

**Community Development - Councilmember Nancy Diamond**

**5. Approval of an Ordinance to create the Unified Development Code Map. (First Reading)**

Planning and Zoning Director Brad Townsend presented this item stating they would be discussing the map for the proposed Unified Development Code (UDC) and he would provide some background information related to this. The map was drafted in conjunction with the 2013 Imagine Roswell Comprehensive Plan Future Development Map. The current map was adopted in 2003 and since that time there have been 115 rezonings, 31 conditional uses and 93 FC-A designations added to the map. The objective is to clean up the inconsistencies with the FC-A as well as other items on the map. Staff took the first step at drafting the map and a distribution went out to property owners to request their information after their review of the map. He said as was mentioned during the public hearing of the text, that himself, Alice Wakefield and Jackie Deibel had attended at least 50 different homeowner association group meetings.

Mr. Townsend displayed a list of the review dates that staff has had with Mayor and Council relating only to some type of map review that began in April of last year and goes through this evening. He said another reading for the text and the map together would be on February 10.

Mr. Townsend displayed the existing Office Zoning Map. He pointed out the current FC-A designation in pale yellow that covers 18% of the current land area, approximately 4,300 acres of property. He noted that it could not be determined what would happen with property with an FC-A designation and said it takes a review of Fulton County records and a translation from Fulton County zoning to City zoning. He said the map in the current form is over 70% residential in over 16,000 acres and is 11% in the commercial designations but that does not identify what is in the overlay designations so it is not known what is commercial or not.

Mr. Townsend displayed the proposed UDC map. He said he would break it down into smaller pieces for discussion as follows:

- The residential designations include over 72% of the property that include the plan residential areas, regularly referred to as E-1, E-2, R-1 and R-2. Those are changing in name but not in location or development parameters. Approximately 8.5% of this designation is in the corridors and nodes that is the Parkway Village (PV) designation, Shopfront (SH); with a little over 1% or 1.8% in the downtown areas, Downtown House (DH) designations and about 4.25% in the Employment designation. The biggest change designation wise is in the Civic areas where currently, schools, recreation, and parks are either in a Civic (CIV), Recreation (REC) or Conservation (CON) area that is approximately 13% of the property.
- A map of the Agricultural (AG) locations was displayed. Mr. Townsend pointed out the larger lot residential areas and the planned residential developments and said this is 70% of the property in designations that will remain consistently exactly what they are today.
- A map of the Residential Townhouse (R-TH), Residential Multi-Family (R-M2) and Residential Multi-Family (R-M3) designations was displayed. Mr. Townsend said this accurately maps what is on the ground today for an apartment complex, a townhouse development and how these designations represent what exists today.
- Mr. Townsend said the other designations were broken down on individual maps if anyone wanted to see them that include the Commercial Corridors and Nodes and Downtown designations.
- The map of the historic boundary was displayed. Mr. Townsend said these are the current boundaries and they will not change and it is the same land area. Identifying the civic uses as to churches and City Hall in a Civic designation is being proposed but everything in the Downtown

is to be represented either in the Downtown Residential (DR), Downtown Mixed Use (DX), Downtown Shopfront (DS) or Downtown House (DH).

- A map representing what has been created in the Civic & Open Space categories was displayed with Civic and Institutional (CIV) being schools, parks in the Recreation (REC) and Conservation (CON) areas as well as the three golf courses in the community. Mr. Townsend said this helps represent what is happening in the neighborhoods and shows where the Civic areas are located.

Mr. Townsend referred to two items, a multi-colored list of 18 areas and also a spreadsheet listing 2,866 locations. Mr. Townsend said copies of the list had been provided to Council and copies were also available on the table in the back of the room for meeting attendees. (This list was later referred to as the multi-colored list Map Changes 2014.) He said the spreadsheet had been received earlier today and of the approximately 2,800 locations, about 400 of those had changes and the remaining had questions. Mr. Townsend said that staff had since created a map showing all of those locations and noted that large maps had been placed on the back wall as well as one in the front of the room for residents to see as the items were being discussed. He asked how Council would like to go through the lists in order to provide direction to staff.

Mayor Wood thanked Mr. Townsend for his presentation and said he would first have City Attorney David Davidson explain where they are in the process. He would then hear comments and questions from the floor followed by comments and questions from Council. A motion would then be entertained and if there was a motion with a second, he would entertain amendments to the motion. He asked Mr. Davidson to proceed with an explanation of the process.

City Attorney David Davidson said at the last meeting of Mayor and Council they proposed an ordinance for the text of the UDC along with the map. Council adopted the text at that time but did not adopt the map. The map was brought forward to this meeting but the text and the map are still considered part of the same ordinance. He said if this was denied tonight, the ordinance would fail but if approved with amendments, it would go forward to the second reading which is scheduled for the second week in February. He said basically, if this fails tonight then the first reading of the ordinance will fail but if it is amended and approved, that amendment would go forward to the second reading of the single ordinance.

Mayor Wood said for clarification that this will not be the last opportunity for public comment. There will be more public hearings and there will be a public hearing at the second reading. It is possible that this could be deferred and it would go for a public hearing after that. He said he would focus tonight on questions or comments regarding the map as proposed.

The meeting opened for public comment.

### **Public Comments:**

**Frances Lari**, Inverness Subdivision, made the following comments:

- Represented the concerns of the Inverness Subdivision in the Garrison Hill section of town.
- Inverness resident concerns are regarding the south side of Highway 120 between the Kroger and Willeo Road “empty areas” designated O-P.
- Proposed map indicates those areas are moving to mixed-use which would allow apartments.
- Inverness is opposed to mixed-use; wants it to remain O-P.

- Inverness wants all of the conditions that apply to Kroger and the R-3 apartments that currently exist to remain in “full force with no increase of zoning allowed so that higher density build could not come in there.”
- Inverness is concerned that a change in zoning could allow for higher density if a developer decided to sue, if it went to mixed-use; she referred to a discussion several Inverness residents had with Zoning Director Brad Townsend.
- Inverness residents have concerns regarding change in buffers from 50 feet to 20 feet.
- Inverness residents insist that Garrison Hill Design guidelines continue as they are; it is understood that draft guidelines are being drawn up for the UDC.

Mayor Wood asked Mr. Townsend to respond to Ms. Lari’s questions, beginning with her question regarding if the City is rezoning to apartments. Mr. Townsend stated, “We are not rezoning to apartments. The use of an apartment complex is a conditional use.” Mr. Townsend displayed a map on the overhead and indicated the two parcels of discussion, one which he thought was the Just People Complex; he noted those are designated O-P on the current map. Mr. Townsend said, “Those are the two O-P designations that they are concerned about that we are showing as mixed-use.” Mayor Wood asked if those were the two parcels of concern for Ms. Lari. Ms. Lari responded that there is some acreage around some private homes that could be sold that are used as offices; she noted that that is one of the concerns. Mayor Wood asked that staff responded to each question one at a time to avoid confusion. Mayor Wood said, “I think you raised the question about changing zoning from O-P to mixed-use. First of all, Brad was trying to identify the two parcels which he thought that applied to. Did you have a question about some other one being changed from O-P to Mixed Use.” Mr. Townsend replied, “Jackie just put on the screen, if you look at the two blue locations on the map, that is 120, backs up to the Inverness property. Those are the two scenarios in which we feel the mixed-use should go we go to an O-P designation. Staff does not have a problem taking the Mixed-Use off of that and making those O-P.” Mayor Wood replied, “So you are suggesting those go back to O-P.” Mr. Townsend replied, “Correct.” Ms. Lari confirmed for Mayor Wood that Inverness wants the zoning designation to be O-P. Mayor Wood clarified that staff is suggesting that be done. Mayor Wood requested that Ms. Lari’s second question be addressed. Mayor Wood noted that Council would be able to ask questions after he got through the questions he had regarding Ms. Lari’s questions. Mayor Wood stated, “The two O-P’s that you were concerned were going to Mixed-Use are going back to O-P.” Mr. Townsend replied, “Yes.” Mayor Wood stated the next concern regarding Garrison Hill Guidelines, he knew that was coming forward and would not be voted on tonight. The Mayor noted that Ms. Lari had mentioned concerns regarding buffers. Ms. Lari replied, “We want the buffers to remain at the 50 foot, not the 20 foot.” Mayor Wood asked which parcels this involved. Mr. Townsend replied, “That is hard to represent. The building setback is a fifty (50) foot setback. We currently have in our code a forty (40) foot buffer. What is being adopted is the opportunity to put a wall in a twenty (20) foot buffer or not to have a wall and maintain the 40 foot buffer. I think there is some confusion as to what the setback would be. It is really determined on a case by case of whether it is a protected district that it abuts, or it is not a protected district. In either instance, we are still maintaining a 40 foot buffer, but the land owner or property owner has the opportunity if they want to reduce it to 20 feet, they have to then put in a wall which is not a requirement today.” Mayor Wood said that would be a change. Mr. Townsend agreed. Ms. Lari confirmed for Mayor Wood that she is opposed to that change.

**Council questions:**

Councilmember Price stated, “My understanding when we embarked on this half a million dollar project, that anything that went from one zoning designation would stay in that zoning designation although we

have gone from 18 zoning categories to 30, so obviously some have to change because we have actually made it less simpler instead of more simple. Be that as it may, if that was O-P and we still have a category called O-P, why was it then not made O-P?" Mayor Wood replied that it is being made O-P now. Councilmember Price replied, "I want to know why. How did it change?" Mr. Townsend replied, "Staff put on the original map to make it mixed-use, to match the future land use map in dealing with providing a mixture of uses in more designations." Councilmember Price replied, "But weren't we told that anything that was something before would not change unless it had to change. And, in this case, since we still have an O-P designation, why did it have to change?" Mr. Townsend stated, "Because staff was represented through the Comp Plan that we wanted to put more (statement not completed)."

Mayor Wood said, "It does not have to change, and in fact, it now is going back to where we were. As far as what was told, I don't recall being told that there would be no changes. I am trying to move forward here. As far as what happened in the past, if you believe things change, and you were misrepresented that is appropriate to make your protest. But as far as what is being read, do you wish it to remain to be O-P or do you wish it to be changed to something else?" Councilmember Price replied, "I am happy to keep it the way it was, but also the lady from Inverness needs to also be very careful that the use chart, maybe it still says O-P but the use chart will be the key to what changes also. I would just caution you to look at the use chart and see if it is different from what it was before and if you have any further requests of us, please make them known." Ms. Lari replied, "We want all of the current O-P zoning to stay all the way from the Kroger; this is the south side of 120, from the Kroger on 120 all the way to Willeo Road. We want it to stay O-P." Mayor Wood said, "As I understand it, the O-P is remaining O-P, correct?" Ms. Lari said, "Is all of it? The houses that are still offices? Those are the parcels that we are concerned about it because those parcels could be sold and if it was zoned mixed-use, someone could put high density in there." Mayor Wood replied, "If it was zoned mixed-used, it could be used for the zoning for mixed use; you are correct. But as I understand, the staff is recommending that it is going back to O-P." Ms. Lari expressed appreciation.

Councilmember Dippolito said he thought that perhaps Ms. Lari was referring to two of the houses up on Hwy 120. He asked if she was referring to the insurance business as you go up the hill. Ms. Lari responded that is on the other side of Hwy 120. She noted there are also some private homes between Kroger and the Just People facility; private parcels of land still exist there; there is also a townhome development which is a higher density development, next to the Kroger shopping center, zoned R-3 apartments. Ms. Lari said, "We as a neighborhood, would like those guidelines, those conditions, to stay in full force as they are. We don't want them to change." Councilmember Dippolito asked if those conditions are part of Appendix "A". Mr. Townsend stated yes. Councilmember Dippolito replied, "All of the conditions on the Kroger and the townhouse, that development, will be brought forward in the UDC." Mr. Townsend stated that is correct; he noted that it was identified as a "lawsuit property" and was brought forward.

Councilmember Igleheart stated he would like to make a comment regarding setbacks. Councilmember Igleheart said a forty (40) foot setback today is not the same as a twenty (20) foot setback with an eight (8) foot wall; he asked if that is not correct. Mayor Wood replied, "You are correct Councilmember Igleheart." Councilmember Igleheart stated, "We need to be very careful as to what we are saying and be very clear as to what we are going to allow." Mayor Wood said, "I think it was clear that it was either 40 foot or 20 foot with a wall." Councilmember Igleheart replied, "Well, an 8 foot wall on your second floor is not going to make any difference to you when something is only 20 feet away versus 40 feet, and it was said, misinformation. I just want to make clear that we are accurate on what we are saying. The same thing on apartments; if we had this discussion many, many times, right now apartments would not be allowed on those properties; not legally. They can't even ask for it." Mayor Wood stated,

“Councilmember Igleheart I would disagree with you because you can ask for a rezoning.” Councilmember Igleheart replied, “But they are not going to get it.” Mayor Wood replied, “And they are not going to get conditional zoning Councilmember Igleheart.” Councilmember Igleheart stated they could. Mayor Wood replied, “They could get conditional zoning, they could get rezoning.” Councilmember Igleheart replied, “They could not get apartments on that property under our existing code.” Mayor Wood replied, “If the code allows a rezoning, then they could get it, so you are wrong.” Councilmember Igleheart replied, “But they can’t, not to an apartment. You cannot.” Mayor Wood said, “Councilmember Igleheart is wrong.” Councilmember Igleheart replied, “I am not. Mr. Davidson, would you care to clarify that?” City Attorney David Davidson replied, “Currently, I don’t believe the City allows new apartments to be developed at this time.” Councilmember Igleheart stated, “Thank you.” Mayor Wood said, “The Council can approve new apartments with a change in the zoning ordinance, can they not.” Mr. Davidson replied, “Yes they could.” Mayor Wood replied, “That’s my point.” Councilmember Igleheart said, “So you change the entire zoning ordinance.” Mayor Wood said, “And the Council has the option today.”

Mayor Wood invited further public comments.

**David Rittenhouse**, Wexford Subdivision Home Owners Association President, made the following comments:

- Noted that he had sent email to each Council member expressing Wexford concerns regarding the possibility of the reinsertion of the RS-4 and RS-6 designations into the UDC.
- Distributed personal transcript of Mayor and Council meeting August 12, 2012; Wexford concerns pertained to the rezoning of Corley property (intersection of Kent and Etris Roads); Council voted to rezone Corley property R-1.
- Noted that lots in Wexford average 1.8 homes per acre; homes average 24,444 square feet in size.
- Inquired whether Wexford has been rezoned from R-1 to R-2.

Mayor Wood asked staff to address Mr. Rittenhouse’s questions one at a time; he would provide Mr. Rittenhouse enough time to finish his questions. Mr. Townsend displayed the zoning map on the overhead projector. Mr. Rittenhouse noted that he could see from the map that Wexford remains R-1.

Mr. Rittenhouse requested clarification regarding the designation difference between the planned residential development of Edenwilde and Saddle Creek; he said his understanding is those provide additional protections for subdivisions that have mixed size lots.

Mr. Townsend stated, “Usually the reason for a planned residential development designation is there is differing subdivision plats within that which may have different setbacks, and they were usually done as part of an approval in Fulton County. So, we are bringing those approvals forward and making sure that they are consistent with what they have on the ground today.” Mr. Rittenhouse asked if that would pertain to Edenwilde because it came in later and was developed after Wexford.

Mr. Rittenhouse noted that Wexford had just re-done their bylaws; those bylaws prohibit subdivision of lots. Mr. Rittenhouse asked, “Which would prevail; would the Wexford bylaws prevail or would the zoning prevail?” Mayor Wood asked the City Attorney David Davidson to respond. Mr. Davidson replied, “If the people brought the project subject to those bylaws, then they would be subject to those bylaws. The City would not have anything to do with that. That would just be a legal matter between the

homeowners association and that property owner.” Mayor Wood clarified that the covenants would prevail. Mr. Davidson agreed.

**Council Comments:**

Councilmember Dippolito asked if the approved site plan on the PRD (Planned Residential Development) remains without changes; or does any change to a PRD from this point forward require a rezoning.

With the use of the overhead projector, Mr. Townsend reviewed a list, stating, “This is the list of the PRDs which are included within the text of the Unified Development Code. The simple answer is, I am just going to use Martins Landing as an example, we are pulling forward all the subdivisions within that designation as well as their parameters for setbacks, minimum lot setbacks and lot widths. For that to be amended, my opinion would be, that is a rezoning process that would have to come through Council, there would have to be neighborhood notification for them to understand that something would be changing in their PRD.”

Councilmember Dippolito asked if for example, if someone wanted to combine three lots to build townhouses even though townhouses are permitted in the PRD would require a rezoning. Mr. Townsend confirmed that would be an amendment to the site plan. Councilmember Dippolito asked if any amendment to the site plan is essentially a rezoning. Mr. Townsend confirmed that is correct.

Mayor Wood stated he would like the Council to reserve their general questions until after public comments have been made; if there is a specific question about a specific property brought up by the public those questions could be made, but otherwise, general questions and comments should wait until after Council has heard from the public.

**Lisa Decarbo**, 130 South Shore Court, made the following comments:

- Roswell Planning Commission member.
- Stated she looked at the map for the properties brought to Mayor and Council attention as far as questions or a potentially incorrect zoning; additions to this map: three parcels on east side of Old Scott Road just above Holcomb Bridge Road; these parcels had been FC-A; did not know what the underlying zoning was since the information was not available via the GIS website; she noted they “were in blue” and had gone to Office Residential; she said it had been discussed in work session and given O-R at the time when staff had been directed to make the plan look like the Comprehensive Plan, not to match the existing.
- Referring to the site plan for Martin’s Landing, she noted that amenities on the river are missing, the River Club, and the Wynfield Gables Subdivision; she noted an area included that is not included within Martin’s Landing.
- Within Martin’s Landing, the issue of being able to combine or subdivide a lots is subject to the covenants and bylaws but to a very specific process; someone could not do that without getting a vote of every individual member in the subdivision and having 75% in favor.
- Suggested for their PRD, that language be included; they do not expect the City to enforce that but “anyone comes to the City for a rezoning request should know that is what they are up against within out particular PRD”; is that a possibility?

Mayor Wood asked City Attorney David Davidson if it would be possible to put a note in there to reference them to private covenants just for an informational item. Mr. Davidson replied, “If we are

going to do that I wouldn't recommend doing it just for Martin's Landing. I would say everybody would be subject to the covenants of their neighborhoods, if they have them. A general note would be okay but I would not recommend doing one subdivision." Ms. Decarbo replied, "That was one of their suggestions. I was going to say is in the description of what the PRDs are, have something in there." Mayor Wood responded, "It wouldn't be just be for PRDs as David is saying. It would be a general statement. I am sure we will take that under consideration."

Ms. Decarbo said she wondered if it is not better for every subdivision within Roswell to have their site plan carried forward as part of Appendix "A."

**Randall Dinkerman**, no address given, made the following comments:

- Wexford resident; originally from northern state; moved to Roswell because of the low population and housing density, as opposed to Sandy Springs, and Alpharetta; prefers to see low density remain.

**Joseph Ahlzadeh**, no address given, made the following comments:

- Concerned about the shop front zoning designation for his parcel located on Strickland Road; he has a two story building facing Quality Storage.
- Asking that certain types of uses allowed that are part of Light Industrial, to become part of Shopfront designation.
- Displayed a UDC list for Light Manufacturing, Light Industrial; noted highlighted items that would foster higher occupancy for his building and possibly help other buildings similar to his; suggested that some of these items can become part of Shopfront for a building like his; they are a correct and proper use.
- If these light industrial uses cannot be part of Shopfront, he would request the change for his building, "to become Commercial Corridor."
- Displayed current allowed uses for his building as Commercial Highway.

Mayor Wood inquired if Mr. Ahlzadeh's property is currently zoned light industrial or commercial corridor. Mr. Townsend clarified that it is zoned C-3. Mayor Wood asked if C-3 allows these industrial uses. Mr. Townsend replied no.

Mayor Wood for clarification purposes said, "This Council is trying to not change the zoning where the property owner is objecting to it, but on the other hand, not trying to expand the uses from what it is currently is substantially. Under C-3, are you saying that you would like to go from C-3 to shop front but would like to have these light industrial uses, is that what I am hearing?"

Mr. Ahlzadeh replied, "That would be correct sir. If I am grandfathered or not, these are the uses I am allowed to have at current period."

