



City of Alpharetta

Office of the City Clerk

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Public Hearing and City Council Meeting of May 18, 2015

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PUBLIC HEARING AND CITY COUNCIL MEETING SUMMARY

I. CALL TO ORDER

❖ *Mayor Belle Isle called the meeting to order at 7:30 p.m.*

II. ROLL CALL

Members Present:

Mayor Belle Isle, Mayor Pro Tem Aiken, Council Member Cross, Council Members Mitchell, Kennedy, Owens, and Gilvin

Members Absent:

None

Staff Present:

City Administrator Bob Regus, Assistant City Administrator James Drinkard, City Attorney Sam Thomas, City Clerk Coty Thigpen, Director of Community Development Kathi Cook, Director of Finance Tom Harris, Director of Public Safety Gary George, Director of Public Works Pete Sewczwicz

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes

1. Meeting Of April 27, 2015

❖ *Council Member Kennedy offered a motion to approve the Consent Agenda*

- *The motion received a second from Council Member Cross*
- *The motion passed by unanimous vote (7-0-0)*

V. CONVENTION CENTER

A. Update and Workshop

- City Administrator, Bob Regus, came forward to provide a brief update on the Convention Center.

Public comment

None

VI. PUBLIC HEARING

A. Z-14-15 / V-13-32: Academy Street Tract

NOTE: At the request of the applicant, this case has been deferred and will be neither heard nor considered during this meeting. The item will be placed on the City Council agenda for June 15, 2015.

Consideration of a request to rezone approximately 10.43 acres from R-12 to CUP as well as site plan approval. A variance to the CUP zoning land area is requested. The property is located at 76 Academy Street, 94 Academy Street, and 140 Academy Street.

B. Z-15-02 / CU-15-02 / V-15-13: City Center

Consideration of rezoning approximately 26 acres from C-2 and SU to MU in order to allow a mix of uses for office, civic, commercial, residential, park and open space. A conditional use to allow for-rent dwellings is also requested

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- Staff recommends Approval of Z-15-02/CU-15-02/V-15-13 MidCity Real Estate Partners/City Center request for a zoning change from SU, OP, C-2 and R-12 to MU with the following conditions:
 1. Property shall be zoned "MU" with a "Mixed Use" land use category.
 2. Retail/Restaurant and Residential shall be constructed concurrently.
 3. Property shall be developed substantially similar to the site plan presented.
 4. Residential density shall be limited to a maximum of 8 residential units per acre. For-rent residential shall be limited to 168 units.
 5. Square Footage Limitations:
 - Commercial (Retail/Restaurant) 104,400 square feet
 - Office 108,171 square feet (including City Hall and Library)
 6. Property shall be limited to following Uses:
 - Art Galleries
 - Academic Services/Tutoring
 - Alterations
 - Athletic Facilities/Fitness
 - Bakery
 - Barber Shop, Beauty Shop, Skin Care
 - Book Store or Stationery

Dance Studio
Dry Cleaning-Pick Up Station
Florist-Retail
Gourmet Food Store
Wine Store
Office (including medical and dental)
Restaurant
Retail Establishment
Shop or Studio Craftsman/Artist
Spa Services (conditional use)

7. Parcel 11 (corner of Thompson and Haynes Bridge Road) shall include a 10 foot wide multi-use trail from Haynes Bridge Road east through the property in the outer most 50 to 75 foot stream buffer.
8. The Detention /Retention Area shall be heavily landscaped and/or made into an amenity area with final approval by Staff.
9. Residential buildings 1-6 and buildings 21, 43-45 shall have their front door facing towards Haynes Bridge Road to create a strong, consistent edge. Architecture of For-Sale homes shall be similar to submitted elevations and include formal gardens and stone walls as depicted. Final approval by Staff.
10. Buildings adjacent to town green shall not exceed 750 sf each and 50% of the total perimeter walls shall be transparent.
11. On buildings facing Main Street, façade shall be a minimum 24 feet high, with the exception of the renovated Jones House.
12. Parcel 7 shall have 4 and 3 story height with mixed roof types in order to appear as separate buildings, some being flat and other with gables with final approval by the Design Review Board.
13. All "store front" streets shall contain retail and restaurant on the first floor. A retail/restaurant use shall not be required on Parcel 7 and Parcel 4 on the side fronting Park Plaza or Academy Street. Office uses are permissible on the mitered corners facing City Hall. One (1) first floor space, approximately 20 feet wide, for a Real Estate Sales office is permitted on Parcel 4.
14. There shall be one entrance/exit of approximately 15 feet wide on Parcel 7 facing Parcel 4 for residential entrance/exit.
15. Lighting plans will be submitted for review and will be approved by Design Review Board.
16. "For-rent" residential shall be limited to a maximum of 168 units with only one and two bedroom units permitted.
17. "For-rent" residential shall follow standards established for dwellings within the Central Business and ground floor residential units shall:
 - a. Be oriented to the sidewalk.
 - b. Provide individual unit entrance from the exterior of the building.
 - c. Provide individual stoops or porches.
 - d. Provide a minimum of one (1) ground floor window facing the sidewalk
18. Brick sidewalks matching that of the style of the City's brick sidewalks shall be installed. The corner of Haynes Bridge Road and Thompson Street shall include significant landscaping and seating area, final approval by Staff.

19. All building architecture including the parking garage addition shall adhere to the Alpharetta Downtown City Center Development Guidelines with final approval by the Design Review Board.
 20. Property adjacent to Publix shall require a minimum 5' landscape buffer.
 21. Northwest corner of property adjacent to Publix shall be heavily landscaped with final approval by Staff.
 22. There shall be no more than two domestic centralized solid waste deposit locations for commercial facilities.
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- The subject property is located on the south side of Academy Street and east of Main Street and north of Thompson Street and is currently zoned SU, OP, C-2 and R-12 and designated by the City's Comprehensive Land Use Plan for "Central Business District" and "High Density Residential" land use. The subject property is adjacent on the west to property that is zoned C2 and SU, property to the north and east zoned R-12, and property to the south zoned C2 and OP.
 - The property for consideration includes the location of City Hall, Fulton County library, green/park space and parking garage as property located at Haynes Bridge and Thompson Street.
 - The total area for consideration within this application is approximately 26 acres. The requested MU zoning is in compliance with the Future Land Use Map designation of "Central Business District" described as a "Mixed Use Development typical of a traditional downtown including offices, shops, residences and civic uses" and "High Density Residential" which permits up to 10 units per acre and "for rent" residential.
 - The applicant proposes to build 104,000 square feet of commercial space, including restaurants, outdoor dining area, retail and other approved uses. Also, 29,950 square feet of office (excluding any approved office space located in commercial space on the ground floor of Parcels 4 and 7), 168 residential 'for rent' units and 42 detached single family homes at the corner of Haynes Bridge Road and Thomson Street are proposed. The building heights are limited to 4 stories.
 - The 'for rent' units will include a mix of 1 and 2 bedroom units from 750 to 950 square feet for 1 bedroom and 1000 to 1,500 square feet for the 2 bedroom units. Rents for the units will be \$1200 to \$3000 per month. The units are proposed over retail and office within Parcels 7 and 4. Required parking will be met for these units and an addition to the existing parking deck is planned.
 - The recently approved Downtown Master Plan provides a market viability study that states there is a five year demand potential of 315 – 340 mixed use rental flats. The rental units are recommended as a part of a mixed use development as presented and not as a stand-alone product.

- Standards for rental buildings were recently adopted by the City and the applicant will be required to meet those requirements including providing direct street walk-outs with minimum balcony requirements as well as amenity requirements.
- The current status of the "For Sale" units to the "For Rent" units count in Alpharetta is 18,232 single family homes and 6,012 apartments or approximately 25% of the total homes.
- For-sale residential is proposed at the corner of Haynes Bridge Road and Thompson Street. 42 single family homes on approximately 5.5 acres are proposed by Hedgewood. The homes will be larger than 2500 square feet and will cost \$500,000 and higher. The Downtown Master Plan study determined a five-year demand potential of 40 – 45 single family homes.
- The applicant's plan will include a multi-use walking trail within the stream buffer in order to provide for future connectivity between Avalon and downtown. A significant landscape area at the corner of Thompson Street and Haynes Bridge Road should be provided.
- Residential development is known to increase school enrollment. Fulton County calculated the potential maximum number of children who may live on the property by using the Fulton County schools standard calculation to distinguish 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 32 - 120 school age children. Manning Oaks Elementary and Alpharetta High School can meet demand; however, Hopewell Middle School is currently shown to be over capacity.
- The commercial properties are located on the front parcels facing Main Street and Academy Street with multiple restaurants. In addition, there are two single story restaurants facing into the green, and the renovation of the Miller House for a restaurant is also proposed.
- The buildings as currently depicted on the town green may block the views of the green from the adjacent buildings. These two buildings could be built on the back of the parcel facing Main Street and Academy Street on the fourth corner.
- The buildings facing Main Street should be more than one story or a least a minimum height. If they are one story then a minimum of 18 feet to 24 feet tall should be required. This should help with massing of structures and help with the transition to three and four story buildings east of the buildings on Parcel 7.
- Parcel 3 includes the old Jones House which will become a restaurant and a 29,950 square footage office building with office on the upper floors and commercial/retail on the ground floor with parking behind it.

- Parcel 4 will provide retail on the ground floor with a use of 1 space approximately 20 feet wide for a sales center with residential above and Parcel 7 will also have commercial/retail on the ground floor.
- Parking for the downtown area is provided in the new 450 space parking garage and on the street with 124 spaces as well as additional parking constructed by the applicant. This does not include parking on Main Street or Academy Street. The residential portions of the project will provide 156 new parking spaces on Parcel 7. 160 spaces are proposed to be added to the existing City parking garage.
- Additional parking is proposed with surface lots providing approximately 132 spaces for a total parking supply of 1022 spaces. The applicant provided a shared parking analysis indicating a peak average weekday demand of 921 spaces, including the Library and City Hall, which can be accommodated with the planned improvements.
- They are 80 employees of City Hall who use the parking from approximately 8:00 am to 5:00 pm Monday through Friday. The Library contains 32 spaces on their site and has reserved up to 50 spaces in the parking deck.
- Open space is accommodated with the 5.75 acres of public space that is provided on the site. It includes the town green and the large park to the rear of City Hall.
- Additional open and green space is provided for on the west side of Haynes Bridge Road and open space is provided for on parcels at the corner of Main Street and Academy Street and south of the Miller House towards Parcel 13. The site includes several outdoor dining areas.
- If approved as submitted approximately 510 residents could reside on the property. The provided 5.75 acres of green/public space meets the goal of 10 acres for every 1000 residents stated in the Recreation and Parks 2025 Master Plan and further stated in the Mixed Use zoning district.
- City Staff has reviewed the applicant's proposal and is of the opinion that the proposal can be supported with conditions that address the massing, building siting, architecture as well as landscaping and streetscapes. The MU district is intended to promote specific objectives. Staff found that the following objectives have been addressed within the master plan:
 1. Retail at ground level.
 2. Pedestrian connectivity to all uses.
 3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
 4. Accommodations for public transportation.
 5. Buildings that face or appear to face public roadways.
 6. Appearance standards for buildings and structured parking.
 7. Limitations on uninterrupted building elevations.
 8. Creation of vistas and view corridors within development.

9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features
11. Block lengths conducive to pedestrian traffic.
12. Attractive and usable street furniture in public spaces.
13. Jobs captured on site.

- The applicant notified everyone within 500 feet of the intent for the property. The applicant met with the neighbors and held two open houses. The comments received
- This item was heard at the May 11 Planning Commission meeting. Two people were present that spoke in favor of the proposal and eight spoke against the proposal. After discussion regarding concerns about the restaurants proposed on the town green, the number of residential for-rent units and City Hall visibility the Planning Commission voted (5-2) to recommend approval of the request.

Applicant's presentation:

- Kirk Demetrops, Mid-City partners, came forward to provide a brief overview of application and introduce the team
- Cheri Morris, of Morris and Fellows, came forward to discuss the individual parcels
- John Long, South City Partners, came forward to discuss the residential 'for rent' component
- Pam Sessions, Hedgewood, came forward to discuss the residential 'for sale' component
- Jeffrey, of Kimley Horn, came forward to discuss the traffic study

Public Comment

- Ron Kurtz, 2426 Loxford lane, Alpharetta, GA, came forward to speak on this item
- Alexander Williamson, 12535 Wexcroft Lane, Alpharetta, GA, came forward to speak on this item
- Tom Miller, 4025 Walnut Creek Trail, Alpharetta, GA, came forward to speak on this item
- Frank Wingate, 610 Flying Scot Way, Alpharetta, GA, came forward to speak on this item
- Kevin Myers, 4415 Avalon Blvd, Alpharetta, GA, came forward to speak on this item
- Lee Wilson, 4511 Avalon Blvd, Alpharetta, GA, came forward to speak on this item

❖ *Council Member Kennedy offered a motion to table*

❖ *Council Member Kennedy withdrew the motion to table*

❖ *Council Member Kennedy offered a motion to approve Z-15-02 / CU-15-02 / V-15-13: City Center with Planning Commission conditions with a few changes:*

- *Condition #6 – adding nail salon and fine arts performance center as allowed use*

- *Condition #10 – changing back to staff conditions, allowing maximum or shall not exceed number of 1760 square feet to the town green buildings with the final elevations to be approved by Council as a conditional use at a Public Hearing*
- *Condition #11 – for buildings facing Main Street, façade have a minimum of 24 feet high with exception of Jones House and any buildings along the town green*
- *Condition #12 – adding final approval to be by staff and DRB*
- *Condition #19 – adding final approval to be by staff and DRB*
- *Condition #21- changing wording on the property location to 'property located north of Haynes Bridge Road roundabout shall be heavily landscaped with final approval by staff'*
- *Condition #22 – changing to 'solid waste deposit locations shall be screened and location to be approved by staff'*
- *The motion received a second from Council Member Cross*
- *The motion passed by unanimous vote (5-0-2); Gilvin and Aiken voting no*

C. PH-15-05: UDC Amendment - Telecommunications Equipment

Consideration of changes to the Unified Development Code telecommunications standards.

- Assistant City Attorney, Scott Hasteley, came forward to present this item
- City Attorney, Sam Thomas, read the Ordinance aloud, constituting a 1st reading

Public Comment

- Randy Kilgore, 515 Bisland Ct, Alpharetta, GA, came forward to speak on this item
- Peter Corry, 341 Londonberry Rd, Atlanta, GA, came forward to speak on this item

❖ *Council Member Owens offered a motion to adopt the amended ordinance and definitions for communications towers as read into the record by the City Attorney*

- *The motion received a second from Council Member Cross*
- *The motion passed by unanimous vote (7-0-0)*

D. PH-15-12: Road Abandonment: Teasley Street

Consideration of abandonment of a portion of the Teasley Street Right of Way. The street is located north of Milton Avenue and south of School Drive within Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

❖ *Mayor Belle Isle recused himself from this item*

- Senior Engineer, Eric Graves, came forward to present this item on behalf of staff
- Staff recommends approval of PH-15-12, Teasley Street abandonment of the remaining .056 acre portion of Teasley Street subject to mutually agreeable terms for the sale and/or transfer of the property.
- Teasley Street was a City maintained right of way that extends north from Milton Avenue. River Rock Development is proposing the abandonment and plans to use the property for an expansion of their mixed-use center.
- The portion of Teasley Street that is proposed for abandonment is less than half of the original right of way. In November 27th of 2000 the original portion was abandoned at the request of Alpharetta Development Authority for parking for the Coro building. The Coro building was never built and therefore the right of way stayed in the control of the City.
- The subject right of way to be abandoned is approximately 50 feet long and 40 feet wide. The parcel is .056 acres or 2,433 square feet.
- Teasley Street is not currently maintained or utilized for vehicular traffic.
- City Attorney, Sam Thomas, read the Resolution aloud

Public Comment

None

❖ *Council Member Kennedy offered a motion to adopt the Resolution*

- *The motion received a second from Council Member Owens*
- *The motion passed by unanimous vote (6-0-0)*

E. PH-15-04: Capital Improvement Element

Consideration of a resolution authorizing transmittal of the Capital Improvement Element to the Georgia Department of Community Affairs.

- Senior Engineer, Eric Graves, came forward to present this item on behalf of staff
- The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Short-Term Work Program (STWP) and Capital Improvement

Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.

- The STWP is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions. The CIE details on an annualized basis the collection and use of funds derived from impact fees. Together these documents provide a means of tracking local government performance and serve as a tool for measuring progress with respect to achieving community goals as outlined in the Comprehensive Plan.
- The City of Alpharetta is required to transmit its annual update of the Short-Term Work Program and Capital Improvement Element to the Atlanta Regional Commission by the end of July in order to ensure that there is sufficient time to review the documents and adopt them by the June 30th deadline.
- Sam Thomas read the resolution aloud

Public Comment

None

- ❖ *Council Member Kennedy offered a motion to adopt the Resolution*
 - *The motion received a second from Council Member Owens*
 - *The motion passed by unanimous vote (7-0-0)*

VII. NEW BUSINESS

A. Finance

1. FY 2016 Recommended Budget: Operating And Capital Initiatives

- Finance Director Tom Harris and City Administrator, Bob Regus, came forward to discuss operating and capital initiatives proposed for the FY2016 budget

Public Comment

- Ann Scoggins, 1975 Willshire Glen, Alpharetta, GA, came forward to speak on this item
- Susan Collins, 1135 Marka Lane, Alpharetta, GA, came forward to speak on this item
- Jack Flowers, 5265 Porter Lane, Gainesville, GA, came forward to speak on this item

B. Public Works

1. State Route 9 Streetscape Improvement Project

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff

- Staff requests approval of Change Order #2 in the amount of \$298,984.40 to Georgia Development Partners, LLC for construction of the pedestrian and vehicular improvements along Old Roswell Street, pedestrian improvements to Jones Alley, and authorize the Mayor to execute all necessary documents.
- On January 26, 2015, City Council awarded Georgia Development Partners, LLC the contract for construction of the S.R. 9 Roadway / Streetscape Improvements - Marietta Street to Academy Street Project. Georgia Development Partners (GDP) has progressed nicely with the project, even with the rain events we have received. Additionally, GDP has maintained excellent working relationships with property owners as well as merchants throughout the construction. Given the proximity of Old Roswell Street and Jones Alley to the Main Street project and their work performance, the Department of Public Works approached GDP and inquired about an owner driven change order to construct improvements along Old Roswell Street and Jones Alley.
- Improvements at Old Roswell Street and Milton Avenue were part of the FY 2015 Capital Budget. The initial scope included installing a right turn only movement from Old Roswell Street to Milton Avenue. This improvement, with the improvements on Old Canton Street enables the City to eliminate the median on Milton Avenue. Improvements on Old Canton Street are complete, the median has been removed, and temporary bollards have been installed on Old Roswell Street to permit only right turn movements onto Milton Avenue. Due to the proposed Jones Alley Improvements the original scope of work has increased to include wide sidewalks and improvements to drainage. The proposed change order to GDP is to construct concrete curbing (1,000 LF), installing wide brick paver sidewalks (4,500 SF), installing new stormwater structures and pipe (360 LF) to improve drainage, and milling and resurfacing Old Roswell Street within the project limits (490 SY). The cost associated with the improvements along Old Roswell Street is \$181,276.03.
- Improvements to Jones Alley are also part of the proposed change order. Proposed improvements consist of installing a brick paver patio/walkway from Main Street to Old Roswell Street, retaining walls to accommodate a handicap ramp from Old Roswell Street and steps to access the patio/walkway from both Old Roswell Street and Main Street, and a modular block retaining wall for a future planter. The steps will be constructed out of concrete and the retaining walls will be veneered with brick (see attached exhibits). The cost associated with these improvements is \$107,708.37, of which \$45,387.00 will be funded in accordance with the executed Intergovernmental Agreement/Lease with the Alpharetta Development Authority.
- The total cost of Change Order #2 is \$288,984.40. Thus the contract amount will increase from \$2,133,409.45 to \$2,422,393.85. The scope of work included in Change Order #2 will not require an additional 30 days to be added to the contract. The Department of Public Works has reviewed the unit pricing for Change Order #2 and has found it in line with the base contract pricing.

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve Change Order #2 with Georgia Development partners in an amount not to exceed \$298,985.00 for the construction of the pedestrian and vehicular improvements along Old Roswell Street, pedestrian improvements to Jones Alley, and authorize the Mayor to execute all necessary documents*
 - *The motion received a second from Council Member Cross*
 - *The motion passed by unanimous vote (7-0-0)*

2. Purchase Of Box Dump Truck

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests that Council authorize the purchase of a 2016 Ford F-750 Box Dump Truck in the amount of \$81,738.00 from Wade Ford Fleet and Government Sales on State Contract # 99999-SPD-SPD0000039-00039.
- The Public Works Department budgeted for a Ford F-750 Box Dump Truck to replace a 1994 Ford F-800 Box Dump Truck for FY2015. The F-800 has 29,880 miles and warrants replacement based on age and increasing repair costs. Due to its age, the expense of maintaining this truck is rapidly increasing and the repair parts are becoming increasingly harder to locate. The work routinely performed by dump-bodied trucks causes the body and chassis of these vehicles to wear out more rapidly than many other trucks. Staff researched the benefits of purchasing an F-750 Box Dump Truck with a gasoline engine rather than an F-750 with a diesel engine, and decided that the F-750 Box Dump Truck with a gasoline engine would provide cost savings at the time of purchase, as well as, approximately \$3,000.00 to \$5,000.00 savings on routine/preventive maintenance over the life of the truck. The F-750 Box Dump Truck would also be used to transport equipment and materials that requires trailer transporting.
- The new truck will be purchased from Wade Ford Fleet and Government Sales on State Contract # 99999-SPD-SPD0000039-00039. The cost of a 2016 Ford F-750 Box Dump Truck is \$81,738.00. Approximate delivery time is 150 - 180 days after receipt of the Purchase Order. Per policy, the vehicle being replaced will be surplus by the Finance Department. The total expenditure, including all lighting and accessories for this vehicle, is \$81,738.00.

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve the purchase of a 2016 Ford F-750 Box Dump Truck in the amount of \$81,738.00 from Wade Ford Fleet and Government Sales on State Contract*
 - *The motion received a second from Council Member Mitchell*
 - *The motion passed by unanimous vote (7-0-0)*

VIII. PUBLIC COMMENTS

- Don Nahser, 305 Karen Dr, Alpharetta, GA, came forward to speak about parking meters

IX. REPORTS

- Council Member Aiken recognized Fire Capt. Jim Darling who was named EMS Coordinator for Region 3
- Council Member Gilvin read a letter from Shuntel Beach, of the Recreation Commission, thanking the Recreation and Parks Department for making the Kings Ridge 5k such a success
- Council Member Owens recognized public works department for a job well done as reported by a citizen who had an issue with some overhanging limbs. Council Member Owens also thanked public works and public safety for their behind the scenes work to ensure Taste of Alpharetta ran smoothly and safely.

X. WORKSHOP

A. Update On Milton Greenway Extension Project

- ❖ *This item will be heard at a later date*

XI. ADJOURNMENT

- ❖ *Mayor Belle Isle adjourned the meeting at 11:57 p.m.*