



OFFICIAL MINUTES OF
COUNCIL MEETING ON
MAY 1, 2017

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

II. ROLL CALL

- Council Members
 - Mayor David Belle Isle
 - Chris Owens (Mayor Pro Tem)
 - Jason Binder
 - Jim Gilvin
 - Mike Kennedy
 - Dan Merkel
 - Donald Mitchell
- Staff
 - Bob Regus, City Administrator
 - Coty Thigpen, City Clerk
 - Sam Thomas, City Attorney
 - James Drinkard, Asst. City Administrator
 - John Robison, Director of Public Safety
 - Pete Sewczwicz, Director of Public Works
 - Tom Harris, Director of Finance

- Morgan Rodgers, Director of Recreation, Parks, and Cultural Affairs

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS AND PRESENTATIONS

- A. Amana Academy Presentation
- B. Older Americans Month Proclamation

V. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 4/17/2017)
- B. Financial Management Report: Month Ending March 31, 2017

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

- *The motion received a second from Council Member Merkel*
- *The motion was approved 7-0*

VI. PUBLIC HEARING

A. PH-17-11/V-17-11 EA Homes/Kevin Norton

❖ *Council Member Owens recused himself from this item*

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- Staff recommends approval of PH-17-11 Edward Andrews Homes/Thompson Street subject to the following conditions:
 1. Property shall be developed substantially in accordance with submitted site plan prepared by Plum Creek Consulting, LLC, dated 3/23/2017. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Building architecture to include architectural materials using variations of brick, stone, siding, shakes and board & batten shall be substantially similar to renderings submitted by the applicant, with final approval by Staff. Windows and doors shall have a distinct header and sill detail that is historically relevant to the architecture. The applicant shall submit elevations, including details for columns, porch cornice, windows, porch roof material, etc. Unit 23 side elevation shall have a front entry facing Thompson Street, as approved by Staff.

3. Add trees, shrubs and ground cover plantings to the south side of the trail where cleared or sparse. Plantings will consist of traditional native southern plants creating a manicured park-like natural appearance as approved by Staff.
 4. In addition to required trees in the on-street parking bump outs, shade trees alternating with flowering ornamental trees shall be planted on the backside of the sidewalk as approved by Staff. In lieu of tree grates, the soil area around the trees shall be planted with evergreen ornamental grasses, groundcovers or shrubs. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
 5. The developer will procure and install a fence along the north side of the property adjacent to Academy Park, as depicted on Sheet TPR5 prepared by PEC, dated 1/30/2017.
 6. Provide landscaping between Units 28 and 29.
 7. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
 8. Developer shall install landscaping and seating in the open space area (located in the northeast portion of the site) to be dedicated to the City, as approved by Staff.
 9. Previous conditions of zoning shall remain in effect, except as modified by these conditions.
- The applicant, Edward Andrews Homes, requests a change to previous conditions of zoning on a 5.85-acre property approved for a 40-unit 'For-Sale' townhome development. The requested changes will allow for the conversion of 17 townhomes units to single-family detached homes, changes to the building architecture and changes to the location and type of a fence adjacent to Academy Park. The subject property is located on the north side of Thompson Street, just west of Park Street.
 - The submitted request, if approved, will allow for changes to previous conditions of zoning for the Thompson Street Investments (Edward Andrews Homes) development. The proposed changes include the conversion of 17 townhome units to single-family detached units, new building elevations and changes to the location of a fence adjacent to Academy Park. Single-family detached lots will be those oriented to Thompson Street.
 - The subject property was approved on October 26, 2015 for a rezoning to DT-LW (Downtown Live-Work) to allow 40 'For-Sale' townhome units on 5.85 acres with a density of 6.83 dwelling units per acre. The approved number of units and density will remain the same. The applicant proposes the following changes to the previous conditions of zoning related to file CLUP-15-04/Z-15-06/V-15-07 Thompson Street Investments:
 2. Property shall be developed substantially in accordance with submitted plan by ~~Planners and Engineers Collaborative~~ Plum Creek Consulting, LLC dated ~~4/24/2015 and as revised and presented on 10/1/15~~ 3/23/2017. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
15. Architecture shall be 4-sided architecture to include brick or stone. Cedar shakes and/or board and batten may be used for accents only. Each elevation shall be different fronting Thompson Street with final approval by Staff. The Architecture shall be similar to the attached elevations submitted at

the ~~10/26/15~~ 5/1/2017 Council Meeting and shall be labeled as follows:

- a) Elevations fronting Thompson Street and East Property Line (lots 17-40);
- b) Elevations fronting the Greenway Path (lots 1-16); and
- c) Elevations fronting the Private Street (lots 1-16)

~~18. The developer will procure and install an 8 foot high Ameristar Montage Plus steel fence with 3/4 inch pickets and 2 1/2 inch posts. This fence is to be installed 1-3 feet in to Academy Park property along the common southern border of Academy Park (northern border for applicant). This fence is to be connected to the similar fence planning to be installed by Old Milton Holdings at the common border with Academy Park at 218 Thompson Street. There may be one secured gate required to be installed to the fence providing Academy Park residents access to the City requested bicycle path. Location of the gate, and type, will be mutually agreed upon between Applicant and Academy Park HOA. The developer will procure and install a fence along the north side of the property adjacent to Academy Park, as depicted on Sheet TPR5 prepared by PEC, dated 1/30/2017.~~

- A total of 379 townhomes have been approved in the Downtown Overlay, including 128 along the Thompson Street corridor. For comparison, 158 single-family detached (SFD) units and 90 condominium units have been approved in the Downtown Overlay, including 77 SFD and 66 condominium units along Thompson Street. The Downtown Master Plan, which was approved in February 2015, included a 5-Year Market Study indicating that the Downtown area could absorb 185-210 townhome units. Therefore, the applicant's request to convert 17 of the previously approved 40 townhome units to single-family detached units is appropriate and consistent with the 5-year market study.
- The applicant's site plan depicts 17 single-family detached homes oriented to Thompson Street and 23 townhomes oriented to the Alpha Loop at the rear of the property and to the detention park to the east. Townhome and detached product will be rear-loaded, with access from an internal private street. Single-family detached lots range from 2,580 to 3,091 square feet. Civic and amenity spaces are largely the same as the previously approved zoning plan, except that the overall civic and amenity space has increased slightly
- The applicant is also requesting a change to a previous condition of zoning related to the requirement for a fence adjacent to Academy Park. The proposed change, which is reflected on Sheet TPR5 prepared by Planners and Engineers Collaborative, is requested on behalf of Academy Park. The changes include the location of the fence, height (6' and 8'), as well as fence type (black vinyl clad chain link fence and Ameristar Montage Plus Steel fence).
- The applicant's proposed building elevations reflect a variety of architectural styles approved in the Downtown Overlay, including Folk Victorian, Federal, Stick and Greek Revival. According to the applicant's architect, the single-family detached and townhome product will consists of materials such as, painted brick, siding and board and batten.
- The City's Downtown Architect reviewed the proposed building elevations and finds the elevations to be generally in compliance with the Downtown Code. The following comments were provided by the Downtown Architect:

- Windows and doors shall have a distinct header and sill detail that is historically relevant to the architecture
 - Need more details on elevations, including columns, porch cornice, windows, porch roof material, etc.
 - The side elevation of Unit 23 shall have a front entry facing Thompson Street
-
- 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 conversion of 17 townhome units to single-family detached units is appropriate given the number of townhomes approved or under construction in the City. In addition, the proposed site plan will result in an increase to the overall civic, amenity and open space. If approved, staff recommends architectural standards to ensure compatibility of the buildings with the character of the Downtown Overlay and Thompson Street corridor.
 - 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.
 - Kevin Norton came forward to make a brief presentation on behalf of the applicant

Public Comment

Steve Stolle, 2459 Claystone Lane, came forward to speak on behalf of Academy Park HOA

- ❖ *Council Member Kennedy offered a motion to approve PH-17-11/V-17-11 subject to the 9 conditions*
 - *The motion received a second from Council Member Merkel*
 - *The motion was approved 6-0*

VII. OLD BUSINESS

- A. MP-16-13/Z-16-11/CU-16-19/V-16-26: TPA/Fuqua Development / Peridot
This item was tabled by City Council on Monday, April 17, 2017. It was not removed from the table, therefore no discussion or consideration was heard on this item.
- B. PH-17-12 UDC Text Amendments **(2nd Reading)**
Consideration of text amendments to the Unified Development Code addressing 'Hotel' definitions and associated modifications to the list of permitted uses, reduce front setback requirements for certain North Main Street properties, Site Grading and Land Disturbance, as well as other miscellaneous amendments.
 - Staff confirmed that there have been no changes since the 1st reading
 - Senior Planner, Michael Woodman, provided a brief summary of the Ordinance amendments

- City Attorney, Sam Thomas, read the Ordinance summary aloud

❖ *Council Member Kennedy offered a motion to approve the Ordinance*

- *The motion received a second from Council Member Mitchell*
- *The motion was approved 7-0*

C. PH-17-02 Historic Preservation Incentive Zoning **(2nd Reading)**

Consideration of amendments to the Historic Preservation Incentive Zoning Ordinance to remove and add historic properties to Appendix A: Historic Resources Inventory, as well as miscellaneous text amendments.

- Senior Planner, Michael Woodman, provided a brief summary of the Ordinance amendments
- City Attorney, Sam Thomas, read the Ordinance aloud

❖ *Council Member Kennedy offered a motion to approve the Ordinance*

- *The motion received a second from Council Member Mitchell*
- *The motion was approved 7-0*

D. PH-16-12 Tree and Landscape Ordinance Amendments

This item was tabled by City Council on Monday, March 17, 2017. It will need to be removed from the table in order to be considered.

Consideration of text amendments to the UDC to consolidate landscape and tree requirements into one location within the UDC, clarify and simplify certain requirements to provide for ease of use and implementation, and provide incentives and options to save trees during land development.

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

- *The motion received a second from Council Member Owens*

- *The motion was approved 7-0*
- City Arborist, David Shostak, came forward to discuss the proposed changes to the Ordinance
- City Attorney, Sam Thomas, read the Ordinance aloud
- Due to changes between the 1st and 2nd reading, Mayor Belle Isle opened up Public Comment

Public Comment

None

- ❖ *Council Member Kennedy offered a motion to approve the Ordinance*
 - *The motion received a second from Council Member Owens*
 - *The motion was approved 7-0*

E. Alcohol Code Amendments (1st reading)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND CHAPTER 3 (ALCOHOLIC BEVERAGES) OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES; TO PROVIDE EXCEPTIONS APPLICABLE TO ART STUDIOS, GALLERIES AND COOKING CLASSES FROM CERTAIN REGULATIONS GOVERNING ON-PREMISES CONSUMPTION; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING ANCILLARY WINE TASTING LICENSES; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING BREWERIES; TO ADD A NEW ARTICLE XIX PROVIDING FOR THE LICENSING OF DISTILLERIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

- City Clerk, Coty Thigpen, came forward to provide a brief overview of the proposed changes to the Ordinance
- City Attorney, Sam Thomas, read the Ordinance aloud
- ❖ *Council Member Owens offered a motion to approve the Ordinance*
 - *The motion received a second from Council Member Kennedy*
 - *Mayor Belle Isle offered a substitute motion to approve the Ordinance minus Article XIX*
 - *The substitute motion received a second from Council Member Gilvin*
 - *The motion was approved 7-0*

VIII. NEW BUSINESS

A. Kimball Bridge Road at Rock Mill Road Roundabout - Design Services

- Director of Public Works, Pete Sewczwicz, came forward to present this item
- Staff recommends approval of Change Order #2 to Purchase Order 17000149 (AECOM Technical Services Inc.) in the amount of \$51,545.00 for the design of a roundabout at the intersection of Kimball Bridge Road and Rock Mill Road; and authorize the Mayor to execute all necessary documents.
- This change order request is for design modifications to the Kimball Bridge Road Congestion Mitigation project to incorporate a roundabout at the intersection of Kimball Bridge Road and Rock Mill Road.
- On January 24, 2017 the City held an open house at New Prospect Elementary School to provide citizens with an opportunity to see the preliminary design of the improvements to the Kimball Bridge Road corridor between North Point Parkway and Waters Road. Among the comments Staff received, were multiple inquiries as to the feasibility of a roundabout at the intersection of Kimball Bridge Road and Rock Mill Road in lieu of the existing traffic signal.
- Following the open house, Staff directed AECOM to evaluate the feasibility and impacts of a roundabout at said intersection. AECOM developed a dual-lane roundabout concept and modeled it in comparison to the originally proposed traffic signal. The modeling indicates that the roundabout, in conjunction with the other corridor improvements, will provide an overall Level of Service (LOS) A for the intersection in both the AM and PM peaks of the open year of 2018 and the design year of 2038. By comparison, the traffic signal originally proposed would provide an overall LOS B for the intersection in both peak hours in both 2018 and 2038. Currently, the intersection provides a LOS E in the AM peak and a LOS F in the PM peak.
- On April 27, 2017, the City held another open house at New Prospect Elementary to present the roundabout concept to the public and solicit feedback.
- The original design fee for the Kimball Bridge Road Congestion Mitigation project was \$473,600.00. Change Order #1 in the amount of \$13,480.00 for concept design and VISSIM modeling of the roundabout was issued on February 21, 2017. The fee for Change Order #2 is \$51,545.00, which consists of a base design fee of \$40,045.00 and an additional \$11,500.00 for the preparation of a lighting plan for the roundabout. This will increase the purchase order from \$487,080.00 to \$538,625.00. The addition of the roundabout design will add an additional six weeks to the project schedule with Final Plans due on July 20, 2017.

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve Change Order #2 to Purchase Order 17000149 (AECOM Technical Services Inc.) in an amount not to exceed \$51,545.00 for*

the design of a roundabout at the intersection of Kimball Bridge Road and Rock Mill Road; and authorize the Mayor to execute all necessary documents

- The motion received a second from Council Member Merkel*
- The motion was approved 7-0*

B. FY 2017 Demolition Phase I, Bid Number 17-008

- Director of Public Works, Pete Sewczwicz, came forward to present this item
- Staff recommends awarding Bid No. 17-008 to J. Mitchell Contracting, LLC for the asbestos abatement and demolition of 200 Milton Ave., 210 Milton Ave. and 3395 Kimball Bridge Rd. in the amount of \$70,537.00; and authorize the Mayor to execute all necessary documents.
- The award of this bid is for the asbestos abatement and demolition of houses and associated structures on 3 City-owned properties; 200 Milton Ave., 210 Milton Ave., and 3395 Kimball Bridge Rd. Additionally, miscellaneous debris on these properties will be removed. Prior to advertising this bid, the City had an asbestos and lead based paint survey conducted on all structures located on each property to identify areas requiring abatement prior to demolition. The report outlining the results of the survey was provided to all bidders.
- The Department of Public Works prepared a request for bids for the asbestos abatement and demolition of the houses and associated structures on the properties. The City advertised for competitive bids on March 30, 2017. Bids for the project were received on April 27, 2017 and the City received a total of seven bids
- Staff checked the references of J. Mitchell Contracting, LLC , the apparent low bidder, and was informed they successfully completed projects with similar aspects of work throughout Georgia and South Carolina. Among those references contacted were Cobb County School District and Clemson University. The work performed for the contacted references included asbestos abatement, lead-based paint removal, demolition, site clean-up, erosion control and grading. The references stated that J. Mitchell Contracting, LLC accomplished their work on schedule and within budget and that they would utilize their services again.
- Staff met with J. Mitchell Contracting, LLC to review the scope of work, and the City's expectations. J. Mitchell Contracting, LLC assured Staff that they could complete the project for the bid amount and within the allocated time frame. When asked about the cost differences between their bid and others, J. Mitchell Contracting, LLC attributed this to two key items. First, J. Mitchell Contracting, LLC is performing all demolition, haul-off and grading in-house and is not reliant upon subcontractors to perform such work. Second, the proximity of the properties to each other provided

further cost saving opportunities. Thus, Staff determined J. Mitchell, Inc. to be the lowest responsive and responsible bidder.

- Once a contract with J. Mitchell Contracting, LLC has been finalized and executed, abatement and demolition can begin immediately. The anticipated completion date is no more than 60 days from notice to proceed.

Public Comment - None

❖ *Council Member Owens offered a motion to award Bid No. 17-008 to J. Mitchell Contracting, LLC for the asbestos abatement and demolition of 200 Milton Ave., 210 Milton Ave. and 3395 Kimball Bridge Rd. in an amount not to exceed \$70,537.00; and authorize the Mayor to execute all necessary documents.*

- *The motion received a second from Council Member Binder*
- *The motion was approved 7-0*

IX. WORKSHOP

A. Budget

- Director of Finance Tom Harris and Budget Manager Shawn Mitchell came forward to present an overview of the recommended FY2018 budget

X. PUBLIC COMMENT

- Jonathan Galaif, 6275 Barrington Run, came forward to speak about the recently approved 1st reading of amendments to the Alcohol Code. Specifically, the provisions concerning wine shops and tastings.

XI. REPORTS - None

XII. ADJOURNMENT TO EXECUTIVE SESSION

❖ *Council Member Kennedy offered a motion to adjourn into Executive Session*

- *The motion received a second from Council Member Owens*
- *The motion was approved 7-0*

Respectfully Submitted,



Coty Thigpen, City Clerk