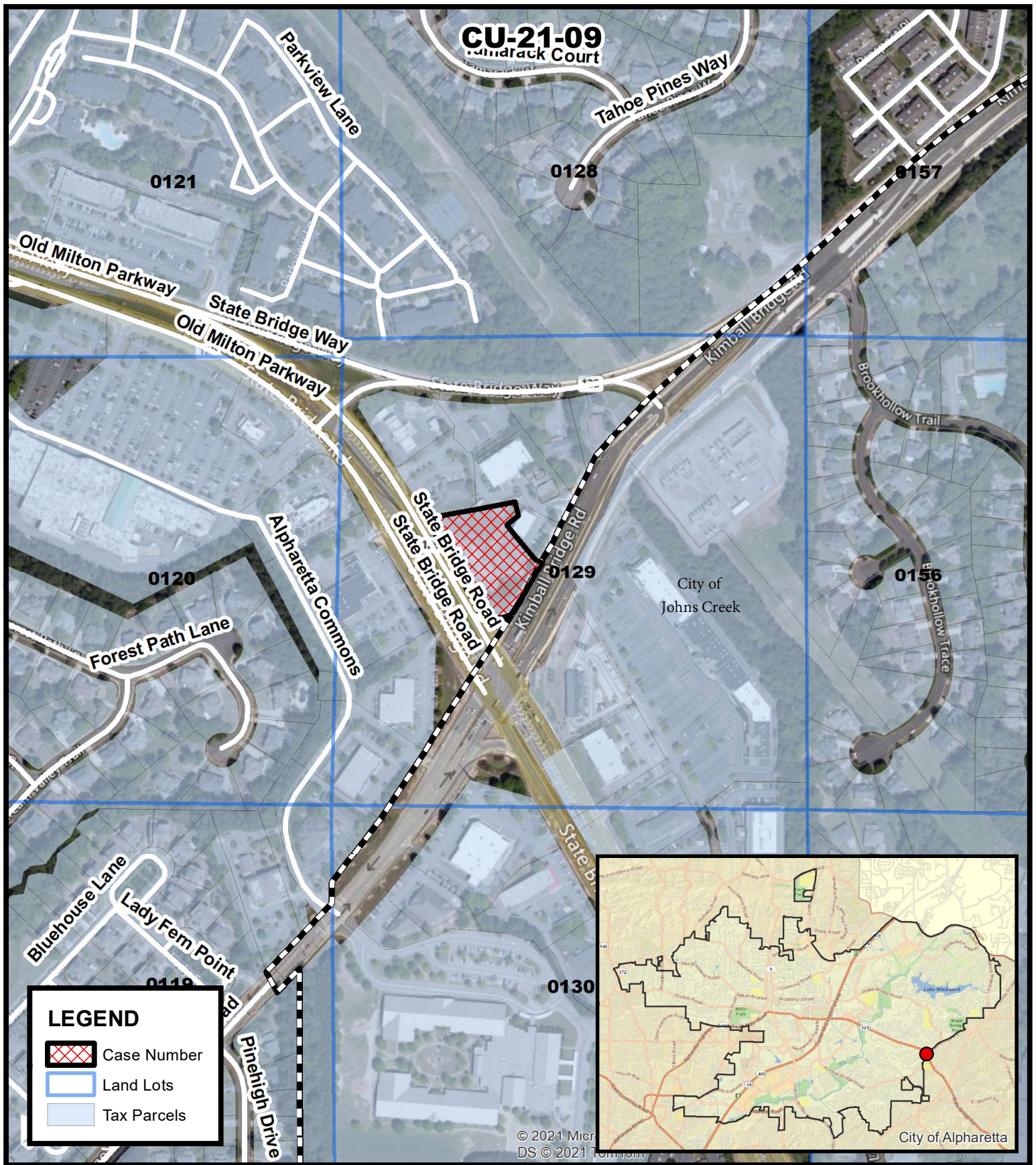
CC: 8/23/21

Location Map Provided by:

Community Development - GIS







Location Map **Alpharetta Liquor & Wine** **11380 State Bridge Road**

CU-21-09
D/LL: 1/1/0129
PC: 8/05/21
CC: 8/23/21

Location Map Provided by:
Community Development - GIS



COMMUNITY DEVELOPMENT
COMMUNITY ZONING INFORMATION MEETING
JULY 14, 2021
ZOOM
6:00 PM

I. Staff Present

- a. Michael Woodman
- b. Ben Kern
- c. Lauren Shapiro

II. George Animal Hospital

III. Adora Day Care Center

IV. Alpharetta Liquor & Wine

a. Applicant Presentation:

- i. Seeking to open a retail package store within a brand new building.
- ii. Applicant has spent 20 years in the business and is looking to expand.

b. Public Comment

- i. There were no public comments or questions for this item.

V. There were no chat comments for this CZIM.

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: ALPHARETTA LIQUOR & WINE PHA 210032

Contact Name: RANGARALI SODERBLIN Telephone: 678-517-5398

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

NO COMMENTS

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: Rangarali Soderblin

Date: 7/5/2021

Print Form

6/16/2021

**Ramzanali Sadruddin
450 Virginia Highlands
Fayetteville, GA 30215**

RE: Alpharetta Liquor and Wine PHA210032

Dear Property Owner:

Please allow this letter to serve as public notice for a Conditional Use request at 11380 State Bridge Rd Suite 130 Alpharetta, GA 30022 to allow a liquor and wine store to be added to the vacant space.

The Community Zoning Information Meeting (CZIM) for this request will be held on Wednesday, July 14, 2021 at 6:00 p.m. via Zoom. The link to the meeting is <https://zoom.us/j/93938220246>. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the Planning Commission on Thursday, August 5, 2021 at 6:30 PM and City Council on Monday, August 23, 2021 at 6:30 PM. The meeting(s) will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at roy.2098@yahoo.com.

Sincerely,

Ramzanali Sadruddin

AMREIT ALPHARETTA COMMONS LP
P O BOX 528
COLUMBIA SC 29202-0528

GEORGIA TRANSMISSION CORP
2100 EAST EXCHANGE PL
TUCKER GA 30085

MEMPHIS INTERIORS L L C
4465 STATE BRIDGE WAY
ALPHARETTA GA 30005

DIEHL LEON A & GLENDA S
822 FOREST PATH LN
ALPHARETTA GA 30022-6468

KER CAR LLC
5430 NEW NORTHSIDE DR STE 200
ATLANTA GA 30339

U STORE L L C
4400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

CHICK FIL A INC
5200 BUFFINGTON RD
ATLANTA GA 30349

DITMORE VINCENT G & PEGGY S
824 FOREST PATH LN
ALPHARETTA GA 30022-6468

PARKH & PARKH LLC
9210 PRESTWICK CLUB DR
DULUTH GA 30097

LEE & PARK REAL ESTATE LLC
3719 NASHVILLE AVE
NEW ORLEANS LA 70125

KATES RANDY L & RHONDA K
826 FOREST PATH LN
ALPHARETTA GA 30022-6468

BOCA BARGOONS OF ALPHARETTA IA
1055 LEADENHALL ST
ALPHARETTA GA 30022

KNOLL MICHAEL C & CYNTHIA A
128 FOREST PATH LN
ALPHARETTA GA 30022-6468

DRP COMPANY
4308 CAYUGA ST
TAMPA FL 33614

BROTHERS PROPERTIES JOHNS CREEK
3127 MAPLE DR NE
ATLANTA GA 30305

D & T REALTY ASSOCIATES LLLP
1030 JOHNS CREEK PKWY
SUWANEE GA 30024

INDIGO DEV INC
300 WILMOT
DEERFIELD IL 60015

WF JOHNS CREEK LLC
8505 ROSWELL RD
SANDY SPRINGS GA 30350

J STORE L L C
1400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

TMT PARK BRIDGE INC
3520 PIEDMONT RD NE STE 410
ATLANTA GA 30305-1512

STATE AND STATE LLC
1366 CAVERTON LN
ALPHARETTA GA 30022

HMB FOOD INC
4239 BLUEHOUSE LN
ALPHARETTA GA 30022

STATE AND STATE LLC
1366 CAVERTON LN
ALPHARETTA GA 30022

FULTON COUNTY
141 PRYOR ST SW SUITE 7000
ATLANTA GA 30303

IHK PROPERTIES LLC
450 MCGINNIS FERRY VILLAGE PL UNI
103
ALPHARETTA GA 30005

PIEDMONT CAPITAL HOLDINGS LLC
1380 W PACES FERRY RD STE 2275
ATLANTA GA 30327

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

CU-21-04

FOR OFFICE USE ONLY

Case #: PHA 210032

☒ Fee Paid - Initial: dl

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: RAMZANALI SADRUDDIN Telephone: 678-517-5398
Address: 450 VIRGINIA HIGHLANDS Suite: _____
City: FAYETTEVILLE State: GA Zip: 30215 Fax: _____
Mobile Tel: _____ Email: roy.2098@yahoo.com

Subject Property Information:

Address: 11380 STATE BRIDGE Rd, suite 130 Current Zoning: _____
District: _____ Section: _____ Land Lot: _____ Parcel ID: _____
Proposed Zoning: _____ Current Use: _____

This Application For (Check All That Apply):

☒ Conditional Use

☐ Rezoning

☐ Variance

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Exception

APPLICANT REQUEST AND INTENT

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

RETAIL PACKAGE STORE

Applicant's Request (Please itemize the proposal):

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

Question: 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.

Answer: There are already numerous retail package stores open and operating in the city of Alpharetta. Property is already zoned and developed. This public hearing application is necessary to be in compliance with the city of Alpharetta's ordinance for "conditional use" in a C1 zoned property to allow a retail package store.

Business name: Alpharetta Liquor & Wine

Suite numbers: 130, 140 & 150

Square footage: 4960 square feet

Hours of operation: Mon-Thur. 9am-9:30pm

Fri-Sat 9am-10:30pm

Sunday 12:30pm-7pm

Employees: Less than 10

Products sold: Beer, Wine, Spirits and associated items relative to alcohol package sales.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Hamid Mashinchi Telephone: 404-275-0896
Address: 4400 Kimball Bridge Rd Suite: _____
City: Alpharetta GA State: _____ Zip: 30005

Authorization:

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

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

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

Identify Authorized Applicant:

Name of Authorized Applicant: _____ Telephone: _____
Address: _____ Suite: _____
City: _____ State: _____ Zip: _____

So Sworn and Attested:

Owner Signature: HB Mashinchi Date: 6-1-21

Notary:

Notary Signature: [Signature] Date: 6/1/21



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: _____ Telephone: _____
Address: _____ Suite: _____
City: _____ State: _____ Zip: _____

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.

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

Identify Authorized Applicant:

Name of Authorized Applicant: RAMZANALI SADRUDDIN Telephone: 678-517-5398
Address: 150 VIRGINIA HIGHLANDS Suite: _____
City: FAYETTEVILLE State: GA Zip: 30215

So Sworn and Attested:

Owner Signature: Ramzanali Sadruddin Date: _____

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: RAMZANALI SADRUDDIN

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: N/A

Position: _____

Description of Contribution: _____

Value: 0

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Campaign Contribution Information:

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

Signature: Ramzanali Sadruddin

Date: _____

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Its a retail package store, ~~not~~ so its compatible.

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

It will have no negative affect, It will attract additional traffic to the other retail stores in the shopping center.

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

Already zoned and developed.

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

Negligible.

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

No adverse impact.

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

Property already zoned and completed so in compliance with land use plan.

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

No, already developed.

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: _____

Contact Name: _____

Telephone: _____

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.

Chuck Pitta

4285 State Bridge Rd

Alpharetta GA 30022

DiT Realty Associates, LLC

4305 State Bridge Rd

Alpharetta GA 30022

Bruce Williams

4385 Hummel Bridge Rd

Johns Creek, GA 30022

OL Residence Trust

4385 Hummel Bridge Rd

Johns Creek GA 30022

Lee - Park Real Estate, LLC

4370 Hummel Bridge Rd

Alpharetta GA 30022

Hummel Bridge Properties, LLC

4380 Hummel Bridge Rd

Alpharetta GA 30022

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.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: _____

Contact Name: _____

Telephone: _____

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

1261 MCWOLBROOK LLC

Bara Properties of Tampa, LLC

Barra Properties

Pine 19 Alpharetta GA, LLC

Halle Properties, LLC

D&D Company

Her Car, LLC

11110 State Bridge Rd

Johns Creek, GA 30022

11120 State Bridge Rd

Johns Creek, GA 30022

11130 State Bridge Rd

Johns Creek, GA 30022

4345 Humble Bridge Rd

Alpharetta, GA 30022

11255 State Bridge Rd

Johns Creek, GA 30022

11266 State Bridge Rd

Johns Creek, GA 30022

11300 State Bridge Rd

Alpharetta, GA 30022

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 applicants with questions or concerns about the proposal.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: _____

Contact Name: _____ Telephone: _____

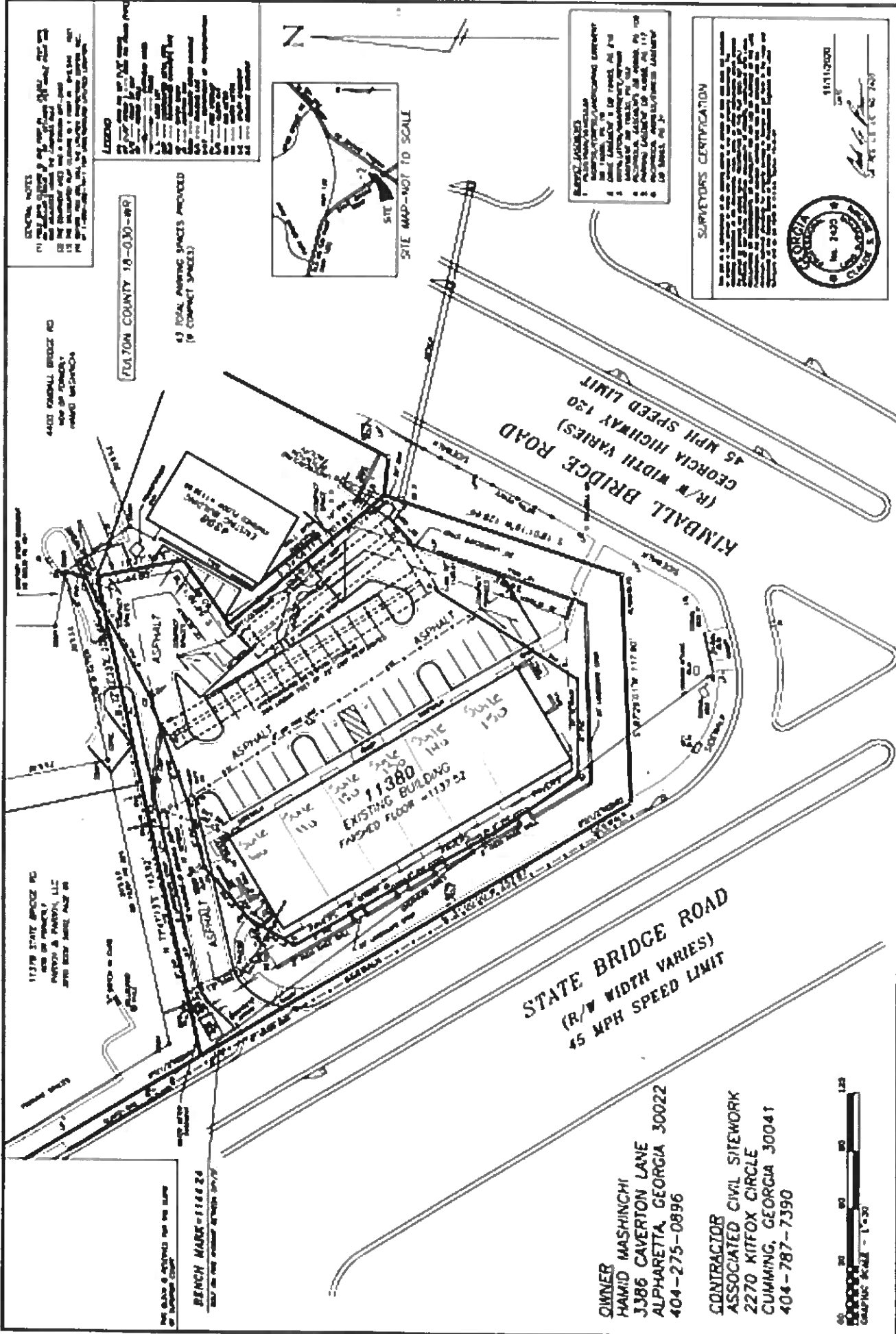
The following people will be notified of this application and provided information describing the subject proposal. Please note that All adjoining property owners MUST be notified. Use additional pages as needed.

<u>U-Star, LLC</u>	<u>41100 Hummel Bridge Rd</u> <u>Alpharetta GA 30005</u>
<u>U-Star, LLC</u>	<u>41400 Hummel Bridge Rd</u> <u>Alpharetta, GA 30005</u>
<u>Porchini Porcini LLC</u>	<u>11378 State Bridge Rd Alpharetta GA</u> <u>30022</u>
<u>UNITED FOOD, LLC</u>	<u>11370 State Bridge Rd</u> <u>Alpharetta GA 30022</u>
<u>Piedmont Capital Holdings</u>	<u>4135 State Bridge Way</u> <u>Alpharetta GA 30005</u>
<u>HUX Properties, LLC</u>	<u>4495 State Bridge Way</u> <u>Alpharetta GA 30005</u>
<u>Marquis Interiors, LLC</u>	<u>4405 State Bridge Way</u> <u>Alpharetta GA 30005</u>

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.



GENERAL NOTES

- 1) THE SURVEY OF THE PROPERTY SHOWN ON THIS PLAN WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.
- 2) THE SURVEY WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.
- 3) THE SURVEY WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.
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- 6) THE SURVEY WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.
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- 9) THE SURVEY WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.
- 10) THE SURVEY WAS MADE BY HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, ON THE 14TH DAY OF MAY, 2011.

LEGEND

1. 11378 STATE BRIDGE RD
2. 11376 STATE BRIDGE RD
3. 11380 STATE BRIDGE RD
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SURVEYORS CERTIFICATION

I, HAMID MASHINCHI, A PROFESSIONAL LAND SURVEYOR, IN THE STATE OF ALABAMA, DO HEREBY CERTIFY THAT THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER OF THE ALABAMA SURVEYORS ASSOCIATION.

REGISTERED LAND SURVEYORS, INC.
138 SOUTHWEST CORNER 14, 200
COLUMBIA, GEORGIA 30713
(770) 888-7178
email: registration@alabamasurveyors.com

SHEET NO.
S-1
OF 2 SHEETS

SITE ADDRESS:
11380 STATE BRIDGE ROAD
ALPHARETTA, GA 30006

45-043 SURVEY PLAN PREPARED FOR:
HAMID MASHINCHI
LAND LOT 128 OF THE 1st DISTRICT, 1st SECTION
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

