

Regular Meeting of the Sandy Springs City Council was held on Tuesday, May 21, 2013, at 6:00 p.m., Mayor Eva Galambos presiding.

INVOCATION

Rabbi Ron Segal, Temple Sinai, offered the invocation.

CALL TO ORDER

Mayor Eva Galambos called the meeting to order at 6:07 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

Assistant City Clerk Kelly Bogner reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

Assistant City Clerk Bogner called the roll.

Mayor: Mayor Eva Galambos present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, Councilmember Tibby DeJulio, and Councilmember Karen Meinzen McEnergy present.

PLEDGE OF ALLEGIANCE

Meeting Page Imani Phillips led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Sterling moved to approve the Regular Meeting agenda for May 21, 2013. Councilmember Fries seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 13-069)

1. Meeting Minutes:
 - a) May 7, 2013 Regular Meeting
 - b) April 30, 2013 Budget Workshop #1
 - c) April 30, 2013 Special Called Meeting
 - d) May 7, 2013 Budget Workshop #2

(Michael Casey, City Clerk)

(Agenda Item No. 13-070)

2. Consideration of the Acceptance of the Permanent Drainage Easement (282 Underwood Drive)
(Garrin Coleman, Director of Public Works,)
Resolution No. 2013-05-30

(Agenda Item No. 13-071)

3. Consideration of the Acceptance of the Dedication of Right of Way Deed as Part of the Zoning Requirements (433-463 Johnson Ferry Road)

(Garrin Coleman, Director of Public Works,)

Resolution No. 2013-05-31

(Agenda Item No. 13-072)

4. Consideration of Issuance of Task Order to InterDev for Information Services

(John McDonough, City Manager)

(Agenda Item No. 13-073)

5. Consideration of Issuance of Task Order to ST Services of Georgia for Financial Services

(John McDonough, City Manager)

(Agenda Item No. 13-074)

6. Consideration of Issuance of Task Order to The Collaborative for Communications Services

(John McDonough, City Manager)

(Agenda Item No. 13-075)

7. Consideration of Issuance of Task Order to The Collaborative for Community Development Services

(John McDonough, City Manager)

(Agenda Item No. 13-076)

8. Consideration of Issuance of Task Order to URS for Public Works Services

(John McDonough, City Manager)

(Agenda Item No. 13-077)

9. Consideration of Issuance of Task Order to Jacobs Engineering for Recreation and Parks Services

(John McDonough, City Manager)

(Agenda Item No. 13-078)

10. Consideration of Issuance of Task Order to Jacobs Engineering for Municipal Court Services

(John McDonough, City Manager)

(Agenda Item No. 13-079)

11. Consideration of Issuance of Task Order to CH2M Hill for Call Center Services

(John McDonough, City Manager)

Motion and Vote: Councilmember DeJulio moved to approve the Consent Agenda for May 21, 2013. Councilmember Paulson seconded the motion. The motion carried unanimously

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

Assistant City Clerk Kelly Bogner read the rules for the Public Hearings segment of the meeting.

Alcoholic Beverage License

(Agenda Item No. 13-080)

1. Approval of Alcoholic Beverage License Application for Beer & Wine Craft at 220 Sandy Springs Circle, Sandy Springs, Georgia 30328. Applicant is Joseph R. Keenan for Manufacturer Wine (Farm Winery)

Revenue Supervisor John Cruse stated this item is a new application for an alcohol beverage license for Beer & Wine Craft. The applicant has met all requirements and staff recommends approval.

Joseph Keenan, 5200 Timber Trail, stated Beer & Wine Craft is unique to Sandy Springs. A beer and wine craft store has been operating in the City for seventeen years. This store is the oldest in the State of Georgia and the southeast. If the application is approved, customers can purchase a wine kit, make the wine in the store, and then take the wine home. The store will also have a wine tasting room.

Councilmember Chip Collins asked if Mr. Keenan relocated his business.

Mr. Keenan responded yes. His business was located next to Tuesday Morning and recently moved next to Brooklyn Café, on January 23, 2013.

Mayor Eva Galambos called for public comments in support or opposition to the application. There were no public comments. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 13-080, Alcoholic Beverage License Application for Beer & Wine Craft at 220 Sandy Springs Circle, for manufacturer wine (Farm Winery). Councilmember Sterling seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-081)

2. Approval of Alcoholic Beverage License Application for Sam's Mart #516 at 7800 Holcomb Bridge Rd, Sandy Springs, Georgia 30092. Applicant is Medhat S. Karout for Retail/Package Wine & Malt Beverage

Revenue Supervisor John Cruse stated this item is a change of ownership application for retail/package, wine, and malt beverage. The applicant has met all requirements and staff recommends approval.

Mayor Eva Galambos called for public comments in support or opposition to the application. There were no public comments. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 13-081, Alcoholic Beverage License Application for Sam's Mart #516 at 7800 Holcomb Bridge Rd, for retail/package wine & malt beverage. Councilmember Fries seconded the motion. The motion carried unanimously.

Rezoning

(Agenda Item No. 13-082)

3. **201300353** - 6445 Roswell Road, Applicant: Lindsay Warren, To rezone from C-1 (Commercial Business District) to C-2 (Commercial District) with a Use Permit and concurrent variances to allow a Doggy Day Care Facility

Manager of Planning and Zoning Patrice Dickerson stated this item was presented at the April 18, 2013, Planning Commission meeting. The applicant is requesting withdrawal of the application. Both staff and the Planning Commission support the withdrawal.

Lindsay Warren, 3854 Admiral Drive, stated she is the applicant and is requesting the application be withdrawn.

Mayor Eva Galambos called for public comments in support of or opposition to the application. There were no public comments. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember Sterling moved to approve the withdrawal of Agenda Item No. 13-082, rezoning application 201300353 - 6445 Roswell Road, Applicant: Lindsay Warren, to rezone from C-1 (Commercial Business District) to C-2 (Commercial District) with a Use Permit and concurrent variances to allow a Doggy Day Care Facility. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-083)

4. **201300397 - 6890 Peachtree Dunwoody Road**, Applicant: Javad Oskoei, To rezone from O-I (Office and Institutional District) to A-L (Apartment Limited Dwelling District), with concurrent Variances to allow 19 residential units

Manager of Planning and Zoning Patrice Dickerson stated this item is a rezoning request from O-I to A-L to allow a 19 unit apartment building. The applicant has requested a deferral. Staff and the Planning Commission both recommend deferral.

Nathan Hendricks, Representative of the applicant, stated the reason for the request is to revise the site plan and to reduce the spring buffer variance.

Mayor Eva Galambos called for public comments in support of the application. There were no public comments.

Mayor Galambos called for public comments in opposition to the application.

Tochie Blad, 7320 Hunters Branch Drive, stated she represents the Sandy Springs Council of Neighborhoods. The neighborhood opposes the deferral and does not understand what will be improved if the site plan is revised. The issue is that Marsh Creek is at the bottom of a steep ravine with only .9 acres. The applicant is trying force 19 apartment units onto this small site. The reason the property was zoned office conditional is because of the site constraints. She is concerned that no matter where the fire lane and trash dumpster are located, both will be in the creek buffer. She asked Council to consider this when making a zoning decision.

Mayor Galambos closed the public hearing.

Councilmember Gabriel Sterling asked what the difference is between denial and deferral of this item.

Manager of Planning and Zoning Dickerson stated if Council denies the item, the applicant cannot reapply for six months. If Council defers the item to the Planning Commission meeting, it would be deferred to the June Planning Commission meeting and the July City Council meeting.

Councilmember Sterling stated he has reviewed the site plan and he does not know how it would be possible to construct anything on this property without it being in the stream buffer.

Motion and Vote: Councilmember Sterling moved to defer Agenda Item No. 13-083, 201300397 - 6890 Peachtree Dunwoody Road, Applicant: Javad Oskoei, To rezone from O-I (Office and Institutional District) to A-L (Apartment Limited Dwelling District), with concurrent variances to allow 19 residential units, to the June 20, 2013 Planning Commission meeting and the July 16, 2013 City Council Meeting. Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-084)

5. **201300437 - 5776-5880 Glenridge Drive**, Applicant: Pulte Group, to rezone the subject property from R-2 (Single Family Dwelling District) to TR (Townhouse Residential District) to allow the development of 63 townhomes

Manager of Planning and Zoning Patrice Dickerson stated this request was heard by the Planning Commission at the April 18, 2013 meeting. Staff recommends approval conditional of the request and the Planning Commission recommends approval subject to staff conditions as amended.

Nathan Hendricks, Representative of the applicant, stated the application is to rezone to the TR district for a total of 63 townhomes with a density of 7.65 units to the acre. The City's Comprehensive Land Use Plan recommends residential to be 5 – 8 units to the acre. When driving on I-285 to Glenridge Drive, the first thing you see on the westerly side is the Glenridge medical office building. The subject property is adjacent to the medical office building. Next to the medical office building is Sutter's Point with 6.59 units to the acre. During the deferral period, the applicant has spent a tremendous amount of time engaged with the Glenridge Hammond homeowners association. Eight conditions were added at the Planning Commission meeting, which are part of the package.

Mayor Eva Galambos called for public comments in support of the application.

Bill Collier, 66 Goldrush Circle, stated he is President of Sutter's Point homeowners association. Real estate appraisers have difficulty appraising this property because there are no comparable sales in the area. The neighborhood realizes the value of this project. Sandy Springs needs more townhomes and condominiums at this price point in order to attract the young professionals that work in this area. He encouraged Council to approve this project for the community.

Lauren Panetta, 689 Lockton Place, stated she is the President of Glenridge Heights homeowners association. In 2008, after Williams Craft discontinued construction, there was a lot that became a tree farm and also a place for criminal activity. Pulte Homes has since purchased the property. There was nervousness over what type of product Pulte would construct. Pulte met with the homeowners and assured them the new development will blend into the current homes. Pulte has done just that, and within the last year the residents have seen property values increase by several thousands of dollars. She feels confident that having a product like this will enhance Sandy Springs, as well as continue to increase property values. She is pleased with the residents that have purchased in the community. She asked that Council approve this request.

Mayor Galambos called for public comments in opposition to the application.

Doug Falciglia, 5925 Brookgreen Road, stated he is the President of the Glenridge Hammond neighborhood association. The discussions with Pulte have been amicable and sometimes challenging. The neighborhood is not against redevelopment, but instead wants to see the property improved. It is important to strive to have desired conditions in the plan, should it be approved. He asked that Council not interpret this as a full support, as it is now before Council. Conditions are of the utmost importance, regardless of who develops the property. From the onset of this process the neighborhood recommended that Pulte Group use the Johnson Creek development, as it relates to the Whispering Pines, as a model for the transition. There were concerns raised about the proposed price point. There are a number of

conditions that have been agreed upon, but there are still outstanding issues. One item that has yet to be determined is what the front facade of the buildings on Glenforest and Glenridge will look like. Pulte Group provided a few facade elevations to review. The neighborhood had an architect make a number of revisions on what the elevations should look like. The neighborhood would like to see their recommended changes incorporated into the plan. This area is a gateway into Sandy Springs and the project should be reflective of that status. The neighborhood and the City will be left with what the developer creates after they depart. He asked that Council take this information into consideration.

Chris Carlson, 5805 Timberlane Terrance, stated he lives directly behind the proposed Pulte development. He is speaking on behalf of his neighbors who are in attendance. The neighbors' quality of life and property values will be most directly affected by the product that Pulte proposes to develop. The neighborhood is concerned about transition. The townhomes that were originally proposed consisted of rearward facing siding structures reminiscent of institutional Class C apartments. In a subsequent meeting with Pulte, a compromise was discussed to allow the southern half rear of the townhomes to be brick and the north half rear to be siding. All brick along the western portion of the property is the most appropriate facade. This would be consistent with the all brick facades on most of the homes in the Glenridge Forest neighborhood. The City continually emphasizes the need for commercial and multi-family homes. The Lakeside project across the street is now approved for 520 apartment units fronting on Glenridge Drive. The logical solution for the smooth transition of apartments to the large lot single family homes in this protected neighborhood is to build townhouses on Glenridge Drive and detached two story single family cluster homes abutting the rear of this neighborhood's single family homes. Any reduction in density resulting from building detached homes can easily be regained by building three story structures on Glenridge Drive. Any increase in cost can be recovered by increasing the selling price point. Attached townhouses and detached cluster homes is consistent with the Johnson Creek development on Johnson Ferry Road. Johnson Creek is a successful mix of all brick three story townhomes and all brick detached cluster homes abutting the Whispering Pines single family neighborhood. Johnson Creek should be the model for the development abutting the homes in Glenridge Forest. To be consistent with the new homes, the \$350,000 price point and starter home construction quality of Pulte's proposed product is way too low. Existing and newly renovated all brick homes have recently sold for \$700,000 to \$800,000. The neighborhood and location can easily support a much higher quality townhome product in the \$450,000 range and detached homes in the \$550,000 to \$650,000 range, as evidenced by home sales in the area. Pulte originally proposed a black vinyl coated chain link fence between the project and the adjacent neighborhood. The neighbors have discussed their desire for a six foot masonry wall. In recent conversations that requirement was reduced to a six foot black metal picket fence with brick columns at the edge of each of the single family property lines. Pulte has agreed to the metal fence, but not to the separating columns. The columns would be consistent with the new and renovated homes in the area and is consistent with the proposed fence along the frontage on Glenridge Drive. The neighborhood is in favor of the property being developed as quality residential.

Councilmember Chip Collins asked if Mr. Carlson has a list of the additional conditions the neighborhood would like added.

Nancy Leathers, Representative of the neighborhoods, stated the conditions in the case are the conditions the neighborhood and the applicant have agreed to. The outstanding issue is the neighbors are asking for single family detached homes and the brick columns at the property lines. Currently, the applicant has two brick columns on the west side, one at the north property line and one at the south property line.

Councilmember Collins asked about what would be in the middle of the brick columns.

Ms. Leathers stated the proposal is a metal fence with metal columns, but no brick columns.

Garen Smith, Director of Land Acquisition for Pulte Group, stated there are issues with the conditions the neighborhood is asking for. One issue is the transition. There is a depth of 300 feet from Glenridge Drive to the neighborhood's back property line. There are perimeter setbacks for the TR zoning of 40 feet and a 50 foot right-of-way in the middle. The site is very limited in space. Several changes have been made on the materials that will be placed on the rear of the townhomes. The backs of the neighborhood homes are not all uniformly brick, even though they are mostly brick. The newer homes in the area have siding on the back similar to the proposed Pulte homes. Siding is low maintenance and a very nice product. Pulte has agreed to place brick on the back of the homes that will be more visible. Lots 19-40 will all have brick on the rear facade. The price point is very important for resale. Pulte is not serving different buyers. A buyer that wants to spend a lot of money has alternatives outside of a townhome community for a detached home. What ends up happening is trading a dollar per square foot decision for a buyer that wants more space. The \$1 per square foot for a townhome at 2,300 square feet will produce a particular selling price. The Johnson Creek community is not consistent with the values in Sandy Springs. Currently, an existing factor is the chain link fence that was built when the homes were built. The materials have undergone substantial improvements over time as technologies come to the building industry. Pulte has agreed to the wrought iron fence. If brick columns are installed at every property line on the west property side that would be 13 columns, 7 feet in height, and 2 feet wide. Each column costs \$4,000. It is not just about the brick on the column, but the installation to make it work. Pulte would agree to add a few more brick columns. The columns may not be as visible due to landscaping required. He suggested placing a brick column on every Pulte homeowners existing corner property line, which would result in 9 columns. He would agree to add more columns.

Councilmember Collins stated adding more columns would benefit the buyers to the townhomes.

Mayor Galambos closed the public hearing.

Councilmember Tibby DeJulio stated the property being discussed is in his district. He purchased his home in 1985 and this property was very underdeveloped and has not improved since. He is in favor of the property being redeveloped in the best interest of the neighborhood. The Glenridge Hammond Hills is a wonderful, unique, and growing community. Two to three years ago homes in this neighborhood were not selling, but now many of them are being sold. Some of the houses are being bought and renovated or torn down and new houses built. This project is a jewel for the City and the neighborhood needs to be protected. The Johnson Creek townhomes are a good example of a successful development. The last townhome sold in that community for \$300,000, but the last single family home sold for \$579,000. The back of the property going to detached single family homes is a great transition. He agrees with the additional brick columns. The City desires quality housing. A product is needed that enhances Sandy Springs and adds to the housing stock of the City. He wants to see this development done properly.

Councilmember Collins asked why it is important to make a motion first.

Assistant City Attorney Cecil McLendon stated under Robert's Rules, best practice is to place a motion on the table so there will be action that Council is considering in order to move forward.

Motion and Second: Councilmember Sterling moved to approve Agenda Item No. 13-084, 201300437 - 5776-5880 Glenridge Drive, Applicant: Pulte Group, to rezone the subject property from R-2 (Single Family Dwelling District) to TR (Townhouse Residential District) to allow the development of 63 townhomes, with staff conditions and the following amendments to staff conditions: Condition c. "at minimum, half of townhouse adjacent to the westerly property line shall be detached dwelling units." Condition d. "Developer shall construct a fence along the westerly property line with a brick column 7 feet in height, 24-square inches at each intersecting property line corner of the adjacent single family residential lots. Between the columns shall be constructed a decorative metal picket fence between the

columns, 6 feet in height along the length of the westerly property line in accordance with Sandy Spring Code.” Condition e. “Developer shall construct a fence along the Glenridge Drive (easterly property line) with a brick column 7 feet in height, 24-square inches, every 48 feet. Between the columns shall be constructed a decorative metal picket fence between the columns, 6 feet in heights along the length of the westerly property line in accordance with Sandy Springs Code.” Condition f. “All building facades shall be a minimum of 80% brick or stone, excluding garages. All rear building facades adjacent to Glenridge Drive and Glenforest Road shall have faux front facades.” Condition i. “All Garage doors shall have an upgraded architectural treatment such as carriage style architecture subject to the approval of the Director of Community Development. Councilmember DeJulio seconded the motion.

Councilmember Dianne Fries stated she is fine with changing the brick columns to be every 48 feet. Condition i. addressing the garage doors does need to be included. The 80% brick or stone sounds like a lot, but it excludes the garage doors, since they will already be upgraded. She would like to discuss Condition c.

Councilmember Karen Meinzen McEnery asked if all of Council has a list of the suggested revisions to the conditions that staff handed out.

Councilmember Fries stated the issue is the detached homes that would face the existing residential neighborhood. The neighbors do not want to see a long apartment looking building. She does not think single family cluster homes are required for this community. It is not the responsibility of one piece of property to cover the transition from apartments to single family homes. The condition should state all the buildings are to be evenly mixed with blocks of three to four units together, instead of five or seven units together. The townhomes should have the cluster home look without being cluster homes, but not look like apartments. The grouping of three and four units to a building will improve the perception for the neighbors.

Mr. Smith stated Pulte Group’s Engineer Kenneth Wood from Planners and Engineers is in attendance and can answers questions.

Councilmember Meinzen McEnery stated looking at the site plan along the back of the property, five units are located together.

Councilmember Fries stated the townhouse ordinance should come back before Council to review, because the current ordinance is not the intent of Council.

Councilmember Meinzen McEnery asked Pulte Group’s engineer to address density and loss of units along the westerly property line.

Kenneth Wood, Engineer with Planners and Engineers Collaborative, responded there are a couple of buildings in this area that front onto Glenridge Drive. The plan was designed such that after entering the front gate there is a large landscape area and the townhomes along the back are a cluster of four, except for one building. The development was created with four units and then a view corridor. The site plan includes 30 foot wide townhomes, so they would be at the two story level instead of the three story level. Twenty-four feet is a standard width for the three story townhomes. With the townhomes on the back there is the ability to curve the roads. With single family homes the roads will be in alignment, because they are deeper and larger. There are two view corridors on the property. The 1 five unit building on the right side has a severe topography. The idea is to bring a wider townhome with a two story look in and have the streets meander through the development.

Councilmember Meinzen McEnery stated the transition of two story townhomes at a width of thirty feet is more appealing to the adjacent neighbors than the twenty-four foot wide townhomes with three stories. This product provides nice transition for the neighborhood. She agrees with the addition of more brick columns. She agrees with the conditions of higher grade material, all brick on the back façade and the better quality garage doors. This is a great example of the neighbors and applicant working well together. Council should not be deciding price points and townhome designs versus detached homes.

Councilmember John Paulson stated there are 4 three unit, 5 four unit, 2 five unit, and 3 seven unit buildings. He is not sure which numbering of the units would be more beneficial. He recalls someone stating that the backs of units 19-40 will be brick.

Mr. Smith stated he misspoke. Unit 29-40 will have all brick facades on the back.

Councilmember Collins asked if Pulte will agree to place brick facades on the back of the townhomes on the western boundary.

Mr. Smith responded yes.

Councilmember Paulson stated one of the families has a special needs child. He wants to ensure that Pulte Group is aware of it and in working through the construction phase is sensitive to this fact.

Mr. Smith stated Pulte has made an effort to meet individually with the neighbors and address any concerns. This included walking the property line where the construction will be. He met with a parent of the autistic child. Pulte will alert all the vendors of the unique situation and address it with care.

Councilmember Collins stated there is a lot of discussion about the detached homes. The proposed plan is within the City's Comprehensive Land Use Plan. He is familiar with the Johnson Creek neighborhood and it is visually a nice product. That development is surrounded by residential property. This development has residential behind the property, but across the street and to the side are office buildings. Buyers will need to make over \$100,000 a year to afford these townhomes. That is exactly the type of person that works in Sandy Springs and the type of person we want to live in Sandy Springs. It seems that the Pulte Group will agree to most of the conditions, but if Council requires the single family detached homes, they will withdraw their application. That would place the other eight residents in the area of waiting many years for a developer to build detached homes.

Substitute Motion and Second: Councilmember Fries moved to approve Agenda Item No. 13-084, petition 201300437 - 5776-5880 Glenridge Drive, Applicant: Pulte Group, to rezone the subject property from R-2 (Single Family Dwelling District) to TR (Townhouse Residential District) to allow the development of 63 townhomes, subject to staff conditions as amended. Councilmember Collins seconded the motion.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Townhouses at a density of 7.65 units per acre or 63 units, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on April 5, 2013 Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept

review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

3. To the owner's agreement to provide the following site development standards:
 - a. A 25-foot landscape strip planted to buffer standards along the length of the westerly property line meeting the following standards:
 - i. A six (6) foot earthen berm (slopes no greater than 3:1)
 - ii. Two staggered rows of the following evergreen trees at 14 feet in height (planting spaced 14 feet on center) planted atop the 6-foot berm creating a visual screen using the following trees: Cryptomeria, Southern Magnolia, American Holly
 - iii. Remainder of landscape strip planted to buffer standards to be planted with a mix of one third deciduous trees (3 ½ in. caliper, 30 feet on center), one third large evergreen shrubs (8-10 ft. at 12 feet on center), and one third medium evergreen flowering shrubs (6-8 feet in height at 8 feet on center)
 - iv. All planting subject to the approval of the City of Sandy Springs Arborist
 - v. All plantings to be installed prior to the issuance of the first building permit.
 - b. Prior to the issuance of the Land Disturbance permit, provide analysis of downstream conveyance conditions and capacities along the downstream conveyances between the project site and the point at which the project site drainage basin area is no greater than 10% of the total drainage basin area. Development shall provide stormwater management facilities as necessary to avoid exceeding capacity of downstream conveyances for up to a 100 year storm event between the site and the 10% point. Where proposal will result in a concentrated surface flow across a property line where no existing channel or pipe exists to receive and convey a concentrated flow developer shall obtain, execute, and record a drainage easement from property line to location of a conveyance possessing capacity to convey a 100 year concentrated flow or to the 10% point. Drainage from all new improvements shall be routed to the detention system.
 - c. Townhouses adjacent to the westerly property line shall not exceed 2-stories in height.
 - d. Developer shall construct a fence along the westerly property line with a brick column 7 feet in height, 24-square inches at each intersecting property line corner of the adjacent single family residential lots. Between the columns shall be constructed a decorative metal picket fence between the columns, 6 feet in height along the length of the westerly property line in accordance with Sandy Spring Code.
 - e. Developer shall construct a fence along the Glenridge Drive (easterly property line) with a brick column 7 feet in height, 24-square inches, every 48 feet. Between the columns shall be constructed a decorative metal picket fence between the columns, 6 feet in height in accordance with Sandy Spring Code.
 - f. No vehicular access is permitted from Glenforest Road.
 - g. No construction access is permitted from Glenforest Road.
 - h. All building facades shall be a minimum of 70% brick or stone, excluding garages. All rear building facades adjacent to Glenridge Drive and Glenforest Road shall have faux

front facades, with an architectural treatment subject to the approval of the Director of Community Development.

- i. All Garage doors shall have an upgrade architectural treatment such as carriage style architecture, subject to the approval of the Director of Community Development.

Councilmember Paulson stated Council would like the 2 seven unit buildings to be separated into three and four units and have space in between the buildings so they are not long looking.

Mr. Smith stated separating the units is not economically feasible at this point.

Councilmember Fries stated the development would only loose two townhome units.

Mr. Smith stated there are costs due to infrastructure in the area. The stormwater cost is much higher than expected along with the traffic light costs. The traffic light improvements will cost about \$200,000.

Councilmember Paulson asked if there is a way to separate the units, but still keep the seven units.

Mr. Smith stated the separation of units 54-60 on Glenridge may be possible.

Councilmember Fries asked if Mr. Smith would be able to separate the units located on Glenforest.

Manager of Planning and Zoning Dickerson stated those units will be able to be separated, because there is a perimeter setback and landscape strips.

Councilmember Collins asked about allowing a variance.

Mr. Wood stated in order to get the plan to the City Code, the townhomes could be split twenty-one feet apart. Making the gap narrower on the side distance would help. There are street requirements for the alleys as well. Some of the minimum spacing for the alley is twenty to twenty-two feet.

Councilmember DeJulio asked about the alley.

Mr. Smith stated it is a street, but it only serves the three lots beside it. Keeping the street narrow will help to move the units over and create a gap. This area is less than 100 feet.

Councilmember Paulson asked about the units near Glenforest.

Mr. Smith stated there is a forty foot perimeter. If those units are separated with those constraints, it does not matter if there is only five feet of split, a unit will be lost.

Councilmember Meinzen McEnery asked about the applicant receiving a variance.

Manager of Planning and Zoning Dickerson stated the City is required to advertise the variance first, before it is considered by Council.

Mayor Galambos stated a variance cannot be approved this evening.

Councilmember DeJulio asked Mr. Falciglia to speak on his opinion regarding the changes proposed by Council.

Mr. Falciglia stated he is concerned about the proposed building with seven units located on Glenforest. The neighborhood has discussed having detached homes at this location instead, for transition purposes. If the townhomes are split, it would give the effect of having detached homes.

Councilmember DeJulio asked if Mr. Falciglia agrees with seven units on Glenridge.

Mr. Falciglia stated he is concerned what the look will be when it transitions from a block of seven townhouses to a ranch house forty feet away.

Mayor Galambos stated that is a very important point.

Councilmember Collins asked if Mr. Smith would agree to losing one unit on Glenforest. If the answer is yes, it seems this application will be approved.

Mr. Smith stated he can agree to this change if the overall density is not decreased and a unit can be placed back into the plan.

Councilmember Paulson stated the condition should state that the units near Glenforest are not contiguous.

Councilmember Collins asked how that will work, since a new site plan will have to be created and that is not what Council is approving.

Manager of Planning and Zoning Dickerson stated the site plan is a conceptual plan.

Councilmember Collins stated Council's concern is how large the townhome buildings are as a whole.

Mr. Wood stated if the units on Glenforest are split, he would try to incorporate another unit into one of the other three unit buildings. He is not sure this is possible, but would like to try.

Mr. Falciglia stated the neighbors are concerned about placing a unit at the back of the property and ending with a very long row of buildings.

Amendment to Substitute Motion and Vote: Councilmember Fries moved to amend the substitute motion for Condition j. to state "The grouping of townhomes in the block of seven along Glenforest Road be split into 3-4 or 3-3, and the westerly site plan not be changed, and not allow an additional unit to be placed near the residential homes." Councilmember Sterling seconded the motion. The motion carried unanimously.

Vote on the Substitute Motion as Amended: The motion carried unanimously.
Ordinance No. 2013-05-07

Mayor Galambos thanked the applicant and the neighborhood for cooperating on this project.

The Council took a ten minute break at this time.

River Corridor

(Agenda Item No. 13-085)

6. RC-13-03SS (435 River Glen Trace)

Director of Community Development Angela Parker stated this item is a river corridor action item. Staff has a new format for river corridor reviews that includes a one sheet summary page of the project. This project on River Glen Trace is for demolition and construction of a new single family residence. Staff recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to the application. There were no public comments. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-085, RC-13-03SS (435 River Glen Trace). Councilmember Fries seconded the motion. The motion carried unanimously.

(Agenda Item No. 13-086)

7. **RC-13-04SS** (1050 Mountain Creek Trail)

Director of Community Development Angela Parker stated this item is for the construction of a wooden deck. The home pre-dates the River Corridor Act. The property owner had to apply with the Atlanta Regional Commission to build the deck. Staff recommends approval.

Mayor Eva Galambos called for public comments in support of or opposition to the application. There were no public comments. Mayor Galambos closed the public hearing.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-086, RC-13-04SS (1050 Mountain Creek Trail). Councilmember Paulson seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

(Agenda Item No. 13-087)

1. Authorize the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037

Assistant City Manager Bryant Poole stated this item was presented at the last Council meeting. Council asked staff to explain where the construction limits are located. The construction limits are within the designated zones on the east side. There is inlay work that is located near Huntington Trail along the west side. The construction work will be primarily east of Colquitt Road.

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 13-087, to authorize the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037. Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-32

NEW BUSINESS

(Agenda Item No. 13-088)

1. Resolution to Support the Construction of Affordable Housing Units for Older Persons

Director of Community Development Angela Parker stated this request is made on behalf of the Housing Authority of Fulton County and the Benoit Group, L.L.C. They are applying to the Department

of Community Affairs for a qualified allocation plan for tax credits. There is proposed construction of up to 100 units for the senior housing project on Allen Road.

Teresa Davis, Chief Mortgage Finance Officer for Fulton County Housing Authority, stated this item was previously before Council. There has been a delay due to bureaucracy, but the project is now moving forward. This tax credit application will be presented to the Department of Community Affairs in June.

Councilmember Chip Collins asked if this item is what Council approved in the past.

Ms. Davis stated this item was approved by Council in early 2012.

Torian Priestly, Benoit Group, stated this is the third time this item has been before Council. There is anticipation that the tax credits will be received in November 2013, the deal will close in early 2014, and then the project will begin.

Mayor Eva Galambos asked where the residents will live while the building is being rehabilitated.

Mr. Priestly stated the residents will be living in various apartments in the Sandy Springs and Atlanta area. Relocation costs have been set aside for the tenants. Based on the configuration of the building, there are 2 fifty unit towers that are eight stories in height. Fifty tenants would be relocated from the first tower while renovating that tower. Then they would move the fifty residents from the other tower to the newly renovated tower; renovate the other tower and then bring back the other tenants. This process would take approximately twelve months.

Councilmember Collins stated he wants to make sure the resolution only addresses the renovation/rehabilitation of the existing building.

Mr. Priestly stated there will be no additions or add-ons to the land, just upgrades to the buildings.

Mayor Galambos asked if the buildings will have a dining facility.

Mr. Priestly responded no. There are kitchens within each unit.

Councilmember Karen Meinzen McEnerny asked if a common area and meeting rooms will be added.

Mr. Priestly stated there are currently meeting rooms, but they will be expanded. An exercise room, computer rooms, and a library will be added. The laundry facility and the atrium will be upgraded.

Councilmember Meinzen McEnerny asked if the lower floor will be expanded in order to add the meeting space.

Mr. Priestly responded no.

Motion and Vote: Councilmember DeJulio moved to approve Agenda Item No. 13-088, a Resolution to Support the Construction of Affordable Housing Units for Older Persons, and to allow the Mayor to approve any future extensions of this application. Councilmember Fries seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-33

(Agenda Item No. 13-089)

2. Mayor and City Council Authorize the City Manager to Execute a Contract with WK Dickson for the Design and Construction Management Services for the Marsh Creek Headwater Project

Assistant City Manager Bryant Poole stated it is staff's recommendation that the Mayor and Council authorize the City Manager to execute a contract with WK Dickson for the design and construction management services for the Marsh Creek headwater project. This project is pending further legal and financial staff approval. These funds are in the proposed City budget for the FY14 Phase I allocations. Staff received five proposals. The selection committee determined that WK Dickson is the most qualified to provide the services. The contract cost would be \$267,100.

Councilmember John Paulson asked what staff's estimate was for this work.

Assistant City Manager Poole stated staff estimated this project to cost approximately \$230,000.

Councilmember Karen Meinzen McEnerny asked if this cost is for the construction.

Assistant City Manager Poole responded no. This is for the design and includes the construction inspection phase.

Mayor Eva Galambos asked what the time schedule is for getting this project built.

Assistant City Manager Poole stated the contractor is preparing the project for bid by December 2013 or January 2014. The project should begin in spring 2014.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-089, to authorize the City Manager to Execute a Contract with WK Dickson for the Design and Construction Management Services for the Marsh Creek Headwater Project. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-34

PUBLIC COMMENT

Patty Berkovitz, 800 Crest Valley Drive, stated with the redevelopment of apartments along Roswell Road and the increase in density, Council should consider creating a new regulation that condominiums, apartments, and townhomes above fifty units be required to have amenities. These amenities would include pools, tennis courts, and basketball courts. This evening Council approved an agenda item that includes 63 townhome units with no amenities for families or children. Many of these communities may experience a lower crime rate if there are amenities to occupy the time of the residents.

REPORTS

1. Mayor and Council Reports

Councilmember Tibby DeJulio stated yesterday he and Councilmember Fries had breakfast with the Taichang delegation. Attending the breakfast was Helena Weibel, an exchange student who was recently in Taichang. She won the U.S. Department of State National Security Language initiative to study the Chinese language. This was the direct result of the City's relationship with Taichang.

Mayor Eva Galambos stated as a result of the relationship with Taichang, she suggested to North Springs High School that a Mandarin language class should be offered. Mandarin has since been added to

the curriculum. This is the only school in Fulton County that offers Mandarin. There is an individual that is looking for property to start a K-8 Mandarin class in Sandy Springs.

2. Staff Reports

There were no staff reports.

EXECUTIVE SESSION – Litigation and Real Estate

Motion and Vote: Councilmember DeJulio moved to enter into Executive Session to discuss litigation and real estate matters with Engineer Scott Smelter included. Councilmember Sterling seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive Session began at 8:06 p.m.

Motion and Vote: Councilmember Sterling moved to adjourn Executive Session. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnery voting in favor of the motion. Executive session adjourned at 8:42 p.m.

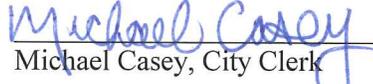
ADJOURNMENT

Motion and Vote: Councilmember Sterling moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 8:42 p.m.

Date Approved: June 4, 2013



Eva Galambos, Mayor



Michael Casey, City Clerk

CITY OF SANDY SPRINGS, GA

STATE OF GEORGIA
FULTON COUNTY

May 21, 2013

AFFIDAVIT FOR EXECUTIVE SESSION

Personally comes Eva Galambos, Mayor of the City of Sandy Springs, who on oath says that to the best of her knowledge and belief, on the 21st day of May, 2013, in the city aforesaid, a meeting of the Council was closed to the public for the following reason(s):

Discussion or voting on real estate matters pursuant to O.C.G.A, 50-14-3(b)(1);

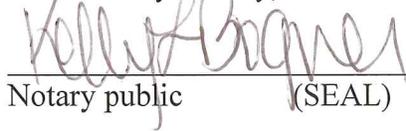
Attorney/client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved, pursuant to O.C.G.A. 50-14-2(1).

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or action on any other matter.



Eva Galambos, Mayor

Sworn to and subscribed before me,
This 21st day of May, 2013.



Notary public (SEAL)