



Planning Commission Meeting April 14, 2022

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

- Planning + Zoning Coordinator Alexandra Callum called the meeting to order at 6:31 P.M.

II. SWEARING-IN CEREMONY

- Mike Stacy, the City Attorney, swore in Commissioners Fergal Brady, Dana Davis, William Perkins, and Martine Zurinskas.

III. ROLL CALL

- **Planning Commissioners present:**

- Fergal Brady (Vice-Chair)
- Jill Reynolds
- Todd Stratton
- Dana Davis
- William Perkins
- Martine Zurinskas

- **Planning Commissioners Absent**

- Francis Kung'u
- Jamie Bendall (Alternate)
- Valerie Manley (Alternate)

- **Staff present:**

- Michael Woodman, Planning + Development Services Manager
- Eric Graves, Senior Engineer, Development Services
- Jill Bazinet, Stormwater Engineer
- Mike Stacy, Attorney for the City of Alpharetta

- Alexandra Callum, Planning + Zoning Coordinator

IV. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Perkins offered a motion to approve the Planning Commission Meeting Minutes from March 3, 2022.
 - Commissioner Stratton second the motion.
 - The motion was approved unanimously (6-0).

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. PUBLIC HEARING

A. E-22-01 / Founders Hall / 63 South Main Street Parking Exception

- Manager Woodman came forward to present this item.
 - The applicant, South Main Development Partners, LLC, is requesting a parking special exception to allow the balance of required parking to be met off-site on a nearby property located at 91 South Main Street. Up to fourteen (14) off-site parking spaces are proposed. The subject property is located at 63 South Main Street.
 - The applicant intends to redevelop the property with a three (3) story, 28,124 square foot building called Founders Hall, which includes retail, restaurant, and office uses.
 - The applicant provided a draft parking agreement allowing for the use of up to fourteen (14) parking spaces at 91 South Main Street. The subject property is less than 150' away from 91 South Main Street, which is the Surcheros restaurant currently under construction. The Surcheros property is developed with 50 parking spaces, of which approximately ten (10) parking spaces are required for the use. Sufficient excess parking is available to accommodate the applicant's off-site parking request.
 - The subject property has an unusual shape. On-site parking on smaller downtown parcels is often difficult to accommodate, which is why encouraging shared parking and off-site parking agreements is important to a thriving downtown. Downtowns are walkable, which can take advantage of creative solutions to parking.
 - If approved, a condition is recommended requiring retail and restaurant employees from businesses located at 63 South Main Street to utilize the off-site parking spaces.
 - The CZIM was held on March 9, 2022. There were no public comments.
 - Approve E-22-01 Founders Hall/63 South Main Street Parking Special Exception, subject to the following conditions:
 1. Prior to the 1st TCO/CO for the building, developer shall provide a recorded parking agreement allowing for the use of up to 14 off-site parking spaces at 91 South Main Street. Parking agreement shall be reviewed and approved by Staff.
 2. Retail and restaurant leases at 63 South Main Street shall require that employees use the off-site parking spaces located at 91 South Main Street.
 3. The 14 off-site parking spaces shall be reserved for the applicant's building between

the hours of 7:00 AM – 5:00 PM, Monday through Friday.

4. Prior to the 1st TCO/CO, applicant shall dedicate a permanent easement for the Alpha Loop along the north side of the building, as depicted on site plan prepared by Tracy Ward, revised 3/11/2022. Easement shall extend to the west property line and shall allow for necessary construction activities to connect to an off-site alignment of the Alpha Loop.
- The applicant, Dan Connor, came forward to speak on behalf of this application
 - We reviewed the conditions with Staff and agree with them.
 - The Planning Commission discussed the following:
 - What do you mean “if” for the third floor? The applicant would like the flexibility to have an office tenant on the third floor, which would require the additional 14 spaces.
 - Regarding off-site parking- does it have actual square footage? People walk from 300-600 feet in downtown with no issue. This one is 150 feet, so we believe it is reasonable.
 - How many other buildings asked for a waiver like this? At least two have been approved.
 - Is the agreement still enforced if it is sold? We would want to make sure the agreement is for a sufficient time frame that correlates with the lease. 10 Roswell Street had 5-year parking agreements that had to be removed
 - If for some reason the parking agreement was broken, they could come back for parking in-lieu fees.

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Davis offered a motion to approve the item, subject to the following conditions as set forth by Staff:
 1. Prior to the 1st TCO/CO for the building, developer shall provide a recorded parking agreement allowing for the use of up to 14 off-site parking spaces at 91 South Main Street. Parking agreement shall be reviewed and approved by Staff.
 2. Retail and restaurant leases at 63 South Main Street shall require that employees use the off-site parking spaces located at 91 South Main Street.
 3. The 14 off-site parking spaces shall be reserved for the applicant’s building between the hours of 7:00 AM – 5:00 PM, Monday through Friday.
 4. Prior to the 1st TCO/CO, applicant shall dedicate a permanent easement for the Alpha Loop along the north side of the building, as depicted on site plan prepared by Tracy Ward, revised 3/11/2022. Easement shall extend to the west property line and shall allow for necessary construction activities to connect to an off-site alignment of the Alpha Loop.
 - Commissioner Zurinkas seconded the motion.
 - The motion was approved 5-1, with Commissioner Perkins opposed.

B. Z-22-03 / V-22-02 / Toll Brothers / Kimball Bridge Road

- Manager Woodman came forward to present this item.
 - The applicant, Toll Brothers, is requesting a rezoning and variances to allow for the construction of a 41-lot 'For-Sale' single-family detached subdivision on 22.77 acres. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale' Residential) and variances are requested to reduce front setbacks on interior streets and reduce setbacks along Kimball Bridge Road and Buice Road. The subject property is located at 0 Kimball Bridge Road at the northeast corner of Kimball Bridge Road and Buice Road.
 - Variances are requested to reduce the front yard setback for lots along a new interior street from 35' to 25' and reduce setbacks on lots along Kimball Bridge Road and Buice Road from 65' to 45'. The request to reduce front setbacks on interior streets is requested for Lots 1 – 25. According to the applicant, setback variances are requested to provide greater separation between homes in the proposed development and homes in the adjacent Park Brooke subdivision. As shown in the table below, the applicant's variance requests are consistent with setbacks at adjacent and nearby subdivisions along Kimball Bridge Road.
 - The submitted site plan depicts 41 single-family detached lots on 22.77 acres. Access to the property is proposed at the existing signalized intersection at Kimball Bridge Road and Buice Road. Lots are oriented interior to the site along a new internal loop street.
 - A 45' setback is proposed along Kimball Bridge Road and Buice Road. Lots on the outer edge of the loop street are depicted with a 25' front setback and lots on the inner edge have a 35' front setback.
 - A small section of stream is located in the northeast corner of the site. The applicant proposes to fill 0.20-acres of wetlands south and east of the stream, as depicted on Lot 15 and the detention lot. Detention ponds are proposed in the vicinity of the stream and in the northwest corner of the property.
 - There is an existing violation on the property related to the geotechnical investigation of the property in which a temporary access trail was created. Trees, as well as a small wetland area were impacted. The applicant is in compliance with the violation letter, dated February 7, 2022, which required payment of a fine, planting plan to replant 728" of trees, mitigation plan for impacted trees and mitigation plan for impacted wetlands. Whether or not the applicant's zoning proposal is granted, planting and mitigation plans will be required to be implemented.
 - The applicant provided several examples of home elevations and renderings from various Toll Brothers communities, including Shirley Estates on Webb Bridge Road. The examples reflect a mix of exterior primary materials, including brick, stone, board and batten, shake, and siding. According to the applicant, homes are two (2) stories and a minimum 3,000 square feet (heated), excluding basements, porches and garages. A mix of front-facing and side-facing garages are proposed. The applicant provided architectural and material conditions which propose to allow up to ten percent (10%) of homes to use siding as the primary front façade material and up to 45% of homes to use up to 50% siding on the front façade.

