City Council Meeting
June 17, 2019
Office of the City Clerk
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 Gilvin called the meeting to order at 6:30 p.m.*

II. ROLL CALL

- Council Members
  - Mayor Jim Gilvin
  - Mayor Pro Tem Donald F. Mitchell
  - Jason Binder
  - Ben Burnett (absent)
  - John Hipes
  - Dan Merkel
  - Karen Richard
- Staff
  - Bob Regus, City Administrator
  - Scott Hastey, City Attorney
  - James Drinkard, Asst. City Administrator
  - Peter Sewczwicz, Director of Public Works
  - John Robison, Director of Public Safety
  - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
  - Kathi Cook, Director of Community Development
  - Michael Woodman, Senior Planner
  - Tom Harris, Director of Finance
  - Matthew Thomas, Economic Development Manager
  - Kurt Kirby, Project Manager
  - Kim Zane, Cultural Services Manager

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 6/10/2018)

B. Alcoholic Beverage License Applications PH-

19-AB-14 **WRIG City Center LLC**
d/b/a Central City Tavern 19
Academy St. #1D
Alpharetta, GA 30009

Restaurant
Consumption on Premises
Beer, Wine, Liquor, Sunday Sales

Owner: Brian Will Registered
Agent: Brian Will

PH-19-AB-16 **Ming Rui Inc.**
d/b/a Oshi Poke Bowl and Sushi 875
N. Main St. Suite 305
Alpharetta, GA 30004

Restaurant
Consumption on Premises
Beer & Sunday Sales

Owner: Yanbin Lin
Registered Agent: Maria Elena Gallegos

- Council Member Merkel offered a motion to approve the Consent Agenda
  - The motion received a second from Council Member Binder
  - The motion was approved (5-0); Mayor Pro Tem Mitchell abstained, Council Member Burnett absent

V. PROCLAMATIONS

A. Proclamation for "Kathy Swahn Day"

VI. PRESENTATIONS

A. Presentations and Discussions by Eric Bosman with Kimley-Horn regarding the Fulton County Transit Plan; Tim Matthews with Georgia Department of Transportation regarding Express Lanes; and Emily Ritzler with MARTA regarding the Bus Rapid Transit Plan.

- Fulton County Commissioner, Liz Hausmann, came forward to introduce the presenters and gave a brief overview of the proposed transportation improvements.

- Kimley-Horn representative, Eric Bosman, came forward to present an overview of the Fulton County Transit Master Plan, additionally describing the following plans for Fulton County:
    - Adopt the updated Short-Term Transit Plan with project list as presented.
    - Pursue alternate funding strategies in addition to a Sales Tax Referendum including state-level strategic investments.
    - Complete additional analysis for projects in the short-term update, including ridership projections for GA 400 and economic development potential along South Fulton Parkway.
    - Finalize preliminary design and station locations for rapid transit projects in dedicated or managed lanes (GA400, South Fulton Parkway, I-285).
    - Plan voter education process.
    - Make go/no-go decision on Nov. 2020 Call for Referendum.

- Georgia Department of Transportation representative, Tim Matthews, came forward to present an overview of the SR 400 Express Lanes Project:
    - GDOT is currently coordinating with MARTA on options for Bus Rapid Transit (BRT) and inline bus stations.
    - Express lane benefits include; more reliable travel times, more consistent travel speeds, and increased transit options and opportunities.
    - Project limits between I-285 and McFarland Parkway (project limits are likely to change later this year).
    - Two buffer-separated express lanes in each direction along SR 400 between I- 285 and McGinnis Ferry Road.
    - One buffer-separated express lane in each direction of McGinnis Ferry Road to McFarland Parkway.
    - SR 400 over Mansell Road – bridge to be widened to accommodate 2 Express Lanes in each direction, with partial reconstruction of ramps.
    - Haynes Bridge Road over SR 400 – bridge to be retained, conditional on approval of shoulder width Policy Design Exception, and partial reconstruction of ramps.
    - Kimball Bridge Road – Full Direct Access Ramp (DAR); if DAR, then bridge to be replaced, otherwise can be retained.
    - Old Milton Parkway over SR 400 – Bridge to be retained and partial reconstruction of ramps.
    - Webb Bridge Road over SR 400 – bridge can potentially be retained, conditional on approval of shoulder width Policy Design Exception.
    - Webb+ is a potential new location roadway providing Express Lane and BRT Access.
    - SR 400 over Windward Parkway – bridge to be widened; BRT only access.
    - Kimball Bridge Road is a proposed Express Lane only access point.

- GDOT's Program Management Consultant, Tom Hutchinson, came forward to address questions from Mayor and Council.

- AECOM's Associate Vice-President of Transportation, Scott Gero, came forward to address further questions from Mayor and Council.

- MARTA representative, Emily Ritzler, came forward to present an overview of the Bus Rapid Transit Plan:
    - The GA 400 transit schedule is currently in the environmental review phase, which started in 2015. Project development is projected to take place in 2020; engineering is projected to take place in 2021-2022; construction is projected to take place in 2022-2024; and operation is projected for 2025.

- Next steps scheduled are; advance station design and revise project as needed; identify station area park and rides; and commit local funding (e.g. Fulton County referendum).
- GA 400 potential station locations are:
  - Windward Parkway
  - Old Milton Parkway
  - North Point Mall
  - Holcomb Bridge Road
  - North Springs

Public Comment:

- Clifford Martin, 700 Anna Lane, Alpharetta, came forward to ask questions regarding the Bus Rapid Transit Plan and the SR 400 Express Lanes Project. Additionally, Mr. Martin proposed transit options with the Alpharetta city limits.

- Jerry Nazick, 2850 Lakewind Court, Alpharetta, came forward to comment on the projects proposed by GDOT and MARTA. Specifically, asking would GDOT consider improving alternate routes before starting the work on SR 400, also Mr. Nazick stated that we are getting one additional lane on SR 400 at quite an expense.

- Wendy Emert, 20 Country Place Court, Alpharetta, came forward to express concern about the sidewalks near her neighborhood located next to GA 400. Ms. Emert also expressed concern regarding being notified when these projects are moving forward.

- Mayor Gilvin requested we take a 5-minute break.

VII. PUBLIC HEARING

A. V-19-02: 112 Thompson Street / Bed & Breakfast Variance

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

B. PH-19-03 Northwinds Summit/Monte Hewett Homes

NOTE: This item has been withdrawn by the Applicant and will be neither heard nor considered during this meeting.

C. MP-19-02 / V-19-06: Brixmor Mansell Crossing/Regency Park Master Plan

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council approve MP-19-02/V-19-06 Brixmor Mansell Crossing/Regency Park Master Plan, subject to the following conditions:

1. Property shall be developed substantially as depicted on the plan prepared by Kimley-Horn & Associates, Inc., dated 6/5/2019, except for modifications required to comply with these conditions.
2. Non-entertainment retail use shall be limited to no more than 6,300 square feet.
3. Regency Park Pod 4 shall be limited to theater, restaurant (no drive-through, except existing drive-through restaurant can remain) and entertainment retail use. Notwithstanding the foregoing, should Starbucks relocate on site, it may have a drive-through window. In addition, non-entertainment retail use shall be limited to the following:

a. Art Gallery

b. Athletic Facility/Fitness Studio

c. Bakery

d. Bank, Savings & Loan, ATM

e. Barber Shop

f. Beauty Shop

g. Brewery

h. Brew Pub

i. Clinic (with approval of a conditional use)

j. Convenience Store (without pumps)

k. Dance Studio

l. Drug Store (Pharmacy)

m. Dry Cleaning, Pick-up Station

n. Florist

o. Grocery Store/Specialty Food Store

p. Hardware and Garden Supply Store

q. Home Improvement/Furniture Store

r. Indoor Recreational Facility

s. Jewelry Store

t. Laundry, Pick-up Station

u. Office Supply

v. Optometrist and Eyewear Store

w. Pet Day Care

x. Pet Grooming

y. Print Shop

z. Retail Establishment, entertainment aa.

Retail Establishment

bb. School, Commercial

cc. Shop or Studio, Craftsman/Artist

dd. Spa Services (with approval of a conditional use) ee.

Stationary Card Store

ff. Stockbroker or Financial Services

4. Maximum building setback from North Point Parkway shall be 20'.

5. Building elevations shall comply with the North Point Overlay with respect to building design and material regulations, subject to final approval by the DRB.

6. Developer shall improve the North Point Parkway streetscape to include a 10' planter and 12' sidewalk, as approved by Staff. Street furniture shall be provided along North Point Parkway. In addition, applicant shall incorporate areas for future placemaking arbors on the LDP plans.

7. Minimum 50,500 square feet (1.16 acres) of open space (36,000 square feet of civic space and 14,500 square feet of amenity space), consisting of a multi-use trail connection, plazas, pocket park, patio, outdoor dining and other amenity areas shall be provided, as depicted on the 6/5/2019 site plan and 4/1/2019 civic space plan. Civic space shall be developed with decorative landscape, hardscape, seating and pedestrian-scale lighting, as approved by DRB.

8. Developer shall dedicate a permanent public access easement and construct a 12' multi-use trail connection, as depicted on the plan prepared by Kimley-Horn & Associates, Inc., dated 6/5/2019, with final alignment/design/materials approved by Staff and construction completed prior to the final CO. Connection to the Big Creek Greenway shall be accessible for pedestrians and bikes. Wayfinding signage shall be provided at key locations along multi-use trail connection, as well as on Mansell Road. Trail connection shall include seating areas, lighting, landscape, hardscape and trail entrance gateways at the Big Creek Greenway and North Point Parkway. Multi-use trail improvements shall not be eligible for impact fee credits. Developer shall maintain easement.

9. If the developer improves the Mansell Road Big Creek Greenway entrance with a gateway and signage, the improvements shall be eligible for impact fee credits.

10. A thermoplastic multi-use crosswalk with North Point Leaf pattern, or as approved by Staff, shall be provided at the intersection with North Point Parkway.

11. Parking lot tree islands shall comply with UDC requirements.

12. Dumpster enclosures shall have a design and materials that are compatible with primary buildings and shall be heavily screened with landscaping from the public right-of-way.

13. New internal streets shall be private and shall be substantially as depicted on the plan prepared by Kimley-Horn & Associates, Inc., dated 6/5/2019, as approved by the City's Traffic Engineer.

14. Pedestrian-scale lighting shall be provided throughout the development in compliance with North Point Placemaking Plan.

15. Landscape plan shall be approved by the Design Review Board prior to the issuance of an LDP and shall incorporate plants consistent with the EcoDistrict.

16. Focal point feature shall be provided at project entrance from North Point Parkway and shall be consistent with monuments depicted in the City's North Point Creative Placemaking Plan, as approved by Staff.

17. Developer shall determine if any existing landscaping (trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.

18. Developer shall conduct an assessment of required landscaping and replace any dead, dying or missing landscape material, as approved by DRB.

19. If additional stormwater facilities are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible.

20. New utilities shall be placed underground.

21. Offsite improvements made by the Developer shall be entitled to credits against impact fees. Improvements in the right-of-way count as a system improvement.

22. It is understood that this site will be subdivided in the future. Provided that the subdivision complies with these conditions, then it will not require additional land use approvals such as setback variances and the like.

23. Change of use associated with the theater building shall require City Council approval.

- The applicant, Kathryn Zickert on behalf of Brixmor, is requesting to amend the Regency Park Master Plan Pod 4 to allow non-entertainment retail uses and a variance to the North Point Overlay streetscape regulations as it relates to new internal streets. The proposal includes the construction of three (3), 1-story restaurant and retail buildings along North Point Parkway. Regency Park Master Plan Pod 4 is limited to a movie theater (primary use), entertainment retail and restaurant. The subject property is located at 7660 North Point Parkway, near the northeast corner of Mansell Road and North Point Parkway.

- The submitted request, if approved, would allow for the construction of two (2), 1- story restaurant buildings and one (1), 1-story non-entertainment retail building along North Point Parkway. The property is subject to the Regency Park Master Plan Pod 4, which allows a movie theater, entertainment retail (bookstores, phone stores, internet stores, etc.) and restaurant. The subject property is located at 7660 North Point Parkway, near the northeast corner of Mansell Road and North Point Parkway.

- The 13.9-acre property is zoned PSC (Planned Shopping Center) and is developed with a vacant movie theater and building currently occupied by Barnes & Noble bookstore and Starbucks. Surrounding properties are also zoned PSC and subject to the Regency Park Master Plan, except that the property to the south is zoned O-I (Office-Institutional). Chili's, Buffalo Wild Wings and Burger King are located to the south, the former Toys 'R Us is located to the west, Hyatt Place hotel is located to the north and the Big Creek Greenway is located to the southeast. The Comprehensive Land Use Plan designation of the property is 'Commercial', which allows the proposed development.

- The Regency Park (MP-91-10) Master Plan was approved in 1992 for a 127-acre mixed use development consisting of office, shopping center, entertainment and retail service uses. The Master Plan includes six (6) pods extending along both sides of North Point Parkway from Mansell Road to Encore Parkway. Pod 4 has an 'Entertainment' land use designation with theater/cinema as the primary use, as well as entertainment retail and restaurant (with and without a drive-through). A master plan amendment was approved in 2008 to allow an AT&T phone store to occupy a building previously used as a restaurant.

- The North Point LCI was developed in 2008 with a 10-year update adopted in February 2018. The vision for the LCI is to become a walkable, mixed-use village with a focus on sustainability, greenspace and connectivity. The applicant's proposal to redevelop a surface parking lot by adding buildings and open space along North Point Parkway, is consistent with the LCI's vision and would contribute to a walkable environment.

- The applicant has stated that they are speaking to a prospective tenant for the former AMC movie theater. In addition, the Barnes & Noble bookstore and Starbucks are intended to remain within their current space. Users of the proposed non- entertainment retail and restaurant buildings have not been identified.

- The applicant is requesting a variance from Unified Development Code (UDC) Subsection 2.10.3(B), North Point Overlay Site Regulations, to modify development regulations related to Type 'D' Corridors, which include proposed internal streets created within existing parking lots. The applicant proposes two (2) new private streets within the existing parking lot, of which sidewalks are provided on one (1) side of the street. The streetscape regulations require minimum 10' sidewalks on both sides of a Type 'D' Corridor. The applicant does not control the southwest side of the existing project driveway from North Point Parkway, which limits their ability to improve a sidewalk on that property.

- The 13.9-acre site is currently developed with the 52,336 square foot former AMC Movie Theater and the 27,820 square foot Barnes & Noble and Starbucks. A large surface parking lot is located between the existing buildings and North Point Parkway and Mansell Road. Currently, there are 949 surface parking spaces on the subject property.

- The submitted plan depicts approximately 6.4 acres of the site as being redeveloped. A 1-story, 4,000 square foot restaurant building (Bldg. A) is oriented to the project driveway off North Point Parkway, as well as a 1-story, 6,300 square foot restaurant building (Bldg. B) and a 1-story, 6,300 square foot retail building (Bldg. C) oriented to North Point Parkway. North Point Parkway streetscape improvements are depicted, including a 10' planter and 12' sidewalk.

- Unified Development Code (UDC) Parking regulations and North Point Overlay requirements would require 556 parking spaces for the movie theater, Barnes & Noble and proposed restaurant and retail buildings. The site plan depicts 695 surface parking spaces to remain on the site. The North Point Overlay limits the impervious area of surface parking stalls to no more than the surface area of the building(s) they serve. However, the applicant's proposal represents redevelopment of an existing surface parking lot, including a net reduction of 253 surface parking spaces.

- Vehicular access to the site is currently provided from two (2) driveways; one on North Point Parkway and one on Mansell Road. A new project driveway is depicted at the northeast corner of the property adjacent to the Hyatt Place hotel. Pedestrian connections are provided throughout the development, connecting the public sidewalk to all buildings, existing and proposed. A new twelve-foot (12') multi-use sidewalk/trail is depicted through the development providing a connection to the Big Creek Greenway at the southwest corner of the site. Additional pedestrian facilities are depicted between Buildings C and the Barnes & Noble building and along the new private street bisecting the surface parking lot.

- The North Point Overlay requires a minimum 5% amenity space and 10% civic space on non-residential developments over five (5) acres. The site plan depicts 5.2%, or 14,500 square feet, of amenity space and 12.9%, or 36,000 square feet, of civic space. The site plan depicts landscaped and hardscaped civic space around the new buildings along North Point Parkway, including two (2) 10,900 square foot plazas and a 6,000 square foot pocket park. Plazas are proposed to be improved with an arbor, giant chess board, fire pits, seating, band stage, soft playground area for kids, landscape and hardscape. In addition, a multi-use trail connection is depicted providing a connection between North Point Parkway and the Big Creek Greenway. Amenity space is depicted to include outdoor dining areas, patios, and hardscape areas improved for pedestrian enjoyment.

