



City Council Meeting & Public Hearing

SEPTEMBER 18, 2023

OFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL

COUNCIL CHAMBERS | 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 video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:48 p.m.

2. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- Douglas J. DeRito
- Brian Will
- Jason Binder

• Council Members Absent

- John Hipes

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Adam Montgomery, Director of Information Technology
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Michael Woodman, Planning and Development Services Manager

- Bret Schroeder, Zoning Enforcement Manager

3. **PLEDGE TO THE FLAG**

4. **PRESENTATIONS & PROCLAMATIONS**

A. **Proclamation: Constitution Week**

- Mayor Gilvin presented a proclamation to local members of the Daughters of the American Revolution to celebrate Constitution Week.

B. **Wacky World Donor and Sponsor Recognition**

- Mayor Gilvin presented an award to The Cuce Family for the generous contribution to the rebuild of Wacky World Playground.

5. **BOARDS & COMMISSIONS**

A. **Board of Ethics: Appointment Nominations**

Consideration of approval of appointments to the Board of Ethics.

This item was not considered or discussed during tonight's meeting.

B. **Recreation Commission Reappointment**

Reappointment of Cheryl Rand to the Recreation Commission by Mayor Gilvin.

- Mayor Gilvin reappointed Cheryl Rand to serve on the Recreation Commission.

6. **CONSENT AGENDA**

A. **Special Called City Council Meeting Minutes (Meeting of 8/28/2023 at 11:00a.m.)**

Consideration of approval of the Special Called City Council Meeting Minutes from the meeting of August 28, 2023 at 11:30 a.m.

B. **Ratification of Consent Order and Final Judgment: Parcel 15 of McGinnis Ferry Road Widening Project**

Council ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV364088 in the amount of \$16,493.00 in connection with Parcel #15 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Najwa Joudeh & Windward HOA).

C. **Ratification of Consent Order and Final Judgment: Parcel 30 of McGinnis Ferry Road Widening Project**

Council Ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV364091 in the amount of \$70,100.00 in connection with Parcel #30 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Cuong Phu Nguyen, Ching I Wang, and Windward HOA).

D. **Ratification of Consent Order and Final Judgment: Parcel 41 of McGinnis Ferry Road Widening Project**

Council Ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV363933 in the amount of \$62,750.00 in connection with Parcel 41 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owner: LaDeshia Robinson).

E. **Ratification of Consent Order and Final Judgment: Parcel 64 of McGinnis Ferry Road Widening Project**

Council Ratification of consent Order and Final Judgment regarding Civil Action File No. 2022CV363747 in the amount of \$125,000.00 in connection with Parcel #64 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Oscar Sinisterra and Windward Community Services Association, Inc.)

F. Ratification of Consent Order and Final Judgment: Parcel 66B of McGinnis Ferry Road Widening Project

Council Ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV363834 in the amount of \$7,461.06 in connection with Parcel #66B of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Qiangwei Liu and Windward HOA).

G. Ratification of Consent Order and Final Judgment: Parcel 67 of McGinnis Ferry Road Widening Project

Council ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV363823 in the amount of \$35,000.00 in connection with Parcel #67 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Daniel Woo Hwang, Raquel Aimee Hwang, and Windward HOA).

H. Ratification of Consent Order and Final Judgment: Parcel 68 of McGinnis Ferry Road Widening Project

Council ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV363613 in the amount of \$28,200.00 in connection with Parcel #68 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: Niranjana Gundagatti Rajasekhara and Windward HOA).

I. Ratification of Consent Order and Final Judgment: Parcel 76 of McGinnis Ferry Road Widening

Council ratification of Consent Order and Final Judgment regarding Civil Action File No. 2022CV364122 in the amount of \$8,875.00 in connection with Parcel #76 of the McGinnis Ferry Road Widening Project (PI #0004634) (Owners: David L.F. Smith, Curdel Smith, and Windward HOA).

