

Regular Meeting of the Sandy Springs City Council was held on Tuesday, January 20, 2015, at 6:00 p.m., Mayor Rusty Paul presiding.

INVOCATION

Rabbi Scott Colbert, Temple Emanuel, offered the invocation.

CALL TO ORDER

Mayor Rusty Paul called the meeting to order at 6:01 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

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

City Clerk Casey called the roll.

Mayor: Mayor Paul present

Councilmembers: Councilman John Paulson, Councilman Ken Dishman, Councilman Graham McDonald, Councilman Gabriel Sterling, Councilman Tibby DeJulio, and Councilman Andy Bauman were present.

PLEDGE OF ALLEGIANCE

Mayor Rusty Paul led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

1. 15-015

Motion and Vote: Councilman Paulson moved to approve the meeting Agenda for January 20, 2015. Councilman DeJulio seconded the motion. The motion carried unanimously.

CONSENT AGENDA

2. 15-016 Meeting Minutes

- a) January 6, 2015 Regular Meeting
 - b) January 6, 2015 Work Session
- (Michael Casey, City Clerk)*

3. 15-017

Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (588 Timberland Drive)
(Garrin Coleman, Director of Public Works)
Resolution No. 2015-01-03

4. 15-018

Consideration of the Acceptance of the Dedication of Right of Way as Part of the Zoning Requirements (358 Mt. Vernon Highway)
(Garrin Coleman, Director of Public Works)

Resolution No. 2015-01-04

Motion and Vote: Councilman Sterling moved to approve the Consent Agenda for January 20, 2015. Councilman Dishman seconded the motion. The motion carried unanimously.

PRESENTATIONS

5. 15-019

- a) Presentation of a check to the City for 20% matching funds for DNR Grant for hiking trail construction support at Lost Corner Preserve - Sandy Springs Conservancy

Steve Levetan, Chairman of the Sandy Springs Conservancy, stated he is pleased to make this presentation to the City. He introduced Sandy Springs Conservancy Executive Director Linda Bain and Boardmember Robert Peoples.

Robert Peoples, Sandy Springs Conservancy Boardmember, thanked the Council and staff for the effort they put into the Lost Corner project, especially Recreation and Parks Director Ronnie Young. The project is approximately one mile long and is funded by a grant from DNR with a matching local share from the Conservancy.

Mayor Rusty Paul stated the Sandy Springs Conservancy has been an active partner since the City's inception. The Conservancy has made an enormous amount of contributions to the City's greenspaces and parks and the City appreciates the partnership.

Linda Bain, Sandy Springs Conservancy Executive Director, stated the Conservancy tried to secure the Miles property in 2010 and these funds are the residual of that, which can only be used on that land.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings segment of the meeting.

6. 15-020

TA14-011 - An Ordinance to Amend Section 8.2.3.G.2, MIX Mixed Use District, Minimum Lot Area of the Sandy Springs Zoning Ordinance

Community Development Director Angela Parker stated this is a text amendment to the zoning ordinance. The zoning ordinance has a minimum parcel size requirement for the mixed use district of ten acres. Staff has reviewed this change and believes a smaller minimum lot size is appropriate. Staff recommends that properties within the City Center be a minimum parcel size of four acres and properties outside of this area have a minimum parcel size of five acres.

Mayor Rusty Paul called for public comments in support of the application.

Nathan Hendricks, 6085 Lake Forrest Drive Suite 200, stated when the City was first incorporated, he helped the previous Director of Community Development, Nancy Leathers, with the City's Zoning Ordinance. He referenced a grid pattern map of the City. Being able to put together acreage in this urbanized corridor will be extremely difficult to do with this proposed change. He has been assisting with three applications that were administratively put on hold while working through the issue of what the acreage requirement should be. The application for Mill Creek which is located at Hildebrand, Roswell Road, and Boylston is 5.11 acres; and contiguous south of that property is the Camden/Demetrops property with acreage at 4.094. In addition, St. Joseph's hospital has a remaining 3.82 acres of property that is on the northside of Johnson Ferry Road at the DeKalb County line. The hospital is very interested in who will develop the property and what the development proposal will be. They are strongly interested

in not just having a residential multifamily component, but also an office/medical use to be able to complement their overall campus. When adding the 3.82 acres to the campus, the property will be in excess of 50 acres. Whatever action Council takes on this item will have ramifications upon the applications he mentioned. He believes the City should not have an acreage requirement. He was involved with the City of Atlanta during the zoning of the Lindbergh MARTA station property, which was about 50 acres. He was then requested to create a Special Public Interest District (SPI) for the Lindbergh MARTA station. That property is bounded by city markets, I-85, Piedmont Road, and the Rawlins Corporate office. It was strongly suggested there be a grid pattern in this area. Credits were to be given to developers to include parking on the side of the street with bicycle lanes, pedestrian lanes, and sidewalks to an appropriate scale. The same type of embodiment contained within the most sought after district in Atlanta is called the Mixed Use Residential Commercial (MRC). There is no acreage requirement in the MRC. He just completed a rezoning behind Colonial Home Drive in the Peachtree Road area for a multifamily facility on that property. Under the beltline overlay there was set forth a desired connection between Colonial Home Drive and Bennett Street. Today he received a phone call from a client who has property within the Sandy Springs grid system and is considering a small boutique hotel with a residential facility above and restaurant on the first floor. He encouraged Council's consideration of not having an acreage requirement. Each zoning application that comes before the City should be evaluated on its merit or lack thereof, and approved or disapproved based on merit. To have an acreage requirement with the level of activity of development in the City will present a stumbling stone.

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

Tochie Blad, 7320 Hunters Branch Drive, stated the Sandy Springs Council of Neighborhoods look at rezonings in the City and assists neighborhoods when they begin with the process of submitting an application to the City. Lowering the density of the MIX proposed use will allow more curb cuts on Roswell Road and Peachtree Dunwoody Road. For zonings less than ten acres people are brought to the table to consolidate land and the bonuses for a developer that adds multiuse. When MIX use is added, the acreage density is lowered and the developer is being allowed twenty new uses. She almost agrees with Mr. Hendricks that each case should be considered on its merit. The zoning ordinance should not be changed from ten acres to four acres within the PCID and City Center and five acres elsewhere in the City. Form based zoning will be used in Sandy Springs in the future. To allow flexibility for growth within the City, formed based zoning is a tool that can be utilized. She hopes that Council considers not adopting these lower minimum requirements.

Mr. Hendricks stated he submitted a letter from St. Joseph's Hospital to Council and the City Clerk.

Mayor Paul closed the public hearing.

Motion and Second: Councilman Sterling moved to approve Agenda Item No.15-020, TA14-011 - An Ordinance to Amend Section 8.2.3.G.2, MIX Mixed Use District, Minimum Lot Area of the Sandy Springs Zoning Ordinance

Councilman John Paulson stated it sounds like there is more to the subject than just acreage. He is fine with approving the text amendment, but it should be looked at more closely with the form based zoning code.

Vote on the Motion: The motion carried unanimously.

Ordinance No. 2015-01-01

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

7. 15-021

Consideration of Approval of a Contract to Construct Project T-6012-3, Powers Ferry Road Sidewalk Project, Subject to Validation and Approval by the Legal and Finance Departments

CIP Unit Manager Marty Martin stated this project will construct sidewalk on the west side of Powers Ferry Road from Whitmere Court to the Atlanta city limits above Chastain Park. The total distance for the project is ½ mile. The bids were received on December 3, 2014. Based on a review of the bids, Tople Construction is recommended as the low bidder and the contractor that should build the project at a cost of \$443,140.85.

Motion and Second: Councilman Bauman moved to approve Agenda Item No. 15-021, Approval of a Contract to Construct Project T-6012-3, Powers Ferry Road Sidewalk Project, Subject to Validation and Approval by the Legal and Finance Departments. Councilman Dishman seconded the motion.

Councilman Tibby DeJulio stated on the list he noticed a bid at \$399,000.

CIP Unit Manager Martin stated Neil Engineering was deemed unqualified per the City's prequalification requirements. After review with purchasing staff, it was decided to bypass Neil Engineering and go to the next apparent low bidder, Tople Construction.

Councilman DeJulio asked if the qualification was based on a technical basis.

CIP Unit Manager Martin stated the City sets a standard for all bids for projects and that includes being a GDOT prime prequalified contractor. In this case, Neil Engineering could not demonstrate that they had made that status.

Mayor Rusty Paul asked for an explanation of the GDOT qualification.

CIP Unit Manager Martin stated the GDOT prequalification involves a review of the financial and performance history of the contractor. GDOT maintains a database that the City references. In the earlier years of contract awards, there were a couple of situations where the City awarded projects to contractors who could not perform. In these situations staff would move to the next contractor on the qualified list. The prequalification process has resolved that problem and concern.

Mayor Paul stated some may recall there have been problems with contractors that were not prequalified on some of the sidewalk projects. The City ran into problems as a result of that. This standard is to ensure the contractor is capable of performing the project. If they are not prequalified, that is an indication problems may occur.

Councilman Gabriel Sterling stated the engineering cost estimates have been coming in low over the last six months. He asked if this is due to the increased labor and materials cost. The cost for this project is about \$60,000 more than expected.

CIP Unit Manager Martin stated the bids are a testament to the current market. He looked at three areas where there was a variance between the engineers estimate and the proposed bid. One area is the cost of managing traffic on Powers Ferry Road that accounted for a \$15,000 difference between the engineer's estimate and the contractor's estimate to provide adequate traffic control. For grading complete there was also a difference of \$30,000, which is the level of effort to prepare the site to perform the work. There is about a fifteen percent increase in actual concrete prices from the contractors over the database that the engineer used.

Councilman Sterling stated as the City moves forward with the estimation of costs for future projects, the current costs should be taken more into account, so the differences will not be quite as large.

Councilman Graham McDonald asked what funds will be used for this project.

CIP Unit Manager Martin stated the funds will come from the T-6000 sidewalk program fund and this is from the ranked sidewalk program.

Councilman John Paulson stated one of the factors with the construction estimate is how current it is. He asked if an estimate is done immediately before the project is sent out to bid, if the original estimate is more than a year old.

CIP Unit Manager Martin stated this estimate was completed two months prior to when the bid was advertised.

Councilman Andy Bauman stated this project goes back to a prior fiscal year. He believes Councilman Paulson was asking about the timing of the engineering estimate and when that was.

CIP Unit Manager Martin stated the estimate he used for comparison is from about two months prior to when the bid was advertised. He had the engineer refresh the estimate prior to putting the project out to bid. This project has been on the City's priority list for about two years. Over that time an initial estimate was developed, an interim estimate created, and a more current estimate prior to bidding.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2015-01-05

8. 15-022

Consideration of Veritiv Corporation Incentive Request

Economic Development Director Andrea Hall stated this is an incentive request from Veritiv Corporation. She was working with the Veritiv consultants as early as last summer on this project. The company has been in negotiations for a particular site and she provided them information about the City's incentive program. Based on the incentive application, there will be 123 new jobs initially that will pay an average wage greater than \$150,000 annually. The capital expenses for the project are \$4.2 million and that excludes furniture, fixtures, and equipment. Veritiv is making a minimum of a seven year commitment to be located in Sandy Springs. She recommends a Tier II incentive award with a total value of approximately \$166,000.

Neil Russell, Senior Vice President of Corporate Affairs for Veritiv Corporation stated he is joined by his colleagues Ed Patterson, Vice President of Communications, and Will Hearn from CBRE. Veritiv is a leading North American distribution company that was formed in 2014 by a merger of certain businesses such as International Paper and Georgia Pacific. Veritiv is a Fortune 500 company with approximately 9,500 employees across more than 170 distribution centers throughout North America with annualized revenues of about \$10 billion. They have customers mainly in the print, publishing, packaging, facility, and logistics businesses. He is very happy to be establishing Veritiv's executive headquarters in Sandy Springs while joining other global businesses and leaders in the City.

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

Motion and Second: Councilman Sterling moved to approve Agenda Item No. 15-022, Veritiv Corporation Incentive Request. Councilman Dishman seconded the motion.

Councilman Gabriel Sterling thanked Veritiv for relocating to District 4 and he is excited to have another Fortune 500 company, which includes Mercedes, relocating to the City. This now ranks Sandy Springs as the City with the most companies of this size within the metro Atlanta area and Georgia.

Councilman Andy Bauman invited the Veritiv representatives to consider purchasing homes in District 6.

Mayor Paul thanked the Veritiv representatives for choosing Sandy Springs as their headquarters. The City is absolutely delighted to have Veritiv as part of the corporate citizenry. He invited Veritiv to engage in and be a part of the overall community.

Vote on the Motion: The motion carried unanimously.

REPORTS

Mayor and Council Reports

Mayor Rusty Paul stated he will be leaving tomorrow to attend the U.S. Conference of Mayors in Washington, D.C.

Councilman John Paulson stated the City held a great Martin Luther King Day celebration on January 19th at City Hall.

Mayor Paul thanked Communications Director Sharon Kraun and the staff that worked at this event and all of the Councilmembers who attended.

9. **15-023** Staff Reports

- a) Rezoning for the City Center – Community Development Director Angela Parker

Community Development Director Angela Parker presented a PowerPoint on the Rezoning for City Center.

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION

10. **15-024** Litigation and Real Estate

There was no Executive Session.

ADJOURNMENT

11. **15-025** Adjournment

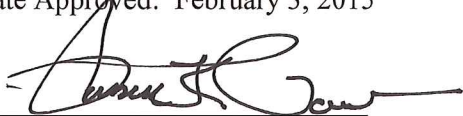
Motion and Vote: Councilman DeJulio moved to adjourn the meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 6:35 p.m.

Regular Meeting of the City of Sandy Springs City Council

Tuesday, January 20, 2015

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Date Approved: February 3, 2015



Russell K. Paul, Mayor



Michael D. Casey, City Clerk