



Official City Council Meeting Minutes

May 26, 2020

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 Kathi Cook, Director of Community Development
- o Michael Woodman, Senior Planner

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 5/18/2020)

- ❖ Council Member Merkel offered a motion to approve the consent agenda
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

V. PUBLIC HEARING

A. Z-20-01/V-20-02 AlphaDev/296 & 304 Thompson Street

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending Mayor and Council approve Z-20-01/V-20-02 ALPHADEV/296 & 304 THOMPSON STREET, subject to the following conditions:
 1. The site, consisting of approximately 2.21 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by Engineering 303, revised 1/7/2020, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Architecture and materials shall be developed substantially similar to the submitted renderings, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Detached homes shall include a mix of flat and gable roofs. Townhomes shall have flat roofs, be oriented to the Alpha Loop and include 4-sided architecture and materials, as approved by DRB.
 3. Detached lots shall generally utilize existing grades and include decorative walls (brick and/or stone), as depicted on the submitted renderings, with final approval by DRB.
 4. Thompson Street streetscape shall generally be improved as follows: 30' half width right-of-way to incorporate 8' sidewalk (concrete with brick paver banding), 6' planter, 8' on-street parking, 10' travel lane and street trees, with final approval by Staff.
 5. New shared private roadway shall be a paver system with a 40' right-of-way, as depicted on the plan prepared by Engineering 303, revised 1/7/2020. Roadway shall include 1' concrete bands, 5' paver sidewalks and 12' paver travel lane, with final design approved by Staff. Street shall be marked with "No Parking". Maintenance of paver system shall be addressed in HOA covenants.
 6. Final streetscapes shall include decorative pedestrian lights.
 7. Shade trees shall be required in the planter along Thompson Street and behind the sidewalk in the 10' landscape strip as a continuation of what has been planted or designed in the Downtown and outside of 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.
 8. Roadways with on-street parking shall incorporate curb extensions at intersections.
 9. Garages may face new street, per the plan prepared by Engineering 303, revised 1/7/2020.
 10. Development shall not be gated.

11. Project entrance shall include decorative landscaping and wall (depicted on submitted renderings), as approved by Staff.
 12. Amenity space shall be developed with decorative landscaping, hardscape, firepit, fountain, walls, and seating. The landscape shall include plant selections promoting the historic Downtown.
 13. Trees shall be saved as depicted on the tree save plan prepared by Engineering 303, dated 2/26/2020. The northern 30' of the property shall be a tree save area with limited tree removal as approved by Staff and related to the construction of the Alpha Loop.
 14. Developer shall plant minimum 6" caliper canopy trees on either side of project entrance and on either side of the new street at intersection with alley, as approved by Staff.
 15. Developer shall plant 5' landscape strips along the East and West property lines with a single row of Evergreen trees, spaced appropriately, along with the required shade trees.
 16. As depicted on the submitted site plan, developer shall construct the Alpha Loop (12' concrete, accessible multi-use trail) within the northern 30' of the property, with final alignment, design and materials approved by Staff and construction completed prior to the first CO. Alpha Loop shall be placed within public right-of way or a permanent easement and shall include seating/gathering areas, lighting (pedestrian and bollards), landscape and hardscape. Wayfinding signage shall be placed at key location(s) along the trail. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 10' setback from residential buildings, as approved by Staff.
 17. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
 18. Developer shall provide inter parcel access to allow for a future connection to the properties to the East and West, as depicted on the plan prepared by Engineering 303, revised 1/7/2020.
 19. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
- Developer agreements with surrounding neighborhoods:
 20. New utilities shall be placed underground.
 21. Stormwater management facility shall be underground.
 22. Stormwater runoff infiltration/detention system shall be designed and installed so that the Post-Development Discharge from the subject property shall not exceed the Pre-Development Discharge for the 1 year through 100-year storm events.
 23. Prior to a land disturbance permit on property, developer shall hire and pay for a licensed registered professional engineer(s) to conduct a photo journal of downstream water bodies located within 500' of the property to determine baseline conditions. Developer shall fund a post-development photo journal by the same engineer(s), to be conducted within 90 days following the recordation of the final plat for the last phase of the development. Developer shall remediate any siltation found by the photo journal over and above the predevelopment baseline that is caused by the development of the property and that is not the result of siltation that would have otherwise occurred absent the development of the property. No such study or remediation will be required if any owner of any such respective body of water refuses the developer access to conduct either the photo journal or the remediation.
 24. If allowed by the Academy Park HOA to be installed upon its property, the Developer shall install an 8' tall decorative fence with maintenance access gate along the common boundary of the subject property and Academy Park.

25. Developer shall install evergreen landscape material along Alpha Loop, if no impacts to existing trees, with final approval by Staff.
 26. Developer shall install additional landscape material on the south side of Thompson Street across from new street, as approved by Staff.
 27. Developer shall provide at least 2 additional on-street parking spaces within the development.
- The applicant, AlphaDev, LLC, is requesting to rezone 2.21 acres from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work) in order to construct a 17-lot single-family subdivision, including eleven (11) detached homes and six (6) townhome units. A variance is requested to reduce the minimum 20' recess requirement applicable to street-facing garages associated with a detached home in the Downtown. The subject 3 property is located at 296 and 304 Thompson Street on the North side of Thompson Street and West of Westside Parkway.
 - 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 zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties, which are primarily developed with residential uses. Approval of the variance should not cause substantial detriment to the public good. The subject property is long and narrow, which constrains the site layout. In addition, the applicant proposes zero-lot line, courtyard homes, which further restricts a side-loaded product.
 - CZIM was held on January 8, 2020. There were several comments in support of the applicant's proposal.
 - Attorney, Joshua Scoggins, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion approve Z-20-01/V-20-02 ALPHADEV/296 & 304 THOMPSON STREET, subject to the following conditions:
1. The site, consisting of approximately 2.21 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by Engineering 303, revised 1/7/2020, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Architecture and materials shall be developed substantially similar to the submitted renderings, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Detached homes shall include a mix of flat and gable roofs. Townhomes shall have flat roofs, be oriented to the Alpha Loop, and include 4-sided architecture and materials, as approved by DRB.
 3. Detached lots shall generally utilize existing grades and include decorative walls (brick and/or stone), as depicted on the submitted renderings, with final approval by DRB.
 4. Thompson Street streetscape shall generally be improved as follows: 30'

half width right-of-way to incorporate 8' sidewalk (concrete with brick paver banding), 6' planter, 8' on-street parking, 10' travel lane and street trees, with final approval by Staff.

5. New shared private roadway shall be a paver system with a 40' right-of-way, as depicted on the plan prepared by Engineering 303, revised 1/7/2020. Roadway shall include 1' concrete bands, 5' paver sidewalks and 12' paver travel lane, with final design approved by Staff. Street shall be marked with "No Parking". Maintenance of paver system shall be addressed in HOA covenants.
6. Final streetscapes shall include decorative pedestrian lights.
7. Shade trees shall be required in the planter along Thompson Street and behind the sidewalk in the 10' landscape strip as a continuation of what has been planted or designed in the Downtown and outside of 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.
8. Roadways with on-street parking shall incorporate curb extensions at intersections.
9. Garages may face new street, per the plan prepared by Engineering 303, revised 1/7/2020.
10. Development shall not be gated.
11. Project entrance shall include decorative landscaping and wall (depicted on submitted renderings), as approved by Staff.
12. Amenity space shall be developed with decorative landscaping, hardscape, firepit, fountain, walls, and seating. The landscape shall include plant selections promoting the historic Downtown.
13. Trees shall be saved as depicted on the tree save plan prepared by Engineering 303, dated 2/26/2020. The northern 30' of the property shall be a tree save area with limited tree removal as approved by Staff and related to the construction of the Alpha Loop.
14. Developer shall plant minimum 6" caliper canopy trees on either side of project entrance and on either side of the new street at intersection with alley, as approved by Staff.
15. Developer shall plant 5' landscape strips along the East and West property lines with a single row of Evergreen trees, spaced appropriately, along with the required shade trees.
16. As depicted on the submitted site plan, developer shall construct the Alpha Loop (12' concrete, accessible multi-use trail) within the northern 30' of the property, with final alignment, design and materials approved by Staff and construction completed prior to the first CO. Alpha Loop shall be placed within public right-of way or a permanent easement and shall include seating/gathering areas, lighting (pedestrian and bollards), landscape and hardscape. Wayfinding signage shall be placed at key location(s) along the trail. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 10' setback from residential buildings, as approved by Staff.
17. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
18. Developer shall provide inter parcel access to allow for a future connection to the properties to the East and West, as depicted on the plan prepared by Engineering 303, revised 1/7/2020.

19. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
20. New utilities shall be placed underground.
21. Stormwater management facility shall be underground.
22. Stormwater runoff infiltration/detention system shall be designed and installed so that the Post-Development Discharge from the subject property shall not exceed the Pre-Development Discharge for the 1 year through 100-year storm events.
23. Prior to a land disturbance permit on property, developer shall hire and pay for a licensed registered professional engineer(s) to conduct a photo journal of downstream water bodies located within 500' of the property to determine baseline conditions. Developer shall fund a post-development photo journal by the same engineer(s), to be conducted within 90 days following the recordation of the final plat for the last phase of the development. Developer shall remediate any siltation found by the photo journal over and above the predevelopment baseline that is caused by the development of the property and that is not the result of siltation that would have otherwise occurred absent the development of the property. No such study or remediation will be required if any owner of any such respective body of water refuses the developer access to conduct either the photo journal or the remediation.
24. If allowed by the Academy Park HOA to be installed upon its property, the Developer shall install an 8' tall decorative fence with maintenance access gate along the common boundary of the subject property and Academy Park.
25. Developer shall install evergreen landscape material along Alpha Loop, if no impacts to existing trees, with final approval by Staff.
26. Developer shall install additional landscape material on the south side of Thompson Street across from new street, as approved by Staff.
27. Developer shall provide at least 3 additional on-street parking spaces within the development as shown on the tree save plan 2/26/2020.
28. At least 50% of the homes (which would be 9 homes) will be 50% of either unpainted brick or stone on all four sides as approved by DRB.

- The motion received a second from Council Member Burnett
- Council Member Binder offered a substitute motion to approve without condition number 28
- The motion received a second from Council Member Merkel
- The motion was approved (4-3); Council Member Burnett, Mayor Pro Tem Mitchell and Council Member Richard voting in opposition

B. Z-20-02/V-20-06 Sedgwick Residence/Devore Road

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve Z-20-02/V-20-06 SEDGWICK RESIDENCE/DEVORE ROAD, subject to the following conditions:

1. The site, consisting of approximately 0.29 acres, shall be zoned DT-MU and developed substantially similar to site plan prepared by Lew Oliver Inc., except for modifications required to comply with the conditions below. Permitted uses above the detached garage shall be limited to the following:
 - a. Dwelling
 - b. Professional Office
 - c. Shop or Studio, Craftsman/Artist
 2. Minimum 18' long driveway shall be required.
 3. Street-facing garage shall be recessed a minimum 5' behind the front façade of the home.
 4. Architecture and materials shall be substantially similar to the submitted renderings, except for modifications required to comply with the Downtown Consultant's markups related to the home and in compliance with the Alpharetta Downtown Code, with final approval by DRB.
 5. A mix of shrubs, vines and grasses shall be planted along the proposed wall, as approved by DRB.
- The applicant, Michele Sedgwick, is requesting a rezoning of 0.29 acres from C-2 (General Commercial) to DTMU (Downtown Mixed-Use) to allow for the construction of a 'For-Sale' single family detached home. Variances are requested to reduce the minimum driveway length and garage recess requirements. The subject property is located at 0 Devore Road on the South side of Devore Road between Alpharetta Highway and Karen Drive.
 - Staff has reviewed the applicant's proposal and finds that it can generally support the request for rezoning and variance to reduce the garage recess requirement. The proposal is consistent with the vision of the Downtown. The property could be developed under the existing C-2 zoning with a variety of auto-oriented uses, which is inconsistent with a walkable Downtown.
 - The property has an unusual, shallow shape, which limits site layout, including recessing the garage 20' behind the front façade of the home. The applicant could accommodate the minimum 18' long driveway if the detached garage were pushed back from Devore Road. The DT-MU district only requires a six-foot (6') rear setback, whereas the applicant's site plan depicts a ten-foot (10') rear setback. If approved, it is recommended that the 18' driveway be provided.
 - The CZIM was held on February 12, 2020. There were no public comments.
 - The applicant, Michele Sedgewick, 2451 Commerce Street, Alpharetta, GA, came forward to speak on behalf of the item.

Public Comment:

- No Public Comment

- ❖ Council Member Richard offered a motion to approve Z-20-02/V-20-06 SEDGWICK RESIDENCE/DEVORE ROAD, subject to the following conditions:

1. The site, consisting of approximately 0.29 acres, shall be zoned DT-MU and developed substantially similar to site plan prepared by Lew Oliver Inc., except for modifications required to comply with the conditions below. Permitted uses above the detached garage shall be limited to the following:
 - a. Dwelling
 - b. Professional Office
 - c. Shop or Studio, Craftsman/Artist
 2. Minimum 18' long driveway shall be required.
 3. Street-facing garage shall be recessed a minimum 5' behind the front façade of the home.
 4. Architecture and materials shall be substantially similar to the submitted renderings, or shall comply with the architectural style in the Downtown Code with final approval by DRB.
 5. A mix of shrubs, vines and grasses shall be planted along the proposed wall, as approved by DRB.
- The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

C. V-20-01 / E-20-02: Midgard Self Storage Parking Variance & Height Exception

This item has been deferred by the Applicant until Monday, July 27, 2020. It will neither be heard nor considered at this time.

D. E-20-04 Burlington Sign Exception

This item has been deferred by the Applicant until Monday, June 1, 2020. It will neither be heard nor considered at this time.

VI. OLD BUSINESS

A. Amendment to Alcohol Ordinance to Allow On-Premise Sales and Consumption in Privately-Owned Dog Parks (2nd Reading)

- City Clerk, Erin Cobb, came forward to present this item.
- Staff is recommending that Mayor and Council approve the second reading of the amendment to the City of Alpharetta's alcohol ordinance to allow on-premise sales and consumption in privately-owned dog parks.
- This ordinance amendment will allow for alcohol to be sold and consumed in privately owned dog parks that meet the following criteria: the park is located on a minimum 2-acre lot within the LI Zoning District; the park has a minimum of 25 due-paying members; the park derives a minimum of 40% of its total annual gross food and beverage sales from the sale of prepared food; the park has a full-service kitchen or regularly utilizes one or more food trucks to provide prepared foods to meet its food sales requirements; and the park has food trucks or other sources of prepared foods available for sale during all hours of operation.

- The following change has been made to the ordinance amendment since the first reading:
- The ordinance amendment read on May 18th stated that the hours of operation were limited to 10:00 a.m. and 8:00 p.m.
- The revised ordinance amendment is stating that a private dog park shall be subject to the same requirements as on-premises eating establishments, including hours of permitted alcohol sales.
- City attorney, Sam Thomas, read the ordinance aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve the second reading of the amendment to the City of Alpharetta's alcohol ordinance to allow on-premise sales and consumption in privately-owned dog parks
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

VII. WORKSHOP

A. Presentation and Discussion: Recommended Fiscal Year 2021 Budget

- Director of Finance, Tom Harris, came forward to present this item.
- The purpose of this presentation is to provide an overview of the Recommended Annual Operating and Capital Budget (the "FY 2021 Budget") and allow for a question and answer dialogue.
- The Fiscal Year 2021 Budget was distributed electronically to the City Council on April 30, 2020 and is available on the City's website as a downloadable pdf and available for filtering/analysis through the City's financial transparency site powered by OpenGov.
- The Finance Department presented an overview of the FY 2021 Budget at the May 4th and 18th City Council meetings.
- This meeting will focus on the operating and capital initiatives included within the FY 2021 Budget. Department Directors will be present to discuss their initiatives and answer questions.
- Public Hearings and City Council action on the FY 2021 Budget and Millage Levy are scheduled for June 1st, 15th, and 22nd.
- Changes to Budget Document since last Workshop: Reallocated \$3 million from recurring capital to an operational reserve within the General Fund to further insulate operations from COVID-19 economic impacts such as a continued erosion of revenues. After these adjustments, the General Fund operational reserve totals \$4.1 million (increase from \$1.1 million) and the recurring capital contribution totals \$189,000 (decrease from \$3.2 million). With these changes, total capital funding from the General Fund for 2021 totals \$4.5 million (\$4.3 million from available fund balance and \$189,000 in recurring capital funding). Unallocated Capital within the

capital project fund/stormwater fund decreased by \$3 million, to a balance \$1,073,000.

VIII. PUBLIC COMMENT

- No Public Comment

IX. REPORTS

- Council Member Binder thanked Public Works for the progress on Rucker Road. Additionally, he commented on how well Fulton County has been running the early voting precincts.
- Council Member Burnett congratulated Kathleen Craig on her retirement from the Fulton County School System.
- Council Member Merkel commented on Wills Park Pool opening date of June 15th. Additionally, Senior Planner, Michael Woodman, had his 6-year anniversary with the City of Alpharetta,
- Mayor Pro Tem Mitchell recognized this year's successful virtual Memorial Day celebration, as well as the North Farm Day celebration.
- City Administrator, Bob Regus, came forward and presented Mayor and Council with a brief update on City operations. Additionally, Mr. Regus, recognized the City's Public Works crews.
- Mayor Gilvin announced that our Recreation, Parks and Cultural Services Department assisted Alpharetta High School with having their graduation ceremony in cars in the parking lot at North Point Mall.

X. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 8:41 P.M.

Respectfully submitted,

A handwritten signature in dark ink that reads "Erin Cobb". The signature is written in a cursive, flowing style.

Erin Cobb, City Clerk