



Official City Council Meeting Minutes of **APRIL 30, 2018**

CITY HALL-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 tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours.

I. CALL TO ORDER

❖ *Mayor Mitchell called the meeting to order at 6:30 P.M.*

II. ROLL CALL

- Council Members
 - Mayor Donald F. Mitchell
 - Jason Binder
 - Ben Burnett
 - Dan Merkel
- Staff
 - Bob Regus, City Administrator
 - Coty Thigpen, City Clerk
 - Sam Thomas, City Attorney
 - James Drinkard, Asst. City Administrator
 - Peter Sewczwicz, Director of Public Works
 - John Robison, Deputy Director of Public Safety
 - Morgan Rodgers, Director of Recreation and Parks
 - Kathi Cook, Director of Community Development
 - Michael Woodman, Senior Planner
 - Eric Graves, Senior Engineer

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS AND PRESENTATIONS

A. Community Update:

1. North American Mission Board - Kevin Ezell
2. Vertical Church - Billy Lowe

3. Erin's Hope for Friends - Stacy Horst

B. Arts Awareness Month

V. CONSENT AGENDA

A. Alcoholic Beverage License Applications

PH-18-AB-47 CFB Food LLC
d/b/a Coalition Food & Beverage 50
Canton Street Ste. 108
Alpharetta, GA 30009

Consumption on Premises
Beer & Wine, liquor, Sunday Sales

Owner: Ryan Pernice Registered
Agent: Ryan Pernice

B. PH-18-AB-46 Holmes
d/b/a Holmes
50 South Main St. Alpharetta,
GA 30009

Consumption on Premises
Beer & Wine, liquor, Sunday Sales Wine by
the bottle

Owner: David Neary
Registered Agent: Moises Posado-Lozano

C. PH-18-AB-45 CT Southern LLC
d/b/a Chronic Tacos Mexican Grill 970
North Point Drive Ste. B160 Alpharetta,
GA 30009

Consumption on Premises Beer
& Wine, Sunday Sales

Owner: James Smith
Registered Agent: Kattegummula Reddy

D. Council Meeting Minutes (Meeting of 3/26/2018 & 4/9/2018)

E. Public Hearing Minutes Alcohol License 4-26-18

❖ *Council Member Binder offered a motion to approve the Consent Agenda*

- *The motion was seconded by Council Member Merkel*
- *The motion was approved unanimously 4-0*

VI. OLD BUSINESS

A. V-17-21: 55 & 61 Roswell Street/Parking and Building Height Variance

NOTE: This item was tabled on December 18, 2017 and must be removed from the table for consideration.

❖ *Council Member Merkel offered a motion to remove from the table*

- *The motion was seconded by Council Member Binder*
- *The motion was approved unanimously 4-0*

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- The applicant has revised the request by reducing the building size and height. The previous request was for a 57' building (4 stories) which has been reduced to 46' (3 stories).
- Staff recommends approval of V-17-21 55/61 Roswell Street Parking & Height Variance subject to the following conditions:
 1. Building architecture and site plan shall be substantially similar to plans prepared by D. Tracy Ward, dated 3/28/2018, except for modifications required to comply with the conditions below, final approval by DRB.
 2. Applicant shall contribute \$138,500 to the Downtown Parking Fund. Half of the payment shall be required prior to receiving a building permit, remainder prior to a Certificate of Occupancy. Applicant shall not receive a building permit for the mixed-use building until the Milton Avenue Parking Deck is substantially complete.
 3. Building height shall be limited to no more than 46' and white lights shall be added to the top of the buildings to participate in the City's holiday lighting program.
 4. The historic Skelton-Teasley House (61 Roswell Street) shall be restored and protected. Restoration and modifications shall require review and approval by Staff. The use of the structure shall be limited to retail, restaurant or office. The exterior of the structure shall be restored prior to final Certificate of Occupancy. Landscaping shall be designed to complement the time period of the structure. An easement shall be recorded providing for use of the Skelton-Teasley House yard as amenity space. No fencing permitted.
 5. Developer shall provide the City with a binding legal agreement providing for the protection and maintenance of the Skelton-Teasley House.
 6. Monument sign for Skelton-Teasley House shall not exceed 10 square feet and wall sign shall not exceed 4 square feet, both to be approved by DRB. The structure at 61 Roswell Street will forever be known as the Skelton-Teasley House and will be so designated by a plaque, which will be affixed to the exterior of the structure or as a standalone plaque as approved by DRB.
 7. Retail and Restaurant use shall be limited to 8,000 square feet, not including outdoor/rooftop seating areas.
 8. First floor uses facing Roswell Street shall be limited to retail and restaurant.
 9. Prior to Certificate of Occupancy, the applicant shall be required to enter into an agreement approved by the City for permanent access through the City's Roswell Street parking lot. Permanent access easements shall be recorded prior to issuance of the LDP.
 10. Developer shall improve the area between the historic structure and the new mixed-use building with hardscape, landscape, decorative lighting, outdoor furniture and public art.
 11. Existing trees shall be preserved as depicted on site plan prepared by D. Tracy Ward, dated 3/28/2017, including tree #503 (31" Water Oak) and tree # 504 (41" Water Oak).
 12. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. Street trees shall be required along Roswell Street within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown, as approved by Staff. Heavy landscaping shall be provided along Manning Drive, as approved by Staff. All required landscaping shall be outside of utility easements.
 13. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
 14. Dumpster(s) shall be contained within the parking level of the proposed building.
- The applicant, Robert Turner on behalf of Park Plaza Partners, LLC, is requesting consideration of a height and parking variance to allow a 3-story, 30,000 square foot mixed-use building with office, retail and restaurant uses within the Downtown Overlay. The historic Skelton-Teasley House is proposed to be saved and restored for use as retail and or restaurant. A one-time contribution to the City's Downtown Parking Fund is proposed by the applicant to offset required parking that is not being accommodated onsite. The subject property is located at 55 and 61 Roswell Street, adjacent to the Roswell Street City parking lot.
- The submitted request, if approved, will allow for a 3-story, 30,000 square foot mixed-use building, including

office, retail and restaurant uses on 0.66 acres in the Downtown Overlay. The historic Skelton- Teasley House at 61 Roswell Street is proposed to be saved and restored for use as retail and/or restaurant. The applicant proposes a one-time contribution to the City's Downtown Parking Fund to offset required parking that is not being accommodated onsite. The subject property is located at 55 and 61 Roswell Street, adjacent to the Roswell Street City parking lot. The applicant proposes to increase the building height from 40' to 46' and requests a variance from 20 parking spaces in consideration of saving the historic building on the property instead of constructing surface parking.

- The subject property is zoned C-2 (General Commercial). The properties are developed with two (2) residential structures, which have been converted to non-residential use. The property is surrounded by C- 2 parcels to the northeast, east and south, including Made Kitchen & Cocktails and La Casa Italian Grill to the northeast and 48, 54 and 62 Roswell Street to the east and south. Properties to the northwest and west are zoned R-10M and include the Roswell Street City parking lot and an office building at 65 Roswell Street. The property is located within the Downtown Overlay and has a comprehensive land use plan designation of Central Business District. The applicant proposes to use the existing curb cut located west of the property for access the site in order to limit curb cuts along Roswell Street as well as save the historic home.
- The Skelton-Teasley House was built in 1856 for Dr. Skelton. The 1-story home was designed in the Greek Revival architectural style. The applicant proposes to save and restore the home and to use it for retail and/or restaurant. This request is similar to East of Main, where the Ben Manning House was preserved and restored for use as an office.
- The City's Alpha Loop project includes an alignment at the rear of properties across Roswell Street from the applicant's property. In an effort to reduce vehicular trips and encourage use of the Alpha Loop, the applicant proposes bicycle facilities in conjunction with the proposed development

- The applicant proposes to construct a mixed-use building, consisting of structured parking for 42 cars in the lower level and surface, approximately 8,000 square feet of ground level retail/restaurant and 22,000 of office.
- The submitted site plan depicts a 3-story (46'), 30,000 square foot mixed-use building surrounding the historic Skelton-Teasley House on 0.66 acres. The Skelton-Teasley House is approximately 1,244 square feet. The Historic Preservation Ordinance requires that only half of the parking requirements be met for a historic structure. Access to the property is depicted by using a shared entrance drive.
- The existing structure to be saved and the proposed mixed-use building meet all setback requirements in the C-2 district. Since the front setback in the C-2 district is conditional, staff requested that the mixed-use building have a similar setback as the historic Skelton-Teasley House, which is approximately 30'. Two (2) specimen trees (31" Water Oak and 41" Water Oak) are proposed to be saved on the property and are located at the front of the property along Roswell Street. A courtyard is proposed behind the historic building that will include seating for the restaurant within the new building.
- The site plan includes the 30,000 square foot building with first floor restaurant and 42 parking spaces on grade and under the building. If the historic building were removed another 20 spaces could possibly be accommodated on the site, therefore a variance is requested.

Parking required for the site is as follows: 30,000 sf new building:

8,000 sf retail @ 2 per 1,000 =	16 spaces
22,000 sf office @ 3 per 1,000 =	66 spaces
Historic building (1/2 required) 1,500 sf =	1.5 spaces
	Total:
	84 spaces
Provided onsite:	42 spaces
Total required offsite or in lieu payment	42 spaces
Consideration of 20 spaces for saving home	22 spaces require for in-lieu payment

In lieu adopted fees:

1-5 spaces = \$4,500 per space =	\$ 22,500
6-20 spaces = \$8,000 per space =	\$ 88,000
21-40 spaces = \$14,000 per space =	\$ 28,000
Total fee required	\$138,500

- The C-2 zoning district permits building heights up to 40'; however, the Downtown Master Plan recommends building heights up to four (4) stories or 60'. The proposed building is three (3) stories with a height of 46'. Staff is recommending heights up to 46' within the Heritage area along Roswell Street

- This height allows for the 18' first floor recommended by the Downtown Code as well as 14' 2nd and 3rd floors.
- Plans are currently under development for a public parking deck at 92 Milton Avenue, which is approximately 125' from the applicant's property.
- The applicant's architect has stated that the new mixed-use building will be compatible with the Skelton-Teasley House, which represents Greek Revival architecture. The new building will emulate the historic structure with respect to materials (brick and cast stone), colors (earth tones) and stylistic details (classical Greek Revival and Federal). The ground level will be cast stone to create a base for the heavier brick material used on upper floors. Windows, shutters and doors will be detailed and fabricated to match historic precedents found in the Southeast. In addition, the applicant will make efforts to bring the Skelton-Teasley House back to its past Greek Revival purity. The proposed building complies with the Alpharetta Downtown Design Guidelines, which outlines specific building style, ornamentation, massing as well as requiring higher ornamentation at the pedestrian level. The applicant does propose roll-up industrial doors at the pedestrian level facing the courtyard for indoor and outdoor dining.
- Staff has reviewed the proposal and finds that the variance requests can be supported by recommendations within the Downtown Master Plan. The Downtown Plan states the intent and purpose is for Downtown Alpharetta to be a focal point for high-quality mixed-use development. The property is within an area designated 'Central Business District', which permits higher densities and building heights than other areas in the Downtown Overlay. The historic Skelton-Teasley House is approximately 26' in height; however, buildings of varying heights within downtowns can create a more interesting street frontage as long as the pedestrian level has the highest level of ornamentation and building design standards and styles within a downtown tie the buildings together with a historic theme. Alpharetta Lofts and Teasley Place have been granted height variances to allow up to 60' and Liberty Hall up to 67', with four (4) stories. The applicant is proposing a maximum of 46'. Three stories are already permitted and therefore the height variance doesn't increase density but allows a building with taller floors.
- Existing parking in the Downtown requires expansion in order to serve this use and additional growth occurring in the Downtown. It's difficult to provide onsite parking on small downtown parcels as it limits density and in some areas parcels would be purchased and developed solely for the purpose of surface parking. This could be a detriment to building connectivity and needed density along Downtown streets.
- The City has budgeted over \$7 million to construct additional parking in the Downtown. The previous HDIZ contemplated the parking issue by offering developers the option of contributing to a parking fund in lieu of providing on-site parking, which would be used to build communal parking deck spaces. That document required half of the parking be provided on-site and the applicant could pay \$4,500.00 per space into the Downtown Parking Fund to satisfy the remaining parking requirement. In 2007, 44 Milton Avenue paid \$157,500.00 into the Parking Fund and in 2013 Alpharetta Lofts paid \$66,000.00 for their portion of required parking. CORO paid \$36,000.00, in 2014, for their parking variance approval.
- It should be noted that each request for parking variances and contributions to the Parking Fund are based upon the available inventory at the request time, as well as proximity to structured parking.
- The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The applicant stated that no negative comments were received.
- Attorney Rob Turner came forward on behalf of the applicant

Public Comment

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA came forward to speak on this item
- Jack Nugent, 12082 Cotton Alley. Alpharetta, GA, came forward to speak on this item

❖ *Council Member Merkel offered a motion to approve V-17-21: 55 & 61 Roswell Street/Parking and Building Height Variance subject to staff conditions and also noting that there will be no access*

easement on the adjacent property as that property is not part of this application

- The motion received a second from Council Member Binder*
- The motion was approved unanimously 4-0*

B. PH-17-38: Sae Han Church / 3385 Kimball Bridge Road

❖ **This item was tabled on March 5, 2018. It must be removed from the table for consideration.**

❖ *Council Member Merkel offered a motion to remove this item from the table*

- The motion received a second from Council Member Burnett*
- The motion was approved unanimously 4-0*

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- This item was considered at the March 5, 2018 City Council meeting. Residents voiced concerns that they had not received notification from the applicant and that they did not have a full understanding of what was being proposed. After discussion, City Council tabled the item to provide the applicant with an opportunity to address unresolved issues with surrounding property owners.
- The applicant met with the adjacent property owner to the west and reached out to affected property owners in Hampton Hall to address any concerns. In response, the applicant proposes 1) Supplement buffers with a row of evergreen plantings adjacent to newly disturbed areas, 2) Reduce the west buffer from 100' to 50' only for the portion adjacent to the proposed parking and playground area, 3) Review area along south buffer to accommodate placement of additional landscape screening material, and 4) Acknowledgement by the applicant that the recommended condition restricting building height to 35' may limit the future building addition to 2- stories, which would reduce the floor area of the future addition from 45,000 SF to 35,000 SF.
- Staff recommends approval of PH-17-38 Sae Han Presbyterian Church, subject to the following conditions:
 1. The property shall be developed substantially similar to plans by Kimley-Horn & Associates, dated 2/6/2018, 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. The applicant shall maintain the 100' undisturbed buffer to the south. The buffers to the east and west shall be 50' with no building/habitable space to be located in the former 100' side yard buffers. The west buffer shall be 50' only for the portion needed to provide the proposed parking and playground/greenspace area. The buffers to the south, east and west shall be supplemented with a row of evergreen trees, to provide additional screening, along any newly disturbed areas and behind the existing gym, education building and sanctuary, as determined to be feasible by Staff.
 3. Parking may consist of up to 300 parking spaces. Parking areas shall be limited to the site plan prepared by Kimley-Horn & Associates, dated 2/6/2018. As offered by the property owner, the proposed parking area adjacent to Kimball Bridge Rd shall be open to the public as a shared parking lot for the future City park to the east. Parking area adjacent to Kimball Bridge Rd shall include heavy landscape screening, as approved by Staff. Property owner shall dedicate a permanent easement providing a pedestrian connection between the parking lot and the future City park.
 4. Pond shall be permitted to be removed with the installation of an approved stormwater detention vault and maintenance schedule by the property owner that is permanent and binding, as approved by Staff. Design shall comply with the City of Alpharetta stormwater ordinance. In order to mitigate impacts to stream and buffer, developer shall comply with the following:
 - a. Address erosive conditions at two existing outfalls on either side of remaining stream.
 - b. Provide 25% additional runoff reduction or water quality volume above the standard city requirements.
 - c. Provide buffer enhancement on the remaining stream buffer downstream of the church entrance driveway. These can include, removing fallen trees from inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.

- d. Obtain all necessary state and federal approvals for the stream and buffer impacts.
- e. Or alternative mitigation measures, as approved by Staff.
- 5. Previous conditions of zoning shall remain in effect, except as modified by these conditions.
- 6. The maximum seats for services shall not exceed 600 for all proposed phases as represented in the application.
- 7. Following construction of the proposed church expansion, an officer shall be utilized for services in order to manage and direct traffic.
- 8. As required by current City ordinance, applicant shall provide evidence of a professional landscape maintenance contract.
- 9. Site impervious area shall not exceed 40%.
- 10. The maximum building height shall be 35 feet and church expansion shall be limited to no more than 35,000 square feet.
- 11. Any new habitable buildings shall be primarily brick on all sides and compatible with the residential character of the area as determined by the Design Review Board.

- The applicant, Sae Han Presbyterian Church, requests changes to previous conditions of zoning and site plan approval. The requested changes would allow for a 45,000 square foot future expansion of the church. The applicant proposes a reduction to the side yard (east and west) undisturbed buffers from 100' to 50', placing the undisturbed pond underground and adding surface parking. The subject property is located at 3385 Kimball Bridge Road on the south side of Kimball Bridge Road, just west of Waters Road.
- The submitted request, if approved, will allow for changes to previous conditions of zoning and site plan approval related to Sae Han Presbyterian Church. The proposed changes would allow for a 45,000 square foot future expansion of the church. The applicant proposes a reduction to the side yard (east and west) undisturbed buffers from 100' to 50', removal of the pond and installation of a vault with surface parking above. The subject property is located at 3385 Kimball Bridge Road on the south side of Kimball Bridge Road, just west of Waters Road.
- The 10-acre property is zoned SU (Special Use). Surrounding properties are zoned CUP to the south and east, AG to the west and R-10M and CUP to the north. Hampton Hall subdivision is located to the south, a future City Park to the east, 5-acre single-family parcel to the west and Collingwood and Laurel Pond subdivisions to the north.
- The subject property was rezoned in 1997 and received site plan approval from Council later that same year. In 2002, the property received site plan approval to add 100 parking spaces. The applicant proposes the following changes to previous conditions of zoning related to file PH-01-11 Sae Han Presbyterian Church (~~Strike-through~~ = Delete, Underline = Add):
 1. The applicant shall maintain the 100' undisturbed buffer, except the 2 side yard buffers shall be 50' with no building/habitable space to be located in the former 100' side yard buffers.
 2. Parking may consist of up to ~~100-375~~ parking spaces. (Refer to approved site plan dated ~~2-18-02-2-6-18~~ which limits areas for allowed parking)
 6. ~~Pond shall remain undisturbed per existing zoning condition. Pond shall be permitted to be removed with the installation of an approved stormwater detention vault and maintenance schedule by the property owner that is permanent and binding. Existing flumes in violation of the condition shall be removed as instructed by the Engineering Department.~~ Design shall comply with the City of Alpharetta stormwater ordinance.
- The submitted site plan depicts the existing 29,200 square foot Sae Han Presbyterian Church and a new 3-story, 45,000 square foot addition proposed within an existing surface parking area in front of the existing buildings. There are three (3), 1-story buildings on the property, including a sanctuary, education building and gymnasium. According to the applicant, the primary assembly space of the church at final build-out would accommodate a congregation of up to 600 people.
- The site plan depicts three (3) new surface parking areas, including surface parking over a stormwater vault. Additional parking is proposed adjacent to Kimball Bridge Road and on the west side of the property. Currently, the site has 190 surface parking spaces. If the site plan is approved, the applicant intends to increase the number of surface parking spaces to 300 spaces at final build-out. A total of 375 parking spaces are proposed in the phased development; however, the final phase removes 75 parking spaces for the 45,000 square foot future addition. The Unified Development Code (UDC) requires one (1) parking space for every two (2) seats in the principal assembly room. Based on a maximum seating capacity of 600 people, the site plan complies with the City's parking

requirements.

- The applicant proposes removal of the existing stormwater pond and replacement with a concrete stormwater vault with surface parking above. The City has determined that the existing pond and associated stream are Waters of the State. In an effort to mitigate impacts from vaulting the existing pond, the applicant proposes to 1) remove fallen trees from streambed to allow for unimpeded flow, 2) plant eroded or unvegetated areas of the stream banks with shade tolerant landscape material, 3) plant unvegetated areas of the buffer with shade tolerant mid-story trees, and 4) remove invasive vines from canopy trees. If approved, Staff recommends alternative mitigation measures.
- The property is heavily wooded, predominately hardwood forest with a canopy of Loblolly Pines, Sweet Gum and Red Maple. The applicant provided a tree survey and assessment for specimen trees within areas of the site proposed to be disturbed. Two (2) specimen trees are proposed to be removed, just south of the existing stormwater pond.
- The applicant's trip generation report indicates that individual church services average 80 cars with a peak of 150 cars. The church currently holds six (6) services on Sundays between the hours of 9:00 AM and 2:30 PM. The church averages 470 persons per Sunday with a peak of 800. Sae Han has an informal agreement with Philadelphia Church on Spruell Circle for overflow parking, when needed. The church operates a shuttle between the 2 sites. The report states that the church does not have a noticeable impact during the AM and PM Peak Hour times for traffic along Kimball Bridge Road.
- City 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 expansion of the church would have little impact during peak hours for traffic on Kimball Bridge Road and impacts to the undisturbed buffers have been minimized. If approved, the applicant would be subject to the necessary federal and state approvals for impacts to State Waters. Staff also recommends conditions restricting the amount and location of surface parking, as well as mitigation measures to address impacts to the on-site stream.
- The report submitted by the applicant states that property owners within 1,000' were contacted regarding the applicant's intent and to notifying them of a Community Meeting on February 5, 2018. The applicant also met with board members of the Hampton Hall HOA on January 15, 2018. The report indicates that Hampton Hall had no objections to the applicant's proposal, if the 100' buffer to the south remained in its current state.
- Eric Bosman came forward on behalf of the applicant

Public Comment

- David Merbaum 8145 High Hampton Chase, Alpharetta, GA came forward to speak on this item
- Minjane Jan, 10615 Pinewalk Forest Circle, Alpharetta, GA, came forward to speak on this item
- Joel Terry, 1425 Hampton Hill Drive, Alpharetta, GA came forward to speak on this item

❖ *Council Member Merkel offered a motion to approve PH-17-38: Sae Han Church / 3385 Kimball Bridge Road subject to staff conditions with the following revisions:*

- *Condition #3: add language that the parking maximum of 300 will be at the time of completion of expansion*
- *Evergreen planting to the south of the property shall be completed in the 1st phase (land disturbance)*
- *Parking given to the City for the park usage will be Monday-Saturday and not on Sundays*
- *The motion received a second from Council Member Burnett*
- *Mayor Mitchell offered a friendly amendment that would require the height of the evergreens to be at least 10-15 feet*
- *Accepted by Merkel and Burnett*
- *The motion was approved unanimously 4-0*

C. Ethics Ordinance (2nd reading)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AMEND, RESTATE AND ADOPT A CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS (AS HEREIN DEFINED); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

- City Attorney, Sam Thomas, read the Ordinance title aloud constituting a 2nd reading
- Mr. Thomas also reviewed the changes made since 1st reading, which are as follows:
 - The appointed ethics board would only hear one complaint and then following the hearing of that complaint, they would no longer serve within the pool of 14 and others would be appointed in their place
 - Added a provision that they City Attorney would be available to provide legal advice and attend all meetings
 - Proceedings would be confidential to the extent allowed by law and meetings would be open under accordance with Georgia Open Meetings Act
 - Any recommendation would come to Council for consideration in open meeting
 - Clarified that there is an initial review period to determine if it warrants a hearing and would have to be resolved within 30 days

Public Comment

None

❖ *Council Member Binder offered a motion to approve the Ethics Ordinance*

- *The motion received a second from Council Member Burnett*
- *The motion was approved unanimously 4-0*

D. Amendment to Speed Zone Ordinance (2nd reading)

- Staff recommends amending the existing speed zone ordinance in order to incorporate added residential zones and changes to existing speed limits for the purpose of public safety. Authorize the Mayor to execute all necessary documents.
- This item was 1st read at the March 19th Council Meeting.
- The City of Alpharetta's Speed Zone Ordinance was last amended November 2012. Additional streets and changes to roadway limits, since the last amendment, require that changes be made to address speed complaints to ensure safety.
- Per Georgia Uniform Traffic Code, all speed limits enforced by municipal law enforcement agencies using speed detection devices must be:
 - a) submitted to the Georgia Department of Transportation for approval;
 - b) approved by the municipality; and
 - c) approved by the Georgia Department of Public Safety.
- The Georgia Department of Transportation has approved the List of Roadways satisfying (a) above.
- This Council Agenda Item, and thus the Ordinance Amendment, fulfills (b) above.
- City Attorney, Sam Thomas, read the Ordinance title aloud constituting a 2nd reading

❖ *Council Member Burnett offered a motion to amend the Speed Zone Ordinance*

- *The motion received a second from Council Member Merkel*
- *The motion was approved unanimously 4-0*