- The proposed project, consisting of 41 single-family detached homes, would generate approximately 35 AM Peak Hour trips and 45 PM Peak Hour trips.
- The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. The R-15 zoning district would result in lots that are larger than Park Brooke lots, which have minimum 11,500 square foot lots and a minimum lot width of 80'.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent, as well as Park Brooke Community Association, Pinewalk Homeowners Association and Avery Square Homeowners Association. The report states that the applicant met with Park Brooke on February 2, 2022, February 15, 2022 and March 31, 2022. The applicant received a letter from the Park Brooke Community Association outlining their concerns. The applicant noted the following concerns and requests from Park Brooke homeowners: surface water runoff, increase building setbacks adjacent to Park Brooke (100' setback with a 50' buffer requested), do not disturb wetland area, relocate detention ponds, fencing and landscaping between the proposed development and Park Brooke, landscaping and tree saves along Kimball Bridge Road, and concern over the applicant requesting smaller lots than the minimum 15,000 square foot lots in the R-15 zoning district.
- The City has received correspondence from Park Brooke residents with similar concerns, as noted above and including impacts to wildlife.
- The CZIM was held on March 9, 2022. There were questions and comments regarding if the subdivision would be gated, stormwater runoff, traffic, variances, perimeter fencing, wetland impacts, setbacks and detention ponds adjacent to Park Brooke, 100' buffer adjacent to Park Brooke, align Buice Road through the development, flooding, tree removal, and violation.
- Approve Z-22-03/V-22-02 Toll Brothers/Kimball Bridge Road, subject to the following conditions:
 1. The site, consisting of approximately 22.77 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by McFarland-Dyer & Associates, Inc., revised 4/5/2022, except for modifications required to comply with the conditions below. Site plan modifications shall be permitted to allow interparcel access with the properties to the west and northwest, with final approval by Staff. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Home elevations shall be substantially similar to the submitted elevations, labeled Exhibit A, with final approval by Staff. No more than 50% of homes shall have siding as the primary (more than 50%) material on the front façade. Homes utilizing more than 25% siding on the front façade shall include a covered front porch element that is at least 100 square feet in size and a minimum 6' deep. Homes with garages facing a street shall have carriage style garage doors. Roofing material shall be cedar shake, architectural/dimensional asphalt shingles or metal. Homes shall have 3-sided architecture and materials, except those rear elevations visible from Kimball Bridge Road shall have similar architectural details and materials as the front façade, as approved by Staff.

3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs and ground cover, as approved by Staff. Landscape strip shall include decorative knee walls and berms and landscaping shall be a mix of evergreen and deciduous material. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
4. A 10' no access easement shall be recorded on the final plat along the road frontage on Buice Road, Kimball Bridge Road, and project entrance road adjacent to Lots 1 and 25.
5. Minimum 10' landscape strip shall be provided along Buice Road, consisting of trees, shrubs and ground cover, as approved by Staff.
6. Building setbacks shall be 25' front, 10' side and 25' rear, except that lots backing up to Park Brooke shall have a 30' rear setback. Building setback along Kimball Bridge Road and Buice Road shall be 45'.
7. Project entrance shall include ornamental plantings, as approved by Staff.
8. Minimum 10' planted buffer, and no access easement, shall be provided along the common property line with Park Brooke and shall be planted with a mix of evergreen trees and shrubs to provide a visual screen, as approved by Staff. Existing trees shall be saved in the buffer where not in conflict with site balancing and utility installation. Detention facilities shall not encroach on the planted buffer.
9. Detention facilities shall be developed with a natural appearance and improved as a neighborhood amenity, as approved by Staff.
10. Developer shall plant street trees in the 6' planter, as approved by Staff.
11. Pocket park with mail kiosk shall be developed with decorative landscaping, hardscape, pedestrian lighting and on-street parking, as approved by Staff.
12. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.
13. Developer shall dedicate approximately 5' of right-of-way and improve Buice Road frontage with a minimum 6' sidewalk and 6' planter (planted with street trees), as approved by Staff.
14. Developer shall remove exotic and invasive trees and shrubs within stream buffers and tree save areas and replant where sparse, as approved by Staff.
15. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road and Buice Road.
16. Developer shall complete remediation measures outlined in the February 7, 2022 notice of violation letter prior to the final site CO.
17. Planting plan shall be implemented substantially similar to the plan prepared by Ironwood, dated 4/6/2022, as approved by Staff.

18. Trees shall be preserved as depicted on the plan prepared by O'Leary Design Group, dated 3/29/2022.
 19. Developer shall identify and save additional tree groupings and/or trees of quality outside of required stream buffers, as approved by Staff.
 20. All required permits and variances related to the 0.20-acre wetland encroachment shall be approved prior to the issuance of a land disturbance permit.
 21. Developer shall be responsible for all costs associated with upgrading the signal to accommodate new development. Traffic signal modification to be complete prior to final plat.
 22. Streets less than 24' wide shall be marked "No Parking".
 23. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
 24. Developer shall provide an eastbound left-turn lane on Kimball Bridge Road at the signalized entrance to the site, as approved by Staff.
 25. Utility structures, headwalls, etc. shall be finished with decorative stone, if visible from Park Brooke.
 26. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
- Manager Woodman also suggested an additional condition: "As agreed to by the developer, a fence shall be erected adjacent to the Webb property prior to construction."
 - The applicant, Don Rolader, came forward to speak on behalf of this application.
 - Toll Brothers is the nation's leading builder of luxury homes.
 - Shirley Estates is Toll Brothers' most recent development in Alpharetta.
 - The lot is 22.74 acres and intersects with Buice Road
 - There are no structures currently on the property.
 - We have agreed to improve the traffic signal and create a left turn to not create a negative impact on traffic.
 - HOA will be required to tend to the detention system regularly
 - The landscape strip will be a no access strip.
 - We will heavily plant along Kimball Bridge Road.
 - If there were concrete walls at the back of the detention ponds, we will cover in stone, brick, or a combination and will provide the plans to Staff.
 - There is a possibility water flow will be reduced or redirected.
 - Traffic generation is minimal.
 - We would like a condition to build a fence along the west boundary.

- Staff asked that we dedicate five feet of right of way and landscape it along Buice Road. This is the only condition we have an issue with.
- The Planning Commission discussed the following:
 - When we talk about buffers and setbacks, residential is different from commercial. What does that look like? The city's code does not require buffers between residential developments. Only a 5' landscape strip is required, a decorative one.
 - Can you define a buffer? A buffer is supposed to create an opaque screen. A landscape strip is for aesthetics. A buffer should be planted so that in two years, it will form an opaque strip. Residential on residential usually means the developer meets with the adjacent property and they come to an agreement on buffers.
 - What is planted to make it opaque? Typically, evergreen plants that are good through all seasons.
 - Windward HOA and Toll Brothers had an agreement prior to of 25'. Is that correct? Yes, with Shirley Estates
 - Regulation can't necessarily be imposed by the city, correct?
 - Regarding engineering/hydrology- the developer would be responsible for any additional runoff. They are not responsible for runoff that is occurring today. They are responsible to ensure that if this is developed, the rate of flow does not increase. There will be more water flow because the lot is impervious. They would do a hydrology study. They would look at the detention ponds to make sure they are properly sized.
 - We don't ask them to do the study beforehand because it is rather expensive, correct? Yes. It is not required by Georgia law to be conducted before.
 - On the detention facilities, can you describe the vision? Manager Woodman provided some example pictures.
 - We won't know how big the detention ponds will need to be until the study, correct?
 - Why is the pond where the site plan is showing? What are the limitations of moving it? Stormwater Engineer Bazinet: the detention ponds are typically located at the lowest points because we are working with gravity to allow the water to flow to the lowest points. So it's not feasible to move the ponds? That is correct.
 - There are significant water issues with the current topography (lots 10-14). I believe they would want to help with current issues if possible. Are there any alternatives that pipes the water from the back of the property to either side of the two ponds? That depends on the full design when they start doing the calculations to see what they can get to drain in natural directions. That would be something their engineers might have looked at, but I can't speak on that at this time.
 - We encourage there to be discussion between neighbors to tie detention flow into the pipes. We cannot force a downstream neighbor to allow a developer to come install pipes. We require them to look at the outflow of their point.
 - This would be more like an amenity where you could have benches and possibly a fountain. Once they complete their study, they can determine if they can hold the water in the pond, or if it is holding water at certain times.

- If the water is piped into the next neighborhood and there's a problem, whose liability is it? Their engineer will design a series of pipes that will capture the water from the property and take it to the detention ponds. Most will be in the roads. Some will runoff into the side properties. Most will drain towards the road. The detention ponds will hold back the water and slowly release the water.
- On the lot that has the pipe over, we are okay with them piping over it. They will get approval to impact the wetlands.
- There is a lower area and some of the water has backed up in this area.
- This does not go to DRB.
- We don't generally say to an applicant that you have to build a three-sided brick home, correct? There are times when rezoning situations do have conditions like this, but it is not usually recommended by staff.
- Waters road to old Milton- is there any work going on? Not currently.
- Describe the entry to the community. It would be a constructed entryway with brick or stone. There would be heavy landscaping, which is on the landscaping plan.
- When you say HOA, are you meaning both the new neighborhood and Park Brooke? No, this is only our HOA that will be responsible.
- It's a little disappointing there isn't an agreement that happened. It seems like we could increase the buffer to make Park Brooke residents a little more satisfied. We are wanting to provide the people purchasing these homes reasonable backyards. The difference with Shirley Estates is it negotiated with Windward to become members of the Windward Association. It was a give and take.
- What if you moved the home to the front five feet? You get into a topography problem. It depends on how they slope from the street. Chances are, there will be an incline or decline.
- We are going to build a landscape strip that will have to stay there
- We will continue to work with Park Brooke in discussion.
- I like the idea of the detention pond looking more like a pond than a square box.
- With the fence possibly going up on Buice Road, is the construction entrance going to be up the whole time? No.
- How many times have you met with Park Brooke? Three times.

Public Comment:

- Belinda Kasmiersky – 3910 Brookline Drive – in opposition
 - We are not opposed completely, but we did ask for things in the very beginning because we felt they were a little skimping on the backside. We asked for a large undisturbed buffer (100', 50' of it undisturbed).
 - Buffers help prevent erosion. We are concerned with the erosion on our properties.
 - The City is aware of the flooding that is currently happening.

- Concern for the wildlife in the area
- They are proposing three-sided brick homes- we are asking for three-sided brick and to be painted.
- We don't think it matches with the north side of Alpharetta.
- Madhav Gokhlau – 3930 Brookline Drive – undecided
 - I am not against but want to ensure Toll Brothers takes care of storm water flow.
 - I believe removing the trees will have adverse impact on the land.
 - I am asking for a 25' setback buffer, undisturbed.
- Franklin Lemond – 4645 Park Brooke Trace
 - Secretary of Park Brooke Community Association
 - The amended variance request included reducing setbacks on Kimball Bridge Road.
 - We don't feel we've seen an accurate depiction of what this will look like.
 - Condition 2 is a concern.
 - Our most recent request was to raise the 30' setback to 40'- the more distance we can create will give water runoff a greater chance to dissipate in the ground.
 - We have a concern about the potential piping into the Park Brooke subdivision.
 - It might be worth tabling this so we can have further discussions with Toll Brothers.
- Judy Webb – 11155 Buice Road
 - We were asking for inner parcel access.
 - We are concerned about safety for the travelling public.
 - We do not want to set the entire tract.
- **Applicant Rebuttal**
 - We have a buffer and a fence established to cooperate.
 - The density is low.
 - We understand that we do not intend to purchase Ms. Webb's land.
 - We try to take concerns of all our neighbors.
 - All lots meet the minimum 15,000 square foot frontage.
 - We are trying to create luxury housing in a market so hot with the technology industry in the area.
 - There will be no increase in the flow of water.
 - We want to give homeowners a quality, sizable backyard.
- The Planning Commission discussed the following:
 - In the hydrology study, part of what you agreed to is that the current piping in Park Brooke is adequate. Yes, this is to determine sizing without violating their private rights. We can share the results with the Park Brooke HOA.

