City Council Meeting & Public Hearing
OCTOBER 21, 2024
OFFICIAL MINUTES
Office of the City Clerk

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

OFFICIAL MINUTES

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at https://www.youtube.com/user/alpharettagov.

1. CALL TO ORDER

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

2. ROLL CALL

- **Council Members**
  - Mayor Jim Gilvin
  - Mayor Pro Tem Dan Merkel
  - John Hipes
  - Fergal M. Brady
  - Douglas J. DeRito
- **Absent**
  - Donald F. Mitchell
  - Brian Will
- **Staff**
  - Chris Lagerbloom, City Administrator
  - Molly Esswein, City Attorney
  - Lauren Shapiro, City Clerk
  - Deanna McKay, Public Communication & Engagement Coordinator
  - Adam Montgomery, Director of Information Technology
  - Charlie Jewell, Director of Economic Development
  - John Robison, Director of Public Safety
  - Kathi Cook, Director of Community Development
  - Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
  - Pete Sewczwicz, Director of Public Works

- Tom Harris, Director of Finance
- Suzanne Swain, Project Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: US Department of Transportation Road Safety Art Contest Winner, Saanvi Bajaj

- Mayor Gilvin presented a proclamation to Saanvi Bajaj, a student of Webb Bridge Middle School, for winning the Grand Prize for grades 6-8 of the Road Safety Art Contest through the Federal Motor Carrier Administration's annual contest.

B. Proclamation: Women's Cancer Awareness Month

- Mayor Gilvin presented Jon-Paul Croom, President of WellStar North Fulton Hospital in recognition of Women's Cancer Awareness Month.

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 10/7/2024)

Consideration of approval of the City Council meeting minutes from the meeting of October 7, 2024.

PUBLIC COMMENTS:

- There were no public comments.

❖ Mayor Pro Tem Merkel offered a motion to approve the Consent Agenda.

- Council Member Brady seconded the motion.
- The motion was approved unanimously (5-0).

6. PUBLIC HEARING

A. Z-24-13 DRB Group/12265 Charlotte Drive

Consideration of a rezoning to allow for the construction of 42 'For-Sale' single-family detached homes on 36.8 acres. A rezoning is requested from AG (Agriculture) to R-22 (Dwelling, 'For-Sale', Residential). The property is located at 12265 Charlotte Drive and is legally described as being located in Land Lots 1245 & 1246, 2nd District, 2nd Section, Fulton County, Georgia.

- Council Member Hipes announced that he would be recusing himself from this item, as he represents the applicant on a different matter.
- City Attorney, Molly Esswein, announced the public hearing procedures during the meeting.
- Planning and Development Services Manager, Michael Woodman, came forward to present this item.

- The applicant, DRB Group of Georgia, is requesting a rezoning to allow for the construction of a 42-lot 'For-Sale' single-family detached subdivision on 36.78 acres. The proposed density is 1.14 dwelling units per acre. A rezoning is requested from AG (Agriculture) to R-22 (Dwelling, 'For-Sale' Residential). The subject property is located at 12265 Charlotte Drive near the northeast corner of Charlotte Drive and Rucker Road.
- This item was considered at the September 5, 2024 Planning Commission meeting. There were 2 public comments with concerns over downstream impacts from stormwater runoff; aesthetics, size, distance, and screening related to the stormwater pond adjacent to Jennifer Oaks; and traffic problems at Mid Broadwell Road and Charlotte Drive. After discussion, Planning Commission recommended approval subject to staff's recommended conditions (vote 6-0).
- Staff is recommending that Mayor and Council approve Z-24-13 DRB Group / 12265 Charlotte Drive, subject to the following conditions:

    1. The site, consisting of approximately 36.78 acres, shall be zoned R-22 and developed substantially similar to site plan prepared by Christopher Planning & Engineering, revised 9/13/24, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
    2. Home architecture and materials shall be developed substantially similar to the submitted renderings, dated 4/30/2024. 70% of the homes shall have a primary exterior finish material of brick or stone. Homes shall have 3-sided architecture and materials, as approved by Staff.
    3. Lots abutting Charlotte Drive shall have a minimum 65' front setback and homes shall face Charlotte Drive with access from an internal street, except that Lots 1, 2, and 5 may have a driveway off Charlotte Drive if the driveways do not encroach upon the CRZ of required tree saves, as approved by Staff.
    4. Minimum 10' decorative landscape strip shall be provided along Charlotte Drive consisting of trees, shrubs, grasses and/or ground cover, as approved by Staff. Fencing utilized along Charlotte Drive shall be limited to 4 board black horse fencing and shall be located behind the landscape strip.
    5. Project entrance shall include decorative wall and/or monument, and ornamental landscaping, as approved by Staff.
    6. Main entrance street into the subdivision shall be named to reflect the family history of the property.
    7. Developer shall dedicate right-of-way, if necessary, and improve the Charlotte Drive streetscape with curb and gutter, minimum 6' planter (planted with street trees), minimum 5' sidewalk, and decorative pedestrian lighting. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.

8. Developer shall improve new local streets with a minimum 6' planter (planted with street trees), minimum 5' sidewalk, and decorative pedestrian lighting. Developer shall post 'No Parking' signs on both sides of the street, as approved by Staff.
9. Common area with mail kiosk and stormwater pond shall be developed with decorative landscaping, hardscape, pedestrian lighting, seating and 4 on-street parallel parking spaces, as approved by Staff.
10. Unfinished wood fences and decks shall not be visible from Charlotte Drive.
11. Trees shall be preserved as depicted on the tree protection site plan prepared by Mondo, revised 9/13/24.
12. Developer shall remove exotic and invasive trees and shrubs within stream buffers and tree save areas and replant area where sparse, as approved by Staff.
13. Limits of disturbance shall be substantially as depicted on the tree protection site plan prepared by Mondo, revised 9/13/24. Minimum 5' landscape strip along the south, east and north property lines shall be planted with a mix of evergreen and deciduous landscape material, as approved by Staff. Detention facilities shall not encroach upon the perimeter landscape strip.
14. Utility structures, headwalls, etc. shall be finished with decorative stone or brick, if visible from adjacent properties.
15. Stormwater ponds shall be developed as aesthetically pleasing neighborhood amenities, such as walking trails, seating areas, or parks, as approved by Staff. Detention ponds shall have an earthen bank on at least one side and pond walls shall be decorative where visible from the street or adjacent properties, as approved by Staff. Dragonfly attracting plants shall be utilized around stormwater ponds as a means of mosquito control. At a minimum, an aesthetically pleasing stormwater pond shall include:
    a. A variety of water loving vegetation planted in and around the pond;
    b. A pond design that is attractive when empty, no muddy areas that would promote mosquitos and unpleasant smells; and
    c. A natural or organic shape to the pond (not including the existing pond).
16. To the maximum extent practicable, all impervious improvements on individual lots shall drain to the stormwater treatment provided for the neighborhood, as approved by Staff. Individual lots at the edge of the neighborhood shall be designed to not increase runoff onto property outside of the development.
17. To the maximum extent practicable, lots along stream buffers and/or wetlands shall direct stormwater flow from impervious areas to the front yards or directly to stormwater management facilities through berms, swales, walls, pipes, or other means to collect water for stormwater treatment and attenuation, as approved by Staff.

18. Developer shall implement the recommendations identified within the submitted traffic impact study, dated July 8, 2024, for the full-access site driveway at Charlotte Drive, with final approval by Staff.
19. Developer shall provide and confirm adequate sight distances are met for all proposed full-access residential driveways proposed along Charlotte Drive using speed data collected and provided within the submitted traffic impact study, dated July 8, 2024, with final approval by Staff.
20. Developer shall provide and confirm adequate driveway spacing distances are met for all proposed full-access residential driveways located along Charlotte Drive prior to LDP approval, with final approval by Staff.
21. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

- Jessica Hill (600 Peachtree Street, Atlanta, GA 30308) representing the applicant DRB Homes, came forward to present on behalf of this application and provided a rebuttal after public comment.

PUBLIC COMMENTS:

- Donald "DJ" Postles (1590 Harvest Lane, Alpharetta, GA 30004) came forward to speak on privacy and water run off related to the proposed application.

❖ Mayor Pro Tem Merkel offered a motion to approve Z-24-13 DRB Group 12265 Charlotte Drive, subject to the following conditions:

1. The site, consisting of approximately 36.78 acres, shall be zoned R-22 and developed substantially similar to site plan prepared by Christopher Planning & Engineering, revised 9/13/24, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Home architecture and materials shall be developed substantially similar to the submitted renderings, dated 4/30/2024. 70% of the homes shall have a primary exterior finish material of brick or stone. Homes shall have 3-sided architecture and materials, as approved by Staff.
3. Lots abutting Charlotte Drive shall have a minimum 65' front setback and homes shall face Charlotte Drive with access from an internal street, except that Lots 1, 2, and 5 may have a driveway off Charlotte Drive if the driveways do not encroach upon the CRZ of required tree saves, as approved by Staff.
4. Minimum 10' decorative landscape strip shall be provided along Charlotte Drive consisting of trees, shrubs, grasses and/or ground cover, as approved by Staff. Fencing utilized along Charlotte Drive shall be limited to 4 board black horse fencing and shall be located behind the landscape strip.

5. Project entrance shall include decorative wall and/or monument, and ornamental landscaping, as approved by Staff.
6. Main entrance street into the subdivision shall be named to reflect the family history of the property.
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    a. A variety of water loving vegetation planted in and around the pond;

b. A pond design that is attractive when empty, no muddy areas that would promote mosquitos and unpleasant smells; and

c. A natural or organic shape to the pond (not including the existing pond).

16. To the maximum extent practicable, all impervious improvements on individual lots shall drain to the stormwater treatment provided for the neighborhood, as approved by Staff. Individual lots at the edge of the neighborhood shall be designed to not increase runoff onto property outside of the development.

17. To the maximum extent practicable, lots along stream buffers and/or wetlands shall direct stormwater flow from impervious areas to the front yards or directly to stormwater management facilities through berms, swales, walls, pipes, or other means to collect water for stormwater treatment and attenuation, as approved by Staff.

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19. Developer shall provide and confirm adequate sight distances are met for all proposed full-access residential driveways proposed along Charlotte Drive using speed data collected and provided within the submitted traffic impact study, dated July 8, 2024, with final approval by Staff.

20. Developer shall provide and confirm adequate driveway spacing distances are met for all proposed full-access residential driveways located along Charlotte Drive prior to LDP approval, with final approval by Staff.

21. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

- Council Member DeRito seconded the motion.
- The motion was approved (4-0; as Council Member Hipes recused himself from this item).

7. NEW BUSINESS

A. Invitation to Bid 24-014: Encore Greenway and Gateway Construction

Consideration of approval of the award of a contract for ITB 24-014 to Strack, Inc. for the construction of Encore Greenway Park and Gateway for an amount not to exceed $9,148,000, and execution of a Memorandum of Understanding with True North 400, and authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- In 2018, the City of Alpharetta adopted a major update to the North Point Activity Center Livable Centers Initiative (LCI) Plan. Mentioned in this plan was Encore Parkway, serving as a Gateway to one of the City's greatest assets – Big Creek Greenway.

- The Encore Greenway and Gateway project has three major phases: 1) Entry Plaza and Greenway- consisting of a gateway feature, bike racks, 12' wide elevated concrete deck boardwalk; 2) Park Plaza- near North Point Parkway and Encore Parkway intersection that includes elements such as landscaping, benches, planters, concrete stairs, trash receptacles, and terraced seating areas; and 3) Elevated Canopy Walk- consisting of multiple benches on an elevated walkway
- Construction of this project is complex on many fronts. Not only is there a significant grade change, over 20 feet, but the raised greenway connection is over 14 feet off the ground, work takes place in the wetlands and floodplain, so staging/storing of materials is challenging, and working alongside North Point Parkway. Due to the project's proximity to North Point Parkway, contractors were informed they are permitted to close one north-bound vehicular lane on North Point Parkway during the duration of the project. Closing a lane enables construction workers to have a safe working area and does not require the contractor to install and remove traffic control measures on a daily basis.
- The existing project area is wooded and contains streams and wetlands. Because the project will have impacts on wetlands and work will take place within the buffer of the streams, the City was required to purchase wetland and stream credits.
- Procurement for this project was initiated through Invitation to Bid (ITB 24-014), which was issued on June 6, 2024, with a response deadline of August 22, 2024. ITB 24-014 was advertised through the City's e-procurement site (Bonfire) as well as the Georgia Procurement Registry and resulted in over 5,000 vendor (firm) invites and 79 document takers.
- On October 1, 2024, True North 400 Board approved the allocation of $1.5M to go towards the construction of the overall project. The board requested the City to look at value engineering options to see if the cost could be lowered and Public Works staff along with representatives of True North 400 are working diligently to identify opportunities to save dollars.
- True North 400 is going to handle all construction management and inspection services through their contract with Atkins Realis. True North 400 handling construction management of a project of this size and nature is a great benefit to the City.
- Project construction is anticipated to take 18 months from the issuance of a notice to proceed.

PUBLIC COMMENTS:

- There were no public comments.

❖ Council Member DeRito offered a motion to approve the award of a contract for ITB 24-014 to Strack, Inc. for the construction of Encore Greenway Park and Gateway for an amount not to exceed $9,148,000, and execution of a Memorandum of

Understanding with True North 400 and to authorize the Mayor to execute all necessary documents.

- Mayor Pro Tem Merkel seconded the motion.
- The motion was approved unanimously (5-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- There were no public comments.

10. EXECUTIVE SESSION (IF NECESSARY)

- Council Member DeRito offered a motion to adjourn to Executive Session for the purposes of land acquisition.
  - Council Member Brady seconded the motion.
  - The motion was approved unanimously (5-0).
- Mayor Gilvin recessed the meeting at 7:14 p.m.
- Council Member Brady offered a motion to reconvene the meeting.
  - Mayor Pro Tem Merkel seconded the motion.
  - The motion was approved unanimously (5-0).
- Mayor Gilvin reconvened the meeting at 7:52 p.m.

11. ADJOURNMENT

- Mayor Pro Tem Merkel offered a motion to adjourn the meeting.
  - Council Member DeRito seconded the motion.
  - The motion was approved unanimously (5-0).

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Lauren Shapiro

Lauren Shapiro, City Clerk