PUBLIC COMMENTS:

- There were no public comments.
 - ❖ Council Member DeRito offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

7. PUBLIC HEARING

A. Z-23-09/V-23-15 2325 Old Milton Parkway Tract

Consideration of a rezoning and variance to allow for the construction of 24 "For-Sale" townhomes on 4.9 acres. A rezoning is requested from O-1 (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to reduce stream buffers, modify streetscape standards and reduce landscape strips. The

property is located at 2325 Old Milton Parkway and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, The Providence Group, is requesting a rezoning and variances to allow for the construction of twenty-four (24) 'For-Sale' townhomes on 4.88 acres in the Downtown. The proposed density is 4.92 dwelling units per acre. A rezoning is requested from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to allow encroachments into a non-perennial stream buffer and impervious setback, and to modify streetscape standards (sidewalk, planter, landscape strip). The subject property is located at 2325 Old Milton Parkway, and 210 Norcross Street near the southeast corner of Old Milton Parkway and Haynes Bridge Road.
- This item was considered by the Planning Commission at the September 7, 2023 meeting. There was one (1) public comment from a Chelsea Walk residents with concerns over tree removal and stormwater runoff. The resident requested that the evergreen trees planted adjacent to Chelsea Walk be at least eight-foot (8') tall. After discussion, Planning Commission recommended approval subject to staff's recommended conditions (vote 7-0).
- Staff is recommending that Mayor and City Council approve Z-23-09/V-23-15 The Providence Group/2325 Old Milton Parkway, subject to the following conditions:
 1. Approximately 4.88 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by PEC, revised 8/29/23, 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, labeled Exhibit A - Rendering, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Townhome buildings facing Old Milton Parkway shall have chimneys on either end of the building as depicted in Exhibit B – Elevations with Chimneys. Townhomes shall have 4-sided architecture, materials and details.
 3. Density shall not exceed 24 dwelling units.
 4. Courtyards may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by Staff.
 5. Developer shall improve Old Milton Parkway streetscape with a minimum 6' planter planted with street trees (subject to Staff and GDOT approval),

minimum 8' sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.

6. Streets, alleys and sidewalks internal to the site shall be developed as depicted on the site plan prepared by PEC, revised 8/29/23, with final approval by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
7. Minimum 10' landscape strip shall be required along one side and a 4' landscape strip and 5' sidewalk along the opposite side of internal streets, not including alleys, as generally depicted on the site plan prepared by PEC, revised 8/29/23. The 10' landscape strip shall be exclusive of water & sewer utilities. Should Fulton County require an unencumbered water line easement, shrubs shall replace trees on the side of the street with a 4' landscape strip.
8. Minimum 20' landscape strip and building setback shall be provided along Old Milton Parkway. Landscape strip shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
9. A 20' planted buffer shall be provided along eastern property line as depicted on the site plan prepared by PEC, revised 8/29/23. A double row of evergreen and hardwood trees and shrubs shall be planted along the west property line between Unit 4 and My First Academy, as approved by Staff.
10. Project entrance shall include a decorative paver apron, landscaping, decorative low wall or fence with columns, as approved by Staff. Improvements shall be maintained by the HOA.
11. Open space shall be developed substantially similar to the site plan prepared by PEC, revised 8/29/23, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape and seating. Landscape shall include plant selections promoting the historic Downtown.
12. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
13. Developer shall save trees as depicted on the tree plan prepared by 360 Studio, revised 8/29/23.
14. 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.

15. HVAC and similar equipment shall not be visible or shall be screened from the public right-of-way.

16. Garbage pickup shall be from within the development.

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. To mitigate stream buffer impacts, developer shall comply with a combination of the following measures, as approved by Staff:

- a) Provide 50% additional runoff reduction or water quality volume above the standard city requirements.
- b) Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment/impact. Enhancements may include removing fallen trees inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.
- c) Obtain any necessary state and federal approvals for the stream and buffer impacts.
- d) Or alternative mitigation measures, as approved by Staff.

19. Developer shall plant a single row of minimum 8' tall evergreen trees in the 5' landscape strip abutting the Chelsea Walk subdivision.

- The applicant requests variances to modify Downtown Overlay site regulations (streetscape standards) and Unified Development Code (UDC) regulations pertaining to a stream buffer encroachment. The property has an unusual shape, is situated between commercial properties, and has significant topography due to the presence of multiple streams and floodplain. The applicant proposes to mitigate the stream buffer encroachments (approximately 0.32 acres) by replanting sparse areas to buffer standards, buffer enhancements, and stream bank stability enhancements. If approved, additional mitigation is recommended, such as providing additional runoff reduction.
- The applicant's proposed density is generally lower than densities approved in the Downtown and along Old Milton Parkway.
- The submitted site plan depicts twenty-four (24), three (3) story 'For-Sale' townhomes with access from a new entrance off Old Milton Parkway. Approximately 2.56 acres of the property will remain undisturbed due to the presence of stream, buffers and floodplain. Townhomes have access from a new private street and four (4) alleys. All townhomes are rear-loaded and are twenty feet (20') wide. Townhomes oriented to Old Milton Parkway are depicted with a fifteen-foot (15') setback and landscape strip along the right-of-way. Chelsea Walk was approved with a fifteen-foot (15')

building setback and landscape strip along Old Milton Parkway and all other developments recently approved along Old Milton Parkway in the Downtown were approved with a twenty-foot (20') building setback and landscape strip.

- An eight-foot (8') sidewalk and six-foot (6') planter are depicted along Old Milton Parkway and a five-foot (5') sidewalk and four-foot (4') planter are depicted along the west side of the new private street. A twenty-foot (20') planted buffer is proposed adjacent to the medical office building to the east and a 25' natural area is depicted along the western property line. If approved, a double row of evergreen trees and shrubs should be provided along the west property line adjacent to My First Academy daycare center.
- Each townhome unit will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. Five (5) guest parking spaces are provided near the mail kiosk. The Downtown Code requires 60 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 101 spaces are provided on the site plan.
- The site plan depicts 0.60 acres, or 12.3%, open space within the proposed development. Amenity space is proposed to include a two (2) pocket parks, with one (1) located at the north end of the site and one (1) at the south end of the site.
- There are approximately sixteen (16) specimen trees on the property or near the boundary of the property. Of those, the applicant proposes to remove five (5) specimen trees. An additional five (5) non-specimen trees are proposed to be removed in the stream buffer due to impacts from the development, including a sewer extension which crosses the stream in the southwest corner of the property. All other trees located in stream buffers and floodplain will be preserved. A stormwater management pond and bioretention area are depicted at the south end of the property adjacent to a pocket park.
- The submitted renderings depict two (2) story over basement and three (3) story townhomes in the Greek Revival style, consisting primarily of brick with metal roof accents. Units will range in size from approximately 1,600 to 2,120 square feet and will all be three (3) bedrooms.
- The applicant provided a trip generation report, which estimates that the 24 townhome units would generate approximately seven (7) AM Peak Hour trips and ten (10) PM Peak Hour trips.
- Fulton County calculated the potential maximum number of children who may live on the property by using the Fulton County Schools standard calculation to identify the number of children that a residential development will generate. Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 0 – 12 school age children. Numbers provided by Fulton County Schools show that Northwestern Middle School is approaching maximum capacity and Milton High School is over capacity.

- The Citizen Participation Plan 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 other than the comments at the Community Zoning Information Meeting (CZIM). The CZIM was held on July 12, 2023. There were public comments in support and a request to remove a dead Pine tree that could fall into Chelsea Walk.
- Staff has reviewed the applicant's proposal against the established review criteria for a rezoning and variance. The zoning proposal is consistent with the vision of the Downtown Master Plan and future land use designation of the property. The proposed density is generally lower than densities approved in the Downtown. Developments approved along Old Milton Parkway in the Downtown have provided a twenty-foot (20') building setback and landscape strip, except that Chelsea Walk was approved with a fifteen-foot (15') building setback and landscape strip. If approved, a twenty-foot (20') building setback and landscape strip should be provided along Old Milton Parkway.
- There are exceptional conditions pertaining to the property due to its unusual shape, topography, presence of streams and floodplain, and location between commercial properties. Approximately 2.88 acres of the property is unbuildable due to the presence of streams and floodplain. It does not appear that variances are being requested for the purpose of increasing density. If approved, stream buffer encroachments should be mitigated with a combination of buffer enhancements and additional runoff reduction measures.
- Kirk Fjelstul, attorney with Smith Gambrell Russell, came forward to present on behalf of the applicant, The Providence Group.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve Z-23-09/V-23-15 The Providence Group/2325 Old Milton Parkway, subject to the following conditions:
 1. Approximately 4.88 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by PEC, revised 8/29/23, 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, labeled Exhibit A - Rendering, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Townhome buildings facing Old Milton Parkway shall have chimneys on either end of the building as depicted in Exhibit B – Elevations with Chimneys. Townhomes shall have 4-sided architecture, materials and details.
 3. Density shall not exceed 24 dwelling units.

4. Courtyards may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by Staff.
5. Developer shall improve Old Milton Parkway streetscape with a minimum 6' planter planted with street trees (subject to Staff and GDOT approval), minimum 8' sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
6. Streets, alleys and sidewalks internal to the site shall be developed as depicted on the site plan prepared by PEC, revised 8/29/23, with final approval by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
7. Minimum 10' landscape strip shall be required along one side and a 4' landscape strip and 5' sidewalk along the opposite side of internal streets, not including alleys, as generally depicted on the site plan prepared by PEC, revised 8/29/23. The 10' landscape strip shall be exclusive of water & sewer utilities. Should Fulton County require an unencumbered water line easement, shrubs shall replace trees on the side of the street with a 4' landscape strip.
8. Minimum 20' landscape strip and building setback shall be provided along Old Milton Parkway. Landscape strip shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
9. A 20' planted buffer shall be provided along eastern property line as depicted on the site plan prepared by PEC, revised 8/29/23. A double row of evergreen and hardwood trees and shrubs shall be planted along the west property line between Unit 4 and My First Academy, as approved by Staff.
10. Project entrance shall include a decorative paver apron, landscaping, decorative low wall or fence with columns, as approved by Staff. Improvements shall be maintained by the HOA.
11. Open space shall be developed substantially similar to the site plan prepared by PEC, revised 8/29/23, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape and seating. Landscape shall include plant selections promoting the historic Downtown.
12. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
13. Developer shall save trees as depicted on the tree plan prepared by 360 Studio, revised 8/29/23.
14. 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.
15. HVAC and similar equipment shall not be visible or shall be screened from the public right-of-way.

16. Garbage pickup shall be from within the development.
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. To mitigate stream buffer impacts, developer shall comply with a combination of the following measures, as approved by Staff:
 - a. Provide 50% additional runoff reduction or water quality volume above the standard city requirements.
 - b. Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment/impact. Enhancements may include removing fallen trees inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.
 - c. Obtain any necessary state and federal approvals for the stream and buffer impacts.
 - d. Or alternative mitigation measures, as approved by Staff.
19. Developer shall plant a single row of minimum 8' tall evergreen trees in the 5' landscape strip abutting the Chelsea Walk subdivision.
 - o Council Member Mitchell seconded the motion.
 - o The motion was approved unanimously (6-0).

B. PH-23-12 Gated Subdivision/1580 Mayfield Road

Consideration of a public hearing to allow a 5-lot subdivision to be gated. Unified Development Code (UDC) Subsection 3.5.6 Gated subdivisions/private streets requires that requests for gated subdivisions be considered at a public hearing by City Council. The property is located at 1580 Mayfield Road and is legally described as being located in Land Lots 1057 & 1104, 2nd District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, KJ Luxury Homes, requests consideration to allow a five (5) lot single-family detached subdivision to be gated. The subject property is located at 1580 Mayfield Road on the north side of Mayfield Road between Gransley and Harrington Falls.
- Staff is recommending that Mayor and City Council approve PH-23-12 Gated Subdivision/1580 Mayfield Road, subject to the following conditions:
 1. Gated subdivision shall be developed substantially as depicted on the site plan prepared by B.C. Engineering, Inc., revised 8/15/2023, except for modifications required to comply with the conditions below. Gated subdivision shall include vehicle stacking for a minimum 4 passenger vehicles, or 80', as well as a U-turn area with sufficient turning radii for a delivery truck to make an uninterrupted U-turn, with final approval by Staff.

2. Development shall be gated with a private street and maintained by the HOA.
 3. Gate details and entrance landscaping shall be substantially similar to the plan prepared by Sugar Hill Outdoors, LLC, revised 8/24/2023, with final approval by Staff.
 4. Gate access shall be provided by siren, key pad, Knox key and meet 2012 IFC 503.6.
- The property was approved for a rezoning to R-22 (Dwelling, 'For-Sale', Residential) on May 1, 2023. The property was previously developed with a single-family detached home and several outbuildings. Surrounding properties are zoned AG (Agriculture) to the north, east, south and west. Harrington Falls subdivision is located to the west, Gransley subdivision is located to the north and east, and an unplatted lot with a single-family detached home is located to the south.
 - The subdivision is estimated to generate four (4) AM Peak Hour trips and five (5) PM Peak Hour trips. The proposed gated entrance provides stacking space for four (4) passenger vehicles, approximately 80' of stacking length, as well as a U-turn accommodating the turning radii of a delivery truck between the call box and gates. The applicant submitted entrance gate details and an entrance landscape plan. The entrance gate details depict brick columns with lighting and five (5) rail horse fence metal gates. The landscape plan depicts decorative landscaping in the entrance median and along the property frontage on Mayfield Road.
 - The City's Public Works department was consulted on the applicant's request as it relates to the design of the gated entrance, i.e., appropriate stacking length, turnaround radii, and other considerations. The proposed gated entrance was designed to the specifications recommended by Staff (queueing for 1 delivery truck and 1-2 passenger vehicles and U-turn accommodating a delivery truck turning radius). It was determined that a deceleration lane was not necessary on Mayfield Road, which would serve as a design measure to help control speeds on Mayfield Road. Public Works requested that the applicant conduct a site distance analysis due to the presence of a curve in Mayfield Road in the vicinity of the proposed gated entrance. The applicant provided the site distance analysis on the site plan which shows that the proposal meets the left turn stopping sight distance of 250' and the intersection sight distance of 390'.
 - The Citizen Participation Plan 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 communicated with two (2) property owners in Harrington Falls regarding concerns over safety on Mayfield Road and maintaining the existing curb cut on the property to the west.
 - The City received a public comment from a resident in Harrington Falls with safety concerns over adding a gated entrance for the subdivision given the limited visibility and lack of space for a deceleration lane on Mayfield Road. The resident requested a deceleration lane and ample stacking space for multiple cars and delivery vehicles.
 - The Community Zoning Information Meeting was held on August 9, 2023. There was one (1) public comment with concerns over stopped traffic on the curve of Mayfield Road caused by residents trying to enter the subdivision, no deceleration lane, school bus access, and do not want tornado siren removed.

- Staff has reviewed the applicant's proposal and finds that it can support the applicant's request to allow a gated subdivision. The proposal provides sufficient vehicle stacking and a turnaround area is provided accommodating delivery truck turning movements. In addition, the applicant provided a sight distance analysis meeting the left turn stopping sight distance and intersection sight distance. A deceleration lane is not recommended since right turn movements into the subdivision will help control the speed of traffic on Mayfield Road. If approved, the gated entrance should include decorative brick or stone columns, metal gate and landscaping.
- Ethan Underwood (attorney with Miles Hansford Tallant) came forward to speak on behalf of the applicant. He shared that he is unaware of the comment about tornado siren from the CZIM.

CITY COUNCIL DISCUSSION:

- Mayor Gilvin asked about the public comment from the CZIM about the tornado siren.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-23-12 Gated Subdivision/1580 Mayfield Road, subject to the following conditions:
 1. Gated subdivision shall be developed substantially as depicted on the site plan prepared by B.C. Engineering, Inc., revised 8/15/2023, except for modifications required to comply with the conditions below. Gated subdivision shall include vehicle stacking for a minimum 4 passenger vehicles, or 80', as well as a U-turn area with sufficient turning radii for a delivery truck to make an uninterrupted U-turn, with final approval by Staff.
 2. Development shall be gated with a private street and maintained by the HOA.
 3. Gate details and entrance landscaping shall be substantially similar to the plan prepared by Sugar Hill Outdoors, LLC, revised 8/24/2023, with final approval by Staff.
 4. Gate access shall be provided by siren, key pad, Knox key and meet 2012 IFC 503.6.
 - Manager Woodman offered a clarification to Condition #1 after the motion was made.
 - Mayor Pro Tem Merkel retracted his motion.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-23-12 Gated Subdivision/1580 Mayfield Road, subject to the following conditions:
 1. Gated subdivision shall be developed substantially as depicted on the site plan prepared by A.C.R. Engineering, Inc., revised 8/15/2023, except for modifications required to comply with the conditions below. Gated subdivision shall include vehicle stacking for a minimum 4 passenger vehicles, or 80', as well as a U-turn area with sufficient turning radii for a delivery truck to make an uninterrupted U-turn, with final approval by Staff.
 2. Development shall be gated with a private street and maintained by the HOA.

3. Gate details and entrance landscaping shall be substantially similar to the plan prepared by Sugar Hill Outdoors, LLC, revised 8/24/2023, with final approval by Staff.
4. Gate access shall be provided by siren, key pad, Knox key and meet 2012 IFC 503.6.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

C. PH-23-15 McCoy Way Road Abandonment

Consideration of request to abandon a remnant portion of McCoy Way. The property is located adjacent to 12200 McCoy Way and is legally described as being located in Land Lots 1244, 2nd District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- City Attorney, Molly Esswein, read the Resolution title aloud.
- The applicants, Justin and Allyson Hayworth, request a road abandonment of a 0.029-acre (1,284 square feet) remnant portion of the McCoy Way right-of-way. If approved, the right-of-way will be incorporated into the applicant's property. The remnant portion of McCoy Way is located adjacent to the northeast corner of the applicant's property, which is 12200 McCoy Way located in the Emerson Hall subdivision.
- Staff is recommending that Mayor and City Council Approve PH-23-15 McCoy Way Road Abandonment request to abandon a remnant portion of the McCoy Way public right-of-way.
- In addition to the applicant's property, two (2) other residential properties touch the remnant piece of right-of-way. The applicant notified each adjacent property owner and both responded that they had no interest in acquiring the remnant piece of right-of-way. If approved, the abandoned right-of-way will be purchased by the applicants and incorporated into their residential lot.
- Access will not be denied as a result of the proposed road abandonment.
- The City's Public Works Department and Fulton County were consulted on this issue and expressed no concerns with the requested road abandonment.
- The value of the land has not been determined yet.

PUBLIC COMMENTS:

- Allyson Hayworth came forward to speak in favor of this item and would like to opportunity to purchase this property.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-23-15 McCoy Way Road Abandonment request to abandon a remnant portion of the McCoy Way public right-of-way.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

8. NEW BUSINESS

A. Resolution: Fiscal Year 2024 Local Maintenance and Improvement Grant

Consideration of adoption of a resolution that authorizes the submission of the Fiscal Year 2024 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and approval authorizing the Mayor to sign all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- City Attorney, Molly Esswein, read the Resolution title aloud.
- The LMIG budget for FY 2024 is based on the collection of motor fuel taxes from FY 2023. The amount of each local government's allocation is based on the total centerline road miles for your local road system and the total population of your city/ county as compared with the total statewide centerline road miles and total statewide population. We plan our budget for milling and resurfacing based upon receiving this grant.
- LMIG funds can be escrowed by the local government for a maximum of three fiscal years for the construction of larger projects, but GDOT expects the vast majority of the projects to be completed within the fiscal year of the grant.
- All LMIG projects must be completed as soon as possible, but substantially complete within three years from the date of the LMIG application. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a resolution that authorizes the submission of the Fiscal Year 2024 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and approval authorizing the Mayor to sign all necessary documents
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

B. Invitation to Bid 24-001: Fiscal Year 2024 Milling and Resurfacing

Consideration of approval to award Invitation to Bid 24-001 to Blount Construction Company, Inc. for an amount totaling \$3,326,039.02 for the Fiscal Year 2024 Milling and Resurfacing Project with approval of the associated contract and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The City of Alpharetta maintains over 500 lane miles of roadway. Each year the City budgets dollars towards the milling and resurfacing of these roads. Accomplishing this task extends the roads' useful life and increases the roads' ability to handle traffic volumes.

- Public Works utilizes the services of a 3rd party to drive city-maintained streets to evaluate roadway conditions. Each road is inspected for various criteria: patching, rutting, longitudinal cracks, etc. The objective was to collect accurate data and information about the City's road inventory and surface condition that would allow the City's staff to optimize their plan for road network repair and rehabilitation under budget constraints. After entering last year's milling and resurfacing, data was put into the system and our current average Pavement Condition Index (P.C.I.) score is 73. This score places the City in the fair classification. A score above 75 would place the City in the good classification.
- Based on these ratings, 29 locations adding up to 14.22 lane miles were included in the annual offering. Two roads due to insufficient/failing subgrade will be treated with soil cement.
- The Department of Public Works prepared a request for bids (ITB 24-001) for the locations listed above. The City advertised competitive bids on July 27, 2023. Bids for the project were received on August 24, 2023, and the City received a total of six bids.
- We also included an Add Alternate in the bid for the usage of a Material Transfer Vehicle (MTV). MTV's are utilized on larger paving projects to regulate the internal temperature of the asphalt and ensure proper mixture of the aggregate. Blount's bid for the Alternate was \$ 12,097.65 for three days of MTV usage. Including the add alternate brings the total project cost to \$ 3,326,039.02.
- The apparent low bidder, Blount Construction Company, LLC has completed multiple roadway and paving projects within the Metro Atlanta area including work for City of Dunwoody, Forsyth County, and the City of Stockbridge. Additionally, Blount Construction has accomplished roadway projects, including resurfacing and soil cement for Alpharetta. Public Works staff determined Blount Construction Company, LLC to be the lowest responsive and responsible bidder.
- All work included within this project's scope shall be finished by Monday, July 1, 2024.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of Invitation to Bid 24-001 to Blount Construction Company, Inc. for an amount totaling \$3,326,039.02 for the Fiscal Year 2024 Milling and Resurfacing Project with approval of the associated contract and with authorization for the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

C. Union Hill Park Design Conceptual Site Plan

Consideration of approval of the conceptual site plan for Union Hill Park designed by Dix-Hite Plus Partners, Inc.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Union Hill Park is a roughly 11-acre park space located on Union Hill Road south of McGinnis Ferry Road. The park today is very much under-utilized and consists primarily of a covered roller hockey rink, a combined restroom and concession building, and a parking lot.
- One of the nine projects included the renovation of Union Hill Park. The project would include the reformation of the park as a recreational and gathering space that better meets the needs of current and future Alpharetta residents, including trails, expanded Greenway connectivity, and other amenities.
- To ensure resident engagement with the surrounding neighborhoods and the citizens of Alpharetta at large, staff held virtual and in-person public input meetings. For those unable to attend the public meetings, an online survey was made available on the City's website to allow for additional comments.
- With the feedback provided, a more concrete rendering was conceptualized and provided by Dix-Hite Plus Partners Inc. The conceptual site plan (attached hereto as the "Union Hill Park Design Concept", "Union Hill Park Skatepark Concept Design", and "Union Hill Park Forsyth Connection") includes enhanced access to the Greenway, a family gathering space and playground, a skate park as well as stormwater and parking improvements. Additionally, perspective renderings for the park are included to help further visualize the design and park's possibilities.
- Work has been completed on the renovation of the covered hockey rink into an events venue. Work included repair of the roof, repairing the entire structure, upgrading lights and electrical work, large circulating fans, removal and replacement of ceiling insulation, upgrade of the restrooms and storage area and refinishing the floor. Additionally, perspective renderings for the park as well as proposed ideas for re-usage of existing materials are included to help further visualize the design and park's possibilities.
- Staff recommends approval of the design concept. Approval would permit staff to proceed to the next phase of the project, requesting proposals for the drafting of a blueprint from the design concept specifications. This blueprint would then be used for construction of the park.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Mayor Pro Tem Merkl offered a motion to approve the conceptual site plan for Union Hill Park designed by Dix-Hite Plus Partners, Inc.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

D. Memorandum of Understanding: City of Alpharetta and Mulroy Family Webb Bridge Dog Park

Consideration of approval of the design plan, as presented, and construction of the privately funded dog park at Webb Bridge Park courtesy of the Mulroy Family.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- An Alpharetta resident is interested in donating \$50,000 toward the construction of a dog park at Webb Bridge Park, subject to City Council approval. The City match is \$4,000 and being funded through current appropriations within the Park Enhancements account. The total cost of the improvements is estimated at \$53,285.
- Initial plans for the dog park are conceptual. The rendering presented for discussion has been considered by staff and the Recreation Commission. The concept includes two access gates as well as two connected fenced-in areas, one for small dogs and one for large dogs. The area would remain a natural setting.
- Staff recommends approval of the receipt of the private donor funds and the construction of the Webb Bridge Dog Park as outlined in the attached Memorandum of Understanding.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the design plan, as presented, and a Memorandum of Understanding for the construction of the privately funded dog park at Webb Bridge Park courtesy of the Mulroy Family.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

9. PUBLIC COMMENT

- Laverne LeBlanc (1465 Mid Broadwell Road, Alpharetta, GA 30004) came forward to speak about garbage pick-up from apartment buildings. She would like for the city to have a city dump.

10. REPORTS

- Council Member DeRito shared that he attended the Alpharetta High School Future Business Leaders of America meeting this past week, and there were over 150 students in attendance. It was welcoming to see that we have local students who really care about their country and our community.

- Mayor Gilvin shared that he attended a game at Miracle League Field at North Park and it was heartwarming to see. Also, there was a performance by the Alpharetta Symphony Orchestra at the Alpharetta United Methodist Church and it was fantastic.

11. EXECUTIVE SESSION (IF NEEDED)

- ❖ Mayor Pro Tem Merkel offered a motion to recess to executive session for land acquisition and litigation.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- ❖ Council Member DeRito offered a motion to reconvene the meeting.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

12. ADJOURNMENT

- ❖ Council Member Mitchell offered a motion to adjourn the meeting.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:33 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk