



City Council Meeting and Public Hearing SUMMARY NOVEMBER 27, 2017

OFFICE OF THE CITY CLERK
678-297-6003

WWW.ALPHARETTA.GA.US

PREPARED BY: COTY THIGPEN
PUBLISHED: November 29, 2017

*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 Belle Isle called the meeting to order at 6:30 p.m.*

II. ROLL CALL

- Council Members
 - o Mayor David Belle Isle
 - o Chris Owens (Mayor Pro Tem)
 - o Jason Binder
 - o Jim Gilvin
 - o Mike Kennedy
 - o Dan Merkel
 - o Donald Mitchell
- Staff
 - o Bob Regus, City Administrator
 - o Coty Thigpen, City Clerk
 - o Sam Thomas, City Attorney
 - o James Drinkard, Asst. City Administrator
 - o Peter Sewczwicz, Director of Public Works
 - o John Robison, Deputy Director of Public Safety
 - o Morgan Rodgers, Director of Recreation and Parks
 - o Kathi Cook, Director of Community Development
 - o Michael Woodman, Senior Planner
 - o Eric Graves, Senior Engineer

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS AND PRESENTATIONS

- A. Veteran's Day - DAR - Patriots of Liberty Chapter (Alpharetta)
- B. Native American Heritage Month - DAR - Patriots of Liberty Chapter (Alpharetta)
- C. 2017 National Gold Medal Awards Finalist for Excellence in Park and Recreation Management

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 11/13/2017)
- B. Alcoholic Beverage License Applications

PH_17-AB-27 Chuy's Opco, Inc.
d/b/a Chuy's
2560 Old Milton Parkway, Ste. 120
Alpharetta, GA 30009

Consumption on Premises
Beer, Liquor, Wine- Sunday Sales

Owner: Opco, Inc.
Registered Agent: Michael Sard

PH-17-AB-28 TCD Studios, LLC
d/b/a Painting with a Twist
11770 Hanyes Bridge Road Ste. 801
Alpharetta, GA 30009

Consumption on Premises
Beer, Wine, Liquor- Sunday Sales

Owner: Shyam Dalmia Registered
Agent: Shyam Dalmia

- ❖ *Council Member Mitchell offered a motion to approve the Consent Agenda*
 - *The motion was seconded by Council Member Kennedy*
 - *Motion approved unanimously 7-0*

VI. PUBLIC HEARING

A. V-17-34: JSB Homes/Hopewell

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- Staff recommends approval of V-17-34 JSB Homes/Hopewell Road, subject to the following conditions:
 - 1. The site shall be subdivided substantially similar to plan submitted by ACR Engineering, Inc., dated 9/6/2017, 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. A 20' natural tree save area shall be provided along the perimeter of Lot B.

3. Homes shall be placed on lots with the least impact to existing specimen trees with final approval by Staff. Specimen trees along Hopewell Road within the required setback shall be saved, except for trees depicted to be removed on the approved plan.
 4. Homes on Lots A and B shall be oriented to front Hopewell Road.
 5. Homes shall not exceed 3,500 square feet in size in order to fit surrounding scale and massing. Architectural style and materials shall be similar to rendering submitted by the applicant, as approved by Staff.
 6. Fire turnaround shall be located to the rear of the home on Lot A, as approved by Staff.
- The applicant, JSB Homes, is requesting consideration of a variance to the 40' street frontage requirement and to allow a street or driveway within a lot in order to subdivide a 1.07-acre property into two (2) single-family detached lots. The rear lot is proposed to be accessed by a shared private driveway easement. The subject property is located at 12550 Hopewell Road, on the west side of Hopewell Road just north of Canton Street.
 - The submitted request, if approved, would allow for the subdivision of a 1.07-acre property into two (2) single-family detached lots with the rear lot having access from a shared private driveway easement. The subject property is located at 12550 Hopewell Road, on the west side of Hopewell Road just north of Canton Street.
 - The property is zoned R-15 (Dwelling, 'For-Sale' Residential) and is currently undeveloped. All surrounding properties are zoned R-15. Andover at North Town subdivision and an unplatted residential lot are located to the north, Surrey Place subdivision is located to the west and south, an unplatted residential lot is located to the south and Orchards at Hopewell is located to the east.
 - The applicant requests a variance to allow a private street/driveway within a 'Lot' and to eliminate the minimum requirement for 40' of street frontage. Unified Development Code (UDC) Subsection 1.3.3 states the requirement for minimum street frontage and UDC Subsection 1.4.2 defines 'Lot', as follows:

"No building shall be erected on a lot which does not have frontage for at least 40 feet on a street."

"A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included."
 - With only 100' of frontage on Hopewell Road, the narrowness of the property limits how it could be subdivided. The applicant proposes a 20' shared private driveway (access/utility) easement along the north side of the property and within Lot A to provide access to Lot B.
 - The applicant requested the same variance on the subject property in 2013 (V-13-11 JSB Homes). The only difference was that the private driveway was previously shown along the south property line. The applicant withdrew the previous request due to concerns from surrounding property owners over removal of trees and size and massing of homes.
 - The submitted site plan depicts subdivision of the 1.07-acre property into two (2) lots, with Lot A (front lot) to be 21,214 square feet and Lot B (rear lot) to be 25,614 square feet. Lot B is proposed to have access from a 20' shared private driveway through Lot A. Lot A meets the minimum required road frontage on Hopewell Road. The shared driveway is depicted on the north side of the property.
 - The home to the north has a front setback of approximately 87' and is located on a 0.84-acre lot. The home to the south has a front setback of approximately 60' and is located on a 0.55-acre lot. The 65' front setback for Lot A complies with the minimum requirement in the R-15 zoning district and is similar to the existing front setbacks for other homes fronting Hopewell Road. Residential lots in Surrey Place and Andover at North Town have typical lot sizes that range from 20,000 – 26,000 square feet.

- The lot is wooded with a number of specimen trees on the property that should be saved. Saving as many mature trees as possible will help transition the property with surrounding existing development. Perimeter tree saves and tree saves along the Hopewell Road frontage are recommended.
- The applicant has stated that homes will have price points starting at \$500,000 and are planned to be two-story and a minimum 3,500 square feet, with basement and three-car garage.
- Staff has reviewed the applicant's proposal and finds that it can generally support the request for variance. Approval should not be detrimental to surrounding properties, if conditions are placed on the property limiting the size of homes and incorporate existing trees along the perimeter and frontage. The variance to allow a private street within a residential lot and to allow a lot without the required 40' of street frontage can be supported given the narrow shape of the property and requested lot sizes are similar to surrounding lots. The proposal is for infill development that should be sensitive to surrounding properties. Additionally, the massing and placement of homes should be conditioned in order to maintain a consistent look along Hopewell Road.
- The applicant notified adjacent property owners of the variance request and intent for the property. The citizen participation report states that no comments were received.

Public Comment

- o Janice Talluto, 2104 Windrush lane, Alpharetta, GA, came forward to speak on this item
- o Elizabeth Parrillo, 140 North Trace, Alpharetta, GA, came forward to speak on this item
- o Lisa Simms, 7129 Surrey Point, Alpharetta, GA, came forward to speak on this item

❖ *Council Member Kennedy offered a motion to deny V-17-34: JSB Homes/Hopewell*

- *The motion was seconded by Council Member Merkel*
- *Motion approved unanimously 7-0*

B. PH-17-28: Haynes Bridge Road Abandonment

(Note: This item was withdrawn at the request of the applicant and was not heard)

C. PH-17-30: Fulton Science Academy

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- Staff recommends approval of PH- 17- 30 Fulton Science Academy/Temporary Modular Classroom Building, subject to the following conditions:
 1. Cousins Westside Pod O shall be permitted one (1) temporary modular classroom building for a period not to exceed three (3) years from the issuance of a Certificate of Occupancy.
 2. Modular building shall be placed in the location depicted on the plan prepared by AEC, dated 9/1/2017. Modular classroom shall be substantially similar to description provided by the applicant for Vanguard Modular Building Systems. Modular building shall require a land disturbance permit.
 3. Landscape strip along Fanfare Way shall be cleared of overgrowth, invasive species, and dead, dying and poor condition plant material. Ground cover shall be refreshed and landscape strip shall be supplemented with evergreen landscape material (trees and shrubs) to screen the modular building and detention pond from Fanfare Way, as approved by Staff.
 4. Landscape trees and shrubs displaced by the modular building shall be replaced after removal

of the modular building, as approved by Staff. An 18- month landscape maintenance bond shall be required for all new and replacement landscaping, prior to Certificate of Occupancy for the temporary modular classroom.

5. Remaining trees to be planted per the contract from Michelangelo's Sustainable Landscape & Design Group executed on November 13, 2017 shall be completed by April 1, 2018.
 6. Property owner shall submit a landscape maintenance plan for the entire property to be approved by staff and an executed contract for continual maintenance.
 7. Property owner shall dedicate a 20' wide permanent easement to the City through the Georgia 400 buffer for the Alpha Loop project.
 8. All previous master plan conditions of zoning shall remain in effect.
-
- The applicant, Fulton Science Academy, is requesting a change to previous conditions of zoning to allow a temporary modular classroom for a period not to exceed three (3) years. The proposed temporary modular building does not meet the architectural regulations in the Cousins Westside Design Guidelines. The subject property is located at 3035 Fanfare Way, at the southwest corner of Maxwell Road and Fanfare Way.
 - The submitted request, if approved, will allow a temporary modular classroom for a period not to exceed three (3) years. A change to previous conditions of zoning is required, due to the modular building not meeting the architectural regulations in the Cousins Westside Design Guidelines. The Design Guidelines require architecture that is representative of the typical 20th Century American "Main Street". The subject property is located at 3035 Fanfare Way, at the southwest corner of Maxwell Road and Fanfare Way.
 - The 18.5-acre property is zoned CUP (Community Unit Plan) and is subject to the Cousins Westside Master Plan. The property is designated as Pod O, which is approved for 'Education' use at up to 25,000 square feet per acre. The property is developed as the Fulton Science Academy. The submitted site plan depicts a 1-story, 10,000 square foot (154' x 64') modular classroom building at the rear of the existing school building, adjacent to the Georgia 400 Buffer. According to the applicant, the temporary modular building would provide the School with needed classroom space during the next phase of expansion.
 - Surrounding properties are zoned CUP subject to the Cousins Westside Master Plan to the north, east and west and LI (Light Industrial) to the northeast. Creekside at Westwood, Westwood Park and Honda are located to the north, Parc Alpharetta is located to the west, Georgia 400 is located to the south and undeveloped Cousins Westside Pod P is located to the east.
 - As shown below, the applicant proposes changes to condition of zoning #43 related to the Cousins Westside Master Plan (MP-03-02). The temporary modular building does not meet the architectural regulations in the Cousins Westside Design Guidelines, which require architecture that is typical of the traditional American "Main Street".

#43. Design guidelines for the project which include building architecture, materials and permitted colors shall be approved by Staff. Staff shall have a period of 30 days to respond after submission of such guidelines for any portion of the project, after which the developer may appeal any such lack of approval to the Design Review Board.

- Staff has reviewed the applicant's proposal and finds that it can generally support the request to change previous conditions of zoning in the Cousins Westside Master Plan to allow a temporary modular classroom building. However, restrictions should be placed on the approval limiting the size and

location of the modular building, length of time the building can remain on the property, as well as screening requirements.

- 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.
- Steve Rowe, with AEC, and Fulton Science Academy Principal came forward to answer questions of Mayor and Council

Public Comment

None

- ❖ *Council Member Kennedy offered a motion to approve PH-17-30: Fulton Science Academy with the 8 conditions*
 - *The motion was offered a second by Council Member Merkel*
 - *Council Member Owens offered an amendment to the motion to add a 9th and 10th condition that shall read as follows:*
 - o *Condition 9- "Property Owner shall execute waiver of liability in favor of the City of Alpharetta regarding stormwater pipe beneath temporary modular classroom trailer, such that property owner is responsible for maintenance and/or any damage to property as a result of stormwater pipe failure."*
 - o *Condition 10- "Applicant shall work with staff on approval of landscape and screening of modular classroom trailer from view of public right of way, with final approval by staff"*
 - *Amendments accepted by Kennedy and Merkel*
 - *Motion was approved 6-1, Mayor Belle Isle voting no*

VII. NEW BUSINESS

A. Design Services: Big Creek Greenway Extension

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff recommends approval Pond & Company's proposal in the amount of \$407,425.00 for design of the Big Creek Greenway Extension to Union Hill Park and authorize the Mayor to execute all necessary documents.
- This request is for design services necessary to prepare construction documents for the extension of the Big Creek Greenway from its current end at Marconi Drive to the North. The project will include the design of bridges to span creeks, tunnels under roadways, and elevated structures to traverse wetlands. Opportunities will be identified along the trail for creek and wetland overlooks, seating areas, passive parks, and other enhancements to the trail user experience through the incorporation of existing natural elements.

Pond & Company's design services will include:

- Updated survey information
- Preparation of construction documents
- Tunnel and bridge design
- Hydrological and flood studies for all creek crossings
- Geotechnical services related to bridge foundations, walls, tunnels, and elevated trails
- Limited construction administration

- Having developed and iterated upon the conceptual plans for this project and being under contract with the City to provide on-call park planning services, staff requested a proposal from Pond & Company for these design services. Staff reviewed Pond & Company's proposal and found their rates and allocated hours for the various design tasks to be reasonable and in line with industry standards. City staff will review Pond & Company's invoices to verify that the hours being billed to each task accurately represent the progress made for each billing period.
- Once a notice to proceed is issued, design is anticipated to be complete within nine to twelve months.

Public Comment

None

❖ *Council Member Owens offered a motion to approve Pond & Company's proposal in amount not to exceed \$407,425.00 for design of the Big Creek Greenway Extension to Union Hill Park and authorize the Mayor to execute all necessary documents.*

- *The motion was seconded by Council Member Gilvin*
- *Motion approved unanimously 7-0*

B. Design Services: Webb Bridge Road And Academy Street Improvements

- Director of Public Works, Pete Sewczwicz came forward to present this item on behalf of staff
- Staff recommends approval of Pond & Company's proposal in the amount of \$283,033.00 for data gathering and concept design of Webb Bridge Road and Academy Street Bike/Ped/Operational Improvements and authorize the Mayor to execute all necessary documents.
- Between August 30, 2016 and July 25, 2017 the City held a number of open houses to solicit input and feedback from citizens concerning improvements to the Academy Street / Webb Bridge Road Corridor. On August 28, 2017, City staff presented the preferred typical section for the corridor to City Council and received permission to move forward with a more detailed conceptual plan. This request is for design services necessary to prepare a detailed conceptual plan for bicycle, pedestrian, and operational improvements to the Academy Street / Webb Bridge Road corridor. This project will apply the preferred typical section along the corridor, analyze roadway improvement options, and identify where modifications may be needed due to constraints .

Pond & Company's design services will include:

- Traffic data collection
- Environmental screening
- Preparation of a pre-design survey database
- Evaluation of the existing bridge structure over Big Creek
- Analysis of existing and future traffic conditions
- Evaluation of roundabouts at select intersections
- Evaluation of signal control at select intersections
- Detailed concept layout based on the preferred typical section
- Evaluation of bridge replacement alternatives
- Preparation of an opinion of probable cost.

- Pond & Company, at the direction of Community Development, has developed and iterated upon typical section alternatives based upon feedback from stakeholder meetings held by City staff. Thus, the Department of Public Works requested a proposal for these design services from Pond & Company, an on-call provider for engineering services for the City. Staff reviewed Pond & Company's proposal and found their rates and allocated hours for the various design tasks to be reasonable and in line with industry standards. City staff will review Pond & Company's invoices to verify that the hours being billed to each task accurately represent the progress made for each billing period.
- Once a notice to proceed is issued, the work is anticipated to be complete within five months.

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve Pond & Company's proposal in an amount not to exceed \$283,033.00 for data gathering and concept design of Webb Bridge Road and Academy Street Bike/Ped/Operational Improvements and authorize the Mayor to execute all necessary documents.*
 - *The motion was seconded by Council Member Gilvin*
 - *Motion approved unanimously 7-0*

C. Certification of 2017 City of Alpharetta General Election Results

- City Attorney, Sam Thomas, read the Resolution aloud declaring the Results from the 2017 City of Alpharetta General Election Results

Public Comment

None

- ❖ *Council Member Gilvin offered a motion to adopt the Resolution*
 - *The motion was seconded by Council Member Kennedy*
 - *Motion approved unanimously 7-0*

D. Resolution Approving Memorandum of Mediated Settlement Agreement (Fulton Co. et al v. Drivetime Car Sales Company, et.al.)

- City Attorney, Sam Thomas, explained that the Resolution was in regard to a mediated settlement concerning sales tax generated on the sale of vehicles titled in Fulton County
- Mr. Thomas read the Resolution aloud

Public Comment

None

❖ *Council Member Owens offered a motion to adopt the Resolution*

- *The motion was seconded by Council Member Kennedy*
- *Motion approved unanimously 7-0*

VIII. WORKSHOP

A. Downtown Parking Management Plan Update- Pay in Lieu Fee Recommendations

- Joel Mann, consultant with Stantec, came forward to present a Downtown Alpharetta Parking Study
- Mr. Mann fielded questions posed by Mayor and Council
- This item will come forward for further discussion and consideration at a later date

IX. PUBLIC COMMENT

None

X. REPORTS

- Council Member Binder announced:
 - o Community Conversation forum on the Educational Farm will be held tomorrow evening at 6:30 pm at City Hall
 - o The City of Alpharetta's Tree lighting event is this Saturday at 4 pm
 - o Rotary club of North Fulton recently partnered with the Department of Public Works and the Recreation and Parks Department at the 'serenity area' at North Park to add in more trees

XI. ADJOURNMENT

❖ *Mayor Belle Isle adjourned the meeting at 8:57 PM*

Respectfully submitted,



Coty Thigpen

City Clerk