VII. NEW BUSINESS

A. Contract For Planning Services: Wills Park And Equestrian Center Master Plans

- Director of Recreation, Parks, and Cultural Services Morgan Rodgers, came forward to present this item on behalf of staff
- Staff recommends approval of a contract with Jacobs, Inc. in an amount not to exceed \$129,863.00 for the completion of a Master Plan for Wills Park and Wills Park Equestrian Center and authorization of the Mayor to execute all necessary documents.
- An update for the Master Plan of Recreation and Parks for the City of Alpharetta was completed in early 2018. Two of the major recommendations from this Plan were the need for a Master Plan for Wills Park and Wills Park Equestrian Center. Both Wills Park and the Equestrian Center are in need of updates and improvements. These plans will provide the City with priorities and cost estimates for the needed improvements.
- Both the 2014 Parks Master Plan (PMP) and the 2018 update to the PMP were performed by Jacobs, Inc. Because of the technical skills and experience of Jacobs, Inc. and the institutional knowledge the firm gained during these previous planning engagements, Staff maintains that the firm is uniquely qualified to develop the master plans for both Wills Park and the Equestrian Center. The firm's institutional knowledge will also allow them to complete the engagement in less time and at a lower cost due to the information they already possess that would require other firms to conduct additional surveys and community engagement beyond what will be necessary from Jacobs, Inc.
- As such, Staff is requesting the award of a single-source contract to Jacobs, Inc. in an amount not to exceed \$129,863.
- The contract calls for a very aggressive time frame, with the final plans due by the end of August, 2018.

Public Comment

- Lisa Hart, 3223 Buck Way, Milton, GA, came forward to speak on this item

❖ *Council Member Binder offered a motion to approve a contract with Jacobs, Inc. in an amount not to exceed \$129,863.00 for the completion of a Master Plan for Wills Park and Wills Park Equestrian Center and authorization of the Mayor to execute all necessary documents*

- *The motion received a second from Council Member Burnett*
- *The motion was approved unanimously 4-0*

VIII. PUBLIC HEARING

A. Z-17-18 / V-17-39: 1245 Rucker Road

NOTE: This item has been withdrawn at the request of the applicant and will not be considered

B. PH-18-04: Unified Development Code Text Amendments/PSC District

NOTE: This item has been deferred and will be neither heard nor discussed during this meeting.

C. CLUP-18-01 / Z-18-01 / CU-18-03 / V-18-01: Atlanta Senior Care Services

This item was Tabled by the Planning Commission on April 12, 2018. It will not be considered at this meeting.

D. MP-18-02: Lifehope / Siemens Master Plan

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- This item was heard at the April 12, 2018 Planning Commission meeting. Staff recommended approval of the applicant's request. Two members of the public spoke against the request with concerns over interparcel access impacts to development to the south, stormwater runoff onto the property to the south, proximity of driveway off North Point Parkway to driveway for development to the south, impacts of cut-through traffic through the proposed development and traffic congestion on North Point Parkway and Old Milton Parkway. After discussion, the Planning Commission recommended to approve the item, subject to staff recommended conditions. Vote (7-0)

- Staff recommends approval of MP-18-02 Lifehope/Siemens Master Plan, subject to the following conditions:
1. Property shall be developed substantially in accordance with submitted plan prepared by Jericho Architectural Design Group, dated 2/2/2018, including tree save areas as depicted. Site plan approval shall apply to the existing building renovation and Parking Deck 1. Future phases of development shall require site plan approval by DRB.
 2. Retail uses shall not exceed more than 25% of the floor area of an office building and shall be service retail incidental to medical office use, restricted to the following uses:
 - a. Bakery.
 - b. Barber Shop.
 - c. Beauty Shop.
 - d. Book Store.
 - e. Clinic.
 - f. Drug Store.
 - g. Dry Cleaning Pick-up Station.
 - h. Florist, Retail without Greenhouse.
 - i. Print Shop.
 - j. Restaurant without Drive-through.
 3. Development regulations shall be as follows:
 - a. Office – Maximum 6 stories, except as stated below. Total office square footage shall be limited to no more than 497,000 square feet, including the existing office building. Building E shall be at least 2 stories and no more than 4 stories in height and shall be placed with least impact to existing trees.
 - b. Parking Decks – Maximum 6 levels, except that Parking Deck 1 shall be no more than 4 levels. Parking decks visible from Old Milton Parkway and North Point Parkway shall be treated with comparable materials and finishes as the buildings they serve. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.
 4. Specimen trees, tree groupings and trees of quality shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the Tree Protection Ordinance, as approved by Staff.
 5. Tree survey and assessment shall be provided with each phase of development at LDP.
 6. Applicant shall make an effort to determine if any existing landscaping (ornamental trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.
 7. Replace dead, dying or missing landscape material in existing required landscape areas.
 8. Detention facilities shall not be visible from a public right-of-way, except as a decorative water feature, with approval by Staff.
 9. Project entrances off Old Milton Parkway and North Point Parkway shall be designed to incorporate a water feature, sculpture or similar focal point feature and decorative entrance landscaping, as approved by DRB.
 10. Parking decks and retaining walls shall receive architectural façade treatment or be heavily landscaped. Retaining walls visible from developed areas exceeding 16' in height shall be terraced. In areas where the parking decks are visible to the public, the decks will be screened by over-sized landscaping (12" – 15" caliper trees) or materials approved by DRB or other materials as approved by Staff.
 11. Developer shall construct and dedicate a permanent easement to the City over the nature trail amenity. Developer shall accommodate nature trail connectivity with the property to the west.
 12. Provide one landscape island with shade tree for every 72' of parking length.
 13. Provide a sidewalk along at least one side of the internal road providing a pedestrian connection between Old Milton Parkway and North Point Parkway.
 14. All buildings shall have connectivity to internal sidewalk system.
 15. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters and other street furniture, where appropriate, throughout the development. A bus drop-off area with shelter and dedicated lane shall be incorporated into the plan design along Old Milton Parkway, North Point Parkway or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for employees.
 16. Plans for buildings, site, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the DRB.
 17. All buildings along Old Milton Parkway and North Point Parkway must face those streets or appear to face those streets, including an entrance and direct sidewalk connection to public sidewalk. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall not be visible from those streets. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.

