



Planning Commission Meeting May 5, 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 6:30 p.m.

II. ROLL CALL

- **Planning Commissioners present:**
 - Francis Kung'u (Chair)
 - Jill Reynolds
 - Todd Stratton
 - Dana Davis
 - William Perkins
 - Martine Zurinskas
- **Planning Commissioners Absent**
 - Fergal Brady, Vice-Chair
 - Jamie Bendall (Alternate)
 - Valerie Manley (Alternate)
- **Staff present:**
 - Michael Woodman, Planning + Development Services Manager
 - Eric Graves, Senior Engineer, Development Services
 - Alexandra Callum, Planning + Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Zurinskas offered a motion to approve the Planning Commission Meeting Minutes from April 14, 2022.
 - Commissioner Reynolds second the motion.
 - The motion was approved unanimously (6-0).

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

A. MP-22-02 / CU-22-01 / Bright Path Academy / 12395 Morris Road

- Manager Woodman came forward to present this item.
 - The applicant, Bright Path Academy of Georgia, is requesting a master plan amendment and conditional use to allow a 'School, Academic' use for Bright Path Academy in a 11,150 square foot existing office building on 1.4 acres. An amendment to the Professional Turf Supply Master Plan is requested to add the proposed use. The subject property is located at 12395 Morris Road.
 - UDC Section 1.4.2 defines 'School, Academic' as, "Any building or part thereof which is designed, constructed or used for education or instruction following the same curriculum offered in a public elementary, secondary, trade or technical, or higher education facility, and accredited to award diplomas as such." The use is permitted by-right in the C-1 (Neighborhood Commercial), C-2 (General Commercial), LI (Light Industrial) and SU (Special Use) districts and as a conditional use in the CUP, O-I (Office-Professional), O-P and MU (Mixed-Use) districts. It can also be a Conditional Subordinate use in the PSC (Planned Shopping Center) district.
 - Bright Path Academy of Georgia is a not-for-profit school for children with special needs. The academy will provide educational services for students in grades 6-12 and will follow a typical school calendar year. The students will comprise mostly of non-verbal children with an autism diagnosis and sensory processing disorders. Initially expected enrollment will be approximately ten (10) students beginning in August 2022 with an eventual student population of approximately 30 children. School hours of operation will range from 8:00 AM to 4:00 PM, Monday through Friday. The student to teacher population is going to be one (1) teacher to three (3) students. The draft floor plan for utilizing the existing building shows a large open room for use as a recreational space for students.
 - The CZIM was held on April 13, 2022. There were no public comments.
 - Approve MP-22-02/CU-22-01 Bright Path Academy of Georgia, subject to the following conditions:
 1. Add 'School, Academic' to the Professional Turf Supply Master Plan as a conditional use.
 2. 'School, Academic' use shall be added as a conditional use at 12395 Morris Road and limited to no more than 11,150 square feet.
 3. Conditional use approval shall be limited to Bright Path Academy of Georgia; no additional 'School, Academic' businesses or subleasing shall be permitted within the approved space.
 4. In the future if an outdoor recreational area is contemplated, it shall be limited to the north side of the building and the 50' buffer adjacent to the residential property shall be maintained.
 5. Prior conditions of approval related to the Professional Turf Supply Master Plan shall remain in effect.
- The applicant, Thane Brooks, came forward to speak on behalf of this application.
 - Bright Path is brand new. We are a startup school.
 - When the students are outside, they will be supervised by a teacher.
 - I have already hired a head of school, and we are working on a school calendar.
- The Planning Commission discussed the following:
 - How long has Bright Path been in existence?
 - About the outdoor recreational use, can you show me where that is? We are trying to keep it further from residential areas, if possible.
 - Have you done this before? No. I saw that this need wasn't being met in schools.
 - Will you have a cafeteria? No, not at this point. We will come back to the city with an architectural plan.

- I commend you on this. I have a child with special needs and understand the importance of this.

Public Comment:

- There were no public comments for this item.
 - ❖ Commissioner Davis offered a motion to approve the item as presented today, with the following conditions by Staff:
 1. Add 'School, Academic' to the Professional Turf Supply Master Plan as a conditional use.
 2. 'School, Academic' use shall be added as a conditional use at 12395 Morris Road and limited to no more than 11,150 square feet.
 3. Conditional use approval shall be limited to Bright Path Academy of Georgia; no additional 'School, Academic' businesses or subleasing shall be permitted within the approved space.
 4. In the future if an outdoor recreational area is contemplated, it shall be limited to the north side of the building and the 50' buffer adjacent to the residential property shall be maintained.
 5. Prior conditions of approval related to the Professional Turf Supply Master Plan shall remain in effect.
 - Commissioner Reynolds seconded the motion.
 - The motion was approved unanimously (6-0).

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

- ❖ Commissioner Zurinkas offered a motion to remove Z-22-02 / V-22-08 / 116 + 126 North Main Street from the table.
 - Commissioner Stratton seconded the motion.
- 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 0 Christine Drive on the west side of North Main Street across from the intersection with Cumming Street.
 - 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%.
 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. Occupiable vertical structures shall be prohibited on rooftops. Greenspace 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. Decorative paver aprons shall be required at project driveways, as approved by Staff.
 18. 10' sidewalk requirement on Violet Garden Walk shall be reduced to 5' with the remaining 5' added to the landscape area.
 19. 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.
 20. Developer shall screen car head lights with sufficient parking deck wall height and landscaping.
 21. 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).
 22. Site improvements shall not preclude a possible future vehicular connection between Violet Garden Walk and North Main Street.
- The applicant, Brent Beecham, came forward to speak on behalf of this application.
 - The back of the building will now face a detention pond.
 - We used what used to be the roundabout to plant more trees.
 - We are 2-3 feet below Lily Garden Lane.
 - The two trees were rated in poor condition.
 - Regarding the dumpster, we haven't had time to engineer the location yet. We will probably be able to move it up the hill.
 - The Planning Commission discussed the following:
 - It was previously determined the stream was intermittent and that was a 75' buffer. This determination was made by Jill Bazinet, Stormwater Engineer. She relooked at the stream and determined that due to construction activity to the south, the base flow of the stream has been taken away and is no longer a required buffer stream.
 - Regarding the planting plan and request for the change to condition 16, we believe it is a reasonable

request to remove the two existing trees.

- The applicant plans to get a resistograph done prior to the city council meeting.
- The resistograph will tell us if it's a live, healthy tree.
- If Council pursues the extension of Cumming Street, the entrance will have to move to Violet Garden Walk. If condition 22 is left in, the applicant would have to come back to Council to get condition 1 changed.
- There is a big difference. I appreciate the alignment of the buildings and the proposed landscaping.
- Has staff determined if 21 trees are sufficient? The city arborist looked at the planting plan and acknowledges that.
- On condition 9- are we 100% there will be some serious landscape screening on the slope? That was the purpose we had for condition 9. It would apply to those areas as well.
- I urge the applicant to get the results of the resistograph test before council.
- The trees can be a potential public safety risk.
- One homeowner claims limbs fall from trees 6-8 times per year, some large enough to dent cars
- Is the extension GDOT or Alpharetta? It would be Alpharetta
- What can citizens do during construction? They can always reach out to the community development. Contractors needs to work with the private property owners if any damage occurs.
- If we strike condition 22, we are saying we are not going according to our master plan. I think 1 clarifies it. The site plan doesn't preclude the extension of Cumming Street, but the issue with not striking condition 22 is that condition 1 restricts it to the current site plan.
- When is the anticipated review of the master plan? Probably in another three years, or City Council can instruct staff to bring changes at any time.
- Removing number 22 and keeping the date on 1 but striking the words.
- The developer is okay with the changes.

Public Comment:

- Larry Bracken – 208 Violet Garden Walk
 - I am not authorized to speak for the communities, but I have had conversations with them.
 - I commend this developer. They have gone above and beyond to get our views and work with us.
 - Our community is generally in favor of this project.
 - The principle concern we expressed and has been addressed is the traffic on Lily Garden and Violet Garden- please keep the traffic off here.
 - We are in favor of the tree plan.
 - We see how condition 22 makes sense.
 - We'd like to talk about the location of the dumpster.
 - Brian Richey – 204 Violet Garden Walk
 - We're not against growth.
 - We appreciate and believe in the developers. They respect our neighborhood.
 - We appreciated Commissioner Reynolds' comments about our neighborhood. It made us feel understood.
 - Matt Street – 1105 Taylor Oaks Drive
 - We do want the Cumming Street extension.
 - Our building was designed for that extension.
 - I don't believe it will generate that kind of traffic based on the number of parking spaces.
 - Maybe we should update traffic information to help residents feel more comfortable.
- ❖ Commissioner Zurinkas offered a motion to approve the item with the conditions approved today, with the following changes:
1. On condition 1, leave the date "4/28/2022", but strike the added language "or site modifications due to the future extension of Cumming Street."
 2. On condition 11, update the date.

3. On condition 16, leave the red as presented but striking the black text, so that it reads: "Developer shall remove tree #787 (46" Water Oak) and #788 (37" Willow Oak) and in exchange will plant 21 – 6" caliper overstory trees on the property at final development.
4. Remove condition 22.
 - Final 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~~ 4/28/2022, 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%.
 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~~ 4/28/2022. 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. Occupiable vertical structures shall be prohibited on rooftops. Greenspace 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. Developer shall remove tree #787 (46" Water Oak) and #788 (37" Willow Oak) and in exchange will plant 21 – 6" caliper overstory trees on the property at final development.~~

17. Decorative paver aprons shall be required at project driveways, as approved by Staff.

18. 10' sidewalk requirement on Violet Garden Walk shall be reduced to 5' with the remaining 5' added to the landscape area.

19. 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.

20. Developer shall screen car head lights with sufficient parking deck wall height and landscaping.

21. 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).

~~22. Site improvements shall not preclude a possible future vehicular connection between Violet Garden Walk and North Main Street.~~

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

VII. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator