



# City of Roswell

38 Hill Street  
Roswell, Georgia 30075

## Meeting Minutes Mayor and City Council

*Mayor Jere Wood*  
*Council Member Nancy Diamond*  
*Council Member Rich Dippolito*  
*Council Member Kent Igleheart*  
*Council Member Jerry Orlans*  
*Council Member Betty Price*  
*Council Member Becky Wynn*

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Monday, March 25, 2013

7:00 PM

City Hall

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### WELCOME

**Present:** 7 - Mayor Jere Wood, Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Kent Igleheart, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn

### Pledge of Allegiance - Students from Queen of Angels Catholic School

*Mayor Wood recognized two Boy Scouts who were attending the meeting, Brandon Semones and Jake Moody. Brandon said he was attending the meeting to achieve his Citizenship in the Community Merit Badge and Jake was representing Holcomb Bridge Middle School in recognition of their Lighthouse School to Watch.*

*Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Rusty Grant; Fire Chief Ricky Spencer; Police Captain Ed Sweeney; Environmental/Public Works Director Stu Moring; Finance Director Keith Lee; Budget Manager Ryan Luckett; Accounting Manager Wendy Johnson; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Transportation Director Steve Acenbrak; Transportation Deputy Director David Low; Land Development Manager Clyde Stricklin; Community Development Director Alice Wakefield; Planning and Zoning Director Brad Townsend; City Planner Jackie Deibel; Mayor's Executive Assistant Robyn Kenner; Mayor's Special Projects Coordinator Jennie Bushey; Community Relations Manager Julie Brechbill; Community Relations Digital Media Designer Joel Vazquez; Building Operations Technician Tim Thompson; Deputy City Clerk Betsy Branch.*

### CONSENT AGENDA

- Approval of February 25, 2013 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on March 11, 2013); Approval of March 11, 2013 Mayor and Council Brief.**  
*Administration*  
**Approved**

2. **Approval of a Resolution to update the authorized individuals and the bank name for the Georgia Fund One investment pool.**

*Administration*

Approved

Enactment No: R2013-03-15

3. **Approval for the Mayor and/or City Administrator to sign a contract with Peach State Freightliner for a 2013 Tandem Axle Dump Truck in the amount of \$118,696.**

*Public Works/Environmental*

Approved

4. **Approval to extend the Lakes and Ponds Partnership Program funding for Gilhams Lake Homeowners Association (HOA).**

*Public Works/Environmental*

Approved

5. **Approval of a Resolution to apply for a Fire Prevention and Safety (FP&S) Grant from the Federal Emergency Management Agency (FEMA) in the amount of \$52,000 to purchase a fire safety trailer tow vehicle.**

*Public Safety*

Approved

Enactment No: R2013-03-16

7. **Approval for the Mayor and/or City Administrator to sign an Agreement with the North Fulton Community Improvement District (NFCID) to accept matching funds for the Big Creek Parkway Phases 3 and 4 Planning Study in the amount of \$35,000 and approval of Budget Amendment 35042102 recognizing the \$35,000 in revenue.**

*Transportation*

Approved

## Approval of the Consent Agenda

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, to Approve the Consent Agenda. Council Member Price requested Consent Item #6 be extracted for discussion. The motion carried by the following vote:

In Favor: 6

### The following item was extracted from the Consent Agenda for discussion.

6. **Approval for the Mayor and/or City Administrator to sign a Change Order to the contract with Motorola for Phase II for the Development and Implementation of a Unified Radio System between Roswell and other North Fulton (NF) Cities.**  
*Public Safety*

*City Administrator Kay Love presented this item stating this is a multi-departmental project and therefore, the Administration Department is helping to oversee it. The work courses with this project are certainly Police Department and Fire Department as the City moves forward with the North Fulton Unified Radio System. There have been discussions over the past five months regarding the participating cities and getting approval to move forward with Motorola as a vendor for the equipment. There is an RFP out now for project management services. This change order is administrative in nature and was contemplated in the January action that was taken by Council approving an amendment to the IGA where Johns Creek was excluded and contemplating a change order to add cities participations to the Motorola contract. In order to secure pricing at the end of calendar year 2012, Sandy Springs signed Phase I of the original contract for about \$4.9 million of the needed equipment for the system. This change order for Phase II which was in the action taken on January 28, is to add all the other cities that are participating, to include Milton, Alpharetta, and Roswell to the contract and extending the amount of equipment to the total of \$12.7 million. Roswell's share of the total estimated cost of \$16 million is about \$5.2 million; Council previously appropriated the funding for the project. This is execution of procurement. The City of Roswell's part of this contract will still remain at 32%.*

*Council Comment:*

*Councilmember Price said the amount for this was not listed in the item summary and she would like for that to be clarified in the motion.*

*Ms. Love said that is her error and that the amount was not included because it did not change from the original. This changes the total amount of the contract that will be executed, but not the City's obligation. The first portion was Sandy Springs only and the exact amount of this is \$12,778,133.*

*Councilmember Price said she does not like to see Council approve these amounts of money on the Consent Agenda.*

*Mayor Wood said it was appropriate to request it be removed from the Consent Agenda because it is a big decision and they should give the people in the audience an opportunity to question it. He said it would be appropriate to vote on this item separately.*

*Ms. Love said for the record that Council previously appropriated the funding for this project.*

*Mayor Wood asked for further Council discussion. There was none.*

*Councilmember Dippolito said if the funding has already been appropriated for this, would they need to approve the funding tonight. Ms. Love said the funding is not being approved; they are authorizing the signing of the contract to expend the dollars. She said Council has previously appropriated overall funding for the entire project that will be seen in phases, but per the IGA, each independent body must approve the contracts.*

*Motion: Councilmember Dippolito moved for Approval for the Mayor and/or City Administrator to sign a Change Order to the contract with Motorola for Phase II for the Development and Implementation of a Unified Radio System between Roswell and other North Fulton (NF) Cities in the amount of \$7,870,386 that was previously appropriated.*

*Mayor Wood asked if that amount is correct. Ms. Love replied that is the total and Roswell's share is \$4,089,003 of the total contract change. Councilmember Dippolito asked if that is the total. Ms. Love said yes they are signing off on that total with the City's share. Councilmember Dippolito said for clarification that \$7,870,386 is the total amount and Roswell's share is \$4,089,003.*

*Second to Motion: Councilmember Wynn seconded.*

*Public comment was invited. There was none. There was no further Council discussion.*

**A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this Item be Approved. The motion carried by the following vote:**

**In Favor: 6**

## **REGULAR AGENDA**

### **Mayor's Report**

#### **1. Recognition of the Queen of Angels Catholic School for winning awards at the 2012-2013 Future Cities Georgia Regional Competition.**

*Cindy Miller, one of the program mentors, spoke on behalf of Queen of Angels Catholic School. She announced that the students' city models were on display in the hallway outside Council chambers for anyone who would like to view them. Ms. Miller said this competition gives students an opportunity to actually plan and maintain a city. She said each team has three members from the sixth, seventh and eighth grades who plan and design a virtual city using SimCity software. They build physical models with recycled and donated materials and also research and write essays about the daily issues of their city. The essay topic this year was stormwater. Last year's essay was energy; the year prior to that was regarding healthcare. The teams are limited to a \$100 budget as well as the size of the model. They attend the competition and present their ideas to a panel of volunteer judges who are engineers*

*from around the state. They give a seven minute presentation to the panel and then answer detailed questions from the judges.*

*Following is a list of the names of the winning students and their Future City:*

- Katie Miller, Ben McCoy and Lauren Nohl with mentor Cindy Miller for BLK – a vacation city in space in 2150.*
- Justin Hentz, Brennan O'Connor, Will Robertson with mentors Jeff Robertson and Heather Hentz for NUMA – a city above the old city of Miami in 2090.*
- Maris Barden, Raleigh Barden and Alex Vojnovic with mentor Nancy Barden for Pneutopia – a city in New Zealand in 2090.*
- Matt Cox, Joe Hill and Nathaniel Poschel with mentor Tara Trostel for Aqua Serenity – a city on Canada's southern border on the Niagara River in 2253.*

*Mayor Wood asked the students if they had any ideas for the City of Roswell.*

*One of the students talked about his team's model city and described it having a low impact development design that reduces the amount of impervious area which produces less rainwater runoff and flooding. He said the model city has the residential area on the tops of the buildings and offices, schools, shops, etc. are below. The buildings are vertical versus being spread out with more of a pedestrian traffic system where everything is close together so people can walk from place to place and do not have to drive long distances. Mayor Wood asked if he thought such a development would be appropriate in the City of Roswell and where should it be located. The student replied that it would be suitable in Roswell and best located in a place that is open without a lot of existing structure. Mayor Wood said that the City of Roswell faces these issues every day and the Council has to make tough decisions about them.*

*A second student talked about her team's model city and said they had patented their own invention, RGCS, a gutter collection system that has to do with a swale where a filtration system is put between the sidewalks and roads to allow water to seep through to the plants. She said a GCS could be used with gutters of houses such as in the older section of Roswell where there is not enough room to put a bio-swale. They are like utility buckets with holes drilled in the bottom and are placed upside down in a hole that is a specific depth with specific calculations. They are filled with a water rock system (another of their inventions) with grass and mulch on top that allows gutter water to immediately seep into the soil and not create runoff and stormwater issues.*

*Councilmember Orlans said he thought a new auto dealership on Hwy. 9 had used a similar method in their new parking area with all of the pervious surfaces. There were inaudible comments in the background and Councilmember Orlans said he believed this had been done in several spots within the City and they are hoping to do more. He said this is a good idea that should be kept going.*

*Mayor Wood thanked the students for attending the meeting and sharing their ideas.*

*Cindy Miller thanked the City for their support and specifically acknowledged Stu Moring who had been very involved, and Vicki Culbreth who had given a presentation at Queen of Angels School.*

**2. Recognition of Holcomb Bridge Middle School becoming a Lighthouse School to Watch.**

*Mayor Wood recognized Joy Schroerlucke, Principal of Holcomb Bridge Middle School and invited her to come forward to speak about the Lighthouse School.*

*Ms. Schroerlucke said Holcomb Bridge Middle School had been named a Georgia national Lighthouse School to Watch. She said they had made presentations in Savannah for the State of Georgia and that a team of eight teachers will go to Washington D.C. to make presentations. Holcomb Bridge Middle School is a path for other schools and educators that will help them make decisions about the best programs that can be put in place to take care of students socially, emotionally, and academically.*

*Mayor Wood said this is a great distinction and asked how many schools in the State of Georgia are Lighthouse Schools. Ms. Schroerlucke replied there are eighteen but they have not necessarily remained Lighthouse Schools. It involves a long application process followed by a two-day visit from a team. Each school must be re-designated every three years so their goals must be reached over and over again.*

**3. Reading of a Proclamation for National Public Safety Telecommunications Week April 14-20, 2013 in association with National 9-1-1 Education Month.**

*Mayor Wood read the proclamation for NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK, APRIL 14 - 20, 2013 IN ASSOCIATION WITH 9-1-1 EDUCATION MONTH stating, In 1967 the President's Commission on Law Enforcement and Administration of Justice recommended that a single number should be established nationwide for reporting emergency situations. One year later, in 1968, the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code. The 9-1-1 system is the connection between the eyes and ears of the public and the emergency response system in the United States and is often the first to know of emergencies of all magnitudes making 9-1-1 a significant Homeland Security Asset. In 1986, the City of Roswell "went live" with our first 9-1-1 system. Roswell 9-1-1 Center currently has 23 dedicated personnel consisting of Communications Officers, Training Officers, Management and a Georgia Crime Information Center. The safety of our Police Officers and Firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the City of Roswell E911 Communications Center. Public Safety Telecommunicators are the first step and most critical contact our citizens have with emergency services and often provide a life-line to the caller where seconds and minutes matter. The City of Roswell's 9-1-1 Staff is proud to support their Mission Statement in their everyday duties: Our dedicated employees provide excellent service utilizing life-saving instructions through best practices in the Public Safety Communications industry. On behalf of the City of Roswell, Mayor Wood declared the week of April 14 - 20, 2013 as National Public Safety Telecommunications Week in Roswell, Georgia and asked all the citizens to acknowledge and honor the men and women whose diligence and professionalism keep our city and citizens safe.*

*Todd Allen, Communications Training Coordinator/QA Manager said he works in the communications center and provides the training and quality assurance for the dispatchers. Mr. Allen said the dispatchers for the City of Roswell are exceptionally great people and that they recently went through months of hard training to become nationally certified in the three protocols that include police, fire and medical. They*

*are not only leaders in the State of Georgia but also in the United States through their dedication and commitment to training and becoming the best 9-1-1 dispatchers they can. He said within the last week several lives had been saved by some of these dispatchers when babies were born and people were in cardiac arrest. He said the 9-1-1 dispatchers are our unseen heroes.*

*Mayor Wood expressed his appreciation to all the staff of the 9-1-1 center for their service to the citizens of Roswell and thanked them for attending the meeting.*

#### **Administration and Finance Department - Councilmember Rich Dippolito**

**4. Recognition of the City of Roswell receiving the Distinguished Budget Presentation Award for the FY13 budget from the Government Finance Officers Association (GFOA).**

*Presented by Keith Lee, Finance Director*

*Councilmember Dippolito said Roswell is an award winning City. He recognized the Finance Department for having recently received two awards. Finance Director Keith Lee said the Distinguished Budget Presentation Award is a significant achievement for the City of Roswell that is an indication of the City's commitment to the highest standards in government budgeting. It also indicates that the City adheres to the highest principles in budgetary compliance and follows nationally recognized guidelines and budgetary presentation. The City's budget document is a plan for the execution of capital; it also provides an operational guide for efficient delivery of services. This is the ninth consecutive year that the City is receiving this award. This would not be possible without the leadership of Mayor and Council, the guidance of City Administrator Kay Love, the positive attitude of the department heads toward budgetary responsibility, and the commitment and cooperation that the budget office puts into this process. Mr. Lee thanked Ryan Luckett, Denise Brown and Lynn Williams for their contribution to the preparation that goes into the budget and for helping achieve this award. Mr. Lee presented the award to the City.*

*Mayor Wood congratulated the Budgeting Department for achieving this award for the ninth consecutive year and said although the budget does not gain the most attention of all the actions of the Council, it is the most critical document that the Council adopts and truly defines the City's priorities. Having a clear and transparent budget is essential to the Council's understanding of what they are trying to achieve in order to make good decisions and it allows them to convey that to the citizens of Roswell.*

**5. Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the FY2011 Comprehensive Annual Finance Report (CAFR).**

*Presented by Keith Lee, Finance Director*

*Finance Director Keith Lee said this Certificate is the highest form of recognition in government accounting and reporting. This is the 23rd consecutive year that the City has received this award from the Government Finance Officers Association (GFOA). The Comprehensive Annual Finance Report (CAFR) must meet high standards that include the spirit of disclosure as well as communicating the financial story to the readers. This is made possible by the strong fiscal leadership of Mayor and Council and through the guidance of City Administrator Kay Love in steering the financial matters of the City. It would also not be possible without the positive attitudes of the department heads and the dedicated services of the entire Finance Department especially the Accounting Department. He gave special recognition to Wendy Johnson, Georgette McCray, Kasey Wiggins, and Jackie Wolo. Mr. Lee presented the certificate to the Mayor and Council.*

*Mayor Wood noted that Wendy Johnson had been with the City for 27 years and thanked her for her long years of service and for her part in helping the City win this award. He said 23 consecutive years is an impressive record.*

**Community Development - Councilmember Nancy Diamond**

**6. RZ12-09, CV12-04, Pine St. @ Chattahoochee, Prime Interest, Inc. Land Lot 382.**

*(This item was deferred at the March 11, 2013 Mayor and City Council meeting.)*

*Presented by Bradford D. Townsend, Planning and Zoning Director*

*Planning and Zoning Director Brad Townsend stated that this is rezoning at Pine Street and Chattahoochee Street, by Prime Interest, Inc. This application was deferred from the March 11, 2013 Mayor and Council meeting. The applicant is requesting a rezoning for the property from the original R-2 designation to the R-THA designation, to build sixteen attached residential single family homes. The subject property is approximately 3.38 acres. To the east, it is surrounded by commercial development that is adjacent to South Atlanta Street; it is adjacent to Chattahoochee and Pine Street; to the west, south, and north of the subject property there is residential development. In the original application, the applicant requested a variance to a five (5) foot front yard setback; the reduction to the fifty (50) foot setback abutting the R-2 zoning, to twenty-five (25) feet; a reduction from the required forty (40) foot buffer abutting R-2, to twenty (20) feet; and to increase the maximum lot coverage from forty (40) percent to fifty (50) percent. Mr. Townsend noted there have been several different site plans for this development. The original sixteen lot layout site plan was displayed, dated February 9, 2013. It was subsequently revised to the March 1, 2013 plan. Mr. Townsend stated it just slightly moved the southern four lots to the west and created a better buffer behind the properties, and included more in the detention pond location. Mr. Townsend stated staff recommended approval of this plan, with conditions. The Planning Commission recommended denial of the proposed site plan, on February 19, 2013. The*



application was scheduled to come before Mayor and Council on March 11, 2013, that public hearing was deferred. Mr. Townsend noted that the applicant then emailed a revised site plan to Mayor and Council after the required ten (10) day deadline. The revised site plan identified as the March 21, 2013 plan, includes subsequent changes; it reduced the density by one lot, thereby being a 4.4 dwelling units per acre; it created a pocket park in the location; added on street parking; identified that the garages would be set on all the front loaded units at least twenty (20) feet from the sidewalk. Mr. Townsend clarified that staff would recommend that all property setbacks be measured from a property line instead of from back of sidewalk. He said the applicant has provided room for stormwater management and has indicated that they are saving trees. The March 21, 2013 plan was displayed by Mr. Townsend which showed fifteen (15) homes, two locations indicating parallel on-street parking spots, as well as a small pocket park. He displayed the insert of this same plan that indicated the setbacks as the applicant has identified them, measured from back of sidewalk. Mr. Townsend stated staff recommends that be changed to a property line dimension. A graphic of colored elevations from the applicant was displayed; this showed the front elevations of the buildings. Mr. Townsend noted that subsequent to receiving the elevations, there were discussions regarding how the actual floor plans of these elevations looked. Following the discussions, the applicant submitted subsequent floor plans showing how the garages are setback behind the front of the building. He displayed a particular floor plan that has the garage back eight (8) feet from the front of the building; he displayed another floor plan with the garages back ten (10) feet from the front of the building.

Mr. Townsend displayed an excerpt from the City's Unified Development Code and noted that it had been discussed at Mayor and Council's last discussion regarding how setbacks are measured and where they are being measured from. He stated this information was in the draft module last July, indicating staff measures from the front property line of the primary streets for all side, corners, and front setbacks. Mr. Townsend stated the intention is to make that consistent with this development. Mr. Townsend displayed site data of the development which showed the applicant has reduced it to fifteen (15), and a total density of 4.4 for the location; it shows the setbacks that need to be clarified regarding how the front of the building will be dealt with. Mr. Townsend clarified that all of the following conditions were still applicable; the only change would be date included in condition #1, if Mayor and Council so choose to have that plan be the one to be approved at this meeting.

*Conditions:*

1. The owner/developer shall develop the property in accordance with the site plan stamped "Received March 1, 2013 City of Roswell Community Development Department"
2. The garages for the homes must be used for cars only. This must be specified in the Home Owner Association Documents.
3. The front of each home must sit at the 5' front setback line.
4. The signage for the development must be located on its own parcel. This must be specified in the Home Owner Association Documents.
5. A preliminary plat for the property shall be required prior to the issuance of a Land Development Permit.
6. A final plat shall be recorded at the completion of each of the separate blocks built.

7. There shall be a 10' no access easement along Pine Street. This shall be shown on the preliminary and final plats.

*Council questions:*

*Councilmember Price referring to condition #2 asked for the purpose that the garage can be used only for cars. Mr. Townsend replied that when originally discussed staff did not want the garages to be enclosed as a living unit and become part of the living space; they would only be allowed to store vehicles inside the garage.*

*Councilmember Price asked for clarification that the condition is written in a way for enclosed purposes as opposed to what is stored in there since people put things other than cars in their garages. Mr. Townsend replied, "I think it is for them to provide in the homeowner's document. The Legal department and staff will review to ensure that it adequately addresses the condition." Councilmember Price said the purpose is to look like a garage. Mr. Townsend replied, "In function, with a car going in it, correct."*

*Councilmember Igleheart said there was much discussion at Planning Commission about this condition, including the requirement from the proposed HOA, that cars would be required to be parked in the garage or not in the driveway, which essentially accomplishes the same thing. Mr. Townsend agreed. Councilmember Igleheart said the ultimate question is how it can be enforced by the HOA, and how visitors to the homeowners would park. Mr. Townsend stated, "I think with the couple of on-street parking spaces, at least that gives it some flexibility, those are available for people to park parallel to the travel lanes." He noted there had been discussion about the location of those parallel parking spaces; plans were reviewed today. He displayed a graphic, noting the parallel parking spaces which appear to be in conflict; some parking spaces appear to be next to the passive park. He pointed out certain parking spaces which staff would recommend be moved down to the detention pond area so that those parking spaces would not conflict with people backing out of two particular units.*

*Councilmember Igleheart, referring to the department comments and the Planning Commission minutes, asked where the issues regarding stormwater aspects and the Fire Department stand. Mr. Townsend stated the stormwater plan has not been finalized yet. He clarified that the applicant is well aware that they may still lose another unit to meet the stormwater requirements, although they feel that what they have done is adequate. Mr. Townsend stated the fire issues have been resolved related to access around the buildings and the alley way. The Fire Department will still have access completely around the units, for fire access.*

*Councilmember Igleheart, referring to Mr. Townsend's recommendation to use the back of the property instead back of the sidewalk for measurement, asked how that works out in terms of the space. Mr. Townsend replied, "Probably, with what they are proposing, the garages could be between thirteen feet to fifteen feet to the property line." Mr. Townsend confirmed for Councilmember Igleheart that it still would be outside the sidewalk.*

*Councilmember Dippolito asked what the distance is between the edge of the sidewalk and the property line. Mr. Townsend replied the distance is six feet. Councilmember Dippolito said the offered condition by the applicant of having twenty feet depth to the garage would then be fourteen feet from the property line; it would give twenty feet. Mr. Townsend agreed. Councilmember Dippolito asked if that condition would have to be added. Mr. Townsend replied yes. Councilmember Dippolito said he personally thought that would be good because in smaller subdivisions, when there is not enough distance to the garage, the cars are sticking*

*out on the sidewalk, which is problematic and needs to be addressed.*

*Councilmember Dippolito inquired about the face of the house at least five feet in front of the garage and asked why that was not one of the recommended conditions at this point. Mr. Townsend replied that since it was included as part of the applicant's site plan since approving the site plan, it would be condition #3. Councilmember Dippolito said, "I like the idea, I think it probably needs to be a condition because with the site plan, they can move the houses around. The site plan isn't floor planned specific. I would like to see that added as a condition." Mr. Townsend indicated he understood.*

*Councilmember Price, referring to condition #4, asked where any signage would have to be located. Mr. Townsend pointed out on the site plan shown on the overhead where the parcel would be that the sign could be seen from Chattahoochee Street. He clarified where it should not be placed to avoid blocking visibility for a certain house and driveway. Mr. Townsend confirmed for Councilmember Price if there would be signage at each end. Councilmember Price asked if the purpose was not to have the sign on the right of way. Mr. Townsend clarified that the purpose was to not have it on someone's individual lot. She asked if there was a concern that this might not work. Mr. Townsend replied the applicant never indicated where they would place the signs; staff concern is that signage is not placed on an individual's home lot; if it is on the common open space, staff would look at it at the time of permitting.*

*Councilmember Price referring to the elevations earlier displayed asked if the fence between the houses as a finished product would look as shown in the illustration provided to Council at this meeting. Mr. Townsend stated, "That is the attachment that attaches it." Councilmember Price said, "That is the thing that qualifies as the attached." Mr. Townsend replied that is correct. Councilmember Price asked if there are four units are there is to be three fences. Mr. Townsend replied yes. She asked who owns which fence. Mr. Townsend confirmed that each house would share it, and would own to the middle of the fence. Councilmember Price said, "Each house shares that traversing entity."*

*Councilmember Dippolito referring to condition #3, which states: The front of each home must sit at the 5' front setback line. He noted that typically, the City has a minimum setback rather than the front of a house set on a setback line. He said that in his attempt to reconcile that with the applicant's submitted site plan, it does not seem to be consistent. He reiterated that the City typically would require a five foot minimum setback. Mr. Townsend stated the applicant would address that during their presentation to Council.*

*Councilmember Orlans asked Mr. Townsend to display conditions that were changes in the plan. Councilmember Orlans referred to the condition regarding the home be set back a minimum of five feet from the garage to have the house setting out in front of the garage. He requested that Councilmember Diamond clarify the wording for this condition before the motion to make more sense and suggested the language: "garage, recessed five feet from the house." Mayor Wood asked if Councilmember Orlans was suggesting a minimum of five feet in front of the garage. Councilmember Orlans stated that is correct.*

*Councilmember Dippolito asked staff if the original requested variances changed with the new site plan, and to clarify the current variance requests. Mr. Townsend confirmed that the following variance requests are still applicable:*

- 1. The applicant is requesting a variance to the front yard setback from a major and minor street. A major street requires a 50' front setback and a minor street requires a*

30' front setback. The applicant is requesting that the front setback be 5'.

2. The second variance is for a setback reduction abutting the R-2 zoned property from the required 50' setback to a 25' setback.

3. The third variance is for a buffer reduction abutting the R-2 zoned property from the required 40' buffer to a 20' buffer.

4. The final variance is for an increase in the lot coverage on each lot from the required 40% to 50%.

Councilmember Igleheart referring to variance #1 and #2, stated the reduction of setbacks is to the existing R-2 zonings that are around the subject property. Mr. Townsend confirmed that is correct. Councilmember Igleheart said, "We often do the reduction of setbacks and buffers within a property, but doing them to surrounding properties is relatively rare, isn't it?" Mr. Townsend replied that is correct.

Councilmember Diamond stated she would like to hear from Public Works/Environmental and the Transportation Departments regarding the impact of this development. Concerns have been expressed regarding the placement of the detention pond and the ability for it to handle the stormwater. She asked that the City's process be reiterated.

Public Works/Environmental Director Stu Moring stated he was familiar with this particular development plan. He said that typically, at the zoning stage, the applicant will have identified what their requirements will be. Mr. Moring stated, "Our belief is that they could lose a lot, but it will depend on how cleverly they can adapt the site to meet all the requirements. I think the applicant will probably address that, but essentially that will be dealt with in the subdivision development stage."

Councilmember Diamond stated, "For anyone who has concerns about what this project will do to them if they are downstream, because that certainly is a concern, can you explain how our process works, so that doesn't become an issue for anybody else." Mr. Moring replied, "We were actually the first to adopt the Metropolitan North Georgia Water Planning District Regulations on stormwater that establishes requirements for water quality as well as quantity measures. There are standards that are required, not just for what you do on the site, but for what your discharge offsite is and for your impact on the drainage area where your site would be only ten (10) percent of that total drainage area. Their responsibility will be to satisfy that, but typically at the zoning stage, they have not done the level of engineering and analysis that it would take to evaluate that fully."

Councilmember Diamond inquired about traffic in this area. She voiced concern about this being a cut through area for folks traveling north. Transportation Deputy Director David Low stated there is not significant traffic impact expected. He explained that calculations have been conducted that are based on sixteen dwelling units, rather than fifteen dwelling units. Mr. Low stated traffic volume near Atlanta Street is approximately six hundred (600) vehicles per day. At Hillcrest Drive it is approximately two hundred (200) vehicles per day. Eighty to ninety percent of the traffic generated by the proposed subdivision will be oriented to and from the north toward Atlanta Street. It will generate approximately ten (10) trips per dwelling unit per day. Mr. Low said that would be one hundred and sixty (160) additional vehicles per day, trips per day. Since the proposed site plan is actually fifteen (15) dwelling units, the calculation would be somewhat less. Mr. Low clarified that if the proposed trips are added to those currently there on the north end, it would be approximately seven hundred and forty (740) trips per day; on the south end it would be approximately two hundred and twenty (220) trips per day. He noted that is not considered a significant change. Councilmember Diamond asked if that amount is something a homeowner would notice; would someone walking notice. Mr. Low replied, "When a street begins to feel like a barrier between one side of the road and

*the other, the threshold is about a thousand (1000) vehicles a day. This is well below that threshold, especially at the southern end of Chattahoochee Street. We do not think it will have a significant change."*

*Councilmember Wynn referring to the site plan which indicates stormwater filter strip facility, inside buffer, asked if the City allows that inside a buffer. She noted that she thought buffers were undisturbed areas in which nothing could be placed inside. Mr. Townsend replied there are two buffers. He explained that the larger one is the twenty foot (20) buffer; they are in the next buffer that is normally the building setback. Councilmember Wynn suggested that the wording be changed since it says "facility inside buffer." She asked if it could go in the setback but could not go in the buffer. Mr. Townsend replied that is correct; he confirmed the language would be changed.*

*No further Council questions.*

*Applicant:*

*Kenneth Wood, Planner and Engineer Collaborative, Inc., 350 Research Court, Norcross, representing Prime Interest, Inc., and Acadia Homes, stated the proposed development is 3.38 acres. The site is an existing infill location. There is existing commercial that borders the subject property and is "tucked away" off Chattahoochee and Pine Streets. One of the primary reasons Acadia is excited about the site, is the access and proximity to the downtown district in Roswell and the trail system. The subject property is approximately 3,100 feet from the river and is outside the Metropolitan River Corridor Act area.*

*Mr. Wood clarified that there is no perimeter fencing although the individual homeowners could install individual fencing if they have a "pad" but the applicant is not planning to have any fencing. The intent is to have an open community, to embrace the surrounding community.*

*Mr. Wood referring to a location map indicated the proximity to a new development to the south, other new developments across the street and to the north, and easterly located commercial development. He noted the location of South Atlanta Street near the subject site. Mr. Wood referred to another map displaying the proximity to the regional corridor, the activity center of Roswell, and the different zonings and commercial districts. Mr. Wood displayed a map referencing the surrounding zonings. On the eastern perimeter, the subject property is surrounded by C-2 and C-3; heavier commercial zonings to the south; across the street to the south zoning is R-2; directly across the street zoning is R-3, multi-family district; to the north at Revival Street is R-3. Regarding densities, he pointed out that Barrington Gates is at a density just under four; Enclave at Chattahoochee is at 2.49; Azalea Point is a 4; this proposed development is at 4.43 as it transitions to "touching" the commercial zoning. Mr. Wood stated, "We feel like the transition from the commercial to us to the other properties there are four units per acre, we are right in the mix of where we need to be." Mr. Wood stated they are looking to rezone from R-2 (Single-Family Residential) to R-THA (Fee Simple Townhomes Medium Density). Mr. Wood stated the product type that Mr. Goldenberg has fits "very well" within this district. Mr. Wood stated he would show some products types at Crabapple that he has been successful with that model this proposed development.*

*Mr. Wood referring to plan changes stated the applicant had listened to the comments by the neighbors. He noted that neighbors asked for a park and to look at stormwater. He said they added a park off the proposed public road. Two perpendicular parking spaces were added in front of the pocket park. Two additional perpendicular parking spaces were added for guest parking. He said the area does*

*not currently have a lot of sidewalks on the streets. The applicant is proposing sidewalks on both sides of the road on both frontages on Pine Street and Chattahoochee Street. There will be the landscape strip, the beauty strip, as well as sidewalks on each side, and the setbacks to the home.*

*Mr. Wood stated, "We have the perpendicular parking, that is a look and a feel that we want to bring forward. We want to bring the street lights, the landscape strips, the sidewalks on both sides." In addition, the applicant is proposing an arbor.*

*Mr. Wood, referring to the traffic concerns of the neighbors, said they feel like they have planned the best that could be done in that they are linking a public road to another public road. He noted that many subdivisions have just a cul-de-sac and dead end which concentrates traffic at one point. They have proposed extending Pine Street, which is currently a dead end public road, all the way up and wrapping it back into Chattahoochee Street. The bottom half of the property will disperse out to Pine Street and up. The other half will disperse out to Chattahoochee Street. He said the distribution of fifteen lots will work from a traffic perspective.*

*Mr. Wood referring to the site plan, said there have been discussions regarding stormwater for the proposed site. He said they have brought the lots in as tight as possible to make the southern eastern portion of the site a larger area. It includes a bio-retention swale; it gets down to the detention area, which is the volume. Mr. Wood stated that the other side includes a long strip of land where "they can take water off the alley, bring it back into a bio-swale and then do some underground storage there." He said one of the reasons they called out a filter strip there is because a filter strip is used for the discharge natural water across undisturbed land. The intent was to disperse it across the land from that alley, let it go across natural land.*

*Mr. Wood, referring to the site plan, stated they will be able to save over half of the trees on the site. He noted a tree for which they are looking at a prescription for the tree. He noted an area of grading. All the trees that border the R-2 property will be saved; there are a couple of trees along the frontage that are located where the rear entry homes will be built. He pointed out Pine Street on the site plan and stated it has a thirty foot right-of-way, which is substandard for the public right-of-way section. He said the applicant will dedicate ten feet of right-of-way on that road.*

*Mr. Wood stated they went back to the drawing board after hearing the public discussion and improved the site plan. Referring to the proposed site plan, he pointed out the rear and front load lots; all lots along Pine Street are rear entry products. Illustrations of the rear entry product were displayed; it was noted these are existing products built at Crabapple by Arcadia. Mr. Wood noted the area of the pocket park, parking, another open space area, and front entry homes. Illustrations of front entry homes were displayed; several different products are offered; front entry homes include a decorative arbor. Mr. Wood said that the five feet from the front of the house, recessed to the garage, is a minimum; some floor plans are recessed eight or ten feet. He said the garages are a minimum of twenty feet from the back of the sidewalk. He stated, "Our worst case home would be five feet from there. It would be fifteen feet from the sidewalk, which I believe is nine feet from the property line, because fourteen feet from the property line would give you twenty feet to the sidewalk." Mr. Wood clarified that no matter what size of the car, there would be ample room to park in the driveway and not block the sidewalk. He clarified that change was made in the site plan after the discussions last week. He stated language and calculations need to be clarified to get the wording. It is thought that the house would be a minimum of five feet from the property line because there is a ten foot setback on some of the homes. Mr. Wood said, "So, the minimum of five feet*

*from the property line with the garages, if there is a way to say the garage is no closer than either twenty feet from the sidewalk or fourteen feet from the property line. It is the same dimension."*

*Mr. Wood noted there was discussion of about a roadway connection through this property, particularly like a tunnel, to get to the other side of Atlanta Road. He stated the applicant is trying to build a high end product and it is a small community, therefore, the applicant feels "a random road through the middle of it that could potentially have a tunnel, just doesn't feel safe or right to be at that location." He requested that Mayor and Council not set that road in that location.*

*Mr. Wood referring to the rendering of the four homes that face Pine Street, pointed out the landscape strip, a sidewalk, then a ten foot landscape strip, and large patios shown on the rear loaded product. He displayed elevations of the homes that would be seen from Pine Street as well as the different elevations internal to the site, offered with the recessed garages, back from the road.*

*Council questions:*

*Councilmember Price asked if the road is standard width. Mr. Wood stated early on he had discussed this with Transportation staff; it is standard width. He said the street is twenty-four feet width; it is fifty foot public right-of-way. Mayor Wood asked if with curb it is twenty-four feet. Mr. Wood replied, "Right, face to face. With that you also have the landscape strip and the sidewalk on both sides. Both all fit within the fifty feet and you additionally have some more right-of-way room for street lights."*

*Councilmember Igleheart asked about the materials for the arbors and the materials in between the buildings. Mr. Wood referring to an illustration stated it is wood with a wooded arbor; the rest of the material is either stone or brick depending on the style of the home that it is adjacent to; the brick and stone would be blended to match the architecture of the homes.*

*Councilmember Igleheart asked if the units are not attached since if the units were attached, there could be more green space, although there would be more units. Mr. Wood replied that the applicant has been successful with the thirty-eight foot wide unit that lives more like a single-family home than a traditional townhome and allows for an amount of yard. He said an architectural look such as this would fit much better this close to the downtown area and the commercial area. Mr. Wood stated Roswell is a great area with great schools; the price points are good in this area. The applicant felt that this is more of a quality development than an attached home would be.*

*Councilmember Dippolito asked if the topography makes it necessary to have two detention areas; could they be combined into one detention area. Mr. Wood said, "You could get everything down to the eastern end where we are showing the pond, but there are going to be the back yards as it goes up and back down." He noted they had spoken with Water Resources Engineer Danelle Alloway. The City of Roswell stormwater ordinance looks for more natural ways to deal with stormwater. Mr. Wood said he was not suggesting that the buffer area would have a pond; it will be more natural and a bio-swale, but something additional will be needed to treat water quality there. Mr. Wood confirmed for Councilmember Dippolito that it will be more of a shallow swale with plantings. Councilmember Dippolito asked what the applicant envisions for the Pine Street area. Mr. Wood replied that up against Lot 15, is where it would be released. It is pictured to be a swale that would have plantings going down through there and discharge into a pond. The idea is to infiltrate the bio-swale; on most of the smaller "storms" they are hoping that the pond will not receive much of that water. Mr. Wood confirmed that Arcadia will install a fence*

around the detention area to block it from view which will be fairly well planted. Councilmember Dippolito commented that the City is trying to promote bio-swailes and natural retention so that is a good step.

No further questions for the applicant from Council.

Mayor Wood informed the applicant that he would have an opportunity for rebuttal.

*Public comments:*

Janet Russell, 260 Willow Springs Drive, stated she lives approximately one half mile from the proposed development. She noted that Chattahoochee Street is a diagonal and her concern is that more cars would make this street even more dangerous. She would prefer a reduction in the density by fifty percent. Ms. Russell said she attended the rezoning for the Azalea Point subdivision; it was never to be originally zoned at the density it is; the applicant requested an additional four units "because they could not afford to redevelop or redo the old house at the entry but then demolished the house because it could not be restored." She stated the developer always intended to add four more units; the density is there not by choice, but by chance. Ms. Russell noted she has sat on many committees in this city for redevelopment of her neighborhood area. She asked if the applicant of this proposed development is aware of the historic gateway project and how it would work into that project. She said these fourteen or sixteen homes are in an area in which the City provides water. She asked if the City will be able to provide water for those homes. Ms. Russell stated garages in the front of homes "screams suburbia." She said Revival Street is beautiful because there are no front facing garages and suggested that the site plan be redesigned regardless of the applicant's success with this design at Crabapple; the City does not need suburban style homes on urban lots. She asked how this subdivision will connect to the abutting commercial areas on Highway 9. She commented that sidewalks are needed to walk to the local businesses; there are two and half miles of road without crosswalks to get to the other side of Highway 9; it is very nice that the applicant has proposed sidewalks in their subdivision but sidewalks are required by the City whenever new construction takes place. She inquired whether the proposed passive park would be open to the public; the total square footage of the homes; and price points. She stated parallel parking on a street of thirty feet would create a problem if cars are parked on both sides of the street and a fire engine needs to get through.

Gayle Battersby, 370 Chattahoochee Street, stated the Planning Commission questioned why the City is choosing to do an R-2 to an R-TH. She stated that this proposed development is for individual homes connected by an arch way. The Planning Commission denied it saying that with an archway it is now a townhome. There were concerns regarding fire safety and the amount of land between each home. She suggested a reduction in the density. The homes are beautiful but the density will impact this area; every extra car in that area makes a difference in the vehicular and pedestrian safety. Ms. Battersby asked, "If these were individual homes, as they are, would you go ahead and agree to put sixteen, fifteen homes on 3.7 acres?"

Milton David Dean, 365 Chattahoochee Street, said he has concerns regarding the water runoff. He stated that grass will not be able to grow between the proposed houses. Concrete patio areas will create more runoff. He does not think there is a plan in place regarding runoff. He suggested that the density be cut in half. His opinion is that the development is about greed. The development does not say "Roswell." He believes the developer will leave a runoff problem for the City. He said if the road is a public road, then parking should be allowed on it. If there is a park in the development, then "you should be able to party there." He asked who would pay



for the street lights. He noted concerns about trees that are "older than the City" being cut down.

Bonnie Lege, 365 Chattahoochee Street, stated she is against this project due to the density. There are too many houses for the small property. Ms. Lege said she did not think that reducing the density by half would even be appropriate. The area is zoned single family dwelling. She said, "Those four houses that were torn down on Pine Street should be put back. The other acreage to be green space." She said she did not understand why "every ounce" of land in the City should be developed. She stated Mayor and Council do not live in this neighborhood so they do not deal with the problems of stormwater runoff or traffic. Ms. Lege asked that Mayor and Council take into consideration the neighborhood's argument that this development should not move forward and to deny it.

No further public comments were made.

*Applicant rebuttal:*

Mr. Wood said his understanding of the Gateway Project is that at the end of Chattahoochee Street, at that intersection, a traffic circle is being considered because of the way it intersects that angle. New developments coming into the area will further help increase the need. Mr. Wood said the domestic water is through the City of Roswell. To meet the domestic demand, they are looking at tying in from Pine Street to Chattahoochee Street to provide a loop system on the domestic water, and to have new hydrants within the community. Mr. Wood said, "That was one of the reasons for coming in and building a public road like this instead of a private road so that you would actually increase the water pressure by having it looped instead of the traditional R-2 with coming in and having a cul-de-sac and the lots off the off the cul-de-sac where it would dead end."

Mr. Wood said they have done a great deal of work to get the front entry product to work. The front entry product is internal to the development, those will have larger backyards. A rear entry product is proposed where the development abuts a street that is visible from the surrounding area. He noted that on Chattahoochee Street there will be landscaping on each side of the entry.

Mr. Wood said the home prices will start at high \$300,000; square footage will begin at 2,500 square feet. The homes will complement the area. The architecture will be similar to that seen on Revival Street.

Mr. Wood stated the on-street parking would provide guest parking. The road is a public road. The park is off a public road. The park could be fenced in and could be a first come first used facility.

Mr. Wood referring to a slide shown earlier noted the surrounding area and the abutting commercial. He stated they believe they have achieved an appropriate look and feel for this zoning designation. The density is appropriate for a substantial home owners association that can pay for the water that will support the park, the upkeep, irrigation, and maintenance of all the common areas.

Mr. Wood noted the comment made regarding the distance between homes. He said even though the units are attached, there is ten feet between the structures; it will be possible for grass to grow and be maintained there. Instead of doing a fence as is done in single family developments, this will have an arbor that designates each back yard.

Mr. Wood stated the proposed site plan is the best fit for the zoning. Mr. Wood

assured Mayor and Council that the products that have been shown are what will be built, and built to the standard and price point discussed.

*Council questions:*

Councilmember Diamond asked Mr. Wood if he had planned for the proposed development to be maintained by an association or would each property owner be responsible for their own yard. Mr. Wood replied that he planned for it to be a combination of both. The proposed development is plotted as individual lots, therefore homeowners would be responsible for their individual lot; there is also a mandatory homeowners association for any of the common space areas. Common space areas include an area on the upper side, stormwater management areas, park areas, entry feature and its landscaping. He stated they plan only one sign off of Chattahoochee Street where there is ample room. The home owner association written covenants would allow them to take action as any other subdivision home owner association can do. Councilmember Diamond asked if Mr. Wood had considered one maintenance facility to keep it looking nice in a uniform way and to prevent multiple yard service companies tying up the small street different days of the week. Mr. Wood confirmed that could be considered if it turns out to be a better option.

Councilmember Price stated she viewed the property and is impressed by the topographical challenges. She asked if the houses will be on the same plane or staggered. Mr. Wood replied no, the road starts at Pine Street and rises and falls back to Chattahoochee Street. The topography at the site is medium. There is topography up against the commercial area behind lot 8, which probably will require that they retain lot 8 back toward the property line. Lot 15 is a basement lot which would sit closer to natural grade. Lots 5, 6, and 7 are slated to be basements. Lots 1, 2, 3, and 4 would step down towards the road. Mr. Wood stated they have looked at a grading plan for the site. This product type will work relatively easily with this topography. He noted there may be a couple of feet drop from one house to another but it would not be very extreme, being that they are thirty-eight feet wide.

Councilmember Price asked if the homes will be strung together in a straight line. Mr. Wood replied no, they are not on a plane. There will be elevation change. The homes will drop down. On the proposed site plan, he pointed out the high point of the site at lots 10 and 11. The site gradually goes down toward Chattahoochee Street. From lot 10 the site slopes down toward the detention pond. Mr. Wood reiterated that those homes would be going down the slope and are definitely not on the same plane, as it is not the look they wanted.

Councilmember Price inquired how the arbor is attached to the homes and the height that it would be attached. Mr. Wood said it is only a couple of feet; the height of the columns can be adjusted to make up the grade. He briefly discussed ways to make up the grade in order for the arbors to be attached in different ways at the gate, fence, or the foundation. He confirmed that there is not that much grade to contend with for this product. Councilmember Price asked if all eight houses would be completely connected, no break. Mr. Wood replied, "There will be ten feet in between. It is almost as if the individual home owners put up individual fences except this time we are specifying something a lot more decorative between the homes than just whatever the homeowners can put up." Councilmember Price asked if there is no gate between lot 10 and lot 11. Mr. Wood confirmed that there is a gate between those two homes on the proposed site plan.

Councilmember Dippolito stated a comment was made that the proposed site plan contains the architecture that will be built. He stated that from a zoning approval standpoint, Council does not actually approve the architecture. Planning and Zoning

Director Brad Townsend confirmed that is correct. Councilmember Dippolito asked if there is a way to say that Council approves similar architecture. He asked if the Design Review Board (DRB) approves the architecture. Mr. Townsend confirmed that the DRB does not approve residential architecture.

Mayor Wood inquired with staff how Council would be assured that the finished product is of the same quality that has been presented tonight. City Attorney David Davidson stated that if the applicant is willing, it could be stipulated. Mr. Wood replied the applicant honestly thought that was what they were doing. Mr. Wood confirmed for Mayor Wood that the product illustrations presented would be the look and feel as submitted. Mayor Wood asked if it would be similar materials and similar architecture. Mr. Wood stated Arcadia designed the architecture. Councilmember Dippolito stated that is important, particularly with the front loaded product. He stated that he always prefers a rear loaded product but understands that it cannot always be accomplished but it is important to have decorative doors, no two car garage doors, garages should be setback from the face of the house. Although those elements may seem minor, they make a difference from the street.

Mayor Wood asked City Attorney David Davidson what language he would recommend that Councilmember Diamond should include to obtain this goal. Mr. Davidson suggested language that the applicant has agreed to use the elevations and materials provided at this Council would be substantially similar. Mayor Wood asked Mr. Wood if the applicant agreed to that. Mr. Wood replied, "The other thing we were also prepared to do is we knew the distance to the garage and also the recess of the garage from the front of the house." Mayor Wood noted that the applicant was okay with that, but would the applicant agree to build these houses with substantially the same details and materials as shown by the applicant in their presentation to Council. Mr. Wood replied yes.

Councilmember Price asked about the sides of the product, whether there would be stonework and brickwork. Mayor Wood asked what material would be used on the sides. Mr. Wood replied it would be Hardi-Plank on the sides.

No further Council questions. Mayor Wood asked if Council was ready to make the motion.

Councilmember Diamond stated this was a difficult one because there is a shortage of this type of homes. There needs to be some transition between commercial areas and residential areas. She stated the City's engineer does a thorough job. Environmental/Public Works staff has stated that this proposed development would actually improve the situation for the properties downstream, as contrary as that would seem. Councilmember Diamond stated if the site plan does not meet the approval of the engineers on staff, then permits will not be issued; stormwater must be addressed. Councilmember Diamond stated she recognizes the impact traffic has on this particular area because she once lived in that area. Any development for this area will increase the amount of traffic to some degree; that is the cost of development. There have been a number of letters in support of the proposed site plan, as well as letters of opposition. Councilmember Diamond noted her preference for rear loading homes. She said it is hard to imagine a transition that would be effective and be feasible because by the time the developer meets all of the City's regulations, builds a street, and does all the of the requirements, a certain number of homes is needed to make it work. Councilmember Diamond stated that she does feel somewhat comfortable with what has been proposed. She is in favor of moving parking down near the retention pond but wondered if there could be an additional couple of spaces rather than replacing those couple of spaces. Mr. Wood replied, "We feel, after talking with staff, that parking on the street will be enhancement and

that it is encouraged with traffic calming. Adding spaces is not a problem.”

*Motion: Councilmember Diamond moved to approve RZ12-09, CV12-04, Pine St. @ Chattahoochee, Prime Interest, Inc. Land Lot 382, with the concurrent variances with the exception of where it says: To allow for sixteen family attached homes, it would be fifteen family attached homes, with the following conditions: the seven that staff included; changing #1 to March 21; adding a #8 that garages will be setback at least fourteen feet from the property line; #9 garages would be setback at least five from the face of the homes; #10, the applicant has agreed to use architecture substantially similar to what was provided to Mayor and Council.*

*Councilmember Dippolito requested clarification of #3 which states that the front of each home must sit at the 5-foot front setback line; he asked if that is to be a minimum of five feet. Councilmember Diamond replied yes. She noted that condition #3 is also covered in the variance and requested that it be removed from the conditions. Mr. Townsend confirmed that #3 would be omitted from the conditions.*

*Second to the motion: Councilmember Dippolito confirmed that he seconded the motion with the removal of #3. Councilmember Diamond confirmed for Mayor Wood that it was acceptable to her.*

*Further Council discussion:*

*Councilmember Price asked Mr. Townsend to display a site plan showing the adjacent lots. She asked that the land lots be identified of the citizens in favor and of those opposed to the proposed site plan. Mr. Townsend replied that he was unable to do that this evening. Councilmember Price stated the address directly across from the entrance is 370; numbers on Chattahoochee Street decrease heading south on Chattahoochee Street; numbers 7439 and 4401 are further down that road.*

*Councilmember Diamond said she thought they were directly across the street.*

*Mayor Wood asked Councilmember Diamond about her observation.*

*Councilmember Diamond said that when she looked it up she believed fours were right across the street. Councilmember Price replied, “370, is directly across.” An unidentified speaker stated, “The letter that Marty said he received is across from Chattahoochee.” Mayor Wood asked that those citizens who were in attendance for this item, including those who had earlier addressed Council, to come forward to identify their lot on a map displayed. Councilmember Price asked that anyone who had spoken or had written letters to identify where they live and state whether they were in favor or opposed to the proposed development. The following people came forward: Bonnie Lege, 365 Chattahoochee Street, opposed; Gail Battersby, 370 Chattahoochee Street, opposed; unidentified citizen, 56 Pine Street, opposed; and Stephanie Holland, 335 Chattahoochee Street, in favor.*

*Councilmember Igleheart noted that the applicant clearly listened to comments made during the various meetings that were previously held and made accommodations. He expressed appreciation to the applicant for the work done on the proposed plan but his main concern is the zoning and the higher number for townhomes. He described the proposed plan as “faux” townhomes, which is “putting a single-family peg into a townhome hole.” Councilmember Igleheart said, “Some could say that we will make it different with the UDC (Unified Development Code) anyway, but we are not there.” Councilmember Igleheart stated that he agrees with the Planning Commission recommendation, and could not support the proposed plan.*

**A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this Item be Approved with the following Conditions:**

- 1. The owner/developer shall develop the property in accordance with the site**

plan stamped "Received March 21, 2013 City of Roswell Community Development Department"

2. The garages for the homes must be used for cars only. This must be specified in the Home Owner Association Documents.
3. The signage for the development must be located on its own parcel. This must be specified in the Home Owner Association Documents.
4. A preliminary plat for the property shall be required prior to the issuance of a Land Development Permit.
5. A final plat shall be recorded at the completion of each of the separate blocks built.
6. There shall be a 10' no access easement along Pine Street. This shall be shown on the preliminary and final plats.
7. The garages shall be setback a minimum of fourteen (14) feet from the front property line.
8. The garages shall be a minimum of five (5) feet forward from the face of the homes.
9. The architecture of the homes shall be substantially similar to the renderings provided to Mayor and City Council at the March 25, 2013 meeting.

Council Members Diamond, Dippolito, Wynn, and Orlans voted in favor.  
Council Members Igleheart and Price were opposed.

The motion carried by the following vote:

In Favor: 4

Opposed: 2

Enactment No: R2013-03-17

### **City Attorney's Report**

#### **7. Recommendation for closure to discuss litigation, personnel and real estate.**

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

**ADDENDUM TO MAYOR AND CITY COUNCIL AGENDA  
Monday, March 25, 2013**

**Mayor's Report**

**8. Recognition of the City of Roswell for their support of the 75th Anniversary of the March of Dimes March for Babies.**

*Mayor Wood welcomed Roswell Fire Captain Jeremy Adams, his wife Nicole, and their son Everett, who are the 2013 Ambassador family for the March for Babies.*

*Captain Adams thanked Mayor and Council and the department heads for their support of the March of Dimes. He announced that the March for Babies will be held on April 27 in Riverside Park and a March of Dimes benefit hosted by Shane's Rib Shack on Rucker Road will be on Wednesday, March 27 with 10% of the proceeds being donated to the March of Dimes. He noted that the City of Roswell Fire and Life Safety trailer will be there from 5pm-8pm. Additional information about the March for Babies North Fulton event can be found online at [www.marchforbabies.org](http://www.marchforbabies.org).*

*Mayor Wood thanked Captain Adams and his family for attending the meeting and encouraged everyone to attend these events.*

**9. Reading of a Proclamation for Autism Awareness Day.**

*Mayor Wood read the Proclamation for WORLD AUTISM AWARENESS DAY stating, On December 18, 2007, the United Nations General Assembly adopted Resolution 62/139, which declares April 2nd as World Autism Awareness Day (WAAD) in perpetuity. Autism is a lifelong developmental disability which occurs in approximately one in every 110 births, the causes of which are not fully understood. Autism does not discriminate by geography, social class or ethnicity and more children will be diagnosed with autism this year than with diabetes, cancer, and AIDS combined. The World Autism Awareness Day warmly celebrates the unique talents and skills of persons with autism and embraces them in community events, and brings together autism organizations all around the world, while giving a voice to millions of individuals who are undiagnosed, misunderstood and looking for help. On behalf of the City of Roswell, Mayor Wood proclaimed April 2, 2013 as Autism Awareness Day.*

*Mayor Wood welcomed Jeannie Devine and Sam Unglo and asked them to talk about Autism and what is being done to support this issue.*

*Sam Unglo said that his son is on the spectrum but has been doing tremendously well in part to organizations such as Autism Speaks who bring awareness to this great cause and who are raising funds to help find a cure as well as helping people who are currently on the spectrum. Their hope is to prevent the continued prevalence of this disability.*

**Adjournment - With no further business, Mayor and Council adjourned at 9:07 p.m. Mayor and Council reconvened for a Work Session update from the Downtown Development Authority.**