- The tree survey and assessment identify several parking lot and landscape strip trees that are in 'Good' condition. If approved, it is recommended that the developer explore spading and relocating existing landscape trees on the property to enhance the maturity level of landscaping at time of project completion. Bio-retention areas are depicted in planters and landscape islands. However, it is unclear if additional

stormwater facilities will be provided.

- The North Point Overlay requires that EcoDistrict measures be incorporated into new developments and redevelopments. The applicant's proposal represents an increase to the existing building footprint on the site of more than 30%. Therefore, the applicant must incorporate a minimum of two (2) EcoDistrict points into the proposed development. According to the site plan, the applicant is requesting credit for six (6) EcoDistrict points. EcoDistrict measures proposed on the property include Bio-retention, Sustainable Landscaping, Enhanced Bicycle Amenities and Alternative Transportation. If approved, the developer should provide the EcoDistrict measures as requested on the applicant's site plan.

- Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and variance to streetscape regulations. The property is located in the North Point LCI, which envisions the area as a mixed- use, walkable environment with an emphasis on sustainability, open space and connectivity. The applicant's proposal promotes the specific objectives in the PSC zoning district, including connectivity, building orientation to the street, redevelopment of surface parking, access to alternative modes of transportation, creation of vistas and view corridors, pedestrian-friendly streetscape, provision of open space, creative placemaking, high quality landscape plan and aesthetically pleasing and creative stormwater management practices. The zoning proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Commercial'. Given the amount of retail existing in the North Point Parkway corridor, conditions are recommended limiting non-entertainment retail uses.

- The North Point LCI discusses area-wide initiatives, such as Placemaking, Maximizing the Big Creek Greenway and Incorporating Green Pathways. The LCI also discusses utilizing the Big Creek Greenway to its full potential by improving accessibility and visibility of the Greenway. As part of meeting the City's open space requirements, the applicant proposes a multi-use trail connection to the Big Creek Greenway

through the subject site and connecting to the sidewalk along North Point Parkway.

- 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 report states that no comments were received in response to the mailed letters.
- The CZIM was held on May 8, 2019. There were no public comments reflected on the sign-in sheet.
- Attorney Kathryn Zickert came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment

❖ Council Member Richard offered a motion to approve MP-19-02/V-19-06 Brixmor Mansell Crossing/Regency Park Master Plan, subject to the following conditions:

1. Property shall be developed substantially as depicted on the plan prepared by Kimley-Horn & Associates, Inc., dated 6/13/2019, except for modifications required to comply with these conditions.
2. Non-entertainment retail use shall be limited to no more than 6,300 square feet.
3. Regency Park Pod 4 shall be limited to theater, restaurant (no drive-through, except existing drive-through restaurant can remain) and entertainment retail use. Notwithstanding the foregoing, should Starbucks relocate on site, it may have a drive-through window. In addition, non-entertainment retail use shall be limited to the following:

   a. Art Gallery

   b. Athletic Facility/Fitness Studio

   c. Bakery

   d. Bank, Savings & Loan, ATM

   e. Barber Shop

   f. Beauty Shop

   g. Brewery

   h. Brew Pub

   i. Clinic (with approval of a conditional use)

   j. ~~Convenience Store (without pumps)~~

   k. Dance Studio

   l. Drug Store (Pharmacy)

   m. Dry Cleaning, Pick-up Station

   n. Florist

   o. Grocery Store/Specialty Food Store

   p. Hardware and Garden Supply Store

q. ~~Home Improvement/Furniture Store~~

r. Indoor Recreational Facility

s. ~~Jewelry Store~~

t. Laundry, Pick-up Station

u. ~~Office Supply~~

v. Optometrist and Eyewear Store

w. Pet Day Care

x. Pet Grooming

y. Print Shop

z. Retail Establishment, entertainment aa.

~~Retail Establishment~~

bb. School, Commercial

cc. Shop or Studio, Craftsman/Artist

dd. Spa Services (with approval of a conditional use) ee.

Stationary Card Store

ff. Stockbroker or Financial Services

4. Maximum building setback from North Point Parkway shall be 20'.
5. Building elevations shall comply with the North Point Overlay with respect to building design and material regulations, subject to final approval by the DRB.
6. Developer shall improve the North Point Parkway streetscape to include a 10' planter and 12' sidewalk, as approved by Staff. Street furniture shall be provided along North Point Parkway. In addition, applicant shall incorporate areas for future placemaking arbors on the LDP plans.
7. Minimum 50,500 square feet (1.16 acres) of open space (36,000 square feet of civic space and 14,500 square feet of amenity space), consisting of a multi-use trail connection, plazas, pocket park, patio, outdoor dining and other amenity areas shall be provided, as depicted on the 6/13/2019 site plan and 4/1/2019 civic space plan. Civic space shall be developed with decorative landscape, hardscape, seating and pedestrian-scale lighting, as approved by DRB.
8. Developer shall dedicate a permanent public access easement and construct a 12' multi-use trail connection, as depicted on the plan prepared by Kimley- Horn & Associates, Inc., dated 6/13/2019, with final alignment/design/materials approved by Staff and construction completed prior to the final CO. Connection to the Big Creek Greenway shall be accessible for pedestrians and bikes. Wayfinding signage shall be provided at key locations along multi-use trail connection, as well as on Mansell Road. Trail connection shall include seating areas, lighting, landscape, hardscape and trail entrance gateways at the Big Creek Greenway and North Point Parkway. Multi-use trail improvements shall not be eligible for impact fee credits. Developer shall maintain easement.
9. If the developer improves the Mansell Road Big Creek Greenway entrance with a gateway and signage, the improvements shall be eligible for impact fee credits.

