



Official City Council Meeting Minutes

April 26, 2021

Office of the City Clerk

CITY HALL 2 PARK PLAZA | 6:30 PM

Official Minutes

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours.

I. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

II. ROLL CALL

• Council Members

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

• Staff

- Bob Regus, City Administrator
- Sam Thomas, City Attorney
- James Drinkard, Asst. City Administrator
- Erin Cobb, City Clerk
- Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- Kathi Cook, Director of Community Development
- Pete Sewczwicz, Director of Public Works
- John Robison, Director of Public Safety
- Michael Woodman, Senior Planner

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 4/19/2021)

B. Alcoholic Beverage License Application

1. PH-21-AB-13

Alpha Hai Food, LLC
d/b/a Hai
5530 Windward Parkway
Alpharetta, GA 30004

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

Owners: Alpha Hai Food, LLC
Registered Agent: Ssu Lin

- ❖ Council Member Burnett offered a motion to approve the consent agenda
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (6-0)

V. PUBLIC HEARING

A. Z-20-05/CU-20-09/V-20-14 Alcovy Condominiums 82/92 Thompson Street **NOTE: This item has been deferred by the Applicant to the June 28, 2021 City Council Meeting, it will neither be heard nor discussed at this time.**

B. CU-21-03 Enriched Events/4150 Old Milton Parkway

- The Applicant, Tiara Carter, came forward to request a deferral for at least 30 days.
- ❖ Council Member Richard offered a motion to approve the request to defer CU-21-03 Enriched Events/4150 Old Milton Parkway, for at least 30 days
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (6-0)

C. V-21-08 Blount/12570 Hopewell Road Gravel Driveway Variance

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending the Mayor and Council approve V-21-08 Blount/12570 Hopewell Road Gravel Driveway Variance, subject to the following conditions:
 1. Gravel driveway shall be permitted as depicted on the ENG permit, stamped November 20, 2020.

2. Gravel and edging material shall be substantially similar to the options submitted by the applicant, as depicted in Exhibit A.
- The applicant, Andrea Blount, is requesting consideration of a variance to allow a gravel driveway on a single-family detached lot. The subject property is located at 12570 Hopewell Road on the west side of Hopewell Road and just south of North Trace.
 - The submitted request, if approved, would allow a gravel driveway on a single-family detached lot. The subject property is located at 12570 Hopewell Road on the west side of Hopewell Road and just south of North Trace.
 - The 0.84-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and developed with a one (1) story, 1,995 square foot home. The property owner is currently renovating the home, including adding a 2nd story, additions at the rear and sides of the existing structure, a detached garage and swimming pool. Surrounding properties are zoned R-15, except that the property across Hopewell Road to the east is zoned R-8A. North Town Subdivision is located to the north, Surrey Place Subdivision to the west, an unplotted single-family detached lot to the south and west and Orchards at Hopewell Subdivision to the east.
 - A variance is requested from Unified Development Code (UDC) Subsection 2.5.4 Locational Criteria for Parking, to allow a gravel driveway instead of a paved driveway. 'For-Sale' dwellings require a paved driveway or paved parking space. The applicant's primary reason for the gravel driveway is aesthetics. The applicant inquired about an asphalt driveway but was told that it was not an option due to a sharp turn in the driveway. The applicant proposes using pea gravel with paver edging. Two (2) color options are being considered; one has tan tones and the other has dark grey tones. Pea gravel color selection will be based on the final paint color of the home.
 - Qualitatively speaking, gravel has more pores than asphalt or concrete, which is a benefit from a stormwater management perspective. However, the City's UDC considers gravel impervious when it comes to driveways due to the compacted base to support a vehicle.
 - There have been past variance requests to allow gravel driveways, including at Voysey. In addition, the City's Downtown Code allows gravel driveways in the Downtown as an incentive for saving a historic structure.
 - The property has an existing asphalt driveway, which runs along the northern property line and leads to a large gravel area at the rear of the home. The applicant's site plan depicts the curb cut off Hopewell Road to remain and the asphalt driveway being replaced with a 25' deep concrete driveway leading into a gravel driveway. The gravel driveway cuts across the front yard to the south side of the property, runs along the southern property line and connects to a new detached garage at the rear of the property. The applicant provided the photographs below, which depict two (2) color options for the pea gravel driveway with edging.
 - The Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states "a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":
 - There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; or Response: There are not exceptional conditions pertaining to the subject property due to its size, shape, or topography. However, the property is located just outside of the Downtown, which is an area where gravel driveways are used as an incentive for saving historic resources. The applicant is remodeling a cottage constructed in 1940. In addition, the

proposed gravel would blend better with the surroundings than a concrete driveway.

- The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or Response: The application of the Ordinance would not create an unnecessary hardship. However, the proposed gravel driveway would blend with the surroundings better than a concrete driveway.
- There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or Response: The request for variance is based on aesthetics. The proposed gravel driveway would blend with the surroundings better than a concrete driveway.
- Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance. Response: Relief should not cause a substantial detriment to the public good. The proposed gravel driveway would blend in with the surroundings.
- Staff has reviewed the applicant's request and generally supports the request to allow a gravel driveway. The subject property is very close in proximity to the Downtown where gravel driveways are permitted under certain circumstances. Pea gravel will blend in with the surroundings better than a concrete driveway. In addition, pea gravel is more porous than concrete and would provide some added benefits to stormwater runoff.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The applicant was contacted by a neighbor in North Trace with general questions. The report states that the neighbor is supportive of the request. The applicant provided letters of no objection from three (3) property owners in the Surrey Place subdivision to the south.
- The CZIM was held on March 10, 2021. There were no public comments.
- The applicant, Andrea Blount, 12570 Hopewell Road, Alpharetta, GA, 30009, came forward to speak on behalf of the application.
- **Public Comment:** No Public Comment

❖ Council Member Richard offered a motion to approve V-21-08 Blount/12570 Hopewell Road Gravel Driveway Variance, subject to the following conditions:

1. Gravel driveway shall be permitted as depicted on the ENG permit, stamped November 20, 2020.
2. Gravel and edging material shall be substantially similar to the options submitted by the applicant, as depicted in Exhibit A.
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (6-0)

D. PH-21-06 Kairos/Thompson Street Flats Change to Condition of Zoning

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve PH-21-06 Kairos Thompson Street Change to Condition of Zoning, subject to the following conditions:

Modified 2016 Conditions (changes reflected in RED text):

2. Property shall be developed substantially in accordance with submitted plan by Kairos Development Corporation dated 8/23/2016 as presented on 9/26/2016 (Phase 1) and site plan by Paradigm, dated 4/12/21 (Phase 2). However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
3. Building elevations of the condominiums shall be substantially similar to those presented on 9/26/16 (Phase 1) with final approval by Staff. Side building elevations seen from Thompson Street shall have significant architectural features and materials as approved by Staff.
11. Trees shall be saved as depicted on the plan prepared by Brunson & Company, revised 4/12/21. CRZ impacts greater than 20% shall have a specific tree care plan, as approved by Staff. Developer shall begin implementing tree care plan at least 3 months prior to the start of site work.
16. Amenity area at the rear of the 2.4-acre property shall be improved with hardscape and landscape, including a walking trail and dog walk. Walking trail shall consist of decorative stone aggregate and there shall be a minimum of 3 seating areas, as depicted with final approval by Staff.
17. Building height for condominium buildings shall be limited to 48' when measured from the finished elevation of Thompson Street and not including the parapet wall. Maximum building height for single-family detached homes shall be 40'.

New Conditions:

1. Building elevations of the homes shall be substantially similar to the renderings prepared by Main Street Designs, dated 3/8/21, with final approval by DRB. Each home shall have a unique elevation, and each shall have a garden wall with gate, chimney and wood shingle roof complimenting the architectural style.
2. Stoops, porches and courtyards shall not be permitted within the 10' setback depicted along Thompson Street.
3. There shall be no on-street parking on the minimum 20' alley and surface shall hold 75,000 lbs. to support a fire truck.
4. A land disturbance permit shall not be issued for Phase 2 until the developer has completed all Phase 1 site completion list items in Exhibit A, which includes but is not limited to improvements to the rear amenity area (stairs to access area, walking path, seating areas, landscaping, general cleanup, etc.).
5. Garbage pickup shall be from the alley, not Thompson Street.
6. No more than 10% of the residential units shall be permitted to be rented as recorded in the HOA's Declaration & Convenance.
7. Previous conditions of zoning related to file #PH-16-15 Thompson Street Flats/Kairos Development shall remain in effect, except as noted in the modified and new conditions above.

- The applicant, Kairos Development, requests changes to conditions of zoning on a 2.4-acre property previously approved for a 24-unit 'For-Sale' condominium development. The requested change would allow for twelve (12) 'For-Sale' condominium units to be replaced with ten (10) 'For-Sale' single-family detached homes. The subject property is located at 51 and 61 Thompson Street near the southeast corner of Thompson Street and Haynes Bridge Road.
- The submitted request, if approved, would allow for twelve (12) 'For-Sale' condominium units in two (2) buildings to be replaced with ten (10) 'For-Sale' single-family detached homes. The proposed change would result in a reduction to the residential density from ten (10) dwelling units per acre to 9.2 dwelling units per acre. The subject property is located at 51 and 61 Thompson Street near the southeast corner of Thompson Street and Haynes Bridge Road.
- Approximately one (1) acre of the property is currently undeveloped and represents Phase 2 of the Thompson Street Flats development. Surrounding properties are zoned DT-LW (Downtown Live-Work) to the east and south, C-2 (General Commercial) to the west and MU (Mixed Use) to the north. Phase 1 of the Thompson Street Flats development is located to the east, an undeveloped property approved for Kairos Old Milton Office Buildings is located to the south, an undeveloped commercial property is located to the west and Voysey Subdivision is located to the north. The Comprehensive Land Use Plan designation of the property is 'Mixed Use Live Work', which allows the proposed use.
- The submitted request, if approved, would allow for changes to conditions of zoning related to the Thompson Street Flats/Kairos Development. The proposed changes include replacing twelve (12) condominium units with ten (10) single-family detached homes and removing some tree saves. The property was rezoned to DT-LW (Downtown Live-Work) on November 16, 2015 to allow for 24 'For-Sale' condominium units in four (4) buildings with a density of ten (10) dwelling units per acre. The following year, Kairos Development received approval of a change to previous conditions of zoning to reconfigure the site layout and to change the architecture. The applicant proposes the following changes to the conditions of zoning related to file PH-16-15 Thompson Street Flats/Kairos Development:
 2. Property shall be developed substantially in accordance with submitted plan by Kairos Development Corporation dated 8/23/2016 as presented on 9/26/2016 (Phase 1) and site plan by Paradigm, dated 4/12/21 (Phase 2). However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 3. Building elevations shall be substantially similar to those presented on 9/26/16 (Phase 1) and 2/1/21 (Phase 2) with final approval by Staff. Side building elevations seen from Thompson Street shall have significant architectural features and materials as approved by Staff.
 11. The ~~23" pecan tree~~ and 24" Black walnut (#368) shall be incorporated into the site plan. Applicant shall make every effort to incorporate the 40" Water Oak (#358), 8" Dogwood (#373), 33" Pine (#367), ~~28" Water Oak (#363), 48" Water Oak (#365),~~ 36" Water Oak (#372) and 25" Water Oak (#366) into the site plan with final approval by Staff. Applicant shall be responsible for any recompense.
- The approved site plan depicts four (4) condominium buildings oriented to Thompson Street with an amenity and tree save area at the rear. Phase 1 of construction is complete and consists of two (2) condominium buildings with twelve (12) units on the eastern half of the property. The applicant's proposed site plan depicts ten (10) single-family detached homes located on the western half of the property, half of which are oriented to Thompson Street and the other half to the rear amenity area. Using the existing grade of the property, homes facing Thompson Street will be three (3) stories and homes facing the rear amenity area

will be two (2) stories over basement/garage. The maximum height of the single-family homes is proposed to be 40'.

- Homes are approximately 3,000 square feet and have a rear-loaded garage with access from a new private alley. Garages and driveways will accommodate two (2) side-by-side parking spaces for a total of four (4) parking spaces per home. In addition, five (5) on-street parallel parking spaces are provided along Thompson Street. The main entrance off Thompson Street provides shared access to the condominiums to the east, as well as the single-family homes to the west.
- The approved site plan depicts a 0.7-acre natural amenity/tree save area at the rear of the site and a linear park (civic space) along the property frontage on Thompson Street. The current proposal depicts the homes pulled up to the street, which reduces the linear park along Thompson Street. In addition, homes are pushed slightly into the rear amenity area. The exhibit to the right shows the impacts on these two (2) open space areas and the table below provides a comparison of the approved and proposed site plans.

Comparison – Approved vs. Proposed Site Plans

	Approved	Proposed
Site Acreage	2.4 acres	2.4 acres
Residential Type	Condominium	Condominium/Single-Family Detached (SFD)
Units/Density	24 dus (10 dus/ac)	22 dus – 12 Condo, 10 SFD (9.2 dus/ac)
Open Space	65.7% (68,260 SF)	60.4% (62,800 SF)
Building Orientation	Thompson Street	Thompson Street & Rear Amenity Area
Parking	Structured (condo)	Garage/driveway (SFD)
Building Height	3-Stories, 48' (condo)	3-Stories, 40' (SFD)

- The rendering presented depicted the applicant's proposed single-family detached home elevations. According to the applicant's architect, each home will have a unique elevation with architectural styles varying between Tudor Eclectic, Stick and Shingle styles with a modern interpretation. The applicant's intent is to blend the classic details of the three (3) styles with an English modern design similar to Voysey. Materials and details applicable to each style will be provided on all sides of the homes. In addition, each home will have a unique garden wall with gate, chimney and wood shingle roof complimenting each style. The City's Downtown Consultant reviewed the proposed elevations and believes that they are generally consistent with the architectural styles approved in the Downtown.
- City Staff has reviewed the applicant's proposal and finds that it can support the applicant's request for changes to conditions of zoning. The proposal would result in a reduction in residential density and the single-family detached product is desirable in the Downtown. If approved, certain architectural details are recommended to ensure compatibility of the homes with the character of the Downtown Overlay and Thompson Street corridor.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that comments were received from the Voysey HOA President in support of the request.
- CZIM was held on March 10, 2021. There were several questions about location of construction driveway, completion of punch list items at existing condominium buildings, parking, how the HOA will be split, and property maintenance responsibilities.
- Operations Director for Kairos Development, Art Rountree, 7114 Surrey Pt., Alpharetta, GA, 30009, came forward to address questions from Mayor and Council.
- Business Director for Kairos Development, Jack Williams, 410 Peachtree Pkwy Suite 4245, Cumming, GA, 30041, came forward to address questions from Mayor and Council.

- **Public Comment:**

- Mike Bennet, 81 Thompson Street #301, Alpharetta, GA 30009, came forward to voice concern that the punch list items as well as promised amenities have not been completed in Phase 1 of the Thompson Street Flats.
- Kay Rosenthal, 81 Thompson Street #302, Alpharetta, GA 30009, came forward to voice concern regarding the outstanding punch list items that have not been completed by the Applicant.
- Tom Williams, 71 Thompson Street #202, Alpharetta, GA 30009, came forward to address concerns with the underground storm water detention facility which was sized to receive runoff from the originally approved condominiums, not the proposed single-family homes.
- Michelle Williams, 71 Thompson Street #202, Alpharetta, GA 30009, came forward to address concerns with the removal of the trees in the proposed phase 2 design, which would have provided a natural screen for both phases of the property.
- Jim Bearden, 81 Thompson Street #101, Alpharetta, GA 30009, came forward to express concerns regarding amenities that were included in the original site plan that have not been completed in phase 1, including the walking trail amenity area, access stairs, mulch trail, seating, and landscaping.
- Scott Janke, 71 Thompson Street #201, Alpharetta, GA 30009, came forward to emphasize the key points that were addressed during the CZIM meeting; stormwater runoff from phase 2 construction would not go into the shared underground facility in phase 1 and a temporary detention pond would be constructed near the northwest corner of phase 2, the shared driveway will not be used for construction vehicles, the HOA would be separate from the Flats HOA, and Kairos will comply with the City's noise ordinance.
- Sandra Tieken, 71 Thompson Street #102, Alpharetta, GA 30009, came forward to address concerns regarding the outstanding punch list items that have not been completed in phase 1.
- HOA President for Thompson Street Flats, Joe Long, 81 Thompson Street #201, Alpharetta, GA 30009, came forward to address concerns regarding the HOA punch list items, separate from the individual unit punch list items, including water intrusion issues.
- Noelle and Ron Bogdanovich (no address provided) came forward in support of this item.
- Mrs. Rountree came forward to speak on behalf of her husband and this project. Additionally, acknowledging the residents' concerns that were brought forward during the meeting and assuring them that Mr. Rountree will finish the phase 1 punch list items in an excellent manner.

- ❖ Council Member Richard offered a motion to table PH-21-06 Kairos Thompson Street Change to Condition of Zoning

- The motion received a second from Mayor Pro Tem Mitchell
- The motion was approved unanimously (6-0)

VI. NEW BUSINESS

A. Approval of Firehouse Subs Public Safety Foundation Grant Application

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award a contract for the replacement of the roof at Fire Station 83 (metal roof segment) to Garland/DBS, Inc. (under the competitively procured OMNIA Partners contract #PW1925) in the amount of \$210,734 and authorize the Mayor to execute all necessary documents.
- Fire Station 83: This request is for replacement of the metal roof segments (main roof and tower) at Fire Station 83 which was originally installed in 1993 and totals approximately 6,000 sq. ft. Although the field of the roof is in good shape, the transition at the ridge and eave are showing significant signs of age and are no longer providing adequate water-tight protection. Multiple repairs have been made over the years to extend the roof life including sealing and caulking. Despite the efforts, the facility is actively experiencing leaks (see pictures for current condition). A detailed scope-of-work has been attached hereto.
- This project is being awarded to Garland/DBS Inc. under the OMNIA Partners program (cooperative purchasing alliance). OMNIA Partners (consisting of US Communities and National IPA) is the largest cooperative purchasing alliance and, at its core, is a nonprofit instrumentality of government that assists local and state government agencies in reducing the cost of purchased goods/services through pooling the purchasing power of public agencies nationwide. This is accomplished by competitively solicited contracts for quality products/services through lead public agencies (e.g., city, county, or state agencies that issue the underlying formal solicitations). Racine County WI, as lead public agency, competitively solicited the Garland contract, and made it available under the terms of the OMNIA Partners program.
- Benefits of the Garland contract under OMNIA Partners include: (a) pricing competitiveness; (b) turnkey single source accountability (Garland is both the manufacturer and managing contractor for roof product installations) that ensures warranty integrity; and (c) speedy implementation using pre-qualified contractors. The city contracts directly with Garland as the contractor on the project. Garland is the supplier of roofing materials (pricing established through OMNIA Partners competitively solicited contract pricing) and manages roofing subcontractors (local pricing through sealed quotes).
- Garland has solicited quotes from the following pre-qualified subcontractors.
 - \$210,734: Innovative Roofing Group
 - \$227,522: Veteran Builders
 - \$237,879: Safe-Shield
- Included within the \$210,734 pricing is the full replacement of all the wood decking underlayment. Based on our experience during the 2019 replacement of the metal roof segment at Fire Station 82, the original wood underlayment was not properly installed which led to warping and was unusable for the new roof (and needed full replacement). If it turns out that the wood decking underlayment is usable and in good shape, our costs will be less than the \$210,734 bid.
- The FY 2021 Budget included funding totaling \$300,000 for the scope set forth above. Additionally, funds were utilized from this account to replace the roof and underlayment of the Wills Park Pavilion near the baseball fields which was actively experiencing leaks and significant wood rot. Residual funding upon completion of these projects will be transferred to the Non-Allocated Capital Account for future appropriation by City Council.

- The City has used Garland for multiple roof repair/replacement projects including: replacement of the metal roof segment at Fire Station 82; roof replacements at the Public Safety Headquarters complex: roof restoration, wall restoration, shingle, and metal edge roof section repairs at multiple Parks and Recreation facilities (Crabapple Government Center, Wills Park Pool Concession, Alpharetta Community Center, Equestrian Center, Wills Park Recreation Center and Arts/Crafts Center, etc.); flat roof replacements for Fire Stations 1, 3, and 4: etc. and has found their work, products and responsiveness to be exceptional. Innovative Roofing Group has been the lead subcontractor on multiple roof repair projects for the City with excellent results.
- Once a contract with Garland has been finalized and executed, completion will take no longer than 90- days from Notice-to-Proceed. This timeframe includes the ordering and delivery of all materials.
- **Public Comment:** No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award a contract for the replacement of the roof at Fire Station 83 (metal roof segment) to Garland/DBS, Inc. (under the competitively procured OMNIA Partners contract #PW1925) in the amount not to exceed \$210,734 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)

VII. PUBLIC COMMENT

- No Public Comment

VIII. REPORTS

- Assistant City Administrator, James Drinkard, came forward to present an update on the City's COVID-19 phased operational plan with a target date of June 1st to move onto Phase 5 of the plan as long as the Alpharetta COVID-19 incident rates are less than 100 per 100,000 for two consecutive weeks.
- Council Member Richard announced the public workshop for the 2040 Comp Plan Update on Tuesday, April 27th at 6:00 – 7:30 PM, which will take place at 3625 Brookside Pkwy in the outdoor amenity area. Food trucks will also be available onsite. Additionally, congratulating the Community Development staff for the recent grant that was awarded for a planning study for the South Main area.
- Mayor Pro Tem Mitchell announced that Council Member Binder is selling girl scout cookies.

IX. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Binder offered a motion to adjourn into Executive Session
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (6-0)
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting into Executive Session at 8:31 P.M.

Respectfully submitted,

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

Erin Cobb, City Clerk