Mayor Wood directed Mr. Townsend to clarify that. The Mayor asked if under current zoning would Mr. Ahlzadeh be allowed these light manufacturing uses, if he C-3. The Mayor said it is somewhat confusing, because if it is C-3, and it is light industrial manufacturing uses that he is requesting, it does not seem to be jiving.

Mr. Ahlzadeh said, "My zoning, that I am aware of, is Commercial Highway."

Mayor Wood asked if the current zoning is C-3. Mr. Townsend said yes. Mayor Wood asked if Mr. Ahlzadeh was now asking for some light industrial uses. Mr. Townsend replied, "He is asking for an expansion of his use category to put light industrial because he believes that some of those are currently allowed under the C-3. I don't believe they are." Mayor Wood replied, "I first want to try to get the facts straight and then the Council can make a policy decision." Mr. Townsend stated, "Manufacturing, processing, recycling, under C-3, is not permitted."

Mr. Ahlzadeh stated, "We are talking about light industrial, not processing. If you look at some of the items that are under this Light Industrial; pharmaceutical, medical. It says supply manufacturing, but assembly would be better." Mayor Wood replied, "I think what we need to look at though is what is allowed under C-3, because you are not currently zoned Light Industrial. I understand you would like some light industrial zoning, but we are trying to see what you are losing under C-3. That is probably where we need to refer to, isn't it?"

Mr. Townsend replied, "And the policy decision relates to C-3 as a category is really being carved into more appropriate corridor designations in different areas of the city. The Shopfront is in the mid-town location. Commercial Corridor is in the Alpharetta Highway."

Mayor Wood said he understood that, but wanted to focus on the uses which Mr. Ahlzadeh currently has under C-3, if he wants those expanded from C-3, how those can be expanded. Mr. Townsend stated yes.

Mr. Ahlzadeh replied, "If laboratories or offices or other facilities used for research and development, you are saying that is not allowed on C-3?"

Community Development Director Alice Wakefield noted that City Planner Jackie Deibel had the list displayed on the overhead screen that is currently in the ordinance.

Ms. Deibel stated, "If you take a look at the table, this is the current Code, you have O-P, C-1, C-2, C-3, and I-1. I-1 is the last column." Ms. Deibel referred to the table displayed and confirmed that pharmaceuticals currently is not allowed in C-3; research type scientific and testing lab is currently not allowed in C-3; manufacturing, processing, recycling, and assembling within buildings is currently not allowed in C-3, it is a conditional use in I-1, today. Councilmember Dippolito asked if there is a separate assembling. Ms. Deibel replied, "No, it is not in the current Code. It is all together with manufacturing."

Mr. Townsend asked that the current zoning map be displayed which would show Mr. Ahlzadeh's location.

Mr. Ahlzadeh asked how he would address the fact that he has a two story building that is in Shopfront where only a single story building is going to be allowed.

Mr. Townsend replied, "Existing, non-conforming."

Mayor Wood replied, "Your current use is you can proceed. This Council could choose to expand the zoning uses in Shopfront, to allow some Light Industrial. I am accepting that as your request. I understand that your argument is that it would be appropriate in this area; Council will take that under consideration." Mayor Wood thanked Mr. Ahlzadeh.

**Vance Mcgaughey**, Meadowood Drive, made the following comments:



- Concern regarding the rezoning of VFW property; said he understands it is proposed to go RX, residential mixed use.

Mayor Wood said, "This is my understanding, and Brad, correct me if I am wrong, under its current zoning, which includes the Groveway Overlay, it could be used for apartments. Under the proposed zoning, it will not be zoned for apartments. Under the proposed zoning under the map that staff is recommending."

Mr. Mcgaughey replied, "Does that mean it never could be if a developer wanted to, he could not even apply for it to have it, if it went to the RX, because that is a higher density."

Mayor Wood replied, "Kent and I disagree on this but if you are saying 'could a developer apply for rezoning or change the zoning map' they can always apply for rezoning, regardless of how we zone it." Mr. Mcgaughey stated he meant as it is worded in RX, residential mixed use; does it allow for a higher density, if it was asked for. Mayor Wood asked staff to respond. Mr. Townsend stated, "The simple answer; the word 'density' is not used in the UDC. It is a misnomer." Referring to chart displayed overhead, Mr. Townsend explained, "This is a building-type chart. This tells you in which designation which type of buildings are you able to build. In the RX designation, because we went with the Groveway neighborhood residential designation, which included townhomes, walk-up flats and stacked flats, as well as a detached house or a carriage house. Those are the building types that you are allowed to build and meet the parameters of each of those building types on an RX piece of property." Mr. Mcgaughey said, "Is that not higher than what it would be if it were R-3." Mr. Townsend replied, "I don't know if the term 'higher' can even be calculated." Mr. Mcgaughey asked if the setbacks are different from an R-3 to an RX; he thought that by itself would allow for a higher density. Mr. Townsend replied, "The setbacks are determined by which building type you pick." Mr. Mcgaughey replied, "Aren't the setbacks less than if it is an R-3 zoning; than if going from a fifty to a twenty-five when it goes to an RX, which would allow for more buildings. We would like more clarity on that." Mr. Townsend replied, "I think the terminology relates to if, 'I was building this development as a townhouse, would there be more buildings than there are today on it?' Absolutely. It's got one building today. If I was building this as a walk up flat or a stacked flat, yes, there would be more buildings on the property but they would meet the requirements of each building type. Since you are a protected district, whatever protected neighborhood requirements there are would be required for the development to put in." Mr. Mcgaughey replied, "Are you saying that the Groveway District trumps it?" Mr. Townsend replied, "The Groveway District was directed by the Council was what we were requested to put on the property; yes." Mr. Mcgaughey replied, "So that would trump the higher density. We are just very concerned." Mr. Townsend stated, "I don't think that higher density is a term. I think you are putting words in what the document doesn't have." Mr. Mcgaughey inquired about building height; is that affected by going to RX as opposed R-3. Mr. Townsend replied, "I think the highest building is the stacked flat." Referring to graphic displayed, Mr. Townsend stated the stacked flat would be three stories. Mr. Mcgaughey asked if that is approved in the Groveway District and if that height is allowed if it is R-3. City Planner Jackie Deibel replied, "The height in R-3 is 35 feet." Mr. Mcgaughey inquired what the height is for a three and one half story building. Staff confirmed it would be 45 feet. Mr. Mcgaughey said, "We would like some consideration to move to at least keep it as close, as we understand, in the Groveway District, would be the RM-3, Residential Multi-Family, as opposed to the current RX designation." Mr. Townsend asked for confirmation that Mr. Mcgaughey wanted the designation to be RM-3. Mr. Mcgaughey said, "If that is the closest to it because the new designation won't be an R-3."

**Council Comments:**

Councilmember Wynn stated, "RX allows townhomes, stacked flats in protected districts. RM-3 allows conditionally, apartments. Am I correct?" Mr. Townsend replied she was correct. Councilmember Wynn asked if she was correct that it would be "more multi-family because RM means residential multi-family." Mr. Townsend replied yes. Councilmember Wynn said, "So, the RX now is consistent with the Groveway District." Mr. Townsend replied yes.

Councilmember Diamond said, "So, if we moved it back to RM-3, we would essentially just be disallowing detached homes, single family, and carriage house?" Mr. Townsend replied, "The RM-3 allows detached all the way down to stacked flat, everything. RM-3 allows each of the building types."

Mr. Mcgaughey stated, "What is the closest one to the current R-3 residential zoning that you have now?"

Mr. Townsend replied, "It would be Groveway, mixed-used overlay RX, is the closest category."

Mr. Mcgaughey replied, "It does allow higher buildings, that is the only drawback, another ten feet; correct, or three and one half stories instead of the three. Is that conditional, subject to Council approval, if someone wanted to build higher buildings on that property?"

Mr. Townsend replied, "They would have the RX parameters by right depending on the building type."

Councilmember Diamond stated, "Any of the RMs would require conditional approval; we would all have to come back to Council for that."

Councilmember Dippolito stated, "Mr. Townsend, is that correct that the RX has 10 foot; it is ten foot higher than the Groveway would have allowed? I think there is a little confusion there because he was saying he thought there was an additional ten feet and I thought we had compared the two and they were essentially the same for height and other (incomplete sentence). As far as the RX zoning, a lot of the dimensional characteristics are the same as the Groveway, and what you were saying is that you were actually getting ten feet more height in RX. I just want to clarify what is correct. It may be the same height."

Community Development Director Alice Wakefield stated, "We are looking at Groveway. I believe that Groveway was three and one half stories in the neighborhood residential which this property is covered by. The other areas are allowed to go to four stories."

Mr. Townsend stated, "Groveway was forty feet."

Councilmember Dippolito asked what RX is. Mr. Townsend replied, "Depending on the building type, thirty-five (35) or two and one half. Councilmember Dippolito asked, "Is there a max height in RX?" Mr. Townsend replied, "The max height would be what is said on the map and that is currently a three story designation. Anything that doesn't have a number on it is given a max height of three stories."

Mr. Mcgaughey said, "What is the setback or is it according to the different type that is built?" Mr. Townsend replied, "It is according to the building type."

**Eric Shumacher**, 145 Prospect Street, made the following comments:

- Displayed communication card regarding the UDC that came with utility bill last August; disagreed with this communication card from the City that a single family property would not be impacted; concerned that many residents don't realize there will be changes that affect them.
- Concerned with understanding how these changes are affecting the zoning code.
- Does not think the civic zoning is actually protecting some of the City's historic properties.
- Districts have not been explicitly placed on the UDC map; there has been discussion in the UDC Code but districts have not yet been placed on the map.

Mayor Wood asked staff to review how many public hearings have been held. Mayor Wood stated, "I think the question was raised did we communicate to the public what we are doing here tonight. I think the record, if you look at the number of public hearings, it will reflect the lengthy efforts this Council has gone to, to be clear and transparent, is what we are doing."

Community Development Director Alice Wakefield stated, "We have had, with this meeting and the first hearing for the text, fifty-three meetings in some form or fashion. We've had, as I have said before, at least nineteen work sessions with just Mayor and Council. Multiple meetings going to homeowner associations; multiple hearings before the Planning Commission; there was also a hearing before each and every board that looks at anything from a land use standpoint; multiple notices that went out to property owners who had significant change to their zoning; utility bill inserts; notice that was followed back up with those property owners in Parkway Village and another area; and mail to each and every property owner. We have tried to put out as many notices as possible and to have as many opportunities as possible for every property owner to have some input into the process."

Councilmember Price asked if she could have a copy of the document which Mr. Shumacher referred to and asked that copies be made for all Council members. She noted she was particularly interested in the far northwest corner of Roswell shown on the document he displayed.

No further public comments. The public hearing was closed.

**Council Comment:**

Councilmember Diamond referred to the spreadsheet with the 2,866 locations. She said it was a list of potential shifts and going back over what they may have missed. She said she was comfortable going through these and making them part of the first reading and then having that be the public discussion but said she was open to discuss that as well. She asked how the Mayor would like to handle that.

Mayor Wood said she could make a motion and the changes could be incorporated or the changes could be discussed followed by a motion.

Councilmember Diamond said there were items on the spreadsheet that were indicated with asterisks. She asked Mr. Townsend to review those items and make recommendations and if there were problematic issues with any of them, they would need to discuss those in a work session but a lot of these were cut and dry. Mr. Townsend said he had made a preliminary review of the spreadsheet. Councilmember Diamond said they had already talked about a few of the items and some were also on the multi-colored list that Mr. Townsend was showing on the screen now.

Mr. Townsend said they would keep the list on the screen but he thought it would serve Council and the public best if they also pulled up the location on the map and perhaps show an aerial of the piece of property so the context of what was being discussed could be seen.

*\*\*\*Following is the Multi-Color Map Changes 2014 List that was discussed:*

Number	Land Lot/Address	Map change	Response	Resolution
1	Old VFW Site	Currently R-3 to RX	Staff OK	
2	LL 678	AG-43 to RS-18	Staff OK	
3	Goulding Place	R-2/HR to DR-	Staff OK	
4	Riverside Drive	AG-43 to RS-30	Staff OK	
1	1850 Woodstock Rd	Change PV to Civic - church use	Staff OK	
2	Elizabeth Lane	R-2	Staff OK	
3	Norcross St	NX or OR	Staff OK	
4	Colonial Park Dr	CX to OP	Staff OK	
5	North of Mansell Road to cemetery	Change the CH to CX		
6	LL 595	IL to OP	Staff OK	
7	LL 537/ GBR	C-3 currently changing to OP - also the piece that is going to RM-2	CX	
8	9212 Nesbit Rd	change to OR (assisted living facility)	Staff OK	
9	Marietta Highway	change the RS-9 back to E-2		
10	Marietta Highway	change the RS-9 back to E-2		
11	Scott Road parcels	change the RS-6 to RS-9		
12	403, 413, 411, 443 Chattahoochee St	Should be RS-12	Staff OK	
13	Crossville Rd/LL 354	Conservation area (owned by the city)	Staff OK	
1	LL: 930, 931, 932, 941, 942, 943, 944, 1087, 1088, 1089	RS-30 to AG-43		

Mr. Townsend referred to Item #1 (Old VFW Site - Currently R-3 to RX) from the list and asked if this would change to RX or remain R-3 as proposed.

Mayor Wood said Council may have differences of opinion on this and he would like to begin with Councilmember Diamond making the motion and then have Council respond to that.

Councilmember Diamond said she could do that with what they have here but there are a few areas where staff had not responded and asked if that meant they had not weighed in or did not have an opinion or not taking a position.

Mr. Townsend referred to Item #5 (North of Mansell Road to Cemetery - Change the CH to CX) from the list and said the request is to change CH to CX.

Councilmember Wynn asked Mr. Townsend who brought these changes to his attention. Mr. Townsend said the items in the blue area were brought by Councilmember Dippolito and that in their preliminary discussions they provided him with a 33,000 parcel spreadsheet that he reviewed in depth. The item shown in purple at the bottom of the list was discussed by Councilmember Price at a meeting last Thursday. Councilmember Price said she also had another item on Hembree Road and asked if that was not reflected here. Councilmember Diamond said she thought that item was captured on the spreadsheet.

Kay Love asked what the yellow items represent. Mr. Townsend said they are the items that Council had brought up in some manner in prior discussions for instance they had not resolved the VFW site. Mr. Love noted that the items in yellow were not shown on the copy they had received. Mr. Townsend said Item #2 in yellow on the list had been brought up by a gentleman at the text meeting and that location was the Hawthorne next to Martins Landing. He said Item #2 in yellow was about Goulding Place and that the Carruth's had been in communication with him as well as Councilmember Diamond about their issues. He believed Item #4 was brought up by John Bridges who originally wanted AG and then they went back and staff had put RS-30 on those.

Mr. Townsend continued with his discussion of the individual items on the list that did not show a staff response.

Mr. Townsend referred to Item #5 from the blue section of the list (North of Mansell Road to cemetery - Change the CH to CX) and said that was brought up by Councilmember Dippolito to re-designate to a commercial mixed use, the property north of Mansell Road that is a shopping center between Alpharetta Highway and House Road that needs a kick start to redevelop. He displayed an aerial on the overhead and said it was all C-3 or OP in that location. He pointed out on the current map that it is designated as CH with a four-story designation and said Councilmember Dippolito proposed that it change to CX. Councilmember Dippolito said his rationale for that was that Commercial is primarily the automobile district for lack of a better term and there is Commercial Mixed Use (CX) on the south side of Mansell Road that goes up to the edge and rather than make the road the dividing line, it would make more sense to have CX which gives all of those shopping centers essentially the same uses they have today but makes the overall theme consistent on both sides of the road. He said one thing that occurred and he made the adjustment on his spreadsheet after their conversation is at the corner of Houze Road and Houze Way, the hard corner is currently OP, on the north side is Office and then townhouses on another corner and a church on the corner, therefore since there is a blend of OP and C-3 on that corner he suggested changing it to NX which would be more neighborhood friendly given the context. (There was an inaudible comment.) Councilmember Dippolito said no, it is actually two different parcels and the large square below it is the shopping center and if that was CX then there is vacant land now and it is partially bounded by Office zoning. Mr. Townsend said there is a house on it that a maintenance company uses behind Jackson Acura. Councilmember Dippolito said it would make more sense given the context for that to be NX which is still a mixed use commercial use but it is at a less intense scale. Mr. Townsend said that was correct.

Mr. Townsend continued with his discussion and referred to Items #9 and #10 from the blue section of the list (Marietta Highway - Change the RS-9 back to E-2). He said they currently have an E-2 designation and staff recommended they change to RS-9 to be consistent with the frontage on Marietta Highway. They had reached out to the Inverness homeowners association which is why most of them were present at the meeting tonight. Inverness mentioned in the presentation that they did not really having a concern and they believed RS-9 was appropriate in those locations but were concerned with the Office uses on the other side of Marietta Highway. Mr. Townsend said staff recommends that remain RS-9.

Councilmember Dippolito said he did not disagree from a planning standpoint that RS-9 may be appropriate on that frontage but it is currently zoned E-2 and it needs to be zoned E-2 for purposes of the map. If someone comes in asking for RS-9, they could look at it at that point and have a public hearing and discussion. From a planning standpoint he did not disagree but he would like to see it before zoning it that way. Mr. Townsend replied they understood.

Councilmember Price referred to Item #6 (LL 595) from the list and said the request is to change IL to OP and said this is one specific property but there are a number of them on that same road because those are medical office buildings across from the hospital. She asked what land lot 595 is. Mr. Townsend replied it is the whole land lot area that encompasses all those. He displayed a map on the overhead and said it is the OP's that are included in that which they would make consistent into an OP designation. Councilmember Price said, "But just those?" Mr. Townsend replied yes the ones that are in that land lot. Councilmember Price said the two she was concerned about are the two little vertical rectangles to the right of the OP which had an OP Conditional. Mr. Townsend replied no, they don't, they have an IL. Councilmember Price said it is a combination and said she has the letter that Mr. Townsend sent her and it does have an Office designation.

Mayor Wood asked Mr. Townsend to put up the current zoning map. Mr. Townsend said that is the current zoning map.

Councilmember Price said in any case, at the moment they are medical office buildings but they have a light industrial office combination. It seemed like an odd combination and said she was surprised. Mr. Townsend asked if she would request that they all go to OP. Councilmember Price said, "Not necessarily because I'm not sure what the uses are going to be on OP now. I could put in an exotic dance place because adult business is zoned there, so why would I give that up?" Mr. Townsend said I don't know. Councilmember Price said, "This is the absurdity of the whole thing. They are medical office buildings. We don't want to lose that. On the other hand, if someone is going to come and bulldoze everything around it; we would like to have the option to go with the flow. I don't want to give up any rights I have currently. And the letter said I wouldn't but I know that if it goes to straight IL which you are saying now it doesn't have to; but I haven't talked to everybody that also owns it in those other buildings along there. I don't know if they appreciate what may or may not be happening to them and whether or not they want to express their concerns. For instance, if their building burns down, it can't be utilized for their purpose that would now be nonconforming. So there are huge issues here. Maybe not everybody is interested in having it OP."

Mayor Wood asked what the current zoning of the property is. Councilmember Price said, "I have a disagreement with Brad. I'm telling him what he said in the letter and he is saying that's not it." Mayor Wood said the letter may have been incorrect; the question is not what the letter said but do we know what the current zoning is for the property in question. Councilmember Price said, "How many Roswell residents got letters that were incorrect?" Mayor Wood said he could not tell her that but he knows they have had meeting after meeting in which they have done their very best to get accurate information out. He said he couldn't say if it was 100% accurate because he did not read every letter and didn't double check it so he couldn't answer that question. He said but on this specific piece, the question now is what is it currently zoned; not what the letter said but what it is currently zoned.

Mr. Townsend asked Councilmember Price which two pieces of property she was referring to. Councilmember Price said, "Several in the grey and several in the blue." Mayor Wood said the ones in blue appear to be zoned OP Conditional and the ones in grey appear to be Light Industrial Conditional.

Mr. Townsend said that was correct. Councilmember Price said, "I only got the letter though for the grey ones."

Mayor Wood said now that we know what they are currently zoned, how are they proposed to be zoned. Councilmember Price said they are conditional so there were some conditions on it. Mayor Wood asked if those conditions were being carried forward. Councilmember Price said she had no idea. Mayor Wood said he understands she had no idea but he was asking staff if they know. Councilmember Price said, "I just express my concern and I have been told it has been fixed. I don't know what being fixed means."

Mr. Townsend said he thought the objective and direction from Council was to make it what it has today. If it was zoned conditionally then they would be bringing forward conditions from 2000 and the site plans that would approve those; if it was prior to that, those conditions are not being brought forward.

Councilmember Price said, "That is the first I've heard of that so I suspect...(she did not complete comment)." Mr. Townsend said he thought that had been consistent through this whole process. Councilmember Price said, "No, but as relates to my property, no I didn't know that." Mayor Wood said we know now. Councilmember Price said, "I'll bet there are a lot of residents that don't even know what they don't know."

Councilmember Diamond said she thought their discussion to resolve this was that the Office uses could be put in Light Industrial and that would resolve the question. She asked if that was what they had decided. Mr. Townsend replied that was one of the policy decisions brought up in discussions with Councilmember Price if they wanted to expand the uses in the IL designation to make it more consistent with an office type use but that would be a policy decision of Council. Councilmember Diamond asked if that was on the list for the work session. Mr. Townsend replied correct.

Mayor Wood said that would not be a map change but text change. Mr. Townsend said that was correct; it would be a text change because it would be changing the use table but it does effect what they are able to do in the map. Mayor Wood said it would affect every I-1. Mr. Townsend said every I-1 Industrial, right. Mayor Wood said what they were trying to do here was to give direction to Councilmember Diamond in order to make a motion.

Councilmember Diamond said she would like to summarize. Mayor Wood said he would like to take a break at this point.

***\*\*\*Mayor Wood issued a break at 9:04 p.m. The meeting resumed at 9:16 p.m. Other Regular Agenda items as well as the two Consent Agenda items that were extracted were heard before continuing with Regular Agenda Item #5.\*\*\****

***\*\*\*At 9:36 p.m., the discussion of Regular Agenda Item #5 continued\*\*\****

**Council Comment:**

Councilmember Diamond referred to the spreadsheet that listed the 2,866 properties in question and said although it was a big number, it was not a big number of different discussions but she would like to get through as many of them as possible on the first reading so there would be ample opportunity for people to respond.

***\*\*\*This spreadsheet was referred to later in the meeting by Mr. Townsend as the Zoning Map Changes/Questions dated 1/27/14\*\*\****

Councilmember Diamond discussed the following items from the spreadsheet:

*Spreadsheet Item #1(2845 Holcomb Bridge Road):*

Councilmember Diamond asked if staff had the underlying zoning questions answered for the first two items. Ms. Wakefield said the UDC proposal is CC, the existing zoning is FC-A and under Fulton County that property was zoned A for apartments.

*Spreadsheet Item #2 (8730 Nesbit Ferry Road):*

Ms. Wakefield said this property appears to be zoned A for apartments and there appears to be a use permit for a Daycare which was a permitted use under Apartment zone.

Councilmember Diamond noted that a number of the items on this spreadsheet were on the multi-colored list as well and she would like to cover items from both the list and the spreadsheet together.

Councilmember Diamond referred to items #1 and #2 on the spreadsheet and said there were questions on those items and she would like to look at CC for things that were Multi-Family.

*Spreadsheet Item #5 (900 Holcomb Woods Parkway):*

Councilmember Diamond said a number of these were CC that Councilmember Dippolito suggested should be CX. She said the UDC recommendation for 900 Holcomb Woods Parkway was Commercial Corridor; the existing zoning is C-3 but Councilmember Dippolito has identified that it is actually O-P so that should be changed to O-P. Mr. Townsend said staff would verify if it is O-P and then would change it to O-P.

Mr. Townsend interrupted the discussion for clarification. He referred to the column on the spreadsheet with the asterisks and said they would indicate Council's direction as they were discussing each item and that could be used for making the motion. Councilmember Diamond said she would like to do and she had her own column going as well. She said her goal was to make a motion to include the asterisk properties in the first reading but she would like to run through them in case anyone had any issues rather than making a motion that was not clear.

*Spreadsheet Item #1 (continued):*

Mr. Townsend said they put CC on the first item. Councilmember Diamond said no it is CC now but the underlying zoning is apartments and CC is appropriate for apartments. Councilmember Dippolito asked if it would be RM-2 or RM-3 since it is apartments. Mr. Townsend replied, RM-3 and asked if that was the daycare. Councilmember Diamond said the next item was the daycare. Mr. Townsend said that could actually be OR because they had put most of the daycares in OR. Councilmember Diamond said but the underlying zoning is apartments. Mr. Townsend asked if that was an allowed use in apartments at that time. Ms. Wakefield replied yes. Mr. Townsend asked if they would like to make that an apartment designation. Councilmember Diamond said she would be more comfortable with OR. Mr. Townsend said staff would recommend OR. Councilmember Diamond said she would be more comfortable with OR.

*Spreadsheet Item #4 (1570 Old Alabama Road):*

Councilmember Diamond said the existing zoning is C-3 but it should be C-2. Mr. Townsend said if it is C-2, it should be NX. Councilmember Diamond said pending his further inspection; she would like to do that.



Spreadsheet Item #5 (900 Holcomb Woods Parkway):

Councilmember Diamond said those would be going to OP. Mr. Townsend said it should be OP if it is OP.

Spreadsheet Item #6 through #12 (Holcomb Bridge Road):

Councilmember Diamond said they are looking at Commercial Corridor to C-6. Councilmember Dippolito said the rationale for this was similar to the rationale discussed at Mansell Road where the other side of the road is CX and they could maintain the same uses. It seems appropriate to have the same uses on either side of the street. Mr. Townsend pointed out the property in question on the map. Councilmember Dippolito said it is on Holcomb Bridge Road at the southeast corner of Market Boulevard and there are a few properties but all of them would be clustered together and they would have all of the uses they have under C-3.

Councilmember Price asked, "On this list, do we know if we have the consent of the property owner or are we advocating on their behalf or are we thinking that we know what they might want if they knew enough to ask?"

Councilmember Diamond said these are not ones that they have heard from the property owners because they have already gone through those. These are ones that were arguably not appropriate if going back to as close possible to what they have now.

Councilmember Price asked, "What if the property owners saw it and liked it and thinks that is where we are going with it and now we are changing it?"

Councilmember Diamond said it was more of a Council decision of not giving extra rights on a property and they might want to go further as the Comprehensive plan map suggestion originally was but she thought the policy was to get as close as possible to existing on the ground zoning.

Mayor Wood said the rights of the property owner is that they could appear between now and the first reading or after the second reading, they could come back to Council and request that they be returned to the previous zoning. That would have to be a rezoning petition, a map change. If the property owners are not heard from, their property will be zoned as close as possible to what it is now.

Councilmember Price said, "So this list we are looking at; we are now cutting back on what they can do with the property?"

Mayor Wood said that would be this Council's decision but he did not think they were cutting back on what could be done with the property from what could currently be done, but it might be a cutback from what it was the last draft before it came to this vote.

Councilmember Diamond said it had been consistent for these properties. Initially, based on the Comprehensive plan, it was what was closest for staff to determine as land planners but had since come back to a more conservative view of being as close as possible to what the existing rights are for the property owners. This is an attempt to make sure it stays as close as possible.

Councilmember Price said, "None of these include an expansion of their current...(she did not complete the comment)." Councilmember Diamond said no, most were coming back from that. Councilmember Price thanked Councilmember Diamond.

Councilmember Dippolito said he recalled that virtually all of these were scaling back because they were given too many additional rights, "in my opinion."

Mr. Townsend said they would put CX for these items.

Spreadsheet Item #13 and #14 (1544 Old Alabama Road & 2912 Holcomb Bridge Road):

Councilmember Diamond said they would put O-P for these two items.

Spreadsheet Item #15 and #16 (1565 Holcomb Bridge Road):

Councilmember Diamond asked what era these two property conditions came about. Mr. Townsend replied this is the Atlanta Academy location that would be seen as a new conditional use for a school and asked what would be the closest category. Councilmember Diamond asked if he had a recommendation. Mr. Townsend asked if this was a private school. Councilmember Diamond said the suggestion is to change it to RX.

Councilmember Dippolito said it is currently zoned R-3 and the suggestion is to change to Commercial Corridor and it is immediately adjacent to Residential, therefore RX was fairly close to R-3 which would be more appropriate than...(he did not complete his comment).

Mr. Townsend said RX does not allow a private school even conditionally. Councilmember Diamond said it was a school already. Mr. Townsend concurred. Councilmember Dippolito asked if R-3 allows a school. Mr. Townsend replied it does conditionally. Councilmember Diamond said if it was conditional before, but it was a different school would they have to approve it again. Councilmember Dippolito said a school is an appropriate use but he did not think changing it from R-3 to CC was appropriate. Councilmember Diamond said they should look at this one further. Mr. Townsend said none of the residential categories even allow the private school so they would probably be looking at Civic. Councilmember Diamond said they need to talk about this one further. Councilmember Dippolito asked if Civic or NX would be possible.

Councilmember Price said, "We have never seen this before and these are major changes on a numerous property. I can't believe we are going to do this on the fly without any opportunity for us to look at these things in great detail. I just want to state that for the record. It's impossible to know what we are doing here."

Councilmember Diamond said she was fine to do this in a work session. She said her effort was to get it on the first reading for the record so people could see it and be able to react to it. She said as they get further into the spreadsheet, there are quite a few that are obvious and she noted that if they are O-P, they are leaving them O-P.

Mayor Wood said for the record, these changes were only presented to Councilmember Diamond today. It is Council privilege to make amendments at the first and second readings and therefore if any councilmember wished to criticize Councilmember Diamond for making changes at the last minute, they should have gotten changes to her earlier. He said he was not criticizing anyone because he thought all of this input was good and Council would have a chance to vote against it tonight if they had not had time to review it and they would also have a chance to review it before the next reading. If they believed there were a lot of things to resolve, there will be a work session. He said it had been proven to him that the only way to move this ordinance forward is to put it on the calendar and take a vote. He said he supports Councilmember Diamond moving forward with this.

Councilmember Diamond said to Councilmember Price that she totally agreed with her on the majority of these and there are quite a few further down that she would not even attempt to address tonight but the ones with the asterisks are in large measure fairly obvious changes. She said if that was not the pleasure of Council, they could certainly talk about it.

Mayor Wood said there would have to be a motion to defer but at this point they are moving forward with the discussion.

Spreadsheet Item #17 (10905 Houze Road):

Mr. Townsend said this item had been discussed a little earlier and staff recommends an NX designation. This is the property with the landscaping business behind the Acura dealership.

Spreadsheet Items #18 through #23 (10887, 10885, 10825 and 10800 Alpharetta Highway & 800 Mansell Road):

Councilmember Diamond said coming down Alpharetta Highway, they were trying to make Commercial Heavy more intense on the north end and then changing to CX and then Shopfront. She said the question is where that line should be. If it was on the north side of Mansell, those properties would be added into that category but if Mansell was the dividing line, the street would be split south and north. She said she was comfortable moving the north side to match the south side of Mansell Road.

Mr. Townsend said they would change these items to CX.

Spreadsheet Item #24 (Houze Road):

Councilmember Diamond said this is a piece of the one they had already addressed that is NX. Mr. Townsend concurred.

Spreadsheet Items #25 and #26 (850 Mansell Road & 900 Mansell Road):

Councilmember Diamond said these are the same thing with the CX to add that side of the street and move the line a little further north.

Spreadsheet Item #27 (260 Rucker Road):

Mr. Townsend said he believed this was in the Publix shopping center that had been designated CH. Councilmember Diamond said it is the lawsuit property and asked if it should remain CH. Mr. Townsend replied it should be CH.

Spreadsheet Item #28 (2500 Hospital Boulevard):

Mr. Townsend said this is the hospital in the Office Commercial Multi-Story Mixed Use (OCMS) district that was designated as Commercial Heavy (CH) but OP would also be fine. Either of those designations would be fine for the OCMS.

Councilmember Dippolito said this parcel is the medical office buildings associated with the hospital and said the hospital was a couple items further down on the spreadsheet. He thought it was appropriate for it to be Office since it is in the OCMS district.

Mr. Townsend said this one will be OP.

Spreadsheet Item #29 (1010 Mansell Road):

Councilmember Dippolito said this is the retail shops in front of Colonial Center. Mr. Townsend asked if it is the existing shops or the out-parcel that has not been built. Councilmember Dippolito replied the

existing shops and said it is an OCMS so it seemed more appropriate to be Commercial Corridor than heavy which is more of the auto intensive. Mr. Townsend agreed and said staff recommends CC on this location.

Spreadsheet Items #30 & #31(3000 & 4500 Hospital Boulevard):

Councilmember Diamond said these two items are for the hospital and should be O-P. Mr. Townsend agreed.

Spreadsheet Item #32 (2010 Warsaw Road):

Councilmember Diamond said this is the GM building. Councilmember Dippolito said the GM building is listed as Industrial on the zoning map not Office so it should be either IX or IL. Mr. Townsend asked if that would allow all of the uses that they are proposing office wise. Councilmember Diamond said if it was not clear, they could discuss it in work session. Mr. Townsend said this one would be left in with an asterisk.

Spreadsheet Item #33 (300 Colonial Center Parkway):

Councilmember Diamond said this item might require more discussion as well. Councilmember Dippolito said it is vacant land on a two acre parcel at the corner of Mansell and Westside Parkway that is currently zoned OCMS. Mr. Townsend said CC would be fine on this one.

Spreadsheet Items #34, #35 and #36 (950 Mansell Road, Mansell Road & 11685 Alpharetta Highway):

Councilmember Diamond said they would want to make these consistently CX. Councilmember Dippolito said they are currently zoned OP. Councilmember Diamond said they are currently OP and they should remain OP.

Spreadsheet Items #37 through #45:

Councilmember Diamond said these are NX that would require more discussion. Mr. Townsend said item #37 for 8750 Nesbit Ferry Road is AG-1 but all of these could be NX. Ms. Wakefield said they are zoned MIX in Fulton County. Councilmember Diamond said they should review these again and come up with a recommendation with some background. Mr. Townsend said the asterisks should be left on those items.

Spreadsheet Items #46 through #97:

Councilmember Diamond said these are in the Market Place, Grimes Bridge area that are currently zoned C-2. Councilmember Dippolito said he thought the closest zoning to C-2 was NX. Mr. Townsend said that was correct. Councilmember Dippolito asked if it would be appropriate for the C-2 items to be NX rather than CX. Councilmember Diamond said to change these to NX.

Spreadsheet Item #98 (1000 Holcomb Woods Parkway):

Councilmember Diamond asked Councilmember Dippolito if he had changed his mind about recommending a change. Mr. Townsend asked if this is the school. Councilmember Dippolito said the wrong address was on this. Mr. Townsend said he thought it was the office complex and it is currently zoned C-3. He asked if it should be O-P. Councilmember Diamond asked for clarification because the address does not match the parcel and said it would be discussed later.

Spreadsheet Items #99 and #100 (410 East Crossville Road):

Councilmember Diamond asked why they decided CX rather than Parkway Village. Councilmember Dippolito said it is currently zoned LI and Mr. Townsend replied, no it is an Overlay. Councilmember Dippolito said he thought they were currently in Parkway Village and was suggesting rather than zoning

them to CX to leave them as Parkway Village. He asked staff to look at these further to see if they agreed.

*Spreadsheet Items #101 through #176 (655 Mansell Road):*

Councilmember Dippolito said this next group of items was all Office and he suggested leaving them Office. He said Councilmember Wynn noted that Item #102 (655 Mansell Road) was an assisted living facility and it could be left Office. He asked if they were zoning assisted living to OR. Mr. Townsend said he thought they had put most of the assisted livings in OR and they would put Item #102 to OP and the remainder of the items that included #101 and #103-#176 were existing OP would remain OP. He said they would further into Item #149 (900 Holcomb Bridge Road) that says Overlay under the existing Description. He asked that an asterisk be left for this item.

*Spreadsheet Item #177 (109 River Mill Circle):*

Councilmember Diamond asked that this one be made consistent with the other pieces in that property and said they would talk about this one later.

*Spreadsheet Item #178 (1002 Canton Street):*

Councilmember Dippolito said this is a cat clinic and everything around it is zoned DH and he thought DH was probably more consistent. Councilmember Diamond said she would like to look at this one further because they are looking at it block by block. Mr. Townsend said an asterisk would be left for this item.

*Spreadsheet Item #179 (550 Barrington Drive):*

Councilmember Dippolito said 550 Barrington is the assisted living facility inside the historic district but it is assisted living so it seemed like it was more DR because the underlying zone is actually OP. He thought DR was more in line with the overlay and with what the use is.

Councilmember Diamond said she didn't know that they were taking uses away. There are things that can't be done in DR that can be done in DH and DX. She said she would like to look into this one further.

*Spreadsheet Item #180 (11080 Old Roswell Road):*

Councilmember Diamond asked if this is Office underlying zoning. Mr. Townsend said it would probably go to OP. Councilmember Dippolito said it depends on what the underlying zoning is; it is currently an office building so you might think it is an OP but it needs to be verified. (There were inaudible comments.) Councilmember Dippolito said it is currently zoned Industrial underlying zoning with Fulton County. Ms. Deibel said it is currently underlying zoning of M1 which is manufacturing in Fulton County and the UDC zoning proposes that it go to IL. Councilmember Dippolito said that would be the closest. Mr. Townsend said correct so that one should stay IL.

*Spreadsheet Items #181 and #182 (3075 Northfield Place):*

Councilmember Diamond asked if the City owns this. Councilmember Dippolito said this is the new City park on Northfield Place. He said Item #181 shows zero acreage and that one doesn't matter but the other one is the park. Mr. Townsend said those should be Civic.

*Spreadsheet Items #183 and #184 (1380 Old Roswell Road & Westside Parkway):*

Councilmember Dippolito said these are the parcels at the intersection of Old Roswell and Westside Parkway that are currently zoned C-3 and are proposed to change to Industrial. He said he thought CX would be more appropriate since they are currently zoned C-3. They are vacant and are in an area that is

predominately commercial but it is adjacent to industrial. Mr. Townsend asked if he would want to put Mixed Use or a CC designation. Councilmember Dippolito said a CC designation would probably be fine on Westside Parkway. Mr. Townsend said these two items should be CC.

Spreadsheet Items #185 through #195:

Councilmember Diamond asked if these items are staying O-P. Mr. Townsend said that was correct.

Spreadsheet Item #198 (9400 Willeo Road):

Councilmember Diamond said this is NX and it looks like it is a City of Roswell conservation strip. She asked Mr. Townsend to check on this item.

Spreadsheet Items #196 and #197 (400 Marietta Highway) & 199-206:

Councilmember Dippolito said he thought they had discussed these items earlier and decided to change them to O-P. Councilmember Diamond said she believed they went through Item #205 on that. Mr. Townsend said he thought that was the one that Inverness brought up. Councilmember Dippolito said that was correct. Mr. Townsend said Items #199 through #205 should go to O-P. Councilmember Diamond said and the same thing for Item #206.

Spreadsheet Item #206 and #210:

Councilmember Diamond said Items #206 and #210 are all being left O-P.

Spreadsheet Items #211 through #221:

Councilmember Diamond said these items are zoned R-2 and are proposed NX and would remain R-2.

Spreadsheet Item #222 (285 Rucker Road):

Councilmember Diamond and Mr. Townsend discussed the location of this property. Councilmember Diamond said this was clearly not R-2. She asked Mr. Townsend to review this item and make a recommendation. Mr. Townsend said he thought there was a retail, a daycare and a vacant parcel that were all made NX on Rucker. Councilmember Diamond asked that this be looked at again.

Spreadsheet Item #223 (1000 Applewood Drive):

Councilmember Diamond asked for this item to be looked at again. Mr. Townsend said this is Chambrel assisted living. Councilmember Dippolito said in his mind Chambrel is just like St. George that was made RX. Councilmember Diamond said she would like to get more information on this one.

Spreadsheet Item #224 (Grimes Bridge Road):

Councilmember Diamond said this is C-3 although it is an office building used as a school. She said she has a question on this one and would like to address it later. She said if someone is renting it as a school that is actually an office building; if they make it Civic then that is a different story but she would like to look at this one further. Councilmember Dippolito asked for clarification if this is an office building being used as a school. Councilmember Diamond replied yes.

Spreadsheet Item #225 (Riverside Road):

Councilmember Diamond said she did not see an address for this item. Councilmember Dippolito said there was no record for this one and he wanted to check because on the spreadsheet it has a PIN but it doesn't show up on Fulton County records.

Spreadsheet Item #226 (Holcomb Bridge Road):

Councilmember Diamond said the same thing for this item and asked for further clarification.

Spreadsheet Item #227 (1850 Woodstock Road):

Mr. Townsend said this one is a church and should be Civic. Councilmember Diamond agreed.

Spreadsheet Items #228 through #243 (5902 Waters Edge Trail):

Councilmember Diamond said this is Heritage townhouses. Councilmember Dippolito said to be consistent because they had designated R-TH for the rest of Heritage.

Spreadsheet Item #244 (Crossville Road):

Councilmember Diamond said she would like to get an address on this for clarification. Councilmember Dippolito said this is City of Roswell property and it should be a conservation subdivision. Mr. Townsend said he thought it was like a conservation subdivision or parcel next to an office building. Councilmember Dippolito said he put CIV but it was probably CON and asked Mr. Townsend to verify. He said it is on Crossville Road and is about 5.0 acres and he thought it was just a conservation easement but asked again for verification.

Spreadsheet Item #245 and #246:

Councilmember Diamond asked for clarification on these items.

Spreadsheet Item #247 (1100 Hembree Road):

Councilmember Diamond asked if this is the existing townhouses that can be seen from Holcomb Bridge. She asked for verification on this one.

Spreadsheet Item #249 (9212 Nesbit Ferry Road):

Councilmember Dippolito said this is an assisted living facility but he did not know what the underlying zoning was but he thought OP would work. Councilmember Dippolito asked for verification on this one.

Spreadsheet Items #251 through #254 (400 block of Holcomb Bridge Road):

Councilmember Diamond said this is presently R-3 and RM-3 was proposed. She asked if this is an existing townhouse. Councilmember Dippolito said he believed they were the townhouses entering Old Holcomb Bridge Road on the left. Mr. Townsend asked if these should be R-TH and said Item #254 (400 Old Holcomb Bridge Road) is 1.3 acres. Councilmember Diamond said that could not be right. Mr. Townsend said that could not be an individual townhouse. Councilmember Diamond said for verification, they should look at this block again.

Spreadsheet Item #255 (Maxwell Road):

Councilmember Diamond said they should talk about this item further.

Spreadsheet Items #257 through #283 (Arden Place):

Councilmember Diamond asked how they arrived at RS-4. Mr. Townsend said the smallest lot size is over 4,000 sq. ft. but not all of the existing ones exceed 6,000 sq. ft. Councilmember Dippolito said they are all over 6,000 except for one that is three one thousandths of an acre short of 6,000 sq. ft. which could easily be a surveying error and in his mind should be RS-6. Councilmember Diamond said she would be fine with putting that here for first reading. Mr. Townsend asked if they would like to make them RS-6. Councilmember Diamond replied yes.

Spreadsheet Item #284 (Chattahoochee Street):

Councilmember Diamond asked if there is a street number for this one. Mr. Townsend said they would check on it. Councilmember Diamond said if it is 1.9 acres she was not sure how RS-9 comes into play.

Spreadsheet Items #285 through #345 (2840 Shurburne Drive):

Councilmember Diamond said this is Fulton County-Annexed and it is already built. Councilmember Dippolito said he thought he checked the acreages on these and they all qualify as 12,000 sq. ft. units. Councilmember Diamond asked for verification of these. Mr. Townsend asked Councilmember Dippolito if he thought most were over 12,000 sq. ft. Councilmember Dippolito said he was fairly certain. Mr. Townsend said then they are just dealing with a small percentage that would be non-conforming if they were made RS-12. Councilmember Dippolito said again that he thought they were all over 12,000 sq. ft. but that could be verified quickly and talked about later.

Spreadsheet Items #346 through #352 (Marietta Highway):

Councilmember Diamond said these should go back to E-2, RS30.

Spreadsheet Items #353 through #446:

Councilmember Diamond said these should remain R-1, going to RS18.

Councilmember Diamond ended her discussion of the spreadsheet and said they would begin answering questions after this had been reviewed.

Mayor Wood called for a motion.

Councilmember Diamond asked how she should refer to the spreadsheet. Mr. Townsend said he labeled it Zoning Map Changes/Questions dated 1/27/2014.

**Motion:** Councilmember Diamond made a motion for **Approval of an Ordinance to create the Unified Development Code Map on First Reading as read with amendments to reference spreadsheet numbers 1-446 except the following line numbers: 15, 16, 32, 37 - 45, 98-100, 177-179, 198, 222-226, 244-256, 284-345. On the multi-colored list, numbers 2 and 4 in the yellow, numbers 11 and 12 in the blue and number 14 (purple item). Items on the blue section, numbers 1, 2, 4, 9, and 10 were included in the spreadsheet. Change the 3 Old Scott Road parcels to AG-43. Mayor Wood directed Mr. Townsend to identify the list with his name dated 1/27/14. This item will be placed on the Mayor and City Council agenda for 2/10/2014 for Second Reading.**

**Second:** Councilmember Dippolito seconded.

Mayor Wood asked for Council questions and comments.

**Council Comment:**

Councilmember Wynn asked Councilmember Diamond if the motion included the two changes OP south of Inverness on SR-120 that had been talked about. Councilmember Diamond said yes those were on the list. Councilmember Wynn asked about the VFW site and the Scott Road parcels from the multi-colored list. She said Councilmember Dippolito did not know if that was part of the list that she had just gone through. She said Scott Road was to change the RS-6 to RS-9 and she wanted to be sure these were incorporated in this.

Mr. Townsend said the discussions about Scott Road were in two areas. He pointed out three parcels on the overhead and said they are residential and changing to OR. He referred to the list on the overhead and pointed out some parcels and a small one on the end. He said to Councilmember Dippolito in reference to his discussion about those that he thought that was why they made it RS-6. He said they could probably



change to RS-9 because there has to be some type of combination to develop anything there. He asked if they would like to leave those three OR. He pointed out another parcel on the overhead and asked if they would want to change that one to RS-9.

Councilmember Igleheart said those three had been on his list three times and have never shown up anywhere, that they should not change. He said it is residential. Councilmember Dippolito asked for the current zoning. Mr. Townsend said AG-43. Councilmember Igleheart said that sounded good to him. Councilmember Dippolito said that is what they are zoned. Mr. Townsend said that Ms. Deibel did not think they were an acre in size. Councilmember Igleheart said he thought they are but it depends on which of the many lists they look at. He said the Fulton County website shows it to be all over one acre.

Councilmember Diamond requested a report to look at this further.

Mayor Wood asked how that stands on this motion.

Councilmember Wynn said the ones that were in the RS-6... (she did not complete here comment).

Mr. Townsend said they are going to change these to RS-9.

Councilmember Wynn said but then the other three we are going to look... (she did not complete the comment).

Mr. Townsend said they would put asterisks on the other three for further discussion.

**Amendment #1 to Motion:** Councilmember Wynn amended the motion to add the Scott Road parcels to change from RS-6 to RS-9. Councilmember Diamond accepted the change. Councilmember Dippolito accepted the change. Mayor Wood said the motion stands as amended.

**Further Council Comment:**

Councilmember Igleheart referred to the multi-colored list and asked if all of those items were included in the motion.

Mr. Townsend said they discussed the VFW. Councilmember Diamond said that is not a change, that one was RX. Mr. Townsend agreed. Mr. Townsend referred to Goulding Place and said it is the change that was requested by the property next to Martins Landing. Mayor Wood asked if those changes were included in the motion. Councilmember Diamond said that one was not; she thought Goulding Place was already DR and asked if that was correct. She said they went back and made sure they understood all that meant. Mr. Townsend said right, that is DR and pointed out another item and said that was included in the motion.

Councilmember Price asked to go back to Item #4 from the multi-colored list (Riverside Drive – to change AG-43 to RS-30) and asked what the reason for reducing the lot size was. Mr. Townsend replied it was a request by the property owner. Councilmember Price asked what it was previously. Mr. Townsend replied AG-1. Councilmember Price asked why are they changing it to RS-30 based on a request. Councilmember Diamond asked if it is a size that can still be AG. Councilmember Price said yes if they want to take a zoning change. Mr. Townsend said no, the owner has one other parcel that is less than an acre. Councilmember Diamond said if it fits AG, it should be left but if it doesn't that would be another story. Mr. Townsend said it does not need AG; the owner has two or three parcels. Councilmember Diamond requested that this one be left out for now.

Jackie Deibel said the three parcels that Councilmember Igleheart mentioned on Old Scott Road, are all over an acre according to the GIS website and the Fulton County website. The three parcels on the corner of Old Scott Road and Holcomb Bridge Road meet the requirement if Council chooses to change those to AG-43.

Councilmember Diamond said she was in agreement and asked Councilmember Igleheart if he would like to amend the motion.

Councilmember Igleheart said he has brought that up three or four times and he does not know what gets on a list and what doesn't.

**Amendment #2 to Motion:** Councilmember Igleheart amended the motion per the discussion. Councilmember Diamond accepted the change. Councilmember Dippolito accepted the change. Mayor Wood said the motion stands as changed.

Mr. Townsend referred to Item #3 from the blue section of the multi-colored list (Norcross Street – change NX or OR) and said he thought that one was on the spreadsheet. He said Item #4 (Colonial Park Drive – change CX to OP) was also on the list. Councilmember Diamond said Norcross Street was still in question. Mr. Townsend said Item #6 from the blue section of the list (LL 595 – change IL to OP) is the one Councilmember Price brought up.

Councilmember Price said, “You said there was a discrepancy but on the letter, it says I-1 Office and Business Distribution district.” Councilmember Diamond said they should work on this one later.

Councilmember Diamond referred to Item #7 from the blue section of the multi-colored list (LL 536/GBR – C-3 currently changing to OP – also the piece that is going to RM-2). Mr. Townsend said CX and NX and asked if that was on the list. Councilmember Diamond asked for the street address and if this is referencing Grimes Bridge Road. Mr. Townsend said he thought it was next to the Swift School. Councilmember Diamond said this one should be discussed later.

Mr. Townsend referred to Item #8 from the blue section of the multi-colored list (9212 Nesbit Road – change to OR - assisted living facility) and asked if that was included in the list. Councilmember Diamond said yes. Mr. Townsend asked if Item #9 and #10 (Marietta Highway) were on the list. Councilmember Diamond replied yes. Councilmember Diamond said Item #11 (Scott Road parcels) was an amendment.

Mr. Townsend referred to Item #12 from the blue section of the multi-colored list (403, 413, 411, 443 Chattahoochee Street) and said they were the parcels that did not get included in the little rezoning that was done; the homes that were left out front that should be RS-12. Councilmember Diamond agreed. Mr. Townsend referred to Item #13 from the blue section of the multi-colored list (Crossville Rd/LL 354 – change Conservation area (owned by the city)) and said staff would check on the Conservation.

Mr. Townsend referred to Item #1 from the purple section of the multi-colored list (LL 930, 931, 932, 941, 942, 943, 944, 108 – change RS-30 to AG-43) and said this was a request from Councilmember Price. Councilmember Price said her request is for these parcels to have their original zoning and not reduced in the minimum lot size. Mayor Wood said they would need to know specifically what that category would be under the current motion. Councilmember Price said apparently it was Fulton County-Annexed. It is greater than 1.0 acre and we are putting it at RS-30 and would recommend it be AG.

Mayor Wood asked if the request is for it to be AG-30. Councilmember Price replies yes. Mayor Wood referred to the items Mr. Townsend had noted on the overhead and asked Councilmember Diamond how that stands with her motion. Councilmember Diamond asked if they all meet the minimum. Mr. Townsend replied yes. Councilmember Dippolito asked if it is consistent with the existing zoning. Councilmember Price replied yes. Mr. Townsend said all those parcels would go AG-43.

Mayor Wood asked to hear the motion again with the changes from the multi-colored list.

Councilmember Diamond said to add number 2 in the yellow, AG-43 to RS-18. She said to add 11 and 12 and 14. Mayor Wood said 2, 4, 11, 12 and 14 are being added to the first reading. He asked how this list is being identified and then noted that the list is being referred to as Brad Townsend's list dated 1/17/14. Mayor Wood said that is the motion and asked if Councilmember Dippolito accepts those changes. Councilmember Dippolito accepted the changes.

Mayor Wood said there are a motion and a second. He asked for Council comments.

**Further Council Comment:**

Councilmember Igleheart said he had sent an email earlier today and noted that he had a list as well. He said he thought most of his items were on Councilmember Dippolito's list but he had not gone through the entire list. He said he had some additional things and noted that the questions had been out there the entire time. He didn't know how they were missed, if they were listening and said it was not like they were sprung. Several of the items were specific to individual properties but others were more general across the board. He said they finally had hit on Old Scott Road after three times that he put it on a list. He said he would go over the broader items. He noted that it had been said tonight that they are trying to keep things as close as possible to the things that people have and not give additional rights but looking at the map, the industrial section through Holcomb Bridge Road and SR-92 at what used to be C-3, many of the apartments are higher than what they are today. The industrial and the corner of Holcomb Bridge Road and SR-92 are all six stories but currently they are C-3 at forty feet. Apartments that have one on the number are currently 45 feet which would be three and a half on the normal UDC and asked why are they putting four. He said Riverwalk, the townhomes to the left of Chattahoochee Landing, says five on R-TH but said he had never seen a five story townhome. Chattahoochee Landing was another one where currently they are to be five. He asked if they would really want a five story building where there are currently three stories that could potentially be across the entire wall coming into the City and said you could actually add two to that. He said the overall broad question is why they are not keeping the same things in terms of height as they are in terms of zoning because that grants additional rights.

Councilmember Diamond said she thought they had gotten back to everything being the same as it was before but she understood there was a difference between the measurement of the height and the number of stories.

Mayor Wood said although it would be appropriate to bring it up tonight, he thought this was probably a text question.

Councilmember Igleheart said they are all on the map specifically with numbers on them.

Councilmember Diamond said it is listed on the map. She suggested they might have a listing at the next work session showing the height of everything or of the ones that are more than three stories and how they came to that.

Councilmember Igleheart said it everywhere on the map that has a number on it.

Councilmember Diamond said yes because everything else is three. She asked how they went about moving everything back to what it originally was and asked if they could take that data and make it into a report that would show how they arrived at what they have here tonight.

Mr. Townsend pointed out an area on the map and said some of the height discussions were in work sessions with Council putting specific heights around that intersection. He said they moved those back to the seven stories because that is what is in the OCMS and approved on the site plan. He pointed out another area on the map and said it was going up because of the Commercial Heavy and noted that Industrial just says how to get it to redevelop. He pointed out another area on the map next to the river and said he thought that matched the existing but they would check on that height.

Councilmember Igleheart said he had checked all of them and it does not match the existing. He said he did not totally disagree with making the "Commercial Heavy four (4)" but if they are going to follow the same idea throughout then it needs to be as close to possible to what it is today, which is what it needs to be everywhere.

Councilmember Igleheart said another item he wanted to address was Chattahoochee Landing and said if they are going to change its zoning to the proposed RX, that is mixed use but only residential. If they want to get something changed in that area, that would be the one place they might want to have restaurants and things that could be on the river. Under what is being proposed, that could not be done; it could only be residential. That should be a consideration.

Councilmember Igleheart said there was another item he would like to discuss but he did not have a specific location. He said he would use Grace Hill as an example and noted that it had also just been discussed about Shurburne. He said there were numerous locations throughout the City and subdivisions where they chose to take the lowest common denominator on a smaller sized lot and reduced all the other lots within that subdivision to be that lower number. In the back side of Grace Hill for example, there could be a two acre lot but now would be rezoned to RS-9 and they could come in and put 9,000 square foot lots on those two acres that now currently have one house. He said that is wrong and they have told Grace Hill several times that they would not split the subdivisions like that. There are places that it jumps around and there are different mixes in between that may make sense but in the places that were just talked about such as Shurburne; if there are only a few of them that are smaller, they shouldn't take the whole thing down. He said those are the ones he was aware of and he was sure there were others but he noted Grace Hill because one of the property owners came to the City about this. He said that was one of the broader questions he had that was kind of answered tonight with Shurburne.

Councilmember Igleheart said he had others items but he would not go through it now because he was not sure which were on Councilmember Dippolito's list. He said he wanted to make the overall comment that he understands moving forward and that is great but he could not imagine that they would be ready for this in two weeks because they couldn't even get the right answer for what they just went through, two minutes later. He said it was unconscionable to move forward without getting more things secured.

Councilmember Price said she had a question regarding the very northwest tip that abuts Arnold Mill Road that appears to be an annex. She asked if that was considered a corridor or an annex. Mr. Townsend replied it is Fulton County Commercial existing. Councilmember Price asked if it was already Commercial. Mr. Townsend said it was Fulton County Commercial zoned when it was annexed. Councilmember Price said that is not what it looks like on the current map.

Alice Wakefield said she had worked in Fulton County for over eleven years and had dealt with that and could assure them that property was zoned Commercial. She said it was across from the Chatham landfill that was commercial zoned property.

Councilmember Price asked if that is how it is shown on this map. Ms. Wakefield said it shows on the City's map as FC-A because when Roswell annexed property from Fulton County, a comparable zoning designation was not applied in Roswell. FC-A was applied with the understanding that they would go by the underlying zoning. Councilmember Price said she thought the underlying zoning was shown on the maps. Ms. Wakefield said no ma'am. Councilmember Price said then it was Commercial when the City took it in and she thanked Ms. Wakefield.

Councilmember Dippolito said he had a follow-up comment on heights and said it had always confused him a bit as to why height is on the map at all because it is really dictated by the height within the zoning. He said he thought the only time there would be heights listed on the map would be when there was an exception in the existing that exceeds what is in the zoning. He said for example, he did not know why for all of the Industrial, there would be a height associated because there is a height under the current zoning and that should govern. He said he could understand the exceptions in the few places where there was some OCMS zoning where they had seven stories but everywhere else it would be whatever they determined was adequate height for that particular district. He said he agreed with Councilmember Igleheart and that he would like to revisit the height issue.

Mr. Townsend said the way the text is actually written, height is established by each district for each location. That is why a CX with a standard designation may have a three story in a majority of spots, but in particular locations Council could choose the CX to be six stories in height. What is actually on the map is what Council chose to put a CX at six stories.

Councilmember Dippolito said he did not know that Council chose that. He said he thought that was presented to them and they had never really... (this comment was interrupted). Councilmember Diamond said they had circled things. Councilmember Dippolito said did we, okay.

Councilmember Dippolito said getting back to trying to keep things with what exists, that he would leave everything as existing. There would be an opportunity in the future if someone requested something taller to be approved. He said for example, that could become CX-6 and it was important for it to be in there for flexibility so in the future they could zone things to that. He did not think they should just apply it today.

Mayor Wood asked for further discussion. There was none. He asked Ms. Love for the date of the next work session. Ms. Love said it is scheduled for Wednesday, January 29 at 5:00 p.m. in Room 220.

Mayor Wood asked for the date of the next reading. Ms. Love replied on February 10. Mayor Wood asked if Council could defer that if they wished. Ms. Love replied they could.

Mayor Wood said he would not support a final reading under circumstances like this with things so much in flux but that he would support a motion tonight to try to move this forward. He said a work session is scheduled and he hoped they would make a lot of progress at that session and that there would not be the number of amendments that were heard tonight in the main motion. He said they might still hear a lot of amendments that are not passed but he hoped that the main motion was more resolved.

**Further Council Comment:**

Councilmember Diamond said they would get together and have as many questions as possible ready to go on the work session but unfortunately these Mondays seem to be the best way to get the lists in. She expressed appreciation for everyone's input and said that was what would make this better but it is just a matter of when it comes in.

Mayor Wood thanked staff and Council for their long hours and for everyone in the audience who had stayed to hear this. He encouraged everyone to attend the work session and to continue to give their input which was very helpful.

**Vote:** Councilmembers Diamond, Dippolito, Orlans and Wynn voted in favor. Councilmembers Igleheart and Price were opposed. The motion passed 4:2.

Councilmember Price stated for the record that she offered 16 alternative dates because she could not come to the work session this Wednesday. She said she would be absent since that was the date that was selected.