



City Council Meeting
December 16, 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**

- o Mayor Jim Gilvin
- o Mayor Pro Tem Donald F. Mitchell
- o Jason Binder
- o Ben Burnett
- o John Hipes
- o Dan Merkel
- o Karen Richard

- **Staff**

- o Bob Regus, City Administrator
- o Sam Thomas, City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Peter Sewczwicz, Director of Public Works
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Tom Harris, Director of Finance
- o John Robison, Director of Public Safety
- o Kathi Cook, Director of Community Development
- o Eric Graves, Senior Transportation Engineer
- o Michael Woodman, Senior Planner

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Purchase of Real Estate & Resolution

B. Council Meeting Minutes (Meeting of 12/9/2019)

C. Alcoholic Beverage License Applications:

PH-19-AB-30 Mikhail Mart, LLC.
d/b/a/ Shell Food Mart
6185 Windward Parkway
Alpharetta, GA 30005

Convenience Store
Retail Package Sales
Beer, Wine, Sunday Sales

Owner: Ramiz Mikhail
Registered Agent: Medhat Karout

❖ Council Member Burnett offered a motion to approve the consent agenda

- The motion received a second from Mayor Pro Tem Mitchell
- The motion was approved (7-0)

V. PUBLIC HEARING

A. PH- 19-25 Good/380 Milton Ave

NOTE: This item has been deferred by Staff and will be neither heard nor considered during this meeting. It has been moved to the January 6, 2020 Council Meeting Agenda.

B. Z-19-03/V-19-16 100 North Main Street

- Senior Planner, Michael Woodman, came forward to present this item.
- This item was heard at the 12/5/2019 Planning Commission meeting. Staff recommended approval of the item subject to 17 conditions. There were several public comments in favor of and in opposition to the project with concerns over traffic, the Cumming Street extension, access to lower level parking deck from Violet Garden Walk and Lily Garden Place, visual buffers, light pollution use of amenity rooftop, pedestrian safety, and tree removal. Staff recommended additional conditions to address the public concerns. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and accepting some of the applicant's requested changes (Planning Commission changes shown in RED). Vote 7-0
- Staff is recommending Mayor and Council approve Z-19-03/V-19-16 100 NORTH MAIN STREET, subject to the following conditions:
 1. The site, consisting of approximately 0.92 acres, shall be zoned DT-MU and

developed substantially similar to site plan submitted by AEC, revised 10/23/2019, except for modifications required to comply with the conditions below. Uses shall be limited to office, retail and restaurant.

2. Maximum building height shall be no greater than 3 stories and 46'.
3. Minimum building setback on North Main Street shall be ~~20'~~ 15' and shall include a minimum ~~10'~~ 5' landscape strip located outside of any easements. Minimum building setback on Violet Garden Walk shall be 20', as measured from the existing right-of-way.
4. Maximum building footprint shall not exceed 11,534 square feet.
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to approval by the DRB. Openings in parking deck walls shall be decorative screens similar to Teasley Place mixed-use development.
6. Parking deck shall be screened with a mix of landscape materials of varying heights, with final approval by DRB.
7. Decorative lighting and trees shall be placed on the upper level of the parking deck, as depicted on submitted renderings.
8. In conjunction with a Development Agreement, the developer shall set aside 5,141 square feet (0.118 acres) of land to accommodate future right-of-way for the Cumming Street extension, as depicted on the site plan prepared by AEC, revised 10/23/2019.
9. Access to ~~the upper level of the~~ parking deck from North Main Street shall be closed off to vehicular traffic at such time that the Cumming Street extension is completed. Additional useable space, as a result of closing off the North Main Street access, may only be added to the building if parking requirements have been met. Access shall be constructed from new roadway.
10. Final streetscape shall include decorative pedestrian lighting, as approved by Staff.
11. Street trees shall be required within the planter along North Main Street (as approved by GDOT) and Violet Garden Walk, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
12. Amenity space shall be developed **on the building rooftop. Landscape improvements to the existing tree area with shall be a** park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Developer shall remove exotic and invasive trees and shrubs within the area called out as amenity space at the rear of the property, as approved by Staff. **Rooftop amenity shall be limited to use by office employees only.**
13. Foundation plantings, consisting of shrubs, vines and/or grasses, shall be required in front of the building and along North Main Street, Cumming Street and Violet Garden Walk.
14. Developer shall save: Tree #339 (28" Pecan). The City Arborist may approve up to a 20% encroachment into the CRZ of trees with additional tree care to

offset the encroachment, as approved by Staff.

15. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification to property owner.
 16. Decorative paver aprons shall be required at permanent project driveways, as approved by Staff.
 17. ~~New Overhead~~ utilities shall be placed underground.
 18. 10' sidewalk on Violet Garden Walk shall be reduced to 5' with the remaining 5' added to the landscape area.
 19. Lower level parking deck shall be limited by a gated system, no deliveries, restricted to employees only and no public parking.
 20. Developer shall screen car head lights with sufficient parking deck wall height and landscaping.
- The applicant, 100 N. Main St Alpharetta, LLC, is requesting a rezoning of 0.92 acres from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed Use) to allow for the construction of a 28,100 square foot office building and structured parking. A variance is requested to increase the maximum building footprint from 10,000 square feet to 11,534 square feet. The subject property is located at 100 North Main Street on the west side of North Main Street at the intersection with Cumming Street.
 - The submitted request, if approved, will allow for the construction of a 28,100 square foot office building and parking deck on 0.92 acres in the Downtown Overlay. The applicant proposes to rezone the property from C-1 to DT-MU, as well as a variance to increase the maximum building footprint from 10,000 square feet to 11,534 square feet. The subject property is located at 100 North Main Street on the west side of North Main Street at the intersection with Cumming Street.
 - The subject property represents two (2) parcels of land with frontage on North Main Street and Violet Garden Walk. The property fronting North Main Street is developed with a 2,132 square foot former home that has been converted to an office. The property fronting Violet Garden Walk is undeveloped. Surrounding properties are zoned C-1 to the north and south, C-2 (General Commercial) to the east, and R-10MHD (Dwelling, 'For-Sale', Residential) to the west. Alpharetta First United Methodist Church is located to the east, West of Main Subdivision is under construction and located to the west, a structure on the City's List of Contributing Historic Buildings at 116 North Main Street is located to the north and 88 North Main Street and 31 Church Street are located to the south. The proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use'.
 - A variance is requested from Unified Development Code (UDC) Subsection 3.6.5, Bulk and Mass, to increase the maximum building footprint from 10,000 to 11,534 square feet. According to the applicant, the variance is necessary to keep the building at 3-stories in height. The DT-MU zoning 3 district allows building heights up to four (4) stories and 60'. However, Staff recommends building heights of no more than three (3) stories in this area of the Downtown Overlay.
 - As shown in the table below, the applicant's proposed non-residential density is consistent with other Downtown developments. The applicant proposes a 28,100 square feet office building on 0.92 acres, which represents a density of 30,543 square feet per acre. The applicant proposes structured parking, which helps offset the higher density by providing more open space.

Development Name	Office (SF)	Retail (SF)	Acres	Density
Applicant's Proposal	28,100 SF		0.92 acres	30,543 SF/acre
Kairos Old Milton Office Bldg.	52,260 SF	3,000 SF	2.16 acres	25,583 SF/acre
Providence Group/Chelsea Walk	30,000 SF		1.0 acre	30,000 SF/acre
Wellstar	40,000 SF		2.34 acres	17,094 SF/acre
Teasley Place*	4,820 SF	16,609 SF	1.52 acres	14,098 SF/acre
55/61 Roswell Street	30,000 SF		0.72 acres	41,794 SF/acre

*Does not include 3 floors of residential above. Including residential, the overall density of Teasley Place increases to 69,361 square feet per acre.

- The Downtown Master Plan promotes a system of connected streets, including the extension of Cumming Street from North Main Street to Canton Street along an alignment with Lily Garden Place. The extension of Cumming Street impacts the subject property along its northern boundary and would require future right-of-way for the extension, which is depicted on the site plan to be approximately 5,141 square feet (0.118 acres). The applicant reached out to the neighboring property owner to the north (116 North Main Street), since both properties would be impacted by the road extension. According to the applicant, the adjacent property owner to the north is not interested in a coordinated development effort at this time. If approved, the applicant should set aside future right-of-way to accommodate the Cumming Street extension.
- The submitted site plan depicts a 3-story, 28,100 square foot office building fronting North Main Street with a 2-level parking deck to the rear. The DT-MU zoning district permits building heights up to 4-stories and 60'. However, Staff believes that building heights should be limited in this area of the Downtown to no more than 3-stories. The applicant designed the office building with a 11,534 square foot building footprint in order to maintain a 3-story building height. The proposed building footprint exceeds the maximum permitted of 10,000 square feet in the DT-MU district.
- Project driveways are depicted on North Main Street, Cumming Street and Violet Garden Walk. The applicant proposes to remove the driveway on North Main Street once the Cumming Street extension and new project driveway off Cumming Street are constructed. 90 parking spaces are depicted in a 2-level parking deck (31 spaces in the upper level and 59 spaces in the lower level), of which the UDC would require a total of 84 spaces for the proposed use. The upper level of the parking deck is accessed from North Main Street, until such time that the Cumming Street extension is constructed. At which point, access will be moved to Cumming Street. The lower level of the parking deck is accessed from Violet Garden Walk.
- GDOT's North Main Street project includes the installation of twelve-foot (12') multi-use sidewalks along the frontage of the subject property. The site plan depicts, as required by the UDC, a ten-foot (10') sidewalk on Violet Garden Walk. However, it is recommended that the sidewalk be reduced to eight-feet (8') in order to provide additional landscape area for the benefit of the 4 adjacent residential development. Sidewalk(s) along the Cumming Street extension will be reduced due to the limited available right-of-way and the need to limit impacts to the property to the north (116 North Main Street), which is on the City's Inventory of Contributing Historic Structures. As shown below, minimum building setbacks are generally consistent with the DT-MU development standards. However, a greater building setback is required along North Main Street to accommodate the 10' landscape strip outside of any easements.

- North Main Street – 20'
 - Violet Garden Walk – 20' (from existing right-of-way/property line)
 - Cumming Street Extension – 5'
 - Side – 5'
- The applicant's site plan depicts 11,534 square feet, or 28%, of amenity space on the site, which includes a rooftop amenity. The applicant's site plan exceeds the minimum 10% amenity space required in the DT-MU district. If approved, amenity areas should include improvements associated with gathering and seating areas.
 - There are several trees on the subject property, consisting primarily of Hardwoods. Two (2) specimen trees are located along North Main Street. Most of the trees identified on the property are listed in 'Poor' condition. GDOT will impact and remove a few trees in conjunction with the North Main Street roadway project. Staff initially had concerns with the applicant's site plan, which did not save any trees. However, the applicant revised the site plan to incorporate a tree save along North Main Street, Tree # 339 (28" Pecan), as well as limiting impacts to boundary trees along the southern property line. According to a note on the site plan, stormwater management will be handled underground under the structured parking deck at the rear of the property.
 - The applicant's proposed renderings reflect a Neoclassical architectural style, which is an approved style in the Downtown Overlay. The building has classic storefronts on the ground floor and is primarily brick. The applicant's architect provided the following description of the building architecture, design and materials:
 - "The architecture is a blend of urban qualities of several styles approved within the guidelines. To simplify the description, I would characterize this design effort as "Neoclassical". The materials will be primarily brick veneer color (A), with a base of cast stone or an alternate brick veneer color (B). Many details such as window/door lintels may be precast stone. Other architectural features important to the design include window canopy/awnings, lights, porticoes, blade & applied letters signage, etc. each with attention to historical authenticity to meet the city's goals of a streetscape harking back to the late 1800's thru the early 1900's."
 - The street-facing façade of the office building complies with the 200' maximum façade length for a 'General Building' in the Downtown. The three (3) story building has a 1st floor height of 18', 2nd floor of 14' and 3rd floor of 14' for a total building height of 46'. The building appears to be in compliance with the architectural, material and building design regulations in the Downtown Code. The table below provides approved building heights in the Downtown.

Project Name	Location	Building Height
Applicant's Proposal	Mixed Use	3 stories, 46'
City Center	Central Business District	4 stories, 60'
Teasley Place	Central Business District	4 stories, 60'
Liberty Hall	Central Business District	4 stories, 67'
55/61 Roswell Street Office Building	Central Business District	3 stories, 46'
Cotton House Hotel	Central Business District	4 stories, 56'
Wellstar Office Building	Mixed Use Live-Work	2 stories, 40'
Liberty Village	Mixed Use Live-Work	2 stories, 32' – 45'
Kairos Old Milton	Mixed Use Live-Work	3 stories, 44'
Northside Office Building	Mixed Use Live-Work	3 stories, 44'
Providence Group Office Building	Mixed Use Live-Work	2 stories, 40'
The Maxwell	Mixed Use	2 stories, 32'

- The applicant provided a trip generation report, which shows that the proposed development would generate 47 AM Peak Hour trips and 27 PM Peak Hour trips.

TABLE 1 – TRIP GENERATION									
Land Use	Size	AM Peak Hour			PM Peak Hour			24-Hour	
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
General Office Building	28,100 sf	40	7	47	4	23	27	121	121

- City Staff has reviewed the applicant's zoning proposal and finds that it can generally support the request for rezoning and variance. The zoning proposal is consistent with the vision of the Downtown Master Plan and the City's Comprehensive Plan. The property could be developed with office use under the existing zoning. However, the C-1 district regulations are not conducive to achieving the walkable vision of the Downtown Overlay. In addition, the applicant could meet the maximum building footprint, if the building were permitted to be 4-stories. Therefore, the applicant's variance request is related to Staff's recommendation to limit building heights in this area of the Downtown to no more than 3-stories. Additionally, the applicant is maintaining a minimum 15' setback at the rear adjacent to residential, which is the minimum setback requirement under the existing zoning of C-1.
- 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 has been contacted by some of the adjacent property owners, two (2) in support and two (2) in objection with concerns over impacts from the Cumming Street extension.
- City Staff has been contacted by adjacent property owners with concerns over the Cumming Street extension impacting properties in West of Main, increased traffic and building setbacks on Violet Garden Walk. Staff notified the applicant of this concern and the applicant revised the site plan to provide a 20' setback at the rear of the property adjacent to West of Main.
- The CZIM was held on October 9, 2019. There were a few public comments on the signed-in sheet, including the need to accommodate the Cumming Street extension and associated drainage.
- Senior Traffic Engineer, Eric Graves, came forward to address questions from Mayor and Council regarding this item's traffic impact.
- Attorney Don Rolader, 1865 Lockeway Drive, Suite 601, Alpharetta, came forward to speak on behalf of the applicant.
- Avego Healthcare Capital representative, Thomas Vanderport, 1055 Powers Place, Alpharetta, came forward to speak on behalf of the applicant.
- The architect, Tracy Ward, 5155 Doubletree Drive, Cumming, came forward to speak on behalf of the applicant.

Public Comment:

- Larry Bracken, 208 Violet Garden Walk, Alpharetta, came forward in support of the item with a few concerns regarding traffic, after hours parking, and an additional setback that is needed.

- Jared Marber, 55 Church Street, Alpharetta, came forward to speak on the concept of gating the parking deck.
- Roy Roberts, 126 North Main Street, Alpharetta, came forward in support of the item.
- Tyler Vassar, 89 Canton Street, Alpharetta, came forward to address the relation of this item to the Cumming Street Extension Project.

❖ Council Member Richard offered a motion to approve Z-19-03/V-19-16 100 North Main Street subject to the following conditions:

1. The site, consisting of approximately 0.92 acres, shall be zoned DT-MU and developed substantially similar to site plan submitted by AEC, revised 12/10/2019, except for modifications required to comply with the conditions below. Uses shall be limited to office, retail and restaurant.
2. Maximum building height shall be no greater than 3 stories and 46'.
3. Minimum building setback on North Main Street shall be 15' and shall include a minimum 5' landscape strip located outside of any easements building set back on North Main Street to accommodate moving the building 5' closer to North Main Street and 5' further from Violet Garden Walk, including an additional 5' area for planting along Violet Garden Walk. Minimum building setback on Violet Garden Walk shall be 20', as measured from the existing right-of-way.
4. Maximum building footprint shall not exceed 11,534 square feet.
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to approval by the DRB. Openings in parking deck walls shall be decorative screens similar to Teasley Place mixed-use development.
6. Parking deck shall be screened with a mix of landscape materials of varying heights, with final approval by DRB.
7. Decorative lighting and trees shall be placed on the upper level of the parking deck, as depicted on submitted renderings.
8. In conjunction with a Development Agreement, the developer shall set aside 5,141 square feet (0.118 acres) of land to accommodate future right-of-way for the Cumming Street extension, as depicted on the site plan prepared by AEC, revised 10/23/2019.
9. Access to the parking deck from North Main Street shall be closed off to vehicular traffic at such time that the Cumming Street extension is completed. Additional useable space, as a result of closing off the North Main Street access, may only be added to the building if parking requirements have been met. Access shall be constructed from new roadway.
10. Final streetscape shall include decorative pedestrian lighting, as approved by Staff.
11. Street trees shall be required within the planter along North Main Street (as approved by GDOT) and Violet Garden Walk, as well as behind the sidewalks

as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.

12. Amenity space shall be developed on the building rooftop and limited to use by the occupants, invitees and guests of the development. Landscape improvements to the existing tree area shall be a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Developer shall remove exotic and invasive trees and shrubs within the area called out as amenity space at the rear of the property, as approved by Staff. Occupiable vertical structures are prohibited, and rooftop space shall not be rented out for commercial use.
13. Foundation plantings, consisting of shrubs, vines and/or grasses, shall be required in front of the building and along North Main Street, Cumming Street and Violet Garden Walk.
14. Developer shall save: Tree #339 (28" Pecan). The City Arborist may approve up to a 20% encroachment into the CRZ of trees with additional tree care to offset the encroachment, as approved by Staff.
15. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification to property owner.
16. Decorative paver aprons shall be required at permanent project driveways, as approved by Staff.
17. New utilities shall be placed underground.
18. 10' sidewalk on Violet Garden Walk shall be reduced to 5' with the remaining 5' added to the landscape area.
19. Lower level parking deck shall be limited by a gated system controlled and regulated by the applicant and signage posted stating no public parking.
20. Developer shall screen car head lights with sufficient parking deck wall height and landscaping.

- The motion received a second from Council Member Binder
- The motion was approved unanimously (7-0)

C. MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village

❖ Council Member Burnett recused himself from this item.

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was heard at the 12/5/2019 Planning Commission meeting. Staff recommended approval of the item subject to 47 conditions. There were several public comments in favor of the request supporting a live/work/play environment and Alpha Loop. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and accepting the applicant's changes (Planning Commission changes shown in RED). Vote 7-0

- Staff is recommending Mayor and Council approve MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village subject to the following conditions: (Conditions that end with (GRTA) are conditions recommended by the Georgia Regional Transportation Authority. All GRTA recommendations are incorporated in a document dated July 13, 2015, RE: DRI 2499 – Innovation.)
 1. The 62.47-acre property shall be zoned MU. Site shall be developed substantially similar to plans by Nelson, revised 11/25/2019 (SP-18), subject to the approved conditions.
 2. Architectural style of all buildings shall be substantially similar to submitted renderings prepared by Nelson, with non-residential buildings approved by the DRB and residential buildings approved by Staff.
 3. Development regulations shall be as follows:
 - a. Office – Maximum of 630,080 square feet. Building height shall be limited as depicted on the site plan prepared by Nelson, revised 11/25/2019.
 - b. Retail/Restaurant – Maximum of 31,525 square feet and maximum height of 2 stories or 35', whichever is less. No more than 3 single-tenant, freestanding retail buildings shall be permitted. A minimum 3,000 square foot neighborhood grocery shall be required. There shall be no drive through restaurants. Individual restaurants may be attached via architectural features such as metal arches, outdoor seating areas, patios and similar amenities, as approved by Staff.
 - c. 'For-Sale' Residential – Up to 60 townhome units shall be permitted in up to 3-story buildings. No more than 10% of townhomes shall be permitted to be rented, as recorded in the development covenants.
 - d. 'For-Rent' Residential – After January 1, 2022, 140 'For-Rent' units shall be permitted a Certificate of Occupancy in accordance with UDC 'For-Rent' requirements. **After January 1, 2023, 115 'For-Rent' units shall be permitted a Certificate of Occupancy in accordance with UDC 'For-Rent' requirements.** 'For-Rent' residential shall be permitted above office or retail uses on at least 1 side of the building. At-grade 'For-Rent' units shall have walkouts with sidewalk connections. Building maximum height shall be 4 stories or 60 feet, whichever is less. All units shall be one (1) and two (2) bedrooms with no more than 40% of the units being 2-bedrooms. 'For-Rent' units shall be constructed concurrently with a minimum 125,680 square feet of office use. A Certificate of Occupancy shall not be issued for rental units until 125,680 square feet of office has been constructed or is substantially under construction as determined by Staff. The units shall be part of a mixed-use project containing a minimum of 50 acres and incorporating retail/restaurant, 'For-Sale' residential, neighborhood grocery and a minimum of 125,680 square feet of office. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure gated parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. If a building permit is not issued by December 16, 2022 residential units shall revert to 'For-Sale' only.
 - e. Parking Decks – Maximum of 5 levels, except that parking decks along Lakeview Parkway shall be a maximum of 3 levels. Except for the 3 parking decks serving office buildings, all parking decks shall be wrapped with residential or non-residential uses where visible from the public right-of-way. Parking decks visible from Haynes Bridge Road, Lakeview Parkway and Morrison Parkway shall be treated with comparable materials and finishes as the buildings they serve or

screened from view with evergreen landscaping, as approved by Staff. Parking decks visible from Georgia 400 and the interchange shall be screened from view with evergreen landscaping. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the Design Review Board.

4. The Master Plan area shall be limited to the following uses and further restricted by conditions of zoning:
 - a. office
 - b. retail
 - c. restaurant (no drive-thru)
 - d. residential
5. Retail uses shall be those uses customarily accessory to or amenities for office uses, restricted to the following uses:
 - a. Art Gallery
 - b. Bakery
 - c. Barber Shop
 - d. Beauty Shop
 - e. Book Store
 - f. Computer Supply Store
 - g. Copy Center/Print Shop
 - h. Drug Store (not to exceed 2,000 SF)
 - i. Dry Cleaning Pick-up Station
 - j. Fitness Studio
 - k. Florist, Retail without Greenhouse
 - l. Gourmet Food Store
 - m. Office Supply Store (not to exceed 2,000 SF)
 - n. Package Shipping/Mail Box Store
 - o. Restaurant (no drive-thru)
 - p. Retail Sales and Services Establishment
 - q. Shop or Studio, Craftsman/Artist
 - r. School, Commercial
6. Building setback and landscape strip along Lakeview Parkway shall be 20'.
7. New internal street shall meet the Type 'C' Corridor regulations, as approved by the City's Traffic Engineer, and streets shall be private. Pedestrian bridges, stairs, elevators and escalators may encroach into public spaces if they don't impede pedestrian circulation or safety.
8. Building permit shall not be issued for any freestanding retail building before a building permit is issued for the 125,080 square foot office building.
9. Specimen trees shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the City's Tree Protection Ordinance. In addition, specimen trees #473, 477, 512, ~~447 545~~, 563, 566, 568, 821, 591, 593, 596, and ~~820 600~~ shall be saved **subject to Alpha Loop and roadway improvement requirements.**
10. A minimum 25.06 acres of civic space and 7.22 acres of amenity space shall be required for the proposed development, as depicted on the 11/25/2019 plan. The greenspace to the west of the lake shall remain undisturbed, except for the trail and related improvements around the lake. A bocce ball court, or an alternative outdoor recreational feature, shall be required within an area designated public space, as approved by Staff.

Design Conditions:

11. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development. At grade pedestrian and bicycle connections shall be provided throughout the site, including

between buildings and recreational facilities within the development and across Lakeview Parkway to the existing office development. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products as approved by Staff. Bicycle facilities shall be provided throughout the development.

12. Detention facilities shall not be visible from a public right-of-way, except a decorative water feature approved by Staff.
13. Retaining walls visible from developed areas exceeding 16' in height shall be terraced.
14. Developer shall meet EcoDistrict measures per Page 6 of the applicant's Letter of Intent, dated 10/7/2019. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure, with final approval by Staff.
15. A bus shelter ~~and dedicated lane~~ shall be incorporated into the plan design along Haynes Bridge Road 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, residents and guests. The public shall be permitted to park in the office parking lots on evenings and weekends. **Applicant shall not be required to construct a bus shelter if MARTA does not add 360 Tech Village to its route system.**
16. Prior to LDP for development, the applicant shall submit for approval a document to be entitled 'TPA Group/360 Tech Village Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, fountains, bicycle racks, bus shelter, signage landscaping themes and focal point features and shall be substantially similar to the renderings filed with the 2019 application, as amended. Design standards will be presented to Staff and the Design Review Board for review and approval. This document also shall detail entrance treatment for the Haynes Bridge Road/Lakeview Parkway intersection, which shall compliment any existing or changed entrance feature across Lakeview Parkway. Retaining walls also shall be complementary.
17. Plans for buildings, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the Design Review Board.
18. Awnings shall be provided on buildings at street level in commercial areas where reasonably appropriate in order to protect pedestrians from inclement weather.
19. Surface parking areas shall comply with current UDC requirements for screening and tree islands. A decorative, low wall shall be located along Lakeview Parkway, where needed, to obscure views of surface parking from Lakeview Parkway.
20. All buildings along Haynes Bridge Road, Morrison Parkway and Lakeview Parkway must face those streets or appear to face those streets. 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.
21. New driveways within the development shall be private and shall include a planted median with sufficient space for tree plantings, as approved by Staff.
22. The view corridor from Haynes Bridge Road to the lake, along the main boulevard, shall be required, as depicted on the plan. A structure for seating or gathering, such as a gazebo or similar structure, shall be provided at the end of the boulevard near the lake, as approved by Staff.

23. The corner of Haynes Bridge Road and Lakeview Parkway shall be designed with a minimum 5,000 square foot green space and shall incorporate ~~the existing wall~~ a wall approved by the DRB, landscaping and a focal point feature (sculpture). Applicant shall provide a minimum of 6 original sculptures located at prominent locations throughout the development, as approved by Staff with input from the local arts committee. Locations shall include the corner of Lakeview Parkway and Haynes Bridge Road. Approval and construction of at least 1 sculpture shall be required concurrent with the first CO. A minimum of 1 additional sculpture shall be required concurrent with the first CO of each subsequent phase of development. All sculptures shall be required prior to final CO issued for the last building constructed.
24. In order to further 2035 Comprehensive Plan strategy LU 6.2, no stand-alone retail development shall be located within 500' of the GA 400 interchange.
25. Prior to the first LDP for development, applicant shall submit a construction phasing plan that shall demonstrate how construction will be staged and implemented in a manner that screens construction views from adjacent roadways. All project components shall be developed in the first phase, except for the 200,000 SF and 150,000 SF office buildings and associated parking decks.
26. Prior to the first LDP for development, applicant shall submit a revised master plan for the entire parcel to the City, which shall incorporate the approved conditions, as well as the following:
 - Approved specifications and standards identified for each use within the total development.
 - Pedestrian network.
 - Overall planned open space areas.
27. Each plan submitted for an LDP shall include an on-going density and acreage tabulation.
28. Alcohol license distance requirements from residential development shall be waived.
29. Creative signage is encouraged, and rooftop signs shall be permitted, as approved by the DRB.
30. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing regarding case MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village"

Landscape Conditions:

31. Along Lakeview Parkway, the existing sidewalk shall be widened with brick or similar pavers an additional 2' in the beauty strip to the back of curb. All new utilities shall be located underground. Existing landscape strips adjacent to the development along Morrison Parkway, Haynes Bridge Road and Lakeview Parkway shall be replanted where needed, as approved by Staff.
32. Landscaping 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 landscaping area if decorative and will provide an amenity. However, there shall be no encroachment into the Georgia 400 tree buffer, except for multi-use path as approved by Staff.
33. At least 1 rooftop amenity shall be required within the development. Outdoor dining areas shall not count against the maximum permitted retail/restaurant square footage.
34. Provide detailed street planting for Haynes Bridge Road, Morrison Parkway and Lakeview Parkway. Landscape plan shall be approved prior to issuance of an LDP and shall try to save the existing mature street trees,

except at curb cuts and in accordance with an approved stream piping plan along Lakeview Parkway, Morrison Parkway and Haynes Bridge Road, with final approval by Staff.

35. Developer shall be responsible for planting and maintenance of medians within the development site and for the medians located on Lakeview Parkway, which are contiguous to the development site. The planting and maintenance shall be in accordance with a plan approved by Staff.
36. Parking lot islands shall be planted with trees, shrubs and ground covers (not with mulch only). ~~Investigate the possibility of adding~~ Developer shall **add** shade structures and/or trees on the top floor of parking decks to cover a minimum 15% of this surface.
37. Developer shall dedicate a permanent easement and construct a 12' multi-use trail (Alpha Loop) as depicted on the site plan prepared by Nelson, revised 11/25/2019, with final alignment/design/materials approved by Staff and construction completed prior to the first residential CO. Alpha Loop shall be clearly delineated and separate from private sidewalk associated with storefronts on the 'For-Rent' building. A crosswalk shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of a material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Haynes Bridge Road **and shall count towards the original sculpture's requirement**. Alpha Loop shall include seating/gathering areas, lighting, landscape, hardscape, and Zagster (**or comparable bike sharing provider**) bike station (per applicant's Letter of Intent). Multi-use trail shall be promoted to the public by providing parking, access and trails for public enjoyment. A bike share station shall be provided at a location(s) along the trail, as approved by Staff. Wayfinding signage shall be placed at key locations along the trail. Developer shall dedicate a minimum 20' permanent easement through the GA 400 buffer for the purpose of a future Alpha Loop trail alignment. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 20' setback from all buildings, **except along the ground floor storefronts associated with the 'For-Rent' building**.
38. The 50' perimeter around the lake shall include a minimum 12' wide multi-use trail and gathering areas (gazebo, grilling stations, fire pits, benches, etc.) and exercise stations, as approved by Staff. The width of the multi-use trail may be reduced to save trees, as approved by Staff. The condition of the existing pedestrian bridges across the lake shall be assessed, repairs and widening shall be made by the developer/property owner as approved by Staff.
39. The 32,124 square foot Central Green shall include landscape and hardscape for public space for recreation, entertainment, and/or civic purposes.
40. Lake shall be designed for active recreation, including terraced amphitheater, plaza area, food truck staging area, and pier.
41. Wetlands shall be counted as park space, if applicant improves the area with boardwalks, walkways, or educational amenities.
42. Site access off Lakeview Parkway shall be unsignalized. The right-in/right-out only drive on Lakeview Parkway shall be channelized to prevent unlawful turning movements. A roundabout shall be required on Lakeview Parkway, as depicted on the plan, at site driveway 3. Design of roundabout shall meet City LOS standards, as approved by Staff.
43. ~~Master Plan approval shall revert to 2015 approval, uses and site plan, if a building permit is not issued for office use by 12/16/2021.~~

General Conditions of Approval to GRTA Notice of Decision:

44. Development Intensity and Use

- Provide a mix of residential, office and retail use.

45. Access Management

- Signalized intersections along Lakeview Parkway shall be a minimum of 1,000' from the existing signal at the intersection of Haynes Bridge Road and Lakeview Parkway.
- Provide a maximum of 4 site driveways on Lakeview Parkway.
- Align driveways on Lakeview Parkway with opposing existing driveways or offset by a minimum of 150'.
- Any full movement site driveway on Lakeview Parkway must be a minimum of 450' from Haynes Bridge Road.
- Any right-in/right-out site driveways on Lakeview Parkway must be a minimum of 200' from Haynes Bridge Road.
- No direct site access is allowed onto Haynes Bridge Road.
- No outparcels are allowed direct access on Haynes Bridge Road or Lakeview Parkway.
- Provide shared driveway between adjacent property (shown as "MetLife") and the proposed development, as shown on plan.
- All internal intersections shall be a minimum of 100' from Lakeview Parkway.

46. Pedestrian Facilities

- Provide a system of sidewalks throughout the development providing pedestrian access to all uses, building entrances and site driveways.
- Provide safe pedestrian crossings at all site driveway intersections (four-legged intersections) on Lakeview Parkway, including roundabouts.

47. Road Improvements to GRTA Notice of Decision:

Haynes Bridge Road at Lakeview Parkway/Northwinds Parkway

- Construct 1 additional northbound left-turn lane along Haynes Bridge Road onto Lakeview Parkway creating dual northbound left-turn lanes. **This requirement shall be removed if a new study by DRI determines it unnecessary.**
- Construct 1 additional eastbound right-turn lane along Lakeview Parkway onto Haynes Bridge Road creating dual eastbound right-turn lanes. **This requirement shall be removed if a new study by DRI determines it unnecessary.**
- All intersections with Haynes Bridge Road and Lakeview Parkway shall be designed as directed by staff.

- The applicant, TPA Group, is requesting a master plan amendment to the 360 Tech Village Master Plan (F.K.A. Metropolitan Life/Peridot/Innovation) to change the development mix and previous conditions of zoning on the 62.47-acre property. Rezoning is requested for 7.47 acres from O-I (Office Institutional) to MU (Mixed-Use), as well as a conditional use to allow 'For-Rent' and 'For-Sale' residential uses. The mixed-use development would consist of 31,525 square feet of retail/restaurant, 630,080 square feet of office (475,680 square feet is new), 255 'For-Rent' units, 60 'For-Sale' townhome units, and over 32 acres of open space. The property is located west of Haynes Bridge Road, south of Lakeview Parkway and north of Georgia 400.
- The submitted request, if approved, will allow for the construction of a 62.47-acre mixed-use development consisting of 31,525 square feet of retail/restaurant uses, 630,080 square feet of office use (475,680 square feet is new), 60 'For-Sale' townhome units, 255 'For-Rent' units and over 32 acres of open space. The proposed residential density is 5.04 dwelling units per acre. The subject property is

located west of Haynes Bridge Road, south of Lakeview Parkway and north of Georgia 400.

- The subject property is currently zoned MU (Mixed Use) and O-I (Office-Institutional) and subject to the North Point Overlay and 360 Tech Village Master Plan. Surrounding properties are zoned O-I to the north and east and LI (Light Industrial) to the west. The property is bound by Lakeview Parkway and Morrison Parkway to the north, Georgia 400 to the south and Haynes Bridge Road to the east. The Comprehensive Land Use Plan designation of the property is Mixed Use, which allows the proposed development mix.
- The applicant requests a master plan amendment to change the development mix and previous conditions of zoning. The site reverted to the 2015 conditions on May 27, 2019 and is currently approved for 100,035 square feet of retail, 211-room hotel, 447,200 square feet of office and 470 'For-Sale' residential units. A rezoning is requested for 7.47 acres from O-I to MU, of which the zoning on the 7.47-acre property also reverted on May 27, 2019. A conditional use is requested to allow 'Dwelling', 'For-Rent' and 'For-Sale' uses.
- A conceptual development plan for the assembled tract was submitted in August 2007, at which time Staff forwarded the application to the Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA) for Development of Regional Impact (DRI) Review. In 2008, ARC issued a finding that the proposal was in the best interest of the Region, and therefore the State. In 2011, a master plan amendment was approved along with a stream buffer variance, which did not require DRI review. GRTA submitted a "Notice of Decision" stating the project was approved as submitted with recommended conditions. Master plan amendments were approved in 2015 and 2017, which included changes to previous conditions of zoning.
- The table below provides a comparison between the applicant's current proposal and previously proposed and approved master plan and amendments for the subject property.

New Plan vs Previous Plans					
	2019 Proposed Plan	2017 Plan (Reverted)	2011/2015 Plan (Current Approval)	1988 Plan	Change 2015- 2019
Acreage	62.47 acres	62.47 acres	47.05 acres	45.5 acres	+15.42 acres
Retail/Rest.	31,525 SF	57,700 SF*	100,035 SF	119,700 SF	-68,510 SF
Residential	315 Total Units: 255 'For-Rent' & 60 'For-Sale' Townhomes	417 Total Units*: 276 'For-Rent', 36 'For-Sale' Condo & 105 'For-Sale' Attached/Detached	470 Total Units: 445 'For-Sale' Condo, 25 'For-Sale' Townhomes	0	+255 'For-Rent' -410 'For-Sale' Attached
Density	5.04 du/ac	6.68 du/ac	10 du/ac	0	-4.96 du/ac
Hotel	0	0*	211 rooms	200 rooms	-211 rooms
Office	630,080 SF	664,400 SF	447,200 SF	1,015,520 SF	+182,880 SF
Parking	2,647 spaces	3,069 spaces	3,415 spaces	N/A	-768 spaces
Open/Park	32.28 acres	31.96 acres	11.08 acres	N/A	+21.2 acres

*2017 plan amended on 12/4/2017 to increase retail SF for food hall, reduce number of 'For-Sale' units and eliminate the hotel.

- The property is in the Tier 1 North Point Development Node as depicted on the 2035 Future Land Use Plan. The City's Comprehensive Land Use Plan describes the North Point Activity Center Character Area in the following way:

"PRESERVE the North Point area as a regional destination for shopping, jobs and entertainment, and ENHANCE the area with improvements

and new development that supports a walkable and vibrant community destination with places to shop, work, entertain and live.”
 “Future development should emphasize connectivity, uses that generate a high level of activity and transit-oriented development that anticipates the extension of MARTA transit service to the area. It should reinforce a walkable, mixed-use destination supported by a range of housing types and transportation modes. It should also focus on expanding the street network, enhancing public transit service, creating a pedestrian-friendly environment by adding sidewalks and supporting bicycle use with infrastructure that makes biking safe and convenient. This complete transportation system should link adjacent residential, office and commercial areas to major destinations within the activity center or serve as a safe and convenient connection to other destinations in the community. Expand entertainment uses and capitalize on amphitheater location.

- In addition, the property is designated Mixed-Use Commercial Center Area in the North Point Activity Center LCI, which is described in the following way:

“Mixed-use Commercial Centers seek to take advantage of Georgia 400, Mansell Road, and Haynes Bridge Road to accommodate significant vehicular traffic by locating high intensity uses within a short distance of the Georgia 400 interchanges. While still providing pedestrian connectivity to the mixed-use village center, the two commercial centers are better suited to accommodate taller, regional serving development with higher vehicular traffic demands.”

- Staff has reviewed the application and is in general agreement with the request for master plan amendment, rezoning, and conditional use with fewer requested units. The proposed rezoning of 7.47 acres to MU is consistent with the vision in the North Point LCI and Comprehensive Land Use Plan designation of the property, which includes a mix of uses within a walkable environment. However, the proposed ‘For-Rent’ units exceed the recommended annual target in the City’s Rental Housing Study and exceed the City’s desired balance between owner- and renter-occupied dwelling units. Therefore, staff recommends that no more than 140 ‘For-Rent’ units be approved on the subject property in order to further the desired housing balance in the City. The reduction in ‘For-Rent’ units would also bring the percentage of ‘For-Sale’ units to 30%, which is consistent with Staff’s recommendation of at least 25% ‘For-Sale’ product within mixed use developments.
- The applicant’s request is consistent with the following land use, transportation, housing and community services and facilities strategies in the 2035 Comprehensive Plan:

LU Strategy 8.1: Allow mixed use patterns that will create activity nodes in appropriate areas, as established by the Future Development Map, that provide jobs and services within walking distance of residences, preserve open spaces, and make public transportation more effective.

LU Strategy 8.3: Encourage owners/developers with large land holdings to plan for multiple land uses.

LU Strategy 8.4: Establish varying levels of mixed-use development densities, through overlay districts or other means, such that the highest densities of office, retail and residential development will be located along the GA-400 corridor.

T Strategy 1.2: Support transit friendly streets, bicycle routes and walkable

communities that provide linkages to activity centers within the city.

T Strategy 1.3: Promote the development of compact mixed-use and transit-oriented development particularly in the GA-400 corridor.

T Strategy 2.4: Encourage an interconnected public sidewalk and trail network within new developments and enhance connectivity area wide by linking new sidewalks and trails to existing sidewalks and trails in adjacent neighborhoods. In addition, the system should link residential areas to commercial, schools, employment centers, transit and parks.

T Strategy 4.2: Encourage development designs to promote pedestrian activity that reduces onsite vehicular dependence.

H Strategy 1.2: Encourage higher residential densities and appropriate mix of uses close to Downtown Alpharetta and in the GA-400 corridor.

CSF Strategy 3.7: Encourage developers to build recreational opportunities in conjunction with new development and encourage permanent protection of open space for future generations to enjoy.

- Current U.S. Census information estimates that the City is currently at 63.7% owner-occupied. Therefore, the applicant's zoning proposal is not consistent with the following policy:

Housing Policy 2: Maintain a balance between 'owner-occupied' and 'renter-occupied' in Alpharetta such that at least 68% of the housing stock is 'owner-occupied'.

- 'For-Rent' residential use should only be considered within mixed-use developments along the Georgia 400 corridor. These mixed-use developments should provide sufficient office density to generate jobs/employees to live in the residential units and utilize on-site retail services, grocery and parks and recreational uses to reduce vehicular trips.
- It has been the City's experience that successful mixed-use developments typically include 'For Sale' product. Avalon has 101 'For-Sale' units and 526 'For-Rent' units resulting in a 16:84 ratio of 'For-Sale' to 'For-Rent'. Milton Park, which was zoned in 1999 and was developed prior to 2013, has 490 'For-Rent' units and 150 'For-Sale' units representing over 25% 'For-Sale' units. If the applicant's request is approved, it is recommended that the development have at least 25% 'For-Sale' product.
- In order to achieve the City's desired balance between owner- and renter-occupied dwelling units, it is recommended that a Certificate of Occupancy not be issued for the 'For-Rent' building until January 2022. In addition, concurrent construction of retail, office, residential and open space should be required in order to ensure that a reduction in vehicular trips is realized.
- 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.
- The CZIM was held on November 13, 2019. There was one (1) public comment on the sign-in sheet with concern over adding more retail space in the City.
- TPA Group's Crawford Arnold, 1776 Peachtree Street, NW Suite 100 Atlanta, came forward to speak on behalf of the item.

- The architect, Lamer Wakefield, 5200 Avalon Blvd. Alpharetta, came forward to speak on behalf of the applicant.

Public Comment:

- Blake Bridges, 12465 Preserve Lane, Alpharetta, came forward in support of the item.
- John Flack, 3424 Peachtree Road, Atlanta, came forward in support of the item.
- Grace Murphy and service dog Roch, 3160 Francis Road, Milton, came forward in support of this item.