10. A thermoplastic multi-use crosswalk with North Point Leaf pattern, or as approved by Staff, shall be provided at the intersection with North Point Parkway.
11. Parking lot tree islands shall comply with UDC requirements.
12. Dumpster enclosures shall have a design and materials that are compatible with primary buildings and shall be heavily screened with landscaping from the public right-of-way.
13. New internal streets shall be private and shall be substantially as depicted on the plan prepared by Kimley-Horn & Associates, Inc., dated 6/13/2019, as approved by the City's Traffic Engineer.
14. Pedestrian-scale lighting shall be provided throughout the development in compliance with North Point Placemaking Plan.
15. Landscape plan shall be approved by the Design Review Board prior to the issuance of an LDP and shall incorporate plants consistent with the EcoDistrict.
16. Focal point feature shall be provided at project entrance from North Point Parkway and shall be consistent with monuments depicted in the City's North Point Creative Placemaking Plan, as approved by Staff.
17. Developer shall determine if any existing landscaping (trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.
18. Developer shall conduct an assessment of required landscaping and replace any dead, dying or missing landscape material, as approved by DRB.
19. If additional stormwater facilities are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible.
20. New utilities shall be placed underground.
21. Offsite improvements made by the Developer shall be entitled to credits against impact fees. Improvements in the right-of-way count as a system improvement.
22. It is understood that this site will be subdivided in the future. Provided that the subdivision complies with these conditions, then it will not require additional land use approvals such as setback variances and the like.
23. Change of use associated with the theater building shall require City Council approval.

- The motion received a second from Council Member Binder
- Mayor Pro Tem Mitchell offered a friendly amendment for consideration of additional greenspace
- Council Member Richard and Council Member Binder did not accept the friendly amendment offered by Mayor Pro Tem Mitchell
- The motion was approved unanimously (6-0); Council Member Burnett absent

D. V-19-05 North Fulton Compounding Pharmacy Variance

- Senior Planner, Michael Woodman, came forward to present this item.

- Staff recommends Mayor and Council approve V-19-05 North Fulton Compounding Pharmacy Variance, subject to the following conditions:

  1. Property shall be developed substantially in accordance with submitted plan prepared by Place Maker Design, dated 5/1/2019, except for modifications required to comply with the conditions below.

  2. Building architecture, materials and design shall comply with the Alpharetta Downtown Code regulations, subject to review by the City's Downtown Consultant and final approval by DRB. Aluminum storefront system, as depicted on the applicant's conceptual rendering, shall not be permitted. Exterior lighting shall relate to the building architecture and sized appropriately, as approved by DRB.

  3. Foundation plantings shall be required on the west, south and east sides of the building.

  4. New greenspace surrounding the building shall be planted with a mix of trees, shrubs, grasses and ground cover of varying heights, textures and colors, as approved by the DRB.

  5. At least two (2) parking lot landscape islands, planted with a canopy tree, shall be provided within the row of parking adjacent to South Main Street. In addition, the corners of the property along South Main Street shall have a shade tree and decorative landscaping.

  6. If sufficient planting space exists between new GDOT wall and multi-use trial along South Main Street, property owner shall install the required parking lot screening shrubs, as approved by DRB. If shrubs are removed during GDOT construction, property owner shall reinstall any lost vegetation.

  7. Developer shall conduct an assessment of required landscaping and replace any dead, dying or missing landscape material, as approved by DRB.

  8. Pedestrian connection shall be provided from front door to the sidewalk along South Main Street.

  9. Dumpster enclosure shall be upgraded with a metal gate, as approved by DRB.

  10. Run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.

  11. New hardscape areas shall be constructed of pervious material, as approved by Staff and DRB.

  12. Developer shall obtain a land disturbance permit (LDP).

- The applicant, C & G Land, LLC, is requesting a variance to allow parking to remain between the street and a building on a property located in the Downtown Overlay. The property was formerly developed as a McDonald's fast food restaurant with drive-through. The subject property is located at 305 South Main Street on the north side of South Main Street west of Maxwell Road.

- The submitted request, if approved, will allow parking to remain between the street and a building on a property located in the Downtown Overlay. Before its recent demolition, the property was developed with a McDonald's fast food restaurant with drive-through. The applicant proposes to construct a 1-story, 4,223 square foot building for a compounding pharmacy over the former McDonald's building footprint and removal of the drive-through facilities. The surrounding surface parking lot is proposed to remain. The subject property is located at 305 South Main Street on the north side of South Main Street west of Maxwell Road.

- The property is zoned C-2 (General Commercial) and is located in the Downtown Overlay. Surrounding properties are also zoned C-2. Amana Academy/Alpharetta Square is located to the north and east, Elegant Auto Brokers is located to the south and Tabernacle Baptist Church is located to the west. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed compounding pharmacy.

- The applicant is requesting a variance from Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code, Subsection 2.4.6, Vehicle Access and Parking Locations, to allow parking between a building and the closest street. The variance request is necessary because the former building was demolished and the new building triggers compliance with the Downtown Overlay regulations. If approved, conditions are recommended requiring aesthetic and screening landscape enhancements.

- The applicant is requesting a variance from Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code, Subsection 2.4.6, Vehicle Access and Parking Locations, to allow parking between a building and the closest street. The variance request is necessary because the former building was demolished and the new building triggers compliance with the Downtown Overlay regulations. If approved, conditions are recommended requiring aesthetic and screening landscape enhancements.

- The proposed building is for North Fulton Compounding Pharmacy, which currently operates within the Alpharetta city limits at 11940 Alpharetta Highway, Suite 106. The applicant's floor plan depicts approximately 700 square feet of sales area with the balance of the 4,223 square foot building consisting of offices, labs and fulfillment area. The description below is from the applicant's website:

  "North Fulton Compounding Pharmacy opened its doors in 1985 and began compounding quality, customized prescriptions for patients in and around the North Fulton area. The pharmacy is centered around the physician-patient-pharmacist relationship and helping patients receive medications that are customized specifically to their healthcare needs."

- The applicant's site plan depicts a 1-story, 4,223 square foot building surrounded by angled parking spaces served by a one-way drive aisle. Access to the site is provided from two (2) one-way curb cuts from the Alpharetta Square project driveway. The drive-through facilities have been removed and replaced with new landscape area and sidewalk. It is recommended that any new hardscape areas be constructed of pervious materials.

- A total of 49 surface parking spaces are depicted to remain on the applicant's site plan, of which the Downtown Overlay would require twelve (12) spaces for the compounding pharmacy. The Downtown Code states that parking in excess of 120% of the requirement be constructed of pervious material. Since the excess parking already exists on the site, it is recommended that all new hardscape areas

be constructed of pervious materials.

- The applicant provided conceptual renderings of the proposed building, which generally appear to meet the Alpharetta Downtown Code with respect to architectural style. The 1-story building is depicted to be brick with a flat roof. It is unclear if the brick is painted or just a light color brick. The center of the building has been raised to give the appearance of a 2nd story, since the site sits approximately 5' – 8' lower than the finished elevation of South Main Street. The City's Downtown Consultant reviewed the conceptual renderings and had the following comments:
    - Massing and scale look good
    - Fenestration should match on all elevations, aluminum storefront systems are not permitted in the Downtown Overlay
    - To achieve historic architectural style, brick detailing on the cornice, headers and sills will be very important
    - Exterior lighting should be bolder, and up-lighting should be hidden behind landscaping
    - Recommend foundation landscaping to soften the building
    - Is the brick painted or not? Recommend that a brick color is chosen and approved at DRB
- Staff has reviewed the applicant's proposal and finds that it can generally support the request for variance. The proposal represents redevelopment of an existing site where surface parking will remain. If approved, conditions are approved requiring site landscaping to improve aesthetics and screening.
- 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.
- The CZIM was held on May 8, 2019. There were no public comments on the sign-in sheet.
- Tim Vaccaro with Place Maker Design, 1000 Circle 75 Pkwy, Atlanta, came forward to speak on behalf of the applicant.

Public Comment:

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, came forward in support of this item.

❖ Council Member Richard offered a motion to approve V-19-05 North Fulton Compounding Pharmacy Variance, subject to the following conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by Place Maker Design, dated 6/XX/2019, except for modifications required to comply with the conditions below.

2. Building architecture, materials and design shall comply with the Alpharetta Downtown Code regulations, subject to review by the City's Downtown Consultant and final approval by DRB. Aluminum storefront system, as depicted on the applicant's conceptual rendering, shall not be permitted. Exterior lighting shall relate to the building architecture and sized appropriately, as approved by

DRB. Store front windows will incorporate mullions.

3. Foundation plantings shall be required on the west, south and east sides of the building.

4. New greenspace surrounding the building shall be planted with a mix of trees, shrubs, grasses and ground cover of varying heights, textures and colors, as approved by the DRB.

5. At least two (2) parking lot landscape islands, planted with a canopy tree, shall be provided within the row of parking adjacent to South Main Street. In addition, the corners of the property along South Main Street shall have a shade tree and decorative landscaping.

6. If sufficient planting space exists between new GDOT wall and multi-use trial along South Main Street, property owner shall install the required parking lot screening shrubs, as approved by DRB. If shrubs are removed during GDOT construction, property owner shall reinstall any lost vegetation.

7. Developer shall conduct an assessment of required landscaping and replace any dead, dying or missing landscape material, as approved by DRB.

8. Pedestrian connection shall be provided from front door to the sidewalk along South Main Street.

9. Dumpster enclosure shall be upgraded with a metal gate, as approved by DRB.

10. If required, run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.

11. New hardscape areas shall be constructed of pervious material, as approved by Staff and DRB.

12. If required, developer shall obtain a land disturbance permit (LDP).

- The motion received a second from Council Member Binder, with a friendly amendment to add a condition #13; the applicant will provide screening on the Northeast and West side along Highway 9, if needed, in order to block front parking, as determined by Staff and approved by DRB

- Council member Richard accepted the friendly amendment offered by Council Member Binder

- Council Member Hipes offered a friendly amendment that the ten (10) diagonal parking spots which drive in toward South Main Street, be eliminated and landscaped, as determined by Staff and approved by DRB

- Council Member Richard did not accept the friendly amendment offered by Council Member Hipes

- The motion was approved (5-1); Council Member Hipes voting in opposition, Council Member Burnett absent

E. PH-19-04 Edison Drive Road Abandonment/Change of Condition

- On the behalf of Council Member Burnett, Mayor Gilvin announced that Council Member Burnett would be recusing himself from this item.

- Director of Community Development, Kathi Cook, came forward to present this item.

- Staff recommends Mayor and Council approve PH-19-04 EDISON DRIVE change to Council condition with the following condition:

    1. Additional right-of-way needed for a future round-a-bout shall be dedicated by the applicant to the City at the intersection of Edison Drive and the AT&T drive to facilitate future improvements. Improvements may include the construction of a roundabout if required by future developments or public transportation improvements.

- The applicant, Joe McGorrey, requests removal of a previous condition of Council requiring the construction of a roundabout at the existing intersection with AT&T's drive. They do propose to dedicate additional needed right of way to the City in case future improvements are needed. The applicant proposes to build a new roundabout on the applicant's property in conjunction with the Edison at Alpharetta loft office development.

- A setback variance was granted to the applicant in October 2018. A condition of zoning required the applicant to build a roundabout at the intersection of AT&T's entrance and Edison Drive. Since that approval the applicant obtained an estimate of $500,00 for the construction of which 50% was eligible for impact fee credits. Because the area does not experience significant traffic the applicant is requesting consideration of removing the requirement and any request for impact fee credits from the City.

- The applicant shows a new roundabout internal to the site that would be open for public access but maintained by the applicant and is not eligible for impact fee credits.

- According to the City's Transportation Engineer, a roundabout is not required at the intersection of AT&T and Edison at this time. Traffic volumes are low, and a better future connection would be an extension to Dryden Road which would allow access to a future traffic signal being installed by Windward Park on North Point Parkway. However, there is no timeline for the connection.

- Vice President of Business Development for Landis Evans and Partners, Chris Owens, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment

- ❖ Council Member Richard offered a motion to approve PH-19-04 EDISON DRIVE change to Council condition with the following condition:

    1. Additional right-of-way needed for a future round-a-bout shall be dedicated by the applicant to the City at the intersection of Edison Drive and the AT&T drive to facilitate future improvements. Improvements may include the construction of a roundabout if required by future developments or public transportation improvements.

    - The motion received a second from Council Member Binder

    - The motion was approved unanimously (6-0); Council Member Burnett absent and recused himself from this item

VIII. OLD BUSINESS

A. Unified Development Code and Code of Ordinances Text Amendments – Design Review Board (*2nd Reading)*

- Senior Planner, Michael Woodman, came forward to present this item and described the following additions that were made to the ordinance since the first reading:

    - Downtown Overlay. That portion of the City generally bounded by Canton Street and Mayfield Road to the North; Wills Road and the western boundaries of Milton Manor and Milton Estates Subdivisions to the West; South Main Street, Old Milton Parkway and the southern boundary of Alpha Park Subdivision to the South; and Westside Parkway and the eastern boundary of Alpha Park Subdivision to the East. The study area of the City of Alpharetta Downtown Master Plan shall be shown on the Official Zoning Map and labeled "Downtown Overlay." In the event of a conflict between the general description set out herein and the Map, the Map shall control.

- Consideration of text amendments to Code of Ordinances Section 36-65 to add a definition for 'Downtown Overlay' and to Section 36-66 to require Design Review Board review of new construction applications that are forwarded by the Director of Community Development.

- The Board currently reviews commercial projects within the Downtown Overlay, Corridors of Influence and Interchange Districts. Staff currently reviews items outside of those areas and is recommending a change to the Code in order to allow the Board to review any commercial project if forwarded by the Director.

- Staff also recommends amendments to Unified Development Code (UDC) Section 1.4 Definitions to add a definition for 'Downtown Overlay' and to Section 5.4 Design Review Board adding applicability language to the powers and duties of the Board.

- City Attorney, Scott Hastey, read the ordinance aloud.

Public Comment:

- No Public Comment

❖ Council Member Richard offered a motion to approve the ordinance

- The motion received a second from Council Member Binder
- The motion was approved unanimously (6-0); Council Member Burnett absent

IX. NEW BUSINESS

A. Park System Wayfinding and Signage Replacements (RFP 19-115)

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff recommends Mayor and Council award RFP 19-115 to Roswell Signs LLC (Signarama Roswell) for the construction and installation of park wayfinding and signage replacements through a 5-year on-call contract and authorize the Mayor to execute all necessary documents.
- The City has adopted a Park Wayfinding Guidebook that provides a locally appropriate identity and placement plan for the City of Alpharetta that addresses the multiple facets of the park and trails system. The guide includes system brand, sign typologies, placement guidelines, and an implementation strategy. The park system wayfinding concept uses existing branding guidelines and corresponds with the established look and feel for the City of Alpharetta. Additionally, the City has detailed design drawings for the wayfinding and signage types listed within the Park Wayfinding Guidebook.
- With signage and wayfinding guidelines/design-drawings in place, the next step is to contract with a vendor for the construction and installation of said wayfinding and signage replacements.
- To this end, Recreation, Parks, and Cultural Services staff, in conjunction with Finance staff, prepared RFP 19-115 and advertised in March/April 2019. Proposals were received on April 18, 2019 and consisted of three responses which were submitted to an Evaluation Committee for review and ranking. This Committee consisted of staff members from the Recreation, Parks and Cultural Services Department as well as the Community Development Department.
- The Evaluation Committee met on May 15, 2019 to tabulate the overall scores. Each proposal was evaluated based on the following criteria: Qualifications of Project Lead/Project Team (25%); Approach to Project (22%); Comparable Experience (30%); Alpharetta vendor preference (3%); and cost (20%). The resulting scores were as follows (ranking of "1" to "5" with "5" being the highest).
    - 4.16 Roswell Signs LLC (Signarama Roswell)
    - 3.57 Canam Sign & Imaging (CIB International)
    - 3.31 Waybaytay Holdings Inc. (Signs Inc.)

- While the main goal of the RFP was to select a strong signage partner with which to work towards implementation of the Park Wayfinding Guidebook (multi-year contract), cost was requested for the immediate replacement of multiple park monument signs to gauge the cost competitiveness of the responding firms. Based on existing budgetary appropriations, staff requested pricing on Phase I signage which included monument signs at the following parks: Cogburn Road Park; North Point Park Greenway Access; Rock Mill Park (two signs); and North Park (two signs). Canam Sign & Imaging was the lowest at $45,019.60; followed by Roswell Signs LLC ($49,161.91); and Signs Etc. ($65,800).

- Additionally, pricing estimates were requested on wayfinding signage (e.g. pedestrian directional, vehicular directional, etc.) to give staff a better idea of funding levels required to implement the wayfinding and signage program. Roswell Signs LLC was the most cost competitive from a signage perspective. But higher on the hourly installation costs. Staff will utilize this pricing as a guideline when releasing the selected vendor to construct signs under this contract.

- After reviewing all of the proposals, the committee found that Roswell Signs LLC approach to the project and comparable experience is best suited to accomplish our Wayfinding and Sign replacement plan. The cost analysis found their prices to be comparable to the other proposals submitted. With these factors in mind, staff recommends awarding RFP 19-115 to Roswell Signs, LLC.

Public Comment:

- No Public Comment

❖ Mayor Pro Tem Mitchell offered a motion to award RFP 19-115 to Roswell Signs LLC (Signarama Roswell) for the construction and installation of park wayfinding and signage replacements through a 5-year on-call contract and authorize the Mayor to execute all necessary documents.

- The motion received a second from Council Member Merkel

- The motion was approved unanimously (6-0); Council Member Burnett absent

B. "The Laborer" - Miscellany Sculpture

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item

- Staff recommends Mayor and Council approve the purchase of the public sculpture known as "The Laborer", in an amount not to exceed $24,000, as a part of the City's permanent sculpture collection.

- The recommendation is to purchase The Laborer sculpture by artist Mike Wasol to add to the City's permanent sculpture collection and remain in the same location. The Laborer is currently an on-loan piece that was curated for the Miscellany Sculpture Exhibit.

- The City created a public Facebook poll to include five Miscellany Sculptures that met the budget requirements for the program. Below represent the end results from the

public poll with 1 having the most votes to 5 having the fewest votes.

1. The Laborer
2. Scorpion
3. Hanging Series
4. Homage
5. Morning Flower

- The Laborer is interactive allowing the viewer a step inside the sculpture to see a night- time sky filled with stars.

Public Comment:

- Don Nahser, 305 Karen Drive, Alpharetta, came forward in support of the item.

❖ Mayor Pro Tem Mitchell offered a motion to approve the purchase of the public sculpture known as "The Laborer" in an amount, not to exceed $24,000, as a part of the City's permanent sculpture collection.

- Council Member Hipes offered a friendly amendment to keep the sculpture in its current location
- Mayor Pro Tem Mitchell accepted the friendly amendment offered by Council Member Hipes
- Council Member Merkel offered a friendly amendment for an addition to Council Member Hipes amendment; to keep the sculpture in its current location "as long as it's feasible"
- Council Member Hipes accepted the friendly amendment offered by Council Member Merkel
- The motion received a second from Council Member Binder
- The motion was approved unanimously (6-0); Council Member Burnett absent

X. WORKSHOP

A. Omnium Gatherum Exhibit – Outdoor Art on Loan Project

- Director of Recreation, Parks and Cultural Services, Morgan Rodgers, came forward to present this item.
- The Outdoor Art on Loan Project for 2019 is called "Omnium Gatherum" and scheduled to replace the current outdoor exhibit called "Miscellany" in summer of 2019.
- The City of Alpharetta has an agreement with Arts Alpharetta to continue the Outdoor Art on Loan Project with the intended purpose to further goals and policies set forth in the City's Comprehensive Plan and Downtown Master Plan and the Art in Public Places Guidelines & Polices.
- The City has awarded a grant in the amount of $85,000.00 to Arts Alpharetta for the

purpose of managing the Project within the City of Alpharetta in a manner that is consistent with the Grant Purpose.

- Before notifying juried artists for the "Omnium Gatherum" Exhibit, the agreement requires Arts Alpharetta to notify the City of its proposed selections and provide the City a ten (10) day period to review the proposed selections/sculptures. If the City notifies Arts Alpharetta of its disapproval of the proposed sculpture during said ten (10) day period, Arts Alpharetta shall not select the subject sculpture for the exhibition.

- Outdoor Art on Loan - 2019 "Omnium Gatherum" Process:
  - Locate the Artists:
    - Sculpture entries were gathered from CODAworx which is an international global online community that showcases and celebrates design projects featuring commissioned artwork in interior, public and architectural spaces.
  - Selection Process:
    - Arts Alpharetta contracted Susan Wright, Agent of the Cashin's Sculpture Garden at Chukkar Farm Polo Club and Event Facility, to jury the CODAworx sculpture entries. She submitted 10 juried sculptures to Arts Alpharetta for the proposed outdoor exhibit.
    - Arts Alpharetta Board reviewed Susan Wright's juried sculpture selections and the Board then voted for their top 8 sculptures with 2 back up sculptures and then submitted to the City of Alpharetta to for final approval.
    - City of Alpharetta Staff created a committee comprised of 5 staff members to vote on their top 8 sculptures then submit to Council in a workshop for their final approval.
    - City of Alpharetta Council gives final approval for the 2019 Outdoor Art on Loan Project / "Omnium Gatherum" Exhibit.
  - Implementation Process:
    - Arts Alpharetta will notify selected artists and begin the placement process.
    - Emphasis will be placed on publicly owned properties and give diverse opportunities but still allow for an outdoor walking exhibit format.
    - City Staff will assist Arts Alpharetta in selection of sculpture locations and try to utilize existing concrete sculpture bases to minimize costs.
    - "Omnium Gatherum" Exhibit estimated completion is September 2019.

Public Comment:

- No Public Comment

XI. PUBLIC COMMENT

- Don Nahser, 305 Karen Drive, Alpharetta, came forward to address a vape shop sign that he saw on Old Milton Parkway.

XII. REPORTS

- Council Member Binder announced that the goats are back at Wills Park to help clear the weeds. Additionally, the Brooke Street Park Summer Concert Series continues this Saturday, June 22nd; Home by Dark featuring UGA Alum Kyshona Armstrong and Jenn

Bostic and Food Truck Alley continues to be a big hit which takes place every Thursday through October 10, 2019. Council Member Binder also commented about Alpharetta's Music at Twilight which takes place on Friday nights at the Old Milton Park.

- Mayor Gilvin mentioned receiving a call of concern regarding the noise level at the Brooke Street Park concert on Saturday.

XIII. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 10:11 PM

Respectfully submitted,

Erin Cobb

Erin Cobb, City Clerk