PLANNING COMMISSION MEETING
MAY 10, 2018

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by the Planning Commission, but not quoted or paraphrased. This document includes limited presentation by the Planning Commission and invited speakers in ***summary*** *form.*

I. CALL TO ORDER

II. ROLL CALL

Members Present

- Francis Kung'u(Chair)
- Jamie Bendall
- Fergal Brady
- John Goss
- Steve Usry

Members Absent

- Larry Attig
- Rob Partee
- Candy Waylock

Staff Present

- Kathi Cook, Director of Community Development
- Michael Woodman, Senior Planner
- Eric Graves, Senior Traffic Engineer
- Elle Taylor, Planning and Zoning Coordinator

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III. APPROVAL OF MEETING MINUTES

a. April 12, 2018 Minutes

- ❖ Commissioner Brady offered a motion to approve
  - Commissioner Usry seconded the motion
  - The motion was approved 5-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. CLUP-18-02/MP-18-03/Z-18-03/V-18-03 KB400/1699 Land Company

Kathi Cook, Director of Community Development presented consideration of a request to rezone approximately 12.4 acres from O-I (Office-Institutional) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential) to allow for the construction of 62 'For-Sale' single-family detached homes in a gated community. An amendment is requested to the KB400 Master Plan Pod A to add 'Dwelling, 'For-Sale', Detached' to the list of permitted uses. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'High Density Residential'. Variances are requested to reduce minimum lot widths and building setbacks. The property is located at the southwest corner of Kimball Bridge Road and North Point Parkway and is legally described as being located in Land Lots 807, 808, 849 & 850, 1st District, 2nd Section, Fulton County, Georgia.

Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment, comprehensive land use plan amendment, rezoning and setback variance. However, staff does not support the variance requests to reduce lot widths and to allow a private alley within residential lots. While the property remains a viable office parcel, a portion of the site is located within the North Point Activity Center LCI, which supports a mixed-use, walkable environment. The proposed change in use would have a greater impact on parks and schools; however, traffic impacts would be less.

The variance requests to reduce lot width and allow a private alley within residential lots are not supported. The proposed lot width reduction is requested for over 70% of the lots and would result in approximately four (4) additional lots along North Point Parkway and Kimball Bridge Road and approximately 1 – 2 additional interior lots. In addition, variance requests to allow private streets within residential have generally only been approved in the Downtown.

The subject property is located within a ½-mile of the interchange at Georgia 400 and Haynes Bridge Road. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area and over 725,000 square feet of office is currently under construction in the City. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, the subject property remains a viable office parcel.

The western half of the property is located within the North Point Activity Center LCI, which includes a concept for the North Point area to become an EcoDistrict. The recent LCI plan update describes the EcoDistrict, as follows:

"Establishing measures and standards that would transform North Point into a livable and highly sustainable mixed-use EcoDistrict might prove effective in helping achieve the placemaking, branding, and asset repositioning goals outlined in this report. A future EcoDistrict study should look at strategies and goals to best manage the area's existing assets and natural resources while establishing targets for improving the area's economic vitality and environmental health. Towns and cities nationwide are driving economic development and achieving their placemaking goals through detailed EcoDistrict planning and practices that integrate land use, transportation, and environmental planning with high performance infrastructure, buildings, landscapes and urban design. In other words, an EcoDistrict approach seeks to foster harmony and interaction between people and nature.

Within North Point specifically, the EcoDistrict concept might be realized by applying a layer of "eco" thinking to every investment going forward. For example, the City might consider the following paradigm shifts:

- Incentivizing future energy, stormwater, and transportation infrastructure that meets high-performance metrics and goals
- Encouraging non-motorized mobility by connecting activity nodes, parks, and green spaces with new places to walk and bike
- Promoting more efficient use of buildings by establishing minimum building standards such as LEED, Earth Craft, or similar programs
- Incorporating solar panels and/or use of recycled building materials and geothermal energy
- Constructing urban design guidelines to shape the design of new parks, plazas, and public spaces
- Re-imagining streets with low-impact design principles, including bioswales, stormwater collection, native vegetation, trailing plants, and grasses to provide habitat and nature in concert with vibrant places for people"

Generally there are six (6) performance areas associated with an EcoDistrict, including Community (Equity, Health and Cultural Vibrancy), Transportation, Energy, Water, Habitat and Materials. While the applicant's zoning plan depicts a community garden and walkable improvements along the stream, additional measures are necessary to implement the concepts of the EcoDistrict. The applicant is encouraged to look at a variety of strategies, including but not limited to, community gardens, gathering areas, public art, MARTA bus shelter, Big Creek Greenway wayfinding signage, installation of pedestrian and bicycle infrastructure, energy-efficient building design and materials, renewable energy generation, LEED certification, alternative energy sources, water conservation, smart stormwater management, protect and increase tree canopy, protection of the natural environment, creation of new habitat and recycling and composting programs. Staff showed photographic examples from Vickery and Serenbe developments of appropriate EcoDistrict amenities, such as residential architecture and building materials, community gardens, cisterns, solar panels, and streetscapes.

Pulte is currently developing the Braeden subdivision, which is zoned R-8A/D, on the northeast side of Kimball Bridge Road at Northwinds Parkway. Braeden subdivision was approved for 130 townhomes and single-family detached units at a maximum density of 4.9 dwelling units per acre. If approved, staff recommends that the density not exceed that of the Braeden subdivision. In addition, architectural and site standards are recommended to achieve the EcoDistrict concept of the North Point LCI. This includes a focus on energy-efficient design and materials, preservation and creation of greenspace, placemaking, promoting walkability and green connections and protection of the natural environment.

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Staff's recommendation is to approve MP-18-03/CLUP-18-02/Z-18-03/V-18-03 KB400 Master Plan/1699 Land Company LLC; Deny V-18-03 variance request to reduce lot widths and to allow an alley within a residential lot, subject to the following conditions:

1. The property to be rezoned shall have an "R-8A/D" zoning classification with a minimum lot size of 4,500 square feet, minimum lot width of 50' and all lots shall be exclusive of street rights-of-way.
2. The Land Use classification shall be 'High Density Residential'.
3. Property shall be developed substantially as depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning. Current flood plain information shall be required for LDP and may impact lot yield.
4. 'Dwelling, 'For-Sale' Detached' shall be listed as a permitted use in the KB400 Master Plan Pod A, with a maximum density of 4.98 dwelling units per acre.
5. All units facing North Point Pkwy shall be rear-loaded.
6. A minimum 25' undisturbed buffer, replanted where sparse and enhanced similar to Kimball Bridge Walk, shall be maintained along Kimball Bridge Rd. Landscape strips shall be exclusive of utilities and easements.
7. The minimum building setbacks shall be:
    - North Point Parkway and Kimball Bridge Road – 25'
    - Side/Rear (Perimeter) – 10'
    - Interior Setbacks: Front – 10', Side – 0' (10' b/w structures), Rear – 0' (w/alley), 10' (w/o alley)
8. Driveways shall provide a minimum 18' between garage and back of sidewalk.
9. Homes shall be similar to rendering submitted by the applicant, except as required to comply with these conditions, final approval by Staff. Homes shall further the EcoDistrict concept, including energy-efficient design/materials, outdoor spaces (porches, balconies and rooftop amenities), water conservation measures, etc. 50% of homes facing North Point Pkwy shall be 3-sided brick or stone. Front facades of homes facing North Point Pkwy shall be constructed with a minimum 5' setback offset from lot-to-lot, as approved by Staff. Roof style and materials shall not repeat on more than 2 consecutive homes along North Point Pkwy, as approved by Staff.
10. Minimum 75% of landscape material shall be native, drought-tolerant and/or edible (fruit trees, blueberries, etc.), as approved by Staff.
11. A minimum 10,000 square foot civic space, at the corner of North Point Parkway and Kimball Bridge Road, and 2 minimum 5,500 square foot pocket parks shall be developed as generally depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/18 and including landscaping, focal feature with sculpture and/or water feature, benches or seat wall and brick paver hardscape as approved by Staff.
12. A shared community garden shall be provided in a central location on the property, including individual raised garden beds for at least 50% of approved residential lots within the development at a minimum size of 25 SF/unit. Community garden shall include a shared shed, perimeter landscaping and fencing, irrigation, seating area with rain/shade shelter and individual raised garden beds with a minimum 10% being ADA accessible. Developer shall secure a maintenance agreement for community garden for a period of at least 2 years.
13. Minimum 2.65 acres of open space shall be developed substantially similar to the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018. Open space shall include both amenity and civic space and may include a dog walk, trail system, recreation field, and/or passive green space. As depicted on the zoning plan, developer shall construct an amenity trail through the stream buffer.
14. Stormwater management facility shall have a natural appearance, with a permanent pool with aeriation system/fountain, as approved by Staff. Smart stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.

15. Privacy fences and unfinished wood decks shall not be visible from North Point Pkwy and Kimball Bridge Rd.
16. Development shall be gated and internal streets shall be private and maintained by the HOA. Pedestrian access shall be unrestricted.
17. All homes shall have connectivity to the sidewalk and trail system.
18. Minimum 5' sidewalks shall be required on one side of internal streets (not including alleys), including minimum 4' planting strips between the street and sidewalk with street trees, pedestrian lighting, as approved by Staff.
19. Alleys shall be at least 20' wide and shall include a cul-de-sac or alternative fire turnaround acceptable to the Fire Marshal for areas greater than 150'. Fire turnaround shall be constructed of grasscrete, or similar product, as approved by Staff.
20. A minimum 20' landscape strip shall be required along North Point Pkwy and Kimball Bridge Rd and shall include decorative walls, as approved by Staff. Landscape strips shall be exclusive of utilities and easements. Subdivision monument sign shall be brick or stone with decorative landscaping, as approved by Staff.
21. Developer shall improve North Point Pkwy frontage with 6' planting strips, 8' sidewalks and street trees and landscape material alternating on both sides of the sidewalk, as approved by Staff. Developer shall improve Kimball Bridge Rd frontage with minimum 4' planting strip or configuration approved by Staff, 8' sidewalks and street trees and landscape material alternating on both sides of the sidewalk, as approved by Staff. Both streetscapes shall include decorative pedestrian lighting.
22. Pedestrian amenities including pathways, lighting, and benches should be included throughout the development and amenity areas.
23. Required frontage improvements along Kimball Bridge Road and North Point Parkway shall include elements of the proposed City improvements. Impact fee credits shall be available for work beyond the site boundaries, for dedication of right-of-way and release of access rights to North Point Pkwy and Kimball Bridge Rd.
24. Developer shall construct depicted Rock Mill Road access driveway, to City roadway standards, over the property obtained by the City from Fulton County Schools. All costs of construction shall be the responsibility of the developer. Developer shall install a 5' sidewalk with a 2' landscape strip on both sides of the access road.
25. Site shall have vehicular access from Rock Mill Road only and pedestrian access to Kimball Bridge Road and North Point Parkway, as depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018. Pedestrian connection to Kimball Bridge Rd shall be located within open space maintained by the HOA and shall be a min. 20' wide with an 5' concrete sidewalk and landscaping, as approved by Staff.
26. Developer shall dedicate a 20' permanent public access easement within the stream buffer for future improvement of a trail by the City, as approved by Staff.
27. Remove exotic and invasive trees and shrubs within stream buffer, as approved by Staff. Replant the stream buffer, where sparse, to buffer standards with native trees, shrubs and groundcover. Plantings shall be 80% evergreen and 20% deciduous. Recompense tree planting may be used towards the stream buffer replanting.
28. The following specimen trees shall be saved: 30" Elm (#202), 26" Red Maple (#635), 40" Elm (#637) and 33" Red Maple (#769).
29. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
30. New utilities interior to the site shall be placed underground.
31. If an LDP is not issued by June 4, 2019, KB400 Master Plan Pod A shall revert to original approval.

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Applicant presented:

- Conceptual Elevations
- Ecodistrict
- Willing to clarify conditions
- Buffer
- LCI Overlay Areas
- Greenway
- Site Plan
- Community Garden
- Pocket Park
- Walking Trail
- Access to property from Rock Mill Rd
- Floodplain
- Traffic
- Road improvements

There was no public comment.

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After discussion:

- Commissioner Brady offered a motion to approve CLUP-18-02/MP-18-03/Z-18-03 and deny V-18-03 variance requests with the following adjustments to the conditions

1. The property to be rezoned shall have an "R-8A/D" zoning classification with a minimum lot size of 4,500 square feet, minimum lot width of 50' and all lots shall be exclusive of street rights-of-way
2. The Land Use classification shall be "High Density Residential".
3. Property shall be developed substantially as depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning. Current flood plain information shall be required for LDP and may impact lot yield.
4. 'Dwelling, 'For-Sale' Detached' shall be listed as a permitted use in the KB400 Master Plan Pod A, with a maximum density of 4.98 dwelling units per acre.
5. ~~5.~~ All units facing North Point Pkwy shall be rear-loaded and Lots 13-21 shall front on the **a**djacent open space.
6. ~~6.~~ A minimum 25' building setback, including landscaping, shall be maintained along Kimball Bridge Rd. to be approved by Staff.
7. The minimum building setbacks shall be:

- North Point Parkway and Kimball Bridge Road – 25'
- Side/Rear (Perimeter) – 10'
- Interior Setbacks: Front – 10', Side – 0' (10' b/w structures), Rear – 0' (w/alley), 10' (w/o alley)

8. Driveways shall provide a minimum 18' between garage and back of sidewalk.
9. Homes shall be similar to rendering submitted by the applicant, except as required to comply with these conditions, final approval by Staff. Homes shall further the EcoDistrict concept, including energy-efficient design/materials, outdoor spaces (porches, balconies and rooftop amenities), water conservation measures, etc. 50% of homes facing North Point Pkwy shall be 3-sided brick or stone. Front facades of homes facing North Point Pkwy shall be constructed with a minimum 5' setback offset from lot-to-lot, as approved by Staff. Roof style and materials shall not repeat on more than 2 consecutive homes along North Point Pkwy, as approved by Staff.
10. Minimum 75% of landscape material shall be native, drought-tolerant and/or edible (fruit trees, blueberries, etc.), as approved by Staff.
11. A minimum 10,000 square foot civic space, at the corner of North Point Parkway and Kimball Bridge Road, and 2 minimum 5,500 square foot pocket parks shall be developed as generally depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/18 and including landscaping, focal feature with sculpture and/or water feature, benches or seat wall and brick paver hardscape as approved by Staff.
12. A shared community garden shall be provided in a central location on the property, Community garden shall include perimeter landscaping and fencing, irrigation, seating area with rain/shade shelter
13. Minimum 2.65 acres of open space shall be developed substantially similar to the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018. Open space shall include both amenity and civic space and may include a dog walk, trail system, recreation field, and/or passive green space. As depicted on the zoning plan, developer shall construct an amenity trail through the stream buffer.
14. Stormwater management facility shall have a natural appearance, with a full pond and aeriation system/fountain, as approved by Staff. Smart stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.

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15. Privacy fences and unfinished wood decks shall not be visible from North Point Pkwy and Kimball Bridge Rd.
16. Development shall be gated and internal streets shall be private and maintained by the HOA. Pedestrian access shall be unrestricted.
17. All homes shall have connectivity to the sidewalk and trail system.
18. Minimum 5' sidewalks shall be required on **one** side of internal streets (not including alleys), including minimum ~~4'~~ **2'** planting strips between the street and sidewalk with street trees, pedestrian lighting, as approved by Staff.
19. Alleys shall be at least 20' wide and shall include a cul-de-sac or alternative fire turnaround acceptable to the Fire Marshal for areas greater than 150'. Fire turnaround shall be constructed of grasscrete, or similar product, as approved by Staff
20. A minimum 20' landscape strip shall be required along North Point Pkwy and Kimball Bridge Rd and shall include decorative walls, as approved by Staff. Landscape strips shall be **inclusive** of utilities and easements. Subdivision monument sign shall be brick or stone with decorative landscaping, as approved by Staff.
21. Developer shall improve North Point Pkwy frontage with 6' planting strips, 8' sidewalks and street trees and landscape material alternating on both sides of the sidewalk, as approved by Staff. Developer shall improve Kimball Bridge Rd frontage with minimum 4' planting strip or configuration approved by Staff, 8' sidewalks and street trees and landscape material alternating on both sides of the sidewalk, as approved by Staff. Both streetscapes shall include decorative pedestrian lighting.
22. Pedestrian amenities including pathways, lighting, and benches should be included throughout the development and amenity areas.
23. ~~Developer shall provide a bus drop-off/pick-up area with shelter along North Point Parkway, Kimball Bridge Road or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for residents and guests. MARTA STOP ALREADY THERE~~
24. Required frontage improvements along Kimball Bridge Road and North Point Parkway shall include elements of the proposed City improvements. Impact fee credits shall be available for work beyond the site 20boundaries**, and for dedication of right-of-way and release of access** rights to North Point Parkway and Kimball Bridge Road.
25. Developer shall construct depicted Rock Mill Road access driveway, to City roadway standards, over the property obtained by the City from Fulton County Schools. All costs of construction shall be the responsibility of the developer. Applicant shall install a 5' sidewalk with a 2' landscape strip on one side of the access road.
26. Site shall have vehicular access from Rock Mill Road only and pedestrian access to Kimball Bridge Road and North Point Parkway, as depicted on the zoning plan prepared by Kimley-Horn & Associates, dated 4/12/2018. Pedestrian connection to Kimball Bridge Rd shall be located within open space maintained by the HOA and shall be a min. 20' wide with an 8' concrete sidewalk and landscaping, as approved by Staff.
27. Developer shall dedicate a 20' permanent public access easement within the stream buffer for future improvement of a trail by the City, as approved by Staff.
28. Remove exotic and invasive trees and shrubs within stream buffer, as approved by Staff. Replant the stream buffer, where sparse, to buffer standards with native trees, shrubs and groundcover. Plantings shall be 80% evergreen and 20% deciduous. Recompense tree planting may be used towards the stream buffer replanting.
29. The following specimen trees shall be saved: 30" Elm (#202), 26" Red Maple (#635), 40" Elm (#637) and 33" Red Maple (#769).
30. ~~Site plan modifications may be required in order to incorporate Trees of Quality and Tree Groupings. Modifications to the site plan may include reconfiguration, construction of walls, limited grading or use of innovative techniques to conserve trees and adequate soil area, as approved by Staff.~~

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~~31. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by Staff.~~
32. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
33. New utilities interior to the site shall be placed underground.
34. If a Land Disturbance permit is not issued by June 4, 2019, KB400 Master Plan Pod A shall revert to original approval.

- Commissioner Goss seconded the motion
- The motion failed (2-3)(Kung'u, Usry, Bendall)

The Item moves forward to Council without a recommendation

There was clarification that the conditions not called out in the motion are approved as Staff recommended.

b. CU-18-02 It's My Party Rentals/South Main Street

Commissioner Brady recused himself from this case as he has business dealings with the property owner.

Kathi Cook, Director of Community Development, presented consideration of a request for conditional use to allow a 'Rental Services Establishment without outside storage' within an existing gas station and retail center zoned C-1 (Neighborhood Commercial). The property is located at 1670 Alpharetta Highway, Suites B – D and is legally described as being located in Land Lot 645, 1st District, 2nd Section, Fulton County, Georgia.

The subject property is located in the Downtown Overlay and is designated Mixed Use on the City's Comprehensive Land Use Plan. The applicant's proposed use is a permitted use in the DT-MU (Downtown Mixed-Use) zoning district, which is listed as an appropriate zoning district in the South Main Street Corridor Mixed Use designation. Development along the South Main Street Corridor is typically auto-oriented, free-standing businesses with separate parking lots and curb cuts, which is contrary to the walkable, mixed-use pattern that is desired for the area. In addition, properties in the South Main Street Corridor generally lack aesthetic attractiveness and property maintenance, which usually results in underperforming properties. Given the property's location at the southern entrance into the City and the Downtown Overlay, conditions are recommended requiring screening and aesthetic improvements.

Approve CU-18-02 It's My Party Rentals/South Main Street, subject to the following conditions:

1. Rental Services Establishment with no outside storage' shall be added as a conditional use at 1670 South Main Street, Suites B – D, and limited to no more than 4,240 square feet.
2. Conditional use approval shall be limited to It's My Party Rentals; no additional 'Rental Services Establishment with no outside storage' businesses or subleasing shall be permitted within the approved space.
3. Hours of operation shall be limited to Monday – Friday 9:00 AM – 5:00 PM and Saturday 9:00 AM – Noon.
4. The business shall not have outside storage or outdoor displays, including storage of vehicles associated with the applicant's business.

5. Business shall secure a business license within 10 business days from the approval of the conditional use.
6. The van with rug store advertisement shall be permanently removed from the subject property prior to issuance of a building license for its My Party Rentals.
7. Horse trailers shall not be kept on the property.
8. Property owner shall install the required parking lot landscaping and landscape strips along South Main Street and Wills Road, as approved by Staff. Landscaping shall be installed within 30 days from the approval of the conditional use.
9. Parking and loading spaces of sufficient size shall be provided for delivery trucks associated with the applicant's business. Parking and loading spaces for delivery trucks shall be screened from the public right-of-way, as approved by Staff.
10. Storefront glass shall be clear. Business inventory/equipment shall not be visible through storefront windows, as seen from the public right-of-way.
11. Window signage, for the entire building, shall not exceed 10% of the total window area. There shall be no lighting window trim and no neon signs.

There was no Public Comment

After presentation from the Applicant:

- Allowance for trucks to be there over the weekend
- Storage Container for propane tanks outside the building in enclosed gate
- Hours of operation
- History of what happened with location
- Bring equipment back on weekends
- Clarification of office hours for Condition #3
- Storing a truck with equipment is considered outside storage if left overnight, they should be put to the side of the property.
- Landscaping
- Striping
- Other location with storage of large equipment does not have availability for vehicle storage

Public Comment:

1. Mr. Shaw, Property Owner agreed to work with Staff on Conditions.

After discussion from the Board:

- ❖ Commissioner Bendall offered a motion to approve with the conditions approved by Staff with modifications
  - The motion was seconded by Commissioner Usry

1. Rental Services Establishment with no outside storage' shall be added as a conditional use at 1670 South Main Street, Suites B – D, and limited to no more than 4,240 square feet.
2. Conditional use approval shall be limited to It's My Party Rentals; no additional 'Rental Services Establishment with no outside storage' businesses or subleasing shall be permitted within the approved space.
3. Hours of office operation shall be limited to Monday – Friday 9:00 AM – 5:00 PM and

Saturday 9:00 AM – Noon. Applicant shall be permitted to accept return of equipment or send out equipment outside those hours consistent with actual event rentals.

4. The business shall not have outside storage or outdoor displays, including storage of vehicles associated with the applicant's business.

5. Business shall secure a business license within 10 business days from the approval of the conditional use.

6. ~~The van with rug store advertisement shall be permanently removed from the subject property prior to issuance of a building license for It's My Party Rentals.~~

7. Horse trailers shall not be kept on the property.

8. Property owner shall install the required parking lot landscaping and landscape strips along South Main Street and Wills Road, as approved by Staff. Landscaping shall be installed within 30 days from the approval of the conditional use.

9. Parking and loading spaces of sufficient size shall be provided for delivery trucks associated with the applicant's business . Parking and loading spaces for delivery trucks shall be screened from the public right-of-way, as approved by Staff. There shall be no more than two trucks overnight.

10. Storefront glass shall be clear. Business inventory/equipment shall not be visible through storefront windows, as seen from the public right-of-way.

11. Window signage, for the entire building, shall not exceed 10% of the total window area. There shall be no lighting window trim and no neon signs.

12. No storage shall be visible from Public right of way.

Commissioner Goss offered a Friendly Amendment to Condition #8

Property owner shall install the required parking lot landscaping and landscape strips to include trees where applicable along South Main Street and Wills Road, as approved by Staff. Landscaping shall be installed within 30 days from the approval of the conditional use.

Commissioner Bendall Accepted the Amendment.

- The motion with the Friendly Amendment was approved (4-0)

There was discussion during the motion that a third truck may still be visible.

Chairman Kung'u called a brief recess.
Commissioner Brady returned to the meeting.

c. CLUP-18-01/Z-18-01/CU-18-03/V-18-01 Atlanta Senior Care Services

- Commissioner Brady offered a motion to remove this item from the table
  - Commissioner Goss seconded the motion
  - The motion was approved (X-0)

Michal Woodman, Senior Planner, presented consideration of a request to rezone approximately 17.5 acres from LI (Light Industrial) and O-I (Office-Institutional) to C-2 (General Commercial) in order to develop 200 'For-Sale' attached condominium units and 11,915 square feet of retail and office use. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'Commercial' and a conditional use to allow 'Dwelling, 'For-Sale', Attached'. Variances are requested to increase the height of the building and to reduce stream buffers. The property is located at the southeast corner of Old Milton Parkway and Georgia 400 and is legally described as being located in Land Lots 853 & 856, 1st District, 2nd Section, Fulton County, Georgia.

This item was considered at the April 12, 2018 Planning Commission meeting. Residents voiced concerns over residential use, density and traffic. After discussion, the Planning Commission tabled the item to provide the applicant with an opportunity to address concerns with Staff over stream buffer encroachment, density and overall site layout.

UPDATE: The applicant provided a revised site plan depicting the southernmost building pulled back from the 25' State buffer by approximately 10' – 15', as well as a slight shrinking of the parking deck footprint below. The number of condominium units remains the same from the original proposal of 200 units. The applicant has also made the argument that the buildings would be cantilevered over the stream buffers and that the only disturbance would be from piers. Staff remains concerned with the encroachment on the stream buffer as the natural vegetation on stream banks would not get the necessary light to grow.

Staff's recommendation is to deny.

If Approval is considered, the following conditions are recommended:

1. The former LI (Light Industrial) property, consisting of approximately 14.9 acres, shall be zoned C-2 and developed substantially similar to site plan submitted by AEC, revision dated 5/1/2018, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the 14.9-acre property shall be 'Commercial'.
3. 'Dwelling, 'For-Sale' Attached' shall be a permitted use with a maximum density of 8 dwelling units per acre, or no more than 119 dwelling units on the 14.9-acre property.
4. Maximum building height shall be no more than 6-stories for residential buildings.
5. The O-I property, consisting of approximately 2.4 acres, shall remain zoned O-I and the comprehensive land use plan designation shall remain 'Corporate Office'.
6. Site plan approval shall be required for the O-I property labeled 'Future Office/Retail', as approved by DRB.
7. Retail uses shall be not exceed more than 25% of the floor area of an office building and shall be service retail incidental to office use, restricted to the following uses:
    a. Bakery.
    b. Barber Shop.
    c. Beauty Shop.

d. Book Store.
e. Clinic.
f. Drug Store.
g. Dry Cleaning Pick-up Station.
h. Florist, Retail without Greenhouse.
i. Print Shop.
j. Restaurant without Drive-through.

8. A minor subdivision plat shall be required to subdivide the property prior to LDP.
9. Residential structures shall be similar to photographic examples submitted by the applicant and shall be primarily masonry (brick or stone) on all sides of the building, with final approval by DRB. Green roof tops, roof top amenities and balconies shall be provided, as approved by DRB.
10. Developer may be required to widen sidewalk along Old Milton Parkway, as determined by Staff at LDP. Right-of-way dedication may be required for City project on Old Milton Parkway, as determined by Staff.
11. Internal sidewalks shall be provided along at least 1-side of the road and shall be minimum 5' wide with 4' planting area for street trees and pedestrian scale lighting.
12. All buildings shall have connectivity to the sidewalk system.
13. The location and design of the 20' landscape strip along Old Milton Parkway shall be determined by Staff at LDP. Landscape strip shall be exclusive of utilities and easements.
14. Prior to LDP, developer shall provide a landscape plan depicting formal landscape areas around the proposed buildings and at the entrance driveway, subject to DRB approval.
15. As indicated in the submitted application, the developer shall construct a natural trail system substantially similar to the Preliminary Trail Plan, prepared by AEC, dated 12/27/17, as approved by Staff. Trail system shall include a multi-use trail, signage, landscaping and areas for environmental learning opportunities.
16. Current flood plain information shall be required for Land Disturbance Permit and may impact lot yield.
17. Pedestrian amenities including pathways, lighting, and benches should be included throughout the development and amenity areas.
18. Remove exotic and invasive trees and shrubs within stream buffer, as approved by Staff. Replant the stream buffer where sparse to buffer standards with native trees, shrubs, and groundcover plants. Plantings shall be 80% evergreen and 20% deciduous. Recompense tree planting may be used to count towards the stream buffer replanting.
19. All trees shown to be saved on site plan prepared by AEC, revision dated 5/1/2018, shall be saved.
20. The applicant's stormwater strategy, as depicted on the site plan, shall require review and approval by Staff prior to submittal of an LDP. Stormwater design shall comply with the City of Alpharetta stormwater ordinance. In order to mitigate impacts to stream and buffer, developer shall comply with the following:

a. Address erosive conditions on either side of remaining stream.

b. Provide 25% additional runoff reduction or water quality volume above the standard city requirements.

c. Provide buffer enhancement on the remaining stream buffer. These can include, removing fallen trees from inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.

d. Obtain any necessary state and federal approvals for the stream and buffer impacts.

e. Or alternative mitigation measures, as approved by Staff.

21. No more than 10% of the residential units shall be permitted to be rented, as recorded in

the HOA's declarations and covenants.

22. Developer shall petition the City to abandon the section of Morris Road right-of-way between Old Milton Parkway and the newly constructed section of Morris Road to the south. Developer shall be responsible for the removal of the curb cut at this location, including re-construction of curb and gutter, sidewalk and guardrail.

There was discussion:

- Encroachment into Stream Buffer at this level is not typical. Staff showed Variances given for the past 8 years.

Don Rolader, Steve Rowe and Kayce King presented for the Applicant.

- Reason for Capping the height at 5 stories
- Impact of Buildings on the Stream Buffers
- Amenities in the Stream Buffers
- Old Milton Pky Character Area
- Mix of Housing
- Alternate Architecture for the Buildings
- Density Comparison
- Site Plan w previous footprint
- Trail and Park Concepts
- Applicant Response to Conditions

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Public Comment:

In Opposition:

1. Leslie Misch, 4096 Whitehall Way

Concerns:

1. Traffic
2. Impact to Stream Buffers

Applicant gave a rebuttal addressing concerns

- ❖ Commissioner Bendall offered a motion to deny
  - Commissioner Usry seconded the motion
  - The motion was approved (5-0)

VII. ADJOURNMENT

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