



Planning Commission Meeting November 4, 2021

Department of Community Development

ALPHARETTA CITY HALL | 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 Planning Commission, but not quoted or paraphrased. This document includes limited presentation by Planning Commission and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. CALL TO ORDER

- Chairman Kung'u called the meeting to order at 6:31 p.m.

II. ROLL CALL

- **Planning Commissioners present:**
 - Francis Kung'u (Chair)
 - Dana Davis
 - William Perkins
 - Candy Waylock
 - Martine Zurinskas
 - Valerie Manley (Alternate)
- **Planning Commissioners Absent**
 - Fergal Brady (Vice Chair)
 - Larry Attig
 - Jamie Bendall (Alternate)
- **Staff present:**
 - Kathi Cook, Director of Community Development & Economic Development
 - Michael Woodman, Senior Planner
 - Eric Graves, Senior Engineer, Development Services
 - Alexandra Callum, Planning + Zoning Coordinator
 - Lauren Shapiro, City Clerk

III. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Zurinskas offered a motion to approve the Planning Commission Meeting Minutes from September 2, 2021.

- Commissioner Waylock second the motion.
- The motion was approved unanimously (6-0).

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

A. MP-21-07/CLUP-21-04/Z-21-09/V-21-23 Empire Communities/KB/400 Partners

- Senior Planner Woodman came forward to present this comprehensive land use plan amendment, master plan amendment, rezoning and variances to allow for 90 'For-Sale' single-family detached homes to be constructed on approximately 14 acres in the North Point Overlay. A comprehensive land use plan amendment is requested from 'Corporate Office' and 'Public, Institutional, Education' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) and SU (Special Use) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential). A master plan amendment is requested to add 'Dwelling, 'For-Sale', Detached' to Pod A of the KB/400 Partners Master Plan and variances are requested to modify various site design and streetscape standards in the North Point Overlay, reduce lot widths, eliminate block requirements with stub-out streets and vehicular cross-access, eliminate the driveway spacing requirements on a Type 'C' corridor, reduce landscape strip along new private road and allow a stream buffer encroachment for new entry road off Rock Mill Road. 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.
- Mr. Woodman presented that the undeveloped, wooded property is zoned O-I and is subject to the KB400 Master Plan Pod A. Surrounding properties are zoned O-I, except the property to the south is zoned SU (Special Use). Non-residential uses surround the property, including Verizon to the north, Royal 400 South office park to the east, North Point Park office condominiums to the west, the former Wells Fargo Bank to the southwest and New Prospect Elementary School to the south. The City has considered several public hearing requests on the subject property over the last few years. Past public comments opposed direct access from the property to North Point Parkway and Kimball Bridge Road. To address this concern, additional land area was acquired from New Prospect Elementary School to allow 4 access to the property from Rock Mill Road. Previous zoning proposals on the subject property have consisted primarily of townhomes. The property is located on the eastern edge of the North Point Overlay. . The Overlay includes a vision to become a walkable, mixed-use village with a focus on sustainability, greenspace and connectivity.
- The submitted site plan depicts a 90-lot single-family detached subdivision with access from a new driveway off Rock Mill Road. All lots are internally oriented within the development, including perimeter buffers along North Point Parkway and Kimball Bridge Road. Homes are proposed to have a reduced 30' lot width, with a typical home footprint of 22' x 38'. The average lot size is approximately 2,025 square feet. Lots 1-48 are depicted to be front entry and Lots 49-90 are rear entry. New internal streets and alleys will be private. Eight-foot (8') sidewalks are depicted along North Point Parkway and Kimball Bridge Road and five-foot (5') sidewalks are depicted along the new internal streets on at least one (1) side. The Unified Development Code (UDC) Parking regulations and North Point Overlay requirements would require 216 parking spaces for the 90 single-family detached homes. Each home is proposed accommodate two (2) side-by-side parking spaces in a garage, as well as two (2) spaces in the code-compliant driveway, for a total of 360 parking spaces. An additional 25 guest parking spaces are interspersed throughout the development.
- The North Point Overlay requires a minimum five percent (5%) amenity space and ten percent (10%) civic space, or a total of 2.1 acres of open space. The site plan depicts 6.53 acres, or 47%, of the property as open space. Civic space is depicted at the corner of North Point Parkway and Kimball Bridge Road. A clubhouse and pool are proposed at the entrance to the community and adjacent to a landscaped park with

boardwalk/overlook with seating. The landscaped park with boardwalk is proposed within the area of the site designated as floodplain.

- The applicant provided a traffic study showing that the intersection at North Point Parkway and Rock Mill Road would continue to operate at an acceptable level of service (LOS D) without and with the applicant's development. In addition, the City's Public Works Department recently adjusted the signal timing at this intersection, which was in response to concerns voiced by business owners in the office condominiums to the south of the proposed development.
- The CZIM was held on September 8, 2021. There were several public comments and questions with concerns over impacts to the stream, look of the development, price point, whether a cutthrough is planned adjacent to New Prospect, schools and traffic impacts, high density, safety issues for children, what is the bike repair shop, meaning of civic space, targeted buyer, Kimball Farms HOA notification, medium or high density, other developments proposed that could impact school enrollment, increased flooding issues in Kimball Farms, gathering areas indoor or outdoor, gathering areas subject to noise ordinance, use the gathering spaces by churches, and identify who is allowed in civic space.
- The City has received correspondence from nearby residents and business owners with concerns over increased traffic, capacity of the Rock Mill Road and North Point Parkway intersection to handle added traffic, use of open space by the public, high density, school overcrowding, aesthetics and lack of public notice.
- 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 variances. The property is located in the North Point Overlay where walkability, mix of uses, site design and EcoDistrict measures are key components to a successful development. The proposal to allow residential use would add to the mix of uses in the North Point area, bringing people closer to where they work and shop. Additionally, residential use would produce significantly fewer vehicular trips on the surrounding roadway network.
- Mr. Woodman read Staff's recommended conditions:
 1. The 13.98-acre property shall be zoned 'R-8A/D' and shall be developed substantially as depicted on the plan prepared by PEC, revised 10/26/21, 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.
 2. The Comprehensive Land Use Plan designation of the property shall be 'High Density Residential'.
 3. 'Dwelling, 'For-Sale' Detached' shall be listed as a permitted use in the KB/400 Partners Master Plan Pod A, with a maximum density of 6.44 dwelling units per acre.
 4. Minimum lot width shall be 30'.
 5. Building setbacks and building separation shall be as depicted on the site plan prepared by PEC, revised 10/26/21.
 6. Architecture and materials shall be developed substantially similar to the submitted renderings prepared by Troy King, labeled Exhibit A, subject to final approval by Staff.
 7. EcoDistrict measures shall be substantially similar to the description the applicant's letter of intent, dated 7/30/21. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure. EcoDistrict points to be confirmed by Staff.
 8. Minimum 5,000 square foot civic space shall be developed at the corner of North Point Parkway and Kimball Bridge Road, including decorative hardscape, landscape, and Empire North Point EcoDistrict Monument Concept, with final approval by the Cultural Arts Commission. Hardscape, landscape and monument shall be maintained by the HOA.
 9. Minimum 6.53 acres of open space shall be reserved and improved substantially as depicted on the plan prepared by PEC, revised 10/26/21. Permanent easements shall be dedicated to the City for public access over required civic space. The HOA shall be responsible for maintenance of all open space.
 10. Stormwater management facility shall have a natural appearance, having a permanent pool with aeration

system/fountain, as approved by Staff. Smart stormwater design techniques shall be employed to address runoff reduction, as approved by Staff. Stormwater management facilities shall be located on a separate lot under the ownership and maintenance responsibility of the HOA.

11. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way.

12. Pedestrian access to Kimball Bridge Road sidewalk shall be unrestricted.

13. Fire access only shall be gated and improved with grasscrete, or similar product, as approved by Staff.

14. Homes shall have connectivity to the public sidewalk system.

15. New internal streets shall include a 4' planter and 5' sidewalk on one side of the street (not including alleys), as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets shall be private and maintained by the HOA.

16. Developer shall improve North Point Parkway streetscape with a 3' planter, 8' sidewalk and street trees and landscape material alternating on both sides of the sidewalk, as approved by Staff. Tree grates, tree wells, or alternative option shall be used to accommodate minimum 4' planting space for required street trees in the planter, as approved by Staff. Streetscape shall include decorative pedestrian lighting.

17. Developer shall improve Kimball Bridge Road streetscape with street trees (if not installed by the City with the Kimball Bridge Rd improvements) and landscape material alternating on both sides of the sidewalk, as approved by Staff. Streetscape shall include decorative pedestrian lighting.

18. Minimum 20' landscaped buffer shall be required along Kimball Bridge Road and minimum 30' landscaped buffer shall be required along North Point Parkway. Existing trees shall be preserved, where possible, within the buffers and the remaining areas planted to buffer standards. Landscape buffers shall be enhanced similar to Kimball Bridge Walk buffer, as approved by Staff. Landscape buffers shall be on a separate lot under the ownership and maintenance responsibility of the HOA.

19. Minimum 10' landscape strip shall be required along both sides of new internal streets, not including alleys. Landscape strips and buffers shall be exclusive of utilities and easements.

20. Pedestrian amenities including pathways, lighting, and benches should be included throughout the development and amenity areas.

21. 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.

22. Developer shall construct the depicted Rock Mill Road access driveway, to City roadway standards. All costs of construction shall be the responsibility of the developer. Developer shall install 5' sidewalks and a 2' planter on both sides of the access road. Tree recompense shall not be required for development activities associated with the construction of the access driveway.

23. Developer shall dedicate a permanent public access easement over the area depicted as civic space on the site plan prepared by PEC, revised 10/26/21, as approved by Staff.

24. 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.

25. Tree line and trees depicted in the civic space area to the west of the new project driveway shall be saved, except that trees shown to be impacted by the new driveway may be removed.

26. Site plan shall comply with IFC Appendix D, as determined by the Fire Marshal.

27. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants. Conditions requested by the Applicant as the result of citizen comments:

28. In an effort to reduce stormwater runoff rates leaving the site at the study point, the stormwater hydrology model for the site will be completed using the following methodology:

a. Reduce the stormwater runoff rates in the proposed development condition at the site study point by the following parameters:

i. 2-year storm reduced to 1 year storm flow rate

ii. 5-year storm reduced to 2-year storm flow rate

- iii. 10-year storm reduced to 5-year storm flow rate
- iv. 25-year storm reduced to 10-year storm flow rate
- v. 50-year storm reduced to 25-year storm flow rate
- vi. 100-year storm reduced to 50-year storm flow rate

29. Developer will work with City's Transportation Department to create a right-turn lane at the northbound exit of Rock Mill Road onto North Point Parkway, to the extent that there is available 3 right-of-way to construct the turn lane. This improvement shall not be eligible for impact fee credits.

30. If a land disturbance permit is not applied for within 12 months of Council approval of the rezoning, the zoning of the property shall revert to the original zoning subject to the original KB/400 Partners Pod A development standards.

- The Planning Commission discussed the following:
 - Are there not traffic concerns at peak hour on Rock Mill Road, since most people will be turning right? In looking at the configuration of the entrance, how would school buses access stops in the neighborhood? Is fire access only for fire or also emergency vehicles? Who handles the maintenance on the emergency box?
- The applicant, Kathy Zickerd, came forward to speak on behalf of this application
 - There is no connection from the Rock Mill at North Point to the Rock Mill on Kimball Bridge.
 - We don't want to be visible from North Point or Kimball Bridge- want to create buffers to screen noise.
 - There are two 16,000 ft community greens- we will use a boardwalk to create a trail
 - There will be decent HOA fees to keep up with the amenities.
 - We will add EMS and police access to the emergency access.
 - Fulton County wants sewer and water lines as close to the street as possible.
- The Planning Commission discussed the following:
 - How many bike amenities are there? What is your experience with permeable pavers?
 - The language of Condition 19 needs to be changed.
 - Can we confirm if the roundabout is public or private? We can confirm it is public.
 - On Condition 29, this project does not fall under our Impact Fee code.
 - Michael Woodman offered a change to Condition 18 and 19: strike the last sentence on condition 18 and will read as follows: Landscape buffers shall be shown on the final plat with maintenance responsibility assigned to the HOA. Landscape buffers shall be detailed in the HOA Declaration and Covenants as maintenance responsibility of the HOA. For condition 19: Minimum 10' landscape strip shall be required along both sides of new internal streets, not including alleys; except if Fulton County requires an unincumbered easement, shrubs shall replace tree requirements on one side of the street.
 - Condition 25 reading as approved by Staff is acceptable.

Public Comment:

- Keith Hamilton- 810 Mashburn Drive- came forward to speak against the development.
 - He claims Rock Mill Road was never meant to handle this kind of traffic. He doesn't want the roundabout to be used for public access and does not want people walking through his property.
 - ❖ Commissioner Perkins offered a motion to approve subject to the following conditions as noted by Staff

and approving the applicant's markups on:

- Item #1 as noted by the applicant
- Item #8, #10, #11
- Item #13 with the word to follow "fire access and police only",
- Item #18 with the following added: Landscape buffers shall be shown on the final plat with maintenance responsibility assigned to the HOA. Landscape buffers shall be detailed in the HOA Declaration and Covenants as maintenance responsibility of the HOA.
- Item #19, with the following change: Minimum 10' landscape strip shall be required along both sides of new internal streets, not including alleys; except if Fulton County requires an unincumbered easement, shrubs shall replace tree requirements on one side of the street.
- Item #22, #25, #28, #30, approved applicant's markup

Commissioner Zurinkas seconded the motion.

- Commissioner Waylock offered a friendly amendment to change the language on item #13 to say: "emergency vehicle access only"
- At the end of item #25, it needs to be noted "as approved by Staff" at the end of the last sentence.
- The motion was approved unanimously (6-0).

❖ Chairman Kung'u called for a recess at 7:57 p.m.

❖ Chairman Kung'u called the meeting to order at 8:01 p.m.

B. Z-21-08/CU-21-11 Mayfair on Main/ 217 South Main Street

- Director Kathi Cook came forward to present this item.
 - This is for the consideration of a rezoning from C-2 (General Commercial) to DT-MU (Downtown Mixed-Use) and a conditional use to increase the density above 10 dwelling units per acre to allow for the construction of a 24-unit 'For-Sale' townhome development in the Downtown. The property is located at 217 South Main Street and is legally described as being located in Land Lot 694, 2nd District, 2nd Section, Fulton County, Georgia.
 - Director Cook presented that The properties were previously developed and used for a strip shopping center and a dance school. Surrounding properties are zoned C-2 to the north, west and south and DT-MU to the east. Dairy Queen and a professional office are located to the north, The Maxwell mixed-use development is located to the east, the new Devore Road right-of-way will be located to the south and two (2) flex office buildings are located to the west. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed townhomes. 377 single-family detached homes and 300 townhomes have been approved in the Downtown in the six (6) years since the adoption of the 2015 Downtown Master Plan update. The applicant's proposed density of 10.43 dwelling units per acre is on the high end of densities approved in the Downtown since the approval of the Downtown Master Plan, but similar to the density approved at The Maxwell (10.7 dwelling units per acre).
 - The submitted site plan depicts 24, three (3) story dwelling units, of which thirteen (13) are 'For-Sale' single-family detached homes and eleven (11) townhomes in three (3) buildings. All single-family detached lots meet the 2,500 square foot minimum lot size and all townhome units are nearly double the 900 square foot minimum lot size. Access to the development is from Roswell Street by way of a new private street providing access to private alleys. Ten-foot (10') setbacks are provided along Roswell Street and Devore Road and a fifteen-feet (15') setback is provided along South Main Street. The site plan depicts 38,730 square feet, or 41% amenity space within the proposed development, which includes a central amenity area near the guest parking area.

- There are seven (7) specimen trees on the subject property, consisting primarily of Hardwoods. The site plan depicts a tree save along Roswell Street, which is tree #902 (37" Water Oak).
- The applicant submitted renderings of the townhomes only, but have stated that the single-family detached homes will match the architecture, materials and details depicted on the townhome renderings.
- Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 0 – 14 school age children.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
- Staff has reviewed the applicant's proposal and finds that the request for rezoning and conditional use do not conflict with the established review criteria. The zoning proposal is consistent with the vision of the Downtown Master Plan and comprehensive land use plan designation of the property. The proposed density is similar, but below the maximum density approved on South Main Street. Based on Staff feedback, the applicant revised their original request which was for 24 townhome units on 1.82 acres with a density of 13.2 dwelling units per acre and no tree save.
- Director Cook read staff's following conditions:
 1. Approximately 2.3 acres shall be zoned DT-MU and developed substantially similar to site plan prepared by Paradigm, dated 10/13/2021, 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. Architecture and materials shall be developed substantially similar to the submitted renderings for both the single-family detached homes and townhomes, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Single-family homes and townhomes shall have 4-sided architecture, materials and details. Buildings fronting South Main Street, Devore Road and Roswell Street shall be primarily brick with cast stone or limestone base.
 3. Density shall not exceed 10.43 dwelling units per acre and shall be limited to 13 single-family detached homes and 11 townhome units, as depicted on the site plan prepared by Paradigm, dated 10/13/2021.
 4. Building height shall be limited to no more than 3 stories with rooftop deck and no more than 44', as depicted on the submitted renderings.
 5. Lots shall have a front yard defined by a courtyard, as depicted in the submitted renderings. Courtyards can encroach into the landscape strips, as depicted on the site plan prepared by Paradigm, dated 10/13/2021, subject to meeting the minimum landscape material requirements, as approved by Staff. Sizing and impervious area to be coordinated with Staff.
 6. Developer shall dedicate 10' of right-of-way along Roswell Street and shall improve the streetscape as follows: minimum 6' planter planted with street trees, 8' concrete sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
 7. Developer shall improve the Devore Road streetscape as follows: minimum 4' planter planted with street trees, 8' concrete sidewalk (Alpha Loop), and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs. Alpha Loop improvements constructed by the developer in excess of Downtown sidewalk requirements shall be eligible for impact fee credits, as approved by Staff.
 8. New internal street shall be constructed as depicted on the site plan prepared by Paradigm, dated 10/13/2021, with final approval by Staff.
 9. Landscape strips along South Main Street, Devore Road and Roswell Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.

10. Project entrance shall include a decorative paver apron, landscaping and low wall.
11. Amenity areas shall be developed with a park-like setting with decorative landscape, hardscape, low walls and seating. Landscape shall include plant selections promoting the historic Downtown.
12. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
13. Developer shall save tree #902 – 37" Water Oak and hardwood tree grouping directly north of central amenity area and shall make reasonable efforts to save additional trees of quality and/or tree groupings, as approved by Staff.
14. 5' landscape strips along the north and south property lines shall be planted with evergreens.
15. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.
16. HVAC and similar equipment shall not be visible from the public right-of-way.
17. Fire access shall meet IFC 2018 Appendix D and Fire Hydrants.
18. Stormwater management facilities shall be provided on an independent lot and shall not impede access to homes, with final approval by Staff.
19. Garbage pickup shall be from within the development.
20. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants

- The Planning Commission discussed the following:
 - Do they meet the parking requirements? Will there be any curb cut on Highway 9? Does the median force a right in, right out?
- The applicant, John Boniface, came forward to speak on behalf of this application
 - 41% of the development is greenspace, instead of the required 10%
 - There is full access on Roswell Street
 - The goal is to have as many detached as possible
- There were no public comments for this item.
- The Planning Commission discussed the following:
 - On item #7, are we still not in agreement? Director Cook confirmed that is correct.
 - On item #3, we wanted a condition that wanted detached homes. There's a concern there's no limitation. Director Cook confirmed they would be capped at 24 units.
 - What if it states "shall be at a minimum 6 single family detached homes and the remainder townhomes, with a max of 24 total homes"? or "one street at minimum shall have detached single family homes"?
 - We want to make sure there's a mix of townhomes and detached.
 - Add at the end of their red line: "At a minimum, there shall be single family detached fronting one of the public streets, as approved by Staff."
 - Remove "as depicted on the site plan" from this item

❖ Commissioner Manley offered a motion to approve subject to the following conditions:

- Item #3, to read as follows: "Density shall not exceed 10.43 dwelling units per acre, and shall be limited to 24 single family detached homes and/or attached townhomes units, with all single family detached fronting Devore Road or Main Street, as approved by Staff."
- Item #4, as approved by Staff and unamended
- Item #5, as approved by Staff and unamended
- Item #7, as recorded by Staff, not accepting the applicant's markups
- Item #16, accepting the applicant's markups, with the following addition: "as approved by the Design Review Board".

- Commissioner Waylock seconded the motion.
- The motion was approved unanimously (6-0).

C. MP-21-09/CLUP-21-05/V-21-25 Cousins Westside Pod A/Empire Communities

- Senior Planner Woodman came forward to present the consideration of a comprehensive land use plan amendment, master plan amendment and variances to allow 58 'For-Sale' townhomes on 7.35 acres. A comprehensive land use plan amendment is requested from 'Business, Manufacturing, Warehousing, Light Industrial' to 'High Density Residential' and a master plan amendment is requested to add 'Dwelling, 'For-Sale', Attached' as a permitted use in Pod A of the Cousins Westside Master Plan. Variances are requested to modify North Point Overlay site design and streetscape standards, amend block requirements, and eliminate landscape strip requirements along the new internal street. The property is located at 3000 Hembree Road and is legally described as being located in Land Lot 691, 1st District, 2nd Section, Fulton County, Georgia.
- The undeveloped property has an unusual shape and surrounds a city-owned property that was used for a wetland mitigation bank and is primarily floodplain. A portion of the property was previously cleared and graded in conjunction with a project known as Nexgen Westside, which was never developed. Surrounding properties are zoned CUP and L-I (Light-Industrial) to the west, CUP to the south, O-I (Office-Institutional) to the east and City of Roswell to the north. Non-residential uses surround the property, including the Shell gas station, U-Haul rental and undeveloped commercial property to the west, FedEx Shipping Center to the east, and North Point Center Research Park to the south. The Cousins Westside Master Plan was approved in 2003 for a 219-acre mixed use development allowing commercial, office, hotel, education, assisted/senior living, 'For-Sale' residential and 'For-Rent' senior apartments. Pod A was approved for office and neighborhood commercial uses at 20,000 square feet per acre.
- The submitted site plan depicts a 58-unit 'For-Sale' townhome development with access from Hembree Road. Townhomes are proposed with a 22' x 38' footprint. Units 1-29 and 53-58 are depicted to be rear entry and Units 34-52 are front entry. New internal streets and alleys are private. A 50' natural buffer is depicted along the northern property line. property line. Building setbacks and landscape strips are outlined below.
- A twelve-foot (12') sidewalk and six-foot (6') planter are depicted along Hembree Road and a twelve-foot (12') sidewalk and ten-foot (10') planter are depicted along Morrison Parkway. The new internal private street is depicted to a 45' right-of-way width, including a 26' paved width, four-foot (4') planter and five-foot (5') sidewalk on one (1) side of the street. of the street. Alleys are shown with a 24' paved width. The Unified Development Code (UDC) Parking regulations and North Point Overlay requirements would require 139 parking spaces for the 58 townhomes. Each townhome will accommodate two (2) side-by-side parking spaces in a garage, as well as two (2) spaces in the code-compliant 18' driveway, for a total of 232 parking spaces. Eight (8) guest parking spaces are provided throughout the development.
- The North Point Overlay requires a minimum five percent (5%) amenity space and ten percent (10%) civic space, or a total of 1.1 acres of open space. The site plan depicts 2.86 acres, or 39%, of the property as open space.
- A stormwater management facility is depicted to be internal to the site and behind Units 34-46, which is adjacent to the City's property. The applicant provided a tree report, which indicates that five (5) specimen trees will be saved.
- Renderings were provided depicting 3-story townhomes with a brick 1st floor and board and batten on the 2nd and 3rd floors. A recessed front entry is provided from the 1st floor and a mix of extended and recessed porches are provided on the 2nd floor. End units include porch extensions. Architectural details and materials are provided on all four (4) sides of the homes.
- The North Point Overlay requires that EcoDistrict measures be incorporated into all new developments, of which

a minimum seven (7) EcoDistrict points are required. According to the applicant's letter of intent, the development proposes eleven (11) EcoDistrict points. EcoDistrict points are requested for Building Energy Efficiency, Bio-retention and Sustainable Landscaping, Enhanced Bicycle Amenities and Additional Landscaped Civic Space.

- The CZIM was held on October 13, 2021. There were no public comments.
- 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 and variances. The property is located in the North Point Overlay where walkability, mix of uses, site design and EcoDistrict measures are key components to a successful development. The proposal to allow residential use would add to the mix of uses in the North Point area, bringing people closer to where they work and shop. Additionally, the proposed residential use would produce significantly fewer vehicular trips on the surrounding roadway network.
- Mr. Woodman read Staff's following conditions:
 1. The property shall be developed substantially as depicted on the plan prepared by PEC, revised 10/11/21, 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 stream buffers and flood plain information shall be required for LDP and may impact lot yield.
 2. The Comprehensive Land Use Plan designation of the property shall be 'High Density Residential'.
 3. 'Dwelling, 'For-Sale' Attached' shall be listed as a permitted use in the Cousins Westside Master Plan Pod A, with a maximum density of 7.89 dwelling units per acre.
 4. Hembree Road shall have a maximum building setback of 50' and Morrison Parkway shall have a maximum building setback of 70'.
 5. Architecture and materials shall be developed substantially similar to the submitted renderings prepared by Troy King, labeled Exhibit A, subject to final approval by Staff. Townhome side elevations facing Hembree Road shall have a minimum 4' deep porch and other details depicted on the submitted renderings, as approved by Staff.
 6. EcoDistrict measures shall be substantially similar to the description in the applicant's letter of intent, dated 9/1/21. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure. EcoDistrict points to be confirmed by Staff.
 7. Minimum 5,000 square foot civic space shall be developed at the corner of Morrison Parkway and Hembree Road, including decorative hardscape, landscape, and Empire North Point EcoDistrict Monument Concept, with final approval by Cultural Arts Commission. Hardscape, landscape and monument shall be maintained by the HOA.
 8. Minimum 2.86 acres of open space shall be reserved and improved substantially as depicted on the plan prepared by PEC, revised 10/11/21, except that Bark Park shall be amenity space and corner of Hembree Road and Morrison Parkway shall be civic space (see condition #7 above). A permanent easement shall be dedicated to the City for public access over required civic space. The HOA shall be responsible for maintenance of all open space.
 9. Stormwater management facility depicted in an amenity area shall have a natural appearance, as approved by Staff. Smart stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
 10. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way.
 11. Townhomes shall have connectivity to the public sidewalk system. Sidewalk connection shall be required between Hembree Road and new internal street through the project entrance.
 12. Units 1-4 shall have a minimum 18' long driveway, not including the required sidewalk. All units shall have minimum 18' long driveways.
 13. New internal street shall be improved with 9' travel lanes, 8' parallel parking on one side of street, minimum 4' planter and minimum 5' sidewalk on one side of the street (not including alleys) and 10' landscape strips on both sides of the street, as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets shall be private and maintained by the HOA.

14. Alleys and driveways adjacent to Hembree Road shall be heavily screened with a decorative wall and/or decorative screening landscape material, as approved by Staff.
15. Where appropriate, 5' side and rear setbacks along the north and east property lines and around the City-owned parcel shall include the required 5' landscape strip, with final approval by Staff.
16. Minimum 50' natural buffer, including saving specimen trees, trees of quality and tree groupings, shall be maintained along the north property line, as approved by Staff. Buffer shall be enhanced with both decorative and screening landscape material.
17. Minimum 6' pervious trail shall be constructed through the natural buffer and civic space as depicted on the plan prepared by PEC, revised 10/11/21. Elevated trail sections shall be provided through the wetlands and stream crossing, final approval by Staff. Trail improvements shall include lighting and benches, as approved by Staff. Developer shall dedicate a permanent public access easement over the trail, as approved by Staff.
18. Developer shall dedicate any necessary right-of-way along Hembree Road and Morrison Parkway to accommodate streetscape improvements and future roadway improvements.
19. Developer shall provide a center left-turn lane on Hembree Road at the project entrance, as approved by Staff.
20. Project entrance shall have a divided median planted with decorative landscaping, as approved by Staff.
21. 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.
22. Elevation certificates shall be required for townhomes adjacent to floodplain.
23. Stormwater pond dam shall not be within the sanitary sewer easement and sewer pipe shall not encroach into the pond dam.
24. The following specimen trees shall be saved: #383 – 32" Sweetgum, #386 – 38" Southern Red Oak, #387 – 8" Dogwood, #388 – 30" Pine, #392 – 30" Pine.
25. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

- The Planning Commission discussed the following:
 - Where is the maintenance of the trail from item 17?
 - Where are the enhanced biking amenities located on the map?
 - Were there line sight studies for this project?
- The applicant, Kathy Zickerd, came forward to speak on behalf of this application
 - There would be parallel parking spaces on the entrance road. There is a possibility for some to be put in between units.
- There were no public comments for this item.
- The Planning Commission discussed the following:
 - Will the area ever need a traffic light?

❖ Commissioner Perkins offered a motion to approve subject to the following conditions:

- as noted by Staff with the approval of the applicant's markups on item #4, #9, #10, #16, #23
- Denying applicant's markup on #13, adding "as Staff recommended"
- Removing the entire sentence/paragraph of item #18
 - Commissioner Davis seconded the motion.
 - Commissioner Zurinkas offered a friendly amendment: for item #17, add the line "trail shall be maintained by the HOA."
 - Commissioner Perkins and Commissioner Davis accepted the friendly amendment.

- The motion was approved unanimously (6-0).

D. PH-21-18 The Code of the City of Alpharetta Text Amendments- Distance Requirements and Ancillary Tasting

- Director Cook presented that the proposed text amendment to Code of Ordinances Section 4-17 Distance requirements, is to prohibit a retail package store from being located within 2,000' of any other retail package store. The proposed text amendment to Code of Ordinances Section 4-1 Definitions, is to add a definition for Craft beer. The proposed text amendments to Code of Ordinances Section 4-347 Conditions of license issuance, are to include craft beer, to remove the specific amount of wine or craft beer brands, to increase the total amount of samples from eight (8) ounces to sixteen (16) ounces, to permit sampling and tasting within the leased portion of the premises, and to remove the language prohibiting wine sampling and tasting on Sundays.
- There were no public comments for this item.

❖ Commissioner Zurinkas offered the motion to approve as presented.

- Commissioner Waylock seconded the motion.
- The motion was approved unanimously (6-0).

E. PH-21-17 Unified Development Code (UDC) Text Amendments- Downtown Sign Code

Deferred: This item has been deferred until the December 2, 2021 Planning Commission meeting. This item will not be heard or considered during tonight's agenda.

Consideration of text amendments to the Unified Development Code (UDC) to add regulations for signage in the Downtown Overlay.

VII. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 9:46 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator