



## Board of Zoning Appeals Meeting April 21, 2022

Community Development  
ALPHARETTA CITY HALL | 2 PARK PLAZA  
5:30 PM

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### I. CALL TO ORDER

- Planning + Zoning Coordinator Alexandra Callum called the meeting to order at 5:30 p.m.

### II. SWEARING-IN

- Mike Stacy, the City Attorney, swore in board members Marc Gelber, Michael Gordy, and Mike Perry.

### III. ROLL CALL

- **Board of Zoning Appeals Members present:**
  - Marc Gelber, Chair
  - Michael Simmons
  - Donna Murphy
  - Lisa Shippel
  - Michael Gordy
  - Mike Fowler
  - Anne Holcombe
  - Mike Perry
- **Board of Zoning Appeals Members absent:**
  - Scott Wharton, alternate
  - Cliff Cobb, alternate
- **Staff present:**
  - Michael Woodman, Planning + Development Services Manager
  - Alexandra Callum, Planning + Zoning Coordinator
  - James Drinkard, Assistant City Administrator
  - Mike Stacy, City Attorney

#### IV. PLEDGE TO THE FLAG

#### V. APPROVAL OF MEETING MINUTES

- ❖ Chairman Gelber made a motion to defer the meeting minutes of February 17, 2022 to correct the errors.

#### VI. ITEMS FROM BOARD MEMBERS

#### VII. ITEMS FROM STAFF

#### VIII. PUBLIC HEARING

##### A. V-22-01 / Arthritis & Rheumatology Center / 11731 Pointe Place

- Manager Woodman came forward to present this item.
  - The applicant, Kelly Wagoner, is requesting consideration of a variance to reduce the required landscape strip adjacent to Pointe Place from ten feet (10') to five feet (5') and the landscape strip adjacent to the neighboring property from five feet (5') to three feet (3') in order to construct a parking lot. The parking lot would be constructed parallel with Pointe Place and would utilize an eleven-foot (11') drive aisle as opposed to the code required twelve-foot (12') wide drive aisle. The subject property is located at 11731 Pointe Place which is on a public cul-de-sac street containing several small medical office buildings.
  - The 1.67-acre property is zoned O-I (Office-Institutional) and developed with a single-story, 8,820 square foot medical office building. Surrounding properties are zoned O-I to the north and south, a residential neighborhood in Roswell to the west and PSC (Planned Shopping Center) to the east containing the former Whole Foods property.
  - The office tract meets the minimum requirement with forty-five (45) parking spaces provided. The applicant is seeking to add nine (9) parallel parking spaces to the eastern or undeveloped tract which would be utilized as staff parking. This would then free up spaces on the office tract for use by customers.
  - The applicant notified adjacent property owners of the variance request and intent for the property.
  - Staff has reviewed the applicant's proposal and generally supports the variance requests. The property has a hardship with the fact that one-third of the site, or more than 0.5-acres, is contained within a thirty-foot (30') wide strip of land. The applicant has shown the ability to replant a narrower landscape strip adjacent to Pointe Place.
  - Approve V-22-01 Arthritis & Rheumatology Center – 11731 Pointe Place Variance, subject to the following conditions:
    1. Parking lot shall be permitted as depicted on the plans prepared by Buckel Design Group LLC, revised 1/27/22 and with a 5' street landscape strip, adjoining property landscape strip of 3' and an 11' drive aisle.
    2. Developer shall work with City Staff to incorporate additional landscaping within the 3' adjoining property landscape strip.
    3. Developer shall provide two rows of shrubs adjacent to Pointe Place.
    4. Developer shall install additional shrubs, natural grasses or other ground cover

within parking lot tree islands.

5. If necessary, trees planted within the street landscape strip may extend into the city right-of-way (ROW). Any trees planted as part of this project within the ROW will be the responsibility of this property owner for maintenance and replacement.
- The applicant's attorney, Paul Mitchell, came forward to speak on behalf of this application.
    - We are okay with Staff's conditions.
    - This is a busy medical practice.
    - Trees were planted a few years ago when the site was first developed, and some will need to be removed.
    - We approached both property owners asking about sharing parking spots, but they both needed their spots.
    - The strip of land is owned by the applicant.
    - Lighting won't be disturbed.
    - There is no question about the ownership. We wouldn't be able to be here if we didn't fully own it.
  - The Board of Zoning Appeals discussed the following:
    - How does this affect ratios for impervious surface? 70%
    - How many employees? I am not sure.
    - The applicant may have a better idea of the support or objection received.
    - Are there any restrictions for or against as far as employee signage?
    - Regarding the one objection- is there any merit? I don't believe so, but the engineer that put together the plan for the applicant should be able to address that.
    - Do you have extra parking on site, but the need is for patients to be closer to the building? No, we've been using other spots off this one parcel. There are times when every spot is taken, and people are encroaching on adjacent properties.
    - How many parking spaces per square foot? What was required when the building was built and how does this set precedent for future medical office requests? 1 per 200 square feet for medical. They made the minimum requirement.
    - How long has the client owned the building? The final open date was in 2020.
    - Were the lots purchased individually? I believe it was purchased as one deed.
    - Was this parcel ever owned by the HOA? The only common area is related to the stormwater.

#### Public Comment:

- Carl Hiselman – one of the owners of the building
  - I haven't seen the parking problem that is being discussed.
  - This is two lots, not one.
  - It will change the aesthetics and affect the entire strip.
  - I disagree on the ownership of the property. I believe it is owned by the HOA.
- ❖ Board member Perry offered a motion to approve the item subject to all conditions as set forth by Staff, which include:
  1. Parking lot shall be permitted as depicted on the plans prepared by Buckel Design Group LLC, revised 1/27/22 and with a 5' street landscape strip, adjoining property landscape strip of 3' and an 11' drive aisle.
  2. Developer shall work with City Staff to incorporate additional landscaping within the 3' adjoining property landscape strip.

3. Developer shall provide two rows of shrubs adjacent to Pointe Place.
4. Developer shall install additional shrubs, natural grasses or other ground cover within parking lot tree islands.
5. If necessary, trees planted within the street landscape strip may extend into the city right-of-way (ROW). Any trees planted as part of this project within the ROW will be the responsibility of this property owner for maintenance and replacement.
  - Board Member Holcombe seconded the motion.
  - The motion was approved unanimously (7-0).

## IX. ADJOURNMENT

- Chairman Gelber adjourned the meeting at 6:15 p.m.

Respectfully submitted,

*Alexandra Callum*

Alexandra Callum, Planning + Zoning Coordinator