



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 Work Session to order at 5:30 p.m.

2. ROLL CALL

• Council Members

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

• Council Members Absent

- John Hipes
- Jason Binder

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney with Jarrard & Davis
- 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. WORKSHOP ITEMS

A. Text Amendments: Short-Term Rental

Presentation and discussion of the proposed text amendments to address short-term rentals within the City of Alpharetta.

- City Attorney, Molly Esswein, came forward to present this item.
- The Short-Term Rental presentation is attached hereto as "Exhibit A."

CITY COUNCIL DISCUSSION:

- Council Member Will asked how and why this text amendment is being brought forward.
- Mayor Gilvin shared that this topic has been brought up by several residents previously and he asked staff and the city attorney's office to review short-term rentals. Also, he would like to see a map of all neighborhoods in Alpharetta with an active HOA, so it would be easier to determine which areas of the city do not have an HOA and who might be able to benefit from the City creating such an ordinance.
- Council Member DeRito asked how this would impact the hotel and motel tax brought in by the city, and shared that he would be generally favorable of type of Short-Term Rental Ordinance. He would like for enforcement to be a part of the ordinance consideration and how hotel motel tax would apply to short-term rentals.
- Council Member Mitchell shared that he believe that some type of short-term rental ordinance is needed. There are several homes in Alpharetta that do not have or are part of an HOA and would support this.
- Mayor Pro Tem Merkel shared that it is a good idea to get ahead of the current trends with short-term rentals, and he supports this type of text amendment.

B. Parks Bond Project Update

Presentation and discussion on the current status of the Parks Bond Projects.

- Director of Parks, Recreation, and Cultural Services, Morgan Rodgers, came forward to present this item.
- The Parks Bond Project Update presentation is attached hereto as "Exhibit B."

5. EXECUTIVE SESSION (IF NECESSARY)

- There was not an executive session.

6. ADJOURNMENT

- ❖ Mayor Pro Tem Merkel offered a motion to adjourn the Work Session.
 - Council Member DeRito seconded the motion.
 - The motion was approved (5-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the work session at 6:42 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A



Short-Term Rentals

ALPHARETTA CITY COUNCIL

SEPTEMBER 18, 2023

Proposed Regulations

- ▶ Revise the UDC to authorize short-term rentals only upon applying for and receiving a conditional use permit (CUP)
- ▶ Revise the Code of Ordinances to require a license for short-term rentals with operational requirements.

Proposed Revisions to the UDC

- ▶ Add a definition for “Short-term Rental”
- ▶ Identify Short-term Rental as a conditional use in the AG zoning district
- ▶ Add a new Section 2.7.7 to provide for an effective date and additional criteria for consideration of granting a Short-term Rental CUP.

Short-Term Rental:

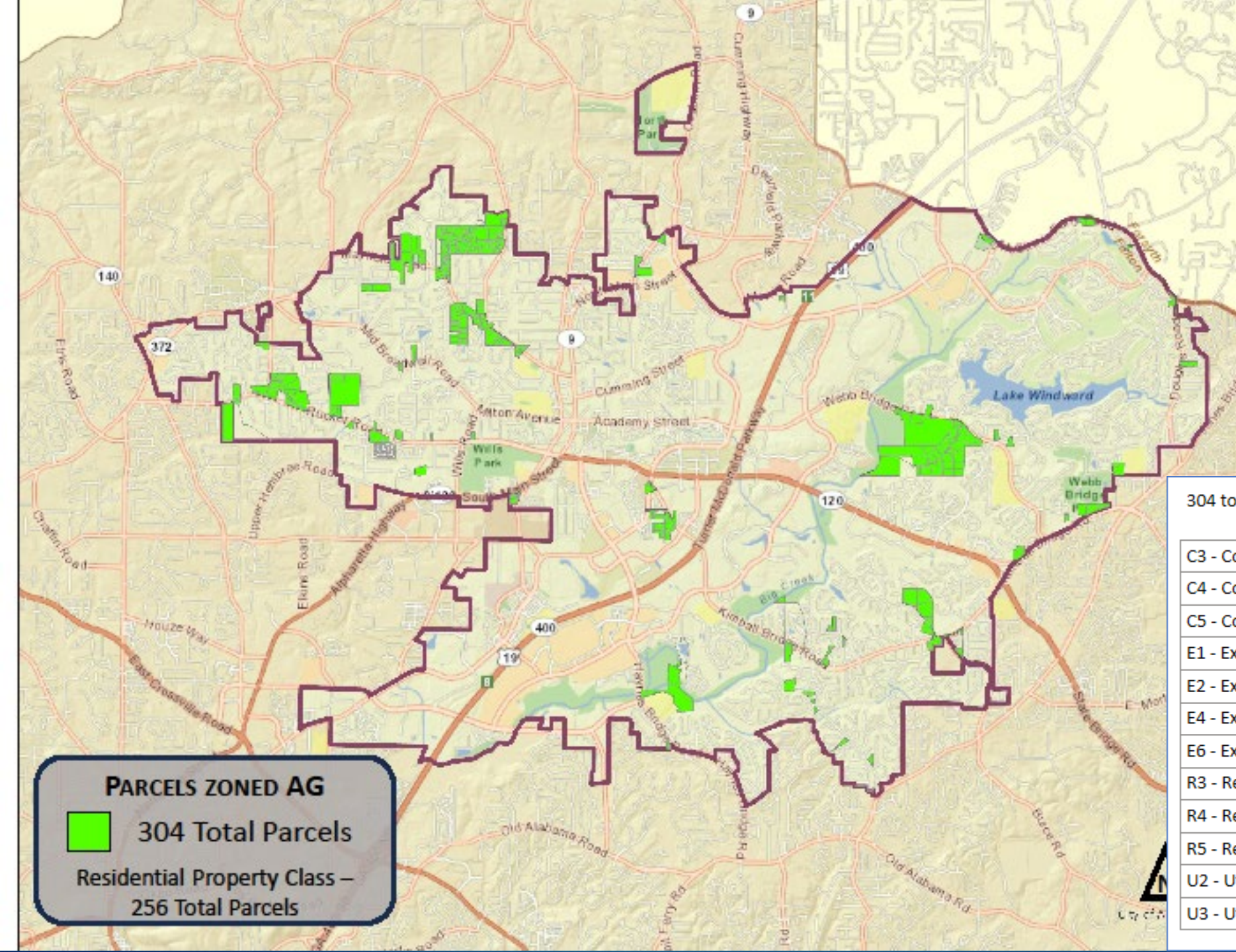
- ▶ An accommodation for transient guests, rented for the purpose of overnight lodging for a period of less than thirty (30) days. For the purposes of this definition, a Short-term Rental shall include all housing types but shall exclude Bed and Breakfast establishments and Boarding Houses as they are defined by this Code. Short-term Rentals shall not constitute a Home Occupation as defined by this Code.

CUP Criteria

- ▶ In addition to the Conditional Use Review Criteria set forth in Section 2.2a of this Unified Development Code, the City Council shall consider and may condition approval of an application for a conditional use permit based on the following:
 - (1) Overnight occupancy;
 - (2) Daytime occupancy;
 - (3) The number of bedrooms;
 - (4) The capacity of the paved or impervious surface parking lot;
 - (5) Lot size;
 - (6) Distance from the structure to be used as a Short-term Rental from all neighboring property lines; and
 - (7) Sewer capacity and/or size and condition of the on-site septic system, as applicable.

Use Table

- ▶ Short-term Rental has been added to the Use Table 2.2 as a Conditional Use in the AG zoning District
- ▶ Short-term Rental is proposed as a prohibited use in all other zoning districts



304 total AG Parcels

C3 - Commercial Lots	5
C4 - Commercial Small Tracts	2
C5 - Commercial Large Tracts	1
E1 - Exempt Property Improvements	18
E2 - Exempt Property Operating Utility	6
E4 - Exempt Property Large Tracts	2
E6 - Exempt Property Production/Storage/Auxillary	1
R3 - Residential Lots	185
R4 - Residential Small Tracts	64
R5 - Residential Large Tracts	7
U2 - Utility Operating	1
U3 - Utility Lots	12

Proposed Licensing Ordinance

- ▶ Requires a short-term rental license on an annual basis
- ▶ Establishes qualifications for the issuance of a license
- ▶ Subjects short-term rentals to various operational requirements
- ▶ Provides for the suspension or revocation of a license
- ▶ Provides for violations and penalties

Applications

- ▶ Required on an annual basis
- ▶ Information provided:
 - ▶ Property information
 - ▶ Owner information
 - ▶ Local contact person
 - ▶ Number of bedrooms
 - ▶ Occupancy calculations
 - ▶ Acknowledgment of all regulations
 - ▶ Verification of on-site septic or sewer service

Operational Requirements

- ▶ Occupancy must be memorialized by written agreement
- ▶ Overnight occupancy (11PM – 7AM) limited to 2 persons per bedroom plus 2 additional persons.
 - ▶ If serviced by sewer, 2 additional persons per residents
 - ▶ In no case shall overnight occupancy exceed 15 persons
 - ▶ Individuals under 2 years of age do not count toward maximum occupancy
- ▶ Daytime occupancy shall not exceed the overnight occupancy plus 4 additional guests.
- ▶ Vehicles are limited to 1 per bedroom, or the capacity of the parking lot, whichever is greater.

Operational Requirements

- ▶ All rentals must be to a “responsible person” as defined in the ordinance.
 - ▶ An occupant of a short-term rental who is at least twenty-one (21) years of age and who is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.
- ▶ Prior to permitting occupancy, the owner must:
 - ▶ provide information about short-term rental regulations to the responsible person
 - ▶ require written confirmation from the responsible person of their agreement to comply

Operational Requirements

- ▶ Notice to be posted in the Short-term rental:
 - ▶ Owner and local contact person information
 - ▶ Name and address of the nearest hospital
 - ▶ Maximum number of overnight occupants and daytime guests
 - ▶ Maximum number of vehicles and designated parking areas
 - ▶ Trash pickup information
 - ▶ Noise regulations
 - ▶ Copy of the short-term rental license

Operational Requirements

- ▶ Life Safety
 - ▶ Bedrooms must comply with safety codes in effect as of the date a CO was issued
 - ▶ Bedrooms, hallways, and common areas must have a smoke detector that meets IRC standards
 - ▶ Each floom must have a carbon monoxide detector and fire extinguisher
 - ▶ House number must be visible from the street

Other Requirements

- ▶ Occupation taxes
- ▶ Timely payment of all property taxes
- ▶ Apartments are not eligible
- ▶ Local Contact person:
 - ▶ Must be available to respond to the location 24/7 within 3 hours
 - ▶ May be a managing agency
 - ▶ Contact information must be kept current with City

Suspension or Revocation of a License

- ▶ Suspension, revocation, or forfeiture of an issued license is possible following notice and an opportunity for a hearing before City Council based on:
 - ▶ Violation of the short-term rental ordinance or noise regulations
 - ▶ The applicant provided fraudulent information in the application
 - ▶ The short-term rental does not meet the licensing requirements
 - ▶ The short-term rental was used as a rental during a period of suspension

Violations and Penalties

- ▶ 1st violation: fine up to \$250 and a warning
- ▶ 2nd violation: fine up to \$500 and a license suspension between 30 and 90 days
- ▶ 3rd violation: fine up to \$1000, revocation of the license, and neither the owner nor local contact person can reapply for a license for 12 months.

- ▶ Each day a short-term rental is marketed or rented for overnight accommodation without the necessary short-term rental license constitutes a separate violation.

EXHIBIT B

Park Bond Projects Update

Farmhouse Park

- Project:** The 5.36-acre Farmhouse Property is the site of the original settlement that became present day Alpharetta and has been acquired by the City and proposed for a "heritage park." \$2 million was dedicated under the approved 2021 Park Bond Referendum to create such a plan, complete necessary surveys, and engineering assessments, and begin development of trails, paths, and other amenities.
- Available Funds:** \$1,969,430.00 (Park Bond Account)
- Completed Activities:** Survey and conceptual design of staircase and trail from Old Milton Parkway sidewalk to an observation area overlooking the old mill remnants.
- Current Activity:** RPCS is in communication with potential developers of 3150 Old Milton Parkway and their design consultant.
- Schedule:** None currently.
- Other Notes:** GDOT has recently informed us of site impacts resulting from the Georgia 400 Managed Lanes project.
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Mid Broadwell Park

- Project:** The project involves constructing the final elements of Mid Broadwell Park including development of a playground area, trails throughout the property, a limited parking area, and other amenities. The park's development is based on a plan that was developed through a community-driven process in 2019.
- \$500,000 of the approved bond funds are earmarked to construct restrooms, trails/sidewalks, and parking and outfit the park with basic amenities such as trashcans and benches.
- Available Funds:** \$160,000.00 (Park Bond & Playground Capital Accounts)
- Completed Activities:** Survey and design.
- Current Activity:** Park is currently under construction. Notice to proceed date was June 6, 2023. Current phase will: connect utilities to the restroom building; create a nine-space gravel parking lot; install a sidewalk connecting the playground; install playground underdrain and base; and install a bioretention cell.
- RPCS is working with Finance on a formal procurement for the design and construction of the playground equipment and play surface.
- Schedule:** Construction – Construction to be completed by October 4, 2023.

Playground – RFP responses due September 21, 2023. Anticipate bringing before City Council for award in November 2023. Playground installation to be completed in second quarter 2024.

Other Notes:

Current evaluation criteria for playground is as follows:

- 25% Design, Concept, Creativity
- 20% Project Approach, Timeline
- 22% Quality, Value of Equipment Relative to Budget
- 30% References, Completed Project Examples
- 3% Local Vendor Preference

RFP has established a budget for the playground of \$160,000.00.

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Old Rucker Park

Project:

Old Rucker Park is an approximately 10-acre tract of land that was once a commercial nursery and is home to a variety of species of plants and trees. The rolling topography of the property is highlighted by a small stream that runs through the park. While a small section of the site has been developed into our operating educational farm, the Old Rucker Farm, approximately 7.5 acres remain to be planned and developed into a passive recreational space.

The project involves the design of the remaining 7.5 acres and the construction and installation of parking, restrooms, and other amenities necessary for the property to be a functional passive park.

Available Funds: \$2,590,180.00 (Park Bond Account)

Completed Activities: Survey and conceptual design.

Current Activity: 90% plans were submitted on August 20, 2023. Plans are currently being finalized by design team based on comments provided by City Staff on September 6th.

Schedule: We anticipate plans being complete and Fulton County permits obtained by end of 2023. Procurement is tentatively scheduled for early 2024 with construction starting in late spring/early summer 2024. Construction is anticipated to take 12 to 18 months depending on required phasing.

Other Notes: Current engineer’s estimate is \$3,860,919 which includes a 10% contingency (\$3,509,927.00 base). An overage of \$1,255,814.00 (\$904,822.00 without 10% contingency). Staff and design team have been evaluating cost savings opportunities and project phasing.

It is anticipated that the Health Department will deny the septic permit given the presence of a sewer line on site. It may become necessary for higher level discussions to occur between City and County officials for septic system to be permitted.

- The engineer estimates the cost of the sewer connection at approximately 10x the cost of a septic system (\$372,475 vs. \$38,800).

- The existing sewer is located along the eastern property line on the opposite side of a stream in an area that would be undisturbed otherwise. Additionally, the sewer depth is at approximately the same elevation as the stream bed – crossing would necessitate an aerial crossing.
- It is staff's opinion that the financial and environmental impacts of the sewer connection are not warranted for a two-unit restroom building.

After receiving 50% plans for the future boardwalk, RPCS made the decision to stop design work. This was based on environmental impacts, and perceived minimal benefit for the estimated cost.

RPCS has expressed a desire to maintain public operations of some farm elements during construction. PW believes any accommodations beyond minimal access by City Staff will result in higher construction costs resulting from phasing and/or greater contractor liability. Current intent is to include an alternate scenario in the bid imposing no restrictions upon the contractor beyond minimal access for City staff during construction.

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Union Hill Park Improvements

Project: 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, combined restroom and concession building, and a parking lot.

Under the 2021 Parks Bond Referendum, the City dedicated \$3.25 million to recreating Union Hill Park as a recreational and gathering space that better meets the needs of current and future Alpharetta residents. The process would begin with an intensive public engagement and visioning program to determine what elements the new Union Hill Park should include and how to tie those elements together into a cohesive park space. From that concept, engineering and construction plans would be created and the site redeveloped.

Available Funds: \$2,586,667.00 (Park Bond Account)

Completed Activities: Survey and covered arena renovations.

Current Activity: Conceptual plan was presented to City Council as a workshop item on April 17th. Concept plan was to be formally approved at April 24th meeting but was pulled to provide time for consideration of the best use of the site. As of August 29th, Staff received direction to move forward with the project. Concept plan to be presented for formal approval during the September 18th Council Meeting.

Schedule: Design is anticipated to take approximately 10 months to complete once the concept is approved.

Other Notes: Current engineer's estimate is \$3,493,116 which includes a 32% in contingency and escalation (\$2,646,300 base). Staff will work with design team to identify cost savings opportunities.

Waters Road Park

Project: Waters Road Park will be located on a 1.6-acre parcel of land located near the intersection of Waters Road and Kimball Bridge Road. The project as proposed includes the creation, with public input, of a design plan and development of the land for use as a passive park space. Such passive park areas are commonly developed to include parking, designed play areas, restrooms, trails, pavilions, and park amenities such as benches and trash receptacles as appropriate to the size of the property and character of the area in which the site is located.

Available Funds: \$780.30 (Park Bond Account)

Completed Activities: Survey and design.

Current Activity: Construction began on August 28th.

Schedule: Construction is anticipated to be complete in six months.

Webb Bridge Park Upper Field Turf

Project: This project would resurface the upper soccer field at Webb Bridge Park, replacing the existing natural grass with artificial turf. During the last soccer season 60% of the practices and games that were scheduled on this field were cancelled due to wet conditions while only 10% of scheduled events on the lower soccer field, which has artificial turf, had to be cancelled. Converting the upper field to artificial turf would greatly improve the playability, usage, and athletic experience for the Alpharetta soccer program.

Available Funds: \$1,321,715.00 (Park Bond & Sewer Connection Capital Accounts)

Completed Activities: Survey.

Current Activity: Sewer connection design team is working on finalizing plans.

Schedule: Design team anticipates submitting plans to Fulton County for permitting by the end of October 2023. Fulton County permitting process is anticipated to be completed in December 2023.

Current plan is to simultaneously bid out the construction of the sewer connection and the design/build of the turf field replacement. Construction of the sewer connection should take approximately 90 days. While the sewer connection is under construction, design of the turf field will take place. Construction of the turf field is anticipated to begin in November 2024, after the soccer season concludes, and be completed in March 2025.

Other Notes: Staff originally estimated design of the sewer connection at \$135,000 & construction at \$740,000 – for a total of \$875,000. Survey & design has been acquired for \$91,615.

Design team presented two options. Traditional gravity flow to lift station per the concept developed by staff and a low-pressure pump solution. Staff has directed design team to move forward with the low-pressure pump solution.

- Initial construction estimate was \$705,270 for the gravity scenario and \$412,500 for the low pressure pump scenario (both include a 20% contingency).
- Low-pressure system is also anticipated to take 8 to 10 weeks less time to construct.

As of January 2023, RPCS was provided a budget cost of \$1,300,000 for design and construction of the turf field. The budget cost included: Design & permitting prep, E&S controls/restoration, Excavation, Geotextile, Perimeter piping, Concrete curb w/ nailer board, Turf w/ 70/30 infill, 2 soccer fields and 4 mini soccer fields. Not included in the scope were fencing, netting, and stormwater.

- Providing new fencing for the entirety of the field is estimated at \$33,600 (\$21/LF).
- Providing netting along half of the perimeter (western and southern edges) is estimated at \$180,000 (\$225/LF).

Based on current funding and budget/estimates, another \$43,000 is needed for the sewer and another \$562,600 for the turf field (excluding stormwater) – a total of \$605,600.

Wills Park Improvements

Project: At 120 acres, Wills Park is Alpharetta’s largest single park property and includes a 60-acre equestrian show facility, 10 baseball fields, the newly renovated Wills Park Pool, three playgrounds, six tennis courts, and an 18-hole disc golf course. The park amenities have been developed over the years, but until 2019 there was not a single vision or plan for the park and many of the park’s facilities are showing their age.

In 2019 the City adopted the Wills Park Master Plan, an effort to bring all of the park elements together and make it a more cohesive place that feels special and unique. The plans goals of the plan are to unite the various park facilities, identify key facility improvements, and strengthen connections to nearby neighborhoods.

The 2021 Parks Bond dedicates \$4 million of the bond funds to implementing projects defined in the Wills Park Master Plan, including a complete renovation of the Wacky World Playground, create additional parking, improve the disc golf course, completely rebuild the Waggy World Dog Park, and creating a family gathering spot near the pool facility.

Available Funds: \$5,211,101.00 (Park Bond, Impact Fees, & Hotel Motel Accounts)

Completed Activities: Survey, Conceptual Design, and restroom architectural design.

Current Activity: 90% plans for the Wacky World area and parking expansion were submitted on August 26, 2023. Plans are currently being finalized by design team based on comments provided by City Staff on September 14th.

Schedule: The Wacky World area phase (new restroom building and site work) will be advertised for construction in October 2023 with recommendation for award being presented to Council

in December 2023. Construction is anticipated to begin in January 2024 with a duration of one year.

Plans for the Gateways, Spine, and Waggy World improvements are anticipated to be completed in April 2024.

Other Notes: \$250,000 has been set aside for playground equipment and surface. This is in addition to the fundraising campaign. This leaves \$4,961,101 available for the other elements of this project.

Current Cost Estimates:

- \$846,453.92 – Construction cost estimate for restroom building (as of June 2022).
- \$5,179,873 – Construction cost estimate for site work of all phases (Spine Trailway, Gateways, Waggy World Improvements, Wacky World Area Improvements, and Parking Expansion). This amount includes a 20% Contingency and 5% Cost Escalation.
 - Elimination of the parking expansion is estimated to reduce the cost by \$678,251.
 - It may be possible to offset approximately \$390,260 of the estimate cost with stormwater funds.
 - These two items would adjust the estimated total of the remaining site work to be \$4,111,362
- Overall Total (Site + Restroom): \$6,026,326.92 (\$1,065,225.92 over)
 - Less Stormwater: \$5,636,066.92 (\$674,965.92 over)
 - Less Parking Expansion: \$5,348,075.92 (\$386,974.92 over)
 - Less Stmwtr & Parking Ex.: \$4,957,815.92 (in budget)
- Parking expansion would add 72 spaces at approximately \$9,420 per space.

Current plan is to include the parking expansion as an add alternate in the Wacky World area procurement. If the City elects not to move forward with it as part of that offering, it could then be included as an add alternate with the second phase procurement (Gateway, Spine, Waggy World).

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Wills Park Equestrian Center Improvements

Project: In 2019 the City adopted a master plan for the Equestrian Center as part of the larger Wills Park Master Plan. While the Wills Park Equestrian Center is older and smaller than some of its competitors, its neighborhood setting and shed row barns tucked into the trees give it an edge with a homey, boutique feeling and an in-town location. The master plan identified priority improvements that will better connect the facility to the larger Wills Park and the overall community while also better positioning the facility as a draw for regional events. These priorities include leveling rings and improving their drainage; new footing; an additional outdoor show ring; additional schooling areas at the end of show rings; new, safe barns; improved manure management; separate circulation for pedestrians, horses, and cars; and maximizing the continuity of operations during construction.

The 2021 Parks Bond Referendum would aid the City with beginning implementation of the Equestrian Center Master Plan by replacing all the existing barns on site with new horse

barns for a total of 380; renovating the three existing arenas to include improved drainage and erosion control, new footings, new fencing, and new lighting; improving drainage and stormwater management; and improving access to the barns and to the arenas.

The total anticipated project cost for this phase of the project is \$10 million; however, the remaining \$5 million in funding would be provided by a private non-profit organization, the Wills Park Equestrian Foundation.

Available Funds: \$3,535,620.61 (Park Bond Account)

Completed Activities: Survey, Conceptual Design, Renovation of Ring 3. (Construction of Ring 1 was accomplished with capital funding and was not part of the bond.)

Current Activity: Design team is working on developing plans for the Phase 1 design package which will focus on renovations to Rings 2 and 4.

Schedule: The Phase 1 plan set is anticipated to be completed in October 2023. Project is anticipated to advertise for construction bids by the end of 2023 with construction to begin in Spring 2024.

Plans for the remainder of the site should be completed in July 2024.

Other Notes: Project has been broken down into 3 phases:

- Phase 1: Renovations of Ring 2 and 4
- Phase 2: New entry drive, parking (front & rear), 3 new barns
- Phase 3: Promenade, entry gates/enhancements, 5 new barns
- The viewing pavilion between Rings 1 & 2, renovations to the existing concessions building, and renovations to the covered arena are not included in scope of this project.

The Equestrian Foundation has promised to provide \$5,000,000 towards the project. To date, they have contributed \$747,870 for work associated with the construction of Ring 1 and the renovation of Ring 3. This would leave a minimum remaining contribution of \$4,252,130 for a remaining total budget (City + Equestrian Foundation) of \$7,787,750.98.

The existing show office will need to be abated and demolished prior to renovation of Ring 2. This work is estimated to cost \$30,000.

Current Cost Estimates:

- The design team has reached out to five barn manufacturers for estimates. They have received costs ranging from \$468,080 to \$1,494,240.00 per barn.
 - A total of 8 barns are desired in the final build-out. Each barn provides 40 stalls.
- Using the average of all five manufacturers: \$19,719,287
- Using the lowest cost of the five manufacturers: \$14,058,189
- Approximately \$1.2M of the estimated costs may be eligible for stormwater funding.
- Construction of Phases 1 & 2 are targeted with current funding. Funding for Phase 3 would need to be programmed with future capital or bond monies.