



Planning Commission Meeting February 3, 2022

Department of Community Development

ALPHARETTA CITY HALL | 2 PARK PLAZA
6:30 PM

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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
 - Todd Stratton
 - Jill Reynolds
- **Planning Commissioners Absent**
 - Fergal Brady (Vice Chair)
 - Larry Attig
 - Jamie Bendall (Alternate)
 - Valerie Manley (Alternate)
- **Staff present:**
 - Kathi Cook, Director of Community Development & Economic Development
 - Michael Woodman, Planning + Development Services Manager
 - Eric Graves, Senior Engineer, Development Services
 - Alexandra Callum, Planning + Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Perkins offered a motion to approve the Planning Commission Meeting Minutes from January 6, 2022.
 - Commissioner Davis second the motion.

- The motion was approved unanimously (5-0).

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

A. CU-21-16 / Custom Pools Atlanta

- Planning + Development Services Manager Michael Woodman came forward to present this item.
 - 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.
 - 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.
 - 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.
 - 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.
 - A minimum 15' buffer is provided along the west and south property lines, which is depicted with an eight-foot (8') wood privacy fence.
 - 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.
 - 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.
 - 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 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.
- 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.
- Approve CU-21-16/V-21-34 Custom Pools of Atlanta/711 North Main Street, subject to the following conditions:
 - '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.
 - 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.
 - '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.
 - Hours of operation shall be limited to Monday – Saturday 6:30 AM – 7:00 PM.
 - 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.
 - 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).
 - Per the property owner, work trucks shall not utilize audible reverse alarms on the property.
 - Swimming pool chemicals shall not be stored in the building or in the outside storage area.
 - 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.
 - 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.
 - 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.
 - 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.
 - North Main St driveway shall be removed prior to the issuance of a Certificate of Occupancy.
 - 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.
 - Corner of North Main Street and Henderson Parkway shall be heavily landscaped and include ornamental planting beds, with final approval by DRB.
 - Signage shall not be internally illuminated.
- The Planning Commission discussed the following:
 - Was there any attempt to look at alternatives in terms of where the building is placed to avoid the change from 50' to 15'? I would ask the applicant that question- he can verify. There is a hardship. By changing to a mixed used in Milton, that affected this property.
 - Regarding condition 14, the term "reasonable efforts"- what does this mean? The condition was provided by our storm water engineer. She wanted to give some flexibility to the applicant. I think she is looking for the applicant to make the effort to tie in. He can work with Staff to find an alternative.
 - On item 9 regarding the buffer- there's a difference between the planted buffer and the natural tree buffer. The owners of Primrose requested the south side is the same as the west side. In this picture, the dark line represents the property. All those trees are off-site. There is no opportunity to provide a buffer on the school's property. There is not a buffer required here- the applicant brought that unsolicited.
 - On the privacy fence- it was requested it was solid. The applicant confirmed it is a solid privacy fence.
- The applicant, Danny Franke, came forward to speak on behalf of this application
 - Owner of the property and owner of Custom Pools of Atlanta.
 - He has owned the property for over 20 years. The neighborhood did not exist, and I was not given a notice when it was rezoned.
 - This is an appointment only location.
 - We are a residential pool contractor.
- The Planning Commission discussed the following:
 - Were there any alternatives where the building could have been moved? No- we've pushed it as far as we can, given the parking and detention.
 - As far as the fleet you'll be parking, how many vehicles will be there? One, maybe two. We don't have big commercial vehicles. We transport small, earth moving equipment. We do not have a trailer larger than 18 feet. We have zero intention of becoming a retail store, and we don't want chemicals in our building.
 - As far as the parking spots at the top, who are those for? Those are mainly for employees.
 - There are a lot of cars parked on the side of the road where the school is. There is a concern of safety for the kids. Are you not concerned with the tightness of the median trying to navigate? We move these trucks through backyards and driveways. There will be no issue.
 - When did the adjacent property become the city of Milton? 2009. The city of Milton went from a traditional code to a form-based code.

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Stratton offered a motion to approve the item subject to the conditions as presented.
 - Commissioner Perkins seconded the motion.
 - The motion was approved unanimously (5-0).

VII. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator