



1. CALL TO ORDER

Elle Taylor, Planning & Zoning Coordinator, called the meeting to order.

- ❖ Commissioner Perkins nominated Commissioner Jill Reynolds as Chair for this meeting. Commissioner Reynolds accepted the nomination.
- Commissioner Reeves seconded the nomination.
- The vote was (6-0 -1) (Reynolds abstained)

a. Chair Reynolds welcomed Commissioner Jeremy Scott.

2. ROLL CALL

- o Jill Reynolds (Chair)
- o D.C. Aiken
- o William Perkins
- o Jeremy Scott
- o Todd Stratton
- o Valerie Manley
- o Katie Reeves

A. Commissioners Absent

- o Francis Kung'u
- o Martine Zurinkas

B. Staff present:

- o Kathi Cook, Director of Community Development & Economic Development
- o Michael Woodman, Planning + Development Services Manager
- o Nikisha Mistry, GIS Specialist/Planner
- o Elle Taylor Planning & Zoning Coordinator

3. APPROVAL OF MEETING MINUTES

a. Approve Meeting Minutes from January 4, 2024

- ❖ Commissioner Perkins offered a motion to approve.
- Commissioner Aiken seconded the motion.

- The motion carried (7-0)

4. ITEMS FROM BOARD MEMBERS
5. ITEMS FROM STAFF
6. PUBLIC HEARING

a. **Z-24-03/CU-24-03/V-24-03 Mamita's Cantina & Tacos/312 North Main Street**

Michael Woodman, Planning & Development Manager, presented consideration of a rezoning, conditional use, and variance to allow for the construction of a 2-story, 4,000 square foot building to be used for a restaurant and professional office on 0.59 acres in the Downtown. A rezoning is requested from O-I (Office-Institutional) to DT-LW (Downtown Live-Work), and a conditional use is requested to allow Mamita's Cantina & Tacos to operate a 'Restaurant' on the subject property. A variance is requested to allow a stormwater facility within a 50' undisturbed buffer. The property is located at 312 North Main Street and is legally described as being located in Land Lot 1197, 2nd District, 2nd Section, Fulton County, Georgia.

The applicant, Linda Lopez, is requesting a rezoning, conditional use, and variance to allow for the redevelopment of the property with a two (2) story, 4,028 square foot building to be used for a sit-down restaurant and professional office on 0.59 acres in the Downtown. A rezoning is requested from O-I (Office-Institutional) to DT-LW (Downtown Live-Work), and a conditional use is requested to allow a 'Restaurant' for Mamita's Tacos & Cantina. A variance is requested to allow a stormwater feature in a 50' undisturbed buffer. The subject property is located at 312 North Main Street on the west side of North Main Street and north of Mayfield Road.

The 0.59-acre property was developed in 1940 with a one (1) story, 1,275 square foot building originally used as a single-family home. Surrounding properties are zoned O-I to the north, east and south and R-15 (Dwelling, 'For-Sale', Residential) to the west. O'Neal Smiles (dental office) is located to the north, a former chiropractic center is located to the east, Pavlova by Marian Bakery has been approved to the south and an unplatted single-family residential lot to the west. The comprehensive land use designation of the property is 'Mixed Use Live Work', which allows the proposed zoning and uses.

A variance is requested from Unified Development Code (UDC) Subsection 3.2.8(B) Tree Replanting, Buffer, and Landscape Standards, Buffer Requirements requiring a 50' undisturbed buffer where a commercial property abuts a residential property. The applicant's site plan depicts a catchment area and storm drain within the 50' buffer at the rear of the property. The applicant provided a landscape plan depicting the graded portion of the 50' buffer to be replanted with evergreen landscape material.

A conditional use is requested to allow a 'Restaurant' (no drive through) for Mamita's Tacos & Cantina. The new business is proposed to occupy approximately 2,900 square feet on the first floor of the building, as well as a 900 square foot outdoor seating area. As stated in the application, Mamita's Tacos & Cantina is a full-service restaurant serving authentic Mexican street food. The business anticipates approximately ten (10) employees and will have hours of operation from Sunday – Thursday 11:00 AM – 9:00 PM and Friday – Saturday 11:00 AM – 11:00 PM.

- Site Plan
- Parking – 14 spaces exceed the required 11 spaces per code.
- Tree Saves
- Location of Dumpster
- Amenity Space
- Mercantile Mill Style
- Downtown Consultant gave comments, but Applicant did not make all the changes suggested.
- Stormwater Plan.
- Pervious Pavers.

There was discussion from the Board:

- Tree Replacement Plan
- Catchman basin area of Storm Drain
- Driveway in back of property
- Pervious Pavers in the driveway
- Amount of parking spaces
- Maintenance Requirements of Storm Drain
- Will there be a median on Hwy 9?
- Full access entry.
- Restaurants in the area – it was a residential corridor but has now converted to office/medical.
- Screening for headlights into nearby properties.

Linda Lopez, the Applicant, presented.

- History with Alpharetta.
- Walkability of property near residential.
- Limited menu.
- Showed pictures of existing property with blight issues.
- Vacant former Medical Office.
- Will improve buffer.

There was discussion from the Commission:

- Signage.
- Parking location for employees.
- Office space above restaurant.
- Downtown Consultants comments.

Public Comment:

In Favor:

1. Yalexis Severit, 285 pebble Trail, Alpharetta, GA
2. Dr. Brandon O'Neal, 322 North Main Street, Alpharetta, GA.

Reasons:

1. Much better than existing blight of the property.
2. Harmonious w surrounding uses.
3. Offer to lease parking spaces if needed.
4. Fresh, new business.

In Opposition:

1. Judy Sanderson, 319 Canton St., Alpharetta. GA

Concerns:

1. Impact on value of her property.
2. Rear buffer variance.
3. Noise.
4. Odors.
5. Light pollution.
6. Impact on privacy and security.
7. Requested no windows on the 2nd floor of rear elevations.
8. Requested Underground waste management.

Chris Partain, Project Engineer and Linda Lopez, Applicant offered a rebuttal:

- Parking is geared toward walk ability and exceeds required spaces.
- Secured offsite parking.
- Explained Stormwater System.
- Vegetation will be thick on property line.
- Does not think headlights will be an issue.
- There will be venting to keep odors away from residential.
- There will be no live music.
- Employee break area will be in confined area.
- There will not be a sign in the back of the building.
- Gave location of grease trap.
- Did not agree to request for metal fence or no windows in back of restaurant.

There was discussion from the Commission:

- DT Consultant's Comments must be followed.
- Existing restaurants from Academy Street to Mayfield Street.
- Concerned with dumpster location.
- May not be a good fit near the Garden District.
- If Hwy 9 was complete, would this application be being discussed.
- Parking Issues.
- Signage.
- Potential for vermin & odors even with vegetative screening.
- May be good use for a blighted piece of property.
- Enclosed Dumpster location after 50 ft buffer from the rear property line.
- Landscape plan with revegetation behind the dumpster.

Staff recommended approval subject to 22 conditions with the redlined changes below.

Approve Z-24-03/CU-24-03/V-24-03 Mamita's Tacos & Cantina/312 North Main Street, subject to the following conditions:

1. Approximately 0.59 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by Partain Engineering, LLC, dated ~~12/5/23~~ 1/30/24., except for modifications required to comply with the conditions below.

2. Architecture and materials shall be substantially similar to the submitted renderings, labeled Exhibit B, and developed in compliance with the Downtown Code building design regulations and Downtown Consultant comments, subject to final approval by DRB. Building shall have 4-sided architecture, materials, and details.
3. Decorative skirting to complement the primary building shall be required around the elevated outdoor seating deck, with final approval by DRB.
4. 'Restaurant' (with no drive through) shall be added as a conditional use at 312 North Main Street and limited to no more than 2,910 square feet on the first floor of the building and ~~900 745~~ 5 square foot outdoor seating area. Professional office space shall be limited to no more than 1,118 square feet.
5. Conditional use approval shall be limited to Mamita's Tacos & Cantina; no additional 'Restaurant' use or subleasing shall be permitted within the approved space.
6. Hours of operation shall be limited to Sunday – Thursday 11:00 AM – 9:00 PM and Friday – Saturday 11:00 AM – 11:00 PM.
7. A 50' planted buffer shall be provided at the rear of the property with grading and tree removal limited to the area depicted on the landscape plan prepared by Bilson & Associates, dated ~~11/30/23~~. ~~1/30/24~~ Buffer shall be replanted to City buffer standards and shall include similar landscape material, as depicted on the landscape plan prepared by Bilson & Associates, dated ~~11/30/23~~, ~~1/30/24~~ with final approval by Staff. A catchment area and storm drain shall be permitted within the 50' buffer.
8. North Main Street streetscape shall include decorative pedestrian lighting, as approved by Staff.
9. Minimum 10' landscape strip shall be provided along North Main Street. Landscape strip 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 DRB.
10. Minimum 5' landscape strips along the north and south property lines shall be planted with a mix of evergreen and hardwood trees and shrubs, as approved by DRB.
11. Project entrance shall include decorative landscape and hardscape, as approved by DRB.
12. Open space shall be developed substantially similar to the site plan prepared by Partain Engineering, LLC, dated ~~12/5/23~~, ~~1/30/24~~ as approved by Staff. On-grade open space shall be developed with a park-like setting with decorative landscape, hardscape, and seating. Landscape material shall include plant selections promoting the historic Downtown.
13. Developer shall plant Creeping Phlox (pink or white) at the top of the GDOT wall along the property frontage, with final approval by DRB. Creeping vines shall be planted to cover other retaining and low walls located on the property, with final approval by DRB.
14. Developer shall save tree #121 (28" Water Oak) and shall make efforts to save tree #120A (25" China fir) if CRZ impacts can be limited to no more than 20%. Construction within the critical root zone of saved trees shall be limited to no more than 20% encroachment and shall be accomplished using innovative techniques to bridge over the root zones, as approved by Staff.
15. Dumpster enclosure shall be brick to match the primary building and shall have an opaque decorative metal gate, with final approval by DRB.
16. Venting for the restaurant shall be directed away from the adjacent residential properties to the rear.
17. Live music shall be limited to the interior of the building. Outside speakers for music shall be limited to the outdoor seating area at the front of the building and shall not be audible from the adjacent residential properties.
18. Employee break area shall be limited to the interior of the building or a designated outdoor area within 10' of the building.
19. Signage on the rear of the building shall not be illuminated.

20. To minimize impacts to nearby residential properties, grease trap shall be located as close as possible to the exterior of the building, with final approval by Staff.
21. Decorative metal fence shall be provided between the parking lot and planted buffer and shall extend from side property line to side property line, as approved by DRB.
22. Site lighting in the rear parking lot shall be on a timer with lights turned off at 10:00 PM Sunday – Thursday and 12:00 AM Friday – Saturday.

❖ Commissioner Stratton offered a motion to approve subject to the conditions as read by Mr. Woodman with the following edits – on

Condition #1 change the site plan date to 1/30/24

Condition # 4 change the outdoor sf from 900 to 745.

Condition # 7, remove reference to the Landscape Plan dated 11/30/23 and instead say revised to 1/30/24 and there is a second reference, and we would also like to change that to revised to 1/30/24.

Condition # 12 change references to the site plan to 1/30/24.

- Commissioner Reeves seconded the motion.
- The motion failed (3-4) (Stratton, Reeves, Scott) (Reynolds, Aiken, Perkins, Manley)

There was discussion during the motion about the 50ft buffer being a good buffer and other issues being addressed by the Council meeting.

- ❖ Commissioner Perkins offered a motion to deny.
- Commissioner Aiken seconded the motion.
 - The motion carried (4-2) (Perkins, Reeves, Reynolds, Manley) (Stratton, Scott)

b. MP-24-01/CU-24-02 The Golf Sanctuary

Michael Woodman, Planning & Development manager, presented consideration of a master plan amendment and conditional use to allow a 'Restaurant' and 'Recreation Facilities, Indoor' business to operate in an existing 20,450 square foot building. A master plan amendment is requested to the North Point Mall Master Plan to add 'Recreation Facilities, Indoor' and a conditional use is requested to allow 'Recreation Facilities, Indoor' for The Golf Sanctuary. The property is located at 380 North Point Circle and is legally described as being located in Land Lots 741 & 742, 1st District, 2nd Section, Fulton County, Georgia.

The applicant, Candace Shriver, is requesting a master plan amendment and conditional use to allow The Golf Sanctuary to re-use a 20,450 square foot building on 2.18 acres in the North Point Overlay. The Golf Sanctuary is an entertainment use consisting of indoor golf simulators and a restaurant. The building was previously occupied by Total Wine. A master plan amendment is requested to add 'Recreation Facilities, Indoor' to the North Point Mall Master Plan and a conditional use is requested to allow 'Recreation Facilities, Indoor' for The Golf Sanctuary. The subject property is located at 380 North Point Circle on the north side of North Point Parkway and between the North Point Mall access driveways.

The submitted request, if approved, would allow the applicant to operate a 'Recreation Facilities,

Indoor' and 'Restaurant' in a 20,450 square foot building formerly occupied by Total Wine. A master plan amendment is requested to the North Point Mall Master Plan to add 'Recreation Facilities, Indoor' as a conditional use and a conditional use is requested to allow 'Recreation Facilities, Indoor' for The Golf Sanctuary.

The Golf Sanctuary is an indoor golf recreational facility with sit down restaurant and bar. The business offers corporate and family memberships, which includes 24-hour access to the golf simulators. The Golf Sanctuary has an existing location in Brentwood, Tennessee and the proposed location would be the first in Georgia. Staffed hours of operation are Monday – Sunday 7:00 AM – 10:00 PM. According to the applicant, peak demand outside of staffed hours are between 4:00 AM – 7:00 AM. Access to the golf simulators, outside of regular business hours, is managed through a mobile smart phone app. The applicant anticipates approximately 20-25 employees.

The Golf Sanctuary proposes to re-use the former Total Wine building, which includes aesthetic changes to the exterior, and interior renovations. The site plan depicts the 20,450 square foot building to remain. In addition, the existing driveway and shared driveway on North Point Circle will continue to service the property. There are 114 parking spaces existing on the property, of which all will remain except for eight (8) spaces that will be converted to parking lot landscape islands. Unified Development Code (UDC) parking requirements are calculated in the table below, which includes a required 20% parking reduction for properties located in the North Point Overlay. The applicant's site plan exceeds the minimum parking requirement for the proposed use.

The applicant's proposal does not trigger compliance with North Point open space or EcoDistrict measures. However, the applicant has committed to providing Sustainable Landscaping (1 EcoDistrict point) for all new landscaping provided and Alternative Transportation (1-2 EcoDistrict points) to include van pool and ride share designated parking spaces. In addition, approximately 1,590 square feet of open space will be added to the site with the conversion of eight (8) parking spaces to parking lot landscape islands.

The applicant submitted renderings and a floor plan depicting the re-use of the former Total Wine building. The floor plan depicts fourteen (14) golf simulator bays, a 6,600 square foot restaurant and bar, and 6,300 square feet of indoor recreation support area. The renderings depict aesthetic enhancements to the exterior of the building, including the addition of fenestration (windows) on the front elevation (west) and elevation facing North Point Parkway (south), the addition of window framing on the elevation facing North Point Circle (north), painting the masonry block exterior with high contrasting colors, the addition of slatted awnings, and the addition of horizontal natural wood accents and flat travertine trowel accents. The City's Downtown Consultant reviewed the applicant's renderings and felt that the exterior changes are in keeping with the North Point Design Guidelines.

- Standards for Master Plan Amendment
- Criteria for Conditional Use
- Citizen Participation Plan

Candace Schriver and Billy Brown presented for the Applicant.

There was discussion that with 24-hour access to golf simulators; there will be parking lot surveillance.

There was no Public Comment.

- ❖ Commissioner Perkins offered a motion to approve.
- Commissioner Manley seconded the motion.
- The motion carried (7-0)

7. ADJOURNMENT

Chair Reynolds adjourned the meeting at 8:24 p.m.