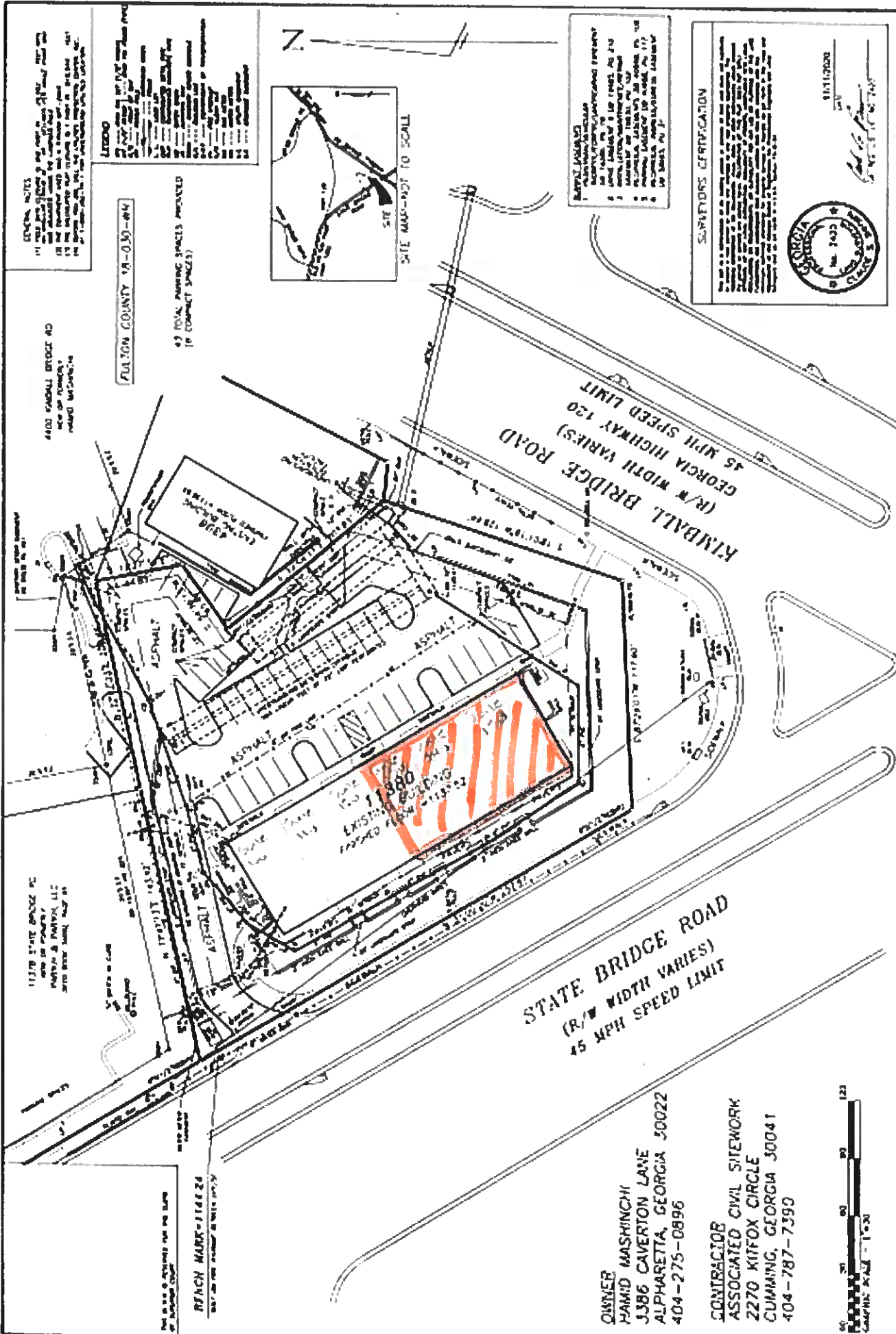
OWNER
HAMID MASHINCHI
3386 CAVERTON LANE
ALPHARETTA, GEORGIA 30022
404-275-0896

CONTRACTOR
ASSOCIATED CIVIL SITEWORK
2270 KITFOX CIRCLE
CUMMING, GEORGIA 30041
404-787-7390

CHECKED BY: C. BRYAN
DATE: FIELD SURVEY: JANUARY 14, 2011
DATE: PLAN DRAWING: JANUARY 21, 2011
SCALE: 1" = 30'

JOB NO.: 2011



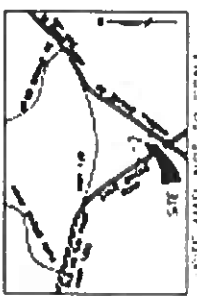


GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO EXTERIOR UNLESS OTHERWISE NOTED.
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13. ALL DIMENSIONS ARE TO GRADE UNLESS OTHERWISE NOTED.
14. ALL DIMENSIONS ARE TO FINISH UNLESS OTHERWISE NOTED.

LEGEND

- 1. 1" = 100'
- 2. 1" = 200'
- 3. 1" = 300'
- 4. 1" = 400'
- 5. 1" = 500'
- 6. 1" = 600'
- 7. 1" = 700'
- 8. 1" = 800'
- 9. 1" = 900'
- 10. 1" = 1000'
- 11. 1" = 1100'
- 12. 1" = 1200'
- 13. 1" = 1300'
- 14. 1" = 1400'
- 15. 1" = 1500'
- 16. 1" = 1600'
- 17. 1" = 1700'
- 18. 1" = 1800'
- 19. 1" = 1900'
- 20. 1" = 2000'



SITE MARK NOT TO SCALE

REMARKS

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SURVEYORS CERTIFICATION

I, the undersigned, being a duly licensed Surveyor of the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my books and records.

DATE: 10/1/2020

SIGNATURE: [Signature]

SEAL: [Seal]

REGISTERED LAND SURVEYORS, INC. 138 SAVANNAH STREET, SUITE 200 ATLANTA, GEORGIA 30303 (404) 525-7171		PROJECT INFORMATION PROJECT: 2011	
CLIENT INFORMATION CLIENT: HAMID MASHINCHI ADDRESS: 11380 STATE BRIDGE ROAD ATLANTA, GA 30303		DATE DATE: 10/1/2020	
DESIGNER DESIGNER: C. BROWN		SCALE SCALE: 1" = 100'	
DATE DATE: 10/1/2020		JOB NO. JOB NO.: 2011	
PROJECT LOCATION PROJECT LOCATION: 11380 STATE BRIDGE ROAD, ATLANTA, GA 30303			
PROJECT DESCRIPTION PROJECT DESCRIPTION: 11380 STATE BRIDGE ROAD, ATLANTA, GA 30303			
PROJECT STATUS PROJECT STATUS: 11380 STATE BRIDGE ROAD, ATLANTA, GA 30303			
PROJECT CONTACT PROJECT CONTACT: 11380 STATE BRIDGE ROAD, ATLANTA, GA 30303			
PROJECT NOTES PROJECT NOTES: 11380 STATE BRIDGE ROAD, ATLANTA, GA 30303			

OWNER
 HAMID MASHINCHI
 1386 CAVERTON LANE
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