

8/10/20
CITY OF ALPHARETTA

Veterinary Emergency Group

FOR OFFICE USE ONLY
 Veterinary Emergency Group

Case #: _____

 Fee Paid Initial: _____**PUBLIC HEARING APPLICATION**

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Veterinary Emergency Group c/o Jennifer Hanlon

Telephone: 914-582-5334

Address: 7 Legion Drive

Suite: _____

City Valhalla

State: NY

Zip: 10536

Fax: _____

Mobile Tel: 914-582-5334

Email: jhanlon@veg.vet

Subject Property Information:

Address: 2725 Old Milton Parkway

Current Zoning: O-I

District: 1st

Section: _____

Land Lot: 803 & 804

Parcel ID: 12 284008030269

Proposed Zoning: O-I

Current Use: eye clinic and vacant restaurant

This Application For (Check All That Apply): Conditional Use Master Plan Amendment Exception Rezoning Master Plan Review Variance Public Hearing Comprehensive Plan Amendment Other (Specify):

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

8/10/20

APPLICANT REQUEST AND INTENT

Veterinary Emergency Group

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

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

Applicant's Request (Please itemize the proposal):

This Application proposes the following approvals:

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

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

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

See attached letter of intent.



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

August 10, 2020

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

Re: Letter of Intent for Veterinary Emergency Group Application

To Whom It May Concern:

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

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

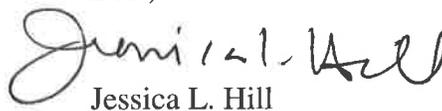
Approval of this application would allow for use of the existing 4,500 square foot suite as a 24-hour, 7-day a week, emergency animal hospital facility. VEG currently has 14 locations in New York, New Jersey, Massachusetts, Florida and Texas and is expanding into Colorado and California with a goal of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

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

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

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

Best,

A handwritten signature in black ink, appearing to read "Jessica L. Hill". The signature is written in a cursive, flowing style.

Jessica L. Hill

8/10/20

Veterinary Emergency Group

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

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

Address: 2725 Old Milton Parkway Suite: B

City Alpharetta State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant:

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

Address: 7 Legion Drive Suite: _____

City Valhalla State: NY Zip: 10595

So Sworn and Attested:

Owner Signature:  Date: 7-30-2020

Notary:

Notary Signature:  Date: 7/30/2020

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

8/10/20

Veterinary Emergency Group
DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Windward Eye Group, LLC clo Tommy Arey

Subject Public Hearing Case: 2725 Old Milton Parkway

Campaign Contribution Information:

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

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

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

Description of Contribution: N/A Value: N/A

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: 7-30-2020

DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Veterinary Emergency Group

Subject Public Hearing Case: 2725 Old Milton Parkway

Campaign Contribution Information:

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

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Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: Jennifer Hanlon

Date: 7/14/2020

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

N/A

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: 2725 Old Milton Parkway

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

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

All adjoining property owners and owners within 500 feet

| | |
|--|--|
| | |
| of the property will be notified of the Application. | |
| | |
| | |
| | |
| | |
| | |

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

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

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

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

Trip Generation Report – 2725 Old Milton ParkwayProposed:

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

Existing:

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

LEGAL DESCRIPTION
(2725 Old Milton Parkway)

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

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

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

8/10/20

Veterinary Emergency Group

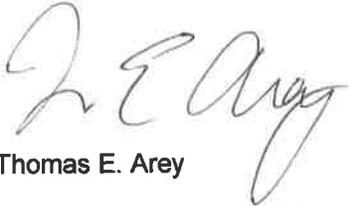
Windward Eye Group

07/16/2020

To the staff and council of the city of Alpharetta,

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

With great thanks,



Thomas E. Arey

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