



Planning Commission Meeting

March 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)
 - Fergal Brady (Vice-Chair)
 - William Perkins
 - Todd Stratton
 - Jill Reynolds
 - Valerie Manley (Alternate)
- **Planning Commissioners Absent**
 - Martine Zurinskas
 - Dana Davis
 - Jamie Bendall (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 February 3, 2022.
 - Commissioner Stratton second the motion.
 - The motion was approved unanimously (6-0).

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

A. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street

- Manager Michael Woodman came forward to present this item.
 - The applicants, Andrew and Kourtney Wexler, are requesting a rezoning and variance to allow for the construction of one (1) 'For-Sale' single-family detached home on 0.71 acres in the Downtown. A rezoning is requested from C-2 (General Commercial) to DT-R (Downtown Residential) and a variance is requested to reduce buffers. The subject property is located at 182 Marietta Street on the south side of Marietta Street and just west of Marjean Way.
 - The property is developed with a single-family detached home that has been converted to a Contractor's Office (Sutton's Service Appliance Repair). Surrounding properties are zoned C-2 to the east and south, O-P (Office-Professional) to the west and R-8A (Dwelling, 'For-Sale' Attached) to the north. Windsong townhomes are located to the north, 172 Marietta Street (former residence converted to business use) to the east, 204 Marietta Street (Gibraltar Real Estate Services – former residence converted to business use) to the west and Alpharetta Beach House office development to the south. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed single-family detached home.
 - A variance is requested to reduce the 50' undisturbed buffers required adjacent to commercial properties. Commercially zoned land abuts the subject property on the east, south and west sides. In most cases, non-residential properties provide the undisturbed buffers. But, since the applicant proposes a rezoning to allow residential use, the buffer requirement becomes the applicant's responsibility. The property to the rear, Alpharetta Beach Houses, already provides a buffered area which ranges in width from 25' to 60'. The properties to the east and west have been converted to commercial uses and could redevelop in the future under the current zoning, C-2 and O-P, or through rezoning to a Downtown zoning district.
 - According to the applicant, the home will be three (3) stories and approximate 5,000 square feet. A driveway with Porte cochere is proposed on the east side of the home leading to a garage at the rear of the property. The garage and driveway will accommodate the required resident and guest parking. The home is depicted with a 40' front setback (not including the covered entry) and a minimum fifteen-foot (15') side setback. The garage at the rear of the property is depicted with an eight-foot (8') side setback and 22' rear setback. DT-R allows a minimum ten-foot (10') front setback, zero-foot (0') side setback (ten-feet (10') between structures), and ten-foot (10') rear setback.
 - The applicant's arborist identified five (5) specimen-sized Oaks in the front yard of the property, of which all are in Poor condition and should not be considered for preservation. Additional trees are identified in the arborist report that are in good condition and have potential for preservation. The applicant has indicated that they intend to save the stand of trees along the west side of the property and along the rear property line.
 - The applicant submitted inspiration photos of the home, which depict a Neoclassical or Beaux Arts style. The City's Downtown Consultant reviewed the inspiration photos and believes the style complies with the Downtown Overlay architectural regulations.
 - Staff has reviewed the applicant's proposal and finds that the request for rezoning and variance 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 Mixed-Use future land use designation of the property allows for single use development, residential and commercial, as well as mixed-use development.
 - Application of the 50' undisturbed buffer requirement would discourage residential development along Marietta Street, which already has a residential presence and feel. If approved, a condition is recommended absolving the properties to the east and west from buffer requirements if those properties redevelop with commercial or mixed-use development.
 - The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the applicant has spoken to several residents and property owners in the general vicinity of the property and that feedback has been positive. Two (2) letters of support were provided by the applicant from residents in Victoria Square.

- The property owner of the Alpharetta Beach Houses, the adjacent property to the south, provided a letter of support to the City. One of the adjacent commercial property owners stated that they do not want the residential zoning to impact their ability to redevelop in the future.
- CZIM was held on February 9, 2022. There were no public comments.
- Approve Z-22-01/V-22-03 WEXLER/182 MARIETTA STREET, subject to the following conditions:
 1. Approximately 0.71 acres shall be zoned DT-R and limited to 1 single-family detached home. Site shall be developed substantially similar to the submitted site layout, labeled Exhibit A, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevation shall be substantially similar to the submitted inspiration photos, labeled Exhibit B, with final approval by the Downtown Consultant and DRB.
 3. Home and garage shall maintain a minimum 20' front setback, 10' side setback and 10' rear setback.
 4. Landscape strip along Marietta 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.
 5. A decorative low wall, metal fencing or hedge with columns shall frame the front yard.
 6. A 10' planted buffer shall be provided along the east, south, and west property lines and planted with a mix of evergreen trees and shrubs. Existing trees within the 10' buffers identified to be in Good condition shall be saved, with final approval by Staff.
 7. Property owner shall improve Marietta Street frontage with a 6' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 8. Property owner acknowledges that redevelopment of the properties to the east and west with a commercial or mixed-use development shall not require a buffer adjacent to the subject property.
 9. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to existing trees along the west and south property lines, as approved by Staff.
 10. 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.
- The Planning Commission discussed the following:
 - Did Staff have concerns about the property being in the middle of OP and C2 zoning? No because it was originally for residential. These surrounding homes have been used for commercial.
 - With a smaller piece of property like this, you can build the residential but really can't do mixed use because of the size. On Thompson Street, even though commercial is allowed there, it is mostly residential.
 - Can you go through number 7 regarding streetscape? Is this to match what's across the street? 7 is purely related to the type of street Marietta is according to the Downtown Overlay. So, this would match the other side of the street? Yes.
 - The six-foot strip is a strip of land with street trees. Then you would have the sidewalk, then you would have the property line. The strip provides separation between the sidewalk and the road.
 - We try to mirror what's across the street, but what is across the street was developed before the Overlay was created. There may not be the same size planter as what's across the street, but we must consider pedestrians and improving their walkability through the downtown.
 - Does this help with the speed of traffic? Yes- having that visual separation and trees closer to the roadway allows for cars to go slower.
 - What are the buffer requirements if lots develop as commercial? They would be absolved from any buffer requirements.
 - Are we comfortable that this will not create problems for other lots to develop their property? We don't think there will be problems.

- It says the home will be three stories- in the rendering it says two. I just got the elevation from the applicant, and I will let them respond to that. I believe their intent was up to three stories.
- The applicant, Andrew and Kourtney Wexler, came forward to speak on behalf of this application.
 - We have lived in Alpharetta for 25 years.
 - The three stories include a basement, which is why it's not shown on the elevation.
 - The architecture is still a work in progress since we do not officially own it.
 - We envision it as a traditional home with a pool and the garage in the back.
- The Planning Commission discussed the following:
 - Do you have any concerns with any of the conditions? No, we agree with everything. We understand the comment about the adjacent properties. We will have large evergreen trees to serve as a buffer.
 - We're looking at a two-story based on the renderings.
 - People on Marietta Street would like to see it more residential.
 - This could trigger potential similar development surrounding the property.
 - We appreciate the investment you've made into Marietta Street and the city.

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Perkins offered a motion to approve the item, subject to the following conditions:
 1. Approximately 0.71 acres shall be zoned DT-R and limited to 1 single-family detached home. Site shall be developed substantially similar to the submitted site layout, labeled Exhibit A, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevation shall be substantially similar to the submitted inspiration photos, labeled Exhibit B, with final approval by the Downtown Consultant and DRB.
 3. Home and garage shall maintain a minimum 20' front setback, 10' side setback and 10' rear setback.
 4. Landscape strip along Marietta 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.
 5. A decorative low wall, metal fencing or hedge with columns shall frame the front yard.
 6. A 10' planted buffer shall be provided along the east, south, and west property lines and planted with a mix of evergreen trees and shrubs. Existing trees within the 10' buffers identified to be in Good condition shall be saved, with final approval by Staff.
 7. Property owner shall improve Marietta Street frontage with a 6' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
 8. Property owner acknowledges that redevelopment of the properties to the east and west with a commercial or mixed-use development shall not require a buffer adjacent to the subject property.
 9. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to existing trees along the west and south property lines, as approved by Staff.
 10. 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.
 - Vice-Chair Brady offered a friendly amendment to classify the home as a two-story home.

- Commissioner Perkins accepted the friendly amendment.
- Vice-Chair Brady seconded the motion.
- The motion was approved unanimously (6-0).

B. MP-22-01 / Bridge Road Holdings, LLC

- *This item was deferred by the Applicant. It was not heard or considered during the March 3, 2022 Planning Commission meeting.*

C. PH-22-01 / Unified Development Code (UDC)- Research/Development, Athletic Facility/Fitness Studio, Driveways

- Director Kathi Cook came forward to present this item.
 - It is recommended that 'Athletic Facility, Fitness Studio' be separated into two (2) distinct uses and that definitions be added for each use. The uses are proposed to be assigned as permitted or conditional uses in commercial, office, light industrial and mixed-use zoning categories.
 - 'Laboratory, Research or Commercial' is a use that is identified in the UDC; however, there is currently no definition. Staff proposes a definition that follows the four (4) levels of laboratory biosafety established at the Federal level. A Level 4 laboratory, which allows work with dangerous and exotic agents which cause severe to fatal disease in humans and for which vaccines or other treatments are not available, are identified as prohibited in all zoning districts.
 - In an effort to respond to market demand for research and development opportunities in the City, a new use and definition is recommended for 'Research and Development'. The use is proposed as a permitted use in existing Office Buildings and Office Parks, where office is a permitted use within an existing master plan and in the LI (Light Industrial) district.
 - Text amendments are recommended to clarify that driveway access on double frontage lots should be from the lower classification street. In addition, an amendment is recommended to clarify that residential lot curb cuts or driveways may be closer than 300' from a curb cut on an adjacent residential lot, but that an individual residential lot may not have more than one (1) curb cut per 300' of street frontage.
- The Planning Commission discussed the following:
 - Key points from discussion / concerns
 - If a lot has two curb-cuts and is on a corner, are they still constrained or can they have a curb-cut on each side? Eric would have to look at that. Typically, no. if you're already setting up one access, you don't want to provide another.
 - Regarding the unpaved surface on the side or rear of the property, is this only if it's visible from the street? Yes, it's prohibited to park on an unpaved surface if the side or rear yard fronts the street. It's not prohibited if it's not visible? That's correct, but you're still supposed to be parked on a paved surface.
 - How does this affect any property owners currently? It gives them more rights than what they currently have. We don't see any negative impact.
 - It's refreshing to see the clarity and importance of doing this.

Public Comment:

- There were no public comments for this item.
 - ❖ Vice-Chair Brady offered a motion to approve the amendments as presented today.

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

VII. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator