



PLANNING COMMISSION MEETING SUMMARY MARCH 4, 2021

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

Chairman Kung'u called the meeting to order at 6:30 p.m.

II. ROLL CALL

Members

- Francis Kung'u (Chair)
- Larry Attig
- Jamie Bendall (Alternate)
- Dana Davis
- William Perkins
- Candy Waylock
- Martine Zurinskas
- Fergal Brady (Vice-Chair) (Absent)
- Valerie Manley (Alternate) (Absent)

Staff Present

- Kathi Cook, Director of Community Development
- Michael Woodman, Senior Planner
- Ben Kern, Planner, GIS Specialist
- Elicia Taylor Planning and Zoning Coordinator
- Terry Bankhead Farmer, Information Technology

III. APPROVAL OF MEETING MINUTES

a. February 4, 2021 Minutes

- ❖ Commissioner Zurinskis offered a motion to approve
 - Commissioner Waylock seconded the motion
 - The motion was approved (7-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. MP-21-01/CLUP-21-02/Z-21-03/CU-21-02/V-21-04 The Bailey/Northwinds

This item was deferred by the Applicant. It was not be discussed or considered at this meeting.

Consideration of a master plan amendment, comprehensive land use plan amendment, rezoning, conditional use and variances to allow a 238,017 square foot wellness center, a 119-room boutique hotel, 37 'For-Sale' condominium units and 35,400 square feet of retail/restaurant use. A master plan amendment to the Northwinds Master Plan is requested to add 'Dwelling, 'For-Sale', Attached' to Pod A. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'Mixed Use', as well as a rezoning from O-I (Office-Institutional) to MU (Mixed Use). A conditional use is requested to allow 'Dwelling, 'For-Sale', Attached' as a permitted use in the MU district. Variances are requested to reduce the minimum lot size in the MU district; to increase the maximum impervious area; to reduce the minimum open space; and to reduce landscape strips. The property is located at 2650 Northwinds Parkway and is legally described as being located in Land Lots 799, 805 and 806, 1st District, 2nd Section, Fulton County, Georgia.

b. PH-21-05 UDC Text Amendments – Backyard Chickens

Michael Woodman, Senior Planner, presented consideration of a text amendment to Unified Development Code (UDC) Subsection 2.2.6 R- 12 Dwelling, 'For-Sale', Residential, to add backyard chickens as an accessory use on minimum one (1) acre properties. Code Enforcement placed the applicant on notice that the zoning and lot size of his property does not comply with the City's backyard chicken regulations as it is less than one acre and in R-12 Zoning district. The UDC was amended in June 2020 to allow backyard chickens in the AG, RE, R, R-22 and R-15 zoning districts on minimum one (1) acre lots.

There was discussion from the Board :

- This came about as a result of a See Click Fix complaint to Code Enforcement
- Applicant has 24 letters of support from neighbors
- Requirements for owning chickens
- HOA Covenants supersede City Ordinance
- Backyard Chicken regulations in Other Jurisdictions
- Changes to City if ½ acre is permitted
- What if chicken owners across the City do not follow rules of Backyard Chicken Ordinance

Applicant presented:

- Background on neighborhood support
- Support animals for Ms. Rose
- Family Pets
- No Roosters
- Size & Location of Chicken Coop
- Neighbor has offered to lease part of his property to the Rose's if needed

Public Comment:

In Support:

1. Seth Gamba, 205 Birch Hollow Place
2. Fred Bunn, 750 Birch Drive
3. Mary Naylor, 200 Birch Hollow Place
4. Barbara Howell, 225 Birch Hollow Place
5. Vanessa Dyon, 8551 Birch Hollow Drive
6. Gary Becker, 8540 Birch Hollow Drive
7. Narasimha Acharya, 8590 Birch Hollow Drive

There was no opposition.

After discussion the Planning Commission recommended approval to permit to permit backyard chickens as an accessory use in the R-12 zoning district and to allow backyard chickens on minimum one-half (1/2) acre lots in the AG, RE, R, R-22, R-15 and R-12 zoning districts.

- ❖ Commissioner Attig offered a motion to approve
 - Commissioner Waylock seconded the motion
 - The motion was approved (6-1)(Bendall)

c. PH-21-03 UDC Text Amendments – Prerequisites for Public Hearing Requests

Michael Woodman, Senior Planner, presented consideration of text amendments to Unified Development Code, Article IV Procedures to add prerequisites pertaining to the submittal of a public hearing request.

There was no public comment.

After discussion, Planning Commission recommended unanimous approval, subject to changes clarifying that delinquent taxes, assessments, fees, fines or other indebtedness to the City pertains to a property and not a person.

1. No application shall be accepted or reviewed for completeness ~~from a person who owes pertaining to a property on which~~ delinquent taxes, assessments, fees, fines, or is otherwise indebted to the City until the taxes, assessments, debts, or obligations have been first fully discharged by payment, or ~~until an arrangement satisfactory to the Director has been made for the payment of such debts or obligations.~~

~~2. No application pertaining to~~ property that is not in compliance with applicable City codes and ordinances shall be accepted or reviewed for completeness until the property is brought into

compliance, or until an arrangement satisfactory to the Director has been made for bringing the property into compliance.

32. It shall be the Applicant's responsibility to provide evidence or proof that (i) all taxes and fees have been paid, or that other arrangements have been made for payment of said taxes, fees, etc. and/or (ii) the property has been brought into compliance or that arrangements have been made to bring the property into compliance."

- ❖ Commissioner Bendall offered a motion to approve
 - Commissioner Zurinkas seconded the motion
 - The motion was approved (7-0)

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 8:04 p.m.