❖ Mayor Pro Tem Mitchell offered a motion to approve MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village subject to the following conditions:

1. The 62.47-acre property shall be zoned MU. Site shall be developed substantially similar to plans by Nelson, revised 12/6/2019 (SP-18), subject to the approved conditions.
2. Architectural style of all buildings shall be substantially similar to submitted renderings prepared by Nelson, with non-residential buildings approved by the DRB and residential buildings approved by Staff.
3. Development regulations shall be as follows:
 - a. Office – Maximum of 630,080 square feet. Building height shall be limited as depicted on the site plan prepared by Nelson, revised 12/6/2019.
 - b. Retail/Restaurant – Maximum of 31,525 square feet and maximum height of 2 stories or 35', whichever is less. No more than 3 single-tenant, freestanding retail buildings shall be permitted. A minimum 3,000 square foot neighborhood grocery shall be required. There shall be no drive through restaurants. Individual restaurants may be attached via architectural features such as metal arches, outdoor seating areas, patios and similar amenities, as approved by Staff.
 - c. 'For-Sale' Residential – Up to 60 townhome units shall be permitted in up to 3-story buildings. No more than 10% of townhomes shall be permitted to be rented, as recorded in the development covenants.
 - d. 'For-Rent' Residential - After January 1, 2022 255 'For-Rent' units shall be permitted a Certificate of Occupancy in accordance with UDC 'For-Rent' requirements. 'For-Rent' residential shall be permitted above office or retail uses on at least 1 side of the building. At-grade 'For-Rent' units shall have walkouts with sidewalk connections. Building maximum height shall be 4 stories or 60 feet, whichever is less. All units shall be one (1) and two (2) bedrooms with no more than 40% of the units being 2-bedrooms. 'For-Rent' units shall be constructed concurrently with a minimum 125,680 square feet of office use. A Certificate of Occupancy shall not be issued for rental units until 125,680 square feet of office has been constructed or is substantially under construction as determined by Staff. A Certificate of Occupancy shall not be issued for rental units until a restrictive covenant has been added to the property's title which restrictive covenant will be negotiated in good faith between the

Applicant and the City and shall contain the following terms: at least 15% of the rental units shall have a monthly rental rate no higher than 2% of the average median income ("AMI") for Alpharetta (example: the monthly rent if the AMI is \$92,839 would be calculated as $\$92,839 \times 80\% \times 30\% / 12$ or $\$92,839 \times 2\%$ or \$1,856.78) which will be recalculated annually by the latest Census data and remain in place for a period of 10 years following the issuance of the Certificate of Occupancy. The units shall be part of a mixed-use project containing a minimum of 50 acres and incorporating retail/restaurant, 'For-Sale' residential, neighborhood grocery and a minimum of 125,680 square feet of office. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure gated parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. If a building permit is not issued by December 16, 2022 residential units shall revert to 'For Sale' only.

- e. Parking Decks – Maximum of 5 levels, except that parking decks along Lakeview Parkway shall be a maximum of 3 levels. Except for the 3 parking decks serving office buildings, all parking decks shall be wrapped with residential or non-residential uses where visible from the public right-of-way. Parking decks visible from Haynes Bridge Road, Lakeview Parkway and Morrison Parkway shall be treated with comparable materials and finishes as the buildings they serve or screened from view with evergreen landscaping, as approved by Staff. Parking decks visible from Georgia 400 and the interchange shall be screened from view with evergreen landscaping. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the Design Review Board.
4. The Master Plan area shall be limited to the following uses and further restricted by conditions of zoning:
 - a. office
 - b. retail
 - c. restaurant (no drive-thru)
 - d. residential
5. Retail uses shall be those uses customarily accessory to or amenities for office uses, restricted to the following uses:
 - a. Art Gallery
 - b. Bakery
 - c. Barber Shop
 - d. Beauty Shop
 - e. Book Store
 - f. Computer Supply Store
 - g. Copy Center/Print Shop
 - h. Drug Store (not to exceed 2,000 SF)
 - i. Dry Cleaning Pick-up Station
 - j. Fitness Studio
 - k. Florist, Retail without Greenhouse
 - l. Gourmet Food Store
 - m. Office Supply Store (not to exceed 2,000 SF)
 - n. Package Shipping/Mail Box Store
 - o. Restaurant (no drive-thru)
 - p. Retail Sales and Services Establishment
 - q. Shop or Studio, Craftsman/Artist
 - r. School, Commercial
6. Building setback and landscape strip along Lakeview Parkway shall be 20'. Morrison Parkway building setback shall be 30'. Building under two stories on Haynes Bridge Road shall be 20'. Buildings above two stories shall have

- a 50' setback.
7. New internal street shall meet the Type 'C' Corridor regulations, as approved by the City's Traffic Engineer, and streets shall be private. Pedestrian bridges, stairs, elevators and escalators may encroach into public spaces if they don't impede pedestrian circulation or safety.
 8. Building permit shall not be issued for any freestanding retail building before a building permit is issued for the 125,080 square foot office building.
 9. Specimen trees shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the City's Tree Protection Ordinance. In addition, specimen trees #473, 477, 512, 447, 563, 566, 568, 821, 591, 593, 596, and 820 shall be saved subject to Alpha Loop and roadway improvement requirements.
 10. A minimum 25.06 acres of civic space and 7.22 acres of amenity space shall be required for the proposed development, as depicted on the 12/6/2019 plan. The greenspace to the west of the lake shall remain undisturbed, except for the trail and related improvements around the lake. A bocce ball court, or an alternative outdoor recreational feature, shall be required within an area designated public space, as approved by Staff.

Design Conditions:

11. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development. At grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and recreational facilities within the development and across Lakeview Parkway to the existing office development. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products as approved by Staff. Bicycle facilities shall be provided throughout the development.
12. Detention facilities shall not be visible from a public right-of-way, except a decorative water feature approved by Staff.
13. Retaining walls visible from developed areas exceeding 16' in height shall be terraced.
14. Developer shall meet EcoDistrict measures per Page 6 of the applicant's Letter of Intent, dated 10/7/2019. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure, with final approval by Staff.
15. A bus shelter shall be incorporated into the plan design along Haynes Bridge Road 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, residents and guests. The public shall be permitted to park in the office parking lots on evenings and weekends. Applicant shall not be required to construct a bus shelter if MARTA does not add 360 Tech Village to its route system.
16. Prior to LDP for development, the applicant shall submit for approval a document to be entitled 'TPA Group/360 Tech Village Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, fountains, bicycle racks, bus shelter, signage landscaping themes and focal point features and shall be substantially similar to the renderings filed with the 2019 application, as amended. Design standards will be presented to Staff and the Design Review Board for review and approval. This document also shall detail entrance treatment for the Haynes Bridge

Road/Lakeview Parkway intersection, which shall compliment any existing or changed entrance feature across Lakeview Parkway. Retaining walls also shall be complementary.

17. Plans for buildings, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the Design Review Board.
18. Awnings shall be provided on buildings at street level in commercial areas where reasonably appropriate in order to protect pedestrians from inclement weather.
19. Surface parking areas shall comply with current UDC requirements for screening and tree islands. A decorative, low wall shall be located along Lakeview Parkway, where needed, to obscure views of surface parking from Lakeview Parkway.
20. All buildings along Haynes Bridge Road, Morrison Parkway and Lakeview Parkway must face those streets or appear to face those streets. 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.
21. New driveways within the development shall be private and shall include a planted median with sufficient space for tree plantings, as approved by Staff.
22. The view corridor from Haynes Bridge Road to the lake, along the main boulevard, shall be required, as depicted on the plan. A structure for seating or gathering, such as a gazebo or similar structure, shall be provided at the end of the boulevard near the lake, as approved by Staff.
23. The corner of Haynes Bridge Road and Lakeview Parkway shall be designed with a minimum 5,000 square foot green space and shall incorporate a wall approved by the DRB, landscaping and a focal point feature (sculpture). Applicant shall provide a minimum of 6 original sculptures located at prominent locations throughout the development, as approved by Staff with input from the local arts committee. Locations shall include the corner of Lakeview Parkway and Haynes Bridge Road. Approval and construction of at least 1 sculpture shall be required concurrent with the first CO. A minimum of 1 additional sculpture shall be required concurrent with the first CO of each subsequent phase of development. All sculptures shall be required prior to final CO issued for the last building constructed.
24. In order to further 2035 Comprehensive Plan strategy LU 6.2, no stand-alone retail development shall be located within 500' of the GA 400 interchange.
25. Prior to the first LDP for development, applicant shall submit a construction phasing plan that shall demonstrate how construction will be staged and implemented in a manner that screens construction views from adjacent roadways. All project components shall be developed in the first phase, except for the 200,000 SF and 150,000 SF office buildings and associated parking decks.
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 - Pedestrian network.
 - Overall planned open space areas.
27. Each plan submitted for an LDP shall include an on-going density and acreage tabulation.
28. Alcohol license distance requirements from residential development shall be waived.
29. Creative signage is encouraged, and rooftop signs shall be permitted, as

approved by the DRB.

30. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing regarding case MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village"

Landscape Conditions:

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32. Landscaping 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 landscaping area if decorative and will provide an amenity. However, there shall be no encroachment into the Georgia 400 tree buffer, except for multi-use path as approved by Staff.
33. At least 1 rooftop amenity shall be required within the development. Outdoor dining areas shall not count against the maximum permitted retail/restaurant square footage.
34. Provide detailed street planting for Haynes Bridge Road, Morrison Parkway and Lakeview Parkway. Landscape plan shall be approved prior to issuance of an LDP and shall try to save the existing mature street trees, except at curb cuts and in accordance with an approved stream piping plan along Lakeview Parkway, Morrison Parkway and Haynes Bridge Road, with final approval by Staff.
35. Developer shall be responsible for planting and maintenance of medians within the development site and for the medians located on Lakeview Parkway, which are contiguous to the development site. The planting and maintenance shall be in accordance with a plan approved by Staff.
36. Parking lot islands shall be planted with trees, shrubs and ground covers (not with mulch only). Developer shall add shade structures and/or trees on the top floor of parking decks to cover a minimum 15% of this surface.
37. Developer shall dedicate a permanent easement and construct a 12' multi-use trail (Alpha Loop) as depicted on the site plan prepared by Nelson, revised 12/6/2019, with final alignment/design/materials approved by Staff and construction completed prior to the first residential CO. Alpha Loop shall be clearly delineated and separate from private sidewalk associated with storefronts on the 'For-Rent' building. A crosswalk shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of a material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Haynes Bridge Road and shall count towards the original sculpture's requirement. Alpha Loop shall include seating/gathering areas, lighting, landscape, hardscape, and Zagster (or comparable bike sharing provider) bike station (per applicant's Letter of Intent). Multi-use trail shall be promoted to the public by providing parking, access and trails for public enjoyment. A bike share station shall be provided at a location(s) along the trail, as approved by Staff. Wayfinding signage shall be placed at key locations along the trail. Developer shall dedicate a minimum 20' permanent easement through the GA 400 buffer for the purpose of a future Alpha Loop trail alignment. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 20' setback from all buildings, except along the ground floor storefronts associated with the 'For-Rent' building.

38. The 50' perimeter around the lake shall include a minimum 12' wide multi-use trail and gathering areas (gazebo, grilling stations, fire pits, benches, etc.) and exercise stations, as approved by Staff. The width of the multi-use trail may be reduced to save trees, as approved by Staff. The condition of the existing pedestrian bridges across the lake shall be assessed, repairs and widening shall be made by the developer/property owner as approved by Staff.
39. The 32,124 square foot Central Green shall include landscape and hardscape for public space for recreation, entertainment, and/or civic purposes.
40. Lake shall be designed for active recreation, including terraced amphitheater, plaza area, food truck staging area, and pier.
41. Wetlands shall be counted as park space, if applicant improves the area with boardwalks, walkways, or educational amenities.
42. Site access off Lakeview Parkway shall be unsignalized. The right-in/right-out only drive on Lakeview Parkway shall be channelized to prevent unlawful turning movements. A roundabout shall be required on Lakeview Parkway, as depicted on the plan, at site driveway 3. Design of roundabout shall meet City LOS standards, as approved by Staff.

General Conditions of Approval to GRTA Notice of Decision:

43. Development Intensity and Use
 - Provide a mix of residential, office and retail use.
44. Access Management
 - Signalized intersections along Lakeview Parkway shall be a minimum of 1,000' from the existing signal at the intersection of Haynes Bridge Road and Lakeview Parkway.
 - Provide a maximum of 4 site driveways on Lakeview Parkway.
 - Align driveways on Lakeview Parkway with opposing existing driveways or offset by a minimum of 150'.
 - Any full movement site driveway on Lakeview Parkway must be a minimum of 450' from Haynes Bridge Road.
 - Any right-in/right-out site driveways on Lakeview Parkway must be a minimum of 200' from Haynes Bridge Road.
 - No direct site access is allowed onto Haynes Bridge Road.
 - No outparcels are allowed direct access on Haynes Bridge Road or Lakeview Parkway.
 - Provide shared driveway between adjacent property (shown as "MetLife") and the proposed development, as shown on plan.
 - All internal intersections shall be a minimum of 100' from Lakeview Parkway.
45. Pedestrian Facilities
 - Provide a system of sidewalks throughout the development providing pedestrian access to all uses, building entrances and site driveways.
 - Provide safe pedestrian crossings at all site driveway intersections (four-legged intersections) on Lakeview Parkway, including roundabouts.
46. Road Improvements to GRTA Notice of Decision:
Haynes Bridge Road at Lakeview Parkway/Northwinds Parkway
 - Construct 1 additional northbound left-turn lane along Haynes Bridge Road onto Lakeview Parkway creating dual northbound left-turn lanes. This requirement shall be removed if a new study by DRI determines it unnecessary.
 - Construct 1 additional eastbound right-turn lane along Lakeview Parkway onto Haynes Bridge Road creating dual eastbound right-turn lanes. This requirement shall be removed if a new study by DRI

- determines it unnecessary.
- All intersections with Haynes Bridge Road and Lakeview Parkway shall be designed as directed by staff.
- The motion received a second from Council Member Binder with a friendly amendment to strike out Part 3-d “After January 1, 2023, 115 ‘For Rent’ units shall be permitted a Certificate of Occupancy in accordance with the UDC ‘For Rent’ requirements.” Additionally, adding to Part 3-d that the rental rate will be recalculated annually using the latest Census data.
- Mayor Pro Tem Mitchell accepted the friendly amendment
- The motion was approved (4-2); Mayor Gilvin and Council Member Richard voting in opposition; Council Member Burnett abstained

D. V-19-17 Chick-Fil-A North Point

- ❖ Council Member Burnett rejoined the meeting.
- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending Mayor and Council approve V-19-17 Chick-fil-A North Point Variances, subject to the following conditions:
 1. Property shall be developed substantially in accordance with submitted plan prepared by CPH, revised 11/22/2019, except for modifications required to comply with the conditions below.
 2. Building elevations shall be substantially similar to submitted elevations and comply with the North Point Overlay with respect to building design and material regulations, with final approval by DRB.
 3. Developer shall provide creative signage, such as painted signs ~~and~~ or blade signs incorporating the Chick-fil-A brand logo with final approval by Design Review Board. Monument sign shall incorporate corten steel or a comparable material that complements the building architecture and materials.
 4. Developer shall improve streetscapes along North Point Parkway and North Point Court as depicted on the 11/22/2019 plan and shall include street furniture, such as benches, lighting and trash cans approved by DRB. Planter along North Point Court shall be planted with min. 2’ tall (at time of planting) continuous row of shrubs. In addition, applicant shall incorporate areas for future placemaking arbors on the LDP plans. The area around the existing MARTA shelter shall be improved with landscaping and lighting.
 5. Street trees along North Point Court shall be saved as depicted on the plan prepared by CPH, revised 11/22/2019, with final approval by Staff.
 6. Open space, consisting of an outdoor seating area, bicycle amenity area and other amenity areas, shall be provided as depicted on the 11/22/2019 plan. Open space shall be planted with a mix of trees, shrubs, grasses and ground cover of varying heights, textures and colors, as approved by the DRB. Civic space shall be developed with decorative landscape, hardscape, seating and pedestrian-scale lighting, as approved by DRB.
 7. Foundation plantings, in-ground and/or in pots, shall be required on all sides of

- the building. Outdoor seating area shall be bordered with planters.
8. Vines and/or climbing landscaping shall be required on the columns of the order canopy and drive-through pick-up structure elevation facing North Point Parkway. A green wall shall be required on all sides of the order pick-up structure.
 9. Landscape plan shall be approved by DRB prior to the issuance of an LDP and shall incorporate plants consistent with the EcoDistrict.
 10. Developer shall meet EcoDistrict measures, as submitted. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure. Total EcoDistrict points to be confirmed by Staff.
 11. Retaining walls shall receive architectural façade treatment and be heavily landscaped. Retaining walls visible from developed areas exceeding 16' in height shall be terraced with landscaping to break up large expanse of retaining wall.
 12. Dumpster enclosure shall be designed with materials that are compatible with the primary building and shall be heavily screened with landscaping from the adjacent right-of-way.
 13. If additional stormwater facilities are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible. Run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.
 14. Developer shall work with property owner to the east to reconfigure the shared driveway on North Point Parkway as depicted on the plan prepared by CPH, revised 11/22/2019.
 15. New utilities shall be placed underground.
- The applicant, CPH, Inc., is requesting variances to increase maximum building setbacks on North Point Court, to allow parking and drive-through facilities between a building and the street, to reduce the sidewalk and planter on North Point Court, and to reduce the landscape strip along North Point Parkway. The subject property is located at 6085 North Point Parkway at the northeast corner of North Point Parkway and North Point Court.
 - The submitted request, if approved, would allow for increased maximum building setbacks on North Point Court, allow parking and drive-through facilities between a building and the street, reduced sidewalk and planter on North Point Court, and reduced landscape strip along North Point Parkway. The applicant proposes to redevelop the existing Chick-fil-A with a new a 1-story, 7,855 square foot building with expanded drive-through facilities. The existing building is 26 years old and the operator wishes to provide a more attractive, modern and functional building in keeping with current market and customer expectations. The subject property is located at 6085 North Point Parkway at the northeast corner of North Point Parkway and North Point Court.
 - The 1.8-acre property is zoned PSC (Planned Shopping Center) and is developed with a Chickfil-A restaurant with drive-through. Surrounding properties are also zoned PSC and subject to the North Point Business Center Master Plan. The future North Point Park (existing stream and detention area) is located to the north and west, the former Ruby Tuesdays is located to the east and Men's Wearhouse is located to the south. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed development.
 - The applicant states that the variances are requested in an effort to redevelop the property. Additionally, the recently adopted North Point Overlay includes regulations that are dissimilar from the surrounding development patterns. The applicant is requesting the following variances from the Unified Development

Code (UDC):

- UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to increase the maximum building setback along North Point Court from ten feet (10') to 42'. North Point Court is a Type 'C' Corridor, which has a maximum setback of 10'. The 3-sided property has two (2) road frontages, which makes it difficult to comply with the maximum building setback on two (2) sides.
- UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to allow a surface parking lot and driveway between the primary building and North Point Court. North Point Court is a Type 'C' Corridor, which requires surface parking lots and parallel driveways to be located behind or beside the primary building. The 3-sided property has two (2) road frontages, which makes it difficult to comply with this regulation.
- UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to reduce the minimum sidewalk width from twelve (12) to eight (8) feet along certain portions of the sidewalk along North Point Court. The majority of sidewalk along North Point Court is proposed to comply with the minimum required sidewalk width of twelve-feet (12'). However, Staff requested that the applicant save some of the existing street trees along North Point Court, which results in two (2) notch-outs in the sidewalk.
- UDC Subsection 2.10.3 (B), North Point Overlay, Site Regulation Table. Variance to reduce the minimum planter width from six (6) to two (2) feet along North Point Court. Staff requested that the applicant provide the required twelve-foot (12') sidewalk and save some of the existing street trees along North Point Court, which results in the required sidewalk being shifted closer to the road.
- UDC Subsection 3.2.8 (D)(1), Tree Replanting, Buffer and Landscape Standards, Landscape Strips. Variance to reduce the minimum landscape strip from twenty (20) to fifteen (15) feet along certain portions of the landscape strip along North Point Parkway. A covered drive-through pick-up area encroaches five-feet (5') into the landscape strip. It is recommended that vines/climbing landscaping be added to the exterior of the drive through pick-up structure to enhance the landscape strip along North Point Parkway.
- North Point Business Center (MP-91-07) Master Plan was approved in 1991 as a 320-acre master planned development consisting of office, shopping center and residential uses. The Master Plan includes eleven (11) pods, of which six (6) are designated 'Office', four (4) 'Retail/Shopping Center' and one (1) 'High Density Residential'. Pod 2 is approved for 'Office' as the primary use, bank, clinic, hotel and restaurant with drive-through window. Retail services uses are permitted in Pod 2; however, they are required to be located within an office building. Over the years, Pod 2 has been developed with nine (9) restaurants, a hotel and open space. As shown in the table below, there have been several amendments to the North Point Business Center Master Plan over the years, including the recent amendment to Pod 2 to redevelop the site at the corner of Haynes Bridge Road and North Point Parkway with restaurant, retail and office buildings.

North Point Business Center Master Plan and Amendments (Approved)

File #	Pod	Request
MP-91-07		Original Master Plan
CLUP-95-10/Z-95-17/MP-95-06	4	To allow 264 'For-Rent' units
MP-96-05	2	Increase height and density to allow hotel for LaQuinta Inn
MP-08-06/PH-08-04/CU-08-05	3	Spa Services for Hand & Stone Massage and Facial Spa
CLUP-11-03/Z-11-04/MP-11-02	1	To allow freestanding retail use on a pod approved for office
MP-12-04/CU-12-05	1	To allow restaurant with drive-through for Pollo Tropical
MP-18-12/CU-18-14/V-18-19	1	To allow for 159 For-Sale Condominium units
MP-19-04/V-19-12	2	To allow certain retail uses

- The property is located in the North Point Activity Center LCI, which was initially adopted in 2008 with a 10-year major update adopted by Council in 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 the site with the building pulled up to the corner with parking generally to the rear and streetscape improvements is consistent with the LCI's vision and would contribute to a walkable environment.
- Staff has reviewed the applicant's proposal and finds that it can generally support the requested variances. The proposal represents redevelopment of an existing site where the building will be brought up to the street. The property has an unusual shape and two (2) road frontages, which make it difficult to screen surface parking areas and drive-through facilities with a building(s). In addition, certain variances were recommended by Staff in an effort to save existing street trees along North Point Court. 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 November 13, 2019. There were six (6) public comments on the sign-in sheet generally in support of the proposed redevelopment with some concerns over exterior lighting and parking.
- Attorney David Kurke, 600 Peachtree Street, Atlanta, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment

❖ Council Member Richard offered a motion to approve V-19-17 Chick-fil-A North Point Variances, subject to the following condition:

1. Property shall be developed substantially in accordance with submitted plan prepared by CPH, revised 11/22/2019, except for modifications required to comply with the conditions below.
2. Building elevations shall be substantially similar to submitted elevations and comply with the North Point Overlay with respect to building design and material regulations, with final approval by DRB.
3. Developer shall provide creative signage, such as painted signs or blade

signs incorporating the Chick-fil-A brand logo with final approval by Design Review Board. Monument sign shall incorporate corten steel or a comparable material that complements the building architecture and materials.

4. Developer shall improve streetscapes along North Point Parkway and North Point Court as depicted on the 11/22/2019 plan and shall include street furniture, such as benches, lighting and trash cans approved by DRB. Planter along North Point Court shall be planted with min. 2' tall (at time of planting) continuous row of shrubs. In addition, applicant shall incorporate areas for future placemaking arbors on the LDP plans. The area around the existing MARTA shelter shall be improved with landscaping and lighting.
5. Street trees along North Point Court shall be saved as depicted on the plan prepared by CPH, revised 11/22/2019, with final approval by Staff.
6. Open space, consisting of an outdoor seating area, bicycle amenity area and other amenity areas, shall be provided as depicted on the 11/22/2019 plan. Open space shall be planted with a mix of trees, shrubs, grasses and ground cover of varying heights, textures and colors, as approved by the DRB. Civic space shall be developed with decorative landscape, hardscape, seating and pedestrian-scale lighting, as approved by DRB.
7. Foundation plantings, in-ground and/or in pots, shall be required on all sides of the building. Outdoor seating area shall be bordered with planters.
8. Vines and/or climbing landscaping shall be required on the columns of the order canopy and drive-through pick-up structure elevation facing North Point Parkway. A green wall shall be required on all sides of the order pick-up structure.
9. Landscape plan shall be approved by DRB prior to the issuance of an LDP and shall incorporate plants consistent with the EcoDistrict.
10. Developer shall meet EcoDistrict measures, as submitted. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure. Total EcoDistrict points to be confirmed by Staff.
11. Retaining walls shall receive architectural façade treatment and be heavily landscaped. Retaining walls visible from developed areas exceeding 16' in height shall be terraced with landscaping to break up large expanse of retaining wall.
12. Dumpster enclosure shall be designed with materials that are compatible with the primary building and shall be heavily screened with landscaping from the adjacent right-of-way.
13. If additional stormwater facilities are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible. Run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.
14. Developer shall work with property owner to the east to reconfigure the shared driveway on North Point Parkway as depicted on the plan prepared by CPH, revised 11/22/2019.
15. New utilities shall be placed underground.

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

E. E-19-09 DXL Big & Tall Sign Exception

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve E-19-09 DXL Big & Tall Sign Exception, subject to the following conditions:
 1. Wall sign location, size, type, color, and illumination shall be limited to submitted plans, with final approval by Staff.
 2. Rear wall sign shall not exceed 44 square feet in sign area, with final approval by Staff.
 3. No additional wall signs shall be permitted for the applicant's tenant space. Wall sign permit issued for west elevation shall be voided.
- The applicant, Apollo Signs on behalf of DXL Big & Tall, is requesting consideration of a sign exception to increase the allowable sign area for the rear wall sign. A 54.6 square foot wall sign is proposed on the rear elevation facing a parking lot. The Unified Development Code (UDC) limits the sign area of the rear wall sign to no more than 24 square feet. The subject property is located at 6110 North Point Parkway, Suite A at the southwest corner of North Point Parkway and North Point Court.
- The submitted request, if approved, would allow a larger rear wall sign facing a parking lot. The Unified Development Code (UDC) allows one (1) wall sign up to 24 square feet on the rear of the building facing a parking lot or open space. The applicant is requesting to utilize unused wall sign area to allow for a 54.6 square foot wall sign on the rear elevation of the building. The subject property is located at 6110 North Point Parkway, Suite A at the southwest corner of North Point Parkway and North Point Court.
- The subject property is zoned PSC (Planned Shopping Center) and is developed with a 14,241 square foot multi-tenant building. Surrounding properties are also zoned PSC and located within the North Point Overlay. Chick-fil-A is located to the north, Jared Jewelers to the west, Target to the south and Men's Warehouse to the east.
- UDC Section 2.6.12 (B)(2) Signs Permitted in Shopping Centers states that, "One wall sign per road frontage for each tenant space no greater than one (1) sq. ft. of sign area per one (1) ln. ft. of tenant space frontage shall be permitted; provided, however, no more than two (2) wall signs shall be allowed for a tenant space (i.e. Corner tenants within strip shopping centers may have a wall sign on the end of the building in addition to the wall sign on the front of the building for a maximum of two (2) wall signs)." In addition, the North Point Overlay allows one (1) wall sign, not to exceed 24 square feet, located on the rear of the building, since the property backs up to a parking lot. Currently, Staff is proposing changes to this regulation to increase the 2 allowable sign area of a rear facing wall sign to 50% of the allowable sign area of the wall sign on the front elevation. If the text amendment is approved, the applicant would be permitted a rear wall sign with a sign area of up to 44 square feet.

- Two (2) wall signs are proposed; one (1) existing wall sign on the front elevation of the building facing North Point Parkway and one (1) proposed wall sign on the rear elevation of the building facing Target. The building has 88' of frontage facing North Point Parkway and 100' of frontage on the corner facing Jared Jewelers. Including the rear-facing wall sign, 212 square feet of sign area is permitted for three (3) wall signs on the applicant's tenant space.
- One (1), 35.96 square foot wall sign has been permitted and placed on the front elevation of the building, which has internally illuminated channel letters. A 2nd wall sign permit was issued for the west elevation facing Jared Jewelers; however, the applicant will not utilize that sign. Another wall sign is depicted on the rear of the building facing Target and is proposed to be 54.6 square feet with internally illuminated channel letters. As shown in the table below, the applicant is requesting a total of two (2) wall signs with a total sign area of 90.56 square feet, which is 121.44 square feet, or 57%, less in total sign area than permitted by the Sign Code.

Elevation	# Allowed	# Requested	Allowed Sign Area	Requested Sign Area
North (North Point Pkwy)	1	1	88 SF	35.96 SF (sign permit issued, sign installed)
West	1	0	100 SF	0 SF (sign permit issued, but applicant will not use)
East	0	0	0	0 SF
South (rear)	1	1	24 SF	54.6 SF
TOTAL	3	2	212 SF	90.56 SF

- Staff has reviewed the application and is in general agreement with the requested sign exception. The criteria have been met and the applicant's request should not impact surrounding properties. The applicant is permitted a total of three (3) wall signs with a sign area of 212 square feet, of which the applicant proposes 90.56 square feet of sign area over two (2) wall signs on the front and rear building elevations. Two (2) wall signs on the front and rear elevations would be more aesthetically pleasing than three (3) wall signs with a sign area of up to 212 square feet. If approved, a condition is recommended limiting the size of the rear wall sign to no greater than 44 square feet.
- The applicant notified adjacent property owners of the sign variance request and intent for the property. The citizen participation report states that no comments were received.
- CZIM was held on November 13, 2019. There were two (2) sign-ins and one (1) public comment on the sign-in sheet in opposition to a sign placed on the rear of the building.
- Apollo Sign representative, Rosa Shaw, 1238 Logan Cir NW, Atlanta, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment

- ❖ Council Member Richard offered a motion to approve E-19-09 DXL Big & Tall Sign Exception, subject to the following conditions:

1. Wall sign location, size, type, color, and illumination shall be limited to submitted plans, with final approval by Staff.
2. Rear wall sign shall not exceed 44 square feet in sign area, with final approval by Staff.
3. No additional wall signs shall be permitted for the applicant's tenant space. Wall sign permit issued for west elevation shall be voided.

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

F. PH-19-23 Tax Allocation District #2 North Point Overlay Economic Redevelopment Plan (Second Public Hearing)

- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending Mayor and Council approve PH-19-23 Tax Allocation District #2: North Point Overlay Redevelopment Plan & Resolution.
- Staff retained Bleakly Advisory Group to assist the City in evaluating opportunities that could result from creating a Tax Allocation District (TAD) for the North Point / LCI Area. Preliminary findings were presented to the City Council on April 8, 2019.
- Bleakly Advisory Group has drafted a redevelopment plan outlining the justification, rationale, boundaries, fiscal data and proposed projects that could result from the establishment of the Tax Allocation District.
- Bleakly Advisory Group presented the update on the redevelopment plan on September 16, 2019.
- The submitted request, if approved, will allow for the establishment of a tax allocation district for the North Point Area. This district will help achieve the goals for the North Point Activity Center, as detailed in the 2018 LC Plan:
 - Transportation improvements including sidewalks and crosswalks
 - Reduce vehicular trips through an emphasis on walkability by construction of multi-use trail connections
 - Provide public green space and gateway parks to the connect to the Greenway
- The TAD creation will allow the City the opportunity to make significant infrastructure investments to create the environment and attract private investment for the area.
- City Attorney, Sam Thomas, read the resolution aloud.

Public Comment:

- Terry Schiff, 3125 Gadsden Street, Alpharetta, came forward in support of this item.
- John Hinkey, 2130 Monroe Drive, Alpharetta, came forward and stated that the TAD does not address the real issues that North Point Mall is experiencing.
- ❖ Council Member Richard offered a motion to approve PH-19-23 Tax Allocation District #2 North Point Overlay Economic Redevelopment Plan & Resolution
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

VI. NEW BUSINESS

A. FY 2020 Fire Station 82, 83, and 84 Generator Replacement

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award the contract for generator replacements to Energy Systems Southeast, LLC. in the amount of \$95,075.00 and authorize the mayor to execute all necessary documents. Approval of this requisition executes an expenditure authorized as part of the FY 2020 Capital Budget.
- Generators for emergency power at several facilities around the City are reaching or beyond the typical life span. The typical usable life for generators is 20 years. The three generators being replaced are 28, 26, and 25 years old. Along with replacing the aging generators, the new ones will be converted from diesel to natural gas. Generators running on natural gas are less expensive to maintain and will not need to be re-fueled if ever cut on due to power failure. The plan is to have all generators converted to natural gas utilizing recurring capital money each year as budget allows. Currently, after the replacement of the three this year only three more will need to be converted.
- The city currently has a maintenance contract for all generators with Energy Systems Southeast, LLC (ESSE). The maintenance in this contract includes but is not limited to; monthly inspections, maintaining log books, generator cleaning, and a yearly tune up or manufacturer recommended maintenance for each generator. The contract is a 5-year contract terminating on June 30, 2021. For warranty reasons, and the knowledge of the equipment and recommended maintenance being installed, the Public Works Department will be utilizing ESSE to perform the generator replacements.
- The Public Works Department requested pricing for the three fire stations from ESSE and to verify fair pricing was being provided, we requested pricing from Caldwell Electrical Contractors. Below is a comparison cost from each contractor.

Contractor	Station 82	Station 83	Station 84	Total
ESSE	\$30,750	\$29,850	\$34,475	\$95,075
Caldwell Electric	\$32,820	\$32,820	\$32,820	\$98,460

- The current budgeted and approved amount was \$100,000.00 for stations 82 and 83. After receiving official quotes, The Public Works Department moved forward with pricing and replacement for the generator at station 84.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award the contract for generator replacements to Energy Systems Southeast, LLC. in the amount not to exceed \$95,075.00 and authorize the mayor to execute all necessary documents. Approval of this requisition executes an expenditure authorized as part of the FY 2020 Capital Budget.
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (6-0); Council Member Richard absent

B. Big Creek Greenway Extension (RFP 19-108)

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award RFP 19-108 to Integrated Construction and Nobility, Inc. for the construction of the Big Creek Greenway Extension project in the amount of \$10,071,888.19; allocate funds in the amount of \$100,000.00 for utility relocations; approve Atkins North America, Inc.'s proposal for construction management, engineering, and inspections services in the amount of \$372,572.72; authorize the Finance Director to appropriate funding as shown on Exhibit A; and, authorize the Mayor to execute all necessary documents.
- The award of Request-for-Proposals (RFP) 19-108 is for the construction of the Big Creek Greenway Extension from Marconi Drive to Union Hill Park. The greenway extension will traverse approximately 9,370 feet (1.77 miles). Encompassed within the 9,370 feet, approximately 2,520 feet (0.48) miles of elevated concrete trail will be constructed.
- Plans and specifications for this project were prepared by Pond & Company with oversight from the Public Works Department and input from the Recreation, Parks, and Culture Services Department. A request for qualifications was issued on November 15, 2018 for the construction of this project. A total of five statements of qualification were received on December 13, 2018. Staff from the Public Works Department evaluated and scored the received statements based on Firm Experience (25%), Project Manager & Site Superintendent Experience (25%), and Sample Projects (50%). Based on the scoring, three firms were selected to move on to the request for proposals phase of the procurement. These firms were:
 - Astra Group, Inc. (Astra)
 - Integrated Construction and Nobility, Inc. (ICAN)
 - JHC Corporation
- On April 15, 2019, RFP 19-108 was issued to the three shortlisted firms. Proposals were received on May 14, 2019 from Astra and ICAN. JHC Corporation submitted

a "No Bid" form. Staff from the Public Works Department evaluated and scored the received statements based on Cost (50%), Schedule (35%), and Project Approach (15%). Staff also met with both firms to address questions specific to each firm's proposal. Based on the submitted proposals and clarifications from the meetings, the final scoring (on a 5-point scale) for the two firms was:

- ICAN 3.88
- Astra 2.88
- ICAN is an experienced contractor which has worked on several projects with similar elements in Georgia for multiple government agencies including Cherokee County, Clayton County, City of Dunwoody, and City of Roswell. Additionally, ICAN was awarded one of two contracts with the City for On Call Park Trail Construction Services on June 3, 2019.
- The anticipated completion date for work is no more than 480 days from notice to proceed. ICAN anticipates being able to mobilize and begin construction by the end of January 2020.
- Construction of the trail within the rights of way requires a few utilities to be relocated. Public Works has received verbal estimates from utility owners, though nothing official since actual relocation needs will not be determined until the utilities are exposed. Public Works is requesting an additional \$100,000 to cover the relocation needs and Public Works will work directly with the utility owners to expedite relocation. The City must pay for relocation of any utility since this project is not associated with a vehicular improvement project.
- On November 14, 2016, Atkins North America, Inc. was awarded a contract for providing the City with assistance on larger scale bond and TSPLOST projects in the form of project management, right-of-way acquisitions, construction management, and construction inspection services. At Staff's direction, Atkins has prepared a proposal for providing construction project management, inspection, and engineering services for the Big Creek Greenway Extension project. Their scope includes:
 - Providing an experienced project manager to provide oversight and coordinate activities of Atkins, City Staff, and Integrated Construction and Nobility, Inc.;
 - Providing experienced inspectors to monitor and document the day to day construction activities; and,
 - Assigning a dedicated engineer to maintain document control, assist in shop drawing and submittal review, and assist with site or design challenges
- Atkins is currently overseeing the Windward Triple Lefts project at Georgia 400. Due to the proximity of the Greenway extension to that project, Atkins will be able to provide the City these services at a reduced cost. The proposed fee for these services is \$372,572.72 which is based on an estimated number of hours to be worked over a 16-month time frame.

Public Comment:

- No Public Comment

- ❖ Mayor Pro Tem Mitchell offered a motion to award RFP 19-108 to Integrated Construction and Nobility, Inc. for the construction of the Big Creek Greenway Extension project in the amount of \$10,071,888.19; allocate funds in the amount of \$100,000.00 for utility relocations; approve Atkins North America, Inc.'s proposal for construction management, engineering, and inspections services in an amount not to exceed \$372,572.72; authorize the Finance Director to appropriate funding as shown on Exhibit A; and, authorize the Mayor to execute all necessary documents.

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

C. Flock Safe Communities Program MOU

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is requesting that Mayor and Council approve an MOU with the Flock Safe Communities Program for a term of five (5) years and authorize the Mayor to execute all necessary documents.
- Several Alpharetta HOAs are already using Flock cameras to help reduce crime in their neighborhoods.
- The Flock LPR device records the license plate of every vehicle entering the subdivision. The video is saved to the I-cloud for 30 days. If a crime happens in a neighborhood, like a car break-in or a robbery, people living there will have access to that video to try and identify a subject vehicle and license plate.
- Additionally, if permission is granted, Alpharetta Police can also utilize the LPR videos to assist in investigating crimes. Long term, this can not only help solve crimes, it can also be a deterrent as participating neighborhoods have signage indicating potential criminals are being recorded.
- As with our recently approved Ring video doorbell agreement, if a crime occurs, the Department of Public Safety would request video footage for a specific date and time range. Only the footage necessary to an investigation would be retained by Public Safety, and that video would be subject to the same open records restrictions and requirements as would other evidence connected to a criminal investigation.
- There is no cost to the city, and the program is fully voluntary for HOA's and residents.
- The MOU is a Data Sharing Memorandum of Understanding and would be entered into by and between Flock and the Alpharetta Department of Public Safety

Public Comment:

- No Public Comment

- ❖ Council Member Hipes offered a motion to approve an MOU with the Flock Safe Communities Program for a term of five (5) years and authorize the Mayor to execute all necessary documents.

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

D. McGinnis Ferry Road IGA

- City Administrator, Bob Regus, came forward to present this item.
- Communication between Forsyth County and the Cities of Alpharetta and Johns Creek has been ongoing since May, 2015. McGinnis Ferry Road is the boundary between the County and the two Cities. It has been the County's desire to four lane McGinnis Ferry Road through Johns Creek and through Alpharetta to where it will intersect with the new McGinnis Ferry Road intersection at Georgia 400.
- There have been several attempts by the governments to get the project moving. The biggest impediment is funding. The current estimated cost of the project is \$51 million. Current funding for the project is currently just under \$40 million, consisting of a County contribution of \$18 million, Georgia Department of Transportation Contribution of \$10 million, and each City contributing \$5.9 million.
- The Intergovernmental Agreement allows all governments to get started on acquiring needed right-of-way, permanent and temporary construction easements and in Alpharetta's case to construct its share of the road from the eastern end of the bridge over Big Creek west to the Ronald Reagan intersection, while capping our total funding commitment at \$5.9 million.
- The County acknowledges that Alpharetta has already contributed the sum of \$500,000.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to approve an IGA regarding right of way acquisition, utility relocation, project funding and contract management responsibilities for the widening of portions of McGinnis Ferry Road in an amount not to exceed \$5.9 million
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

E. Refunding Bonds Series 2020

- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council approve the resolution authorizing the sale of the refunding bonds (not to exceed \$23.5 million) and authorizing the Mayor and staff the authority to execute all necessary documents.

- The Refunding Bonds are being issued for the purpose of refunding outstanding 2012 GO Bonds. Assuming current interest rates hold through the date of the bond sale (February), the annual debt service savings will approximate \$300k (\$2.4 million in net present value savings after all costs).
- Approximately \$200k of the projected annual savings are due to the lower interest costs (lower coupon rates) with the remaining savings resulting from retiring \$1.3 million of outstanding debt with available dollars in the debt service fund. The cash balance is from prior year debt service millage rate levies which can only be used to pay down outstanding debt.
- The 2012 GO bonds were authorized for \$29 million to fund City Hall and the Parking Garage.
- Competitive bids for the purchase of the bonds will be held in February and Council will adopt a supplemental resolution and award the bonds to the offeror with the lowest interest cost.
- The bond parameters (e.g. principal amount; max debt service) in the attached resolution are set conservatively so as to count for potential changes in interest rates between now and bond sale and still achieve net present value savings of approximately \$750k (3.11% of the refunded bonds).
- City Attorney, Sam Thomas, read the resolution aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to adopt the resolution authorizing the sale of the refunding bonds (not to exceed \$23.5 million) and authorize the Mayor to execute all necessary documents
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

VII. WORKSHOP

A. Capital Project Funding

- Director of Finance, Tom Harris, came forward to present this item.
- This item is being presented for information and discussion purposes only.
- On December 2nd and December 9th, the Directors of Recreation, Parks & Cultural Services and Public Works, respectively, presented potential capital projects. The Finance Director presented potential funding options and bonding capacity.
- Capital Investment – Determine need/timing (exclude Recurring Capital)
- Funding Options:
 - TSPLOST \$44M (cash-on-hand/forecast through end of tax)

- Annual Pay-As-You-Go • \$1-2M (Fund Balance/Impact Fee Fund/Hotel Fund)
- Bonding Capacity
 - o General Fund base budget \$6.3M; \$400K annual debt service funding
 - o General Fund budget reprioritization \$2.5M for every 1% reduction in M&O budget (approx. \$160K)
 - o Hotel/Motel Fund (TPD portion) \$7M; \$450K annual debt service funding
- Millage Increase
 - 1 mill = \$5.9M in additional taxes - Funds bond size of \$102M (25-years @ 3%)
 - 0.25 mill = \$1.5M in additional taxes - Funds bond size of \$26M
- Homestead Exemption Increase
 - \$5K HX - \$300K reduction in taxes; \$5.2M reduction in bond size
 - Example: \$30K HX (\$45K to \$75K) » Keeps average homesteaded property of \$450K harmless in taxes after a 1-mill increase - Funds bond size of \$71M

Public Comment:

- No Public Comment

VIII. PUBLIC COMMENT

- No Public Comment

IX. REPORTS

- Council Member Hipes appointed Dan Mitnick to the Natural Resources Commission.

X. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 11:55 PM

Respectfully submitted,


Erin Cobb, City Clerk