

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: Chris Owens Telephone: 404-518-5505
Address: 7425 Mid Broadwell Trace Suite:
City Alpharetta State: GA Zip: 30004 Fax:
Mobile Tel: Email: cowens@landisevans.com

Subject Property Information:

Address: 3250 Webb Bridge Road Current Zoning: CUP
District: 2nd Section: 2nd Land Lot: 1259-1262 Parcel ID: 22 546012591398, 22 546012591422
Proposed Zoning: CUP Current Use: Undeveloped

This Application For (Check All That Apply):

- Conditional Use Master Plan Amendment Exception
Rezoning Master Plan Review
Variance Public Hearing
Comprehensive Plan Amendment Other (Specify):

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

STACK plans to construct a data processing center on the property, similar to its existing data center at 3200 Webb Bridge Road (Formerly known as T5 Data Center).

Applicant's Request (Please itemize the proposal):

The Applicant is requesting two variances: a Parking Reduction Variance; and a Stream Buffer Encroachment Variance.

Please see attached Letter of Intent for an itemized description of the proposal.

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

The proposed variances would allow a very challenging and difficult property to be developed as zoned, while preserving two environmental assets that currently exist. Although a stream buffer encroachment variance is requested, the stream in question is small, of little benefit to the drainage basin and has been compromised by previous development activity. The larger stream, its buffers and an adjacent area with natural tree canopy will be preserved as a result of this proposal being granted.

Please see attached Letter of Intent and supporting plans for a full and detailed description of the proposal.

# PROPERTY OWNER AUTHORIZATION

**Property Owner Information:**

Contact Name: SI ATLL2, LLC Telephone: 703-965-0580

Address: 1600 Broadway Suite: 1320

City: Denver State: CO Zip: 80202

**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

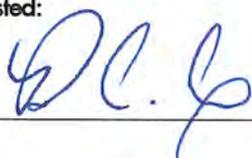
**Identify Authorized Applicant:**

Name of Authorized Applicant: Chris Owens Telephone: 404-518-5505

Address: 7425 Mid Broadwell Trace Suite:

City: Alpharetta State: GA Zip: 30004

**So Sworn and Attested:**

Owner Signature:  Date: 8-28-20

**Notary:**

Notary Signature:  Date: 8-28-20



# 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: **SI ATLL2, LLC**

Subject Public Hearing Case: **STACK ATL02 Data Center, Stream Buffer and Parking Reduction Variances**

### 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: **None** Value: **0**

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: \_\_\_\_\_

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

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

The property has a unique "L" shape, with 2 road frontages. It also contains two streams, with buffers, and exceptionally challenging topography. Over 30-feet of vertical relief exists, from front to back, with unusually steep undulations up/down across the lot.

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

Yes. The application of the UDC in terms of parking and stream buffers would make an already challenging property unnecessarily difficult to use and enjoy as zoned. The required parking ratio is excessive for the Owner's intended use, would result in excess impervious surfaces, increased storm water runoff and the unnecessary removal of tree canopy. The larger stream and buffer are being preserved (see Site Plan), however the smaller stream would prevent the placement of a building on the property when other zoning restrictions are applied (setbacks, buffers, etc). The encroachment into the smaller of the stream buffers is being offset with increased water quality treatment downstream of the project.

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

Yes. See above and in the attached Letter of Intent.

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

No. Relief from the parking requirements would preserve additional tree canopy, improve water quality an decrease storm water runoff from the site. If the use changes in the future, additional parking can be constructed as needed. The small stream buffer encroachment will not case detriment or harm, but allow for the proper siting of the building on the lot while respecting the intent of the Zoning Code. Additional water quality treatment is also being proposed to offset the stream buffer encroachment.

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

# CITIZEN PARTICIPATION FORM - PART A

STACK Data Center Parking & Stream Buffer Variances

*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: STACK ATL02 Data Center

Contact Name: Chris Owens Telephone: 404-518-5505

*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.*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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 checked="" type="checkbox"/> Personal Visits    |
| <input checked="" type="checkbox"/> Telephone | <input checked="" type="checkbox"/> Group Meeting      |
| <input checked="" 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.

Response by letter, email or transcription of telephone call discussion. We will meet with anyone in person (or virtually via online platform) if requested.

STACK Data Center Parking & Stream Buffer Variances

# 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: STACK ATL02 Data Center

Contact Name: Chris Owens

Telephone: 404-518-5505

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

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

- |                                    |  |
|------------------------------------|--|
| <input 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> _____ |

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: \_\_\_\_\_