



City Council Meeting & Public Hearing

NOVEMBER 13, 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 6:47 p.m.

2. ROLL CALL

• Council Members

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

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Kathi Cook, Director of Community and Economic Development
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Michael Woodman, Planning & Development Services Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: 2023 Alpharetta High School Girls Volleyball Team

- Mayor Gilvin presented a proclamation to the members of the 2023 Alpharetta High School Girls Volleyball team.

5. BOARDS & COMMISSIONS

A. Swearing-In of Board and Commission Members

- Mayor Gilvin swore in new Design Review Board member, Jennifer Sprayberry.

6. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 11/6/2023)

Consideration of approval of the City Council Meeting Minutes from the meeting of November 6, 2023.

B. Alcoholic Beverage License Applications

Consideration of approval of the following alcoholic beverage license applications:

1. PH-23-AB-26 LRP Hotels of Alpharetta, LLC
d/b/a Hilton Garden Inn Atlanta Northpoint
10975 Georgia Lane Alpharetta, GA 30022
Hotel
Change in Ownership
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: LRP Hotels of Alpharetta, LLC
Registered Agent: Ankil Bhakta

2. PH-23-AB-27 Walking Astro, LLC
d/b/a Standard at Alpharetta
4 South Main Street, Alpharetta, GA 30005
Eating Establishment
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: Walking Astro, LLC
Registered Agent: Michael Sard

PUBLIC COMMENTS:

- There were no public comments.
- Council Member Hipes requested for the City Council meeting minutes from the meeting of November 6, 2023 be removed from the Consent Agenda.
- Council Member Mitchell offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (7-0).

- Council Member DeRito offered a motion to approve the City Council meeting minutes from the meeting of November 6, 2023.
 - Council Member Will seconded the motion.
 - The motion passed (6-0-1; as Council Member Hipes abstained).

7. PUBLIC HEARING

A. Z-23-11 Ocee Place

Consideration of a rezoning to allow for 2 "For-Sale" single-family detached lots on 2.5 acres. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale', Residential). The property is located at 4050 Kimball Bridge Road and is legally described as being located in Land Lots 79, 80 and 93, 1st District, 1st Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Castle View Homes, LLC, is requesting a rezoning to allow for the construction of two (2) 'For-Sale' single-family detached lots on 2.49 acres. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale' Residential). The subject property is located at 4050 Kimball Bridge Road near the southwest corner of Kimball Bridge Road and Buice Road.
- This item was considered by the Planning Commission at the October 5, 2023 meeting. There was one (1) public comment in opposition with concerns over stormwater, tree removal, site plan lacks home footprints, want to see a landscape plan, property should be sold to Johns Creek for overflow parking for Ocee Park, and renderings are insufficient. After discussion, Planning Commission deferred the applicant's request to the next meeting with the request that the applicant provide shell home renderings that can be customized and address concerns with neighbors (vote 6-0).
- This item was reconsidered at the November 2, 2023 Planning Commission meeting. There was one (1) public comment in opposition with concerns over stormwater and tree removal. After discussion, Planning Commission recommended approval of the request subject to staff's recommended conditions (vote 6-0).
- Staff is recommending that Mayor and Council approve Z-23-11 Ocee Place / 4050 Kimball Bridge Road, subject to the following conditions:
 1. The site, consisting of approximately 2.49 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by Earth Design Engineering, LLC, dated 10/23/2023, except for modifications required to comply with the conditions below. Homes shall be oriented to Kimball Bridge Road. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.

2. Home elevations shall have traditional architecture and exterior materials shall be at least 75% brick and/or stone similar to the submitted elevations, labeled Exhibit A – Home Renderings, with final approval by Staff. Homes shall have 3-sided architecture and materials, and garage doors shall not be visible from Kimball Bridge Road, as approved by Staff.
 3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs and ground cover, as approved by Staff. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
 4. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.
 5. Developer shall plant trees along each side of the new shared driveway.
 6. Developer shall include the driveway portion on each lot in the total impervious area calculation as it relates to stormwater.
 7. Developer shall make reasonable efforts to tie directly to an existing offsite pipe including obtaining easements and agreements from the neighboring property. If direct tie-in is unavailable, daylighting the pond outfall pipe shall be done at least 30 feet from the property line.
 8. Developer shall remove exotic and invasive trees and shrubs within tree save areas, as approved by Staff.
 9. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road or Ocee Park.
 10. Trees shall be preserved as depicted on the site plan prepared by Earth Design Engineering, LLC, dated 8/21/2023.
 11. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
 12. Utility structures, headwalls, etc. shall be finished with decorative stone, where visible from Ocee Park or Kimball Bridge Crossing.
- The subject property is wooded and developed with a single-family detached home. Surrounding properties are zoned R-12 (Dwelling, 'For-Sale', Residential) to the north, R-15 (Dwelling, 'For-Sale' Residential) to the west and south and AG and City of Johns Creek to the east. Kimball Oaks subdivision is located to the north, Kimball Bridge Crossing subdivision is located to the west and south, and an unplatted single-family detached lot and Ocee Park are located to the east. The comprehensive

land use plan designation of the property is 'Low Density Residential', which allows the proposed zoning district and use.

- The property is wooded and consists of a mix of pines and hardwoods. Tree saves are depicted along the west, south and east property lines. Tree groupings and/or trees of quality should be identified and saved on the property. Stormwater will be addressed on each property individually. Full stormwater requirements will apply if the new or replaced impervious area of each lot is 5,000 square feet or more.
- The applicant submitted renderings of the homes depicting brick and stone as the primary exterior material. Garages will not face the street. According to the applicant, the homes will be two (2) stories over basement and between 4,000 to 6,000 square feet. Price points will range between \$1.6 million to \$2 million.
- The proposed project, consisting of two (2) single-family detached homes, would generate approximately two (2) AM Peak Hour trips and two (2) PM Peak Hour trips.
- Fulton County Schools does not provide an impact assessment for residential developments with less than four (4) dwelling units. Impacts to area schools would be negligible with the proposed development.
- 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, except for comments received at the Community Zoning Information Meeting. A Community Zoning Information Meeting was held on September 13, 2023. Several people signed in but did not leave comments. According to the applicant, there were three (3) main comments related to landscaping between the driveway and homes to the west, stormwater management, and length of construction. The applicant committed to planting landscaping along the new driveway, complying with the City's stormwater standards, and minimizing the length of construction.
- Staff has reviewed the applicant's proposal against the established review criteria for a rezoning. The proposed rezoning is consistent with the future land use designation of the property, as well as the existing use of adjacent and nearby properties. The R-15 district would have the least impact to surrounding properties and would result in lots that are larger than lots in surrounding and nearby subdivisions.
- Nick Griffis came forward to speak on behalf of the applicant.

PUBLIC COMMENTS:

- There were no public comments.
- Mayor Pro Tem Merkel offered a motion to approve Z-23-11 Ocee Place / 4050 Kimball Bridge Road, subject to the following conditions:

1. The site, consisting of approximately 2.49 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by Earth Design Engineering, LLC, dated 10/23/2023, except for modifications required to comply with the conditions below. Homes shall be oriented to Kimball Bridge Road. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevations shall have traditional architecture and exterior materials shall be at least 75% brick and/or stone similar to the submitted elevations, labeled Exhibit A – Home Renderings, with final approval by Staff. Homes shall have 3-sided architecture and materials, and garage doors shall not be visible from Kimball Bridge Road, as approved by Staff.
 3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs and ground cover, as approved by Staff. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
 4. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.
 5. Developer shall plant trees along each side of the new shared driveway.
 6. Developer shall include the driveway portion on each lot in the total impervious area calculation as it relates to stormwater.
 7. Developer shall make reasonable efforts to tie directly to an existing offsite pipe including obtaining easements and agreements from the neighboring property. If direct tie-in is unavailable, daylighting the pond outfall pipe shall be done at least 30 feet from the property line.
 8. Developer shall remove exotic and invasive trees and shrubs within tree save areas, as approved by Staff.
 9. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road or Ocee Park.
 10. Trees shall be preserved as depicted on the site plan prepared by Earth Design Engineering, LLC, dated 8/21/2023.
 11. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
 12. Utility structures, headwalls, etc. shall be finished with decorative stone, where visible from Ocee Park or Kimball Bridge Crossing.
- Council Member DeRito seconded the motion.

- The motion was approved unanimously (7-0).

B. MP-23-04/V-23-24 / Pickle and Social

Consideration of a master plan amendment and variance to allow for the construction of an indoor and outdoor pickle ball facility and 8,100 square foot freestanding restaurant on 6.25 acres in the North Point Overlay. The pickle ball facility includes 7 outdoor courts, 8 indoor courts, 14,000 square foot restaurant with rooftop, and 5,000 square foot professional office. A variance is requested to allow parking between the freestanding restaurant building and Rock Mill Road. The property is located at 0 North Fulton Expressway and 2025 Rock Mill Road and is legally described as being located in Land Lots 753, 754, 797 and 798, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Neal Freeman, is requesting a master plan amendment and variance to allow for the construction of an indoor and outdoor pickle ball facility and 8,100 square foot freestanding restaurant on 6.25 acres in the North Point Overlay. The pickle ball facility includes seven (7) outdoor courts, eight (8) indoor courts, a 14,000 square foot restaurant with rooftop, and 5,000 square foot of professional office space. A master plan amendment is requested to the Delta Credit Union Master Plan to add 'Recreation Facility, Indoor and Outdoor' as a permitted use in order to allow the applicant's development proposal. A variance is requested to modify North Point Overlay site regulations to allow parking between the street and the freestanding restaurant building along Rock Mill Road. The subject property is located at 0 North Fulton Expressway at the northeast corner of Haynes Bridge Road and Rock Mill Road.
- This item was considered at the November 2, 2023 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions (vote 6-0).
- Staff is recommending that Mayor and Council approve MP-23-04/V-23-24 Pickle and Social/Delta Credit Union Master Plan, subject to the following conditions:
 1. The 6.2-acre property shall be developed substantially as depicted on the plan prepared by Paradigm, dated 11/6/23, except for modifications required to comply with these conditions.
 2. 'Recreation Facility, Indoor and Outdoor', 'Professional Office', and 'Restaurant' with no drive-through shall be permitted uses in the Delta Community Credit Union Master Plan.
 3. Architecture shall be developed substantially similar to the submitted renderings, labeled Exhibit A – Renderings, subject to final approval by DRB.

Exterior building materials shall comply with the North Point Overlay Building Design regulations, with final approval by DRB.

4. Parking shall be permitted between Rock Mill Road and the freestanding restaurant building as depicted on the site plan prepared by Paradigm, dated 11/6/23. Parking lot shall be screened from Haynes Bridge Road and Rock Mill Road with native and/or drought-tolerant shrubs or grasses, with final approval by DRB.
5. Additional landscaping, consisting of a mix of native and/or drought-tolerant trees, shrubs, and grasses, shall be required around the outdoor courts in an effort to soften the look from the street, with final approval by DRB.
6. Minimum 1.2 acres of open space shall be reserved and improved substantially as depicted on the site plan prepared by Paradigm, dated 11/6/23. Property owner shall be responsible for the maintenance of all open space areas.
7. Minimum 0.37 acres of civic space shall be developed at the corner of Haynes Bridge Road and Rock Mill Road, which shall include decorative hardscape, landscape, and North Point EcoDistrict Monument or District Threshold. A unique EcoDistrict monument shall require approval by the Cultural Arts Commission. Hardscape, landscape, and monument/district threshold shall be maintained by the property owner.
8. EcoDistrict points shall be substantially similar to the description provided in the letter of intent, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
9. Green stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
10. Developer shall improve the Haynes Bridge Road streetscape as follows: minimum 6' planter planted with street trees, 8' concrete 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. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.
11. Developer shall improve the Rock Mill Road streetscape as follows: minimum 6' planter planted with street trees, 6' concrete 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. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.

12. Developer shall provide an enhanced pedestrian crossing across Rock Mill Road at Haynes Bridge Road and at the entrance to the Fulton County Schools maintenance facility, which shall include the North Point EcoDistrict leaf pattern pavement markings. Enhanced crossing shall be eligible for impact fee credits, as approved by Staff.
13. Trees shall be preserved as depicted on the site plan prepared by Paradigm, dated 11/6/23. Tree save areas shall be thinned out, cleaned up and replanted with native and/or drought-tolerant landscaping materials (not additional trees), as approved by Staff.
- The undeveloped, wooded property is zoned O-I (Office-Institutional) and is subject to the Delta Credit Union Master Plan. Surrounding properties are zoned O-I to the east, PSC (Planned Shopping Center) to the south and CUP (Community Unit Plan) to the west. Georgia 400 is located to the north, Fulton County Schools North Maintenance Shop is located to the east, North Point Commons shopping center is located to the south and Atlanta Center for Dental Health is located to the west. The comprehensive land use plan designation of the property is 'Corporate Office', which allows the applicant's proposal.
 - The Delta Credit Union Master Plan was approved in 2006 with amendments to a reversion clause in 2009 and 2011. The master plan allows 20,480 square feet per acre of office, bank and 25% incidental service retail uses with a maximum building height of ten (10) stories or 150' on the subject property. A master plan amendment, comprehensive land use plan amendment, and rezoning was denied on the subject property in 2022 to allow a townhome development.
 - The applicant requests a variance to Unified Development Code (UDC) Subsection 2.10.3 Site Regulations, to allow parking between Rock Mill Road and the freestanding restaurant building.
 - The submitted site plan depicts a one (1) story, 8,100 square foot freestanding sit-down restaurant at the corner of Haynes Bridge Road and Rock Mill Road. A pickle ball facility is oriented to Rock Mill Road on the eastern half of the property, which includes seven (7) outdoor pickleball courts along Rock Mill Road and a two (2) story, 22,300 square foot indoor pickleball facility set behind the outdoor courts. The pickle ball building includes eight (8) indoor courts, a 14,000 square foot restaurant with rooftop, and 5,000 square feet of professional office space in the basement level. Two (2) of the outdoor courts are proposed to be covered. Access to the property is proposed from a new driveway off Rock Mill Road.
 - A six-foot (6') planter and six-foot (6') sidewalk are depicted along Rock Mill Road and a six-foot (6') planter and eight-foot (8') sidewalk are depicted along Haynes Bridge Road. Six-foot (6') sidewalks are depicted throughout the

development. A ten-foot (10') landscape strip is depicted on Rock Mill Road and a twenty-foot (20') landscape strip is depicted on Haynes Bridge Road. The outdoor courts are setback a minimum ten feet (10') from Rock Mill Road and both buildings are setback approximately 75' from Rock Mill Road and Haynes Bridge Road.

- The Unified Development Code (UDC) Parking regulations and North Point Overlay requirements would require 195 parking spaces for the proposed development. Parking in the North Point Overlay includes a required 20% reduction in parking, due to the abundance of parking and having the largest number of bus routes in the City. A total of 195 parking spaces are provided on the site plan.
- The North Point Overlay requires a minimum five percent (5%) amenity space and ten percent (10%) civic space, or a total of 0.94 acres of open space for the 6.25-acre site. The site plan depicts 1.22 acres, or 19.6%, of the property as open space. Civic space, consisting of 0.78 acres, is depicted around the pickle ball facility and at the corner of Haynes Bridge Road and Rock Mill Road, which includes a tree save area, walking trail, and gathering area with benches. The outdoor pickle ball courts represent 0.44 acres of amenity space.
- The North Point Overlay requires a minimum five percent (5%) amenity space and ten percent (10%) civic space, or a total of 0.94 acres of open space for the 6.25-acre site. The site plan depicts 1.22 acres, or 19.6%, of the property as open space. Civic space, consisting of 0.78 acres, is depicted around the pickle ball facility and at the corner of Haynes Bridge Road and Rock Mill Road, which includes a tree save area, walking trail, and gathering area with benches. The outdoor pickle ball courts represent 0.44 acres of amenity space.
- The property is wooded, consisting of a mix of hardwoods and pines. A 16,300 square foot tree save area, including several tree saves, and civic space are depicted at the corner of Haynes Bridge Road and Rock Mill Road. The 60' Georgia 400 undisturbed tree buffer is depicted along the north property line adjacent to Georgia 400. A stormwater management facility is depicted in the northeast corner of the property closest to Georgia 400.
- Renderings were provided by the applicant depicting the two (2) proposed buildings. The freestanding restaurant is depicted in a contemporary style with exterior materials consisting of architectural block, hard coat stucco and glass curtain wall. The two (2) story pickle ball facility also has a contemporary style with exterior materials consisting of architectural block, hard coat stucco, and natural/manufactured stone. Contemporary, modern, and industrial/mercantile styles are encouraged in the North Point Overlay.
- The North Point Overlay requires that EcoDistrict measures be incorporated into all new developments, of which a minimum seven (7) EcoDistrict points are

required for the proposed development. According to the applicant's letter of intent, the development proposes seven (7) EcoDistrict points. EcoDistrict points are requested for Enhanced Bicycle Amenities, Alternative Transportation, Additional Landscaped Civic Space. The applicant proposes to provide employee shower facilities, a bicycle repair center, additional bicycle parking, ride sharing spaces at both the restaurant and pickle ball facility, a van pool space, and additional landscaped civic space.

- The applicant provided a trip generation report, which shows that the proposed development would generate approximately 121 AM Peak Hour trips and 176 PM Peak Hour trips.
- The Citizen Participation Plan report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no written correspondence was received. However, the applicant received a comment regarding traffic. After explaining the trip generation report, the applicant indicated that the person who commented was okay. The Community Zoning Information Meeting was held on October 11, 2023. There were no public comments.
- Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and variance. The property is located in the North Point Overlay where walkability, mix of uses, site design and EcoDistrict measures are key components to a successful development. The proposal to allow a pickle ball facility would add a recreational use that will synergize the area, adding a draw to the North Point area. The variance request can be supported, given the unusual shape of the property, multiple road frontages, tree buffer and tree saves. If approved, conditions are recommended requiring a North Point EcoDistrict monument or district threshold at the corner of Haynes Bridge Road and Rock Mill Road.
- The applicant, Neal Freeman (959 Middle Fork Trail Suwanee, GA) came forward to speak on behalf of this application.

PUBLIC COMMENTS:

- There were no public comments.
- Mayor Pro Tem Merkel offered a motion to approve MP-23-04/V-23-24 Pickle and Social/Delta Credit Union Master Plan, subject to the following conditions:
 1. The 6.2-acre property shall be developed substantially as depicted on the plan prepared by Paradigm, dated 11/6/23, except for modifications required to comply with these conditions.
 2. 'Recreation Facility, Indoor and Outdoor', 'Professional Office', and 'Restaurant' with no drive-through shall be permitted uses in the Delta Community Credit Union Master Plan.

3. Architecture shall be developed substantially similar to the submitted renderings, labeled Exhibit A – Renderings, subject to final approval by DRB. Exterior building materials shall comply with the North Point Overlay Building Design regulations, with final approval by DRB.
4. Parking shall be permitted between Rock Mill Road and the freestanding restaurant building as depicted on the site plan prepared by Paradigm, dated 11/6/23. Parking lot shall be screened from Haynes Bridge Road and Rock Mill Road with native and/or drought-tolerant shrubs or grasses, with final approval by DRB.
5. Additional landscaping, consisting of a mix of native and/or drought-tolerant trees, shrubs, and grasses, shall be required around the outdoor courts in an effort to soften the look from the street, with final approval by DRB.
6. Minimum 1.2 acres of open space shall be reserved and improved substantially as depicted on the site plan prepared by Paradigm, dated 11/6/23. Property owner shall be responsible for the maintenance of all open space areas.
7. Minimum 0.37 acres of civic space shall be developed at the corner of Haynes Bridge Road and Rock Mill Road, which shall include decorative hardscape, landscape, and North Point EcoDistrict Monument or District Threshold. A unique EcoDistrict monument shall require approval by the Cultural Arts Commission. Hardscape, landscape, and monument/district threshold shall be maintained by the property owner.
8. EcoDistrict points shall be substantially similar to the description provided in the letter of intent, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
9. Green stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
10. Developer shall improve the Haynes Bridge Road streetscape as follows: minimum 6' planter planted with street trees, 8' concrete 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. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.
11. Developer shall improve the Rock Mill Road streetscape as follows: minimum 6' planter planted with street trees, 6' concrete 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. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.

12. Developer shall provide an enhanced pedestrian crossing across Rock Mill Road at Haynes Bridge Road and at the entrance to the Fulton County Schools maintenance facility, which shall include the North Point EcoDistrict leaf pattern pavement markings. Enhanced crossing shall be eligible for impact fee credits, as approved by Staff.

13. Trees shall be preserved as depicted on the site plan prepared by Paradigm, dated 11/6/23. Tree save areas shall be thinned out, cleaned up and replanted with native and/or drought-tolerant landscaping materials (not additional trees), as approved by Staff.

- Council Member Hipes seconded the motion.
- The motion was approved unanimously (7-0).

C. V-23-22 Chick-fil-A/4285 State Bridge Road

Consideration of variances to allow for a scrape and rebuild of an existing Chick-fil-A with drive-through. Variances are requested to reduce the front setback and landscape strip along State Bridge Road, reduce parking, increase the spacing for parking lot tree islands, and remove the required tree in certain parking lot tree islands. The property is located at 4285 State Bridge Road and is legally described as being located in Land Lots 120 & 129, 1st District, 1st Section, Fulton County.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, CPH, Inc., is requesting variances to allow for a scrape and rebuild of an existing Chick-fil-A with drive-through in order to enhance operations. Variances are requested to reduce the front setback and landscape strip along State Bridge Road, reduce parking, increase the parking length for a parking lot landscape island, and eliminate the required tree in certain parking lot landscape islands. The subject property is located at 4285 State Bridge Road on the south side of State Bridge Road and west of Kimball Bridge Road.
- Staff is recommending that Mayor and Council approve V-23-22 Chick-fil-A/4285 State Bridge Road, subject to the following conditions:
 1. Property shall be developed substantially in accordance with the site plan prepared by CPH, revised 10/2/23, except for modifications required to comply with the conditions below.
 2. Building shall have significant architectural details on all 4 sides and shall be substantially similar to the location at Avalon or North Point, final approval by DRB. Awnings shall be black and windows along State Bridge Road shall have a transparent transom, final approval by DRB.
 3. Front building setback and landscape strip along State Bridge Road shall be as depicted on the site plan prepared by CPH, revised 10/2/23.

4. Required parking shall be provided as depicted on the site plan prepared by CPH, revised 10/2/23.
 5. Parking lot landscape islands shall be provided and planted as depicted on the landscape plan prepared by Manley Land Design, revised 10/2/23, including eliminating required trees in 3 landscape island locations.
 6. Developer shall plant the planter along State Bridge Road with a continuous row of shrubs or grasses min. 2' tall at time of planting, final approval by DRB.
 7. Foundation plantings, in-ground and/or in pots, shall be required on all sides of the building, final approval by DRB.
 8. Low wall along State Bridge Road and project driveway shall have a brick or stone exterior and shall be heavily landscaped, including shrubs and vines and/or climbing landscaping, final approval by DRB.
 9. Vines and/or climbing landscaping shall be required on all columns of the drive-through pick-up structure, final approval by DRB. Columns on the order canopy shall be brick with final approval by DRB.
 10. Trees shall be saved as depicted on the landscape plan prepared by Manley Land Design, revised 10/2/23.
 11. Minimum 350 square foot outdoor seating area shall be provided.
 12. Developer shall provide creative signage, such as a painted sign and/or blade/perpendicular sign, with final approval by Staff. Existing non-conforming pole sign shall be removed. Monument sign shall not be a sign cabinet, shall not be internally illuminated, and shall have a maximum height of 6'.
 13. Dumpster enclosure shall be designed with materials that are compatible with the primary building and shall be heavily screened with landscaping from the adjacent right-of-way, final approval by DRB.
 14. If additional stormwater measures are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible. Run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.
- The submitted request, if approved, would allow for a scrape and rebuild of an existing Chick-fil-A with drive-through in order to enhance operations. Variances are requested to reduce the front setback and landscape strip along State Bridge Road, reduce parking, increase the parking length for a parking lot landscape island, and eliminate the required tree in certain parking lot landscape islands. The subject property is located at 4285 State Bridge Road on the south side of State Bridge Road and west of Kimball Bridge Road.

- The 1.48-acre property is zoned C-1 (Neighborhood Commercial) and was developed in 1997 with a 4,208 square foot Chick-fil-A restaurant with drive-through. Surrounding properties are zoned C-1, except that the property to the southwest is zoned CUP (Community Unit Plan). Shell gas station is located to the east, Wendy's is located to the northwest, Publix is located to the west, Park Brooke is located to the southwest and Honda Carland Service is located to the south. The comprehensive land use plan designation of the property is 'Commercial'.
- The applicant states that the variances are requested in an effort to redevelop the property to enhance operations and customer experience.
- The applicant requests the following variances from the Unified Development Code (UDC):
 - UDC Subsection 2.2.14 (D), C-1 Neighborhood Commercial, District Regulations. Variance to reduce the front building setback along State Bridge Road from 65' to 50'. The existing front building setback is approximately 60'.
 - UDC Subsection 3.2.8 (D), Tree Replanting, Buffer, and Landscape standards, Landscape Strips. Variance to reduce the landscape strip along State Bridge Road from twenty-feet (20') to sixteen-feet (16'). The existing landscape strip along State Bridge Road varies from approximately nine-feet (9') to fourteen-feet (14').
 - UDC Subsection 2.5.1 (B), Number of Vehicle parking spaces required, Business uses. Variance to reduce the required parking for a restaurant from 46 spaces to 41 spaces, or an eleven percent (11%) reduction.
 - UDC Subsection 3.2.8 (C), Tree Replanting, Buffer, and Landscape standards, Parking Lot Landscaping. Variance to increase the parking length for a parking lot landscape island from 72' to 110' and to eliminate the required parking lot tree island tree in three (3) locations. The existing site does not comply with parking lot landscape island requirements in several locations.
- The 1.48-acre site is currently developed with a one (1) story, 4,138 square foot Chick-fil-A restaurant with drive-through. Surface parking and a drive-through facility surround the building. The drive-through facility was upgraded several years ago with a two (2) lane entrance and there are 52 surface parking spaces on the property. The site plan depicts the existing building to be demolished and rebuilt with a one (1) story, 4,622 square foot building which is pulled up to State Bridge Road with surface parking behind. A double-lane drive-through facility, consisting of an order point canopy on the south side of the building and order pick-up structure on the north side of the building. The double-lane drive-through is located between the building and State Bridge Road. A low wall is depicted between the outer drive-through lane and the landscape strip along State Bridge Road. Vehicular access will

remain from an existing shared driveway on State Bridge Road for the Publix Shopping Center.

- The width of the landscape strip along State Bridge Road has been increased, but pinches down to sixteen feet (16') at the northern corner of the property near the project driveway. A pedestrian connection is depicted from the sidewalk on State Bridge Road to the front door of the building along the project driveway.
- UDC Section 2.5 Parking and Loading, requires one (1) parking space per 100 square feet of the entire restaurant facility, or 46 parking spaces for the applicant's proposal. The site plan depicts 41 parking spaces to serve the site.
- None the trees in the rear buffer area are proposed to be impacted or removed. The landscape plan depicts six (6) of 28 trees identified on the site to be removed. It appears that the site is serviced by a master stormwater facility for the Publix shopping center.
- The applicant provided conceptual renderings of the proposed Chick-fil-A building, which depict a 1-story building with a brick exterior and flat roof. Two (2) brick colors are proposed on the building, which appear to be beige and off white.
- 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 comments were received from an adjacent resident in Park Brooke confirming that the changes were limited to the front of the property. A Community Zoning Information Meeting was held on October 11, 2023. There were no public comments.
- Staff has reviewed the applicant's proposal against the established criteria for a variance. The proposal represents redevelopment of an existing site, which is currently legal non-conforming with respect to the front building setback, landscape strip along State Bridge Road, and parking lot landscape islands. The property has road frontage along State Bridge Road, as well as drive aisles on its north and west side which makes it difficult to screen surface parking and drive-through facilities. If approved, conditions are recommended requiring landscape enhancements along the property frontage, as well as high quality building design and materials to improve aesthetics and screening.
- Brook Sherard and Jacob Demic came forward to speak on behalf of the applicant.
-

PUBLIC COMMENTS:

- There were no public comments.
- Mayor Pro Tem Merkel offered a motion to approve V-23-22 Chick-fil-A/4285 State Bridge Road, subject to the following conditions:

1. Property shall be developed substantially in accordance with the site plan prepared by CPH, revised 10/2/23, except for modifications required to comply with the conditions below.
2. Building shall have significant architectural details on all 4 sides and shall be substantially similar to the location at Avalon or North Point, final approval by DRB. Awnings shall be black and windows along State Bridge Road shall have a transparent transom, final approval by DRB.
3. Front building setback and landscape strip along State Bridge Road shall be as depicted on the site plan prepared by CPH, revised 10/2/23.
4. Required parking shall be provided as depicted on the site plan prepared by CPH, revised 10/2/23.
5. Parking lot landscape islands shall be provided and planted as depicted on the landscape plan prepared by Manley Land Design, revised 10/2/23, including eliminating required trees in 3 landscape island locations.
6. Developer shall plant the planter along State Bridge Road with a continuous row of shrubs or grasses min. 2' tall at time of planting, final approval by DRB.
7. Foundation plantings, in-ground and/or in pots, shall be required on all sides of the building, final approval by DRB.
8. Low wall along State Bridge Road and project driveway shall have a brick or stone exterior and shall be heavily landscaped, including shrubs and vines and/or climbing landscaping, final approval by DRB.
9. Vines and/or climbing landscaping shall be required on all columns of the drive-through pick-up structure, final approval by DRB. Columns on the order canopy shall be brick with final approval by DRB.
10. Trees shall be saved as depicted on the landscape plan prepared by Manley Land Design, revised 10/2/23.
11. Minimum 350 square foot outdoor seating area shall be provided.
12. Developer shall provide creative signage, such as a painted sign and/or blade/perpendicular sign, with final approval by Staff. Existing non-conforming pole sign shall be removed. Monument sign shall not be a sign cabinet, shall not be internally illuminated, and shall have a maximum height of 6'.
13. Dumpster enclosure shall be designed with materials that are compatible with the primary building and shall be heavily screened with landscaping from the adjacent right-of-way, final approval by DRB.
14. If additional stormwater measures are necessary, they shall be aesthetically pleasing and bioswales shall be used where feasible. Run-off reduction shall be addressed with green stormwater BMPs, as approved by Staff.
 - Council Member DeRito seconded the motion.
 - The motion was approved (5-2; with Council Member Hipes and Council Member Mitchell in opposition).

D. E-23-02 Pet Smart Sign Exception

Consideration of a sign exception to allow one (1) additional wall sign for Pet Smart. The property is located at 6370 North Point Parkway and is legally described as being located in Land Lot 741, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Pet Smart, is requesting consideration of a sign exception to allow for an additional wall sign for a total of two (2) wall signs. The applicant proposes to aggregate allowable wall sign area and distribute to a secondary entrance which leads to a separate section of the building dedicated to veterinary services. The subject property is located at 6370 North Point Parkway in the North Point Market Center.
- Staff is recommending that Mayor and Council approve E-23-02 Pet Smart Sign Exception, subject to the following conditions:
 1. Wall sign location, number, and size shall be limited to the submitted plans, dated 1/12/23, except to comply with the conditions below, as approved by Staff.
 2. Wall signs shall not have an internally illuminated sign face. Wall signs shall be reverse lit, externally illuminated, or non-illuminated, as approved by Staff.
- The subject property is a 26,339 square foot commercial building located within a 41.4-acre property and is zoned PSC (Planned Shopping Center). Surrounding properties to the north, east, and west are also zoned PSC. The property to the south is zoned R-10M (Dwelling, 'For-Rent' or 'For-Sale', Residential) for the Avana North Point Apartments.
- For properties within a shopping center over 50,000 square feet of enclosed leasable space, the City's Sign Code allows one (1) wall sign per road frontage no greater than one square foot (1 SF) of area per one linear foot (1 LF) of frontage. The building frontage facing North Point Parkway is 156 linear feet; therefore, one (1), 156 square foot wall sign is permitted on the northeast elevation of the building.
- The applicant proposes to apply the un-used sign area from the signage at the main entrance to secondary veterinary services entrance, which is located further south. The existing main entrance sign is 142.6 square feet and the proposed second entrance sign is 13.4 square feet, for a total of 156 square feet.
- The Citizen Participation Plan Report submitted by the applicant states that adjacent property owners were contacted regarding the applicant's intent. The report states that no comments have been received. A Community Zoning Information Meeting was held on October 11, 2023. There were no public comments.
- Staff has reviewed the applicant's request against the review criteria for a sign exception. The proposal should not have significant impacts on surrounding properties, which are developed with similar commercial uses. The subject property provides veterinary services, which is separate from the main commercial use of the building and

has its own entrance. The additional signage would help facilitate foot traffic to the appropriate building entrance. Furthermore, another tenant in the shopping center, Target, was approved for a variance in 2018 (V-18-05) to allow a second wall sign to indicate there are pharmaceutical services provided within the commercial building. If approved, wall signs shall not have an internally illuminated sign face.

- Mike Hammond (with Apollo Sign) came forward to speak on behalf of the applicant.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve E-23-02 Pet Smart Sign Exception, subject to the following conditions:
 1. Wall sign location, number, and size shall be limited to the submitted plans, dated 1/12/23, except to comply with the conditions below, as approved by Staff.
 2. Wall signs shall not have an internally illuminated sign face. Wall signs shall be reverse lit, externally illuminated, or non-illuminated, as approved by Staff.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

E. PH-23-20 Unified Development Code Text Amendments – Temporary Uses

Consideration of text amendments to the Unified Development Code (UDC). Amend Subsection 2.3.2 Temporary Uses to remove carnival, circus and fair as temporary uses.

- City Attorney, Molly Esswein, read the Ordinance title aloud.
- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- This item was considered by the Planning Commission at the November 2, 2023 meeting. There were no public comments. After discussion, Planning Commission recommended approval (vote 6-0).
- Staff recommends changes to UDC Subsection 2.3.2 Temporary Uses, to remove carnival, circus and fair as temporary uses approved by Staff. A carnival, circus or fair should require City Council approval. In addition, these temporary uses should address safety, parking, access, noise, and security while limiting impacts to surrounding properties. The City's Public Safety Department has limited resources to support these temporary uses.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-23-20 Unified Development Code Text Amendments – Temporary Uses.
 - Council Member Binder seconded the motion.

- The motion was approved unanimously (7-0).

8. NEW BUSINESS

A. Contract Award: Garland/DBS Inc. for Facility Roof Replacements for FY 2024

Consideration of approval of a contract award for the retrofit of the roofs at the Adult Activity Center and Public Works Headquarters to Garland/DPS, Inc. (under the competitively procured OMNIA Partners contract #PW1925) in the amount of \$465,075.00 and authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- This item addresses roof replacements at the Alpharetta Adult Activity Center and the Alpharetta Public Works Facility at a total cost of \$465,075.00. The roofs of both facilities are currently leaking and repair is not a viable option. The recommendation is to award a contract for this work to Garland/DBS Inc (Garland).
- The City has used Garland for multiple roof repair/replacement projects including the replacement of the metal roof segments at Fire Stations 81, 82, and 83; roof replacement at the Public Safety Headquarters complex; and 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.) and has found their work, products, and responsiveness to be very good.
- Staff recommends that the contract for the subject roof replacements be awarded to Garland/DBS Inc. based on a competitive bidding process under the OMNIA Partners Program, a cooperative purchasing alliance.
- This request is for a retrofit of the metal roof segment for the lower main roof at Public Works Headquarters. This roof segment represents the lower front roof (roof segment A) over the building's offices and conference rooms. The roof replacement will also include needed structural repairs to the existing building. Repairs will include, but are not limited to, reinforcing existing roof purlin (a horizontal beam along the length of a roof, resting on a main rafter and supporting the common rafters or boards) by adding lateral bracing every 8 feet on-center up the length of the roof, adding bolts to each purlin splice and lateral bracing perpendicular to the existing roof purlin, and removal/reinstallation of the existing metal roof for access to make the necessary repairs.
- The Adult Activity Center (AAC) has four different roof segments that consist of two flat roofs and two pitched asphalt shingle roofs. The Adult Activity Center is currently experiencing several leaks due to the age of the roof and the roofs have reached and are beyond their current life expectancy. This request is for the replacement of the two flat roof segments of the Adult Activity Center in North Park. The two existing flat roofs will be replaced with StressPly Stressbase 80, which is a single-ply, modified bitumen

membrane cap sheet roofing product that offers superior resistance to splits, tears, and fire.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the contract award for the retrofit of the roofs at the Adult Activity Center and Public Works Headquarters to Garland/DBS, Inc. (under the competitively procured OMNIA Partners contract #PW1925) in the amount of \$465,075.00 and authorization for the Mayor to execute all necessary documents.
 - Mayor Gilvin seconded the motion.
 - The motion was approved (6-0; as Mayor Pro Tem Merkel was not present during the vote).

B. iCan Shine & City of Alpharetta 2024 iCan Bike Host Agreement

Consideration and approval of the iCan Bike Host Agreement between the City of Alpharetta and iCan Shine for the June 24-28, 2024, iCan Bike Program, and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, came forward to present this item.
- The iCan Bike program was initially introduced by the Alpharetta Public Safety Department in partnership with iCan Shine. The weeklong camp, facilitated by iCan Shine and made possible by volunteers comprised of Public Safety and Recreation staff, seeks to empower adaptive children and adults through learning the skill of riding a bike. Each year, the camp experiences approximately 40 “riders” and requires over 100 volunteers. Riders of varying abilities come from all over to participate in this unique and rare program for ages eight and up, including teens and adults with intellectual and developmental disabilities. Riders are taught that they can do amazing things with a little effort, parents find the camp inclusive and heartwarming, and volunteers can pride themselves on the unforgettable contribution made to the community.
- In the absence of the program’s former Public Safety organizer, the Recreation Services Division of the Recreation, Parks & Cultural Services Department has agreed to take over hosting the program. This is a natural transition as the division already assists in providing staff in preparation for and during the weeklong program as well as funding through operational funds and revenue from the camp’s registration fees.
- Under the agreement attached hereto, iCan Shine agrees to transfer over the hosting responsibilities of the iCan Bike Program to the City of Alpharetta’s Department of Recreation, Parks & Cultural Services Department. Additionally, the agreement commits the City to a financial responsibility of \$11,400 in service costs (shown below) to be provided by iCan Shine for the 2024 iCan Bike Program.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the iCan Bike Host Agreement between the City of Alpharetta and iCan Shine for the June 24-28, 2024, iCan Bike Program, and authorize the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

9. WORK SESSION CONTINUATION (IF NEEDED)

- ❖ Council Member Will offered a motion to recess the meeting and to reconvene the Work Session.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

B. Brookside Greenway Connection

Presentation and discussion of a request for congressionally directed funding for a future Brookside Concept Multi-Use Trail Connection.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- At the conclusion of the Work Session, there was a consensus that city staff would move forward with working on the request for federal funding for the Brookside Multi-Use Trail Connection.

C. 2024 Taste of Alpharetta - Event Management and Production

Presentation and discussion of implementing a hybrid-approach for the production of the City's annual Taste of Alpharetta event and the associated event management, logistics, and costs therein.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Council Member Will suggested that we find a way to generate the additional revenue of \$80,000 so that we do not have to pull that from the budget.
- Mayor Gilvin shared that he would still like to continue using the mobile app for tickets, instead of the paper versions from years before.
- At the conclusion of the Work Session, there was a consensus that city staff would move forward with implementing a hybrid-approach for the production of the Taste of Alpharetta.
- ❖ Council Member Mitchell offered a motion to adjourn the Work Session.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).
- ❖ Council Member Mitchell offered a motion to reconvene the meeting.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (7-0).

10. PUBLIC COMMENT

- Nikesh Patel (120 Avery Mill Court) and Vishnu Rao (1735 Bates Road) came forward to speak about the need of robotics recreation programs in the City of Alpharetta and their organization, Storm Robotics.

11. REPORTS

- There were no reports.

12. EXECUTIVE SESSION (IF NECESSARY)

- There was not an executive session.

13. ADJOURNMENT

- ❖ Council Member DeRito offered a motion to adjourn the meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting.

Respectfully submitted,



Lauren Shapiro, City Clerk