- We are all committed to the best product possible.
- A resident said the City is aware of the flooding. I believe she was referring to the Big Creek Greenway flooding. It is within the 100-yard flood zone. It is expected to flood frequently. It has nothing to do with this particular property.
- Regarding low impact development, is that in our development code? We do have conservation communities and we did discuss with Toll Brothers the possibility. You can do a conservation subdivision where you set aside more natural areas with smaller lots, which gives a greater amount of open space. It does require a minimum of 100 acres, in which they would need a variance.
- Can you provide staff comments on the applicant's changes to the conditions? Ms. Webb does not want the sidewalk on Buice Road to be improved. I do not have an issue to the applicant's markup to condition 13.
- On condition 12, is that site plan the latest plan? That is correct.
- The fence would be built prior to construction. "As agreed to by the developer, a fence shall be erected adjacent to the Webb property prior to construction."
- The process of hydrology for water flow is significant. It will go on for months.
- You can add a condition that they have to put in a berm to redirect water. It is not necessarily a requirement in the storm water ordinance.
- Staff will review the LDP against any code conditions.
- ❖ Commissioner Perkins offered a motion to approve the item subject to the following conditions as noted by Staff, including adding:
 - For Condition # 8- a 5' decorative aluminum fence shall be built in the 10' buffer
 - The HOA shall be required to maintain the stormwater detention facility on a scheduled basis.
 - For Condition # 13- The developer shall dedicate approximately 5' right of way on Buice Road frontage.
 - As agreed to by the developer, a fence shall be erected adjacent to the Webb property prior to the construction on the property.
- Commissioner Stratton seconded the motion.
- The motion was approved 4-2, with Commissioners Davis and Reynolds in opposition.
- The following conditions were approved:
 1. The site, consisting of approximately 22.77 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by McFarland-Dyer & Associates, Inc., revised 4/5/2022, except for modifications required to comply with the conditions below. Site plan modifications shall be permitted to allow interparcel access with the properties to the west and northwest, with final approval by Staff. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.

2. Home elevations shall be substantially similar to the submitted elevations, labeled Exhibit A, with final approval by Staff. No more than 50% of homes shall have siding as the primary (more than 50%) material on the front façade. Homes utilizing more than 25% siding on the front façade shall include a covered front porch element that is at least 100 square feet in size and a minimum 6' deep. Homes with garages facing a street shall have carriage style garage doors. Roofing material shall be cedar shake, architectural/dimensional asphalt shingles or metal. Homes shall have 3-sided architecture and materials, except those rear elevations visible from Kimball Bridge Road shall have similar architectural details and materials as the front façade, as approved by Staff.
3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs and ground cover, as approved by Staff. Landscape strip shall include decorative knee walls and berms and landscaping shall be a mix of evergreen and deciduous material. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
4. A 10' no access easement shall be recorded on the final plat along the road frontage on Buice Road, Kimball Bridge Road, and project entrance road adjacent to Lots 1 and 25.
5. Minimum 10' landscape strip shall be provided along Buice Road, consisting of trees, shrubs and ground cover, as approved by Staff.
6. Building setbacks shall be 25' front, 10' side and 25' rear, except that lots backing up to Park Brooke shall have a 30' rear setback. Building setback along Kimball Bridge Road and Buice Road shall be 45'.
7. Project entrance shall include ornamental plantings, as approved by Staff.
8. Minimum 10' planted buffer, and no access easement, shall be provided along the common property line with Park Brooke and shall be planted with a mix of evergreen trees and shrubs to provide a visual screen, as approved by Staff. Existing trees shall be saved in the buffer where not in conflict with site balancing and utility installation. Detention facilities shall not encroach on the planted buffer. A 5' decorative aluminum fence shall be built in the 10' buffer.
9. Detention facilities shall be developed with a natural appearance and improved as a neighborhood amenity, as approved by Staff. The HOA shall be required to maintain the stormwater detention facility on a scheduled basis.
10. Developer shall plant street trees in the 6' planter, as approved by Staff.
11. Pocket park with mail kiosk shall be developed with decorative landscaping, hardscape, pedestrian lighting and on-street parking, as approved by Staff.
12. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian

lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.

13. Developer shall dedicate approximately 5' of right-of-way and improve Buice Road frontage with a minimum 6' sidewalk and 6' planter (planted with street trees), as approved by Staff.
14. Developer shall remove exotic and invasive trees and shrubs within stream buffers and tree save areas and replant where sparse, as approved by Staff.
15. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road and Buice Road.
16. Developer shall complete remediation measures outlined in the February 7, 2022 notice of violation letter prior to the final site CO.
17. Planting plan shall be implemented substantially similar to the plan prepared by Ironwood, dated 4/6/2022, as approved by Staff.
18. Trees shall be preserved as depicted on the plan prepared by O'Leary Design Group, dated 3/29/2022.
19. Developer shall identify and save additional tree groupings and/or trees of quality outside of required stream buffers, as approved by Staff.
20. All required permits and variances related to the 0.20-acre wetland encroachment shall be approved prior to the issuance of a land disturbance permit.
21. Developer shall be responsible for all costs associated with upgrading the signal to accommodate new development. Traffic signal modification to be complete prior to final plat.
22. Streets less than 24' wide shall be marked "No Parking".
23. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
24. Developer shall provide an eastbound left-turn lane on Kimball Bridge Road at the signalized entrance to the site, as approved by Staff.
25. Utility structures, headwalls, etc. shall be finished with decorative stone, if visible from Park Brooke.
26. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
27. As agreed to by the developer, a fence shall be erected adjacent to the Webb property prior to the construction on the property.

Vice-Chair Brady adjourned the meeting for a recess at 9:16 p.m.

Vice-Chair Brady called the meeting to order at 9:25 p.m.

