



PLANNING COMMISSION MEETING JULY 12, 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

a. Welcome New Commissioner Martine Zurinskas

b. Election of Vice Chair for 2018.

- ❖ Commissioner Usry offered a motion to elect Fergal Brady as Vice-Chair
- Commissioner Waylock seconded the motion
- The motion was approved (6-0)

II. ROLL CALL

Members Present

- Francis Kung'u (Chair)
- Fergal Brady (Vice-Chair)
- William Perkins
- Steve Usry
- Candy Waylock
- Martine Zurinskas

Members Absent

- Larry Attig
- Jamie Bendall
- John Goss

Staff Present

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

III. APPROVAL OF MEETING MINUTES

a. May 10, 2018 Meeting Minutes

- ❖ Commissioner Brady offered a motion approve the meeting minutes
- Commissioner Perkins seconded the motion
- The motion was approved (5-0-1)(Zurinkas)

b. June 7, 2018 Meeting Minutes

- ❖ Commissioner Brady offered a motion approve the meeting minutes
- Commissioner Perkins seconded the motion
- The motion was approved (4-0-2)(Usry, Zurinkas)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. CU-18-04 EasyVet Clinic/Animal Hospital

Michael Woodman, Senior Planner, presented consideration of a request for conditional use to allow an 'Animal Hospital, Small Animals' within the Kroger retail center. The property is located at 12850 Highway 9, Suite 2200 and is legally described as being located in Land Lots 1049 and 1112, 2nd District, 2nd Section, Fulton County, Georgia.

Staff's recommendation was to approve subject to the following conditions:

1. 'Animal Hospital, Small Animals' shall be added as a conditional use at 12850 Highway 9, Suite 2200 and limited to no more than 1,600 square feet.
2. Conditional use approval shall be limited to EasyVet Clinic; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.
3. Hours of operation shall be limited to Mon – Tues, Thurs – Sat 10:00AM – 6:00PM.
4. Boarding of animals is limited to short-term care incidental to the hospital use

Applicant presented overview of business and reasons why he chose Alpharetta.

Discussion:

- Focus of business is vaccinations, wellness, geriatrics, rehabilitation, internal medicine
- Applicant agreed with hours of business

Public Comment:

1. Jan Latka, 8550 Birch Hollow Drive

Concerns:

- No area to walk pets
- Inadequate parking

After discussion:

- ❖ Commissioner Brady offered a motion to approve with Staff's conditions:
- Commissioner Waylock seconded the motion
- The motion was approved (6-0)

b. CLUP-18-04/Z-18-06/CU-18-06 1150 Upper Hembree Road/Animal Hospital

Consideration of a request to rezone approximately 2.48 acres from O-I (Office-Institutional) to C-1 (Neighborhood Commercial) and a conditional use to allow an existing structure to be used for an 'Animal Hospital, Small Animals'. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Professional Business Office' to 'Commercial'. The property is located at 1150 Upper Hembree Road and is legally described as being located in Land Lots 550 & 551, 1st District, 2nd Section, Fulton County, Georgia.

Staff's recommendation was to approve, subject to the following conditions:

5. 'Animal Hospital, Small Animals' shall be added as a conditional use at 1150 Upper Hembree Road and limited to no more than 4,162 square feet.
6. Conditional use approval shall be limited to Paw Patch Animal Clinic; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.

7. Hours of operation shall be Monday – Saturday 7:00 AM – 7:00 PM.
8. The business shall not have boarding/kenneling facilities, except that animals may be kept over-night for care incidental to the hospital use.
9. Dumpster shall be maintained within a screened dumpster enclosure, as approved by Staff.
10. Grassed area between the sidewalk and parking lot shall be sodded or seeded to fill-in bare areas.
11. Exterior modifications to the existing structure shall be residential in character, as approved by Staff.
12. 50' undisturbed buffers on the north and east sides of the property shall be replanted where sparse, as approved by Staff.

Scott Hutchison and Dr. Banner presented for the Applicant.

There was discussion on:

- Rezoning does not revert to previous zoning
- Buffer measurement
- Privacy fence is not allowed within the buffer
- Condition #8
- Conditional Use approval pertains to this specific business
- Zoning Map
- Change to Comprehensive Land Use Plan
- Concern of "Patchwork Zoning"
- Other uses allowed in C-1
- Consideration of adding a conditions to restrict the use
- Definition of "Pocket Pet"

Public Comment:

In Opposition:

1. Jan Latka, 8550 Birch Hollow Dr.
2. Gary & Cynthia Blackstad, 8561 Birch Hollow Dr.
3. Steve Turner, 8520 Birch Hollow Dr.
4. Colleen Perez, 4210 Harris Ridge Ct.

Concerns:

1. Maintenance of Buffer
2. Noise
3. Change to Zoning Classification
4. Issues for children
5. Reduction in property values

Applicant Rebuttal:

- Many vacant properties on street
- O-I Zoning limits uses allowed
- Animals will be walked on a leash
- Building will have noise control
- Minimal animals overnight

Discussion from Commissioners:

- Restriction of C-1 Uses
- Precedent of Change to CLUP
- Pool Company is O-I
- Noise may not be an issue

❖ Commissioner Brady offered a motion to approve with Staff's conditions and the addition of Condition #9 :

- Commissioner Waylock seconded the motion
- The motion was approved (5-1)(Kung'u)

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2. Conditional use approval shall be limited to Paw Patch Animal Clinic; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.
3. Hours of operation shall be Monday – Saturday 7:00 AM – 7:00 PM.
4. The business shall not have boarding/kenneling facilities, except that animals may be kept over-night for care incidental to the hospital use.
5. Dumpster shall be maintained within a screened dumpster enclosure, as approved by Staff.
6. Grassed area between the sidewalk and parking lot shall be sodded or seeded to fill-in bare areas.
7. Exterior modifications to the existing structure shall be residential in character, as approved by Staff.
8. 50' undisturbed buffers on the north and east sides of the property shall be replanted where sparse, as approved by Staff.
9. Restrictive to office, animal hospital, small animal's uses.

- c. **MP-17-06/CLUP-17-07/Z-17-20/CU-17-18/V-17-44 Greenstone Parkway 400, LLP**
The Applicant deferred this item until Thursday, September 6, 2018. It was not considered.

d. PH-18-05 Unified Development Code Text Amendments/Fire Pit & Clearing and Grading Regulations

Kathi Cook, Director of Community Development, presented consideration of text amendments to Unified Development Code, Article III to address clearing and grading activities and Article IV to add Fire Pit regulations.

There was discussion of:

- Bonds
- Ordinance applies to new fire pits being constructed
- Setbacks
- Permitting requirements

Public Comment:

1. John Courtney, 120 Woodfield Lane

Concerns:

1. Fire Marshall and Code Enforcement do not enforce
2. City Code/Regulations on Outdoor Burning
3. City Code & UDC conflict
4. Presented photos of neighbor's fire pit and fire pit on Canton St
5. Presented suggested changes to the Board
6. Air Quality
7. Nuisance Issue

Discussion:

- Staff had not had the opportunity to review Mr. Courtney's handout
- ❖ Commissioner Waylock offered a motion to table so that Staff will have opportunity to review.
- Commissioner Brady seconded the motion
- The motion was approved (6-0)

VII. ADJOURNMENT