



PLANNING COMMISSION MEETING

UNOFFICIAL MINUTES

MARCH 7, 2024

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
6:30 PM

1. CALL TO ORDER

Chair Kung'u called the meeting to order at 6:30 p.m.

2. ROLL CALL

1. ROLL CALL

A. Commissioners Present

- o Francis Kung'u (Chair)
- o Martine Zurinkas (Vice- Chair)
- o William Perkins
- o Jeremy Scott
- o Todd Stratton
- o Valerie Manley

B. Commissioners Absent

- o D.C. Aiken
- o Jill Reynolds

C. 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 February 1, 2024, Meeting Minutes.

- ❖ Commissioner Manley offered a motion to approve.
- Commissioner Perkins seconded the motion.
- The motion carried (6-0-1) (Zurinkas)

4. ITEMS FROM BOARD MEMBERS

5. ITEMS FROM STAFF

6. PUBLIC HEARING

a. CLUP-24-01/Z-24-04/V-24-04 Upper Hembree Tract/Empire Communities

Michael Woodman, Planning & Development Manager, presented consideration of a comprehensive land use plan amendment, rezoning and variances to allow for the redevelopment of the former's Harry's Market with a 149-lot single-family detached subdivision on 19.32 acres. A comprehensive land use plan amendment is requested from 'Commercial' to 'High Density Residential' and a rezoning is requested from PSC (Planned Shopping Center) to R-8D (Dwelling, 'For-Sale', Detached Residential – High Density). Variances are requested to Unified Development Code (UDC) Subsection 2.2.9(D) to increase building coverage by principal buildings from 40% to 65% and reduce minimum lot width from 50' to 31' and to UDC Subsection 3.2.8(B)(1)(a) to reduce the 50' undisturbed buffer. The property is located at 1180 Upper Hembree Road and is legally described as being located in Land Lots 550 & 553, 1st District, 2nd Section, Fulton County, Georgia.

The submitted request, if approved, would allow for the development of 149 'For-Sale' single-family detached homes on 19.32 acres. The proposed density is 7.72 dwelling units per acre.

The property served as Harry's Farmers Market until 2014 before becoming the corporate offices and distribution center for Whole Foods. The existing building is approximately 145,000 square feet and the surface parking lot includes approximately 588 parking spaces. Surrounding properties are zoned O-I (Office-Institutional) to the west, C-1 (Neighborhood Commercial), R-15 (Dwelling, 'For-Sale', Residential), O-I, and O-P (Office-Professional) to the north, and City of Roswell to the south and east. Medical and professional offices are located to the west, single-family detached home, Spirit of God Church, and professional offices are located to the north, flex office/warehouse are located to the east and south, and Hembree Forest subdivision is located to the south. The comprehensive land use plan designation of the property is 'Commercial'. The applicant proposes to change the future land use designation to 'High Density Residential'.

The property served as Harry's Farmers Market until 2014 before becoming the corporate

Presented:

- Requested Variances.
- Site Plan.
- Traffic Impact Study which represents a significant reduction in vehicular trips on streets in the area.
- Comprehensive Land use Amendment Review Criteria
- Variance Review Criteria
- Citizen Participation Plan

There was discussion from the Commission:

- Side setbacks.
- Staff recommended Conditions.
- Applicant's markups to Conditions.
- Land uses nearby.
- Enlargement of Stormwater Detention pond.
- Condition #21 regarding height of Fence.

Ken Norton presented for the Applicant.

- Aerial of Site
- History of property
- Site Survey
- Master Site Plan showing 5 different housing products.
- Amenities
- Location of guest parking.
- Stormwater pond enlarging due to new regulations.
- Landscaping.

- Tree Areas.
- Road Frontage.
- Screening for abutting resident.
- Watercolor of “Fernleaf Park”
- Previous Townhome Plan.
- Darke Palette Architecture.

There was discussion from the Board:

- Traffic Impact Study.
- Heavy Screening of Stormwater pond. Not an Amenity.
- Fencing of Dog Park and water source for Green Areas.
- Guest parking.
- Pervious vs. Impervious.

Public Comment:

In Favor:

1. Ashton Austin 11775 Point Place, Roswell, GA
2. Saul Watzman 215 Birch Hollow Place, Alpharetta, GA
 - New Development is better than empty space for businesses in the area.
 - Need for additional housing instead of office in the area.

With Concerns:

1. Phyllis Jean Goodrich 370 Hembree Forrest Circle, Roswell GA
 - Safety during demolition.
 - Fencing of the Dog Park.
 - On-street Parking
 - School Bus Drop Off.
 - Access for Emergency Vehicles.
 - Preservation of trees in current buffer.
 - More Housing.
 - Consideration of property being developed as Mixed-Use.
 - Will existing intersection be able to handle traffic.
 - Requirements for hours of construction.
 - Noise during construction.
 - Intersection of Harris and Upper Hembree.
 - Signal Issues.

Applicant gave a rebuttal:

- Traffic Study addresses signal issues.
- Not a good use for Mixed-Use due to topography.
- Will look for more guest parking.
- Code limits Construction Activity.
- Major screening from 370 Hembree Forest Circle during construction.

There was discussion from the Commission:

- Estimated time for project.
- Fence location with plantings.
- Safety & Security.

- Height of Dog Park Fence.
- SF of Units
- HOA Covenants.
- No City Code requirements for Dog Parks.
- Construction Code.
- Good use for this property.
- Look at more guest parking.
- Validity of Amendment to Comprehensive Land Use Plan.
- Better plan than what is existing.
- Commended Applicant for working closely with residents.
- Support for Amenities in the development.
- Thanked residents for their in

❖ Vice-Chair Zurinkas offered a motion to approve as presented by Staff and on Condition # 14 with the approval of Staff we will take the markups that were provided as well as the markups approved for Condition #15.

- Commissioner Manley seconded the motion.
- The motion carried (6-0)

1. The 19.32-acre property shall be zoned 'R-8A/D' and shall be developed substantially as depicted on the site plan prepared by PEC, revised 1/11/24, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
3. Maximum density shall not exceed 7.72 dwelling units per acre.
4. Minimum lot width shall be 31'.
5. Maximum building coverage shall not exceed 48% and impervious coverage shall not exceed 65%.
6. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Fernleaf Park, subject to final approval by Staff.
7. To screen rooftops, a landscape buffer shall be provided along Upper Hembree Road as depicted in the site plan prepared by PEC, revised 1/11/24, with final approval by Staff. Developer shall work with City Staff and Georgia Power to identify appropriate landscape screening material where the buffer area overlaps utility easements. Existing trees shall be preserved, where possible, and the remaining area planted to City buffer standards, with final approval by Staff.
8. Minimum 15' planted buffer shall be provided along the west property line and along the south property line adjacent to Hembree Forest. Minimum 20' planted buffer shall be provided along the east property line and along the south property line adjacent to non-residential use. Existing trees shall be preserved, where possible, and the remaining area planted to City buffer standards, with final approval by Staff.
9. Developer shall enhance project entrance with a decorative planted median, decorative landscaping beds on each side of the entrance, and a unique monument or sculpture representative of the proposed community, as approved by Staff. Monument or sculpture shall be approved by the Cultural Arts Commission. Existing monument sign in the entrance median shall be removed.
10. Minimum 1.47 acres of open space shall be improved substantially as depicted on the plan prepared by PEC, revised 1/11/24. HOA shall be responsible for maintenance of all open space.
11. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way.
12. Curb cut on the east side of the property shall be for fire and emergency access only and shall be gated, as approved by Staff.
13. Internal streets shall have a 4' planter and 5' sidewalk on one side of the street (not including alleys), as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets shall be private and maintained by the HOA.
14. Developer shall improve Upper Hembree Road streetscape with a min. 2' planter planted with a row of shrubs, 6' sidewalk, and street trees planted in the landscape area behind the sidewalk, as approved by Staff. Developer shall remove existing acceleration lane east of the existing entrance and incorporate the

- area into the Upper Hembree Road streetscape. Property owner shall be responsible for the maintenance of the landscape material in the planter. Streetscape shall include decorative pedestrian lighting.
15. Minimum 10' landscape strip shall be required along new internal streets as measured behind the sidewalk except in side yard conditions on corner lots. The minimum 10' landscape strip shall not apply to alleys. Landscape strips and buffers shall be exclusive of utilities and easements except where necessary for utilities to cross landscape strips and buffers, with final approval by Staff. If Fulton County requires an unencumbered water line easement, shrubs shall replace trees on one side of the street.
 16. Pedestrian amenities including sidewalks, lighting, and benches shall be included throughout the development and in amenity areas.
 17. Developer shall save trees in the tree save area depicted on the site plan prepared by PEC, revised 1/11/24. In addition, developer shall save the trees in the triangular area at the existing entrance to the property.
 18. Developer shall implement the recommendations of the submitted traffic impact study, with final approval by Staff. Developer shall be responsible for any necessary intersection or signal improvements at Upper Hembree Road and Harris Road.
 19. Stormwater management facility shall be screened as depicted on the site plan prepared by PEC, revised 1/11/24, with final approval by Staff. Smart stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
 20. Per mutual agreement, developer shall provide a privacy fence and evergreen trees along the south property line adjacent to Hembree Forest subdivision.
No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

b. Z-24-06/PH-24-06/V-24-06 55 Canton

This application was postponed by the Applicant and was not considered at this meeting.

Consideration of a rezoning, parking in-lieu fees, and variances to allow for the construction of a mixed-use building with 36 'For-Sale' condominium units and 7,303 square feet of restaurant space on 1.02 acres in the Downtown Overlay. A rezoning is requested from C-2 (General Commercial) to DT-C (Downtown Core) and parking in-lieu fees are requested for approximately four (4) parking spaces. Variances are requested to Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code Subsection 3.5.5 to increase the maximum building footprint and to UDC Subsection 2.5.5(J) to allow tandem parking spaces to count toward minimum parking requirements. The property is located at 32, 38 & 44 Old Canton Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

c. PH-24-07 Unified Development Code (UDC) Text Amendments – Hybrid Hotel

This item was deferred by Staff and was not considered at this meeting.

Consideration of text amendments to Articles I and II of the Unified Development Code (UDC) to add a definition for 'Hotel, Hybrid', add the use in certain zoning districts, and miscellaneous regulations.

7. ADJOURNMENT

Chair Kung'u adjourned the meeting at 7:58 p.m.