C. Z-22-02 / V-22-08 / 116 + 126 North Main Street

- Manager Woodman came forward to present this item.
 - The applicant, Market District Crabapple, LLC, is requesting to rezone 1.43 acres from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed-Use) to allow for the construction of two (2), four (4) story mixed-use buildings, including 32,000 square feet of office, 4,000 square feet of retail, 8,000 square feet of restaurant and four (4) 'For-Sale' condominium units with structured parking. 116 North Main Street is on the City's Contributing Historic Buildings list and is proposed to be saved and re-used as a restaurant. Variances are requested to eliminate stream buffers and reduce setbacks for a dumpster enclosure. The subject property is located at 116 and 126 North Main Street and O Christine Drive on the west side of North Main Street across from the intersection with Cumming Street.
 - The Downtown Master Plan promotes a system of connected streets, including the extension of Cumming Street from North Main Street to Canton Street along an alignment with Lily Garden Place.
 - Access to the site is depicted from a new driveway off North Main Street. The applicant has removed vehicular access to the site from Violet Garden Walk, except that a dumpster would be accessed from Violet Garden Walk.
 - Variances are requested to eliminate stream buffers in order to pipe an intermittent stream and to reduce setbacks for a dumpster enclosure.
 - Parking is not required for the historic building at 116 North Main Street since it is on the City's Contributing Historic Buildings list.
 - The site plan does not reflect any tree saves. The submitted tree assessment indicates that all trees are non-specimen based on their health or structural condition. However, the City Arborist recommends a resistograph full assessment be conducted on two (2) boundary trees #787 (46" Water Oak) and #788 (37" Willow Oak) in order to determine the condition of those trees. In addition, a 14" Oak located west of the existing shed should be saved.
 - The submitted renderings reflect a Mercantile/Mill architectural style, which is approved for use in the Downtown Overlay.
 - The maximum building height allowed in the DT-MU district is 4-stories and 60'. The tallest buildings in the vicinity of the subject property are three (3) stories, including West of Main townhomes and 100 North Main Street which was limited by zoning condition to no more than three (3) stories and 46'. As shown in the table below, the only four (4) story buildings in the Downtown are located in the Central Business District, which is the Downtown Core.
 - The applicant provided a trip generation report, which shows that the proposed development would generate 87 AM Peak Hour trips and 169 PM Peak Hour trips.
 - The applicant commissioned a traffic impact study to determine specific impacts from the proposed development. The study recommends providing a fully signalized access with a dedicated left and a right/through lane. This recommendation modifies the

proposed site plan and changes the existing GDOT construction project. Implementation will require GDOT approval and permits. Analysis of the proposed improvement with projected future traffic conditions result in LOS B.

- The proposed rezoning to DT-MU would not adversely affect the existing use or usability of adjacent or nearby properties, which are primarily developed with a mix of office, retail and residential uses. However, the applicant's proposal impacts a stream and does not include any tree saves. Although DT-MU allows up to 60', the tallest buildings in the vicinity of the subject property are three (3) stories, including West of Main townhomes and 100 North Main Street which was limited by zoning condition to no more than three (3) stories and 46'.
- There are not extraordinary and exceptional conditions pertaining to the property due to its size, shape or topography. However, the property has public right-of-way on three (3) sides which limits placement of the dumpster enclosure. In addition, the zoning proposal saves and re-purposes a historic building and the applicant proposes to mitigate stream buffer impacts with additional runoff reduction/water quality or buffer enhancement. If approved, a condition is recommended to offset impacts requiring that the developer set aside greenspace equivalent to the 25' State stream buffer area.
- 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 was been contacted by surrounding property owners with questions and concerns over increased traffic and access from Violet Garden Walk, setbacks and landscaping on North Main Street and Violet Garden Walk, building architecture and height, uses in the rear building, and concerns over the Cumming Street extension.
- Staff has received emails from West of Main residents with concerns over traffic impacts from the Cumming Street extension, access to the lower deck through Lily Garden Place, building setbacks and landscaping on Violet Garden Walk, building height, and noise from outdoor (including rooftop) commercial activity.
- The CZIM was held on March 9, 2022. There were public comments with questions and concerns over building height, use of the rear building, whether traffic projections included re-use of the historic building, whether the lower parking deck will be open to the public, and setback/landscape along Violet Garden Walk.
- A resident suggested another condition: 26. Deliveries to the property shall be made from the driveway on North Main Street. There shall be no loading on Violet Garden Walk.
- Approve Z-22-02/V-22-08 116 & 126 NORTH MAIN STREET, subject to the following conditions:
 1. The site, consisting of approximately 1.43 acres, shall be zoned DT-MU and developed substantially similar to site plan prepared by AEC, dated 3/18/2022, except for modifications required to comply with the conditions below. Uses shall be limited to office, retail, restaurant and 'For-Sale' residential.
 2. Maximum building height shall be no greater than 3 stories and 46'.
 3. Building 'B' shall be limited to office and residential uses. Rooftop shall be limited to

residential amenity space.

4. A 15' building setback shall be provided on North Main Street and shall include a minimum 5' landscape strip located outside of any easements. A 20' building setback, as measured from the existing right-of-way, shall be provided on Violet Garden Walk and shall include a minimum 15' landscape strip.
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and in compliance with the Alpharetta Downtown Code, subject to approval by the Downtown Consultant and DRB. Openings in parking deck walls shall include decorative screens similar to Teasley Place, with final approval by DRB.
6. The historic building at 116 North Main Street shall be limited to office or restaurant use.
7. 116 North Main Street shall be saved on the property, restored, and designated under the City's Historic Preservation Incentive Ordinance. Restoration shall be completed by the 1st TCO/CO, subject to a Certificate of Appropriateness from the Historic Preservation Commission.
8. Lot coverage shall not exceed 80%. Lot coverage calculation shall be determined based on the land area not including the Cumming Street future right-of-way.
9. Parking deck shall be screened with a mix of landscape materials of varying heights, with final approval by DRB.
10. Decorative lighting and trees shall be placed on the upper deck, with final approval by DRB.
11. Although the road is not being built at this time, developer shall set aside land to accommodate future right-of-way for the Cumming Street extension (as established in a Development Agreement), as depicted on the site plan prepared by AEC, dated 3/18/2022. Area shall be maintained as greenspace until such time that it is improved for the road extension.
12. Final streetscape shall include decorative pedestrian lighting, as approved by Staff.
13. Street trees shall be required in the planter along North Main Street (as approved by GDOT) and Violet Garden Walk, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
14. Amenity space shall be developed on building rooftops and limited to use by the occupants, invitees and guests of the development. Green space amenity areas shall be planted with decorative landscaping, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district.
15. Foundation plantings, consisting of ornamental trees, shrubs, vines and/or grasses, shall be required for buildings with frontage along North Main Street, Cumming Street and Violet Garden Walk.

16. Developer shall conduct a resistograph full assessment for tree #787 (46" Water Oak) and #788 (37" Willow Oak). If trees are in Good condition they shall be saved, as approved by Staff.
 17. Developer shall save a 14" Oak tree located west of the existing shed, if the Cumming Street extension is not constructed.
 18. Decorative paver aprons shall be required at project driveways, as approved by Staff.
 19. 10' sidewalk requirement on Violet Garden Walk shall be reduced to 5' with the remaining 5' added to the landscape area.
 20. Developer shall construct a minimum 5' sidewalk along the Cumming Street extension connecting sidewalks on North Main Street and Violet Garden Walk, as approved by Staff.
 21. Developer shall screen car head lights with sufficient parking deck wall height and landscaping.
 22. Developer shall improve project driveway access to North Main Street based on the recommendations of the traffic study, with final approval by Staff. Access modification shall require a GDOT driveway permit, ICE study, and signal modification for both existing and future GDOT improved condition. If a CO is anticipated post GDOT construction, only final condition required).
 23. Site improvements shall not preclude a possible future vehicular connection between Violet Garden Walk and North Main Street.
 24. Greenspace shall be set aside, not including reserved right-of-way, equivalent to the area of the State 25' stream buffer for the purpose of off-setting impacts from piping the stream. Greenspace may be combined with tree save area.
 25. To mitigate stream buffer impacts, developer shall comply with one or a combination of the following measures, as approved by Staff:
 - a. Provide 50% additional runoff reduction or water quality volume above the standard city requirements.
 - b. Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment / impact. These can include, removing fallen trees from inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.
 - c. Obtain any necessary state and federal approvals for the stream and buffer impacts.
 - d. Or alternative mitigation measures, as approved by Staff.
- The applicant, Steve Rowe, came forward to speak on behalf of this application
 - After meeting with homeowners, we made the deck entrance on the bottom side and removed the access to the parking deck from Violet Garden.
 - The top story is very pulled in.

- We agree with most of the conditions.
- We're getting dinged twice for the same issue with having conditions 24 and 25.
- The Planning Commission discussed the following:
 - This plan is showing a driveway coming in off North Main Street.
 - There is confusion about the amenity space- there is a condition for trees on top of the parking deck. We require tree islands in parking decks.
 - The building in the back would be residential amenities only
 - Wasn't there a condition on 100 North Main that you couldn't build a permanent structure on the roof? Yes- I did not call that out in conditions.
 - So, it will feel like four stories? Yes.
 - We measure from street facing side.
 - Regarding condition 25, is one sufficient to piping this entire stream? It could be one of these or a combination of them. It would have to be final approval by Staff.
 - Can those stream buffers be achieved with the current structure? They cannot.
 - You said you met with the surrounding neighbors. Staff is continually telling you that you have three stories.
 - Do you not agree with condition 2 as written? We will work with the City.
 - We can use the upper level as residential.
 - Is this based on three or four story? It can be either
 - It will be the same footprint? We haven't gotten to that level yet.
 - With the tree saves, it says they will be saved if they are in good condition?
 - It doesn't seem very clear.
 - Would you like more time to work with staff? We are fine with condition 26.
 - 46 feet and three stories- did we have a condition that spoke to no vertical structures be built for 100 North Main? We did, and we could certainly add it. On condition 14, after the first sentence: there shall be no occupiable space on the top floor of the buildings.
 - Is there any construction penalty or fine? There is an ordinance which regulates times and days of the week, but no conditions on duration.
 - It feels like a rush. Maybe more time should be spent.

Public Comment:

- Larry Bracken – 208 Violet Garden Walk
 - Appointed representative.
 - The HOA is generally supportive of the application but opposed to several staff conditions.

- For the most part, we agree with the zoning change and most of the conditions.
- I am encouraging board members to go down to Lily Garden and Violet Garden and see how narrow the streets are. They are true residential streets.
- The issue with the extension- this is the fourth time I've addressed this issue. Our community has consistently opposed the extension. It cannot bear that kind of traffic
- What is the rooftop going to be like?
- What is the time of construction?
- Robert O'Donnell – 134 North Main Street
 - My biggest concern is I share 300 feet with the project.
 - I ask them to consider a side setback of at least 15'
 - I do not believe it is a stream- should be covered and piped.
 - There is a cost to keeping trees that should not be saved.
- Ray Appen – 12630 Charlotte Drive
 - The downtown is in good shape.
 - I Believe we should accommodate less.
 - You can't make Violet Garden wider.
 - We need to be mindful of parking and traffic.
 - I worry of a downtown with no parking spots.
 - I think they should consider not having a curb cut off Lily Garden.
 - Maybe the sanitation truck should come from Highway 9.
- Roy Roberts – 126 North Main Street
 - Mr. Roberts voiced some of his towards the City regarding the land use in Downtown.
- 46 feet and three stories- did we have a condition that spoke to no vertical structures be built for 100 North Main? We did, and we could certainly add it. On condition 14, after the first sentence: there shall be no occupiable space on the top floor of the buildings.
- Is there any construction penalty or fine? Noah's ordinance regulates times and days of the week, but no conditions on duration.
- It feels like a rush. Maybe more time should be spent.
- **Applicant Rebuttal**
 - There is zero setback required, but we are doing a 6' strip.
 - On the aerial where the dumpster is, there will be no vehicular access to the deck, but what about the complex? No. There will be a sidewalk if Cumming Street is extended.
 - Would you be opposed to having the garbage truck come up where the delivery truck would? If we didn't have to move the ramp there, there may have been, but I've run out of real estate on the upper side.

- ❖ Commissioner Stratton offered a motion to table the item until further notice.
 - Commissioner Davis seconded the motion.
 - The motion was approved unanimously (6-0).

D. CLUP-21-06 / Z-21-10 / PH-21-20 / V-22-04 / Alcovy Haynes Bridge + Jon Scott Drive

- Manager Woodman came forward to present this item.
 - The applicant, Alcovy, is requesting a comprehensive land use plan amendment, rezoning and variance to allow for the construction of ten (10) 'For-Sale' single-family detached homes, four (4) 'For-Sale' semi-detached units and five (5) 'For-Sale' townhomes on 2.84 acres in the Downtown. The subject property is located at 340, 350, and 360 Jon Scott Drive and 0 Haynes bridge Road at the southwest corner of Haynes Bridge Road and Devore Road.
 - A comprehensive land use plan amendment is requested to change the future land use designation from Medium Density Residential to Downtown Residential Density, as well as a request to bring the Haynes Bridge Road property into the Downtown Overlay. A rezoning is requested from C-2 (General Commercial) and R-12 (Dwelling, 'For-Sale', Residential) to DT-R (Downtown Mixed-Use) and variances are requested to reduce an undisturbed buffer and modify streetscape standards.
 - The property with frontage on Haynes Bridge Road is undeveloped and the three (3) lots on Jon Scott Drive are developed with single-family detached homes. Surrounding properties are zoned C-2 to the north, R-12 to the west, R-12 and O-I (Office-Institutional) to the south and R-8A/D (Dwelling, 'For-Sale', Attached/Detached – High Density) and O-I to the east. Quik Trip is located to the north, Alpha Park to the west and south, an undeveloped property to the south and, The Atley and Crème de la Crème daycare to the east.
 - The submitted site plan depicts 19 residential units, of which ten (10) are single-family detached homes, four (4) semi-detached units and five (5) townhome units. Dwelling units are two (2) and three (3) stories. The average lot size of the single-family detached lots is 5,393 square feet, 3,038 square feet for semi-detached units and 2,979 square feet for townhome units. Access to the development is from Jon Scott Drive by way of a new private street connecting to private alleys. A ten-foot (10') setback/landscape strip is depicted on Jon Scott Drive, Devore Road, and new internal street and a twenty-foot (20') setback/landscape strip is provided along Haynes Bridge Road. The Alpha Loop is depicted along Haynes Bridge Road and Devore Road, as well as a crossing at Jon Scott Drive and Devore. A six-foot (6') sidewalk is depicted along Jon Scott Drive.
 - Each dwelling unit will have two (2) side-by-side parking spaces within a garage, as well as a Code-compliant driveway accommodating two (2) additional cars. Nine (9) on-street, guest spaces are provided along the new street and alley. The Downtown Code requires 48 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 85 spaces are provided.
 - The site plan depicts 21,273 square feet, or 17%, amenity space within the proposed

development, which includes a pocket park, tree save areas and common area with mail kiosk. The DT-R district requires a minimum 10% amenity space.

- The applicant submitted renderings of the single-family detached homes, which are depicted in the Colonial Revival style. Homes are proposed to be two (2) and three (3) story with chimneys and porches and balconies. According to the applicant, the semi-detached and townhome product will be in the same style. The City's Downtown Consultant had no comments on the applicant's renderings.
- The applicant's proposal is consistent with goals and policies of the Comprehensive Plan as it relates implementing a walkable, mixed-use environment in the Downtown.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent, as well as notification of applicant-sponsored public participation meetings on February 7, 2022 and February 28, 2022. The report states that public feedback was received, which included support for the proposed development, questions regarding the size of homes, and concerns over stormwater runoff, traffic and tree removal.
- CZIM was held on February 9, 2022. There were several public comments with a few in favor and several in opposition with concerns over increased property taxes, density, attached product (should be detached homes only), impacts to tree canopy, traffic, redevelopment of Alpha Park (development should be limited to Haynes Bridge property), and lack of greenspace. There were also questions about price point and unit size, next steps, whether the plan meets the fire marshal's requirements, build-out timeline, and whether Devore Road would be repaved and width increased for bike lanes.
- Approve CLUP-21-06/Z-21-10/PH-21-20/V-22-04 ALCOVY ESTATES HAYNES BRIDGE ROAD, subject to the following conditions:
 1. Approximately 2.84 acres shall be zoned DT-R and developed substantially similar to site plan prepared by Engineering 303, dated 3/18/2022, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
 2. Architecture and materials shall be developed substantially similar to the renderings prepared by Lew Oliver, labeled Exhibit A, subject to final approval by the Downtown Consultant and DRB. Single-family detached homes, semi-detached and townhomes shall have 4-sided architecture, materials and details.
 3. Density shall not exceed 6.7 dwelling units per acre and shall be limited to 'For-Sale' single-family detached, semi-detached and townhomes, with at least 10 single-family detached homes and no more than 5 townhome units, as depicted on the site plan prepared by Engineering 303, dated 3/18/2022.
 4. Developer shall provide a Downtown focal point feature at the southwest corner of Haynes Bridge Road and Devore Road, with final approval by the Cultural Arts Commission and installation prior to the 1st CO. Alcovy Estates HOA shall be responsible for regular maintenance of the focal point feature.
 5. Developer shall provide decorative entrance landscaping (ornamental tree, shrubs

and flowering planting bed) at the southeast and southwest corners of Devore Road and Jon Scott Drive, as approved by Staff. Alcovy Estates HOA shall be responsible for regular maintenance of the entrance landscaping.

6. Location of development signage shall be limited to the project entrance on Jon Scott Drive.
7. A minimum 20' planted buffer shall be provided along the south property line as depicted on the site plan prepared by Engineering 303, dated 3/18/2022, and planted with a mix of evergreen trees and shrubs. Existing trees within the buffer identified to be in Good condition shall be saved, as approved by Staff. Property owner acknowledges that development of the commercial property to the south shall not require a buffer adjacent to the subject property.
8. New internal street and alleys shall be constructed as depicted on the site plan prepared by Engineering 303, dated 3/18/2022, with final approval by Staff.
9. Developer shall improve the Jon Scott Drive streetscape as follows: minimum 6' planter planted with street trees, 6' concrete sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
10. Developer shall improve the Devore Road streetscape as follows: minimum 4' planter (existing 2' planter to be expanded by 2' into the existing sidewalk with tree grate to accommodate street trees) planted with street trees, 8' concrete sidewalk (Alpha Loop), and decorative pedestrian lighting, with final approval by Staff and construction completed prior to the 1st CO. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs. Alpha Loop improvements constructed by the developer exceeding the Downtown sidewalk requirements shall be eligible for impact fee credits, as approved by Staff.
11. Developer shall construct a 12' concrete, accessible multi-use trail (Alpha Loop) through the Haynes Bridge Road right-of-way as depicted on site plan prepared by Engineering 303, dated 3/18/2022, with final alignment, design and materials as approved by Staff and construction completed prior to the 1st CO. Alpha Loop shall include lighting (pedestrian and bollards), landscaping, hardscape and amenities. Wayfinding signage shall be provided at key location(s) along the Alpha Loop, as approved by Staff. Alpha Loop improvements constructed by the developer in excess of Downtown sidewalk requirements shall be eligible for impact fee credits, as approved by Staff.
12. Developer shall provide an enhanced Alpha Loop crossing at Devore Road and Jon Scott Drive, including pedestrian ramps, pavement markings, signage and rapid flashing beacons, as approved by Staff.
13. Developer shall remove the existing sidewalk along Haynes Bridge Road. The planter along Haynes Bridge Road (area between the road and Alpha Loop) shall be planted with street trees and shrubs, as approved by Staff.
14. Landscape strips along Haynes Bridge Road, Devore Road and Jon Scott Drive

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.

15. Project entrance shall include a decorative paver apron, landscaping and low wall.
 16. Front yards shall be framed with a decorative low wall, metal fencing or hedge with columns, as approved by Staff.
 17. Amenity areas shall be developed with a park-like setting with decorative landscaping, hardscape, low walls and seating, as approved by Staff.
 18. Creeping vines shall be planted to cover retaining walls and low walls, as approved by Staff.
 19. Tree save areas shall be saved as depicted on the landscape plan prepared by Frawley Associates, LLC, dated 4/6/2022, with final approval by Staff. Tree grouping of Oaks and Magnolias located at the southeast corner of Devore Road and Jon Scott Drive shall be saved, as approved by Staff. Tree save areas shall be thinned out, cleaned up and re-planted, as approved by Staff.
 20. Minimum 10' planted buffer planted with evergreen trees and shrubs of varying heights shall be provided where the property abuts 370 and 380 Jon Scott Drive, as approved by Staff.
 21. Fences and walls visible from the public right-of-way shall be decorative and shall compliment the architecture of the dwelling, as approved by Staff.
 22. Unfinished wood fences and decks shall not be visible from the street.
 23. HVAC and similar equipment shall not be visible from the public right-of-way.
 24. Fire access shall meet IFC 2018 Appendix D and Fire Hydrants.
 25. Garbage pickup shall be from within the development.
 26. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
- Ethan Underwood came forward to speak on behalf of this application.
 - We worked with Staff on the position of the homes.
 - We do understand this is taking a significant amount of C-2 zoned land.
 - Lots 2-15 are rear, alley-fed homes.
 - We only need the variance deviation on the north side.
 - The biggest concern that we heard from neighbors is that the homes are not like theirs.
 - The Planning Commission discussed the following:
 - In the recent Comp Plan, the Alpha neighborhood did change. The applicant submitted this application before the 2040 plan was adopted.
 - Regarding the tree save on the corner of the property – I was under the impression the

applicant was okay with those conditions.

- For conditions 10 and 12, there are some amendments to those- will those be read into the official record?
- The sewer issue- if it's Fulton County, are these being tied into new lines or existing lines?
- It doesn't seem like we are helping the current problem.
- We must rely on Fulton County for the sewers.
- Stormwater and storm sewers are separate from sanitary pipes. If there is a problem with sanitary sewer pipes, that is completely up to Fulton County. Stormwater will be released at grade.
- The applicant mentioned a fence on Jon Scott property- I didn't see that on the drawing. I am not aware, but we can add that. The applicant confirmed there is an existing fence.

Public Comment:

- Guy Carpenter – 469 Karen Drive
 - I am not too concerned about property value and taxes.
 - I am more concerned about density.
- Randy Blasch – 470 Karen Drive
- When zoning change for Alpha Park was approved it was told there would be no “piece meal”. Development
- I don't feel like enough conversation was had.

• **Applicant Rebuttal:**

- No one has come and spoken from Jon Scott Drive before tonight.
- We think this matches the use.
- Water will be released much slower than it is currently.

❖ Commissioner Perkins offered a motion to approve the item subject to the following conditions, including any amendments that were read into the public comment:

1. Approximately 2.84 acres shall be zoned DT-R and developed substantially similar to site plan prepared by Engineering 303, dated 3/18/2022, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.

2. Architecture and materials shall be developed substantially similar to the renderings prepared by Lew Oliver, labeled Exhibit A, subject to final approval by the Downtown Consultant and DRB. Single-family detached homes, semi-detached and townhomes shall have 4-sided architecture, materials and details.

3. Density shall not exceed 6.7 dwelling units per acre and shall be limited to 'For-Sale' single-family detached, semi-detached and townhomes, with at least 10 single-

family detached homes and no more than 5 townhome units, as depicted on the site plan prepared by Engineering 303, dated 3/18/2022.

4. Developer shall provide a Downtown focal point feature at the southwest corner of Haynes Bridge Road and Devore Road, with final approval by the Cultural Arts Commission and installation prior to the 1st CO. Alcovy Estates HOA shall be responsible for regular maintenance of the focal point feature.

5. Developer shall provide decorative entrance landscaping (ornamental tree, shrubs and flowering planting bed) at the southeast and southwest corners of Devore Road and Jon Scott Drive, as approved by Staff. Alcovy Estates HOA shall be responsible for regular maintenance of the entrance landscaping.

6. Location of development signage shall be limited to the project entrance on Jon Scott Drive.

7. A minimum 20' planted buffer shall be provided along the south property line as depicted on the site plan prepared by Engineering 303, dated 3/18/2022, and planted with a mix of evergreen trees and shrubs. Existing trees within the buffer identified to be in Good condition shall be saved, as approved by Staff. Property owner acknowledges that development of the commercial property to the south shall not require a buffer adjacent to the subject property.

8. New internal street and alleys shall be constructed as depicted on the site plan prepared by Engineering 303, dated 3/18/2022, with final approval by Staff.

9. Developer shall improve the Jon Scott Drive streetscape as follows: minimum 6' planter planted with street trees, 6' concrete sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.

10. Developer shall improve the Devore Road streetscape as follows: minimum 4' planter (existing 2' planter to be expanded by 2' into the existing sidewalk with tree grate to accommodate street trees) planted with street trees, 8' concrete sidewalk (Alpha Loop), and decorative pedestrian lighting, with final approval by Staff and construction completed prior to the 1st CO. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs. Alpha Loop improvements constructed by the developer exceeding the Downtown sidewalk requirements shall be eligible for impact fee credits, as approved by Staff.

11. Developer shall construct a 12' concrete, accessible multi-use trail (Alpha Loop) through the Haynes Bridge Road right-of-way as depicted on site plan prepared by Engineering 303, dated 3/18/2022, with final alignment, design and materials as approved by Staff and construction completed prior to the 1st CO. Alpha Loop shall include lighting (pedestrian and bollards), landscaping, hardscape and amenities. Wayfinding signage shall be provided at key location(s) along the Alpha Loop, as approved by Staff. Alpha Loop improvements constructed by the developer in excess of Downtown sidewalk requirements shall be eligible for impact fee credits, as approved by Staff.

12. Developer shall provide an enhanced Alpha Loop crossing at Devore Road and

Jon Scott Drive, including pedestrian ramps, pavement markings, signage and rapid flashing beacons, as approved by Staff.

13. Developer shall remove the existing sidewalk along Haynes Bridge Road. The planter along Haynes Bridge Road (area between the road and Alpha Loop) shall be planted with street trees and shrubs, as approved by Staff.

14. Landscape strips along Haynes Bridge Road, Devore Road and Jon Scott Drive 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.

15. Project entrance shall include a decorative paver apron, landscaping and low wall.

16. Front yards shall be framed with a decorative low wall, metal fencing or hedge with columns, as approved by Staff.

17. Amenity areas shall be developed with a park-like setting with decorative landscaping, hardscape, low walls and seating, as approved by Staff.

18. Creeping vines shall be planted to cover retaining walls and low walls, as approved by Staff.

19. Tree save areas shall be saved as depicted on the landscape plan prepared by Frawley Associates, LLC, dated 4/6/2022, with final approval by Staff. Tree grouping of Oaks and Magnolias located at the southeast corner of Devore Road and Jon Scott Drive shall be saved, as approved by Staff. Tree save areas shall be thinned out, cleaned up and re-planted, as approved by Staff.

20. Minimum 10' planted buffer planted with evergreen trees and shrubs of varying heights shall be provided where the property abuts 370 and 380 Jon Scott Drive, as approved by Staff.

21. Fences and walls visible from the public right-of-way shall be decorative and shall compliment the architecture of the dwelling, as approved by Staff.

22. Unfinished wood fences and decks shall not be visible from the street.

23. HVAC and similar equipment shall not be visible from the public right-of-way.

24. Fire access shall meet IFC 2018 Appendix D and Fire Hydrants.

25. Garbage pickup shall be from within the development.

26. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

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

E. MP-22-01 / Bridge Road Holdings

This item was deferred by the applicant until the May 5, 2022 Planning Commission meeting. It was not heard or considered during the April 14, 2022 meeting.

VIII. ADJOURNMENT

- Vice-Chair Brady adjourned the meeting at 11:51 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator