



CITY COUNCIL MEETING & PUBLIC HEARING MARCH 21, 2022

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

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 3/7/2021)

B. Alcoholic Beverage License Applications

1. PH-22-AB-04 ZS Lawrenceville Gas, LLC
3325 Old Milton Parkway, Alpharetta, GA 30005

Convenience Store
Retail Package Sales
Beer, Wine, & Sunday Sales
Owner and Registered Agent: Hussein Sultan

2. PH-22-AB-05 Fogon and Lions, LLC
10 Roswell Street, Suite 100, Alpharetta, GA 30009
Restaurant
Consumption on Premises
Liquor, Beer, Wine, & Sunday Sales
Owner: Fogon and Lions, LLC
Registered Agent: Julio Delgado

3. PH-22-AB-06 July Moon, LLC
d/b/a July Moon Bakery & Cafe
230 South Main Street, Suite Z, Alpharetta, GA 30009
Restaurant
Consumption on Premises
Beer, Wine, & Sunday Sales
Owner: July Moon, LLC
Registered Agent: Hanh Crose

V. BOARDS & COMMISSIONS APPOINTMENTS

A. Natural Resources Commission - Beth Ott

VI. PUBLIC HEARING

- A. V-21-31 / 11380 State Bridge Waiting Period Variance**
Consideration of a variance to reduce the waiting period for City Council consideration of a public hearing request on the same property from 12 to 6 months. The property is located at 11380 State Bridge Road and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.
- B. PH-21-22 / 11380 State Bridge Road Change of Condition**
Consideration of a change to conditions of zoning to allow medical office use in a commercial shopping center. The property is located at 11380 State Bridge Road and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.

VII. NEW BUSINESS

- A. FY 2022 Landscape Improvements - Kimball Bridge Rd and Other Locations**
- B. Wills Park Survey**
- C. Pedestrian Bridge Repair**
- D. Resolution to Authorize the Use of Eminent Domain - 0 Dartmore Circle**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 0 Dartmore Circle, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-137-5) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- E. Resolution to Authorize the Use of Eminent Domain - 245 Fieldstone Path**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 245 Fieldstone Path, Alpharetta Georgia (Tax parcel No.:21-5691-1110-017-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- F. Resolution to Authorize the Use of Eminent Domain - 4915 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4915 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-044-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- G. Resolution to Authorize the Use of Eminent Domain - 4925 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4925 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1034-043-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- H. Resolution to Authorize the Use of Eminent Domain - 4935 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4935 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-042-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- I. Resolution to Authorize the Use of Eminent Domain - 5025 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5025 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1033-072-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- J. Resolution to Authorize the Use of Eminent Domain - 5065 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5065 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1054-068-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- K. Resolution to Authorize the Use of Eminent Domain - 13029 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13029 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-092-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- L. Resolution to Authorize the Use of Eminent Domain - 13037 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13037 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-090-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- M. Resolution to Authorize the Use of Eminent Domain - 13045 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13045 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-089-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- N. Resolution to Authorize the Use of Eminent Domain - 13049 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13049 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-088-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- O. Resolution to Authorize the Use of Eminent Domain - 13053 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13053 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-087-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

VIII. PUBLIC COMMENT

IX. REPORTS

X. ADJOURNMENT TO EXECUTIVE SESSION



STAFF REPORT

Submitting Department: City Clerk

Submitted By: Lauren Shapiro

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: COUNCIL MEETING MINUTES (MEETING OF 3/7/2021)

II. RECOMMENDATION:

Approve the City Council meeting minutes from March 7, 2022 as part of the Consent Agenda.

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>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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IV. REPORT IN BRIEF:

City Clerk, Lauren Shapiro, attended, recorded, and prepared a synopsis of the pertinent information that occurred during the City Council meeting on March 7, 2022.

V. ALTERNATIVES:

VI. ATTACHMENTS:

CC Meeting Minutes 3.7.2022



City Council Meeting & Public Hearing

MARCH 7, 2022

Office of the City Clerk

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

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

I. CALL TO ORDER

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

II. ROLL CALL

- **Council Members**

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- Brian Will
- Douglas J. DeRito
- Jason Binder

- **Council Members Absent**

- John Hipes

- **Staff**

- Bob Regus, City Administrator
- Mike Stacy, City Attorney
- James Drinkard, Asst. City Administrator
- Lauren Shapiro, City Clerk
- Kathi Cook, Director of Community and Economic Development
- Tom Harris, Director of Finance
- John Robison, Director of Public Safety
- Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- Peter Sewczwicz, Director of Public Works
- Lance Morsell, Economic Development Manager

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

A. Tech Alpharetta Graduate, Voxie

- Economic Development Manager, Lance Morsell, and CEO of Tech Alpharetta, Karen Cashion, recognized the most recent Tech Alpharetta Graduate, Voxie.

B. City of Alpharetta Arbor Day

- Mayor Gilvin presented the City of Alpharetta Arbor Day 2022 Proclamation to the City Arborist, David Shostak.

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 2/28/2022)

B. Financial Management Report: Month Ending January 31, 2022

- ❖ Mayor Pro Tem Merkel offered a motion to approve the consent agenda.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

VI. BOARDS & COMMISSIONS APPOINTMENTS

A. Code Enforcement Board – Reappointment of Fred Smith, Wayne Rand, and Dick Freeman

- ❖ Mayor Pro Tem Merkel offered a motion to reappoint Fred Smith, Wayne Rand, and Dick Freeman as members of the Code Enforcement Board.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

VII. NEW BUSINESS

A. Landscape Maintenance of SR 400 Interchanges and Encore Parkway Bridge

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of a contract to Georgia Green for the Landscape Maintenance of SR 400 Interchanges and Encore Parkway Bridge in the amount not to exceed \$180,790.00 and authorize the Mayor to execute all necessary documents.
- The scope of the contract includes, but is not limited to, turf mowing, tree and shrub pruning, pine straw and hardwood mulch installation, litter pick up, leaf removal, weed and pest control, and other landscape maintenance activities within the specified work areas. The duration of the contract will be for five (5) years, beginning on April 1, 2022.
- The top three scorers (with pricing included) are as follows:
 1. Georgia Green - \$180,700.00/year
 2. Russell Landscape - \$283,400.00/year
 3. Crabapple Turf Management - \$262,600.11/year
- The scope of the contract includes, but is not limited to, turf mowing, tree and shrub pruning, pine straw and hardwood mulch installation, litter pick up, leaf removal, weed and pest control, and other landscape maintenance activities within the specified work areas. The duration of the contract will be for five (5) years, beginning on April 1, 2022.
- The evaluation team met remotely with Georgia Green's owner on February 23, 2022. Georgia Green's owner, who would serve as the primary project manager on the contract, provided helpful and reassuring feedback during the meeting, including assurance that they have adequate staff and equipment to perform the work as specified within the City's RFP.

- The City is pleased and grateful to announce that NFCID intends to continue their partnership of 50/50 cost-sharing with the City for this 5-year contract item.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of a contract to Georgia Green for the Landscape Maintenance of SR 400 Interchanges and Encore Parkway Bridge in the amount not to exceed \$180,790.00 and authorize the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).
- City Attorney, Mike Stacy, explained the process of the next fifteen (15) Resolutions to Authorize the Use of Eminent Domain. City Attorney Stacy explained that there are several parcels that the City needs to acquire right of way in order to complete the McGinnis Ferry Road Widening project. Currently, the City is in negotiations with property owners, will continue those negotiations, and last, the City hopes that most (if not all) of the following properties will end in a friendly acquisition. In order to meet the project and Georgia Condemnation Law deadlines, the City does need to resolve to condemn. A resolution is not a condemnation itself, it merely authorizes the City to begin the act of condemnation, if necessary. Additionally, it is not that the property owners disagree with the right of way acquisitions, it is often just waiting to hear back from the lender who holds an interest in the property.
- Mayor Gilvin shared that we do not take these decisions lightly, and that these condemnations are not the taking of anyone's home, only a portion of the road frontage.

B. Resolution to Authorize the Use of Eminent Domain – 5045 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5045 Tidewater Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-070-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
 - ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5045 Tidewater Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-070-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).
- C. Resolution to Authorize the Use of Eminent Domain – 13025 Dartmore Avenue**
- A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13025 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-093-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of

the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13025 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-093-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- Mayor Pro Tem Merkel seconded the motion.
- The motion was approved unanimously (6-0).

D. Resolution to Authorize the Use of Eminent Domain – 13021 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13021 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-094-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13021 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-094-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

E. Resolution to Authorize the Use of Eminent Domain – 13017 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13017 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-095-5) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13017 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-095-5) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

F. Resolution to Authorize the Use of Eminent Domain – 13009 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13009 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-097-1) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13009 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-097-1) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

G. Resolution to Authorize the Use of Eminent Domain – 13005 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13005 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-098-9) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13005 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-098-9) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

H. Resolution to Authorize the Use of Eminent Domain – 12945 Meridian Court

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12945 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-030-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12945 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-030-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

I. Resolution to Authorize the Use of Eminent Domain – 12935 Meridian Court

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12935 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-031-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12935 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-031-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

J. Resolution to Authorize the Use of Eminent Domain – 12925 Meridian Court

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12925 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-032-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12925 Meridian Court, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-032-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

K. Resolution to Authorize the Use of Eminent Domain – 12865 Meridian Crossing

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12865 Meridian Crossing, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1101-037-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 12865 Meridian Crossing, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1101-037-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

L. Resolution to Authorize the Use of Eminent Domain – 60 Fieldstone Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of

Eminent Domain to Acquire Certain Property Located at 60 Fieldstone Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-110-4) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 60 Fieldstone Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-110-4) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

M. Resolution to Authorize the Use of Eminent Domain – 70 Fieldstone Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 70 Fieldstone Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-111-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 70 Fieldstone Way, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-111-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

N. Resolution to Authorize the Use of Eminent Domain – 240 Fieldstone Path

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 240 Fieldstone Path, Alpharetta, Georgia (Tax Parcel No.: 21 -5691-1110-016-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 240 Fieldstone Path, Alpharetta, Georgia (Tax Parcel No.: 21 -5691-1110-016-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

O. Resolution to Authorize the Use of Eminent Domain – 5225 McGinnis Ferry Road

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5225 McGinnis Ferry Road, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-012-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5225 McGinnis Ferry Road, Alpharetta, Georgia (Tax Parcel No.: 21 -5690-1100-012-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

P. Resolution to Authorize the Use of Eminent Domain – 2475 Hamptons Passage

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 2475 Hamptons Passage, Alpharetta, Georgia (Tax Parcel No.: 21 -5693-1123-008-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 2475 Hamptons Passage, Alpharetta, Georgia (Tax Parcel No.: 21 -5693-1123-008-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

VIII. WORKSHOP

A. Sanitation Rates and Service Levels

- Director of Finance, Tom Harris, came forward to present this item.
- The goal of this workshop is to obtain direction regarding service levels (i.e. glass recycling) and rates.
- Republic (City's private sanitation hauler partner) was approved for a 25% hauler contract increase in 2021. The City only passed 10% of this increase to customers and utilized fund balance within the Sanitation Fund to cover the difference.
- In an effort to ensure our customers are receiving competitive service (price and quality), the City issued an RFP in 2021 for sanitation services (trash and recycling). Republic was the high-ranking proposal and the most cost effective (\$1 million savings vs other proposers). Republic included the same fees within their proposal. Said fees will adjust on April 1, 2022 (4% inflationary adjustment allowed under contract). The City's sanitation rate adjustment will occur on July 1,

2022.

- Around 20-30% of the City's population are utilizing the glass recycling service.
- It would take about 8 weeks to pick up and fabricate the glass recycling containers and have them set and ready for disposal.
- Universally, outside factors are increasing the costs of the sanitation industry (employees, gas, etc.).
- Director Harris offered the following options:
 - Keep the sanitation service as-is = \$25.65 (current rate) + \$5.00 rate adjustment = \$30.65
 - Maintain service, but remove glass, and add 2 glass recycling containers in City = \$25.65 (current rate) + \$.25 per month added for containers + only a \$1.07 rate adjustment after removing glass = \$26.72
 - Get rid of glass recycling all together

Comments by Mayor and City Council:

- Council Member Binder shared that some neighboring communities are not even picking up any type of recycling. Council Member Binder has concerns about putting a dumpster in a park (safety, aesthetics, not being supervised 24 hours a day, and parks employees will have to clean and maintain the area around the dumpsters). He also shared that he would be fine with keeping our service as is, and also liked Mayor Pro Tem Merkel's idea to suspend glass service.
 - Mayor Pro Tem Merkel shared that the current service is not the way to go. If we had a container, it should be specifically made and signed, and it should be on a trial basis (want to make sure there is not an option to flip a lid and throw a couch inside). Would like to consider another option of suspending glass recycling until further notice (the market could change, and we could turn the service back on fairly quickly).
 - Council Member Mitchell shared that he was curious about partnering with the City of Roswell, and that he does not want to charge \$5.00 more per month to keep the current service and would be okay with charging \$1.07 extra for the two dumpsters to be placed somewhere in the City (and preferably not in the parks). He also shared that he would like for residents to be able to complete an online survey to see how many residents are utilizing the glass recycling service.
 - Council Member DeRito shared that he believes that the number of residents using the glass recycling would be larger than 30% due to the number of residents that have stopped participating in glass recycling since service interruptions began. Further, he is opposed to glass recycling dumpsters in parks (rodents, no monitoring) and would suggest continuing with services as is and communicate to residents that they should start putting out glass again.
 - Council Member Will shared that he was curious as to whether or not the overall service with Republic would be better moving forward.
 - Mayor Gilvin shared that he is not satisfied with any of the options, and he has not been comfortable charging all residents for glass recycling if they do not use it. Further, he suggested to continue exploring other options (whether with Roswell or with others in the private sector).
 - At the conclusion of the discussion, there was a consensus between the Mayor and City Council that the sanitation rate would increase by \$5.00 each month and to continue exploring other options for a better solution.
- At the conclusion of the workshop, Mayor Gilvin announced that there would not be an executive session at the adjournment of the meeting.

IX. PUBLIC COMMENT

A. Anderson "Buck" Bailee (170 Mayfield Circle, Alpharetta, GA 30009)

- Mr. Bailee came forward to speak on the issue of flooding in his neighborhood.

X. REPORTS

- There were no reports.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:18 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Submitting Department: City Clerk

Submitted By: Lauren Shapiro

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

1. PH-22-AB-04 ZS LAWRENCEVILLE GAS, LLC

3325 OLD MILTON PARKWAY, ALPHARETTA, GA 30005

CONVENIENCE STORE
RETAIL PACKAGE SALES
BEER, WINE, & SUNDAY SALES
OWNER AND REGISTERED AGENT: HUSSEIN SULTAN

2. PH-22-AB-05 Fogon and Lions, LLC

10 ROSWELL STREET, SUITE 100, ALPHARETTA, GA 30009

RESTAURANT
CONSUMPTION ON PREMISES
LIQUOR, BEER, WINE, & SUNDAY SALES
OWNER: FOGON AND LIONS, LLC
REGISTERED AGENT: JULIO DELGADO

3. PH-22-AB-06 July Moon, LLC

D/B/A JULY MOON BAKERY & CAFE
230 SOUTH MAIN STREET, SUITE Z, ALPHARETTA, GA 30009

RESTAURANT
CONSUMPTION ON PREMISES
BEER, WINE, & SUNDAY SALES
OWNER: JULY MOON, LLC
REGISTERED AGENT: HANH CROSE

II. RECOMMENDATION:

Approve the following alcoholic beverage licenses as part of the consent agenda:

1. PH-22-AB-04 ZS Lawrenceville Gas, LLC, 3325 Old Milton Parkway, Alpharetta, GA 30005
2. PH-22-AB-05 Fogon and Lions, LLC, 10 Roswell Street, Suite 100, Alpharetta, GA 30009
3. PH-22-AB-06 July Moon, LLC, d/b/a July Moon Bakery & Cafe, 230 South Main Street, Suite Z, Alpharetta, GA 30009

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>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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IV. REPORT IN BRIEF:

The above referenced Alcoholic Beverage Licenses Applications were heard and considered during a virtual Alcohol License Public Hearing on Thursday, March 10, 2022 and Thursday, March 17, 2022. There were no

public comments during the hearing. At the conclusion of both hearings, City Attorney, Mike Stacy, recommended approval and forwarded the above referenced applications to City Council for final approval.

V. ALTERNATIVES:

VI. ATTACHMENTS:

ALPH Minutes 3-10-2022, ALPH Minutes 3-17-2022



ALCOHOL LICENSE PUBLIC HEARING MARCH 10, 2022

ALPHARETTA CITY CLERK'S OFFICE
VIRTUAL MEETING VIA ZOOM

CITY CLERK: LSHAPIRO@ALPHARETTA.GA.US
ASSISTANT CITY CLERK: KVANHORN@ALPHARETTA.GA.US

2:00 PM

I. VIRTUAL MEETING ZOOM LINK

The City of Alpharetta's Alcohol License Public Hearings are a virtual meeting via Zoom. The meeting begins at 2:00 p.m. on the day of the scheduled hearing. To join the meeting, please click on this link: <https://zoom.us>

Zoom Meeting ID: 990 6288 9259

II. CALL TO ORDER

- City Attorney Mike Stacy called the meeting to order at 2:00 p.m.

III. ROLL CALL

- Mike Stacy, City Attorney
- Lauren Shapiro, City Clerk
- Kiersten VanHorn, Assistant City Clerk
- Frank Jackson, Code Enforcement Officer
- Hussein Sultan, Owner

IV. PUBLIC HEARING

A. PH-22-AB-04 ZS Lawrenceville Gas, LLC
3325 Old Milton Parkway
Alpharetta, GA 30005

Convenience Store
Retail Package Sales
Beer, Wine & Sunday Sales

Owner and Registered Agent: Hussein (Shan) Sultan

- Mr. Hussein Sultan, owner of ZS Lawrenceville Gas, LLC and resides at 2876 Overlook Way Atlanta, GA 30324, was on the call.
- Mr. Sultan stated this is an existing Shell gas station and that he is the new owner.
- Mr. Sultan stated he owns 4 other gas stations in Forsyth County, two at Exit 14 off of Highway 400 and two at Exit 16 off of Highway 400.
- Mr. Sultan currently has quarterly training in place for employees on the requirements of selling alcohol. This is contracted through an outside agency.
- Mr. Sultan confirmed they are aware he must obtain an alcohol license with the State of Georgia once the City of Alpharetta issues the local license.

- Mr. Stacy recommended the application be approved. He advised the applicant that a representative will need to appear at the City Council meeting on Monday March 21, 2022 at 6:30 pm.

V. PUBLIC COMMENT

- There were no public comments

VI. ADJOURNMENT

- City Attorney Mike Stacy adjourned the hearing at 2:08 p.m.

Respectfully submitted,

Kiersten VanHorn

Kiersten VanHorn, Assistant City Clerk



ALCOHOL LICENSE PUBLIC HEARING MARCH 17, 2022

ALPHARETTA CITY CLERK'S OFFICE
VIRTUAL MEETING VIA ZOOM

CITY CLERK: LSHAPIRO@ALPHARETTA.GA.US
ASSISTANT CITY CLERK: KVANHORN@ALPHARETTA.GA.US

2:00 PM

I. VIRTUAL MEETING ZOOM LINK

The City of Alpharetta's Alcohol License Public Hearings are a virtual meeting via Zoom. The meeting begins at 2:00 p.m. on the day of the scheduled hearing. To join the meeting, please click on this link: <https://zoom.us>

Zoom Meeting ID: 946 6113 7867

II. CALL TO ORDER

- City Attorney Mike Stacy called the meeting to order at 2:03 p.m.

III. ROLL CALL

- Mike Stacy, City Attorney
- Lauren Shapiro, City Clerk
- Kiersten VanHorn, Assistant City Clerk
- Julio Delgado, Owner and Registered Agent Fogon and Lions
- Hanh Crose, Owner July Moon Bakery & Cafe

IV. PUBLIC HEARING

A. PH-22-AB-05 Fogon and Lions, LLC 10 Roswell Street Alpharetta, GA 30009

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

**Owner: Fogon and Lions, LLC
Registered Agent: Julio Delgado**

- Mr. Julio Delgado of 160 Douglas Fir Court, Alpharetta, GA 30022, is owner and registered agent of Fogon and Lions was on the call.
- Mr. Delgado stated this is his 2nd restaurant, the first being Minnie Olivia which is located in very close proximity to Fogon and Lions.
- Mr. Delgado stated he is familiar with the City of Alpharetta's alcohol ordinances and is aware he is required to obtain a State of Georgia alcohol license as well.
- Mr. Delgado stated his employees are TIPS certified trained in serving alcohol and that his employees serving alcohol are required to obtain pouring permits through the City of Alpharetta's Public Safety Department.
- Mr. Delgado plans to open the restaurant mid-to-late April 2022.

- Mr. Stacy recommended the application be approved. He advised the applicant that a representative will need to appear at the City Council meeting on Monday March 21, 2022 at 6:30 pm.

**B. PH-22-AB-06 July Moon, LLC
d/b/a July Moon Bakery & Cafe
230 South Main Street, Suite Z
Alpharetta, GA 30009**

**Restaurant
Consumption on Premises
Beer, Wine & Sunday Sales**

**Owner: July Moon, LLC
Registered Agent: Hanh Crose**

- Ms. Hanh Crose of 445 Northwood Cove, Alpharetta, GA 30009, is owner of July Moon Bakery & Cafe and was present on the call.
- Ms. Crose described the business as a primarily Asian bakery serving Asian sandwiches, baked goods, coffee and bubble tea.
- This is her first location and located in the new Maxwell development in Alpharetta and is already open for business.
- Ms. Crose stated she is familiar with the City of Alpharetta's alcohol ordinances.
- Employee training is provided using a downloaded alcohol manual. She is also aware her employees require a pouring permit to serve alcohol.
- Mr. Stacy reminded Ms. Crose she will need to obtain an alcohol license through the State of Georgia once she obtains the local license from Alpharetta.
- Mr. Stacy recommended the application be approved. He advised the applicant that a representative will need to appear at the City Council meeting on Monday March 21, 2022 at 6:30 pm.

V. PUBLIC COMMENT

- There were no public comments

VI. ADJOURNMENT

- City Attorney Mike Stacy adjourned the hearing at 2:11 p.m.

Respectfully submitted,

Kiersten VanHorn

Kiersten VanHorn, Assistant City Clerk



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: V-21-31 KIMBALL PLAZA/11380 STATE BRIDGE ROAD

CITY COUNCIL: MARCH 21, 2022

II. RECOMMENDATION:

Approve V-21-31 Kimball Plaza/11380 State Bridge Road request for waiting period variance.

III. REPORT IN BRIEF:

The applicant, Richard Wernick, requests a variance to reduce the waiting period for Council consideration of an application for zoning change affecting the same property from one (1) year to six (6) months. City Council took action on a public hearing request on the property on September 20, 2021 for conditional use (CU-21-09 Alpharetta Liquor & Wine). The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road.

DISCUSSION

The submitted request, if approved, would allow the applicant to move forward with a public hearing request for City Council consideration on the same property within six (6) months of a previous Council action. The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road.

City Council took action on a public hearing request for conditional use (CU-21-09 Alpharetta Liquor & Wine) on the property on September 20, 2021. The applicant is currently seeking a change to previous conditions of zoning to add medical office as a permitted use.

CITIZEN PARTICIPATION PLAN

The applicant notified surrounding property owners of their application and intent for the property. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on February 9, 2022. There were no public comments.

IV. ATTACHMENTS:

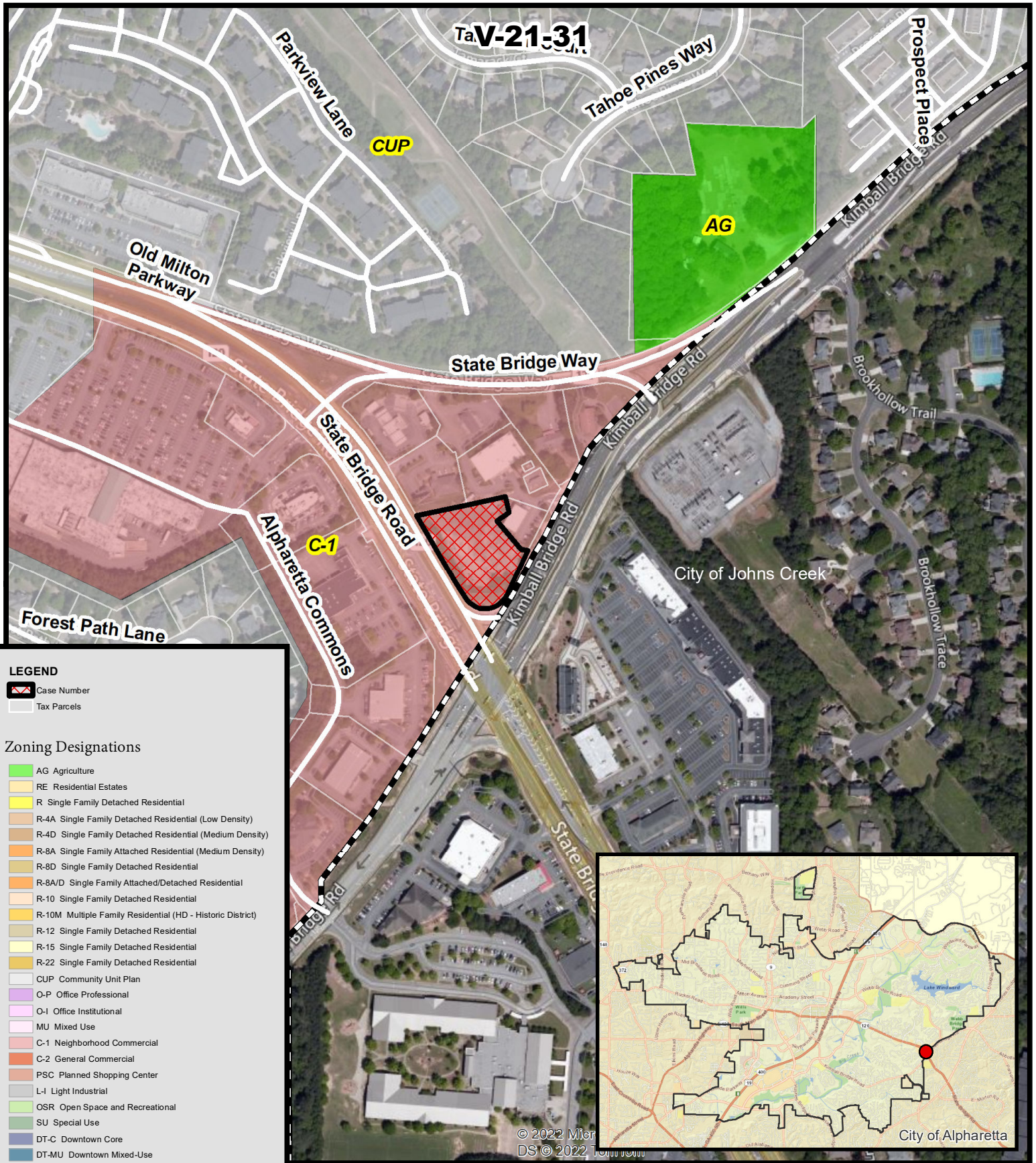
- September 20, 2021 City Council Meeting Minutes



**Aerial Map
Kimball Plaza
11380 State Bridge Rd**

**V-21-31
D/LL: 1/1/0129
CC Date: 3/21/22**

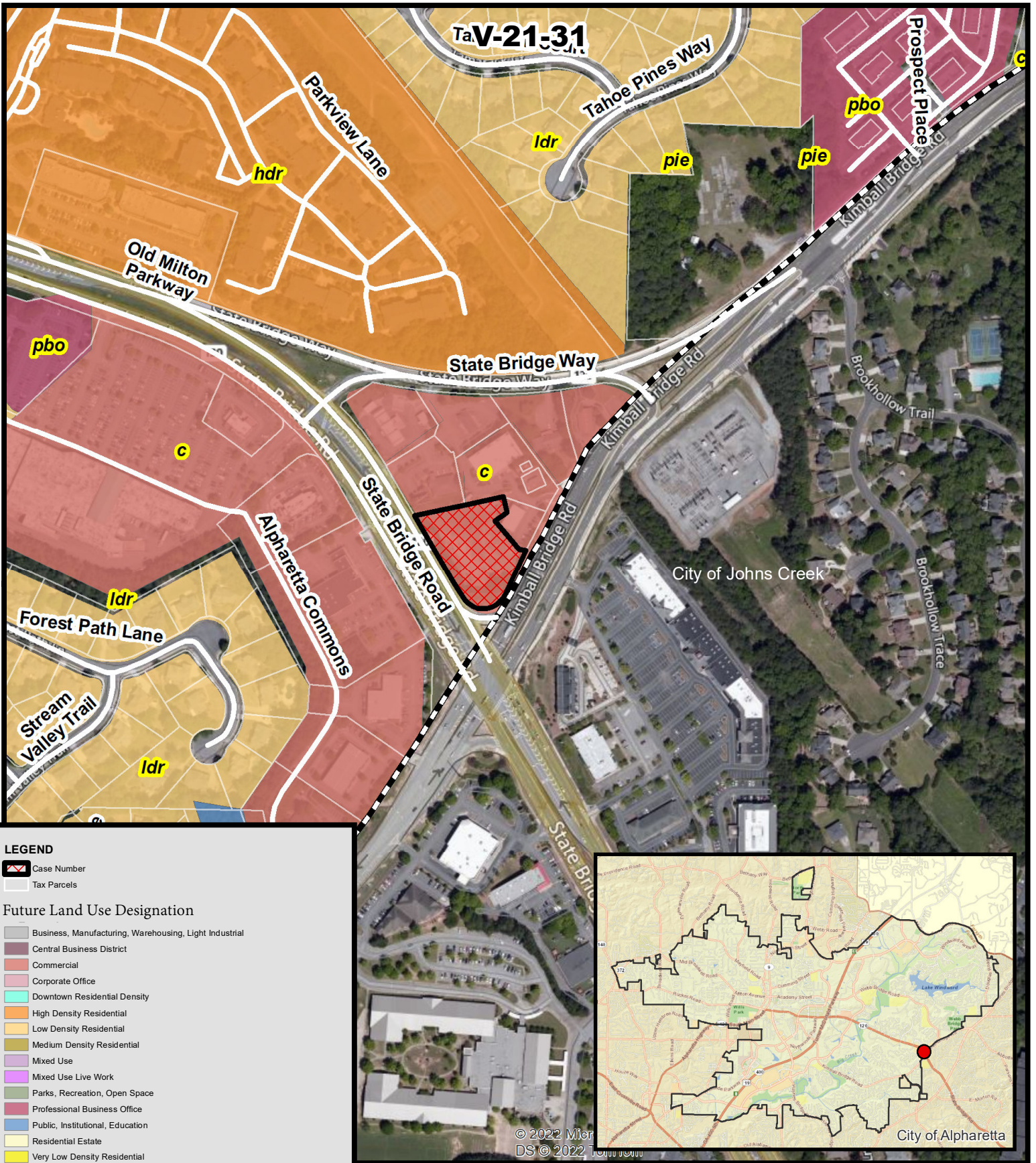
**Location Map Provided by:
Community Development - GIS**



Zoning Map **Kimball Plaza** **11380 State Bridge Rd**

V-21-31
D/LL: 1/1/0129
CC Date: 3/21/22

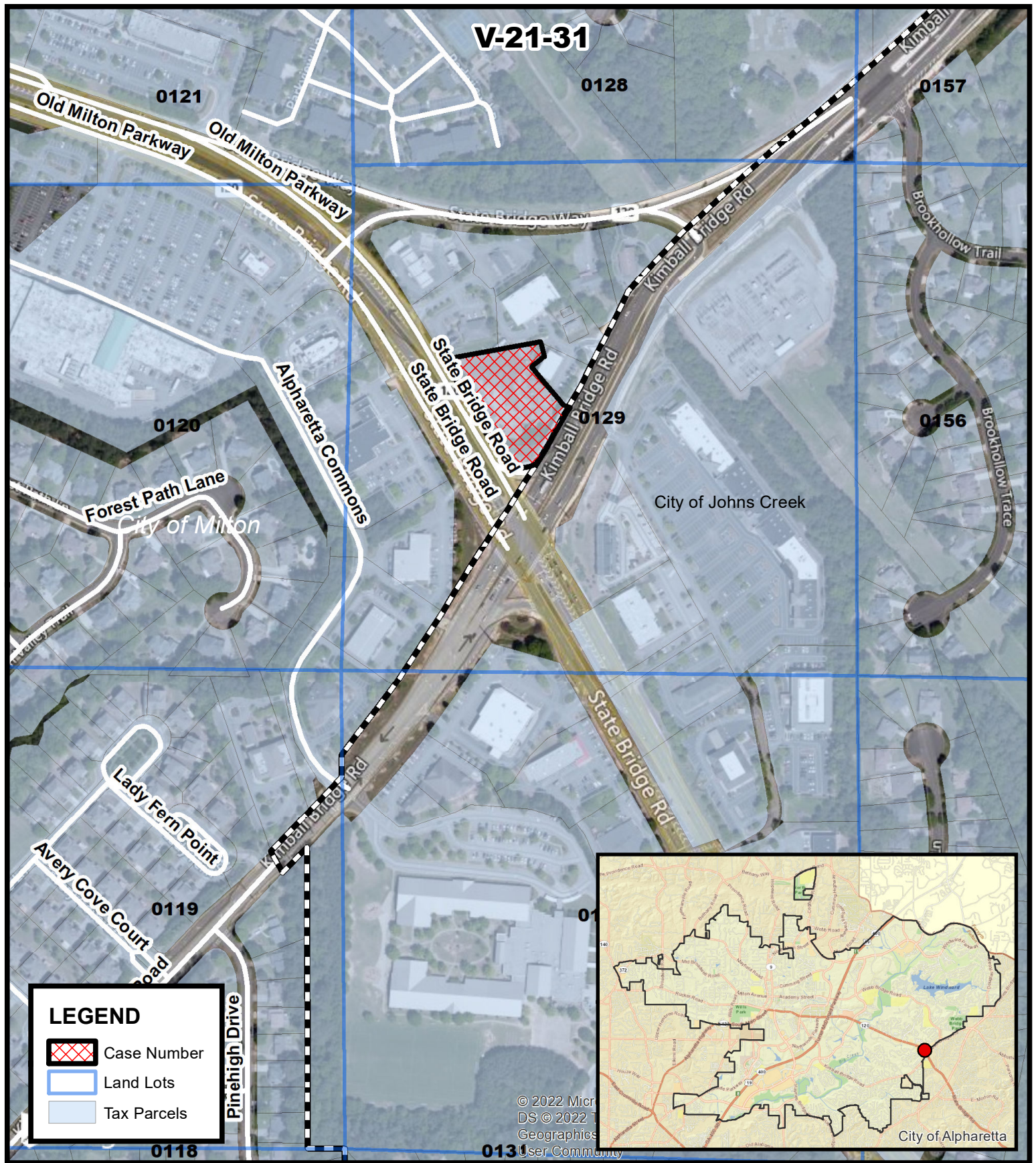
Location Map Provided by:
Community Development - GIS



Future Land Use **Kimball Plaza** **11380 State Bridge Rd**

V-21-31
D/LL: 1/1/0129
CC Date: 3/21/22

Location Map Provided by:
Community Development - GIS



Location Map
Kimball Plaza
11380 State Bridge Rd

V-21-31
D/LL: 1/1/0129
CC: 3/21/22



Location Map Provided by:
Community Development - GIS

CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name: **KIMBALL PLAZA**

Contact Name: **RICHARD WERNICK**

Telephone: **770-527-3286**

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

NO COMMENTS WERE RECEIVED.

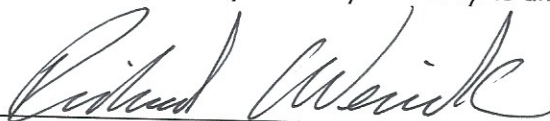
Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

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

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

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

Signature of Authorized Agent: _____



Date: **02/24/2022**

Print Form



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by Planning Commission, but not quoted or paraphrased. This document includes limited presentation by Planning Commission and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. Staff Members Present:

- a. Michael Woodman
- b. Ben Kern

II. Items:

- a. V-21-31 / PH-21-22 Kimball Plaza – 11380 State Bridge Road
 - i. The applicant was unable to present but was available to answer question via chat. Michael Woodman presented the item.
 - ii. Requesting a variance to reduce the waiting period from September 2021.
 - iii. The applicant is asking for a change to the condition to allow for a medical use in addition to the retail use.
Public Comments: there were no public comments for this item.
- b. MP-21-11 / Bridge Road Holdings, LLC
 - i. The applicant, David Belle Isle, was not present for this meeting. Michael Woodman presented the item.
 - ii. The applicant is requesting to bring this property into the Preston Glen Master Plan.
 - iii. 19,000 sq foot, 2 story building with medical and retail.
Public Comments: there were no public comments for this item.
- c. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street
 - i. The applicant, Kourtney Wexler, presented this item.
 - ii. The request is to rezone from C2 to DTR to build a single-family home.
Public Comments: there were no public comments for this item.
- d. CLUP-21-06 / Z-21-10 / PH-21-20 / V-22-04 / Alcovy Haynes Bridge Road and Jon Scott Drive



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

i. Ethan Underwood, the attorney for the applicant, presented this item.

ii. 20-unit development- mixture of detached, single-family units, townhomes, and semi-attached

iii. 3,000 sq feet minimum size

iv. \$1,000,000 + prices

v. There will be a barrier wall at the 5-foot landscape strip.

vi. Wants this to be a new wave of high-end housing.

Public Comments: chat comments (see next section)

-I don't think the development of the single-family residential units should be allowed. You can change the commercial side, but the price of the homes will bump up our property taxes. (resident of 469 Karen Drive) *We understand it's bringing some change. Is your concern traffic or that the houses are too expensive?* I'm concerned about the density of the project. You already have townhomes across the street.

-I am very opposed to this project. I don't believe it aligns with the city's 2040 Comprehensive Plan, nor does it align with the goals of the Council. The citizens want to preserve our tree canopy and improve walkability. We want to protect natural areas of land. This will impact traffic as well. (resident off Haynes Bridge Road)

III. Chat Comments:

COMMENT THREAD BEGAN WITH ALCOVY HAYNES BRIDGE DEVELOPMENT:

18:10:53 From Jim to Everyone:

I oppose this development

18:10:58 From Taylor to Everyone:

agree

18:12:02 From Jim to Everyone:

too much concentration of home in this area

18:12:34 From Adeniyi to Everyone:

How much is the square footage and cost of the houses and townhomes?

18:14:45 From Kimberly's iPhone to Everyone:

Does anyone know what this will do to our property values? Do the residents truly get a say so?

18:16:10 From Jim Siegel to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This will raise your property values. Why would you be opposed?

18:17:48 From Leslie Carpenter to Everyone:

I don't feel the density of this proposal is sufficient to cause the destruction of our single family subdivision

18:17:48 From Linda Bilderback to Everyone:

Linda Bilderback I am for this new developement. Maybe you could state what the current zoning lot size is now. I live on Haynes Bridge

18:18:05 From Kimberly's iPhone to Everyone:

I do live in Alpha Park and have lived here for 30 years. The development is to large.

18:18:53 From Jim to Everyone:

we are looking for single family home on each lot as is now

18:19:01 From Leslie Carpenter to Everyone:

deforestation, water reclamation, sewage and trash removal...

18:19:45 From Leslie Carpenter to Everyone:

6 to 12 separation of residences is way to close,

18:21:06 From Leslie Carpenter to Everyone:

why not buy everybody out at the valuable price increase that you are speaking of

18:23:57 From Kimberly's iPhone to Everyone:

Yes

18:24:00 From Leslie Carpenter to Everyone:

is police to be increased

18:24:24 From Kimberly's iPhone to Everyone:

What is the next step?

18:24:28 From Leslie Carpenter to Everyone:

is fire dept on board with this

18:24:57 From Adeniyi to Everyone:

What is the timeline for building these out..?

18:25:45 From Leslie Carpenter to Everyone:

why not make a subdivision all along the south of devore along Haynes bridge

18:26:06 From Kimberly's iPhone to Everyone:

We can attend the meeting?

18:26:20 From Adeniyi to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

Why not increase the green space between the single family detached houses by 50% and reduce the number of town homes?

18:27:31 From danielle west to Ben Kern (Direct Message):

Thank you for taking the time to share these details with us! I love how Alpharetta is evolving!

18:27:37 From Leslie Carpenter to Everyone:

just the commercial zoned Haynes bridge side

18:27:38 From Jim Siegel to Everyone:

Will the city of Alpharetta force a repaving of Devore Road?

18:28:21 From Kimberly's iPhone to Everyone:

Can I go to City Hall and pick up today's attachment's?

18:28:23 From Ben Kern to danielle west(Direct Message):

You're welcome Danielle - glad to be able to keep you in the loop!

18:28:30 From Leslie Carpenter to Everyone:

make a strip along Haynes bridge & keep out of alpha park

18:29:05 From Adeniyi to Everyone:

Why not also increase the width of the road and add bike paths as part of the development and pay for it?

18:31:04 From Adeniyi to Everyone:

Devore

18:31:34 From Leslie Carpenter to Everyone:

a long strip of commercial should be developed for a strip of row houses

18:31:44 From Adeniyi to Everyone:

Need to ICT ease the Devore road width due to impact

18:32:05 From Adeniyi to Everyone:

Need to increase width of Devore

18:33:07 From Adeniyi to Everyone:

Width of Devore road is more important not side walk due to impact

18:36:27 From Adeniyi to Everyone:

Totally agree on having lots of trees more than what is here

18:37:04 From Leslie Carpenter to Everyone:

so 11 residences where there is 3

18:37:26 From Adeniyi to Everyone:

All trees planned need to be reflected in site plan

18:37:46 From Randy Blasch (he, him, his) to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

We were told when Alpha Park was rezoned that Alpharetta would not allow the development to be changed piecemeal. How is this consistent with that?

18:39:14 From Adeniyi to Everyone:

Single family homes are more desirable than town homes

18:39:30 From Leslie Carpenter to Everyone:

that's it for me , for now

18:40:39 From Leslie Carpenter to Everyone:

signs were posted for the Monday night meeting?

18:40:40 From Kimberly's iPhone to Everyone:

I was unaware of Monday's meeting

18:40:55 From danielle west to Everyone:

Thanks again!!

18:41:31 From Kimberly's iPhone to Everyone:

I would like to meet with someone and I believe many of us would like to meet

18:41:32 From Randy Blasch (he, him, his) to Everyone:

This affects ALL Of Alpha Park, so it would appreciated if we were ALL included

18:42:00 From Kimberly's iPhone to Everyone:

I never received a letter and I live in the middle

18:42:18 From Leslie Carpenter to Everyone:

[REDACTED]

18:42:54 From Ethan Underwood to Everyone:

EUNDERWOOD@MHTLEGAL.COM

IV. Meeting Ended

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PA210061

PH #: _____

☐ Property Taxes & Code Violations Verified

☒ Fee Paid Initial: RC

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted 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: RICHARD WERNICK

Telephone: 7705273286

Address: 3366 CARVERTON LANE

Suite: _____

City ALPHARETTA

State: GA

Zip: 30022

Fax: _____

Mobile Tel: 7705273286

Email: RCWERNICK@GMAIL.COM

Subject Property Information:

Address: 11380 STATE BRIDGE ROAD, ALPHARETTA, GA 30022

Current Zoning: _____

District: 1ST

Section: 1ST

Land Lot: 129

Parcel ID: 11-0360-0129-028-8

Proposed Zoning: C1 CONDITIONAL

Current Use: RETAIL SHOPPING CENTER

This Application For (Check All That Apply):

☐ Conditional Use

☐ Master Plan Amendment

☐ Comprehensive Plan Amendment

☐ Rezoning

☐ Master Plan Review

☐ Variance

☐ Public Hearing

☐ Exception

☒ Other (Specify):

VARIANCE TO WAITING PERIOD

APPLICANT REQUEST AND INTENT

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

RETAIL SHOPPING CENTER

Applicant's Request (Please itemize the proposal):

A VARIANCE FROM TWELVE MONTH WAITING PERIOD TO SIX MONTHS FOR AN AMENDMENT TO ZONING CONDITIONS

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

TO REQUEST AN AMENDMENT TO ZONING CONTION 3 OF Z-17-08/V-17-19 STATE BRIDGE ROAD TO ALLOW 50% MEDICAL OFFICE USE

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: **HAMID MASHINCHI**

Telephone: **4042750896**

Address: **4400 KIMBALL BRIDGE ROAD**

Suite: _____

City **ALPHARETTA**

State: **GA**

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

VARIANCE TO WAITING PERIOD

☐ Land Use Application

☒ Other

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: **RICHARD WERNICK**

Telephone: **7705273286**

Address: _____

Suite: _____

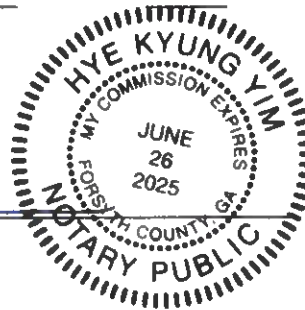
City **ALPHARETTA**

State: **GA**

Zip: **30022**

So Sworn and Attested:

Owner Signature: *Hamid Mashinchi*



Date: *12-1-21*

Notary:

Notary Signature: *[Signature]*

Date: *12-1-21*

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: **RICHARD WERNICK**

Subject Public Hearing Case: **KIMBALL PLAZA**

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: **DONALD MITCHELL**

Position: **CITY COUNCIL MEMBER**

Description of Contribution: **CAMPAIGN CONTRIBUTION** Value: **\$250.00**

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



Date: **12/1/21**

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: **HAMID MASCHINCHI**

Subject Public Hearing Case: **KIMBALL PLAZA**

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: _____ Position: _____

Description of Contribution: **NONE** Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____

Date: _____

12/1/21

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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



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1. Requirements and load data of existing building.
2. Requirements and load data of existing structure.
3. Requirements and load data of existing foundation.
4. Proposed use of the building, which will be required to be unclassified office and general storage.
5. Existing site plan.
6. Existing floor plan.
7. Existing section.
8. Existing elevation.
9. Existing foundation plan.
10. Existing structural drawings.
11. Existing structural calculations.
12. Existing structural details.
13. Existing structural materials.
14. Existing structural components.
15. Existing structural connections.
16. Existing structural joints.
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All utility bills and related notices, and all damage and loss for the responsibility of the Development/Owner. Development/Owner to have direct contact City of Alpharetta to receive directly for public agency utility notices. *Answer 3/16/2012 4:10PM*

All equipment to other agencies must meet NFPA's standards

All equipment to be, stored must meet NFPA's and OSHA plan storage limits and must be stored inside.

Priority of equipment orders as follows (1st and 2nd priority design). *Correct note - All NFPA equipment must be approved by City and Alpharetta's design prior to installation.*

KIMBALL PLAZA-FULTON COUNTY PROJECT NO. 18-03046



UTILITY PROVIDERS:

ENGINEER
AYRES ENGINEERING, LLC
850 KENNESAW AVE., SUITE 10
MARIETTA, GA, 30060
770-421-8140
ayres@bellisouth.net

24 HOUR CONTACT IS HAMID MASHINCHI AT 404-275-0896.

KIMBALL PLAZA

BUILDING AND PARKING
LOCATED IN L.L. 129 OF THE 1ST DISTRICT 1ST SECTION
CITY OF ALABAMA, CO. 10, 1ST DISTRICT

SITE PLAN

[illegible]

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 129 of the 1st District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a right-of-way monument found marking the easternmost point of the miter between the northwestern right-of-way line of Kimball Bridge Road (R/W width varies) and the northeastern right-of-way line of State Bridge Road (R/W width varies); running thence South 87 degrees 29 minutes 01 seconds West along said miter a distance of 117.900 feet to a ½" rebar set marking the westernmost point of said miter; thence North 31 degrees 00 minutes 00 seconds West along the northeastern right-of-way line of State Bridge Road a distance of 257.87 feet to a ½" rebar set; thence leaving said right-of-way and proceeding North 77 degrees 47 minutes 13 seconds East a distance of 143.92 feet to a point; thence continuing North 77 degrees 47 minutes 13 seconds East a distance of 109.46 feet to a ½" rebar found; thence South 11 degrees 27 minutes 30 seconds East a distance of 44.85 feet to a point; thence South 54 degrees 19 minutes 13 seconds West a distance of 40.44 feet to a ½" rebar found; thence South 39 degrees 58 minutes 11 seconds East a distance of 103.83 feet to a ½" rebar set on the northwestern right-of-way line of Kimball Bridge Road; thence South 18 degrees 01 minutes 19 seconds West along the northwestern right-of-way line of Kimball Bridge Road a distance of 128.66 feet back to the POINT OF BEGINNING.

Said tract consisting of 1.15 acres (49,972 square feet) according to a Boundary and Topographic Survey prepared for Hamid Mashinchi by Registered Land Surveyors, Inc., dated March 30, 2017, bearing the seal of Claude S. Brown, Georgia R.L.S. No. 2420.

Subject Property Address: State Bridge Road, Alpharetta

Parcel ID: 11-0360-0129-028-8

LETTER OF INTENT

KIMBALL PLAZA

The subject property is 1.15 acres located in Land Lot 129 of the 1st District of Fulton County, Georgia ("Property"). The property was zoned C-1 in 2017 under case Z-17-08/V-17-19.

Kimball Plaza was denied a zoning condition change in September 2021. The owner consistently receives call from various medical businesses that want to serve the surrounding community. Therefore, it is important that a conditional use change permitting 50% of the building to be used for medical offices be heard as soon as possible. Therefore, this is a request to reduce the waiting period from 12 months to 6 months.

The owner respectfully requests the variance to waiting period be granted.

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: KIMBALL PLAZA

Contact Name: RICHARD WERNICK Telephone: 7705273286

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

SEE ATTACHED LIST

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

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

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

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

PARIKH & PARIKH 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 IN
1055 LEADENHALL ST
ALPHARETTA GA 30022

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

DRP COMPANY
4308 CAYUGA ST
TAMPA FL 33614

BROTHERS PROPERTIES JOHNS CREE
3127 MAPLE DR NE
ATLANTA GA 30305

D & T REALTY ASSOCIATIES LLLP
4030 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

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

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

STATE AND STATE LLC
3366 CAVERTON LN
ALPHARETTA GA 30022

HMB FOOD INC
4239 BLUEHOUSE LN
ALPHARETTA GA 30022

STATE AND STATE LLC
3366 CAVERTON LN
ALPHARETTA GA 30022

FULTON COUNTY
141 PRYOR ST SW SUITE 7000
ATLANTA GA 30303

HHK PROPERTIES LLC
5450 MCGINNIS FERRY VILLAGE PL UNI
T 103
ALPHARETTA GA 30005

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



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-21-22 KIMBALL PLAZA/11380 STATE BRIDGE ROAD

CITY COUNCIL:

MARCH 21, 2022

II. RECOMMENDATION:

Approve PH-21-22 Kimball Plaza/11380 State Bridge Road, subject to the following conditions (Changes shown in red underline):

Modified Condition related to file #Z-17-08/V-17-19 State Bridge Road/Mashinchi

3. Permitted uses on the property shall be restricted to ~~non-medical~~ office and general retail. Up to 50% of the building may be used for medical office use, limited to doctor, dental, and optometry office (no clinic).

III. REPORT IN BRIEF:

The applicant, Richard Wernick, requests a change to previous conditions of zoning on a 1.15-acre property developed with a 9,464 square foot strip shopping center. The requested change would allow for up to 50% of the building to be used for medical office use. The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road.

DISCUSSION

The submitted request, if approved, would allow for a change to conditions of zoning related to the 9,464 square foot Kimball Plaza strip shopping center. The requested change would allow for up to 50% of the center to be used for medical office use. The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road in the Kimball Plaza shopping center.

The 1.15-acre property is zoned C-1 (Neighborhood Commercial) and is developed as Kimball Plaza, which is a new 1-story, 9,464 square foot strip 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'.

The property received rezoning and variance approval on July 24, 2017. The applicant states that the change of condition is necessary to respond to market demand for medical office. The following change is proposed to the previous conditions of zoning related to file #Z-17-08/V-17-19 State Bridge Road/Mashinchi **(Strike Through = Delete, Underline = Add)**:

3. Permitted uses on the property shall be restricted to ~~non-medical~~ office and general retail. Up to 50% of the building may be used for medical office use.

TRAFFIC

Staff compared ITE (Institute of Transportation Engineers) average rates for uses typically found in a strip shopping center to average rates for a medical use. As shown in the table below, a medical use would generate similar if not less trips than other common strip center retail uses.

Use	Average PM Peak Hour Rate (vehicles/1,000 GLS)
Medical/Dental Office (Proposed)	3.46
Variety Store	6.84
Pharmacy (w/out drive-thru)	8.51
Hair Salon	1.21
Copy/Print Center	2.78
High Turn Over Sit-Down Restaurant	9.77

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for changes to previous conditions of zoning. The proposed medical office use would generate fewer or similar number of vehicular trips than other strip center retail uses. If approved, it is recommended that medical office use be limited to doctor, dental and optometry office (no clinic).

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 February 9, 2022. There were no public comments.

IV. ATTACHMENTS:

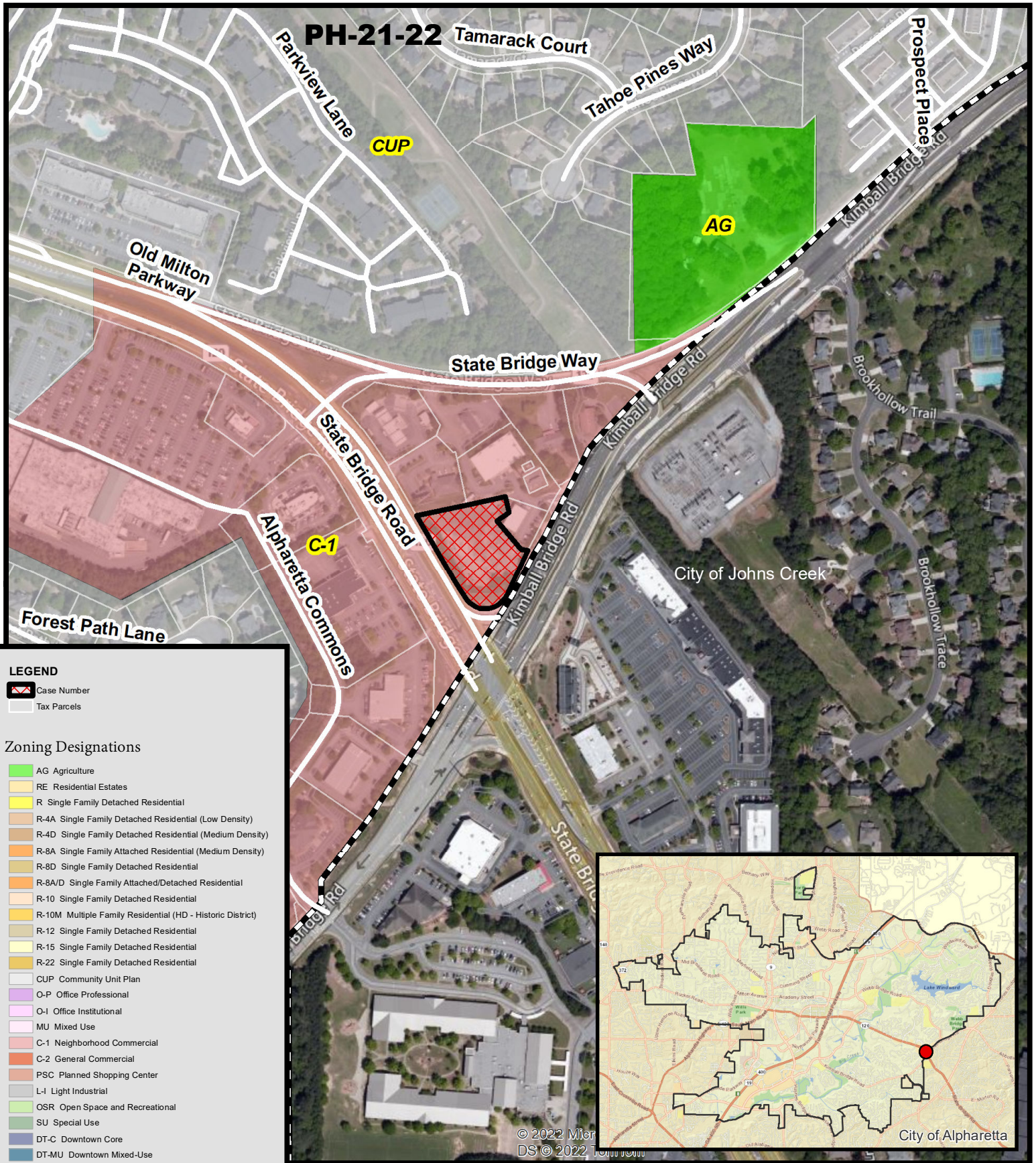
- Site Plan



Aerial Map
Kimball Plaza
11380 State Bridge Rd

PH-21-22
D/LL: 1/1/0129
CC Date: 3/21/22

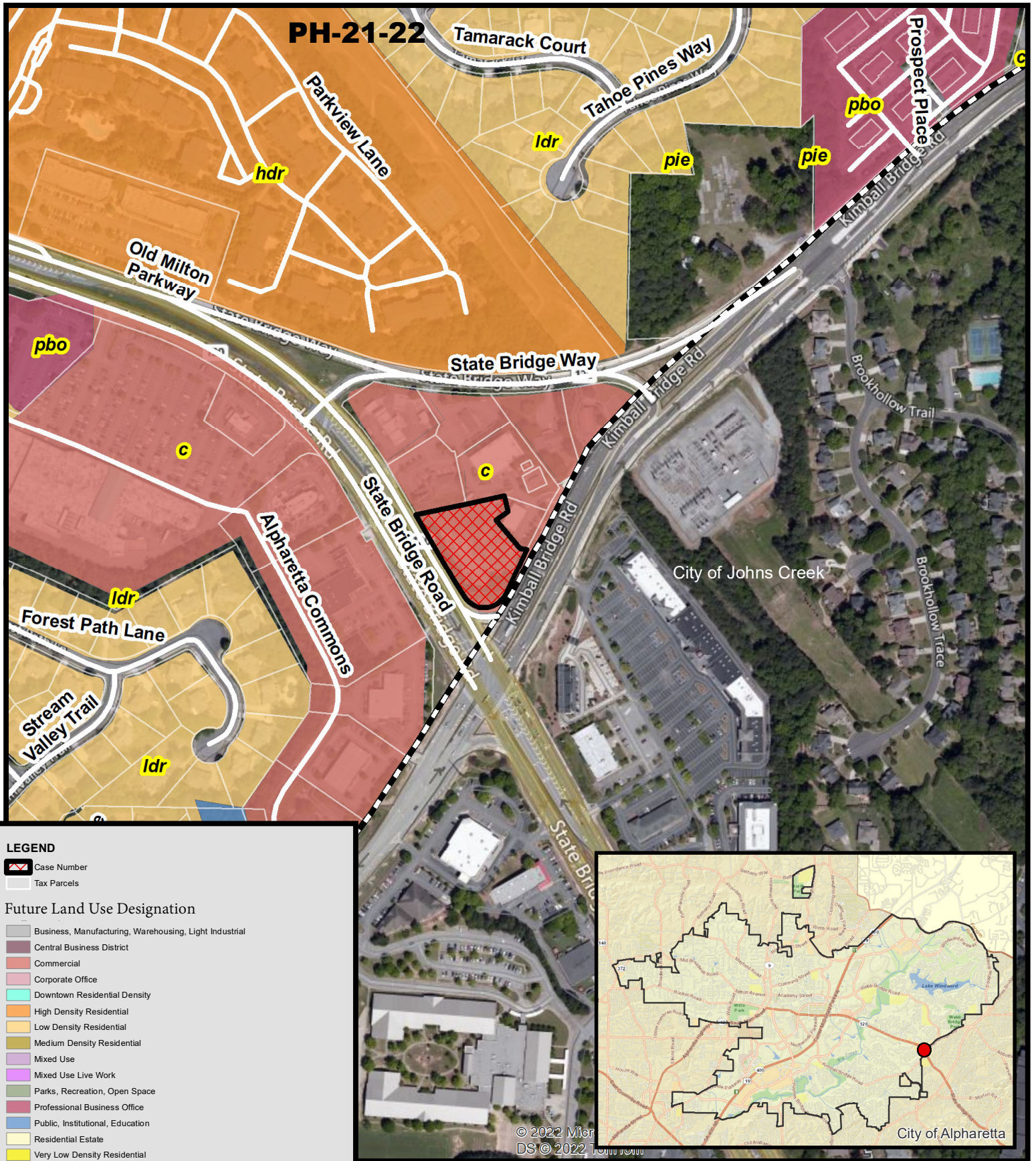
Location Map Provided by:
Community Development - GIS

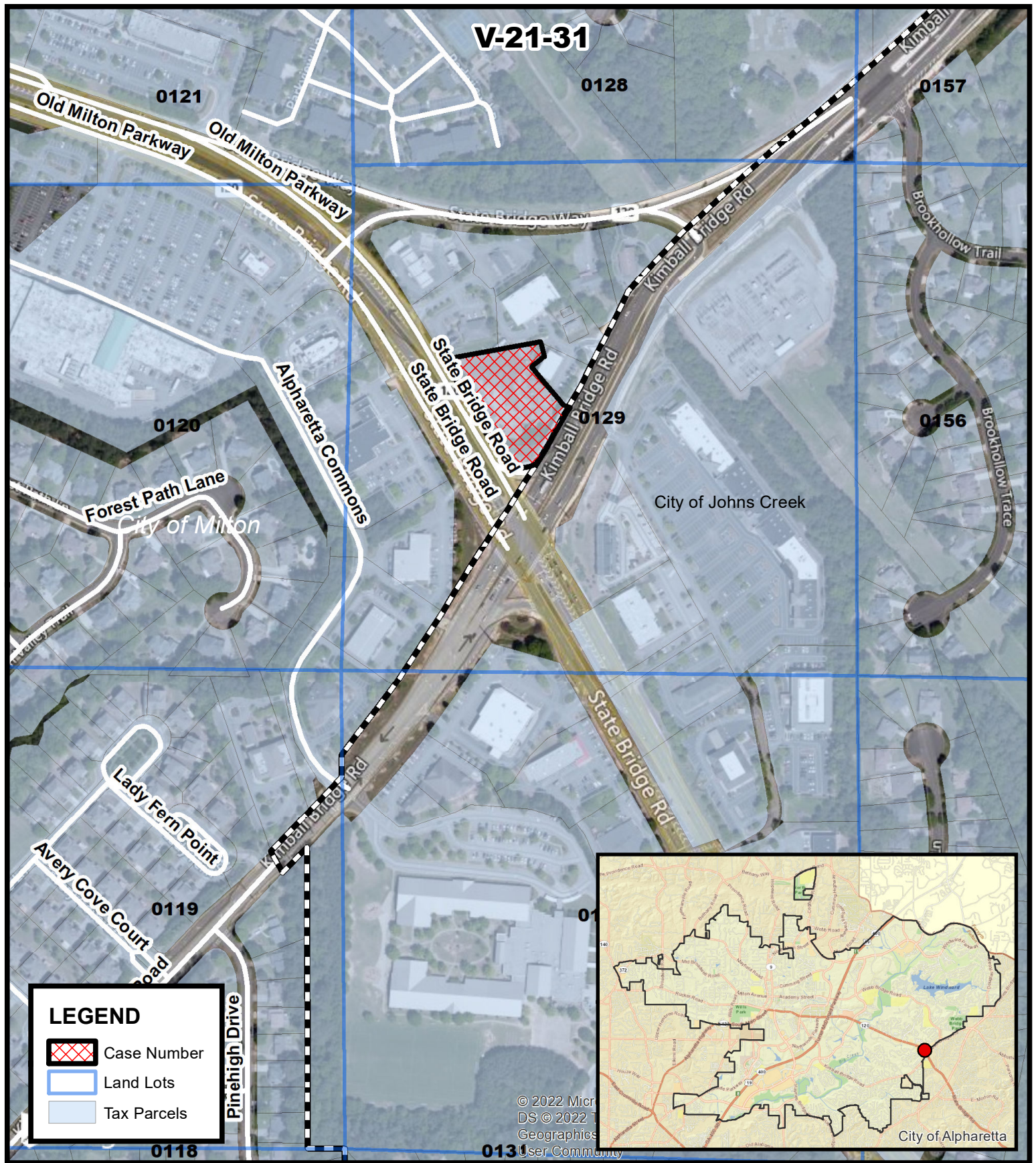


Zoning Map **Kimball Plaza** **11380 State Bridge Rd**

PH-21-22
D/LL: 1/1/0129
CC Date: 3/21/22

Location Map Provided by:
Community Development - GIS





Location Map
Kimball Plaza
11380 State Bridge Rd

V-21-31
D/LL: 1/1/0129
CC: 3/21/22



Location Map Provided by:
Community Development - GIS

CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name: **KIMBALL PLAZA**

Contact Name: **RICHARD WERNICK**

Telephone: **770-527-3286**

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

NO COMMENTS WERE RECEIVED.

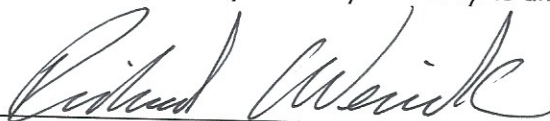
Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

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

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

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

Signature of Authorized Agent: _____



Date: **02/24/2022**

Print Form



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by Planning Commission, but not quoted or paraphrased. This document includes limited presentation by Planning Commission and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. Staff Members Present:

- a. Michael Woodman
- b. Ben Kern

II. Items:

- a. V-21-31 / PH-21-22 Kimball Plaza – 11380 State Bridge Road
 - i. The applicant was unable to present but was available to answer question via chat. Michael Woodman presented the item.
 - ii. Requesting a variance to reduce the waiting period from September 2021.
 - iii. The applicant is asking for a change to the condition to allow for a medical use in addition to the retail use.
Public Comments: there were no public comments for this item.
- b. MP-21-11 / Bridge Road Holdings, LLC
 - i. The applicant, David Belle Isle, was not present for this meeting. Michael Woodman presented the item.
 - ii. The applicant is requesting to bring this property into the Preston Glen Master Plan.
 - iii. 19,000 sq foot, 2 story building with medical and retail.
Public Comments: there were no public comments for this item.
- c. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street
 - i. The applicant, Kourtney Wexler, presented this item.
 - ii. The request is to rezone from C2 to DTR to build a single-family home.
Public Comments: there were no public comments for this item.
- d. CLUP-21-06 / Z-21-10 / PH-21-20 / V-22-04 / Alcovy Haynes Bridge Road and Jon Scott Drive



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

i. Ethan Underwood, the attorney for the applicant, presented this item.

ii. 20-unit development- mixture of detached, single-family units, townhomes, and semi-attached

iii. 3,000 sq feet minimum size

iv. \$1,000,000 + prices

v. There will be a barrier wall at the 5-foot landscape strip.

vi. Wants this to be a new wave of high-end housing.

Public Comments: chat comments (see next section)

-I don't think the development of the single-family residential units should be allowed. You can change the commercial side, but the price of the homes will bump up our property taxes. (resident of 469 Karen Drive) *We understand it's bringing some change. Is your concern traffic or that the houses are too expensive?* I'm concerned about the density of the project. You already have townhomes across the street.

-I am very opposed to this project. I don't believe it aligns with the city's 2040 Comprehensive Plan, nor does it align with the goals of the Council. The citizens want to preserve our tree canopy and improve walkability. We want to protect natural areas of land. This will impact traffic as well. (resident off Haynes Bridge Road)

III. Chat Comments:

COMMENT THREAD BEGAN WITH ALCOVY HAYNES BRIDGE DEVELOPMENT:

18:10:53 From Jim to Everyone:

I oppose this development

18:10:58 From Taylor to Everyone:

agree

18:12:02 From Jim to Everyone:

too much concentration of home in this area

18:12:34 From Adeniyi to Everyone:

How much is the square footage and cost of the houses and townhomes?

18:14:45 From Kimberly's iPhone to Everyone:

Does anyone know what this will do to our property values? Do the residents truly get a say so?

18:16:10 From Jim Siegel to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This will raise your property values. Why would you be opposed?

18:17:48 From Leslie Carpenter to Everyone:

I don't feel the density of this proposal is sufficient to cause the destruction of our single family subdivision

18:17:48 From Linda Bilderback to Everyone:

Linda Bilderback I am for this new developement. Maybe you could state what the current zoning lot size is now. I live on Haynes Bridge

18:18:05 From Kimberly's iPhone to Everyone:

I do live in Alpha Park and have lived here for 30 years. The development is to large.

18:18:53 From Jim to Everyone:

we are looking for single family home on each lot as is now

18:19:01 From Leslie Carpenter to Everyone:

deforestation, water reclamation, sewage and trash removal...

18:19:45 From Leslie Carpenter to Everyone:

6 to 12 separation of residences is way to close,

18:21:06 From Leslie Carpenter to Everyone:

why not buy everybody out at the valuable price increase that you are speaking of

18:23:57 From Kimberly's iPhone to Everyone:

Yes

18:24:00 From Leslie Carpenter to Everyone:

is police to be increased

18:24:24 From Kimberly's iPhone to Everyone:

What is the next step?

18:24:28 From Leslie Carpenter to Everyone:

is fire dept on board with this

18:24:57 From Adeniyi to Everyone:

What is the timeline for building these out..?

18:25:45 From Leslie Carpenter to Everyone:

why not make a subdivision all along the south of devore along Haynes bridge

18:26:06 From Kimberly's iPhone to Everyone:

We can attend the meeting?

18:26:20 From Adeniyi to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

Why not increase the green space between the single family detached houses by 50% and reduce the number of town homes?

18:27:31 From danielle west to Ben Kern (Direct Message):

Thank you for taking the time to share these details with us! I love how Alpharetta is evolving!

18:27:37 From Leslie Carpenter to Everyone:

just the commercial zoned Haynes bridge side

18:27:38 From Jim Siegel to Everyone:

Will the city of Alpharetta force a repaving of Devore Road?

18:28:21 From Kimberly's iPhone to Everyone:

Can I go to City Hall and pick up today's attachment's?

18:28:23 From Ben Kern to danielle west(Direct Message):

You're welcome Danielle - glad to be able to keep you in the loop!

18:28:30 From Leslie Carpenter to Everyone:

make a strip along Haynes bridge & keep out of alpha park

18:29:05 From Adeniyi to Everyone:

Why not also increase the width of the road and add bike paths as part of the development and pay for it?

18:31:04 From Adeniyi to Everyone:

Devore

18:31:34 From Leslie Carpenter to Everyone:

a long strip of commercial should be developed for a strip of row houses

18:31:44 From Adeniyi to Everyone:

Need to ICT ease the Devore road width due to impact

18:32:05 From Adeniyi to Everyone:

Need to increase width of Devore

18:33:07 From Adeniyi to Everyone:

Width of Devore road is more important not side walk due to impact

18:36:27 From Adeniyi to Everyone:

Totally agree on having lots of trees more than what is here

18:37:04 From Leslie Carpenter to Everyone:

so 11 residences where there is 3

18:37:26 From Adeniyi to Everyone:

All trees planned need to be reflected in site plan

18:37:46 From Randy Blasch (he, him, his) to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

We were told when Alpha Park was rezoned that Alpharetta would not allow the development to be changed piecemeal. How is this consistent with that?

18:39:14 From Adeniyi to Everyone:

Single family homes are more desirable than town homes

18:39:30 From Leslie Carpenter to Everyone:

that's it for me , for now

18:40:39 From Leslie Carpenter to Everyone:

signs were posted for the Monday night meeting?

18:40:40 From Kimberly's iPhone to Everyone:

I was unaware of Monday's meeting

18:40:55 From danielle west to Everyone:

Thanks again!!

18:41:31 From Kimberly's iPhone to Everyone:

I would like to meet with someone and I believe many of us would like to meet

18:41:32 From Randy Blasch (he, him, his) to Everyone:

This affects ALL Of Alpha Park, so it would appreciated if we were ALL included

18:42:00 From Kimberly's iPhone to Everyone:

I never received a letter and I live in the middle

18:42:18 From Leslie Carpenter to Everyone:

[REDACTED]

18:42:54 From Ethan Underwood to Everyone:

EUNDERWOOD@MHTLEGAL.COM

IV. Meeting Ended

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA210052

PH #:

☐ Property Taxes & Code Violations Verified

☒ Fee Paid Initial: rc

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted 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: Richard Wernick

Telephone: 7705273286

Address: 3366 Carverton Lane

Suite: _____

City Alpharetta

State: GA

Zip: 30022

Fax: _____

Mobile Tel: 7705273286

Email: rcwernick@gmail.com

Subject Property Information:

Address: 11380 State Bridge Road, Alpharetta, GA 30022

Current Zoning: C1 Conditional

District: 1st

Section: 1st

Land Lot: 129

Parcel ID: 11-0360-0129-028-8

Proposed Zoning: C1 Conditional

Current Use: Retail Shopping Center

This Application For (Check All That Apply):

☐ Conditional Use

☐ Rezoning

☐ Variance

☐ Exception

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☒ Other (Specify):

☐ Comprehensive Plan Amendment

Amendment to Zoning Conditions



PHA 218052

11/01/2021 15:14
dhonan

CITY OF ALPHARETTA
Parcel Find

1P
1
arbitling

PARCEL: 11 -0360-0129-028-8
LOCATION: ** MULTIPLE **
NAME: ** VARIOUS **

EFF DATE: 11/01/2021

YEAR	CAT	BILL	NSC	REFERENCE	BILLED/ADJ	UNPAID BAL	DUE NOW
2014	RE-R	4083	N	STATE BRIDGE RD	0.00	0.00	0.00
2015	RE-R	1504082	N	STATE BRIDGE RD	0.00	0.00	0.00
2016	RE-R	1604088	N	STATE BRIDGE RD	0.00	0.00	0.00
2017	RE-R	1704112	N	STATE BRIDGE RD	0.00	0.00	0.00
2018	RE-R	1804132	N	STATE BRIDGE RD	1407.77	0.00	0.00
2019	RE-O	2018394	N	STATE BRIDGE RD	248.46	0.00	0.00
2020	RE-R	1904137	Y	STATE BRIDGE RD	1407.77	0.00	0.00
2021	RE-R	2004145	N	STATE BRIDGE RD	1702.46	0.00	0.00
		2104145	N	STATE BRIDGE RD	3321.20	3321.20	3321.20
TOTAL DUE NOW							3321.20
TOTAL UNPAID							3321.20

** END OF REPORT - Generated by Honan, Deborah **

APPLICANT REQUEST AND INTENT

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

RETAIL SHOPPING CENTER

Applicant's Request (Please itemize the proposal):

MODIFY CONDITION 3. OF Z-17-08/V-17-19 STATE BRIDGE ROAD TO ALLOW 50% MEDICAL OFFICE USE.

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

THE COMMUNITY IN THIS AREA CONTINUES TO GROW AND THE DEMAND FOR MEDICAL SERVICES HAS STEADILY INCREASED. THE OWNER RECEIVES CALLS FOR MEDICAL RELATED USES AT THIS LOCATION ON A REGULAR BASIS. ALLOWING 50% MEDICAL OFFICE AT THIS LOCATION WILL BRING BETTER MEDICAL SERVICES TO THIS COMMUNITY.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: HAMID MASHINCHI

Telephone: 4042750896

Address: 4400 KIMBALL BRIDGE ROAD

Suite: _____

City ALPHARETTA

State: GA

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

AMENDMENT TO ZONING CONDITION

☐ Land Use Application

☒ Other

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: RICHARD WERNICK

Telephone: 770-527-3286

Address: 3366 CARVERTON LANE

Suite: _____

City ALPHARETTA

State: GA

Zip: 30022

So Sworn and Attested:

Owner Signature: H.D. Mas

Date: 10-25-21

Notary:

Notary Signature: [Signature]

Date: 10/24-21



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:

RICHARD WERNICK

Subject Public Hearing Case:

KIMBALL PLAZA

Campaign Contribution Information:

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

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

Name of Official:

DONALD MITCHELL

Position:

CITY COUNCIL MEMBER

Description of Contribution:

Campaign Contribution

Value:

250.00

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:

Richard Wernick

Date:

10/27/21

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: HAMID MASCHINCHI

Subject Public Hearing Case: KIMBALL PLAZA

Campaign Contribution Information:

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

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

Name of Official: NONE Position: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: 

Date: 10/27/21

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

ALL SURROUNDING PROPERTIES ARE C 1.

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

THIS PROPOSAL IS OCNSISTENT WITH SURROUNDING PROPERTIES AND WILL HAVE NO ADVERSE EFFECTS

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

THE PROPERTY IS CURRENTLY ZONED C 1 AND THE RETAIL SHOPPING CENTER IS COMPLETE AND IN THE LEASING PHASE.

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

NO INCREASE IN TRAFFIC FROM WHAT CURRENT ZONING ALLOWS. MEDICAL USE REQUIRES SAME PARKING REQUIREMENT AS OTHER ALLOWABLE USES.

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

NO IMPACT OR VERY MINIMAL

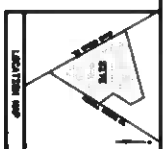
How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

CONSISTENT WITH THE FUTURE LAND USE PLAN

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

NONE THAT WE ARE AWARE OF

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.



1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves comparing the actual outcomes with the objectives and goals to determine the effectiveness of the project and identify areas for improvement.

- [illegible]

KINGMALL PLAZA-FULTON COUNTY PROJECT NO. 18-030MR

UTILITY PROVIDERS:

1. WATER/WASTEW - PLATON COUNTY
2. POWER - SAGECE INC.
3. GAS - ATLANTA GAS.
4. PHONE - ATT AND T.

SITE PLAN

COASTAL S.A. 330000 E.L. (CHEROKEE S.A.) P.O. _____	KINBALL PLAZA	BUILDING AND PARKING LOCATED IN S.E. 1/4, 125 OF THE 1ST DISTRICT, 1ST SECTION CITY OF ALBUQUERQUE, POLICE COUNTY	SITE PLAN	<table><tr><td>1</td><td></td><td></td><td></td></tr><tr><td>2</td><td></td><td></td><td></td></tr><tr><td>3</td><td></td><td></td><td></td></tr><tr><td>4</td><td></td><td></td><td></td></tr><tr><td>5</td><td></td><td></td><td></td></tr><tr><td>6</td><td></td><td></td><td></td></tr><tr><td>7</td><td></td><td></td><td></td></tr><tr><td>8</td><td></td><td></td><td></td></tr><tr><td>9</td><td></td><td></td><td></td></tr><tr><td>10</td><td></td><td></td><td></td></tr><tr><td>11</td><td></td><td></td><td></td></tr><tr><td>12</td><td></td><td></td><td></td></tr><tr><td>13</td><td></td><td></td><td></td></tr><tr><td>14</td><td></td><td></td><td></td></tr><tr><td>15</td><td></td><td></td><td></td></tr><tr><td>16</td><td></td><td></td><td></td></tr><tr><td>17</td><td></td><td></td><td></td></tr><tr><td>18</td><td></td><td></td><td></td></tr><tr><td>19</td><td></td><td></td><td></td></tr><tr><td>20</td><td></td><td></td><td></td></tr><tr><td>21</td><td></td><td></td><td></td></tr><tr><td>22</td><td></td><td></td><td></td></tr><tr><td>23</td><td></td><td></td><td></td></tr><tr><td>24</td><td></td><td></td><td></td></tr><tr><td>25</td><td></td><td></td><td></td></tr><tr><td>26</td><td></td><td></td><td></td></tr><tr><td>27</td><td></td><td></td><td></td></tr><tr><td>28</td><td></td><td></td><td></td></tr><tr><td>29</td><td></td><td></td><td></td></tr><tr><td>30</td><td></td><td></td><td></td></tr><tr><td>31</td><td></td><td></td><td></td></tr><tr><td>32</td><td></td><td></td><td></td></tr><tr><td>33</td><td></td><td></td><td></td></tr><tr><td>34</td><td></td><td></td><td></td></tr><tr><td>35</td><td></td><td></td><td></td></tr><tr><td>36</td><td></td><td></td><td></td></tr><tr><td>37</td><td></td><td></td><td></td></tr><tr><td>38</td><td></td><td></td><td></td></tr><tr><td>39</td><td></td><td></td><td></td></tr><tr><td>40</td><td></td><td></td><td></td></tr><tr><td>41</td><td></td><td></td><td></td></tr><tr><td>42</td><td></td><td></td><td></td></tr><tr><td>43</td><td></td><td></td><td></td></tr><tr><td>44</td><td></td><td></td><td></td></tr><tr><td>45</td><td></td><td></td><td></td></tr><tr><td>46</td><td></td><td></td><td></td></tr><tr><td>47</td><td></td><td></td><td></td></tr><tr><td>48</td><td></td><td></td><td></td></tr><tr><td>49</td><td></td><td></td><td></td></tr><tr><td>50</td><td></td><td></td><td></td></tr><tr><td>51</td><td></td><td></td><td></td></tr><tr><td>52</td><td></td><td></td><td></td></tr><tr><td>53</td><td></td><td></td><td></td></tr><tr><td>54</td><td></td><td></td><td></td></tr><tr><td>55</td><td></td><td></td><td></td></tr><tr><td>56</td><td></td><td></td><td></td></tr><tr><td>57</td><td></td><td></td><td></td></tr><tr><td>58</td><td></td><td></td><td></td></tr><tr><td>59</td><td></td><td></td><td></td></tr><tr><td>60</td><td></td><td></td><td></td></tr><tr><td>61</td><td></td><td></td><td></td></tr><tr><td>62</td><td></td><td></td><td></td></tr><tr><td>63</td><td></td><td></td><td></td></tr><tr><td>64</td><td></td><td></td><td></td></tr><tr><td>65</td><td></td><td></td><td></td></tr><tr><td>66</td><td></td><td></td><td></td></tr><tr><td>67</td><td></td><td></td><td></td></tr><tr><td>68</td><td></td><td></td><td></td></tr><tr><td>69</td><td></td><td></td><td></td></tr><tr><td>70</td><td></td><td></td><td></td></tr><tr><td>71</td><td></td><td></td><td></td></tr><tr><td>72</td><td></td><td></td><td></td></tr><tr><td>73</td><td></td><td></td><td></td></tr><tr><td>74</td><td></td><td></td><td></td></tr><tr><td>75</td><td></td><td></td><td></td></tr><tr><td>76</td><td></td><td></td><td></td></tr><tr><td>77</td><td></td><td></td><td></td></tr><tr><td>78</td><td></td><td></td><td></td></tr><tr><td>79</td><td></td><td></td><td></td></tr><tr><td>80</td><td></td><td></td><td></td></tr><tr><td>81</td><td></td><td></td><td></td></tr><tr><td>82</td><td></td><td></td><td></td></tr><tr><td>83</td><td></td><td></td><td></td></tr><tr><td>84</td><td></td><td></td><td></td></tr><tr><td>85</td><td></td><td></td><td></td></tr><tr><td>86</td><td></td><td></td><td></td></tr><tr><td>87</td><td></td><td></td><td></td></tr><tr><td>88</td><td></td><td></td><td></td></tr><tr><td>89</td><td></td><td></td><td></td></tr><tr><td>90</td><td></td><td></td><td></td></tr><tr><td>91</td><td></td><td></td><td></td></tr><tr><td>92</td><td></td><td></td><td></td></tr><tr><td>93</td><td></td><td></td><td></td></tr><tr><td>94</td><td></td><td></td><td></td></tr><tr><td>95</td><td></td><td></td><td></td></tr><tr><td>96</td><td></td><td></td><td></td></tr><tr><td>97</td><td></td><td></td><td></td></tr><tr><td>98</td><td></td><td></td><td></td></tr><tr><td>99</td><td></td><td></td><td></td></tr><tr><td>100</td><td></td><td></td><td></td></tr></table>	1				2				3				4				5				6				7				8				9				10				11				12				13				14				15				16				17				18				19				20				21				22				23				24				25				26				27				28				29				30				31				32				33				34				35				36				37				38				39				40				41				42				43				44				45				46				47				48				49				50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EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 129 of the 1st District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a right-of-way monument found marking the easternmost point of the miter between the northwestern right-of-way line of Kimball Bridge Road (R/W width varies) and the northeastern right-of-way line of State Bridge Road (R/W width varies); running thence South 87 degrees 29 minutes 01 seconds West along said miter a distance of 117.900 feet to a ½" rebar set marking the westernmost point of said miter; thence North 31 degrees 00 minutes 00 seconds West along the northeastern right-of-way line of State Bridge Road a distance of 257.87 feet to a ½" rebar set; thence leaving said right-of-way and proceeding North 77 degrees 47 minutes 13 seconds East a distance of 143.92 feet to a point; thence continuing North 77 degrees 47 minutes 13 seconds East a distance of 109.46 feet to a ½" rebar found; thence South 11 degrees 27 minutes 30 seconds East a distance of 44.85 feet to a point; thence South 54 degrees 19 minutes 13 seconds West a distance of 40.44 feet to a ½" rebar found; thence South 39 degrees 58 minutes 11 seconds East a distance of 103.83 feet to a ½" rebar set on the northwestern right-of-way line of Kimball Bridge Road; thence South 18 degrees 01 minutes 19 seconds West along the northwestern right-of-way line of Kimball Bridge Road a distance of 128.66 feet back to the POINT OF BEGINNING.

Said tract consisting of 1.15 acres (49,972 square feet) according to a Boundary and Topographic Survey prepared for Hamid Mashinchi by Registered Land Surveyors, Inc., dated March 30, 2017, bearing the seal of Claude S. Brown, Georgia R.L.S. No. 2420.

Subject Property Address: State Bridge Road, Alpharetta

Parcel ID: 11-0360-0129-028-8

LETTER OF INTENT

KIMBALL PLAZA

The subject property is 1.15 acres located in Land Lot 129 of the 1st District of Fulton County, Georgia ("Property"). The property was zoned C-1 in 2017 under case Z-17-08/V-17-19.

The building permitted by the above zoning case has been completed and is in the leasing phase. The owner consistently receives calls from various medical businesses that want to serve the surrounding community. When the zoning case was approved, zoning condition #3 restricted the property to non-medical. The high demand and need for medical in this community require the owner to request a modification of the above reference zoning condition to allow 50% of the building to be used for medical purposes.

The medical use parking requirement is the same as general retail at 1 space for every 200 square feet.

The owner respectfully requests the amendment to zoning condition be granted.

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: KIMBALL PLAZA

Contact Name: Richard Wernick Telephone: 770 527 3286

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>See Attached List</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.

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

PARIKH & PARIKH 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 INC
1055 LEADENHALL ST
ALPHARETTA GA 30022

KNOLL MICHAEL C & CYNTHIA A
828 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 ASSOCIATIES LLLP
4030 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

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

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

STATE AND STATE LLC
3366 CAVERTON LN
ALPHARETTA GA 30022

HMB FOOD INC
4239 BLUEHOUSE LN
ALPHARETTA GA 30022

STATE AND STATE LLC
3366 CAVERTON LN
ALPHARETTA GA 30022

FULTON COUNTY
141 PRYOR ST SW SUITE 7000
ATLANTA GA 30303

HHK PROPERTIES LLC
5450 MCGINNIS FERRY VILLAGE PL UNIT 103
ALPHARETTA GA 30005

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



STAFF REPORT

Submitting Department: Public Works

Submitted By: Will Eberly

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: FY 2022 LANDSCAPE IMPROVEMENTS - KIMBALL BRIDGE RD AND OTHER LOCATIONS

II. RECOMMENDATION:

Please award FY 2022 Landscape Improvements to Russell Landscape for \$254,025.43 and authorize the Mayor to execute all necessary documents for the purchase, installation, and watering of shrubs, groundcovers, and other plants along Kimball Bridge Road and other city locations.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$254,025.43

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Tree Planting & Landscape Improvements / 30141100-541200-C1302	\$254,025.43

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
0	\$0.00

IV. REPORT IN BRIEF:

Kimball Bridge Road tree planting has been completed and the project is ready to move on to the next landscape phase. The proposed landscape additions along the corridor include approximately 12,000 groundcovers, shrubs, and ornamental grasses. These items will be installed within planting areas from the west side of North Point Parkway to Waters Road. The planting areas were prepped with soil and mulch during the tree planting phase. Plant selections include shrubs such as Loropetalum and Abelia varieties, flowering perennials such as black-eyed Susan and purple cone flower, ornamental grasses such as pink muhly grass and feather reed grass, and groundcovers such as creeping lilytuf and 'Emeral Pink' phlox.

Additional funds have also been included for new landscape and landscape repairs at miscellaneous locations within the city, including Milton Avenue, Bethany Road roundabouts, and Old Milton Parkway.

The Department of Public Works prepared landscape plans and specifications requiring the plant stock must comply with the American Standard for Nursery Stock (ANSI Z60.1-2014). Specifications also include detailed watering requirements and a one-year warranty for all plants. ANSI standards and well-defined watering requirements help ensure a successful and high-quality landscape product for years to come.

The work proposal was provided in accordance with the City's On-Call Landscape Installation Contract with Russell Landscape (#22-104/22-105). Pricing has been reviewed by City staff and is found to be competitive based on current market conditions. Maintenance of the proposed landscape is accounted for in the associated Citywide Landscape Maintenance contract with Russell Landscape.

The City's Urban Forestry Program Manager will act as the City's project manager throughout all phases of the project, including installation, watering and warranty period. All installation is projected to take place over the next 6-8 weeks.

V. ALTERNATIVES:

VI. ATTACHMENTS:

FY2022 Landscape



LANDSCAPE WORK ESTIMATE

Plan Date:

Pages:

Job Name: City of Alpharetta

Location: Kimball Bridge Road

Contact: Will Eberly

Phone No: _____

Email:

Cell/Fax No:

SCOPE OF SERVICES

Installation of Landscape at Kimball Bridge Road and Landscape Repairs at Miscellaneous Locations throughout the City.

[illegible]

The undersigned representative hereby authorizes Russell Landscape group, Inc. to proceed and to complete the scope of landscape services described above.

TERMS: A service charge of 1 1/2% per month will be added to all balances not paid within thirty (30) days of invoice. This represents an annual rate of 18%.

In addition to all service charges there shall also be paid the reasonable costs of collection including attorneys fees and court costs.

In addition, representative is responsible for all watering of perishable material at project completion unless otherwise noted.

No bond cost included in job cost.

Russell Landscape Group not responsible for Acts of God or damage by others.

Client Representative

Date _____

Christopher Fitzgerald
Russell Landscape

Date 3/15/22



STAFF REPORT

Submitting Department: Public Works

Submitted By: Geoffrey Sarra

Sponsored By: N/A

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: WILLS PARK SURVEY

II. RECOMMENDATION:

Please approve TerraMark Land Surveying, Inc.'s proposal for a boundary and partial topographic survey of Wills Park in an amount not to exceed \$95,475.00 and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$95,475.00

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Wills Park Master Plan Projects (31861150-541500-C2011)	\$95,475.00

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
N/A	\$0.00

IV. REPORT IN BRIEF:

The approval of this proposal is for a boundary and partial topographic survey of Wills Park necessary for the design of improvements associated with the 2021 Parks Bond.

The last full survey of Wills Park was performed in 1999. In 2019, a survey of the Equestrian Center side of Wills Park was performed for use in the planning and design of improvements associated with that portion of the park. The limits of that survey extended from the southernmost edge of the park north to the stream which flows east to west and divides the park between the equestrian side and the athletic side.

Under this proposal, the scope of work will include a survey of the full park boundary (encompassing approximately 116 acres) and a detailed topographic survey of approximately 85 acres including the park area to the north of the east-west stream and the adjacent roadways. TerraMark will also merge the 2019 survey of the Equestrian Center side into their survey work to provide the City with a single survey of the entire park. This survey will be utilized in the design of various improvements identified in the Parks Bond, including the gateway entrances, the pedestrian spine, Wacky World renovations, Waggy World renovations, parking expansions, stream restorations, and disc golf modifications.

TerraMark Land Surveying, Inc. is currently under contract with the City to provide on-call survey services (Contract #19-110). Once approved, work on the survey can begin immediately and is anticipated to be complete within 12 weeks.

V. ALTERNATIVES:

None.

VI. ATTACHMENTS:

Alpharetta On-Call Survey Services - Wills Park - Task Order No.11



February 21, 2022

Geoffrey Sarra, Sr. Engineer
City of Alpharetta, Department of Public Works
1790 Hembree Road
Alpharetta, Georgia 30009

RE: **On-Call Survey Services – Task Order No. 11**
Boundary & Partial Topographic Survey – “Wills Park”

Please find below the specifics to the referenced Task Order above:

REQUEST FOR PROPOSAL:

Boundary & Topographic Survey, dated February 17, 2022

PURPOSE:

To support the planning, design and re-development of the City Park.

CLIENT RESPONSIBILITIES:

The below shall be reviewed by the City and discussed with TerraMark at the project kick-off and/or prior to beginning field data collection:

1. Provide TerraMark with any information that the City may have knowledge, which could support the survey process.
2. Provide TerraMark with any Record Drawings, DOT Plans, Easements, Property Data, Utility Data or other relevant information that could assist in the preparation and completion of the survey database.

FEES:

Task 1. TerraMark Surveying Services	\$82,975.00
Task 2. Sub-Consultant Utility Marking Service	<u>\$12,500.00</u>
Total Project (Lump Sum Fee)	\$95,475.00

SCHEDULE:

TerraMark will endeavor to complete the requested work and provide you with our deliverables for Task 1&2 above, within **84 Calendar Days** from Notice-to-Proceed.

LOCATION/LIMITS OF SURVEY:

The project encompasses **116 Acres** of property and will require approximately **85 Acres** of topographic data to be collected which is identified on an aerial photograph provided in the aforementioned RFP. The property lies in the southeast quadrant of the intersection of Old Milton Parkway and Wills Road and lies within Land Lots 645, 646, 647 & 694, 1st District, 2nd Section and Land Lots 1271 & 1272, 2nd District, 2nd Section of Fulton County, Georgia as shown on the Aerial Photo provided in the Appendix. Property is identified by twelve (12) individual Tax Parcel No.'s per Fulton County GIS.

The survey limits shall include the following:

- As outlined on the Aerial Photo provided in the Appendix

Task Order No. 11**Boundary & Partial Topographic Survey – “Wills Park”**

February 21, 2022

Page 2 of 3

SCOPE OF SURVEYING SERVICES:

The survey shall include the following as a minimum:

1. Establishment of Control and Collection of Data tied to Georgia State Plane Coordinate System
2. Full Boundary and Topographic Survey prepared in accordance to the Minimum Technical Standards of Georgia Survey Law
3. Utilities
 - a. Sanitary sewer including tops, inverts, pipe sizes and materials. For sewer networks extending beyond the survey boundary, provide location and information for next structure immediately upstream/downstream.
 - b. Water including lines, valves, hydrants, etc.
 - c. Storm drainage including tops, inverts, and pipe sizes and materials. For pipe networks extending beyond the survey boundary, provide location and information for next structure immediately upstream/downstream.
 - d. Power, phone, cable, fiber optic – poles and boxes
 - e. Light poles
 - f. Generators and transformers
 - g. Level B utility investigation (Sub-Consultant)
 - h. Level B utility report (Sub-Consultant)
 - i. Service provider information (Sub-Consultant)
4. Structures including, houses, garages, sheds, pavilions, pump houses
5. Driveway aprons, curb and gutter, sidewalks, ramps, intersections, turn lanes, existing on-site trails
6. Mailboxes, fences, retaining walls, guardrails, handrails
7. Signs
 - a. Monument signs
 - b. Street signs
 - c. Parking Lot Signage
8. Striping
 - a. Lane and directional striping
 - b. Stop bars and crosswalks
 - c. Parking Lot striping and markings
9. Topographic Contours – 1 foot increments
10. Trees within survey limits – 6 inches and larger, noting type (**Trees shall be tagged with independent numbers**).
11. Establishment of Two Benchmarks

SURVEYING SCOPE EXCLUSIONS:

The following will not be included in the Scope of Services:

Title research; Tree survey other than shown above; Wetland identification, delineation and location; Delivery of survey data in accordance to GDOT Standards/Specifications; Preparation of easement/property exhibits for land acquisition; Staking to support of easement/property acquisition; Combination Plat; Construction surveying services; Recordation of documents; Recording and/or review fees.

SURVEY DELIVERABLES:

Unless directed otherwise, Consultant shall utilize their company title block and presentation standards for all surveys and exhibits. Deliverables shall conform to the following:

1. Consultant will utilize the City provided layering standards, point descriptions, and plot styles.
2. Unless otherwise directed, survey deliverables shall include the following:
 - a. Signed, sealed, and dated PDF of the completed work.
 - b. Digital Design Files
 - i. CAD (.dwg), AutoCAD Civil 3D 2013, or newer
 - ii. Include all break-lines, feature-lines, and surfaces
 - iii. XML file (.xml)
 - c. Sheet size shall not exceed 24"x36"
 - d. Digital copies of any easements, deeds, or plats utilized in survey preparation
 - e. Level B utility report.
3. Tree flagging – Consultant shall remove all tree flagging within 3 months of project completion. All paint used on trees should fade within 6 months of project completion.

APPENDIX (SEE ATTACHMENTS):

See attachments for additional information relative to the subject project:

1. Aerial Photo of project area
2. Spreadsheet reflecting hours, rates and project total

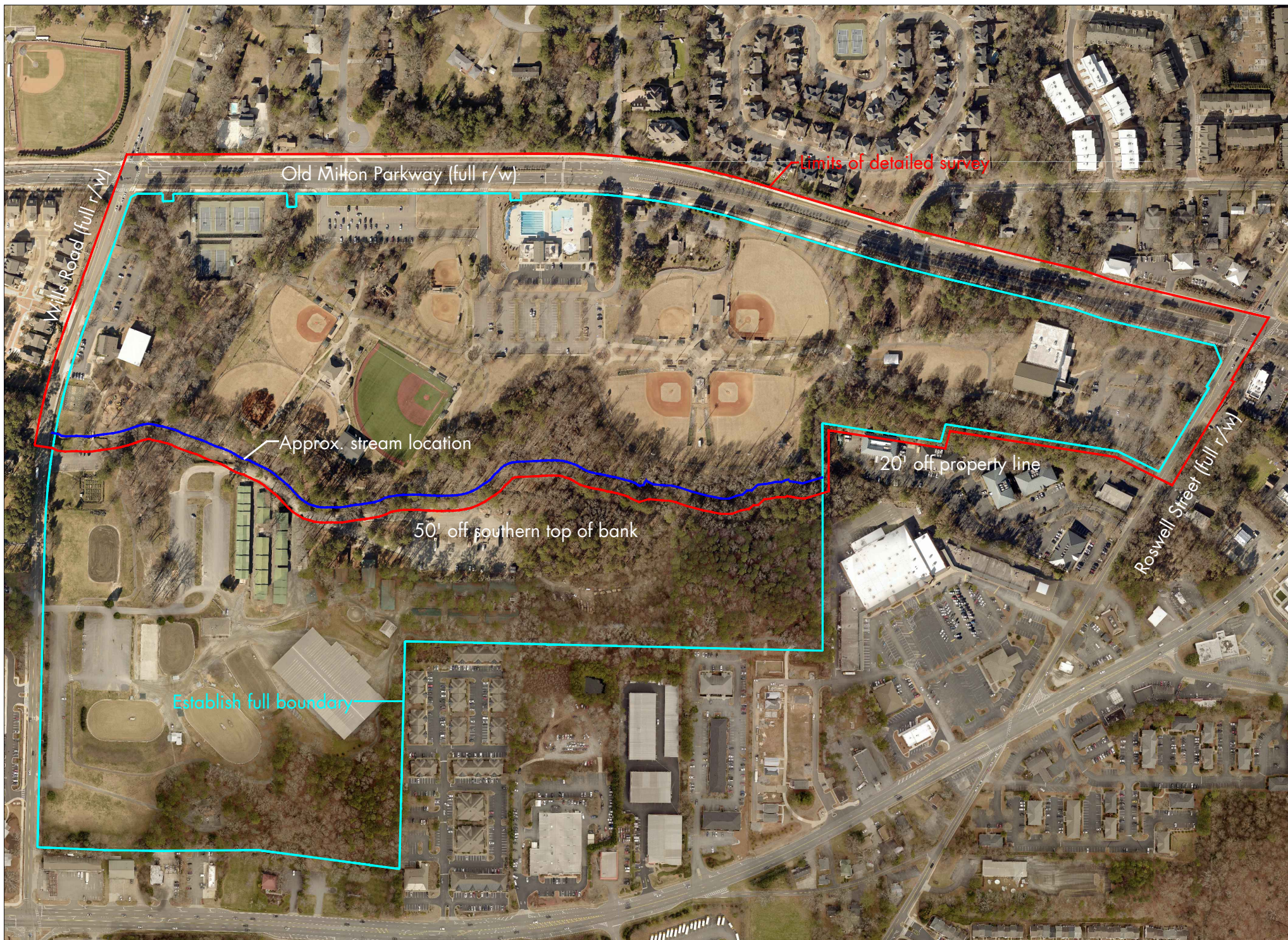
If you concur with our scope and fees, please indicate by signing below. Should you have any questions, please call us at your convenience.

Thank you for the opportunity to serve you.

Sincerely,
TerraMark Land Surveying, Inc.
William C. Wohlford, Jr., RLS
Principal

Authorized Approval: **City of Alpharetta**
Date:

APPENDIX





TerraMark Land Surveying, Inc.
1396 Bells Ferry Road
Marietta, Georgia 30066
(770) 421-1927

Cost Analysis -

Costs For:
City of Alpharetta

Boundary, Topographic, Tree and Utility Survey

2/21/2022

Field Run

Wills Park - Old Milton Parkway at Wills Road

	RLS Principal	RLS Project Manager	LSIT Project Manager	Survey Tech	2 Person Crew	3 Person Crew	Crew Chief	Total	14,500.00 Linear Feet	85.00 Acres Topo 1 Properties
Database Survey	\$ 130.00	\$ 120.00	\$ 105.00	\$ 85.00	\$ 135.00	\$ 170.00	\$ 70.00			
Database Survey										
Project Kick-off	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	\$	130.00
Propety Research/Existing Data Search	4.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	\$	520.00
Underground Utiltiy Locate - Level B (Sub-consultant)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	12,500.00
Establish Control	0.00	0.00	1.00	0.00	60.00	0.00	0.00	61.00	\$	8,205.00
Property Monument Location	0.00	0.00	0.00	0.00	20.00	0.00	0.00	20.00	\$	2,700.00
Property Analysis	8.00	0.00	0.00	0.00	0.00	0.00	0.00	8.00	\$	1,040.00
Tree Tagging/Identification	1.00	70.00	0.00	0.00	0.00	0.00	0.00	71.00	\$	8,530.00
Topographic Data Collection	0.00	0.00	0.00	0.00	400.00	0.00	0.00	400.00	\$	54,000.00
CAD Time - Processing Planimtrices, Etc.	0.00	0.00	60.00	0.00	0.00	0.00	0.00	60.00	\$	6,300.00
Quality Control/Admin	6.00	0.00	4.00	0.00	0.00	0.00	5.00	15.00	\$	1,550.00
Total	\$2,600.0 20	\$8,400.0 70	\$6,825.0 65	\$0.0 0	\$64,800.0 480	\$0.0 0	\$350.0 5.0	\$82,975.0	\$	95,475.00
								Estimated AC		85.0
								640 Price/AC		\$1,123.24

	RLS Principal	RLS Project Manager	LSIT Project Manager	Survey Tech	2 Person Crew	3 Person Crew	Crew Chief	Total		
Staking for R/W Acquisition Support	\$ 130.00	\$ 120.00	\$ 105.00	\$ 85.00	\$ 135.00	\$ 170.00	\$ 70.00			
Staking for R/W Acquisition Support										
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
Quality Control	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$	-
Total	\$0.0 0	\$0.0 0	\$0.0 0	\$0.0 0	\$0.0 0	\$0.0 0	\$0.0 0.0	\$0.0	\$0.0	\$ -
								Estimated AC		85.0
								0 Price/AC		\$0.00

Grand Total \$95,475.00
Price/AC \$1,123.24



STAFF REPORT

Submitting Department: Public Works

Submitted By: Dennis Roland

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: PEDESTRIAN BRIDGE REPAIR

II. RECOMMENDATION:

Please approve change order one for an amount not to exceed \$166,000.00 to E&D Contracting Services, Inc. for the Pedestrian Bridge Repairs, and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$166,000.00

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Alpha Loop / 30141100 541420 C1712	\$166,000

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
N/A	\$0.00

IV. REPORT IN BRIEF:

The abutments of the pedestrian bridges located east of Haynes Bridge Road have become compromised. A tree was uprooted during a storm while construction of the Alpha Loop was underway. The Public Works Department has implemented stabilization techniques for the area, but more work needs to be done to protect the existing pedestrian bridge. The southern abutment of the pedestrian bridge has minimal protection from potential undermining of existing footings for the bridge abutments. Any significant undermining of footings and abutments is an immediate threat to the structural integrity of the pedestrian bridge. In order to prevent further issues and protect the existing abutments, Public Works reached out to three vendors to obtain a cost for an engineered solution. Heath and Lineback was the winning firm and are currently the design team working on the raised boardwalk section of the Greenway off Mansell Rd. Their designed solution is to re-establish the bank and line the area with fabric-formed revetment mats. Revetment mats can be easily installed without the use of heavy equipment or grading. Revetment mats allow you to plant grasses and other perennial vegetation within their voids to provide a much more aesthetically pleasing repair. Public Works agreed with the proposed repair since the revetment mats provide a much simpler installation without the need for heavy equipment, provide structural longevity and can be much more aesthetically appealing than other hard armoring solutions. The second bridge has minimal work associated with it. Public Works and the Contractor recommend installing additional rip-rap to protect the bridge abutments.

Public Works staff met with our current bridge maintenance contractor, E&D Contracting Services, on site to discuss the proposed repair designs. E&D agreed with the proposed solution as being the best choice due to the access constraints and location of repairs being under the pedestrian bridge. Public Works asked the contractor during the site visit to assess the other bridge further east and include any needed repairs in their proposal. The total cost associated with the western bridge is \$130,000 and the eastern bridge is \$36,000.

E&D Contracting Services, Inc. are currently on contract with the City for our annual bridge maintenance repairs. A change order to their current contract for the total listed above exceeds the 10% threshold without council approval. Due to the severity of the issue and having a contractor available, Public Works would like to issue E&D Contracting Services Inc, a change-order to their current bridge maintenance contract to expedite the much needed repairs.

The necessary work to be done will be accomplished by hand due to access constraints. The duration of expected repairs should take approximately one month to complete, dependent on weather. The attachments to the agenda item depict the landscape in the voids of the revetment matting. Public Works will also coordinate this work through either our landscape maintenance vendor or perform the work with in-house crews.

V. ALTERNATIVES:

VI. ATTACHMENTS:

2021040.001, Quote, Revetment mat examples



Heath & Lineback Engineers

I N C O R P O R A T E D

2390 Canton Road, Building 200 • MARIETTA, GEORGIA 30066-5393

e-mail: hle@heath-lineback.com

770.424.1668 • (FAX) 770.424.2907

March 3, 2022

Sent Via E-Mail

Mr. Dennis Roland, CESSWI
Sr. Operations Manager
City of Alpharetta Public Works Department
1790 Hembree Rd. Alpharetta, GA. 30009

RE: **Emergency Rehabilitation Details**
AlphaLoop Thompson Street Gap Pedestrian Bridge

Dear Mr. Roland,

Attached you will find details for scour repair at of the west abutment for the pedestrian bridge carrying the AlphaLoop Thompson Street Gap Multi-Use Trail in Alpharetta, Ga. Since we were unable to utilize a database for the rehabilitation/creek bank restoration details, the plans are based on field observations.

Work consists of re-grading the endrolls for both of the bridge abutments. This will require the creek under the bridge to be relocated. The Contractor will need to regrade the areas 10 ft outside of the limits of the bridge to ensure proper tie ins with the existing creek banks. Once the area has been regraded, the areas will need to be lined with fabric-formed concrete revetment mat. This option was chosen due to the limited access for heavy equipment.

We have been in contact with Synthetex. They are a manufacturing company based out of Alpharetta, Ga that specializes in this type of revetment matting. Their products can be used at the site. They will be able to provide the Contractor with additional details including thickness of mat and any required anchorages.

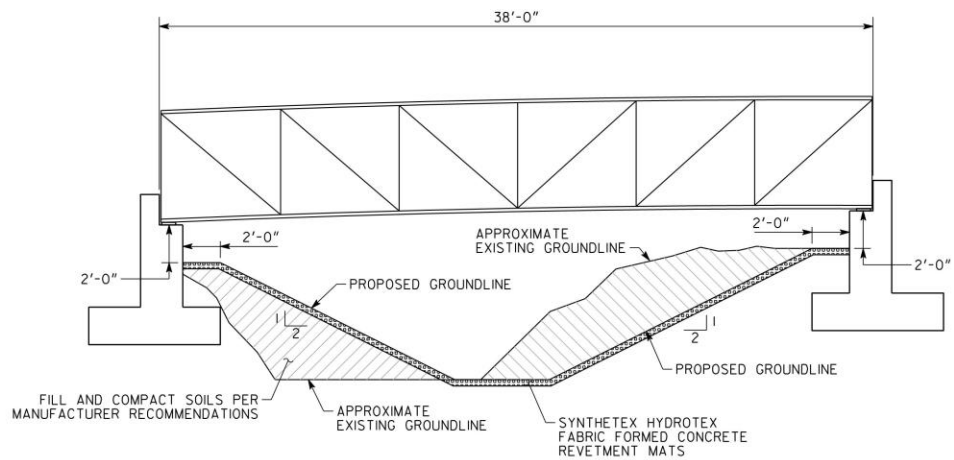
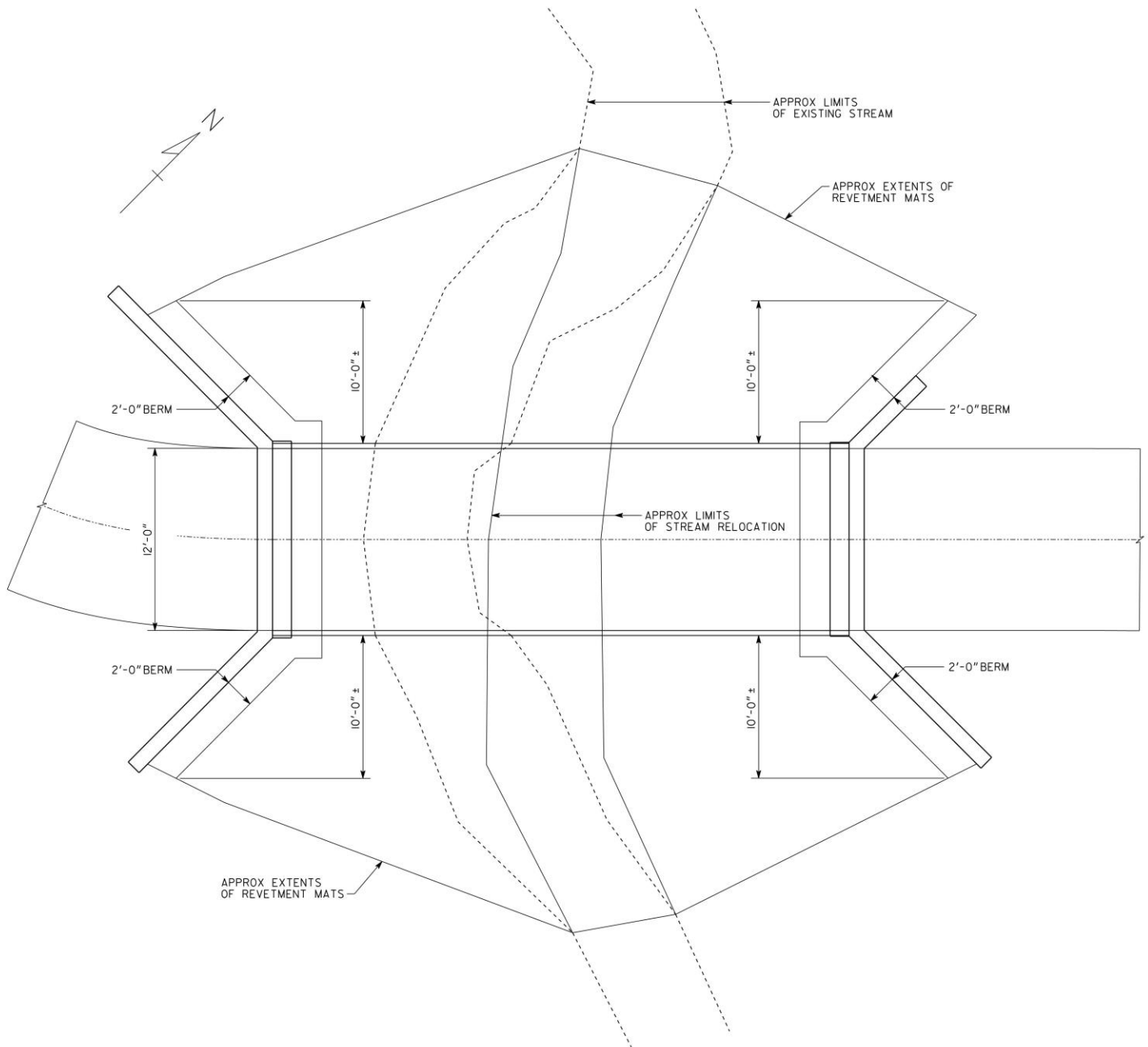
Please let us know if you have any further questions.

Sincerely yours,

Heath & Lineback Engineers, Inc.

F. Randy Boykin, PE

Bridge Maintenance & Inspection Practice Leader





Specializing in Civil Construction, including Bridge Rehabilitation, Water/Waste Water Rehabilitations, and Roadway Improvements.

2001 Mills B. Lane Blvd. Savannah, GA 31405
Phone (912) 234-5904 Fax (912) 233-0888



Revetment matting installed in drainage swale with perennial vegetation.



Revetment matting installed on streambank slope with perennial grasses planted in voids.



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 0 DARTMORE CIRCLE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 0 DARTMORE CIRCLE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-137-5) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 0 Dartmore Circle

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 0 DARTMORE CIRCLE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-137-5) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Kendrix Park Homeowners Association, Inc. located at 0 Dartmore Circle (Tax Parcel No.: 21 -5680-1054-137-5) within the City of Alpharetta, Georgia (reference: **Project Parcel 50A**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 0 Dartmore Circle (Tax Parcel No.: 21 -5680-1054-137-5), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

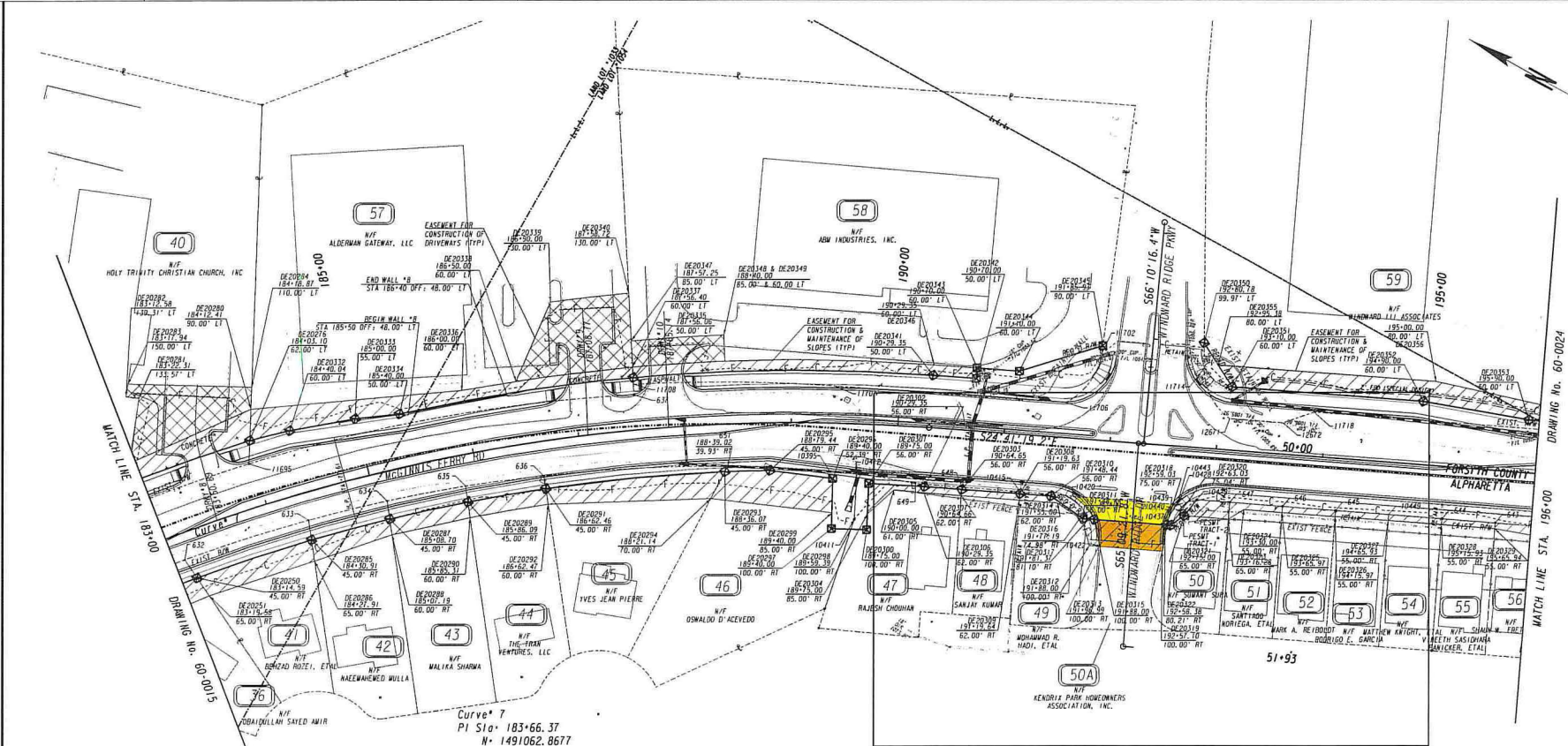
Michael D. Stacy, City Attorney

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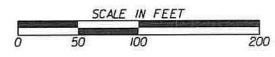
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GSMPLN

---GDOT---
P.L. No.
0004634



Curve 7
PI S10+ 183+66.37
M= 1491062.8677
E= 2282725.7640
DELTA= 49°20'10.3" (RT)
D= 03°28'20.90"
T= 757.80
L= 1420.78
R= 1650.00
E= 165.70
SE= 3.2%

NOTE: SEE INSET #1 SHEET 60-0019a



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES		BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS REQ'D LIMIT OF ACCESS EXISTING LIMIT OF ACCESS & R/W REQ'D LIMIT OF ACCESS & R/W ORANGE BARRIER FENCE ESA - ENV. SENSITIVE AREA	DATE	REVISIONS	DATE	REVISIONS	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO. 0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: GMD DATE	SH	OF	DRAWING No. 60-0019

[illegible][illegible]

2002/09	1000	1000
1000	1000	1000

PROPERTY AND EXISTING R/W LINE	-----E-----	BEGIN LIMIT OF ACCESS.....BLA	-----O-----	DATE	REVISIONS	DATE	REVISIONS	STATE OF GEORGIA
REQUIRED R/W LINE	-----F-----	END LIMIT OF ACCESS.....ELA	-----O-----					DEPARTMENT OF TRANSPORTATION
CONSTRUCTION LIMITS	-----C-----	EXISTING LIMIT OF ACCESS	-----O-----					RIGHT OF WAY MAP
EASEMENT FOR CONSTR	-----E-----	REQ'D LIMIT OF ACCESS	-----O-----					PROJECT NO:0004634
& MAINTENANCE OF SLOPES	-----E-----	EXISTING LIMIT OF ACCESS & R/W	-----O-----					COUNTY: FORSYTH/FULTON
EASEMENT FOR CONSTR OF SLOPES	-----E-----	REQ'D LIMIT OF ACCESS & R/W	-----O-----					LAND LOT NO:
EASEMENT FOR CONSTR OF DROVES	-----E-----	ORANGE BARRIER FENCE	-----O-----					LAND DISTRICT:
		ESA - ENV. SENSITIVE AREA	-----O-----					GRID
			-----O-----					SH OF
			-----O-----					60-0021



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 245 FIELDSTONE PATH

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 245 FIELDSTONE PATH, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5691-1110-017-0) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 245 Fieldstone Path

STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 245 FIELDSTONE PATH,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5691-1110-017-0) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Sandra Quayle Soomro located at 245 Fieldstone Path (Tax Parcel No.: 21 -5691-1110-017-0) within the City of Alpharetta, Georgia (reference: **Project Parcel 74**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 245 Fieldstone Path (Tax Parcel No.: 21 -5691-1110-017-0), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

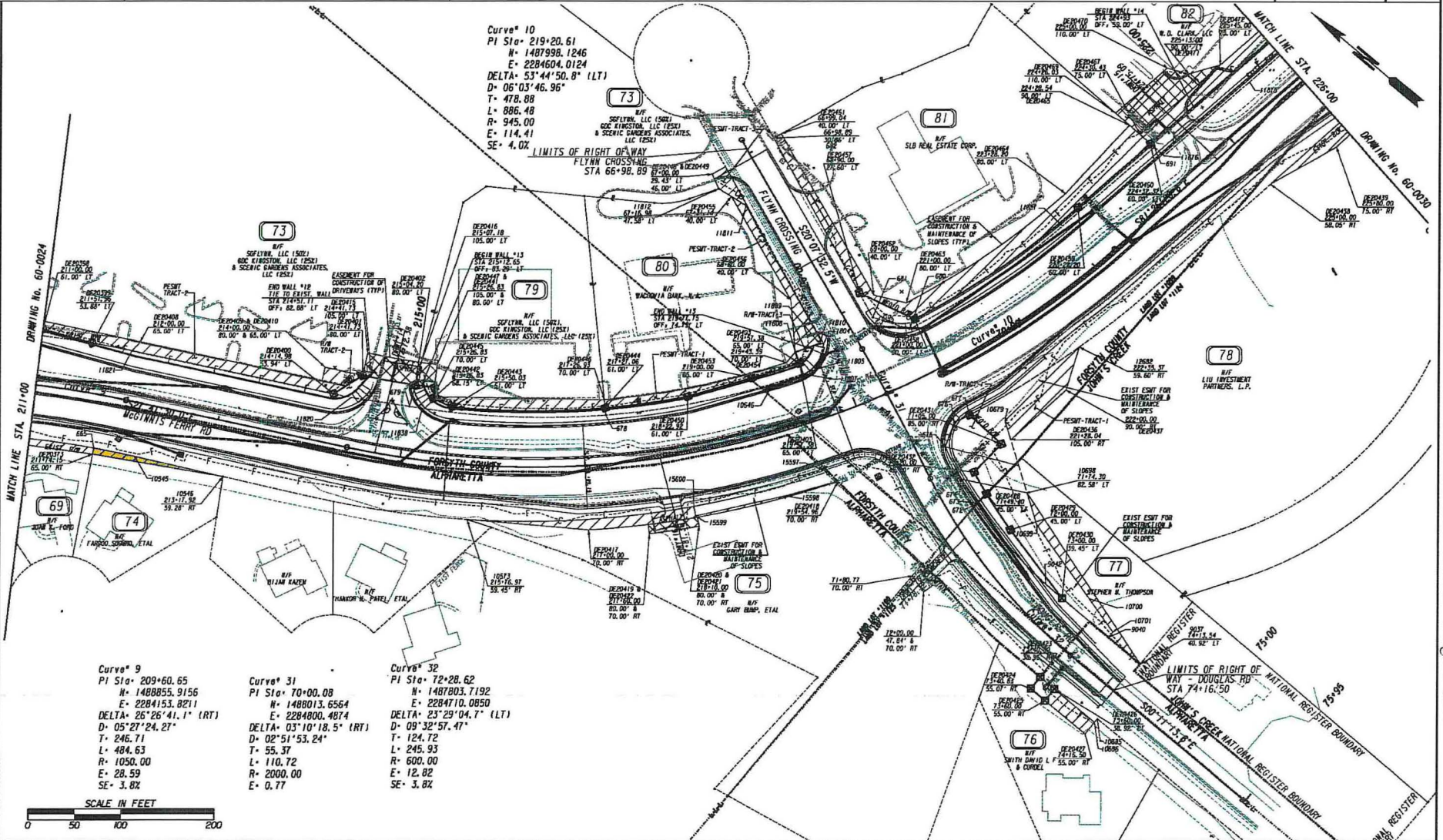
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES		BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS REQ'D LIMIT OF ACCESS EXISTING LIMIT OF ACCESS & R/W REQ'D LIMIT OF ACCESS & R/W ORANGE BARRIER FENCE ESA - ENV. SENSITIVE AREA	DATE REVISIONS	DATE REVISIONS	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO:0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: CWD DATE SH OF	DRAWING NO. 60-0027
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RECD PERM ESWT - PAR 76/SV295					RECD'D PERM. EASMT. DE653				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
DE20423	65.00	R	211+74.15		McGinnis Ferry Rd Const CL				
665	58.25	R	211+49.55.0" E		McGinnis Ferry Rd Const CL				
ARC LENGTH	45.28								
CHORD BEAR	5 28' 15" 04.1" E								
CHORD DIST	65.28								
RADIUS	995.45								
DEGREE	5 45' 20.7" E								
10545	58.05	R	212+20.77		McGinnis Ferry Rd Const CL				
10546	58.16	R	5 26' 52" 53.6" E		McGinnis Ferry Rd Const CL				
10546	58.28	R	213+17.32		McGinnis Ferry Rd Const CL				
142.49	4 52' 08" 04.1" E								
DE20424	65.00	R	214+74.15		McGinnis Ferry Rd Const CL				
RECD ESWT	3.39	44							
RECD ESWT	0.017	ACRES							

RECD PERM ESWT - PAR 76/SV295					RECD'D PERM. EASMT. DE654				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
10573	58.15	R	215+76.37		McGinnis Ferry Rd Const CL				
ARC LENGTH	248.68								
CHORD BEAR	5 41' 17" 54.5" E								
CHORD DIST	248.68								
RADIUS	1000.98								
DEGREE	5 41' 28.3" E								
15560	57.15	R	215+88.25		McGinnis Ferry Rd Const CL				
15560	57.15	R	5 39' 41" 32.3" W		McGinnis Ferry Rd Const CL				
15560	68.40	R	215+98.78		McGinnis Ferry Rd Const CL				
15560	68.40	R	5 50' 07" 32.3" E		McGinnis Ferry Rd Const CL				
15567	68.10	R	215+98.78		McGinnis Ferry Rd Const CL				
15567	68.15	R	5 55' 54" 27.1" E		McGinnis Ferry Rd Const CL				
15567	68.15	R	215+98.78		McGinnis Ferry Rd Const CL				
15567	68.15	R	5 55' 54" 27.1" E		McGinnis Ferry Rd Const CL				
DE20418	70.00	R	215+54.55		McGinnis Ferry Rd Const CL				
ARC LENGTH	278.34								
CHORD BEAR	5 31' 04" 48.4" W								
CHORD DIST	278.34								
RADIUS	1010.00								
DEGREE	5 31' 04.7" W								
DE20417	70.00	R	217+00.00		McGinnis Ferry Rd Const CL				
ARC LENGTH	131.78								
CHORD BEAR	5 15' 16" 15.4" E								
CHORD DIST	131.78								
RADIUS	1010.00								
DEGREE	5 15' 16.3" E								
RECD ESWT	2232.07	57							
RECD ESWT	0.051	ACRES							

RECD DRY ESWT - PAR 75/SV298					RECD'D DRY. EASMT. DE655				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
DE20415	70.00	R	217+00.00		McGinnis Ferry Rd Const CL				
ARC LENGTH	53.70								
CHORD BEAR	5 46' 30" 16.4" E								
CHORD DIST	53.70								
RADIUS	1010.00								
DEGREE	5 46' 41.7" E								
DE20410	70.00	R	218+10.00		McGinnis Ferry Rd Const CL				
ARC LENGTH	54.23								
CHORD BEAR	5 48' 30" 16.4" W								
CHORD DIST	54.23								
RADIUS	1025.00								
DEGREE	5 48' 31.4" W								
DE20407	70.00	R	217+00.00		McGinnis Ferry Rd Const CL				
DE20415	70.00	R	217+00.00		McGinnis Ferry Rd Const CL				

RECD R/W - PAR 76/SV295					RECD'D R/W. DE656				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
DE20423	38.56	R	73+40.60		Flynn Crossing/Douglas Rd				
9037	30.00	R	5 0 05' 52.4" E		Flynn Crossing/Douglas Rd				
DE20426	38.56	R	13+60.00		Flynn Crossing/Douglas Rd				
DE20425	55.00	R	5 89' 48" 46.2" W		Flynn Crossing/Douglas Rd				
DE20424	55.00	R	73+40.60		Flynn Crossing/Douglas Rd				
DE20423	55.00	R	73+40.60		Flynn Crossing/Douglas Rd				
RECD R/W	16.11	R	8 0 11' 11.8" W		Flynn Crossing/Douglas Rd				
RECD R/W	38.56	R	73+40.60		Flynn Crossing/Douglas Rd				
RECD ESWT	101.51	57							
RECD ESWT	0.001	ACRES							
REMAINING	47.1	163							

RECD PERM ESWT - PAR 76/SV295					RECD'D PERM. EASMT. DE657				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
DE20425	38.92	R	73+60.00		Flynn Crossing/Douglas Rd				
10585	39.01	R	74+15.19		Flynn Crossing/Douglas Rd				
DE20427	55.00	R	5 88' 39" 35.9" W		Flynn Crossing/Douglas Rd				
DE20425	55.00	R	74+15.19		Flynn Crossing/Douglas Rd				
DE20425	55.00	R	5 11' 13.8" W		Flynn Crossing/Douglas Rd				
DE20425	38.92	R	73+60.00		Flynn Crossing/Douglas Rd				
RECD ESWT	301.60	57							
RECD ESWT	0.021	ACRES							

RECD R/W - PAR 77/SV298					RECD'D R/W. DE658				
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT				
DE20428	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20429	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20430	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20431	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20432	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20433	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20434	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20435	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20436	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20437	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20438	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20439	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20440	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20441	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20442	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20443	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20444	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20445	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20446	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20447	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20448	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20449	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20450	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20451	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20452	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20453	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20454	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20455	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20456	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20457	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20458	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20459	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20460	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								
DEGREE	10 30' 19.8" W								
DE20461	45.00	L	71+45.40		Flynn Crossing/Douglas Rd				
ARC LENGTH	46.81								
CHORD BEAR	5 15' 32" 15.9" W								
CHORD DIST	46.71								
RADIUS	1010.00								



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 4915 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 4915 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1034-044-8) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 4915 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 4915 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1034-044-8) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Cuong Phu Nguyen located at 4915 Tidewater Way (Tax Parcel No.: 21 -5680-1034-044-8) within the City of Alpharetta, Georgia (reference: **Project Parcel 30**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 4915 Tidewater Way (Tax Parcel No.: 21 -5680-1034-044-8), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

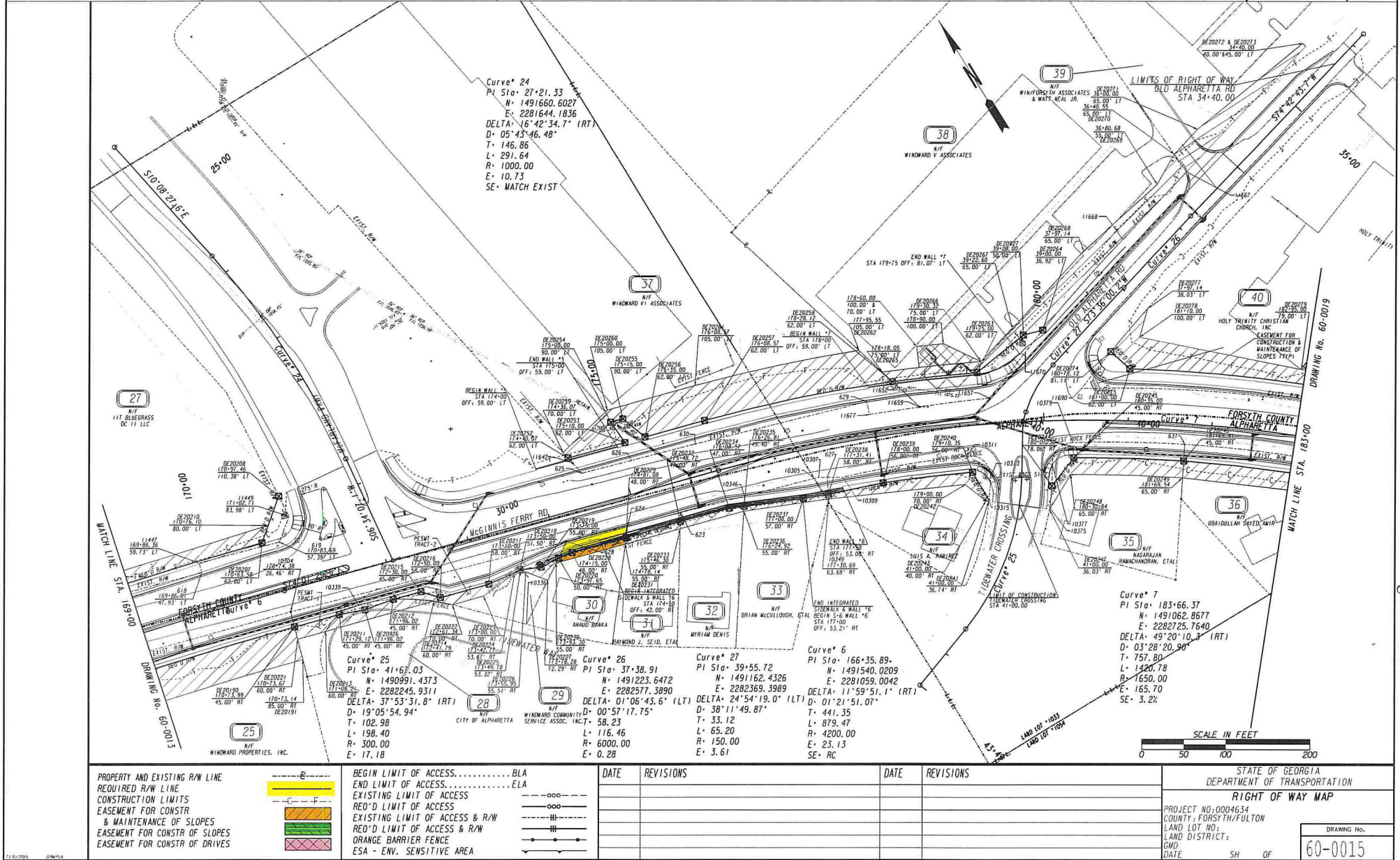
Michael D. Stacy, City Attorney

2/5/2020
CDE-Barle

GPLOT-V8
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GMPLEH

---GDOT---
P. I. No.
0004634



READ PERM ESMT - PAR 32/5/22		REQ'D PERM. ESMT - DES76	
PNT	OFFSET	STATION	ALIGNMENT
	DIST	BEARING	
DE20233	55.00	175.46 30.0	McGinnis Ferry Rd Const CL
	8.36	N 37.46 S 57.6° E	
DE20232	47.00	176.08 57.0	McGinnis Ferry Rd Const CL
	30.85	S 74.01° 29.5° E	
DE20234	47.00	176.08 57.0	McGinnis Ferry Rd Const CL
	17.87	S 65.59 44.9° E	
DE20235	49.00	176.26 58.0	McGinnis Ferry Rd Const CL
	9.69	S 39.41° 09.9° E	
DE20236	55.00	176.26 58.0	McGinnis Ferry Rd Const CL
	78.07	N 73.58 02.6° W	
DE20233	55.00	175.46 30.0	McGinnis Ferry Rd Const CL
READ ESMT -	55.00	175.46 30.0	
READ ESMT -	0.014	SF ACRES	

REOD R/W - PAR 33/SV23 REQ'D R/W DE577

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DECE2325	49.40 12.04	177°25.81' 34.91° 09.4' W	McGinnis Ferry Rd Const
10345	37.95 35.87	178°30.33' 33.22° 33.2' E	McGinnis Ferry Rd Const
10346	36.32 5.53	177°10.21' 33.22° 33.2' E	McGinnis Ferry Rd Const
ARC LENGTH CHORD LATIT. CURV.	5.53 5.53 1408.23		
DECE2327	49.40 36.07	177°23.92' 35° 58' 24.1" E	McGinnis Ferry Rd Const
10347	37.95 30.83	178°30.33' 33.22° 33.2' W	McGinnis Ferry Rd Const
DECE2328	58.00 30.33	178°24.54' 33.22° 33.2' W	McGinnis Ferry Rd Const
DECE2329	57.00 17.23	177°25.81' 34.91° 09.4' W	McGinnis Ferry Rd Const
DECE2325	49.40 5.53	177°25.81' 34.91° 09.4' W	McGinnis Ferry Rd Const
REC'D R/A REMARKS	5.53 +/- 0.341	APES	

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP

PROJECT NO: 0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
GMD
DAIF SW OF

DRAWING No.
60-0016



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 4925 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 4925 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1034-043-0) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 4925 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 4925 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1034-043-0) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Raymond J. Seid and Anna M. Pena-Seid located at 4925 Tidewater Way (Tax Parcel No.: 21 -5680-1034-043-0) within the City of Alpharetta, Georgia (reference: **Project Parcel 31**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 4925 Tidewater Way (Tax Parcel No.: 21 -5680-1034-043-0), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

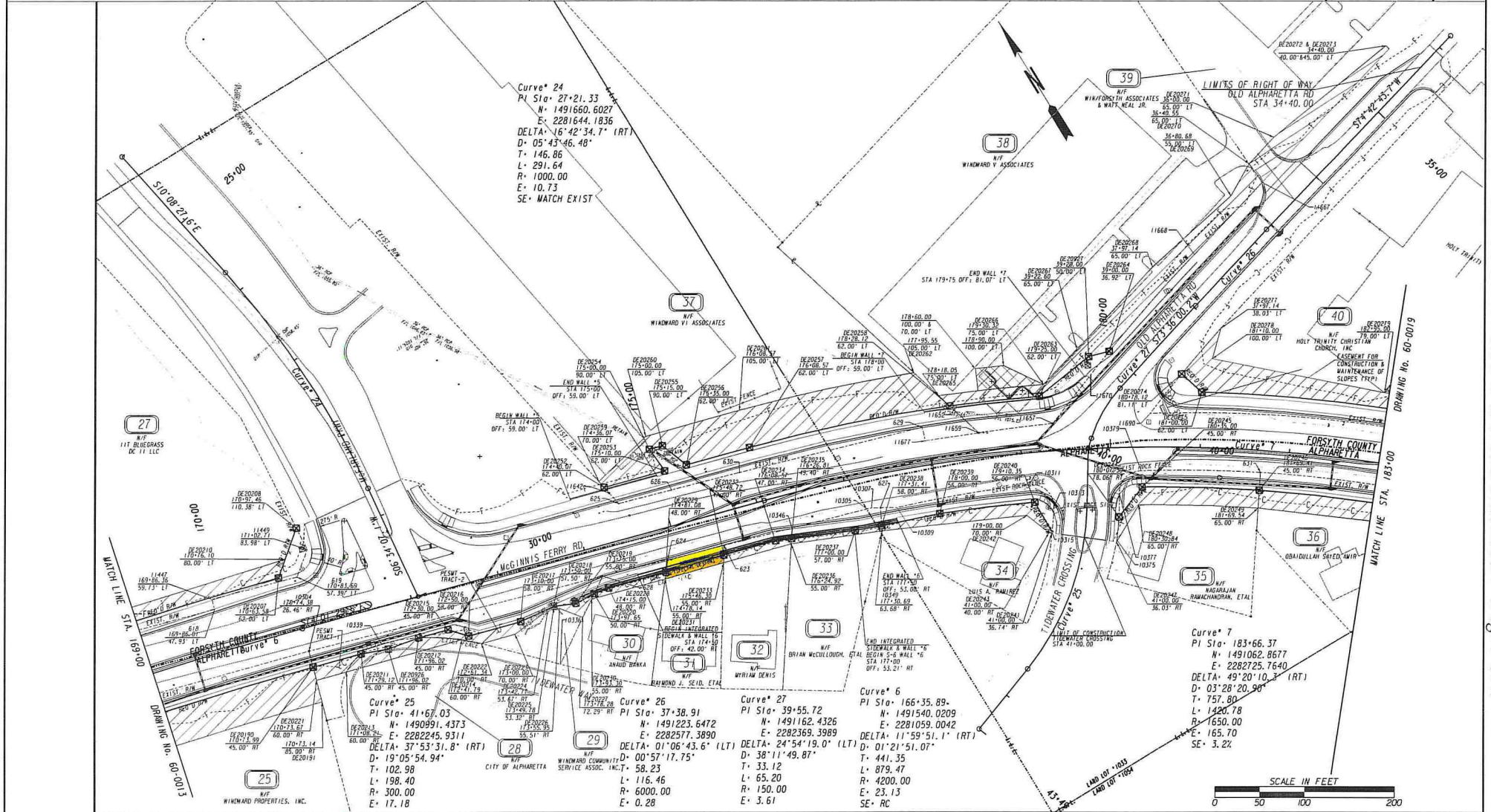
Michael D. Stacy, City Attorney

2/25/2020
DVE-Durila

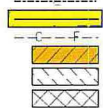
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DWGFILE

STATE OF GEORGIA
P.L. No.
0004634



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
RED'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
RED'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE REVISIONS

DATE REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP

PROJECT NO:0004634
COUNTY: FORTSMITH/FULTON
LAND LOT NO:
LAND DISTRICT:
CWD
DATE SH OF

DRAWING No.
60-0015

RECD R/W - PAR 20/SV RECD R/W DE566
PMT OFFSET DIST STATION BEARING ALIGNMENT

DE20211	45.00	R	171+29.12		McGinnis Ferry Rd Const CL
ARC LENGTH	58.99				
CHORD BEAR	S 85°03'40.5" E				
CHORD DIST	25.43				
RADIUS	58.99				
DEGREE	95°30'25.9"				
ARC LENGTH	40.13	R	171+54.07		McGinnis Ferry Rd Const CL
CHORD BEAR	S 67°24'24.9" E				
CHORD DIST	42.23				
RADIUS	58.99				
DEGREE	95°28'07.0"				
DE20212	45.00	R	171+96.02		McGinnis Ferry Rd Const CL
ARC LENGTH	36.15				
CHORD BEAR	N 17°41'06.9" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20226	48.00	R	171+60.00		McGinnis Ferry Rd Const CL
ARC LENGTH	31.03				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
RECD R/W	314.32	SE			
RECD EASMT	0.007	ACRES			
REMAINDER	1/2	UNKNOWN ACRES			

RECD PERM ESMT - PAR 20/SV RECD PERM ESMT DE570
PMT OFFSET DIST STATION BEARING ALIGNMENT

DE20213	60.00	R	171+06.21		McGinnis Ferry Rd Const CL
ARC LENGTH	25.31				
CHORD BEAR	N 70°19'10.5" E				
CHORD DIST	25.31				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20211	45.00	R	171+29.12		McGinnis Ferry Rd Const CL
ARC LENGTH	31.03				
CHORD BEAR	S 67°24'24.9" E				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20212	45.00	R	171+96.02		McGinnis Ferry Rd Const CL
ARC LENGTH	36.15				
CHORD BEAR	N 17°41'06.9" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20214	60.00	R	172+41.79		McGinnis Ferry Rd Const CL
ARC LENGTH	31.03				
CHORD BEAR	N 74°01'29.5" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
RECD R/W	1468.81	SE			
RECD EASMT	0.034	ACRES			

RECD R/W - PAR 20/SV19 RECD R/W DE568
PMT OFFSET DIST STATION BEARING ALIGNMENT

DE20190	45.00	R	170+73.99		McGinnis Ferry Rd Const CL
ARC LENGTH	18.74				
CHORD BEAR	N 17°10'26.9" E				
CHORD DIST	18.74				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20220	50.00	R	173+07.65		McGinnis Ferry Rd Const CL
ARC LENGTH	23.19				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	23.19				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20218	51.50	R	173+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	40.52				
CHORD BEAR	N 67°03'18.9" W				
CHORD DIST	40.52				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20217	58.00	R	173+10.00		McGinnis Ferry Rd Const CL
ARC LENGTH	60.00				
CHORD BEAR	N 74°01'29.5" W				
CHORD DIST	60.00				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20215	45.00	R	172+30.00		McGinnis Ferry Rd Const CL
ARC LENGTH	31.03				
CHORD BEAR	N 41°00'03.6" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20212	45.00	R	171+96.02		McGinnis Ferry Rd Const CL
ARC LENGTH	36.15				
CHORD BEAR	N 17°41'06.9" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20211	45.00	R	171+29.12		McGinnis Ferry Rd Const CL
ARC LENGTH	31.03				
CHORD BEAR	S 67°24'24.9" E				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20210	45.00	R	171+06.21		McGinnis Ferry Rd Const CL
ARC LENGTH	25.31				
CHORD BEAR	N 70°19'10.5" E				
CHORD DIST	25.31				
RADIUS	58.99				
DEGREE	95°30'25.9"				
RECD R/W	6484.97	SE			
RECD EASMT	0.149	ACRES			
REMAINDER	1/2	0.155 ACRES			

RECD PERM ESMT - PAR 20/SV19 RECD PERM ESMT DE569 PESMT-TRACT-1
PMT OFFSET DIST STATION BEARING ALIGNMENT

DE20221	60.00	R	170+73.99		McGinnis Ferry Rd Const CL
ARC LENGTH	18.74				
CHORD BEAR	N 17°10'26.9" E				
CHORD DIST	18.74				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20210	45.00	R	171+06.21		McGinnis Ferry Rd Const CL
ARC LENGTH	25.31				
CHORD BEAR	N 70°19'10.5" E				
CHORD DIST	25.31				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20213	60.00	R	171+06.21		McGinnis Ferry Rd Const CL
ARC LENGTH	25.31				
CHORD BEAR	N 70°19'10.5" E				
CHORD DIST	25.31				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20221	60.00	R	171+06.21		McGinnis Ferry Rd Const CL
ARC LENGTH	25.31				
CHORD BEAR	N 70°19'10.5" E				
CHORD DIST	25.31				
RADIUS	58.99				
DEGREE	95°30'25.9"				
RECD R/W	6484.97	SE			
RECD EASMT	0.015	ACRES			

RECD PERM ESMT - PAR 20/SV19 RECD PERM ESMT DE570 PESMT-TRACT-2
PMT OFFSET DIST STATION BEARING ALIGNMENT

DE20214	60.00	R	172+41.79		McGinnis Ferry Rd Const CL
ARC LENGTH	48.25				
CHORD BEAR	N 55°35'35.5" W				
CHORD DIST	48.25				
RADIUS	58.99				
DEGREE	95°28'07.0"				
DE20212	45.00	R	171+96.02		McGinnis Ferry Rd Const CL
ARC LENGTH	36.15				
CHORD BEAR	N 17°41'06.9" W				
CHORD DIST	31.03				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20215	45.00	R	172+30.00		McGinnis Ferry Rd Const CL
ARC LENGTH	23.19				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	23.19				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20216	58.00	R	172+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	60.00				
CHORD BEAR	N 74°01'29.5" E				
CHORD DIST	60.00				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20217	51.50	R	173+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	40.52				
CHORD BEAR	N 67°03'18.9" W				
CHORD DIST	40.52				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20218	51.50	R	173+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	40.52				
CHORD BEAR	N 67°03'18.9" W				
CHORD DIST	40.52				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20219	55.00	R	173+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	23.19				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	23.19				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20220	50.00	R	173+07.65		McGinnis Ferry Rd Const CL
ARC LENGTH	23.19				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	23.19				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20221	72.29	R	173+78.29		McGinnis Ferry Rd Const CL
ARC LENGTH	27.93				
CHORD BEAR	N 37°05'10.2" W				
CHORD DIST	27.93				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20226	55.51	R	173+50.00		McGinnis Ferry Rd Const CL
ARC LENGTH	23.19				
CHORD BEAR	N 68°28'35.7" W				
CHORD DIST	23.19				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20225	53.32	R	173+49.79		McGinnis Ferry Rd Const CL
ARC LENGTH	27.93				
CHORD BEAR	N 37°05'10.2" W				
CHORD DIST	27.93				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20224	53.67	R	173+42.17		McGinnis Ferry Rd Const CL
ARC LENGTH	27.93				
CHORD BEAR	N 37°05'10.2" W				
CHORD DIST	27.93				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20223	70.00	R	173+07.65		McGinnis Ferry Rd Const CL
ARC LENGTH	38.06				
CHORD BEAR	N 74°01'29.5" W				
CHORD DIST	38.06				
RADIUS	58.99				
DEGREE	95°30'25.9"				
DE20222	70.00	R	172+61.34		McGinnis Ferry Rd Const CL
ARC LENGTH	21.00				
CHORD BEAR	N 42°56'05.2" W				
CHORD DIST	21.00				
RADIUS	58.99				
DEGREE	95°28'07.0"				
DE20214	60.00	R	172+41.79		McGinnis Ferry Rd Const CL
ARC LENGTH	48.25				
CHORD BEAR	N 55°35'35.5" W				
CHORD DIST	48.25				
RADIUS	58.99				
DEGREE	95°28'07.0"				
RECD R/W	1251.70	SE			
RECD EASMT	0.038	ACRES			

RECD R/W - PAR 30/SV20 RECD R/W DEST1
PMT OFFSET DIST STATION BEARING ALIGNMENT

RECD R/W	PAR	30/5/2020	RECD R/W	DEST1	
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20220	50.00	R	173+07.65		McGinnis Ferry Rd Const CL
	35.00	R	173+07.65	47.5° E	
628	74.55	S	572+48.50	4.6° E	McGinnis Ferry Rd Const CL
624	35.00	R	174+86.50		McGinnis Ferry Rd Const CL
	50.00	R	174+86.50	49.9° W	
DE20229	48.00	R	174+86.50		McGinnis Ferry Rd Const CL
	66.08	R	N 74°01'29.5" W		
DE20228	48.00	R	174+15.00		McGinnis Ferry Rd Const CL
	77.47	R	N 80°36'00.0" W		
DE20220	50.00	R	173+07.65		McGinnis Ferry Rd Const CL
RECD R/W	1094.29	S	37.95		
RECD R/W	0.0025	29	ACRES		



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 4935 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 4935 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1034-042-2) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 4935 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 4935 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1034-042-2) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Myriam Denis located at 4935 Tidewater Way (Tax Parcel No.: 21 -5680-1034-042-2) within the City of Alpharetta, Georgia (reference: **Project Parcel 32**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 4935 Tidewater Way (Tax Parcel No.: 21 -5680-1034-042-2), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

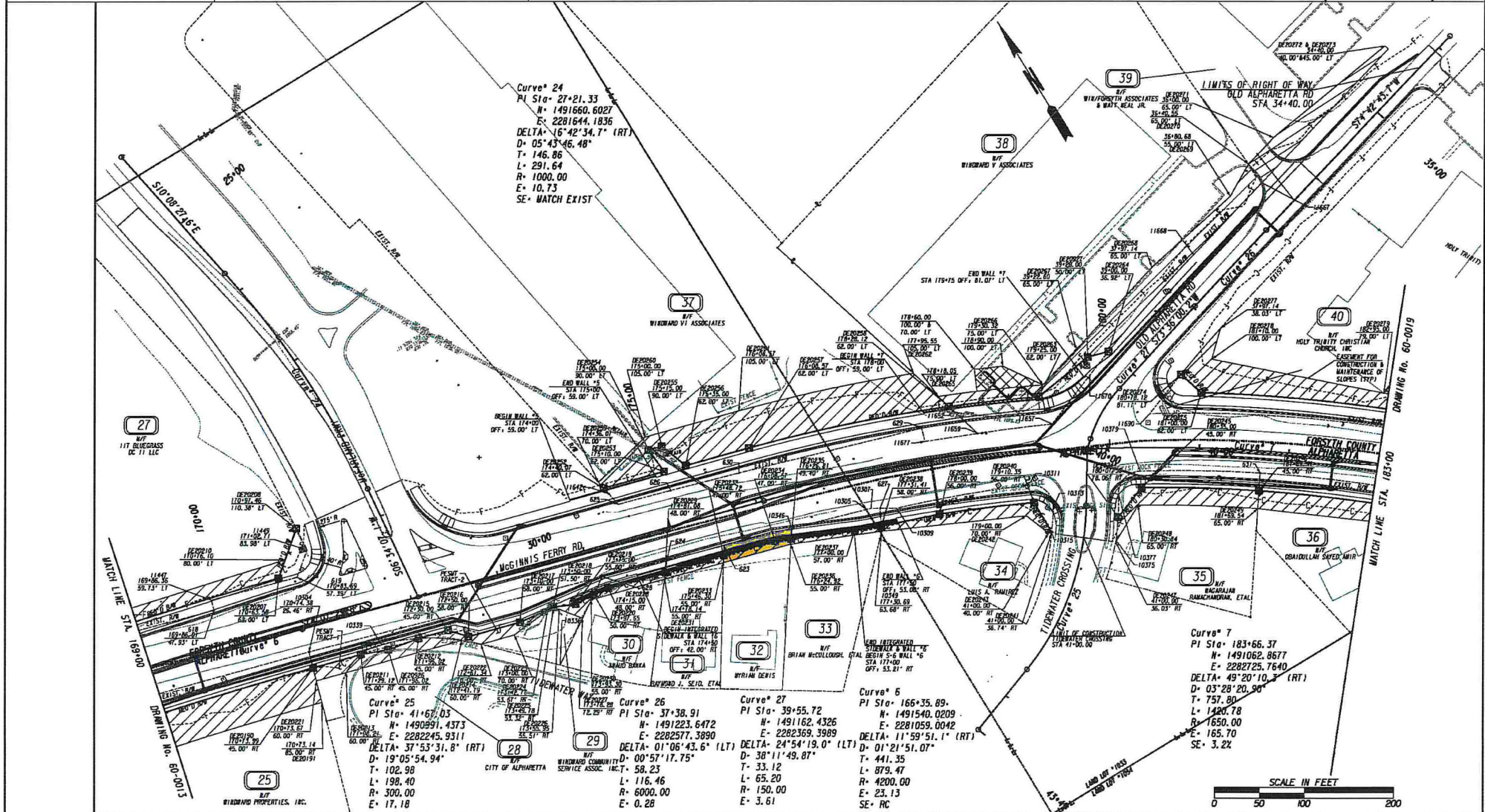
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSR & MAINTENANCE OF SLOPES EASEMENT FOR CONSR OF SLOPES EASEMENT FOR CONSR OF DRIVES		BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS REQ'D LIMIT OF ACCESS EXISTING LIMIT OF ACCESS & R/W REQ'D LIMIT OF ACCESS & R/W ORANGE BARRIER FENCE ESA - ENV. SENSITIVE AREA	DATE	REVISIONS	DATE	REVISIONS	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO: 0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: DATE SH OF

REDO PTM. ESM. - PAR 32/1922			REDO PTM. ESM.T. DE376	
PMT	OFFSET	DIST	STATION BEARING	ALIGNMENT
DE20233	55.00	A	175 46.30	McGinnis Ferry Rd Const Cl
DE20232	47.00	A	175 46.57 S. 6° E	McGinnis Ferry Rd Const Cl
DE20234	58.65	A	174 49.29 S. 5° E	McGinnis Ferry Rd Const Cl
DE20235	49.40	A	176 02.57 S. 44.9° E	McGinnis Ferry Rd Const Cl
DE20236	55.29	A	176 26.81 S. 09.9° W	McGinnis Ferry Rd Const Cl
DE20237	56.00	A	176 27.58 S. 02.6° E	McGinnis Ferry Rd Const Cl
DE20238	56.00	A	176 28.30	McGinnis Ferry Rd Const Cl

REQD R/W - PAV 33.5/523		REQ'D R/W DES77	
PMT	OFFSET	STAT/ION/	ALIGNMENT
	DIST	BEARING	
DE20235	49.40	176°26.81	W
	12.04	N 31.47°08.91 E	St
10346	31.35	176°53.51	W
	35.47	S 72°49'33.2" E	St
10305	36.92	177°18.27	W

ARC LENGTH	5.53		
CURVED DEPTH	5.17	42°51.6' E	
ARC LENGTH	5.53		
RAVINE	1418.23		
	1418.23		
10/30/1	56.07	13°15.6' E	
	3.45	54°57.24' E	McGinnis Ferry Rd Const
697	37.36	17°13.51' E	McGinnis Ferry Rd Const
	30.16	17°11.41' E	McGinnis Ferry Rd Const
20/20/3	58.00	17°11.41' E	McGinnis Ferry Rd Const
	30.33	56°24'55.6' W	McGinnis Ferry Rd Const
20/20/3	57.00	17°06.00' E	McGinnis Ferry Rd Const
	11.23	65°59'49.9' W	McGinnis Ferry Rd Const
20/20/35	49.40	17°06.81' E	McGinnis Ferry Rd Const
	1761.02	S	
10/60 10/60	0.840	N	
20/20/100R	1.0	1.0	
	0.341	N	

STATE OF GEORGIA		
DEPARTMENT OF TRANSPORTATION		
RIGHT OF WAY MAP		
PROJECT NO. 0004634		
COUNTY: FORSYTH/FULTON		
LAND LOT NO:		
LAND DISTRICT:		
GWD		
DATE	SH	OF

DRAWING NO.
60-0016



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 5025 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5025 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1033-072-0) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 5025 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 5025 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1033-072-0) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Naeemahemed Mulla located at 5025 Tidewater Way (Tax Parcel No.: 21 -5680-1033-072-0) within the City of Alpharetta, Georgia (reference: **Project Parcel 42**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 5025 Tidewater Way (Tax Parcel No.: 21 -5680-1033-072-0), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

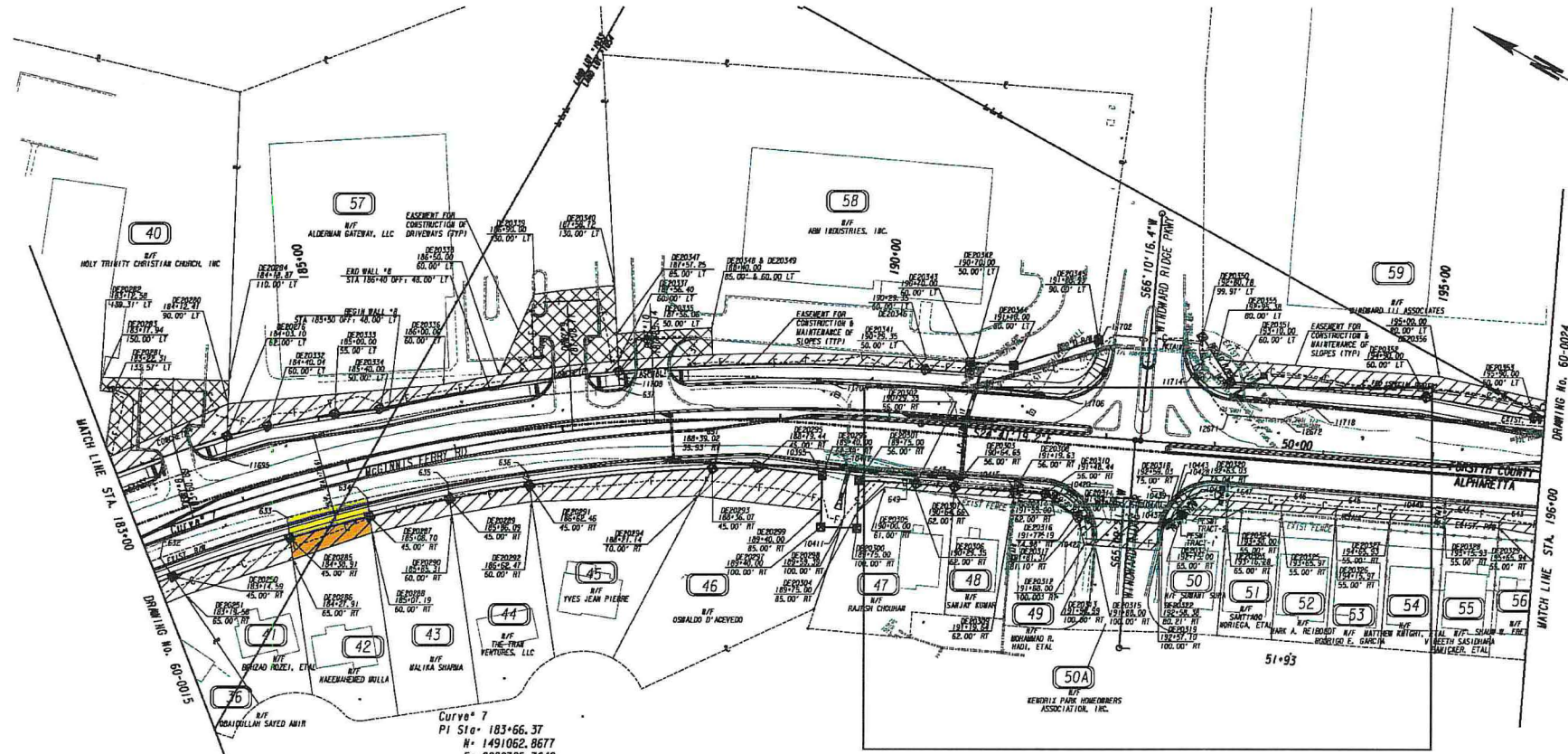
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



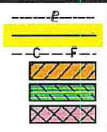
DRAWING NO. 60-0024
MATCH LINE STA. 196+00

NOTE: SEE INSET #1 SHEET 60-0019a

Curve # 7
PI STA= 183+66.37
R= 1491052.8677
E= 2282725.7640
DELTA= 49°20'10.3" (RT)
D= 03°28'20.90"
T= 757.80
L= 1420.78
R= 1650.00
E= 165.70
SE= 3.2%



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REQ'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REQ'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS

DATE	REVISIONS

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY MAP	
PROJECT NO: 0004634	
COUNTY: FORSYTH/FULTON	
LAND LOT NO:	
LAND DISTRICT:	
DATE	SH OF
DRAWING NO. 60-0019	

RECD R/W - PAR 41/51/27 RECD R/W DE593				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20250	45.00 R	183+14.59	McGinnis Ferry Rd Const CL	
632	28.75 R	N 27°00'32.7" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	122.02			
CHORD BEAR	S 46°48'18.9" E			
CHORD DIST	122.01			
RADIUS	1419.23			
DEGREES	4°02'13.6"			
633	26.75 R	184+11.63	McGinnis Ferry Rd Const CL	
634	18.81 R	S 52°42'56.2" W	McGinnis Ferry Rd Const CL	
DE20255	45.00 R	184+30.91	McGinnis Ferry Rd Const CL	
ARC LENGTH	175.14			
CHORD BEAR	N 77°25'20.3" W			
CHORD DIST	175.13			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20260	45.00 R	183+14.59	McGinnis Ferry Rd Const CL	
RECD R/W	2355.51			
RECD R/W	0.003			
REMAINDER	17- 0.259			

RECD PERM ESMT - PAR 41/51/27 RECD PERM ESMT DE593				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20251	65.00 R	183+19.59	McGinnis Ferry Rd Const CL	
632	28.75 R	N 27°00'32.7" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	172.43			
CHORD BEAR	S 47°29'50.3" E			
CHORD DIST	172.42			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20255	45.00 R	184+30.40	McGinnis Ferry Rd Const CL	
633	20.14 R	S 51°19'02.8" W	McGinnis Ferry Rd Const CL	
DE20260	65.00 R	184+19.59	McGinnis Ferry Rd Const CL	
634	104.04 R	N 77°25'15.4" W	McGinnis Ferry Rd Const CL	
DE20265	65.00 R	183+19.59	McGinnis Ferry Rd Const CL	
RECD R/W	2226.25			
RECD R/W	0.001			
REMAINDER	17- 0.051			

RECD R/W - PAR 42/51/28 RECD R/W DE596				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL	
633	26.75 R	N 52°42'56.2" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 42°55'45.0" E			
CHORD DIST	75.51			
RADIUS	1419.23			
DEGREES	4°02'13.6"			
634	27.72 R	185+10.39	McGinnis Ferry Rd Const CL	
635	17.25 R	S 52°45'21.3" W	McGinnis Ferry Rd Const CL	
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	N 44°01'07.7" W			
CHORD DIST	75.50			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20290	45.00 R	184+30.91	McGinnis Ferry Rd Const CL	
RECD R/W	1318.60			
RECD R/W	0.001			
REMAINDER	17- 0.259			

RECD PERM ESMT - PAR 42/51/28 RECD PERM ESMT DE596				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20286	65.00 R	184+37.91	McGinnis Ferry Rd Const CL	
633	20.21 R	N 52°42'56.2" E	McGinnis Ferry Rd Const CL	
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 44°07'07.7" E			
CHORD DIST	75.50			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL	
634	15.07 R	N 52°45'21.3" E	McGinnis Ferry Rd Const CL	
DE20288	60.00 R	185+07.19	McGinnis Ferry Rd Const CL	
635	75.44 R	N 47°38'47.4" W	McGinnis Ferry Rd Const CL	
RECD R/W	1318.60			
RECD R/W	0.001			
REMAINDER	17- 0.259			

RECD R/W - PAR 43/51/29 RECD R/W DE597				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20289	45.00 R	185+08.70	McGinnis Ferry Rd Const CL	
634	27.25 R	N 52°45'21.3" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 38°51'05.8" E			
CHORD DIST	75.51			
RADIUS	1419.23			
DEGREES	4°02'13.6"			
635	23.19 R	185+05.87	McGinnis Ferry Rd Const CL	
636	15.30 R	S 52°45'54.1" W	McGinnis Ferry Rd Const CL	
DE20289	45.00 R	185+05.09	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	N 41°25'27.9" W			
CHORD DIST	75.50			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20291	45.00 R	185+09.70	McGinnis Ferry Rd Const CL	
RECD R/W	1225.74			
RECD R/W	0.002			
REMAINDER	17- 0.325			

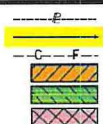
RECD PERM ESMT - PAR 43/51/29 RECD PERM ESMT DE598				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20290	60.00 R	185+07.19	McGinnis Ferry Rd Const CL	
634	15.07 R	N 52°45'21.3" E	McGinnis Ferry Rd Const CL	
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 41°25'27.9" E			
CHORD DIST	75.50			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20289	45.00 R	185+06.09	McGinnis Ferry Rd Const CL	
635	15.02 R	S 52°45'54.1" W	McGinnis Ferry Rd Const CL	
DE20290	60.00 R	185+05.11	McGinnis Ferry Rd Const CL	
636	75.57 R	N 47°24'50.6" W	McGinnis Ferry Rd Const CL	
DE20290	60.00 R	185+07.19	McGinnis Ferry Rd Const CL	
RECD R/W	1151.56			
RECD R/W	0.006			
REMAINDER	17- 0.026			

RECD R/W - PAR 44/51/30 RECD R/W DE599				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20295	45.00 R	185+06.09	McGinnis Ferry Rd Const CL	
635	15.30 R	N 52°45'54.1" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 38°19'34.1" E			
CHORD DIST	74.71			
RADIUS	1419.23			
DEGREES	4°02'13.6"			
636	32.83 R	186+07.46	McGinnis Ferry Rd Const CL	
637	17.17 R	S 52°32'10.1" W	McGinnis Ferry Rd Const CL	
DE20294	45.00 R	186+07.46	McGinnis Ferry Rd Const CL	
ARC LENGTH	74.70			
CHORD BEAR	N 38°45'16.8" W			
CHORD DIST	74.70			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20295	45.00 R	185+06.09	McGinnis Ferry Rd Const CL	
RECD R/W	1021.21			
RECD R/W	0.003			
REMAINDER	17- 0.512			

RECD PERM ESMT - PAR 44/51/30 RECD PERM ESMT DE600				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20290	60.00 R	185+05.31	McGinnis Ferry Rd Const CL	
635	15.02 R	N 52°45'54.1" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	75.51			
CHORD BEAR	S 38°45'16.8" E			
CHORD DIST	74.70			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20291	45.00 R	185+05.45	McGinnis Ferry Rd Const CL	
636	15.09 R	S 52°32'10.1" W	McGinnis Ferry Rd Const CL	
DE20292	60.00 R	185+02.47	McGinnis Ferry Rd Const CL	
ARC LENGTH	74.35			
CHORD BEAR	N 38°45'04.9" W			
CHORD DIST	74.35			
RADIUS	1605.00			
DEGREES	3°54'12.5"			
DE20290	60.00 R	185+05.31	McGinnis Ferry Rd Const CL	
RECD R/W	1114.83			
RECD R/W	0.006			
REMAINDER	17- 0.066			

RECD R/W - PAR 45/51/31 RECD R/W DE601				
PNT	OFFSET/	STATION/	ALIGNMENT	
	DIST	BEARING		
DE20294	45.00 R	186+02.46	McGinnis Ferry Rd Const CL	
636	12.17 R	N 52°32'10.1" E	McGinnis Ferry Rd Const CL	
ARC LENGTH	112.85			
CHORD BEAR	S 39°00'29.6" E			
CHORD DIST	112.74			
RADIUS	1419.23			
DEGREES	4°02'13.6"			
637	35.91 R	186+39.02	McGinnis Ferry Rd Const CL	
638	8.83 R	S 69°11'27.4" W	McGinnis Ferry Rd Const CL	
DE20294	45.00 R	186+39.02	McGinnis Ferry Rd Const CL	
ARC LENGTH	164.39			
CHORD BEAR	N 34°24'58.3" W			
CHORD DIST	163.19			
RADIUS	1605.00			
DEGREES	3°54'11.4"			
DE20291	45.00 R	186+02.46	McGinnis Ferry Rd Const CL	
RECD R/W	1511.69			
RECD R/W	2.005			
REMAINDER	17- 5.421			

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
RECD LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
RECD LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS	DATE	REVISIONS

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY MAP	
PROJECT NO: 0004634	
COUNTY: FORSYTH/FULTON	
LAND LOT NO:	
LAND DISTRICT:	
DATE	SH OF 60-0020



STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 5065 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5065 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1054-068-2) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 5065 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 5065 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-068-2) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Oswaldo D'Acevedo located at 5065 Tidewater Way (Tax Parcel No.: 21 -5680-1054-068-2) within the City of Alpharetta, Georgia (reference: **Project Parcel 46**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 5065 Tidewater Way (Tax Parcel No.: 21 -5680-1054-068-2), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

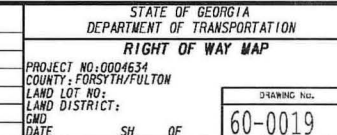
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20292	60.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

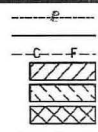
RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

RECD PERM ESM - PAR 45/50/31 RECD PERM ESM - DE502				
PNT	OFFSET	DIST	STATION	ALIGNMENT
DE20293	45.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+53.47	McGinnis Ferry Rd Const CL
DE20295	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20296	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20297	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20298	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
DE20299	52.33	R	189+53.47	McGinnis Ferry Rd Const CL
RECD ESM				
RECD ESM				

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REQ'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REQ'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS

DATE	REVISIONS

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY MAP	
PROJECT NO. 0004634	
COUNTY: FORSTH/FULTON	
LAND LOT NO:	
LAND DISTRICT:	
DATE	SH OF
60-0021	



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13029 DARTMORE AVENUE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13029 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1054-092-2) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 13029 Dartmore Avenue

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13029 DARTMORE AVENUE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-092-2) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Kalyan Veluri and Varnika Srivastava located at 13029 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-092-2) within the City of Alpharetta, Georgia (reference: **Project Parcel 52**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13029 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-092-2), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

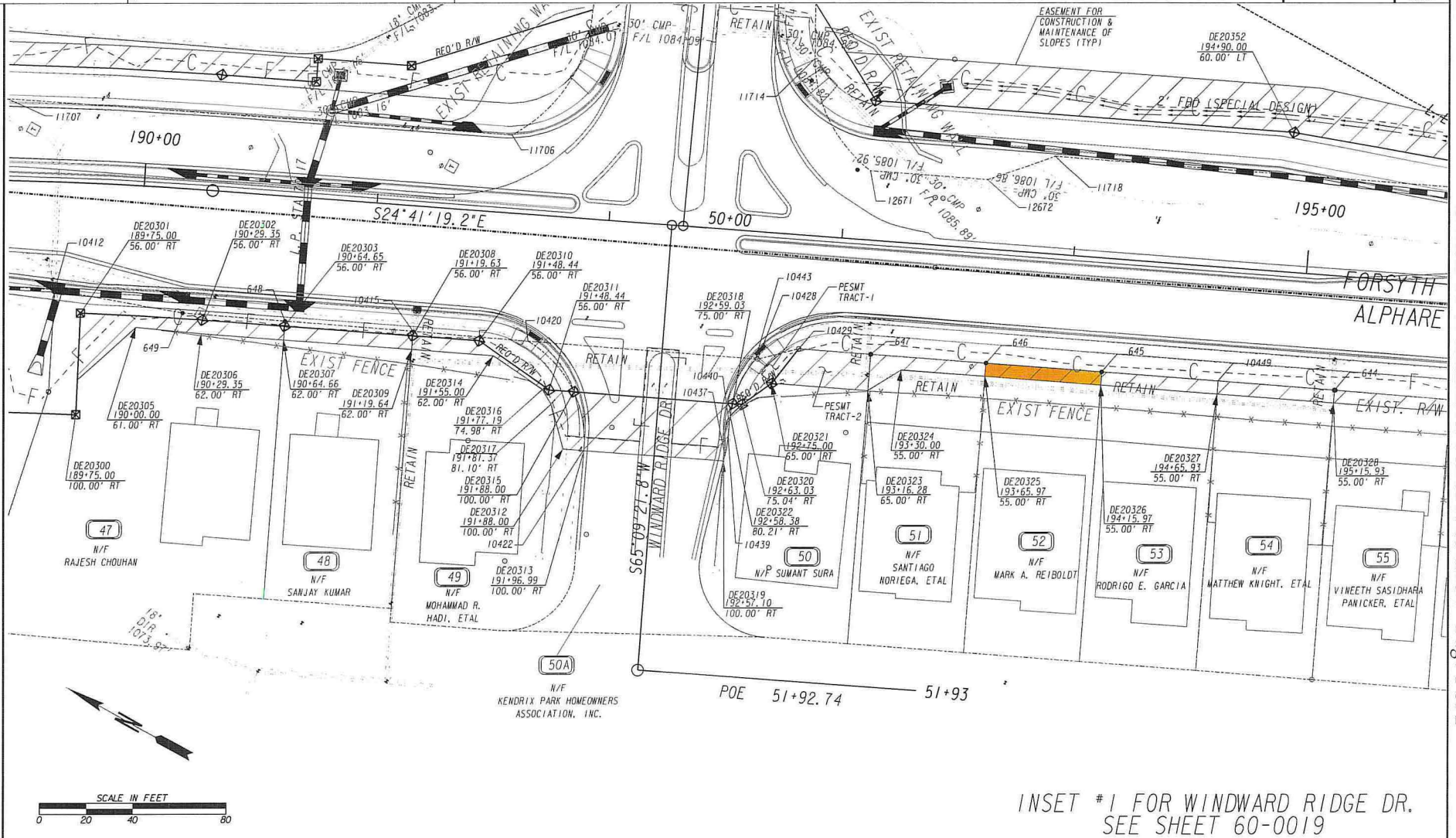
Michael D. Stacy, City Attorney

2/3/2020
C/E-Borla

PL01-VB
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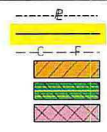
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GMP/PL

---GDT---
P.L. No.
0004634



INSET #1 FOR WINDWARD RIDGE DR.
SEE SHEET 60-0019

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
RED'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
RED'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS

DATE	REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO. 0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
DATE SH OF
DRAWING No.
60-0019A

RECD R/W - PAR 50/SV37 RECD'D R/W DE613

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20318 75.00 R 192°59.03 McGinnis Ferry Rd Const CL
ARC LENGTH = 21.94
CHORD BEAR = N 87°56'00.0" E
LATH CHORD = 21.77
RADIUS = 49.99
DEGREE = 114°36'31.5"
10443 54.91 R 192°47.40 McGinnis Ferry Rd Const CL
0.79 S 24°31'13.2" E
10428 54.91 R 192°58.19 McGinnis Ferry Rd Const CL
0.79 S 24°31'13.2" E
10429 49.13 R 192°45.75 McGinnis Ferry Rd Const CL
0.95 S 24°31'13.2" E
DE20321 65.00 R 192°45.75 McGinnis Ferry Rd Const CL
0.95 S 24°31'13.2" E
DE20320 75.04 R 192°59.03 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
RECD R/W = 0.006 ACRES
REMAINDER = 47-0.163 ACRES

RECD PERM ESMT - PAR 50/SV37 RECD'D PERM. EASMT. DE614 PERM-TRACT-1

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20322 80.21 R 192°58.38 McGinnis Ferry Rd Const CL
ARC LENGTH = 20.91
CHORD BEAR = N 72°21'01.4" E
LATH CHORD = 5.25
RADIUS = 49.99
DEGREE = 114°36'31.5"
DE20318 75.00 R 192°59.03 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
DE20320 75.04 R 192°59.03 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
DE20322 80.21 R 192°58.38 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
RECD EASMT = 10.69 SF
RECD EASMT = 0.000 ACRES

RECD PERM ESMT - PAR 50/SV37 RECD'D PERM. EASMT. DE615 PERM-TRACT-2

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20321 65.00 R 192°45.75 McGinnis Ferry Rd Const CL
0.95 S 24°31'13.2" E
10429 49.13 R 192°45.75 McGinnis Ferry Rd Const CL
0.95 S 24°31'13.2" E
647 49.14 R 192°40.00.7" E McGinnis Ferry Rd Const CL
15.86 S 65°23'14.4" W
DE20323 65.00 R 193°16.28 McGinnis Ferry Rd Const CL
10.28 S 65°41'19.2" W
DE20321 65.00 R 192°45.75 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
RECD EASMT = 0.013 ACRES

RECD PERM ESMT - PAR 51/SV38 RECD'D PERM. EASMT. DE616

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20323 65.00 R 193°16.28 McGinnis Ferry Rd Const CL
15.86 S 65°23'14.4" E
647 49.14 R 193°16.28 McGinnis Ferry Rd Const CL
15.86 S 65°23'14.4" E
646 49.25 R 193°16.28 McGinnis Ferry Rd Const CL
15.86 S 65°23'14.4" E
DE20325 55.00 R 193°45.97 McGinnis Ferry Rd Const CL
0.79 S 24°31'13.2" E
DE20324 55.00 R 193°30.00 McGinnis Ferry Rd Const CL
16.98 S 60°46'13.8" W
DE20323 65.00 R 193°16.28 McGinnis Ferry Rd Const CL
0.00 S 24°31'13.2" E
RECD EASMT = 356.77 SF
RECD EASMT = 0.008 ACRES

RECD PERM ESMT - PAR 51/SV38 RECD'D PERM. EASMT. DE617

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20325 55.00 R 193°45.97 McGinnis Ferry Rd Const CL
0.79 S 24°31'13.2" E
646 49.25 R 193°45.97 McGinnis Ferry Rd Const CL
0.79 S 24°31'13.2" E
645 49.21 R 194°15.95 McGinnis Ferry Rd Const CL
5.19 S 65°11'27.6" W
DE20326 55.00 R 194°15.95 McGinnis Ferry Rd Const CL
49.99 S 24°41'19.2" W

RECD PERM ESMT - PAR 53/SV40 RECD'D PERM. EASMT. DE618

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20326 55.00 R 194°15.95 McGinnis Ferry Rd Const CL
49.99 S 24°41'19.2" E
645 49.91 R 194°15.95 McGinnis Ferry Rd Const CL
49.91 S 24°41'19.2" E
10449 49.34 R 194°45.95 McGinnis Ferry Rd Const CL
5.66 S 65°10'47.0" W
DE20327 55.00 R 194°45.95 McGinnis Ferry Rd Const CL
49.91 S 24°41'19.2" W
DE20326 55.00 R 194°15.95 McGinnis Ferry Rd Const CL
0.00 S 24°41'19.2" W
RECD EASMT = 206.13 SF
RECD EASMT = 0.007 ACRES

RECD PERM ESMT - PAR 54/SV41 RECD'D PERM. EASMT. DE619

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20327 55.00 R 194°45.95 McGinnis Ferry Rd Const CL
49.91 S 24°41'19.2" E
10449 49.34 R 194°45.95 McGinnis Ferry Rd Const CL
5.66 S 65°10'47.0" W
644 49.47 R 195°15.91 McGinnis Ferry Rd Const CL
5.53 S 65°00'05.1" W
DE20328 55.00 R 195°15.91 McGinnis Ferry Rd Const CL
50.00 S 24°41'19.2" W
DE20327 55.00 R 194°45.95 McGinnis Ferry Rd Const CL
0.00 S 24°41'19.2" W
RECD EASMT = 273.66 SF
RECD EASMT = 0.006 ACRES

RECD PERM ESMT - PAR 55/SV42 RECD'D PERM. EASMT. DE620

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20328 55.00 R 195°15.91 McGinnis Ferry Rd Const CL
5.53 S 65°00'05.1" E
644 49.47 R 195°15.91 McGinnis Ferry Rd Const CL
5.53 S 65°00'05.1" E
643 49.77 R 195°45.93 McGinnis Ferry Rd Const CL
5.23 S 65°00'39.6" W
DE20329 55.00 R 195°45.93 McGinnis Ferry Rd Const CL
50.01 S 24°41'19.2" W
DE20328 55.00 R 195°15.91 McGinnis Ferry Rd Const CL
0.00 S 24°41'19.2" W
RECD EASMT = 269.01 SF
RECD EASMT = 0.006 ACRES

RECD PERM ESMT - PAR 56/SV43 RECD'D PERM. EASMT. DE621

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20329 55.00 R 195°45.93 McGinnis Ferry Rd Const CL
5.23 S 65°00'39.6" W
643 49.77 R 195°45.93 McGinnis Ferry Rd Const CL
5.23 S 65°00'39.6" W
654 49.60 R 196°15.93 McGinnis Ferry Rd Const CL
10.40 S 65°10'01.6" W
DE20330 60.00 R 196°15.93 McGinnis Ferry Rd Const CL
50.27 S 18°30'48.8" W
DE20329 55.00 R 195°45.93 McGinnis Ferry Rd Const CL
0.00 S 24°41'19.2" W
RECD EASMT = 190.67 SF
RECD EASMT = 0.009 ACRES

RECD R/W - PAR 57/SV210 RECD'D R/W DE622

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20276 62.00 L 184°01.10 McGinnis Ferry Rd Const CL
38.36 S 42°18.7" E
DE20332 60.00 L 184°01.10 McGinnis Ferry Rd Const CL
62.24 S 39°30'15.5" E
DE20333 55.00 L 185°00.00 McGinnis Ferry Rd Const CL
41.57 S 35°23'06.9" E
DE20334 50.00 L 185°00.00 McGinnis Ferry Rd Const CL
ARC LENGTH = 222.00
CHORD BEAR = S 91°55'47.8" E
LATH CHORD = 222.45
RADIUS = 1700.00
DEGREE = 172°13.2"
DE20335 50.00 L 187°56.05 McGinnis Ferry Rd Const CL
5.44 S 57°52'46.0" W
11708 43.56 L 187°55.83 McGinnis Ferry Rd Const CL
10.00 S 57°52'46.3" W
637 33.54 L 187°55.48 McGinnis Ferry Rd Const CL
ARC LENGTH = 367.94
CHORD BEAR = N 39°14'51.3" W
LATH CHORD = 366.99
RADIUS = 1699.22
DEGREE = 17°52'24.2"
11695 41.25 L 183°55.89 McGinnis Ferry Rd Const CL
22.00 S 65°41'19.2" E
DE20276 62.00 L 184°01.10 McGinnis Ferry Rd Const CL
RECD R/W = 3043.10 ACRES
RECD R/W = 0.171 ACRES
REMAINDER = 47-2.750 ACRES

RECD PERM ESMT - PAR 57/SV210 RECD'D PERM. EASMT. DE623

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20280 90.00 L 184°19.41 McGinnis Ferry Rd Const CL
108.29 S 34°10'00.5" E
DE20336 60.00 L 186°00.00 McGinnis Ferry Rd Const CL
ARC LENGTH = 162.03
CHORD BEAR = S 35°16'45.5" E
LATH CHORD = 162.03
RADIUS = 1700.00
DEGREE = 171°02.3"
DE20337 60.00 L 187°56.40 McGinnis Ferry Rd Const CL
10.01 S 57°52'46.0" W
DE20335 50.00 L 187°56.05 McGinnis Ferry Rd Const CL
ARC LENGTH = 222.60
CHORD BEAR = N 91°55'47.8" W
LATH CHORD = 222.45
RADIUS = 1700.00
DEGREE = 172°13.2"

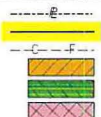
DE20334 50.00 L 185°00.00 McGinnis Ferry Rd Const CL
41.57 S 35°23'06.9" W
DE20333 55.00 L 185°00.00 McGinnis Ferry Rd Const CL
62.24 S 39°30'15.5" W
DE20332 60.00 L 184°01.10 McGinnis Ferry Rd Const CL
38.36 S 42°18.7" W
DE20276 62.00 L 184°01.10 McGinnis Ferry Rd Const CL
29.64 S 62°54'12.0" E
DE20280 90.00 L 184°12.41 McGinnis Ferry Rd Const CL
RECD EASMT = 5306.10 ACRES
RECD EASMT = 0.124 ACRES

RECD DWMY ESMT - PAR 57/SV210 RECD'D DWMY. EASMT. DE624

PNT OFFSET/ DIST STATION/ BEARING ALIGNMENT

DE20338 60.00 L 186°50.00 McGinnis Ferry Rd Const CL
DE20339 130.00 L 186°50.00 McGinnis Ferry Rd Const CL
ARC LENGTH = 174.14
CHORD BEAR = S 35°16'45.5" E
LATH CHORD = 174.13
RADIUS = 1700.00
DEGREE = 171°07.9"
DE20340 130.00 L 187°56.72 McGinnis Ferry Rd Const CL
DE20337 60.00 L 187°56.40 McGinnis Ferry Rd Const CL
ARC LENGTH = 162.03
CHORD BEAR = N 36°00'50.6" E
LATH CHORD = 162.03
RADIUS = 1700.00
DEGREE = 171°02.3"
DE20338 60.00 L 186°50.00 McGinnis Ferry Rd Const CL

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
RECD'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
RECD'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE REVISIONS

DATE REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP

PROJECT NO: D-0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
GMD
DATE SH OF

DRAWING No.
60-0022



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13037 DARTMORE AVENUE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13037 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1054-090-6) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 13037 Dartmore Avenue

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13037 DARTMORE AVENUE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-090-6) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Sumant Sura and Radha Sura located at 13037 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-090-6) within the City of Alpharetta, Georgia (reference: **Project Parcel 50**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13037 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-090-6), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

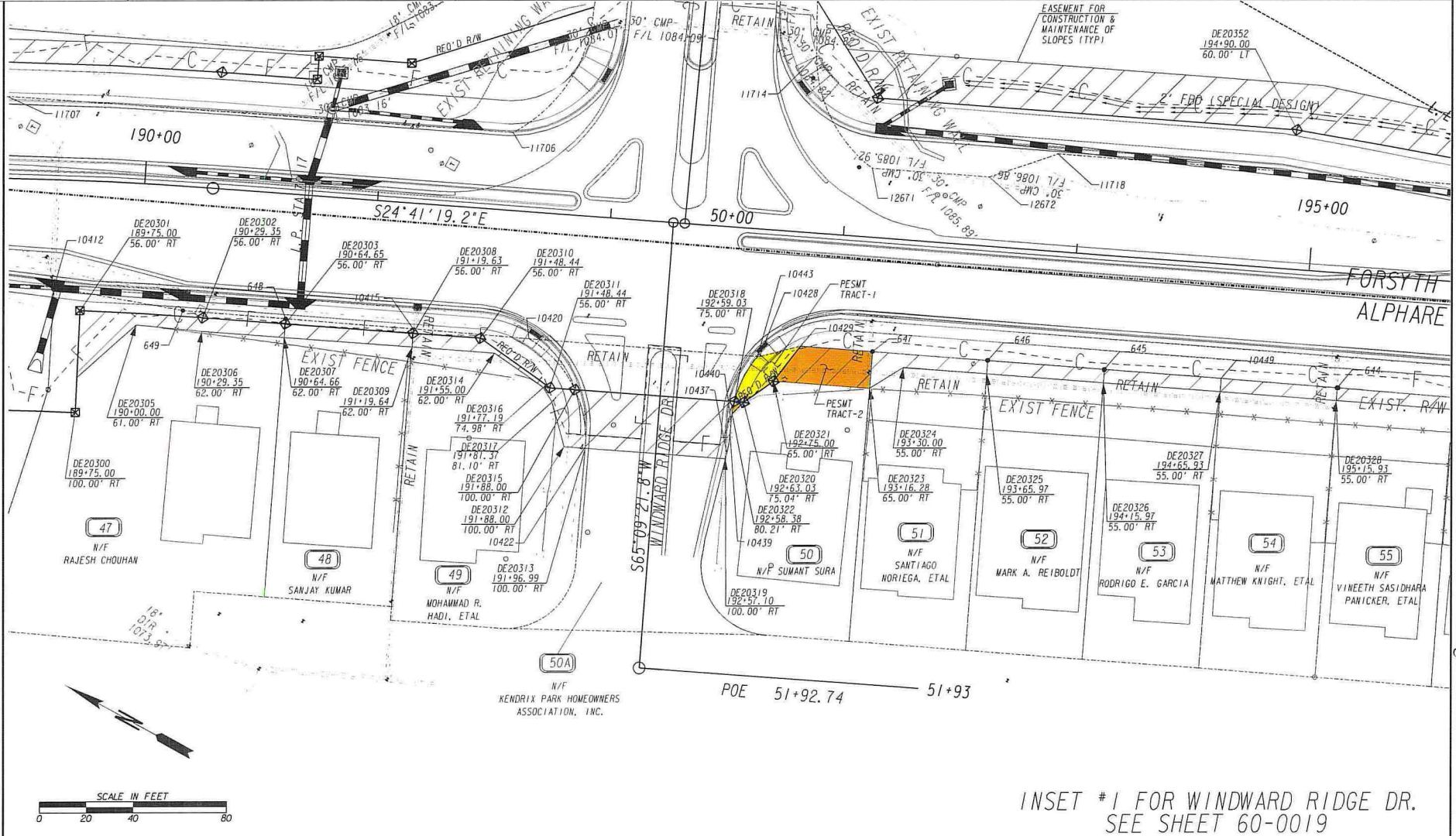
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



INSET #1 FOR WINDWARD RIDGE DR.
SEE SHEET 60-0019

PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES		BEGIN LIMIT OF ACCESS.....BLA	DATE	REVISIONS	DATE	REVISIONS	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO: 0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: GMD DATE	SH	OF	DRAWING No. 60-0019A
		END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS RED'D LIMIT OF ACCESS EXISTING LIMIT OF ACCESS & R/W RED'D LIMIT OF ACCESS & R/W ORANGE BARRIER FENCE ESA - ENV. SENSITIVE AREA								

DRAWING No.
60-0022



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13045 DARTMORE AVENUE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13045 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1054-089-8) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 13045 Dartmore Avenue

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13045 DARTMORE AVENUE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-089-8) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Tony E. Jung and Min Jung located at 13045 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-089-8) within the City of Alpharetta, Georgia (reference: **Project Parcel 49**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13045 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-089-8), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

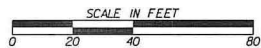
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



INSET #1 FOR WINDWARD RIDGE DR.
SEE SHEET 60-0019

STATE OF GEORGIA	
DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY MAP	
PROJECT NO: 0004634	
COUNTY: FORSYTH/FULTON	
LAND LOT NO:	
LAND DISTRICT:	
GMD	DRAWING No.
DAIF SH OF	60-0019A

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20292	60.00	R	189+59.07	N 88°12'10.1" E	McGinnis Ferry Rd Const CL
DE20291	45.00	R	189+62.35	N 88°12'10.1" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'10.1" E				
CHORD DIST	189.00				
DE20293	45.00	R	189+59.07	N 88°12'27.4" W	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+59.07	N 88°12'27.4" W	McGinnis Ferry Rd Const CL
DE20295	60.00	R	189+59.07	N 88°12'27.4" W	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.019	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20293	45.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20291	39.93	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'27.4" E				
CHORD DIST	189.00				
DE20293	45.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20295	60.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.019	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20294	70.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20293	45.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'27.4" E				
CHORD DIST	189.00				
DE20293	45.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20294	70.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
DE20295	60.00	R	189+59.07	N 88°12'27.4" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.019	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20298	100.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
10411	90.48	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
10412	46.35	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
649	53.25	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
648	53.25	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20303	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20302	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'56.0" E				
CHORD DIST	189.00				
DE20301	56.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20300	100.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20298	100.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.022	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20304	85.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20301	56.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'56.0" E				
CHORD DIST	189.00				
DE20304	85.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20303	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20307	62.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20306	62.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20305	61.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20304	85.00	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.018	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20303	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
648	53.25	R	189+59.07	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
10415	54.06	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20303	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20307	62.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20303	56.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20309	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20307	62.00	R	190+04.65	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.008	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20308	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
10415	54.06	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'56.0" E				
CHORD DIST	189.00				
DE20308	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20311	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20310	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

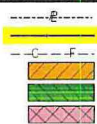
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20309	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20310	56.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20311	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20315	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
CHORD BEARING	189°12'56.0" E				
CHORD DIST	189.00				
DE20309	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20313	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20317	81.10	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20316	74.98	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20314	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20315	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20313	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20317	81.10	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20316	74.98	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20314	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20315	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20313	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20317	81.10	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20316	74.98	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20314	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT
DE20315	75.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20313	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20317	81.10	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20316	74.98	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
DE20314	62.00	R	191+09.63	N 88°12'56.0" E	McGinnis Ferry Rd Const CL
RECD PERM ESMT	0.010	ACRES			

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REO'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REO'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS

DATE	REVISIONS



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13049 DARTMORE AVENUE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13049 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21-5680-1054-088-0) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 13049 Dartmore Avenue

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13049 DARTMORE AVENUE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-088-0) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Sanjay Kumar and Vijaya Gupta located at 13049 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-088-0) within the City of Alpharetta, Georgia (reference: **Project Parcel 48**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13049 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-088-0), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

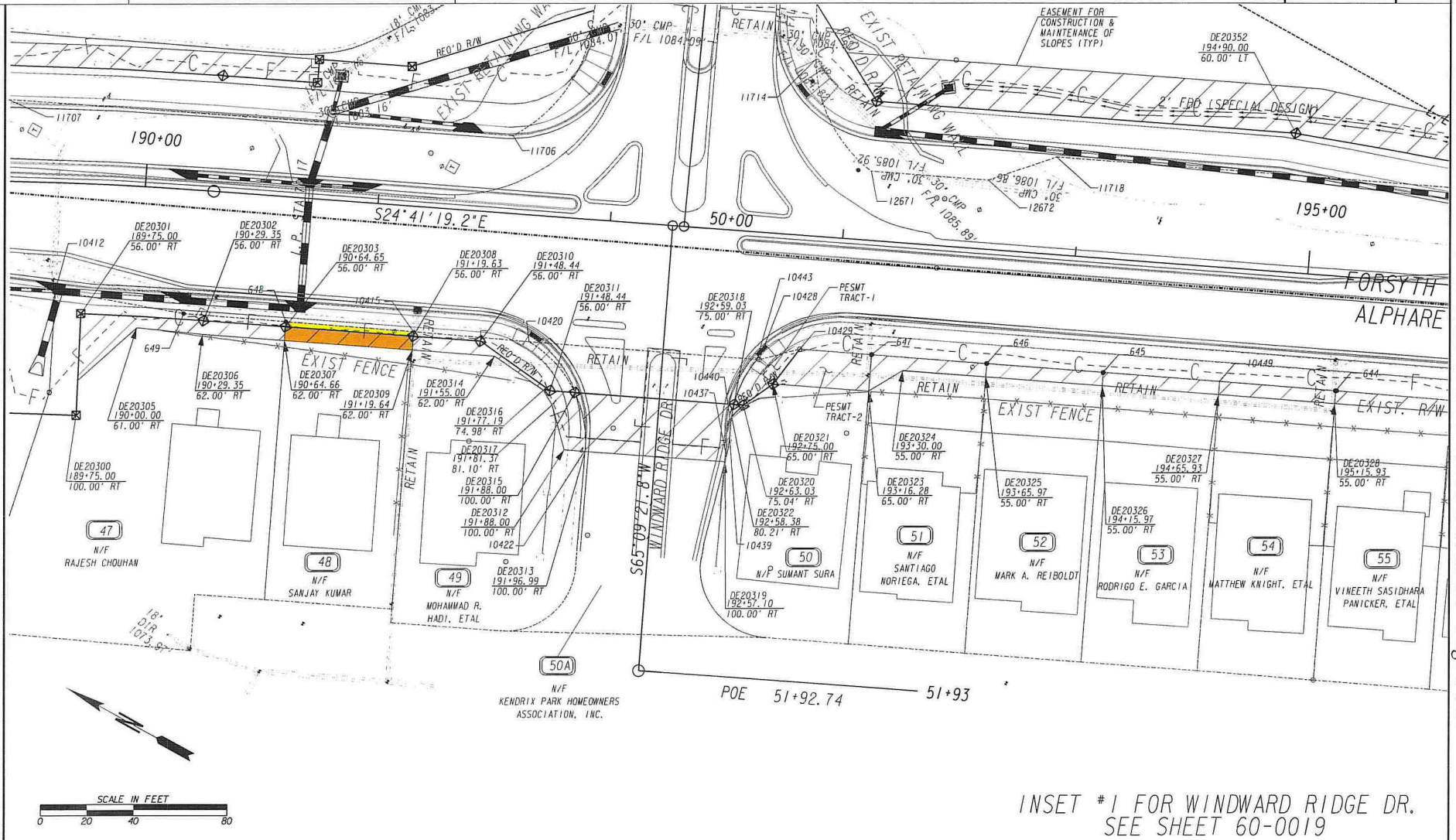
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

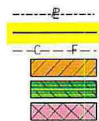
Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



INSET #1 FOR WINDWARD RIDGE DR.
SEE SHEET 60-0019

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REQ'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REQ'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE REVISIONS

DATE REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP

PROJECT NO: 0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
DATE SH OF

DRAWING No.
60-0019A

RECD PERM ESWT - PAR 45/SV31 REO'D PERM. EASW'T. DE602				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20292	60.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20291	45.00	R	186+58.47	McGinnis Ferry Rd Const CL
CHORD BEAR	5	24°52.3' E		
CHORD DIST	168.79			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20293	45.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20295	60.00	R	186+58.47	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD R/W - PAR 46/SV32 REO'D R/W DE603				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20293	45.00	R	186+58.47	McGinnis Ferry Rd Const CL
ARC LENGTH	85.14			
CHORD BEAR	5	26°25'10.0" E		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20293	45.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20295	60.00	R	186+58.47	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 46/SV32 REO'D PERM. EASW'T. DE604				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20294	70.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20295	60.00	R	186+58.47	McGinnis Ferry Rd Const CL
CHORD BEAR	5	28°50.5' E		
CHORD DIST	168.79			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20295	60.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20296	52.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20299	85.00	R	186+58.47	McGinnis Ferry Rd Const CL
DE20294	70.00	R	186+58.47	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD R/W - PAR 47/SV33 REO'D R/W DE605				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20298	100.00	R	189+58.39	McGinnis Ferry Rd Const CL
10411	90.48	R	189+58.39	McGinnis Ferry Rd Const CL
10412	46.35	R	189+58.39	McGinnis Ferry Rd Const CL
649	53.25	R	189+58.39	McGinnis Ferry Rd Const CL
648	53.25	R	189+58.39	McGinnis Ferry Rd Const CL
DE20303	56.00	R	190+58.39	McGinnis Ferry Rd Const CL
DE20302	56.00	R	190+58.39	McGinnis Ferry Rd Const CL
CHORD BEAR	5	37°56.3' W		
CHORD DIST	134.00			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20303	56.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20300	100.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20298	100.00	R	189+58.39	McGinnis Ferry Rd Const CL
RECD R/W	0.00			
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 47/SV33 REO'D PERM. EASW'T. DE606				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20304	85.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20301	56.00	R	189+58.39	McGinnis Ferry Rd Const CL
CHORD BEAR	5	37°56.3' E		
CHORD DIST	134.00			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20302	56.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20303	56.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20307	62.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20306	62.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20305	61.00	R	189+58.39	McGinnis Ferry Rd Const CL
DE20304	85.00	R	189+58.39	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 48/SV35 REO'D PERM. EASW'T. DE610				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
648	53.25	R	191+58.63	McGinnis Ferry Rd Const CL
10415	54.06	R	191+58.63	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 48/SV35 REO'D PERM. EASW'T. DE609				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20307	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20303	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20309	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 49/SV35 REO'D PERM. EASW'T. DE610				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
10415	54.06	R	191+58.63	McGinnis Ferry Rd Const CL
ARC LENGTH	85.14			
CHORD BEAR	5	38°13.1' W		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20311	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20310	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
RECD R/W	0.00			
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 49/SV35 REO'D PERM. EASW'T. DE610				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20309	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20308	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20310	56.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20311	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
ARC LENGTH	85.14			
CHORD BEAR	5	38°13.1' W		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20309	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20313	100.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20317	81.10	R	191+58.63	McGinnis Ferry Rd Const CL
DE20316	74.90	R	191+58.63	McGinnis Ferry Rd Const CL
DE20314	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20309	62.00	R	191+58.63	McGinnis Ferry Rd Const CL
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 50A/SV36 REO'D PERM. EASW'T. DE612				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
CHORD BEAR	5	38°13.1' E		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
RECD R/W	0.00			
RECD ESWT	0.00			
RECD EASW	0.00			

RECD PERM ESWT - PAR 50A/SV36 REO'D PERM. EASW'T. DE612				
PNT	OFFSET	DIST	STATION/BEARING	ALIGNMENT
DE20313	100.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20312	100.00	R	191+58.63	McGinnis Ferry Rd Const CL
CHORD BEAR	5	38°13.1' E		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
CHORD BEAR	5	38°13.1' W		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
DE20315	75.00	R	191+58.63	McGinnis Ferry Rd Const CL
CHORD BEAR	5	38°13.1' W		
CHORD DIST	85.14			
RECD ESWT	0.00			
RECD EASW	0.00			

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REO'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REO'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE	REVISIONS

DATE	REVISIONS

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO: 0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: GWD SH OF 60-0021
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STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 21, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13053 DARTMORE AVENUE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13053 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-087-2) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 13053 Dartmore Avenue

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13053 DARTMORE AVENUE,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-087-2) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Vinay K. Rama and Vanita V. Patel located at 13053 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-087-2) within the City of Alpharetta, Georgia (reference: **Project Parcel 47**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND
COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:**

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13053 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-087-2), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

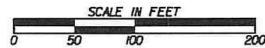
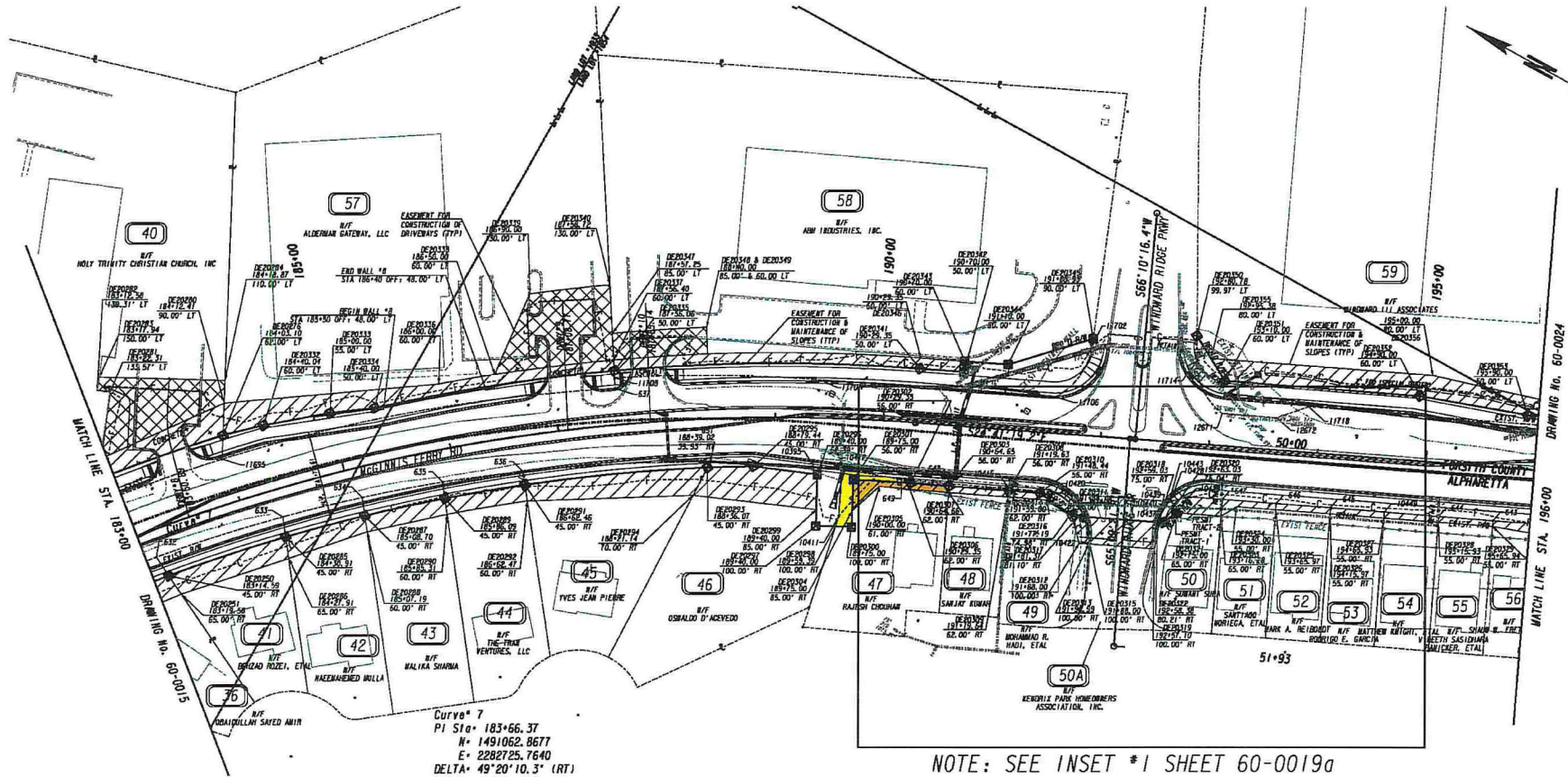
Brian Will

(SEAL)

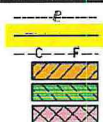
Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES



BEGIN LIMIT OF ACCESS.....BLA
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EXISTING LIMIT OF ACCESS
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EXISTING LIMIT OF ACCESS & R/W
REQ'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

DATE REVISIONS

DATE REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP

PROJECT NO: 0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
GWD DATE SH OF

DRAWING NO.
60-0019

60-0021