



PLANNING COMMISSION MEETING FEBRUARY 3, 2022

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MEETING MINUTES**
 - a. Approval of meeting minutes from January 6, 2022**
- IV. ITEMS FROM BOARD MEMBERS**
- V. ITEMS FROM STAFF**
- VI. PUBLIC HEARING**
 - a. CU-21-16 / V-21-34 / Custom Pools Atlanta / 711 Highway 9**
Consideration of a conditional use and variance to allow a 'Contractor's Office with Outdoor Storage' for Custom Pools of Atlanta. Variances are requested to reduce an undisturbed buffer and landscape strip. The property is located at 711 North Main Street (Highway 9) and is legally described as being located in Land Lot 1123, 2nd District, 2nd Section, Fulton County, Georgia.
- VII. ADJOURNMENT**



Planning Commission Meeting

January 6, 2022

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 6:45 p.m.

II. ROLL CALL

- **Planning Commissioners present:**
 - Francis Kung'u (Chair)
 - William Perkins
 - Jill Reynolds
 - Todd Stratton
 - Valerie Manley (Alternate)
 - Jamie Bendall (Alternate)
- **Planning Commissioners Absent**
 - Fergal Brady (Vice Chair)
 - Dana Davis
 - Larry Attig
- **Staff present:**
 - Kathi Cook, Director of Community Development & Economic Development
 - Michael Woodman, Planning and Development Services Manager
 - Ben Kern, GIS Specialist/ Planner
 - Alexandra Callum, Planning + Zoning Coordinator

III. SWEARING-IN CEREMONY FOR LARRY ATTIG, JAMIE BENDALL, TODD STRATTON, & JILL REYNOLDS

IV. ELECTION OF THE CHAIR AND VICE CHAIR

- ❖ Commissioner Perkins offered a motion to elect Commissioner Kung'u as Planning Commission Chairman.
 - Commissioner Manley seconded the motion.
 - The motion was approved unanimously (6-0).
- ❖ Commissioner Bendall offered a motion to elect Commissioner Brady as Planning Commission Vice-Chair.
 - Commissioner Perkins seconded the motion.
 - The motion was approved unanimously (6-0).

V. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Perkins offered a motion to approve the Planning Commission Meeting Minutes from November 4, 2021.
 - Commissioner Manley seconded the motion.
 - The motion was approved unanimously (6-0).

VI. ITEMS FROM BOARD MEMBERS

VII. ITEMS FROM STAFF

VIII. PUBLIC HEARING

A. CU-21-15 Reserve 116 Event Venue / 4150 Old Milton Parkway

- Planning + Development Services Manager Michael Woodman came forward to present this item.
 - The applicant, Reserve 116 Event Venue, is requesting a conditional use to operate a 'Special Event Facility' in a 1,960 square foot suite within The Shops at Old Milton center. A maximum capacity of up to 100 people is requested. The subject property is located at 4150 Old Milton Parkway, Suite 116 near the northeast corner of Old Milton Parkway and Park Woods Circle.
 - The property is zoned CUP (Community Unit Plan) and is subject to the Park Bridge Master Plan Pods B & C, which allows 'Special Event Facility' with approval of a conditional use. Surrounding properties are zoned CUP, except the property across Old Milton Parkway to the south is zoned O-P (Office-Professional). Tava Indian Cuisine and Kalos Financial are located to the west, office condominiums to the north, Manhattan NY Deli & Bagels and Alara Park Bridge Apartments to the east and The Swan Building to the south.
 - The CZIM was held on December 8, 2021. There were no public comments. 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 reviewed the applicant's proposal in consideration of the review criteria for a conditional use. The proposal should not have significant impacts on surrounding properties, which are mostly developed with non-residential uses. In addition, there is sufficient parking available in the center and the use should improve synergy with other businesses operating in the center and nearby. If approved, a condition is recommended requiring that the business remediate any parking problems identified by the City and to have valet parking available for events over 60 people.
 - Staff is recommending approval of Reserve 116 Event Venue/4150 Old Milton Parkway, subject to the following conditions:
 - a. 'Special Event Facility' shall be added as a conditional use at 4150 Old Milton Parkway, Suite 116 and limited to no more than 1,960 square feet.
 - b. Conditional use approval shall be limited to Reserve 116 Event Venue; no additional 'Special Event Facility' use or subleasing shall be permitted within the approved space.
 - c. Special event facility shall be limited to no more than 100 people, with final maximum occupancy subject to Fire Marshall approval.
 - d. Hours of operation shall be limited to Monday – Thursday 6:00 AM – 12:00 AM, Friday 6:00 AM – 1:00 AM, Saturday 6:00 AM – 1:00 AM and Sunday 6:00 AM – 12:00 AM.
 - e. Valet parking shall be provided for events hosting 60 or more people. Valet operation shall not overflow onto Old Milton Parkway. If valet operation is deemed deficient by the City Transportation Planner, operator shall work with Staff to develop an alternative service plan.
 - f. If a parking problem is identified by the City, Reserve 116 Event Venue shall be required to correct the problem by reducing the capacity of events or providing an off-site parking agreement for parking within 500' of the facility, as approved by Staff. Signage indicating 'No Parking' in adjacent parking lots shall be posted in a conspicuous place at the event facility.
- The applicant, Lele Wright, came forward to speak on behalf of this application
 - Most events we plan will be after hours- the bigger crowds will be at night.

- The goal is photography usage and content creation.
- Ms. Wright agrees with all staff recommendations.
- People want smaller, intimate settings.
- The Planning Commission discussed the following:
 - Were there any concerns about establishing maximum noise level? It has not been brought up, but we did not think there would be any issue. We did not receive any feedback from tenants.
 - Does the facility only hold 100 people? The request is for 100 people max- this is at the request of the applicant. The fire marshal felt that based on the size of the space, the original request of 150 people would not be appropriate.
 - Was there any discussion on valet being based on the timing? The traffic engineer did review this, and he did not believe valet was possible even at max capacity, but the applicant offered it.
 - Is this the first place you're doing this business? The applicant has been doing this business for 15 years, but this will be the first event venue that she has.
 - Do we have this type of business anywhere in the city? We don't have many- there are a few locations.
 - If Covid still continues to be an issue, does your model have room in it for social distancing? The applicant stated she has so many ideas just in case they can't have large scale events- content creation, photography.
 - Commissioner Bendall is requesting the language be changed in reference to the valet parking.
 - Senior Planner Michael- What you may want to consider with condition 5- strike altogether and add to condition 6: "and/or providing valet services, as approved by Staff."

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Bendall offered a motion to approve the item subject to the following conditions:
 1. If a parking problem is identified by the City, Reserve 116 Event Venue shall be required to:
 - a. correct the problem by reducing the capacity of events,
 - b. providing an off-site parking agreement for parking within 500' of the facility,
 - c. and/or providing valet services, as approved by Staff.
 - Commissioner Stratton seconded the motion.
 - Chairman Kung'u offered a friendly amendment to include and/or in the language.
 - Commissioner Bendall agreed.
 - The motion was approved unanimously (6-0).

B. PH-21-21 Atlanta Signs Unified Development Code (UDC) Text Amendment- Sign Code Change, Tenant Panels

- Planning + Development Services Manager Michael Woodman came forward to present this item.
 - The applicant, Atlanta Signs, is requesting consideration of text amendments to Unified Development Code (UDC) Section 2.6 Sign Code, to amend the maximum allowable tenant panels allowed on a monument sign in a shopping center. The current regulation allows up to four (4) tenant panels on a monument sign in shopping centers. The applicant proposes allowing up to twelve (12) tenant panels

on a monument sign.

- The applicant states that the UDC text amendments are needed to accurately convey businesses and services to the public, avoid consumer confusion in locating businesses and to not damage businesses and property owners by limiting advertising.
- Staff believes the applicant's proposed change could be a public safety issue as the overall monument sign area of 42 square feet would not change. This would lead to smaller tenant panels that are less discernable to motorists. In addition, vehicle navigation is more commonly used to locate businesses that are unfamiliar to the customer.
- Staff looked at sign code regulations in surrounding and nearby jurisdictions, as it relates to monument signs in shopping centers. Most jurisdictions do not specifically address tenant panels and do not limit tenant panels to a maximum number. However, except for the City of Milton, the other jurisdictions that were looked at allow monument signs that are greater in sign area and mostly greater in height than Alpharetta's sign regulations.

Monument Sign Regulations – Surrounding and Nearby Jurisdictions

Jurisdiction	Tenant Panels	Height	Sign Area
City of Roswell	Unlimited	Up to 12'	Up to 96 SF, 6 or more tenant panels
City of Johns Creek	Unlimited	Up to 8'	Up to 64 SF, tenant panels can be measured separately
City of Milton	Not addressed	Up to 6'	32 SF
City of Sandy Springs	Not addressed	Up to 8'	Up to 64 SF
City of Woodstock	Not addressed	Up to 12'	Up to 120 SF
City of Chamblee	Not addressed	Up to 8'	Up to 64 SF
City of Tucker	Not addressed	Up to 20'	Up to 270 SF

- The CZIM was held on December 8, 2021. There was one (1) public comment asking about the number of proposed tenant sign panels.
- The applicant, Dave West, came forward to speak on behalf of this application
 - The examples that were given don't apply- they are for major shopping centers.
 - The goal is representation for smaller businesses.
- The Planning Commission discussed the following:
 - It is acknowledged that the number of panels allowed has affected some businesses.
 - Commissioner Manley stated that she always looks up a business first. It seems that people's habits are shifting more in that direction. She has seen lots of examples done badly and refers to them as "visual noise". A marketing analysis study would possibly be beneficial to provide some answers.
 - There's a lot of moving parts here. There is more to be discussed. We should take into consideration the tenants and the merchants. It seems like there would be clutter in the city.
 - Are we considering the application intact? Can we table for review?
 - Director Kathi Cook: You have the option of tabling, but we will have to talk to Council to see if this is something they want to move forward with. It is better to move forward with the recommendation. Tabling does not help because Staff will not have any different information.
 - Could we decide how many spaces this would not apply to? Yes, the additional research would take some time.

Public Comment:

- Patti Huxford- 165 Tidwell Drive
 - Ms. Huxford stated that she has three different projects that ask for more panels. She wants to see the outcome of this hearing. She is neither for nor against this against. She thinks the City of Alpharetta should allow for the signs to be slightly bigger to allow for more panels.

- ❖ Commissioner Manley offered a motion to deny the item.
 - Commissioner Reynolds seconded the motion.
 - The motion was approved unanimously (6-0).

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

- Director Kathi Cook came forward to present this item.
 - At the direction of the Design Review Board (DRB), Staff organized a committee to research appropriate Downtown Sign regulations. The committee consisted of sign company professionals, members of the DRB and Staff. The results of the research were presented to the DRB on April 16, 2021 and updated to reflect feedback provided at that meeting. As a result, Staff proposes the following text amendments to Unified Development Code (UDC), Section 2.6 Signs, as it relates to signage in the Downtown Overlay;
 - A. Prohibit sign cabinets;
 - B. Prohibit face illuminated signs; and
 - C. Add design regulations applicable to external illumination, monument signs, wall signs, perpendicular or hanging signs and window signs.
- The Planning Commission discussed the following:
 - Unique materials are a little broad, correct? Any materials will have to go to the Design Review Board- this won't be an interpretation from Staff.
 - This does not affect anything that is already in place.

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Stratton offered a motion to approve the item as presented today.
 - Commissioner Perkins seconded the motion.
 - The motion was approved unanimously (6-0).

D. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 8:31 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** CU-21-16/V-21-34 CUSTOM POOLS OF ATLANTA/711 NORTH MAIN STREET

PLANNING COMMISSION: FEBRUARY 3, 2022

CITY COUNCIL: FEBRUARY 21, 2022

II. **RECOMMENDATION:**

Approve CU-21-16/V-21-34 Custom Pools of Atlanta/711 North Main Street, subject to the following conditions:

1. 'Contractor's Office with Outside Storage' shall be added as a conditional use at 711 North Main Street and limited to no more than 3,000 square feet.
2. Conditional use approval shall be limited to Custom Pools of Atlanta; no additional 'Contractor's Office with Outside Storage' use or subleasing shall be permitted on the subject property.
3. 'Contractor's Office with Outside Storage' shall be limited to office with customers by appointment and outside storage of work trucks and trailers with small machinery.
4. Hours of operation shall be limited to Monday – Saturday 6:30 AM – 7:00 PM.
5. Site shall be developed, and trees shall be saved substantially as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021.
6. Outside storage shall be limited to the rear parking lot and shall be limited to the storage of work trucks and trailers with small machinery, as depicted in Exhibit A. Outdoor storage shall be screened from public streets, except where visible from the project driveway, as approved by the Design Review Board (DRB).
7. Per the property owner, work trucks shall not utilize audible reverse alarms on the property.
8. Swimming pool chemicals shall not be stored in the building or in the outside storage area.
9. A minimum 15' planted buffer shall be provided along the west and south property lines, as depicted on the site plan prepared by Georgia Premier Land Services, Inc., revision date 4/1/2021. Buffer shall be planted with a mix of evergreen trees and shrubs. Privacy fence shall be placed inside the 15' buffer with evergreen landscape material screening the fence from adjacent properties, with final approval by DRB.
10. Developer shall work with GDOT and the City to allow the required planting material in the landscape strip along North Main Street. If GDOT will not allow required planting material within the 20' landscape strip, planting material shall be planted at the back of the easement and in front of the building and parking lot, with final approval by DRB.
11. Building shall be brick and stone, as depicted, and scale shall be substantially similar to the submitted renderings. Building architecture shall meet an approved style in the Downtown Overlay, with final approval of design and materials by the Downtown Consultant and DRB.
12. If a dumpster is used, enclosure shall consist of materials similar to those used on the building and gate shall be metal and opaque, as approved by DRB.
13. North Main St driveway shall be removed prior to the issuance of a Certificate of Occupancy.
14. Full stormwater management shall be required. Reasonable efforts should be made to obtain easements to tie stormwater pond outfall through a pipe directly into a downstream structure rather than releasing at grade. If tie in is not possible, measures shall be used to prevent concentrated flow at the property line.

15. Corner of North Main Street and Henderson Parkway shall be heavily landscaped and include ornamental planting beds, with final approval by DRB.
16. Signage shall not be internally illuminated.

III. REPORT IN BRIEF:

The applicant, Custom Pools of Atlanta, is requesting a conditional use and variances to operate a 'Contractor's Office with Outside Storage' in a 3,000 square foot building on 0.67 acres. Variances are requested to reduce an undisturbed buffer and landscape strip. The subject property is located at 711 North Main Street at the southwest corner of North Main Street and Henderson Parkway.

DISCUSSION

The submitted request, if approved, would allow Custom Pools of Atlanta to operate a 'Contractor's Office with Outside Storage' in a 3,000 square foot building on 0.67 acres. A conditional use is requested to allow the proposed use and variances are requested to reduce an undisturbed buffer and allow easements in a landscape strip. The subject property is located at 711 North Main Street at the southwest corner of North Main Street and Henderson Parkway.

The undeveloped property is zoned C-1 (Neighborhood Commercial), which allows 'Contractor's Office with Outside Storage' with the approval of a conditional use. Surrounding properties are zoned C-1, except the property to the west is City of Milton. Dunkin Donuts is located to the north, Advance Auto Parts to the east, Primrose School of Alpharetta to the south and a mixed-use parcel in the City of Milton is located to the west and south.

Variances are requested to reduce an undisturbed buffer from 50' to a minimum fifteen-feet (15') and to allow easements within the twenty-foot (20') landscape strip along North Main Street. The City's Unified Development Code (UDC) requires a 50' undisturbed buffer on commercial properties abutting properties that are zoned or used for residential use. The adjacent, undeveloped property in the City of Milton has mixed-use zoning. Therefore, it could be developed in the future for residential use. The homebuilder of the subdivision to the southwest pad graded the adjacent property and sold it in 2009. A buffer was planted, which is approximately 15' wide, on the south side of the mixed-use parcel to screen the property from the residential property to the south. A similar-sized buffer is provided at the rear of each residential lot abutting commercial properties in Alpharetta to the east.

As it relates to the landscape strip variance, the site plan depicts the twenty-foot (20') landscape strip along North Main Street without any landscape material. The landscape strip is encumbered by a permanent easement, and it is unclear if GDOT will allow the applicant to plant the required landscape strip trees and shrub within the easement. The applicant's site plan indicates a willingness by the applicant to plant the area to City landscape strip standards; however, GDOT would have to approve the plantings.

Custom Pools of Atlanta has been in business for approximately twenty (20) years and provides swimming pool contractor services. The applicant describes the use of the property as a contractor's office with customers by appointment only. Outside storage is for the overnight storage of work trucks and trailers with small machinery. Hours of operation are proposed to be Monday – Saturday 6:30 AM – 7:00 PM. The applicant anticipates five (5) employees at the start, with up to ten (10) employees in the future.

SITE PLAN

The site plan depicts a one (1) story over basement, 3,000 square foot building fronting North Main Street on a 0.67-acre corner lot. Parking is provided to the side and rear of the building with access to the site from Henderson Parkway. The rear parking area, including six (6) parking spaces, sits at the basement level of the building. The front parking lot, which also has six (6) parking spaces is situated at the main level of the building. The rear parking lot is partially screened by a drive aisle leading up to the front parking area. The UDC requires one (1) parking space per 250 square feet for office use. The proposed use would require twelve (12) parking spaces, of which the applicant's site plan meets this requirement.

A minimum 15' buffer is provided along the west and south property lines, which is depicted with an eight-foot (8') wood privacy fence. Evergreen plantings are depicted at the corner of North Main Street and Henderson Parkway and along Henderson Parkway to screen the two (2) parking lot areas. Landscape material is not provided in the landscape strip along North Main Street; however, there appears to be sufficient area behind the GDOT easement to accommodate the City's requirements.

Five (5) tree saves, including four (4) hardwoods and one (1) pine, are identified on the site plan in the southwest corner of the property. A stormwater detention facility is depicted at the rear of the building abutting the rear parking lot. Based on its location, the stormwater area would be screened from adjacent properties.

TRAFFIC

As shown in the table below, Staff estimated vehicular trips generated from the property based on the proposed 3,000 square foot Contractor's Office. It is estimated that the use will generate five (5) AM Peak Hour trips and six (6) PM Peak Hour trips.

Alternative: Alternative 1

Phase:

Project: jnk

Open Date: 1/10/2022

Analysis Date: 1/10/2022

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic				Weekday AM Peak Hour of Generator			
		★	Enter	Exit	Total	★	Enter	Exit	Total	★	Enter	Exit	Total	★	Enter	Exit	Total
180	TRADE-CONTR 1 3 1000 Sq. Ft. GFA		16	15	31		4	1	5		2	4	6		5	1	6
Unadjusted Volume			16	15	31		4	1	5		2	4	6		5	1	6
Internal Capture Trips			0	0	0		0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			16	15	31		4	1	5		2	4	6		5	1	6

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Generator Internal Capture = 0 Percent

CONDITIONAL USE REVIEW CRITERIA

City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Sec. 4.2.3 (B) which are as follows:

A conditional use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria at a public hearing and satisfactory provisions or arrangements are made for:

1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access;

Response: Access to the property is from Henderson Parkway, which is consistent with the City's vision for the area and the applicable Unified Development Code regulations. Access from Henderson Parkway will limit conflicts with pedestrians along North Main Street.

2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;

Response: The above-referenced improvements are addressed on the applicant's site plan. A variance is requested to reduce the 50' undisturbed buffer adjacent to the property to the west and southwest, which is zoned in the City of Milton for mixed-use including residential use. The applicant proposes a minimum 15' planted buffer with 8' privacy fence.

3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

Response: The proposal should not have significant impacts on surrounding properties or businesses, which are primarily developed with non-residential uses. While the City of Milton property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. The homebuilder for the subdivision to the southwest pad graded the property and installed an evergreen buffer along its south property line to screen it from the residential properties to the south, which is typical of a commercial property.

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;

Response: Not applicable.

5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area;

Response: The proposal should not impede the normal and orderly development of surrounding properties, which are primarily developed with non-residential uses. While the City of Milton property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. The homebuilder for the subdivision to the southwest pad graded the property and installed an evergreen buffer along its south property line to screen it from the residential properties to the south, which is typical of a commercial property.

6. Ensuring that the location and character of the conditional use is consistent with a desirable pattern of development for the city, in general; and

Response: The location and character of the use is consistent with a desirable pattern of development. The property will be primarily used as a professional office for the pool contracting business.

7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches or schools.

Response: There are other Contractor's Offices on North Main Street, such as Northwest Exterminating at 193 North Main Street. However, there are no other Contractor's Offices in the general vicinity of the subject property. There should not be impacts to the residential subdivision located to the southwest as the property will be primarily used as a professional office for the pool contracting business.

VARIANCE REQUIREMENTS

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; or

Response: The property is relatively small for a commercial site and has some topographic challenges. While the property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. The adjacent property has an existing fifteen-foot (15') buffer, which is in addition to the applicant's proposed minimum fifteen-foot (15') buffer and eight-foot (8') privacy fence.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or

Response: Given the size of the property, application of the ordinance would significantly impact the developable area of the property for any commercial use.

3. There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or

Response: The property is relatively small for a commercial site and has some topographic challenges. While the property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. The adjacent property has an existing fifteen-foot (15') buffer, which is in addition to the applicant's proposed minimum fifteen-foot (15') buffer and eight-foot (8') privacy fence.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance.

Response: Relief should not cause substantial detriment to the public good. The adjacent property has an existing fifteen-foot (15') buffer, which is in addition to the applicant's proposed

minimum fifteen-foot (15') buffer and eight-foot (8') privacy fence. In addition, the City of Milton does not have any concerns with the applicant's proposed vegetation and fencing.

CONCURRENCES

Staff reviewed the applicant's proposal in consideration of the review criteria associated with a conditional use and variance. The proposal should not have significant impacts on surrounding properties, which are primarily developed with non-residential uses. While the property to the west could be developed for residential use, it is more likely to be developed with a commercial use given its frontage on North Main Street. If approved, conditions are recommended placing limitations on the outside storage area, business activities and requiring screening of outdoor storage areas from the public right-of-way.

Variance hardships relate to the size of the property, presence of GDOT easements and adjacent mixed-use zoning. The applicant's site plan layout allows for the required landscaping along North Main Street. In addition, the applicant's proposed buffer and fencing in combination with existing buffers on adjacent properties will provide necessary screening.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that comments were received from two (2) nearby properties regarding the proposed entrance and requests for a similar buffer and solid fence along the south property line, as well as a request that construction vehicles not block the street during the pick-off and drop-off times of the pre-school to the south.

The City also received questions from nearby properties similar to those received by the applicant. In addition, City Staff discussed and provided the applicant's public hearing request to the City of Milton. Milton Staff did not have any concerns with the applicant's proposed vegetation and fencing adjacent to the Milton city limits.

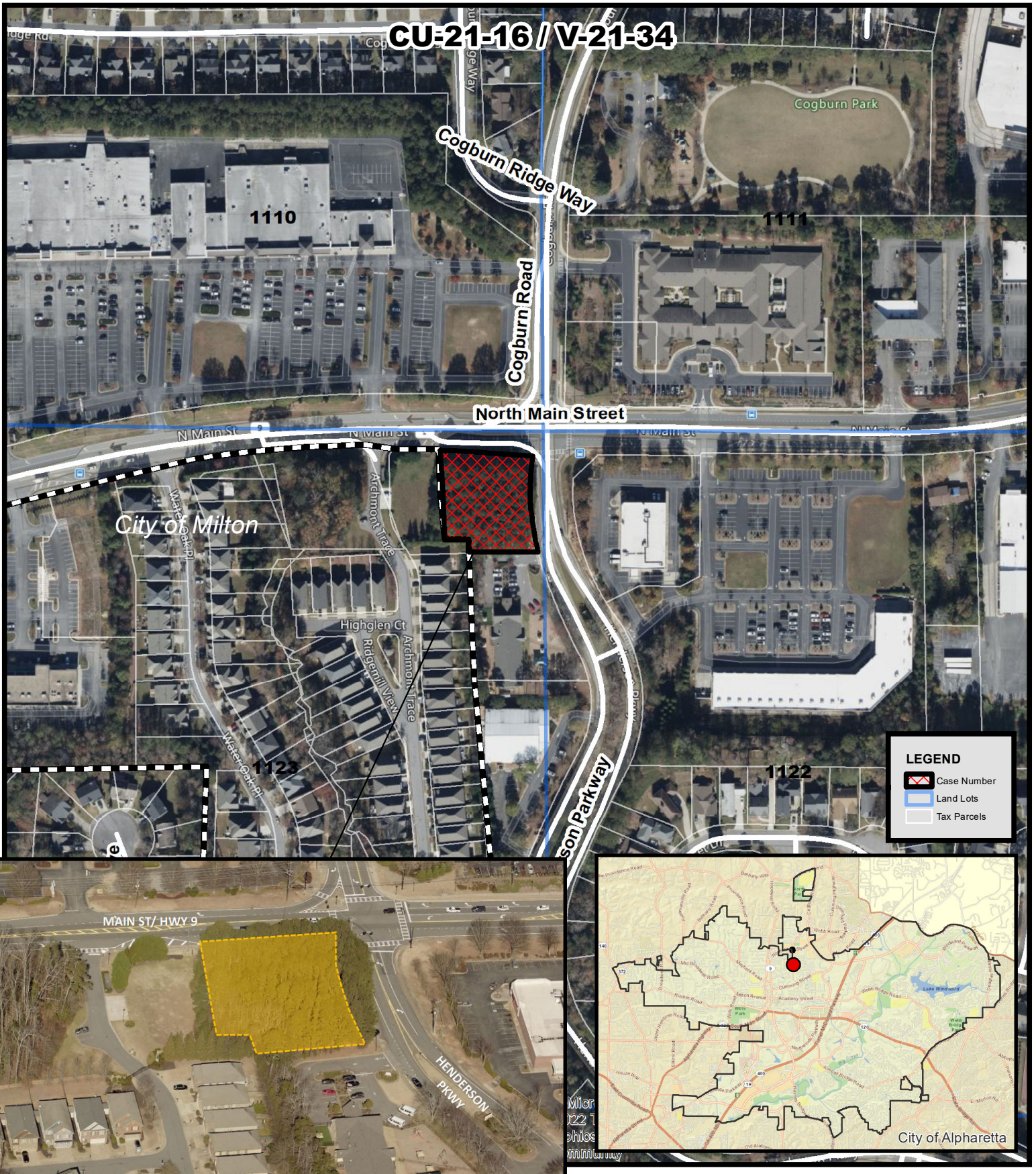
COMMUNITY ZONING INFORMATION MEETING (CZIM)

The CZIM was held on January 12, 2022. There were several public comments and questions, including what would be stored outside, whether chemicals would be stored at the property, whether there would be outdoor pool displays, if the company was new or existing, will work trucks make noise, whether outdoor storage would be visible from the residential properties, size of trucks, hours of operation, whether the location was purely office or sales/retail, traffic pattern during school hours, and how long construction would last. There were comments that the use seemed more appropriate for an industrial area and concerns over the loss of tree cover.

IV. ATTACHMENTS:

- Site Plan
- Renderings
- Exhibit A – Work Trucks, Trailer and Small Machinery

CU-21-16 / V-21-34



CU-21-16 / V-21-34

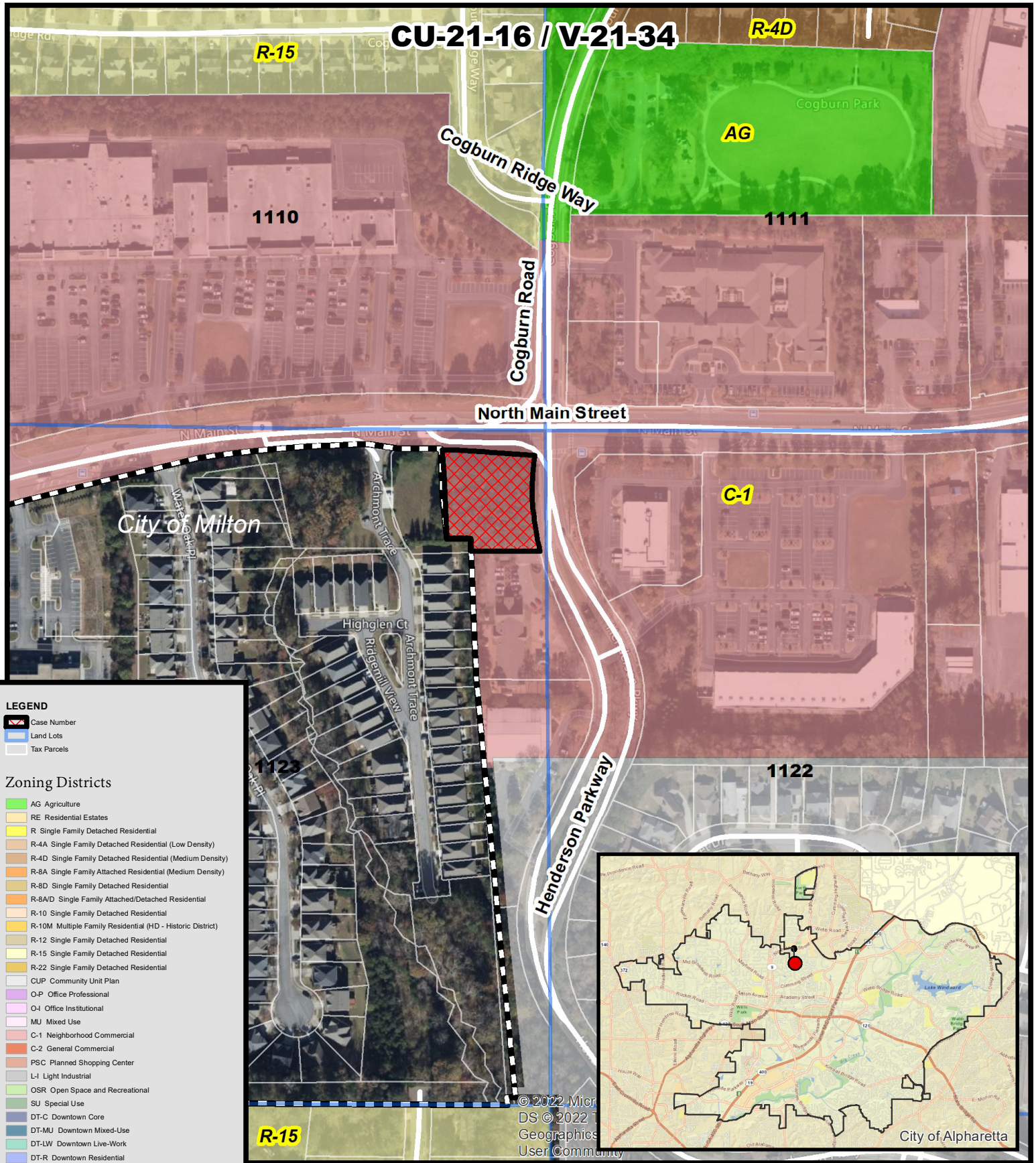
D/LL: 2/2/1123

PC: 2/3/22

CC: 2/21/22

Aerial Map
Custom Pools of Atlanta
711 North Main Street

Location Map Provided by:
Community Development - GIS



Zoning Map
Custom Pools of Atlanta
711 North Main Street

CU-21-16 / V-21-34

D/LL: 2/2/1123

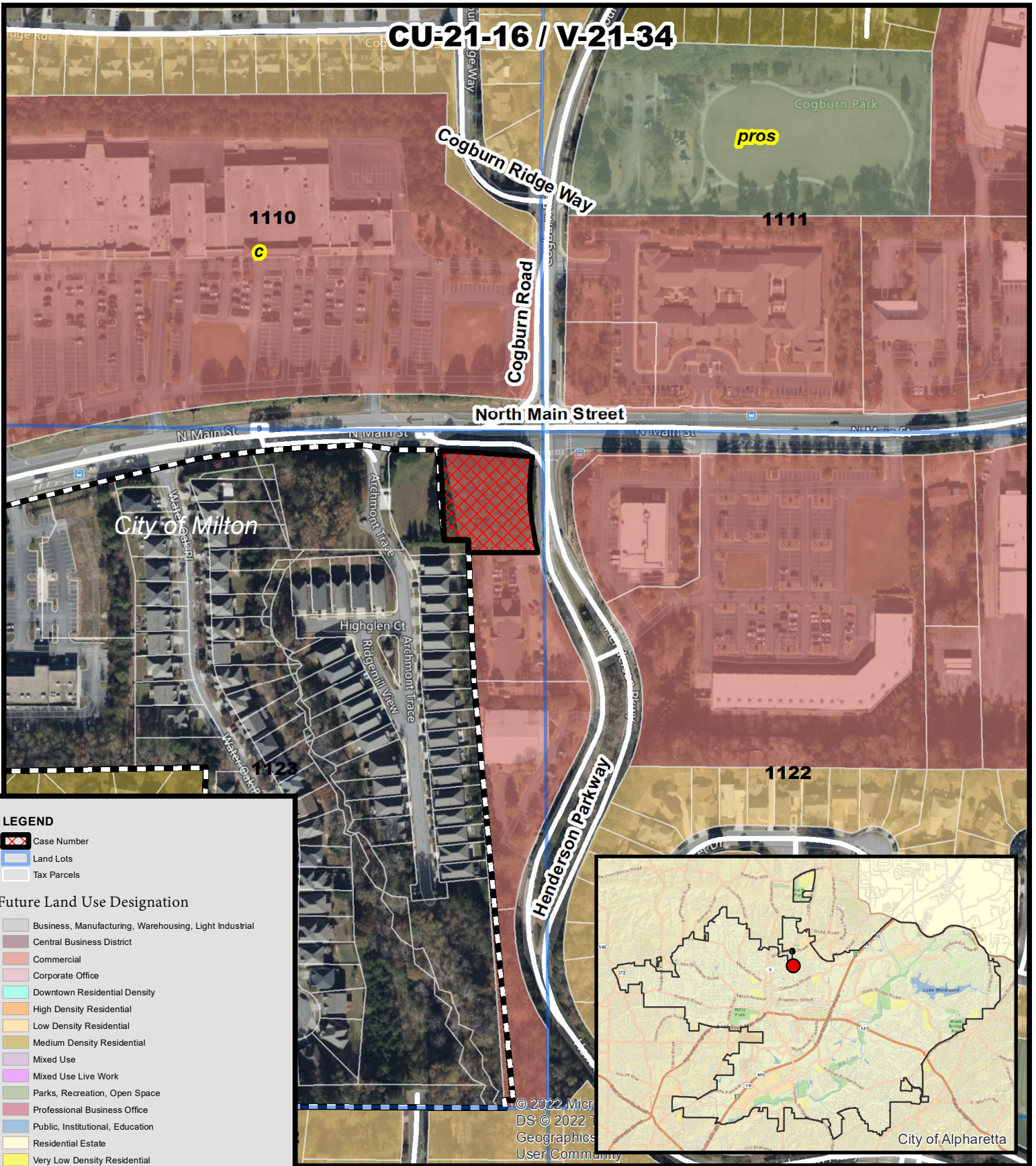
PC: 2/3/22

CC: 2/21/22



Location Map Provided by:
Community Development - GIS

CU-21-16 / V-21-34



Future Land Use
Custom Pools of Atlanta
711 North Main Street

CU-21-16 / V-21-34

D/LL: 2/2/1123

PC: 2/3/22

CC: 2/21/22

Location Map Provided by:
Community Development - GIS



CU-21-16 / V-21-34

1110

1111

Cogburn Ridge Way

Cogburn Road

North Main Street

City of Milton

Highglen Ct

Ridgemill View

Archmont Trace

1123

1122

Henderson Parkway

Wentworth Chase Drive

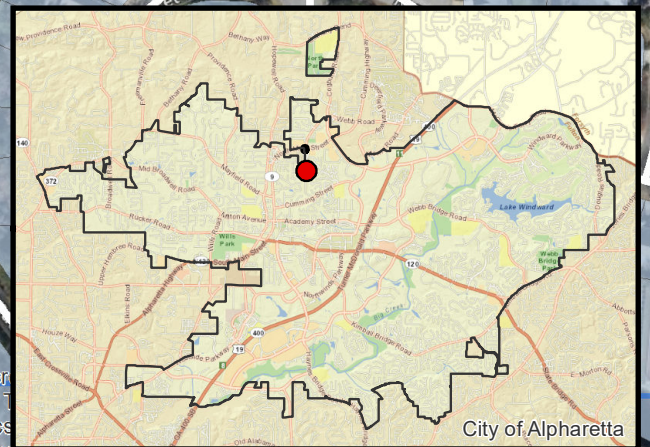
Wentworth Chase Dr

LEGEND

-  Case Number
-  Land Lots
-  Tax Parcels

1182

© 2022 Micro
DS © 2022
Geographics
User Community



Location Map
Custom Pools of Atlanta
711 North Main Street

CU-21-16 / V-21-34

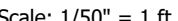
D/LL: 2/2/1123

PC: 2/3/22

CC: 2/21/22

Location Map Provided by:
Community Development - GIS

+



REF	RE-AR FOUND
REP	IRON PIN SET (1/4" REBAR)
RF	IRON PIN POINT
CMF	CONCRETE MONUMENT FOUND
SE	SEWER
TRIM	BENCHMARK
CTV	CURB TOP PIPE
CTP	SANITARY SEWER CLEAN OUT
DR	UNDERGROUND FIBER OPTIC
ILL	DRILL HOLE
LL	LAND LOT LINE
LL	LAND LOT
LL	PROPERTY LINE
CL	CENTERSLINE
BL	BUILDING TRACK LINE
R/W	RIGHT-OF-WAY
SE	SANITARY SEWER BASEMENT
DE	DRAINAGE EASEMENT
CG	CATCH CATCHES
CTV	CTV OF CURB
TOP	END OF PAYMENT
CTV	GEORGIA MILITIA DISTRICT
CMF	CONCRETE MARK
DP	DEED BOOK / PAGE
DP	DEED BOOK / PAGE
POC	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
POC	ELEVATION
IF	INVERT ELEVATION
FE	FINISHED FLOOR ELEVATION
BFE	BASEMENT FLOOR ELEVATION
FE	REAR FLOOR ELEVATION
CMF	CORRUGATED METAL PIPE
REF	REINFORCED CONCRETE PIPE
REF	DUCTILE IRON PIPE
REF	POLYETHYLENE GLASS FIBER
REF	VERTICALLY CLAY PIPES
REF	LEAKY PIPE
REF	POWER POLE OR UTILITY POLE
REF	MATERIAL
REF	CATCH BASIN
REF	JUNCTION BOX
REF	WATER VALVE
REF	DROP INLET
REF	WATER METER
REF	FIRE HYDRANT
REF	WATER VALVE
REF	WATER METER
REF	GAS VALVE
REF	EXISTING GROUND ELEVATION
REF	EXISTING CONTINGOR ELEVATION
REF	UNDERGROUND FIBER OPTIC
REF	POWERLINE
REF	UNDERGROUND POWER
REF	TELEPHONE LINE
REF	UNDERGROUND TELEPHONE LINE
REF	UNDERGROUND GAS LINE
REF	CONCRETE RIGHT-OF-WAY MARKER
REF	UNDERGROUND CABLE TV. LINE
REF	WATER LINE / PIPE
REF	STORM SEWER PIPE
REF	WATER LINE / PIPE
REF	BEACON / LIGHT
REF	BEACON / LIGHT / STREAM CENTERLINE
REF	BEACON / LIGHT / STREAM LIMITS
REF	LINE LIMIT
REF	RAILROAD TIE
REF	TRAIL ACCESS
REF	NOT OR POSSIBLY
REF	NOT MARK
REF	CONTROL POINT

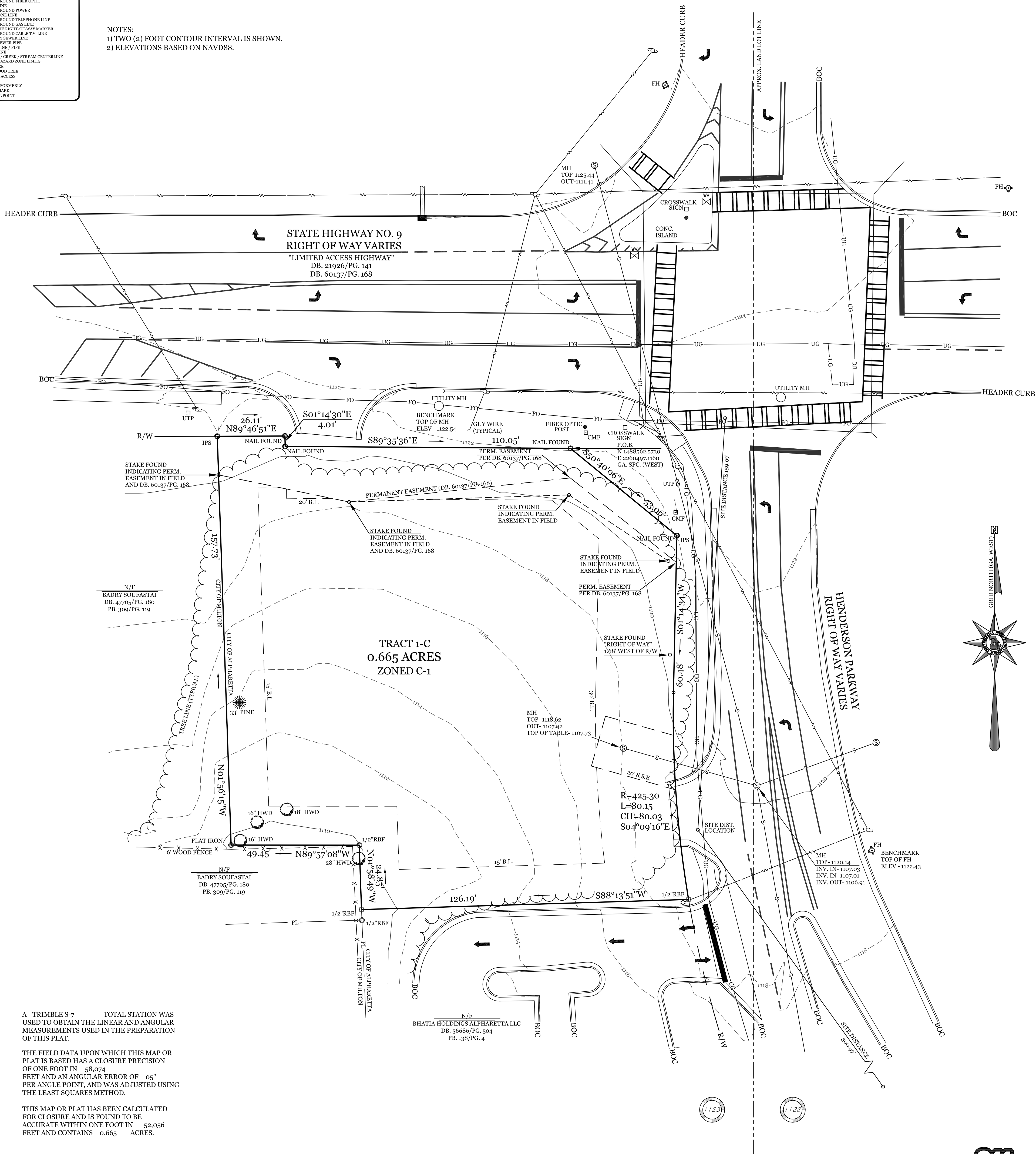
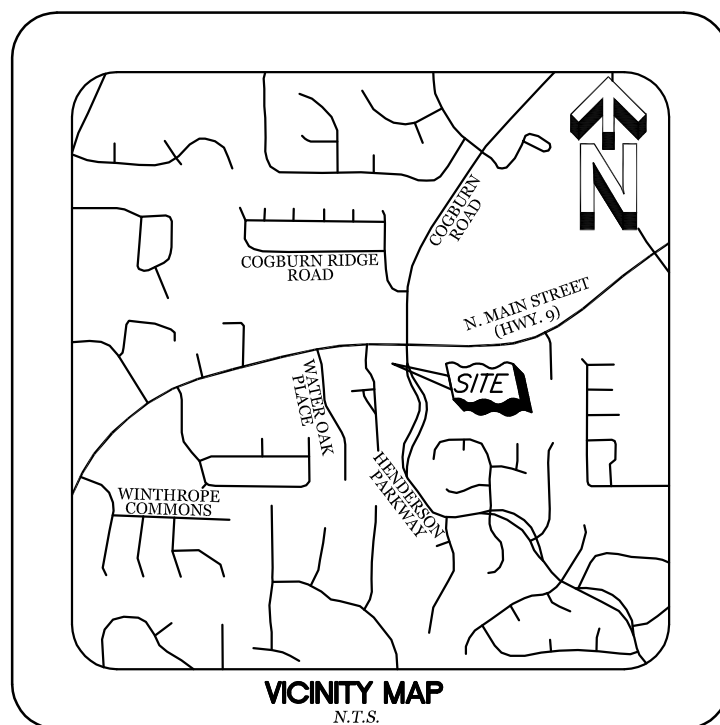
GEORGIA PREMIER LAND SERVICES, INC. IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.

NOTES:
1) TWO (2) FOOT CONTOUR INTERVAL IS SHOWN.
2) ELEVATIONS BASED ON NAVD88.

NO PORTION OF SUBJECT PROPERTY LIES
WITHIN A DESIGNATED 100 YEAR FLOOD
HAZARD AREA AS DEPICTED BY SCALED MAP
LOCATION AND GRAPHIC PLOTTING ONLY PER
F.I.R.M. PANEL NO. 13121C0058 F, DATED
SEPTEMBER 18, 2013

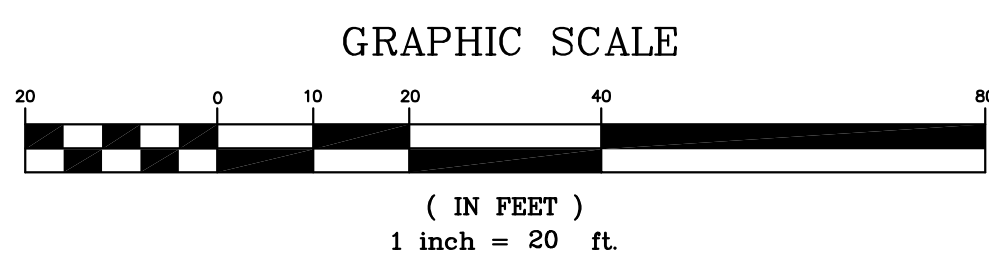
REFERENCES:

- 1) WARRANTY DEED RECORDED IN DEED BOOK 35053, PAGE 473, FULTON COUNTY RECORDS.
- 2) SURVEY FOR NORTH GEORGIA SAVINGS & LOAN, INC. RECORDED IN PLAT BOOK 137, PAGE 115, AFORESAID RECORDS.
- 3) FINAL SUBDIVISION PLAT FOR HENDERSON VILLAGE, PHASE TWO, UNIT TWO, RECORDED IN PLAT BOOK 138, PAGE 4, AFORESAID RECORDS.



THIS MAP OR PLAT HAS BEEN CALCULATED
FOR CLOSURE AND IS FOUND TO BE
ACCURATE WITHIN ONE FOOT IN 52,056
FEET AND CONTAINS 0.665 ACRES.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJACENT PROPERTY OWNER'S DEED REFERENCES WERE PROVIDED BY GEORGIA PREMIER LAND SERVICES, INC. AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.



1	BS	4/1/2021	ADD ZONING INFORMATION AT CLIENT REQUEST
No.	By	Date	Revision
Cadd File No: 21/21072/711StateHwy9/072Bndy.DWG			



**GEORGIA PREMIER
LAND SERVICES, INC.**
PROFESSIONAL LAND SURVEYING
3010 HAMILTON MILL ROAD
BUFORD, GEORGIA 30519
(770) 614-3004 FAX (770) 614-3956
LAND SURVEY FIRM COA #1177

Date: 03.08.2021	Land Lot: 1123	District: 2nd	Sheet No. 1 of 1
Section: 2nd	County: FULTON, GA.	Scale: 1" = 20'	
Project: 21072		Drawn By: BS/AS	

From: ANDREA Phillips <andrealeephillips@comcast.net>
Sent: Tuesday, November 16, 2021 11:54 PM
To: Curtis McNeese <Curtis@Custompoolsofatlanta.com>
Subject: Re: FW: CPOA Building Plans

Thank you. If I am reading this correctly, your entrance will actually be on Henderson and not the same entrance as our neighborhood. Is that correct? With the renderings not showing the neighborhood, it's hard to tell just how far into the vacant lot your business will come into the lot beside my house. Is there any way you can clarify this?

Andrea Lee Phillips
404.713.2253

Danny Franke called Ms. Phillips and left a Voicemail

Curtis,

We appreciate you sharing your development plans with us. We have reviewed your plans and have a few concerns.

As you know, we have children from the ages of 6 weeks to 5 years at our premises 5 days a week. We would appreciate if Custom Pools could make a few minor adjustments to your plan to (a) maintain privacy and safety for the children and parents, and (b) provide some noise reduction to maintain a quiet school environment.

Specifically:

(a) Could you provide tree coverage to the preschool similar to the coverage you have committed to the residences i.e. extend the trees from west to south of building (see picture below)? We are not asking for new trees to be planted - these trees are already on your property. We are simply asking you not to cut those trees down

(b) We see that Custom Pools already plans to build an 8' fence on the South and West of your property. Could we request that the fence be solid, not slatted/see-through? This will provide better privacy and noise insulation, especially during winter months when the tree cover is minimal

(c) Your proposed building entrance is right next to our school entrance. During the construction period, could we request that your construction vehicles not block the street, especially during our peak traffic times: drop-off (7-9AM) and pick-up (4-6PM), when we have ~180 children entering and leaving the building?

FYI, I have sent these requests to the city as well.

Let us know if you have any questions, concerns or clarifications about this email. We'll be happy to jump on a call to discuss.



Thank you,
Suvir Bhatia
Owner
Primrose School of Alpharetta



From: [Suvir Bhatia](#)
To: [Woodman, Michael](#); [Callum, Alexandra](#)
Cc: [Irina Bhatia](#)
Subject: FW: CU-21-16 / Custom Pools Atlanta / 711 Hwy 9
Date: Wednesday, January 19, 2022 10:10:20 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

CAUTION: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Michael & Alexandra,

Thank you for hosting the Community Zoning Information Meeting for Custom Pools last week. During the call, Michael had mentioned that we should send any notes or concerns about the proposed development to you.

Could you send me a quick report to confirm that you have received this email?

My wife and I own the Primrose Preschool directly adjoining the Custom Pools property, on the south. We understand that Custom Pools has no legal requirements related to our school. However, we have children from the ages of 6 weeks to 5 years at our premises 5 days a week, and would appreciate if Custom Pools could make a few minor adjustments to their plan to (a) maintain privacy and safety for the children and parents, and (b) provide some noise reduction to maintain a quiet school environment.

We would like to request these slight modifications to their plans:

(a) Could Custom Pools provide tree coverage to the preschool similar to the coverage they have committed to the residences i.e. extend the trees from west to south of building (see picture below)? We are not asking for new trees to be planted - these trees are already on their property. We are simply asking them not to cut those trees down

(b) We see that Custom Pools already plans to build an 8' fence on the South and West of their property. Could we request that the fence be solid, not slatted/see-through? This will provide better privacy and noise insulation, especially during winter months when the tree cover is minimal

(c) Custom Pool's building entrance is right next to our school entrance. During the construction period, could we request that their construction vehicles not block the street, especially during our peak traffic times: drop-off (7-9AM) and pick-up (4-6PM), when we have ~180 children entering and leaving the building?

From: [Danny Franke](#)
To: [Callum, Alexandra](#)
Subject: RE: Custom Pools Comment
Date: Thursday, January 20, 2022 10:15:29 AM
Attachments: [image002.png](#)

CAUTION: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Alexandra – We have a wood privacy fence along the contingent P/L of my site and Primrose. I also have Landscaping proposed. While this is technically commercial construction, we are planning a residential farm house style building. Construction traffic will be at a minimum and we have no intentions of blocking any traffic. This project will be a minor positive impact to the site with an outcome that is in keeping with the latest City overlay. Thank You. Danny
Danny Franke



4776 Mystic Dr. NE
Atlanta, Ga. 30342
M 404 427-9924
F 404 255-5913
O 404 250-6529
Danny@custompoolsofatlanta.com
WWW.custompoolsofatlanta.com

From: Callum, Alexandra <acallum@alpharetta.ga.us>
Sent: Wednesday, January 19, 2022 1:36 PM
To: Danny Franke <Danny@Custompoolsofatlanta.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Custom Pools Comment

Good afternoon, Danny,

I wanted to send you an email we received today. Please see attached and let me know if you have any questions. Thank you!

Thank you,

Alexandra Callum
Planning + Zoning Coordinator
City of Alpharetta
2 Park Plaza



COMMUNITY DEVELOPMENT
COMMUNITY ZONING INFORMATION MEETING
JANUARY 12, 2022
ZOOM
6:00 PM

I. Staff Present

- a. Michael Woodman, Planning + Development Services Manager
- b. Ben Kern, GIS Specialist/ Planner
- c. Alexandra Callum, Planning + Zoning Coordinator

II. Custom Pools of Atlanta- 711 North Main Street

- a. Applicant Presentation: The applicant was not present for this meeting. Michael Woodman, Planning and Development Services Manager, presented the item.
 - i. The applicant is seeking a conditional use for a contractor's office with outdoor storage.
 - ii. They are also seeking a variance to reduce the required 50' buffer.
 - iii. The applicant has stated they will not store heavy equipment- it will only be used to store trucks overnight.
- b. Public Comments:
 - i. Does this site have outdoor storage? *No, other than vehicles, small machinery, and trailers.*
 - ii. Who would be enforcing the conditions placed on the company? Code Enforcement can be reported to.
 - iii. Will they have pools as show space? *The applicant indicated they will have no pool display.*
 - iv. One resident commented they believe this is a poor use of the space.
 - v. Are they leasing this property? The applicant is the owner of the property.
 - vi. Additional questions were asking in the Zoom Chat section. Please see item IV.

III. Citgo- 174 North Main Street

- a. Applicant Presentation: Joshua Scoggins- Attorney for the applicant.
 - i. The applicant is requesting a variance from a 10' setback to 0'.
 - ii. The goal is to reconfigure the gas pumps.
- b. Public Comments:
 - i. There were no public comments for this item.

IV. Chat comments for this CZIM:

18:09:58 From David to Everyone:

Would any chemicals be stored or kept the building? *The applicant confirmed no.*

18:15:24 From andrew s to Everyone:

andrew@othelsart.com

18:17:43 From Jill Bernard - Southern Porch Homes to Everyone:

1. Couple of questions for the applicant: Time limits in regards to activity - especially if the trucks have beeping when in reverse - Also size of trucks - jillbernard.use@gmail.com

We own NON CDL vehicles such as pickup trucks and pick up type trucks. All our equipment, vehicles and trailers are late model. Trailers (flatbed type) are used to transport our equipment to and from jobs. We do not operate any large-scale trucks nor do our trucks make any noise over a regular vehicle's noise. WE are an appointment-based business with no set hours of operation as most of our operations is field based. We do not work at night nor on Sunday.

18:21:17 From Jackie Sollogub to Everyone:

1. Is the green buffer required for all businesses near residential? Because primrose does not and they are in my backyard. *Primrose was constructed around 1988 and was developed before the residential zoning and residential use of the property to the west. Therefore, the 50' undisturbed buffer was not required.*

18:21:49 From Jim to Everyone:

This Zoom Call was listed for the Zoning of a property at the intersection of Haynes Bridge & Devore Road. What is being planned for that location?

18:22:55 From Suvir Bhatia to Everyone:

For the pool company, how is the traffic flow going to be handled during school bus rush hours? *The applicant stated there is not a school bus stop in front of his driveway off Henderson parkway. They do not generate traffic, nor will they have a conflict. They do not make deliveries, nor do they have deliveries.*

18:23:50 From Alexandra Callum to Everyone:

2/9/2022 at 6:00 pm will be the CZIM meeting for Haynes Bridge and Devore Road. The link will be the same as the one for tonight.

18:24:29 From andrew s to Everyone:

Is this an office only location or will it be a sales/retail location with customers coming in and out *The applicant confirmed this is office space only.*

18:24:46 From Suvir Bhatia to Everyone:

furrybhalu@gmail.com

18:28:32 From Olan B to Everyone:

SavvyLanre@gmail.com

18:28:46 From Andrea Phillips to Everyone:

andrealeephillips@comcast.net

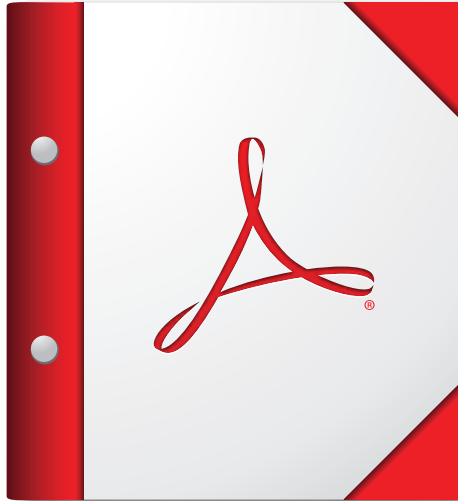
18:30:36 From Jackie Sollogub to Everyone:

Jackiems211@gmail.com - I would like to speak with someone further regarding Primrose if possible.

18:31:02 From John Ananthasane to Everyone:

Is the property on devore and Haynes bridge being discussed here

The CZIM meeting ended at 6:32 p.m.



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

Get Adobe Reader Now!

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

PH #: _____

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: **DANIEL FRANKE**

Telephone: **404-427-9924**

Address: **4776 MYSTIC DR**

Suite: _____

City **ATLANTA**

State: **GA** Zip: **30342**

Fax: _____

Mobile Tel: **404-427-9924**

Email: **danny@custompoolsofatlanta.com**

Subject Property Information:

Address: **711 STATE HWY 9, ALPHARETTA, GA 30004**

Current Zoning: **C-1**

District: **2**

Section: **2**

Land Lot: **1123**

Parcel ID: **22 496011230632**

Proposed Zoning: **C-1 w/parking**

Current Use: **LUC 300 COMMERCIAL VACANT LAND**

This Application For *(Check All That Apply):*

☒ Conditional Use

☐ Rezoning

☒ Variance

☐ Exception

☐ Master Plan Amendment

☐ Comprehensive Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other *(Specify):* _____

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

Headquarters office for Custom Pools of Atlanta.

Applicant's Request (Please itemize the proposal):

Applicant seeks conditional use to allow company vehicles and equipment, to be parked outside overnight.

Applicant's Intent *(Please describe what the proposal would facilitate).*

This proposal would allow CPOA the opportunity to maintain headquarters, and keep company vehicles/equipment/personnel in one location.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: **DANIEL FRANKE**

Telephone: **404-427-9924**

Address: **4776 MYSTIC DR**

Suite: _____

City **ATLANTA**

State: **GA**

Zip: **30342** . **3625**

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- | | |
|---|---|
| ☐ Annexation | ☐ Special Use |
| ☐ Rezoning | ☒ Conditional Use |
| ☒ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☐ Other |

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: **SAME AS ABOVE**

Telephone: **404-427-9924**

Address: _____

Suite: _____

City **4776 MYSTIC DR, ATLANTA**

State: **GA**

Zip: **30342** . **3625**

So Sworn and Attested:

Owner Signature: _____

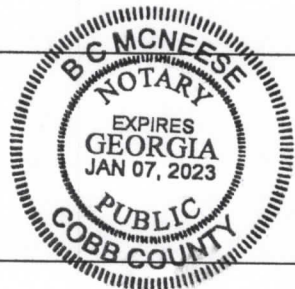
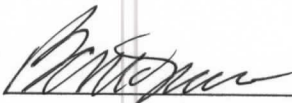


Date: _____

11/15/21

Notary: _____

Notary Signature: _____



Date: _____

11.15.21

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: **DANIEL FRANKE**

Subject Public Hearing Case: _____

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: **N/A** Position: _____

Description of Contribution: **N/A** Value: _____

Description of Contribution: **N/A** Value: _____

Description of Contribution: **N/A** Value: _____

Description of Contribution: **N/A** Value: _____

Description of Contribution: **N/A** Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: _____

Date: **11/15/21**

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Subject property is surrounded by similar commercial businesses.

How will this proposal affect the use and value of the surrounding properties?

This proposal will enhance the existing business environment, by developing a vacant property, in keeping with city of Alpharetta's new development code.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

Yes, the property can be developed, so long as development is not conditional to overnight parking.

What would be the increase to population and traffic if the proposal were approved?

No impact to population, and negligible if any, increase to traffic.

What would be the impact to schools and utilities if the proposal were approved?

Negligible impact to utilities, and positive impact to schools, due to increased school taxes.

IE: unimproved land vs improved properties.

How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

This proposal has a 20' State Hwy 9 setback, which is a function of the the most current Alpharetta comprehensive plan.

Are there existing or changing conditions which affect the development of the property and support the proposed request?

N/A

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

BOARD OF ZONING APPEALS REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them. N/A

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship?

Please explain. Hardship created due to the rezoning of property after purchase. GDOT has placed an easement on the property, in the 20' adjoining HWY 9, Which would preclude us from landscaping this area per city requirements. Applicant will contact GDOT to discuss possible landscaping options. We are seeking a variance to reduce the 50' undisturbed buffer to a 15' buffer. In addition applicant seeks to relax the landscape criteria for HWY 9.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

This property was purchased years ago. At this time there was no 50' buffer in the rear, nor 20' easement in front of property. The combination of these 2 changes, substantially diminishes the possible development of the property, through no fault of our own. These conditions present undue hardship upon us.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code?

Please defend your response. No detriment to the public good can be substantiated at this time.

The zoning was changed from Commercial to residential after purchase of this property, without any notice whatsoever.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: **CUSTOM POOLS OF ATLANTA**

Contact Name: **DANIEL FRANKE** Telephone: **404-427-9924**

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

IRINA & SUVIR BHATIA (owner Primrose School)

ANDREA PHILLIPS (resident 12743 Archmont Trace)

TONY SOUFASTAI (owner vacant lot next to 711)

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- | | |
|---|---|
| ☐ Letter | ☐ Personal Visits |
| ☒ Telephone | ☐ Group Meeting |
| ☒ Email | ☐ Other (Please Specify) |

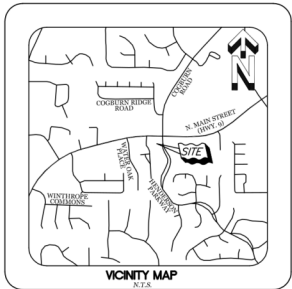
Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

These adjoining neighbors were initially contacted by phone. They were informed we would be sending correspondence including a site plan with our intentions, and offered to answer any questions they might have. This info was emailed to all neighbors on 11/15/21. We have also offered a site visit to their place of business if they so desire.

[illegible]

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 3) FINAL SUBDIVISION PLAT FOR HENDERSON VILLAGE, PHASE TWO, UNIT TWO, RECORDED IN PLAT BOOK 138, PAGE 4, AFORESAID RECORDS.



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WITHIN A DESIGNATED 100 YEAR FLOOD
HAZARD AREA AS DEPICTED BY SCALED MAP
LOCATION AND GRAPHIC PLOTTING ONLY PER
F.I.R.M. PANEL NO. 13121C0058 F, DATED
SEPTEMBER 18, 2013

NOTES:

- TWO (2) FOOT CONTOUR INTERVAL IS SHOWN.
- ELEVATIONS BASED ON NAVD8S.

**STATE HIGHWAY NO. 9
RIGHT OF WAY VARIES**
"LIMITED ACCESS HIGHWAY"
DB. 21926/PG. 141
DB. 60137/PG. 168

LANDSCAPE PER CITY REQUIREMENTS

8' Wood Privacy Fence Screen

Proposed 15' Landscape Buffer

**TRACT PC
0.665 ACRES
ZONED C-1**

PARKING LOT

**HENDERSON PARKWAY
RIGHT OF WAY VARIES**

BHATIA HOLDINGS ALPHARETTA LLC
DB. 26686/PG. 504
PB. 138/PG. 4

A TRIMBLE S-7 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

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THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 52,056 FEET AND CONTAINS 0.665 ACRES.

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1	BS	4/1/2021	ADD ZONING INFORMATION AT CLIENT REQUEST
No.	By	Date	Revision
Cadd File No: 21/21072/711StateHwy9/072Bndy.DWG			

DATE OF FIELDWORK: 3/2/2021



**GEORGIA PREMIER
LAND SERVICES, INC.**
PROFESSIONAL LAND SURVEYING
3010 HAMILTON MILL ROAD
BUFORD, GEORGIA 30519
(770) 614-3004 FAX (770) 614-3956

Date: 03.08.2021	Land Lot: 1123	District: 2nd	Sheet No 1 of 1
Section: 2nd	County: FULTON, GA.	Scale: 1" = 20'	
Project: 21072		Drawn By: BS/AS	

Scale: 1/50" = 1 ft

LEGEND	
REF	REBAR FOUND
NL	NAIL FOUND
UP	IRON PIN SET 1/2" REBAR
CMF	IRON PIN FOUND
TRF	CONCRETE FOUNDMENT FOUND
OTF	OPEN TOP PIPE
BTM	BENTHOS
CTF	CRIMP TOP PIPE
CTF	SANITARY SEWER CLEAN OUT
FO	UNDERGROUND FIBER OPTIC
FO	DRILL HOLE
LL	LAND LOT LINE
LL	LAND LOT
CL	PROPERTY LINE
CL	CENTERLINE
RL	RIGHT-OF-WAY
RL	RIGHT-OF-WAY
DE	DRAINAGE EASEMENT
DE	DE
BOC	BACK OF CURB
BOC	EDGE OF PAVEMENT
TC	TOP OF CURB
GM	GEORGIA METRIA DISTRICT
PG	PLAT BOOK / PAGE
PG	DEED BOOK / PAGE
PG	POINT OF BEGINNING
PG	POINT OF COMMENCEMENT
PG	ELEVATION
PG	INVERT ELEVATION
PG	FINISHED FLOOR ELEVATION
PG	BASEMENT FLOOR ELEVATION
PG	GAS VALVE
PG	CORRUGATED METAL PIPE
PG	CONCRETE PIPE
PG	DUCTILE IRON PIPE
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PG	VITRIFIED CLAY PIPE
PG	POWER POLE OR UTILITY POLE
PG	MANHOLE
PG	CATCH BASIN
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PG	HEADWALL
PG	DRAIN INLET
PG	GRAY INLET
PG	FIRE HYDRANT
PG	WATER VALVE
PG	WATER METER
PG	GAS VALVE
PG	EXISTING GROUND ELEVATION
PG	FIN POINT OR SET
PG	EXISTING CONTOUR ELEVATION
PG	UNDERGROUND FIBER OPTIC
PG	POWERLINE
PG	UNDERGROUND TELEPHONE LINE
PG	UNDERGROUND GAS LINE
PG	CONCRETE RIGHT-OF-WAY BARRIER
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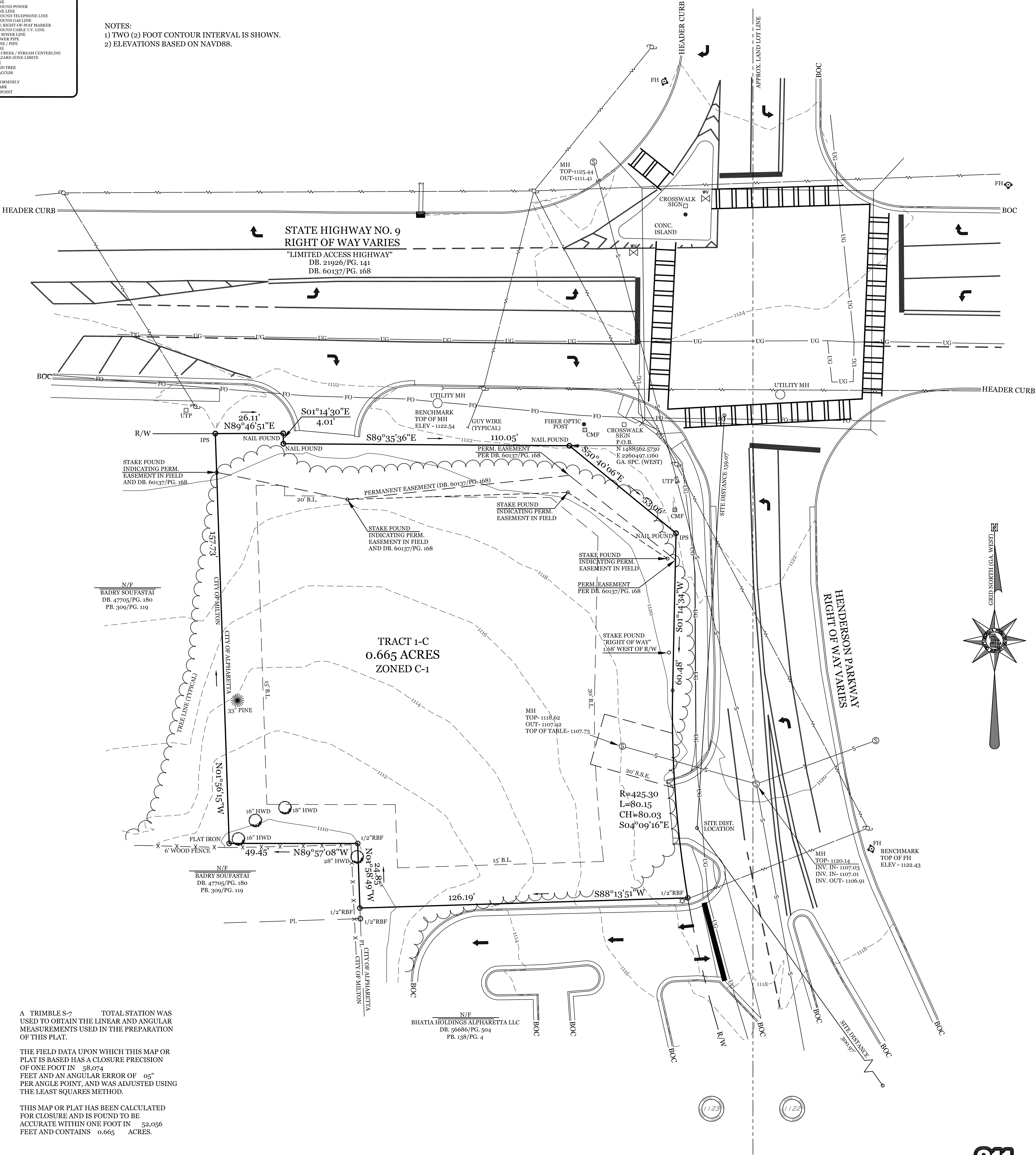
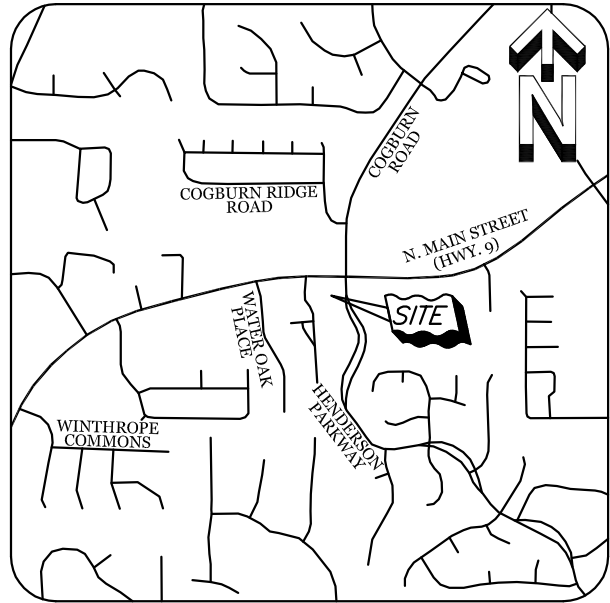
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NOTES:
1) TWO (2) FOOT CONTOUR INTERVAL IS SHOWN.
2) ELEVATIONS BASED ON NAVD88.

STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON. LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.

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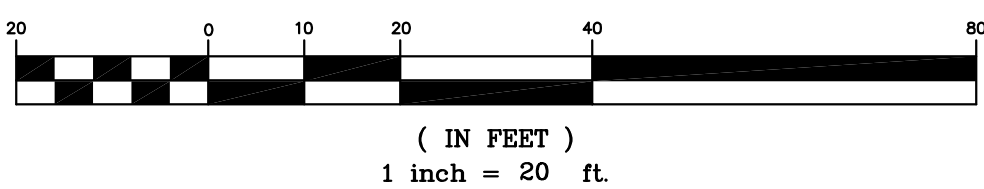


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GRAPHIC SCALE



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No.	By	Date	Revision
1	BS	4/1/2021	ADD ZONING INFORMATION AT CLIENT REQUEST
Cadd File No: 21/21072/711StateHwy9/072Bdy.DWG			

DATE OF FIELDWORK: 3/2/2021

RETRACEMENT & TOPGRAPHIC SURVEY FOR:

HENDERSON HEIGHTS LLC
711 STATE HIGHWAY 9
CITY OF ALPHARETTA



GEORGIA PREMIER LAND SERVICES, INC.
PROFESSIONAL LAND SURVEYING
3000 HAMILTON MILL ROAD
BUTLER, GEORGIA 30509
(770) 614-3004 FAX (770) 614-3056
LAND SURVEY FIRM COA #1177

Date: 03.08.2021	Land Lot: 1123	District: 2nd	Sheet No.
Section: 2nd	County: FULTON, GA.	Scale: 1" = 20'	1 of 1
Project: 21072	Drawn By: BS/AS		

LEGEND	
REF	BEAR FOUND
NS	NAIL FOUND
UP	IRON PIN SET 1/2" REBAR
CMF	IRON PIN FOUND
TRF	CONCRETE FOUNDMENT FOUND
OTF	OPEN TOP PIPE
BS	BENCHMARK
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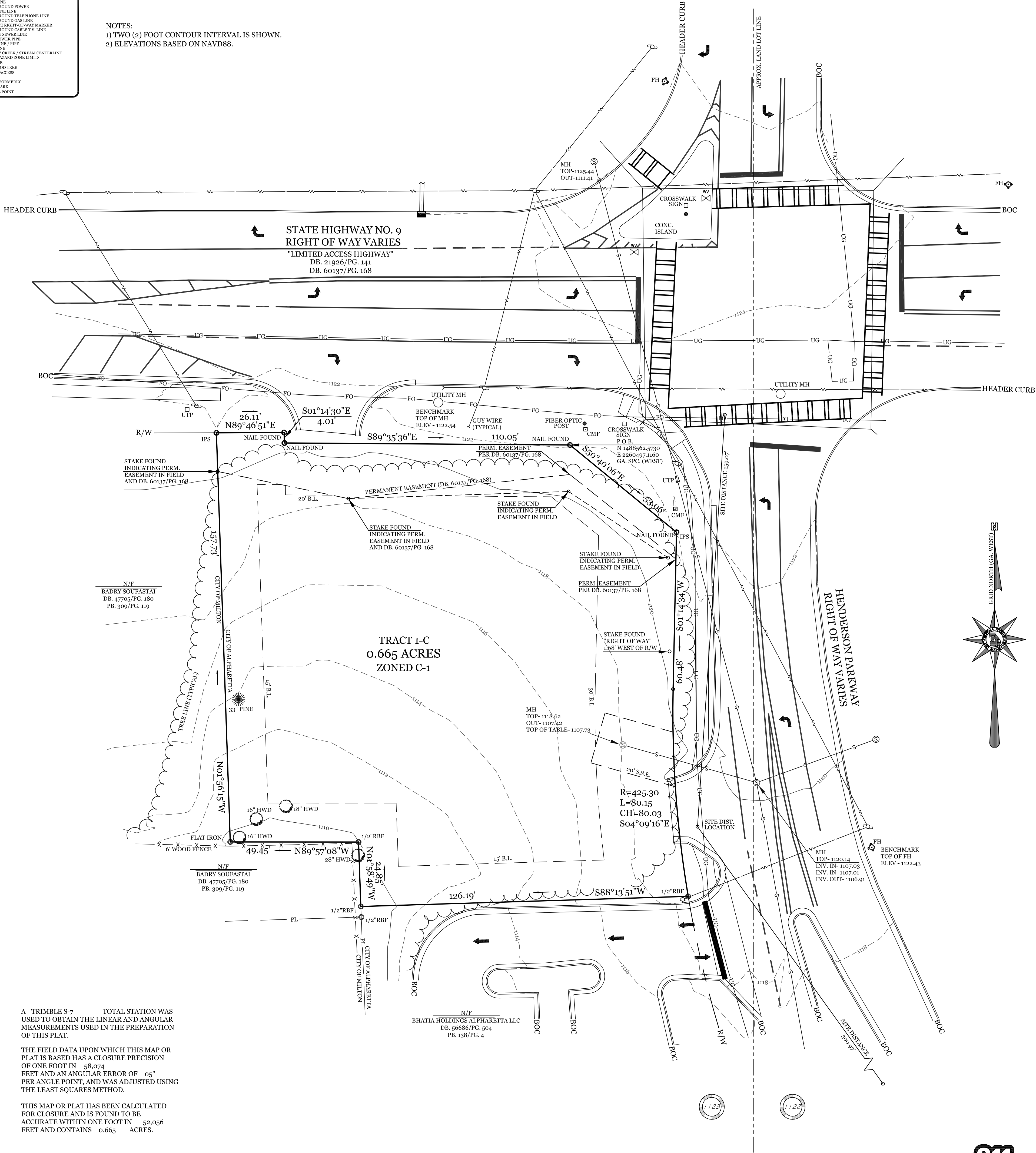
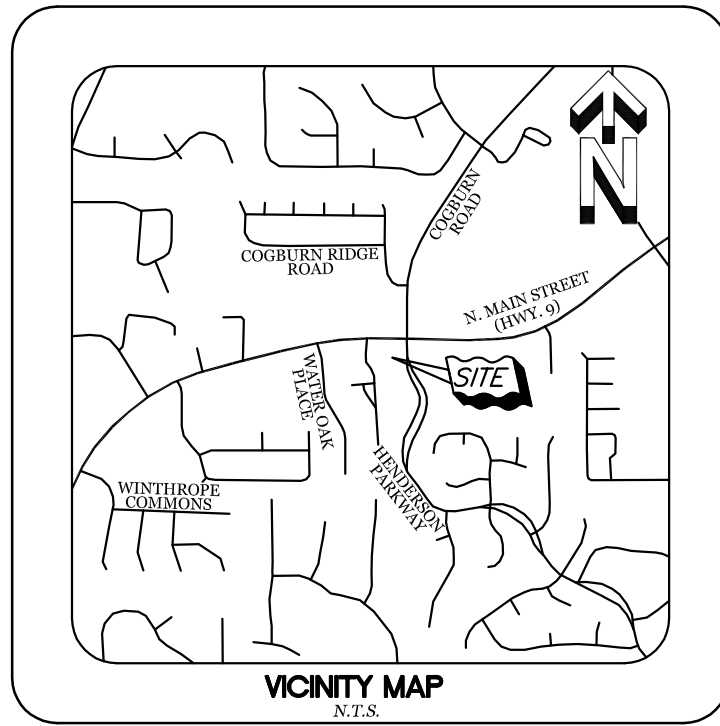
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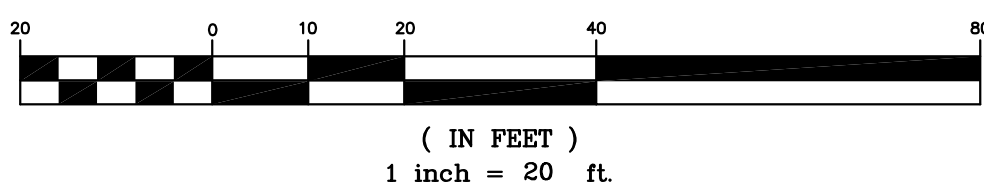


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RETRACEMENT & TOPGRAPHIC SURVEY FOR:

HENDERSON HEIGHTS LLC
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GEORGIA PREMIER LAND SERVICES, INC.
PROFESSIONAL LAND SURVEYING
3000 HAMILTON MILL ROAD
RITFORD, GEORGIA 30059
(770) 614-3004 FAX (770) 614-3956
LAND SURVEY FIRM COA #1177

Date: 03.08.2021	Land Lot: 1123	District: 2nd	Sheet No.
Section: 2nd	County: FULTON, GA.	Scale: 1" = 20'	1 of 1
Project: 21072	Drawn By: BS/AS		



711 State Highway No. 9

0.665 Acres

All that tract or parcel of land lying and being in Land Lot 1123 of the 2nd Land District, 2nd Section, Fulton County, Georgia and being more particularly described as follows;

To find the true point of beginning, commence at the intersection of the southerly right of way of State Highway No. 9 (right of way varies) and the westerly right of way of Henderson Parkway (right of way varies), said point marked by a Nail found (having Georgia State Plane Coordinates of North – 1488562.573 and East – 2260497.116), said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, travel South 50 Degrees 40 Minutes 06 Seconds East for a distance of 53.06 feet to a point, said point marked by a ½ inch rebar pin set; THENCE traveling on said westerly right of way of Henderson Parkway South 01 Degrees 14 Minutes 34 Seconds West for a distance of 60.48 feet to a point; THENCE continuing along a curve to the left having a radius of 425.30 feet and an arc length of 80.15 feet being subtended by a chord bearing of South 04 Degrees 09 Minutes 16 Seconds East and a chord distance of 80.03 feet to a point, said point marked by a ½ inch rebar pin found; THENCE leaving said right of way South 88 Degrees 13 Minutes 51 Seconds West for a distance of 126.19 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 01 Degrees 58 Minutes 49 Seconds West for a distance of 24.85 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 89 Degrees 57 Minutes 08 Seconds West for a distance of 49.45 feet to a point, said point marked by a Flat Iron found;

THENCE North 01 Degrees 56 Minutes 15 Seconds West for a distance of 157.73 feet to a point on the southerly right of way of State Highway No. 9, said point marked by a ½ inch rebar pin set; THENCE traveling on said right of way the following three (3) courses and distances:

North 89 Degrees 46 Minutes 51 Seconds East for a distance of 26.11 feet to a point, said point marked by a Nail found; THENCE South 01 Degrees 14 Minutes 30 Seconds East for a distance of 4.01 feet to a point, said point marked by a Nail found; THENCE South 89 Degrees 35 Minutes 36 Seconds East for a distance of 110.05 feet to a point, said point marked by a Nail found, said point being THE TRUE POINT OF BEGINNING.

Said property contains 0.665 Acres.

Custom Pools of Atlanta

Daniel Franke (Owner)

4776 Mystic Dr

Atlanta, GA 30324

404-427-9924

RE: ALPHARETTA PLANNING COMMISSION REVIEW LETTER OF INTENT

711 State Hwy 9, Alpharetta, GA 30004

ZONING CI

To whom it may concern,

Our intention and goal is to create a new home for Custom Pools of Atlanta, with Alpharetta's comprehensive plan, while keeping the lifestyle of the neighborhood in mind for the existing commercial businesses. Our intent is to become a good neighbor, and maintain the style of architecture present in the commercial community of Alpharetta.

This will be an owner-occupied building, with an "appointment only" scenario for the general public, and our customers. We plan to develop a 3000 square foot brick, stone, and frame building with beautiful curb appeal, maintaining rear privacy and appealing landscapes.

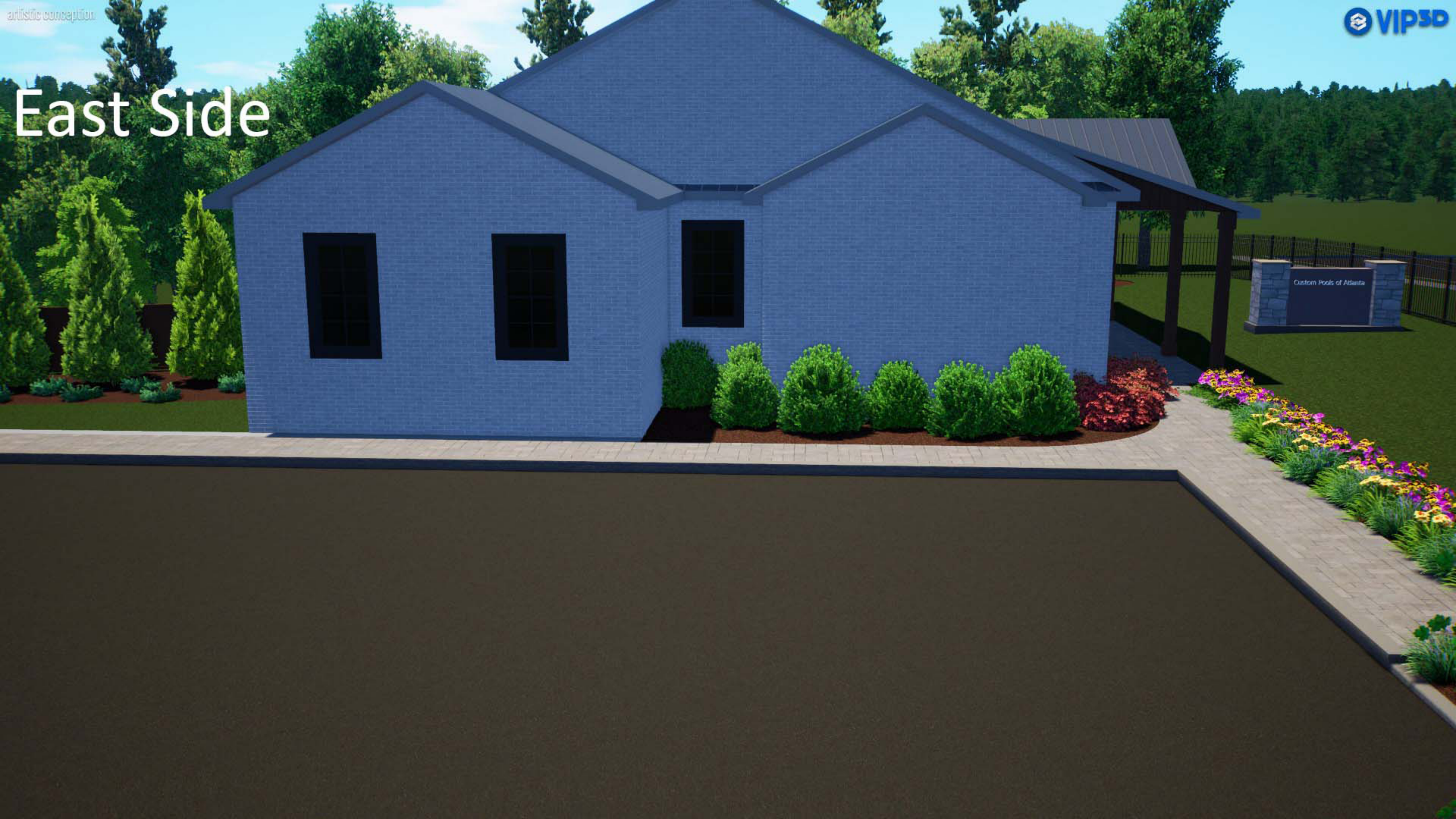
CPOA has no intentions for any kind of outside displays whatsoever, and will always maintain an inviting, clean structure within which to perform our business, offering a high-end premium product, while bringing economic growth and viability to Alpharetta.

CPOA has been in business for 2 decades in metro Atlanta and is in hopes of bringing our success to Alpharetta, should this proposal be approved.

Thank you sincerely for your consideration.

Daniel Franke

East Side



Front View



Rear Elevations



Side/ Rear From Henderson Pkwy



South East Side



Top View



West Side