18. Streets within the development shall be private and shall include a planted median with sufficient space for tree plantings.
 19. A traffic study to determine the appropriate configuration and traffic control shall be required at time of LDP for the proposed driveway on North Point Parkway. Developer shall bear the responsibility for payment and installation for necessary traffic signals and traffic regulatory devices, decal lanes and other improvements that are necessitated by impact of the proposed development.
 20. Zoning conditions carried over from file# MP-01-04/Siemens Real Estate, Inc.:
 - a. Incorporate an amenity for office tenants that is accessible to the public from the sidewalk along North Point Parkway such as a walkway to the wet pond and creek, outdoor eating area, gazebo, etc.
 - b. Ground mounted signs shall not exceed 10 feet in height. Signs to be located within the project shall be uniform in design. A detailed sign package for the entire development shall be presented and approved by the DRB.
 - c. Provide a 20' wide landscape strip along North Point Parkway with a berm and extensive landscaping.
 - d. Landscape areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscape area if decorative and will provide an amenity to the public.
 - e. The main internal roadway within the site shall incorporate a decorative finish treatment at pedestrian crosswalks.
 - f. Provide pedestrian lighting along Old Milton Parkway to match lighting at Brookside.
 - g. All impervious area runoff "by-passing" the water quality pond shall be treated with a BMP such as vegetative strips to remove water pollutants. Runoff from parking areas shall not enter stream untreated.
 - h. At the time an LDP is applied for, site must comply with all current City of Alpharetta standards and specifications.
 - The applicant, Richmond Honan, is requesting an amendment to the Siemens Master Plan and site plan approval to allow for the construction of a medical office campus on approximately 37 acres. The master plan amendment includes changes to previous conditions of zoning related to site plan modifications. The subject property is located at 3333 Old Milton Parkway on the south side of Old Milton Parkway and west of North Point Parkway.
 - The submitted request, if approved, will allow a medical office campus on a 37-acre property. The proposed office density of 13,550 square feet per acre is unchanged from the original Siemens Master Plan. The subject property is located at 3333 Old Milton Parkway on the south side of Old Milton Parkway and west of North Point Parkway.
 - The property is zoned O-I (Office-Institutional). A 5-story, 117,000 square foot office building was constructed on the property in 1986 and was previously owned and occupied by Siemens. Surrounding properties are zoned O-I (Preston Ridge Master Plan) to the north, CUP (Preston Ridge Master Plan) to the east, CUP and O-I (Royal 400 Master Plan) to the south and O-I, CUP and LI (Light Industrial) to the west. The Comprehensive Land Use Plan designation of the property is 'Corporate Office', which allows the proposed medical office use.
 - The Siemens Master Plan (MP-01-04) was approved on May 21, 2001 to allow for the construction of three buildings, not to exceed 380,000 square feet of office and accessory uses. The 117,000 square foot existing building preceded the Siemens master plan approval. The applicant requests the following changes to the Siemens Master Plan conditions of zoning (**Proposed changes reflected in RED**):
 1. Proposed new development within the Master Plan shall be limited to the following:
 - a. ~~Three~~ **Six (6)** office buildings with accessory uses (not to exceed a total of 380,000 square feet) and ~~a~~ parking decks.
 - b. Maximum height shall be ~~8-6~~ stories, **except that Building E shall be no more than 4 stories.**
 - c. Density shall not exceed 13,550 square feet per acre.
- ~~5. The submitted Master Plan shall be subject to reconsideration by the Planning Commission and by the City Council if no construction or development occurs on any portion of the site within three (3) years of the date of its approval beginning after the Big Creek sewer moratorium is lifted. Construction shall be deemed as pouring of concrete for any structure.~~**
- 12. Site development plans shall be substantially similar to the site plan submitted (dated ~~March 1, 2001~~ **February 2, 2018**), including tree save areas as shown.**

- The applicant's site plan represents a change from the previously-approved zoning plan, as shown on the site plans below. The primary difference is that surface parking lots have been replaced with parking decks, which has significantly reduced the overall impervious area from approximately 22 acres to 14.2 acres. The proposed site plan depicts six (6) medical office buildings served by four (4) parking decks. The applicant proposes to maintain the original master plan office density and to reduce maximum building heights from eight (8) stories to six (6) stories.
- Comparison – Original vs. Proposed Master Plan

	Original Master Plan	Applicant's Proposal
Office	497,000 SF*	497,000 SF*
Use	Professional Office	Medical Office
Site Density	13,550 SF/Acre	13,550 SF/Acre
Max. Building Height	8 stories	6 stories
Tree Save Area	7.5 acres	7.5 acres
Impervious Area	22 acres	14.2 acres
Parking	All Surface Parking	4 Parking Decks (w/some surface parking)

***Includes existing 117,000 SF office bldg.**

- The applicant's site plan depicts the existing 117,000 square foot office building remaining and five (5) new medical office buildings ranging in size from 45,000 – 95,000 square feet for a total of 380,000 square feet. Four (4) parking decks are proposed with a small amount of surface parking. The 1st phase of development includes the renovation of the existing office building (Bldg. A) and 2 – ½ levels in Parking Deck 1. Phase 2 includes the construction of Bldg. E and Parking Deck 4; Phase 3 includes the construction of Bldgs. B & C, Parking Deck 2 and add 2 – ½ levels to Parking Deck 1; and Phase 4 includes the construction of Bldgs. D & F and Parking Deck 3.
- Buildings along the south side of Old Milton Parkway in the vicinity of the proposed development have front building setbacks of at least 65', which is consistent with the 65' building setback depicted on the site plan. Buildings along the same stretch of Old Milton Parkway are 1-story, except that the Extended Stay America hotels are 3-stories. Building E, which is depicted fronting Old Milton Parkway, should be at least two (2) stories and no more than 4 stories in height.
- The subject property is heavily wooded. The applicant provided a tree survey and assessment for trees associated with Phase 1 – Existing building renovation and Parking Deck 1. The approved zoning plan depicted approximately 7.5 acres of tree save area on the property, which the applicant has maintained the same amount on the proposed site plan. Future phases of development will require City review of a tree survey and assessment to determine compliance with the City's Tree Protection Ordinance.
- The applicant submitted trip generation figures for the proposed project, based on their phasing plan. The existing building will generate 209 PM Peak Hour trips, with total buildout generating 635 PM Peak Hour trips.
- Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and site plan approval. The applicant's proposal is compatible with properties in the vicinity, which are also designated 'Corporate Office' and are developed as office parks, assisted living facility and free-standing commercial uses. The proposed site plan represents a compact, walkable development and would result in nearly eight (8) acres of additional greenspace by replacing surface parking lots with parking decks. If approved, conditions are recommended requiring screening, protection of the tree canopy, walkable infrastructure and architectural standards.
- The property is less than ½-mile from the Georgia 400 and Old Milton Parkway interchange and remains viable for office development. The City's vision for this area is reflected in the Old Milton Corridor Character Area description in the City's Comprehensive Land Use Plan, which states:

"Future development should emphasize connectivity and diversity of land uses, while also expanding the street network and enhancing the pedestrian environment by adding and/or linking sidewalks. Bicycle use should also be encouraged with infrastructure that makes biking safe and convenient. This complete transportation system should link adjacent residential areas to major destinations along the corridor or serve as a safe and convenient thoroughway to other destinations in the community."

“Old Milton Corridor Character Area stretches east to west through the middle of Alpharetta as shown on the Future Development Map. It is primarily zoned for a mix of residential, office, commercial and mixed use. West of GA-400, the corridor is envisioned to evolve into a mixed use corridor with reduced front setbacks along Old Milton Parkway. East of GA-400, the corridor is envisioned to evolve as an office/commercial corridor, although with a more compact, walkable development pattern.”

- The report submitted by the applicant states that property owners within 500’ were contacted regarding the applicant’s intent. The report states that the applicant received comments from the adjacent property owner to the south, North Point Professional Park, with the following concerns:
 1. Do not support future access road to the south.
 2. Location of entrance on North Point Parkway is very close to entrance for North Point Professional Park. Request that the entrance on North Point Parkway be moved farther north.
 3. North Point Professional Park is experiencing excessive water runoff from the applicant’s site. Water is collecting behind some of the office buildings on the adjacent property to the south. Request a stormwater management plan that will remedy this problem.
- Roger Brown came forward on behalf of the applicant and introduced the development team

Public Comment

- Dr. Brett Silverman, 4205 North Point Parkway, building D, Alpharetta, GA came forward to speak on this item
 - ❖ *Council Member Merkel offered a motion to approve MP-18-02: Lifehope / Siemens Master Plan subject to staff conditions*
 - *The motion received a second from Council Member Binder*
 - *Council Member Burnett offered that he would like to see the egress points to be approved by staff*
 - *The motion was approved unanimously 4-0*

E. CU-18-01: Vape Bar / Windward Promenade

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- This item was heard at the April 12, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 6 conditions. No one spoke in favor of or in opposition to the request. After discussion, the Planning Commission recommended to approve the item subject to staff’s recommended conditions. Vote (7-0)
- Staff recommends approval of CU-18-01 V8P Bar/Windward Promenade, subject to the following conditions:
 1. ‘Smoke Shop and Tobacco Store’ shall be added as a conditional use at 875 North Main Street, Suite 356 and limited to no more than 1,600 square feet.
 2. Conditional use approval shall be limited to V8P Bar; no additional ‘Smoke Shop and Tobacco Store’ businesses or subleasing shall be permitted within the approved space.
 3. Hours of operation shall be limited to Monday – Saturday 10:00 AM – 10:00 PM and Sunday 12:00 PM – 6:00 PM.
 4. The business shall not sell any tobacco products or drug-related paraphernalia. E-liquid shall be restricted to nicotine products only.
 5. Storefront glass shall be clear.
 6. Window signage shall not exceed 10% of the total window area. No lighting window trim.

- The applicant, V8P Bar, is requesting a conditional use permit to allow a retail store that sells vape (tobacco alternative/e-cigarette) products in a 1,600 square foot suite within an existing shopping center. The proposed use is classified as ‘Smoke Shop and Tobacco Store’, which requires approval of a conditional use at the proposed location. The property is located at 875 North Main Street, Suite 356 in the Windward Promenade retail center.
- The submitted request, if approved, will allow the applicant to operate a retail vape store in a 1,600 square foot suite within an existing retail center. The proposed use is classified as ‘Smoke Shop and Tobacco Store’. The applicant’s business includes retail sales of vapor devices, e-liquid and heating elements for vapor devices. According to the applicant, vaping is a healthier alternative to tobacco/cigarettes. The subject property is located at 875 North Main Street, Suite 356 in the Windward Promenade retail center.
- The property is zoned C-1 (Neighborhood Commercial), which allows ‘Smoke Shop and Tobacco Store’ with approval of a conditional use permit. Surrounding properties are zoned C-1 to the north, east and west and O-I (Office-Institutional) subject to the Oxford Green Master Plan to the south. Lowes, Burger King IHOP and Rite Aid are located to the north, commercial buildings in the Windward Promenade retail center are located to the west, BP Gas Station is located to the east and Costco and Windward Pointe subdivision are located to the south. The nearest townhome unit in the Windward Pointe subdivision is approximately 470’, as measured in a straight line, from the applicant’s requested location.
- The Windward Promenade retail center consists of three (3) commercial buildings totaling 48,185 square feet and occupied by a mix of retail, restaurant and office uses. The applicant’s business is proposed to be located within a 1,600 square foot suite on the 2nd floor of the building nearest Windward Parkway. Other businesses within this building, include Taco Mac, Cold Stone Creamery, Jimmy John’s, Healthy Massage and Quick Weight Loss Center, to name a few.
- Unified Development Code (UDC) Section 1.4.2 defines ‘Smoke Shop and Tobacco Store’ as follows:

“Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco instruments; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store".

- There are no ‘Smoke Shop and Tobacco Store’ uses located in the Windward Promenade retail center. However, there are similar businesses in the area, including Cutter’s Cigar & Spirits located at 4915 Windward Parkway and Big Bang Vape Co. located at 800 North Main Street.
- V8P Bar has been in business since 2013, with locations in Buford, Cumming, Duluth and Norcross. The applicant’s business is primarily retail sales of vape devices, e-liquid and other vape-related accessories. According to the applicant, V8P Bar will not sell tobacco, pipes, hookah, rolling papers or other products typically associated with head shops or tobacco shops. Hours of operation are Monday – Saturday 10:00 AM – 10:00 PM and Sunday 12:00 PM – 6:00 PM.
- City Staff has reviewed the applicant’s proposal and finds that it can generally support the request for conditional use. The request is not in conflict with the established standards. The proposed use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated within retail shopping centers. However, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the business.
- 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.
- Applicant came forward to thank Council for their consideration

Public Comment

None

❖ *Council Member Merkel offered a motion to approve CU-18-01: Vape Bar / Windward Promenade*

- *The motion received a second from Mayor Mitchell*

- *The motion was approved 3-1; Burnett voting no*

F. PH-17-29: Unified Development Code Text Amendments /Heritage Design Areas

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- This item was heard at the December 7, 2017 Planning Commission meeting. No one spoke in favor or against the request. After discussion, the Planning Commission recommended to approve the item. Vote (6-0)
- Staff updated the Heritage Design Area regulations to reflect a change to the maximum building height from 42' to 46'. The change is recommended in order to meet the Downtown Code minimum requirement of a 14' first floor height for storefront buildings, as well as to allow for greater 1st floor building heights.
- This item was heard at the April 12, 2018 Planning Commission meeting. No one spoke in favor or against the request. After discussion, the Planning Commission recommended to approve this item. Vote (6-0)
- Approve text amendments to Unified Development Code, Subsection 2.5.4(B) as it relates to the locational criteria for residential parking and Appendix A: Alpharetta Downtown Code as it relates to the creation of Heritage Design Areas, maximum building footprints and streetscape standards.
- Consideration of amendments to Unified Development Code (UDC) Section 2.5 Parking and Loading and Appendix A: Alpharetta Downtown Code.
- Locational Criteria for Parking:
Staff proposes an amendment to Subsection 2.5.4(B) to clarify the location of required parking in residential zoning districts.
- Heritage Design Areas:
Staff proposes the creation of Heritage Design Areas along Roswell Street and along Old Canton Street and Church Street to encourage the protection of contributing historic structures in the area. Development incentives are recommended as it relates to building coverage, building placement, building height, parking requirements for historic structures and gravel parking. A maximum building height of 46' is proposed for buildings in the Heritage Design Areas, which includes a restriction on allowable uses when the height incentive is used.
- Other Downtown Code Amendments:
Staff proposes text amendments to streetscape standards and maximum building footprints in the DT-C (Downtown Core) and DT-MU (Downtown Mixed-Use) zoning districts.
 - City Attorney, Sam Thomas, read the Ordinance into the record

Public Comment

None

- ❖ *Council Member Merkel offered a motion to approve PH-17-29: Unified Development Code Text Amendments /Heritage Design Areas*

- *The motion received a second from Council Member Binder*
- *The motion was approved unanimously 4-0*

G. PH-18-02: Unified Development Code Text Amendments/Downtown Architecture

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- This item was heard at the April 12, 2018 Planning Commission meeting. No one from the public spoke for or against the request. After discussion, the Planning Commission recommended to approve this item. Vote (7-0)
- Approve text amendments to the Unified Development Code and Alpharetta Downtown Design Guidelines to add four (4) new architectural styles in the Downtown.
- Consideration of amendments to the Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code, Subsection 2.8.7 Architectural Style Requirements and Alpharetta Downtown Design Guidelines.

Architectural Style Requirements:

Staff proposes adding four (4) new architectural styles in the Downtown Overlay, including:

- French Colonial
- Beaux Arts
- French Eclectic
- French New Traditional
- The City's Downtown Consultant recommends adding architectural styles in the Downtown that have a French influence and supports the four (4) architectural styles listed above.
- City Attorney, Sam Thomas, read the Ordinance into the record

Public Comment

- Ruth Ann Tatum, 250 Pebble Trail, came forward to speak on this item
- ❖ *Council Member Merkel offered a motion to approve PH-18-02: Unified Development Code Text Amendments/Downtown Architecture*
 - *The motion received a second from Mayor Mitchell*
 - *The motion was approved 3-1; Binder voting no*

H. PH-18-03: City of Alpharetta Capital Improvement Element and Annual Report

- Senior Engineer, Eric Graves, came forward to present this item on behalf of staff
- The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Capital Improvement Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.
- The CIE is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions. The Annual Report details on an annualized basis the collection and use of funds derived from impact fees. Together these documents provide a means of tracking local government performance and serve as a tool for measuring progress with respect to achieving community goals as outlined in the Comprehensive Plan.
- The City of Alpharetta is required to transmit its annual update of the Capital Improvement Element to the Atlanta Regional Commission for review prior to Council Adoption.
- City Attorney, Sam Thomas, read the Resolution aloud

Public Comment

None

- ❖ *Council Member Merkel offered a motion to approve the Resolution as read for PH-18-03 City of Alpharetta Capital Improvement Element and Annual Report*
 - *The motion received a second from Council Member Burnett*
 - *The motion was approved unanimously 4-0*

IX. NEW BUSINESS (con't)

A. Alpharetta Animal Hospital, P.C. - Settlement Agreement and Release and Access Easement

- City Administrator, Bob Regus, came forward to present this item
- In July 2017, Council awarded building a four level deck on Milton Avenue to The Christman Company in the amount of \$6,778,184.
- Since that time Council has held five executive sessions regarding permanent easement required from Dr. Hines, owner of the Alpharetta Animal Hospital. The property is needed in order to construct the parking deck.
- The City and the Alpharetta Animal Hospital have reached a settlement agreement and agreed to an access easement. The total amount of the improvements the City will be doing is valued at \$265,000.

Public Comment

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA, came forward to speak on this item
- ❖ *Council Member Merkel offered a motion to approve the Settlement Agreement and release the access easement*
 - *The motion received a second from Council Member Binder*
 - *The motion was approved 3-1; Burnett voting no*

B. Intergovernmental Agreement with Forsyth County regarding McGinnis Ferry Road

- City Administrator, Bob Regus, came forward to present this item on behalf of staff
- The Intergovernmental Agreement (IGA) between the City and Forsyth County is regarding the widening of McGinnis Ferry Road. Of the total anticipated cost of \$36,000,000, the amount of our obligation is \$4,000,000 and covers our full fiscal responsibility on the project. The sources of funding our \$4,000,000 are TSPLOST funds at \$2,400,000, 2016 General Obligation Bonds at \$1,500,000 and Capital Improvement Funds at \$100,000.
- The project in our City limits runs along McGinnis Ferry Road from our eastern border with Johns Creek to the intersection of McGinnis Ferry Road and Ronald Reagan Parkway.

Public Comment

None

- ❖ *Council Member Burnett offered a motion to approve an Intergovernmental Agreement between the City of Alpharetta and Forsyth County regarding the widening of McGinnis Ferry Road with a funding amount not to exceed \$4,000,000.*

- *The motion received a second from Council Member Merkel*
- *The motion was approved unanimously 4-0*

X. PUBLIC COMMENT

- Dennis Carman, 10785 Plantation Dr, Johns Creek came forward on behalf of Bike Alpharetta

XI. REPORTS

- Council Member Burnett announced that there will be a Noise Ordinance amendment coming forward for consideration at a future Council Meeting
- Mayor Mitchell announced:
 - Mayoral Candidate Forum will be held May 1st at Alpharetta City Hall at 6:30p.m.
 - Early voting started today and runs through May 18
 - Taste of Alpharetta is this Thursday at 5pm in Downtown Alpharetta

XII. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ *Council Member Binder offered a motion to adjourn to Executive Session*
 - *The motion received a second from Council Member Burnett*
 - *The motion was approved 3-1; Burnett voting no*

Respectfully submitted,

A handwritten signature in black ink that reads "Coty Thigpen". The signature is written in a cursive, flowing style.

Coty Thigpen, City Clerk