



PLANNING COMMISSION MEETING

OFFICIAL MINUTES

APRIL 11, 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

A. Commissioners Present

- o Francis Kung'u (Chair)
- o Martine Zurinskas (Vice- Chair)
- o D.C. Aiken
- o William Perkins
- o Jill Reynolds
- o Jeremy Scott
- o Todd Stratton

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. Approval of Meeting Minutes for 3-7-2024

- ❖ Vice-Chair Zurinskas offered a motion to approve.
- Commissioner Perkins seconded the motion.
- The motion carried (6-0-1) (Reynolds)

4. ITEMS FROM BOARD MEMBERS

5. ITEMS FROM STAFF

6. PUBLIC HEARING

a. CLUP-24-02/Z-24-07/CU-24-04/V-24-07 Park Walke II

Michael Woodman, Planning & Development Services Manager, presented consideration of a comprehensive land use plan amendment, rezoning, conditional use and variances to allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown. A

comprehensive land use plan amendment is requested from 'Commercial' to 'Mixed Use Live-Work' and a rezoning is requested from C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density above 8 dwelling units per acre and variances are requested to Unified Development Code (UDC) Appendix A Subsection 2.2.3 to eliminate interconnected streets, block requirements, stub-out streets and allow dead end streets, to UDC Appendix A Subsections 2.4.6 and 2.7.2 to allow parking between the building and the street, and to Appendix A Subsection 3.7.3 to increase maximum lot coverage from 70% to 80%. The property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway and is legally described as being located in Land Lots 748, 1st District, 2nd Section, Fulton County, Georgia.

The submitted request, if approved, would allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown. The proposed density is 9.97 dwelling units per acre. The applicant proposes a comprehensive land use plan amendment for the western portion of the property from 'Commercial' to 'Mixed Use Live-Work' and rezoning from C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density and variances are requested to modify Downtown block and access standards (interconnected street, blocks, stub-out streets, and dead-end streets) and vehicle parking location, as well as to increase maximum lot coverage. The subject property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway at the northeast corner of Old Milton Parkway and Haynes Bridge Road.

The eastern portion of the property is zoned DT-LW and was approved in 2018 for two (2) office buildings (52,000 square feet) with structured parking. The western portion of the property is zoned C-2. Of the five (5) parcels, only the middle parcel is currently developed which was a former funeral home. The eastern and western parcels are undeveloped, and the two (2) remaining parcels were previously developed with single-family homes; however, those structures have since been demolished. Surrounding properties are zoned DT-LW to the north, O-I (Office-Institutional) to the east, DT-LW, O-I, and C-2 to the south, and C-2 to the west. Cadence Bank is located to the east, Thompson Street Flats and Park Walke I (under construction) are located to the north, Publix stormwater pond is located to the west, and Sabri Guven Fine Jewelry, My First Academy and a recently approved townhome development are located to the south. The comprehensive land use plan designation of the property is 'Commercial' and 'Mixed Use Live Work', of which the applicant is requesting an amendment to change the designation of the western half of the property.

- Location Map.
- Variance Requests
- Residential Approvals on Haynes Bridge Rd and Thompson St.
- Site Plan.
- Parking - Each townhome unit will have two (2) side-by-side parking spaces within a garage and a Code- compliant driveway accommodating two (2) additional cars. Four (4) guest

parking spaces are provided at the mail kiosk near the project entrance. The Downtown Code requires 85 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 140 spaces are provided on the site plan.

- Trees -. There are approximately fourteen (14) specimen trees on the property. Of those, the applicant proposes to save three (3) specimen trees and 83" of tree groupings in a tree save area in the northwest corner of the property. The proposed tree save area is contiguous to a required tree save area on the adjacent property to the north, which is being developed by the same homebuilder. As confirmed by the City Arborist, most of the specimen trees on the property are in various states of declining health and therefore are not good tree saves. An underground stormwater facility is depicted to the west of the project entrance along Old Milton Parkway in an area called out as a pocket park.
- Renderings of two- and three-story townhomes in three product types reviewed by the City's Downtown Consultant.
- Traffic.
- Schools – Impact estimates 3-15 students.
- Standards for CLUP & Rezoning.
- Conditional & Variance Use Criteria.
- Exceptional Conditions of the property - unusual shape, topography, and two (2) deceleration turn lanes along its frontage which contributes to the requested variances.
- Citizen Participation Plan.

Staff's recommendation was to approve, subject to 23 Conditions.

- There was discussion from the Commission:
- Condition #15 – Wall at East of Main.
- Type of material for Plaza Area.
- Wall facing Old Milton Pkwy.
- Old Milton Pkwy Streetscape
- Shared Amenity space with Park Walke 1
- Only one point of access
- Density – precedent and good location for this in t Downtown.
- Plan was reviewed by Fire Marshall.
- Applicant's markups to Conditions.

Alex Brock and Warren Jolly presented for the Applicant.

- Zoning and Variance Requests.
- Zoning history of the property.
- Original proposed Site Plan.
 - Grading and Drainage issues.
 - No power lines allow for better streetscape.
 - Hammerhead turnaround.
 - 2 Story living.

- Current Site Plan
 - Brick Paver Turnaround
 - Condition # 10
 - Presented End Unit Photo of Lot # 5 on Site Plan
 - 4 ft wall
 - Planting Plan.

There was discussion from the Commission:

- Shared Amenity Space and HOA with Parke Walke 1
- Condition # 23 – gap between Lots # 23 & 24.
- Width of Lot #'s 15-28 is 20' wide.
- Price points planned from \$1 to \$1.6 million.

Public Comment:

In Opposition:

1. Carla Shaw, 2621 Traywick Chase. Alpharetta, GA

Concerns:

1. Would like to see 2 Oak trees, specimen trees replaced in kind.

Applicant Rebuttal:

- There are 6' trees proposed along frontage as well as tree save areas and recompense.

There was discussion from the Commission:

- Possible additional screening around retention pond owned by Publix.
- Conditions # 10, 16 and 23.
- Support for change to Comprehensive Land use Plan.
- Support for residential as Gateway to the City.
- City has a tough Tree Ordinance that developers are required to follow.
 - ❖ Commissioner Aiken offered a motion to approve with Staff's conditions and the addition of the Developer's Condition #10 as is and 23 and 24.
 - Vice-Chair Zurinkas proposed a Friendly Amendment – on #23 Trees shall not be required between the driveways of Units 15-18, 19-20 and 24-28.
 - Commissioner Aiken accepted the Friendly Amendment.
 - Commissioner Perkins seconded the motion with the Friendly Amendment.
 - The motion carried (7-0)

Final Conditions:

1. Approximately 3.41 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by Travis Pruitt & Associates, dated 3/21/24, 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. The comprehensive land use plan designation of the property shall be 'Mixed Use Live Work'.
3. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A, except for modifications required to comply with the Alpharetta Downtown Code, subject to final approval by DRB. All townhomes shall have 4-sided architecture, materials, and details.
4. Density shall not exceed 9.97 dwelling units per acre.
5. Block, access, and vehicle parking location shall be as depicted on the site plan prepared by Travis Pruitt & Associates, dated 3/21/24, or as approved by Staff and GDOT.
6. Maximum lot coverage shall be 80%, except that the developer shall utilize pervious hardscape materials to minimize lot coverage, as approved by Staff.
7. Front yards may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by DRB.
8. Developer shall improve Old Milton Parkway streetscape with a minimum 2' planter planted with a row of shrubs or grass (subject to GDOT approval), minimum 8' 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.
9. Project entrance, alleys, and sidewalks internal to the site shall be developed as depicted on the site plan prepared by Travis Pruitt & Associates, dated 3/21/24, with final approval by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
10. Minimum 15' building setback and 10' landscape strip shall be provided along Old Milton Parkway. Stoops, stairs, and porches may encroach into the setback and landscape strip.
11. Developer shall plant minimum 6" caliper Nuttall Oaks as shown on the Conceptual Hardscape & Landscape Plan – Old Milton & Haynes Bridge prepared by Pollock & Associates, dated 4/8/24, or other species approved by Staff, along Old Milton Parkway frontage, as approved by DRB. Trees shall be planted approximately 35' apart unless design requires a deviation, i.e. a sidewalk connection or park, to be approved by Staff.
12. Minimum 10' landscape strips shall be required along both sides of the project entrance. Minimum 5' sidewalk shall be required along the west side of project entrance and shall connect to the sidewalk at the mail kiosk. Fulton County and secondary utilities shall be allowed in landscape strips. Should Fulton County require an unencumbered water easement, shrubs shall replace trees in the landscape strip on waterline side of entrance. There shall be no other landscape strips along internal roads, alleys, or drives.
13. Minimum 10' planted buffer shall be provided along the east property line, with final approval by DRB.
14. Project entrance shall include a decorative paver apron, landscape, and hardscape, as approved by DRB. Improvements shall be maintained by the HOA.
15. Decorative wall with fence along Old Milton Parkway shall be substantially similar to East of Main, as approved by DRB. Developer shall plant Creeping Phlox (pink or white), or

alternative plantings, at the top of the wall and creeping vines at the base of the wall, with final approval by DRB. Improvements shall be maintained by the HOA.

16. Open space shall be developed substantially similar to the Conceptual Hardscape & Landscape Plan – Old Milton at Haynes Bridge – Linear Park plan prepared by Pollock & Associates, dated 4/3/24, the Conceptual Hardscape & Landscape Plan – Old Milton & Haynes Bridge prepared by Pollock & Associates, dated 4/8/24, and site plan prepared by Travis Pruitt & Associates, dated 3/21/24, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape, and seating. Landscape shall include plant selections promoting the historic Downtown. Improvements shall be maintained by the HOA.
17. Developer shall save trees as depicted on the site plan prepared by Travis Pruitt & Associates, dated 3/21/24.
18. Per public hearing file #Z-18-05/E-18-07 Kairos Old Milton LLC/DT-LW, developer shall provide a City-approved bus shelter at the existing MARTA bus stop adjacent to the applicant's property, as approved by MARTA, GDOT, and Staff.
19. Unfinished wood fences and decks shall not be visible from the public street.
20. HVAC and similar equipment shall not be visible or shall be screened from the public right-of-way.
21. Garbage pickup shall be from within the development.
22. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
23. Trees shall not be required between the driveways of Units 15-18, 19-23, and 24-28.

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

Michael Woodman, Planning & Development Services Manager, presented consideration of 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.

Staff presented:

- Applicant's Variance Requests.
- Site Plan.
- Parking Requirements.
- Renderings.

- Offsite Improvements.
- Traffic.
- Parking In-Lieu Fee Schedule.
 - o In- Lieu Fees owed for parking spaces \$91450.00
- Parking In-Lieu Fees Review Criteria
- Impact to Schools
- Standards for Zoning Changes
- Variance Review Criteria

The Variance request related to tandem parking is not supported. The Applicant should consider providing additional parking, reducing the development proposal, paying in-lieu fees for the shortfall of (9) spaces related to tandem parking.

There was discussion by the Commission:

- Condition #4 Maximum footprint of building.
- Definition of Tandem parking.
- Calculation of In -Lieu of parking fee.
- Condition # 9 Markups.
- Maintenance of Park.
- Easement Agreement.
- Exhibit B Parking.
- Structured Parking Deck – 87 spaces.
- Water Table effect on parking.

The Applicant gave a presentation:

- Renderings.
- Architect.
- Greenspace.
- Underground Parking.
- Building Elevations.
- Commercial Space.
- Parking Challenges.
- Square Footage of the Building 112,000 sf
- Balconies on upper floors and outdoor patios on ground floor.
- Park is City Land.
- Markups to Staff Condition # 9, 17
- Removal of Staff Condition #18.
- Parking Requirements.

There was discussion from the Commission:

- Employee Parking

- Outdoor Patios on ground floor.
- The Park is City Land.

Public Comment:

In Favor:

1. Matthew Khodahari, 41 Milton Ave.

Concerns:

1. Noise Impacts for total Downtown Area with additional Developments
2. Quality of Life.

In Opposition:

1. Mary Ann Slavik, 50 Canton St. Unit 403, Alpharetta, GA.
2. Seth Pratt, 50 Canton St. Unit 402, Alpharetta, GA

Concerns:

3. Problems with existing street parking.
4. Impacts of Deliveries backing up traffic.

There was discussion from the Commission:

- Water Table.
- Suggested that Applicant attempt to find additional parking prior to Council.
- Shortfall of 5 units of required parking.
- Parking Requirements per Code.
- Parking at Teasley Place.
- City Administration investigation and solutions to Parking Management, Loading & Deliveries.
- Condition # 17.
- Strategies for Teasley residents for help with Traffic Congestion.
- Impact of Downtown Parking.
- "Signature" Aesthetics of Building good, addition to Downtown.

❖ Vice-Chair Zurinkas offered a motion to approve Z-24-06/PH-24-06/V-24-06 55 Canton and to Deny the variance to allow tandem parking subject to the following conditions:

1. #9 as Applicant presented.
2. #17 to be left as Staff has presented,
3. Scratching # 18 per What Staff had said and then new #18 as presented by the redline.
 - Commissioner Perkins seconded the motion.
 - The motion carried (7-0)

Final Conditions:

1. Site consisting of approximately 1.02 acres shall be rezoned to DT-C and developed substantially similar to site plan prepared by AEC, dated 4/3/24, except for modifications required to comply with the conditions below. Property shall be limited to no more than 36 'For-Sale' condominium units and 7,000 square feet of restaurant use.
2. Architecture and materials shall be developed substantially similar to the renderings prepared by Place Maker Design, dated 3/21/24, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Building shall have 4-sided architecture, materials and details.
3. White lights shall be added to the top of the building to participate in the City's holiday lighting program.
4. Maximum building footprint shall not exceed 28,048 square feet.
5. Tandem parking shall be developed as depicted on the site plan prepared by AEC, dated 4/3/24, with 9 spaces counted toward the minimum parking requirements. Use of the tandem spaces shall be limited to the residential units and the spaces shall be clearly marked for each residential unit.
6. Foundation plantings, consisting of ornamental trees, shrubs, vines, and grasses, shall be required along Canton Street, Old Canton Street, and the pedestrian alley, with final approval by DRB.
7. Developer shall improve Canton Street streetscape with a minimum 8' planter (bump outs between on-street, parallel parking) planted with street trees (American Elms offset minimum 20' from building) evergreen ornamental shrubs, grasses, and ground cover, with final approval by DRB. Existing street trees along Canton Street and adjacent to the subject property shall be removed and area replaced with decorative bricks to match the existing sidewalk.
8. Developer shall improve Old Canton Street streetscape with a 6" header curb, minimum 4' planter (bump out b/w on-street parking) planted with street trees, grasses, and ground cover, minimum 5' concrete sidewalk, and decorative pedestrian lighting, with final approval by Staff.
9. Developer shall install a minimum of two, 6" caliper trees in the pedestrian easement adjacent to the subject property, per Pedestrian Ingress Egress Easement Agreement (DB 61427, PG 143), with final approval by Staff.
10. Decorative pedestrian lighting shall be required throughout the development and shall be maintained by the Condominium Association.
11. Developer shall improve adjacent City pedestrian alley and park with hardscape and landscape material similar to images depicted in Exhibits A & B, with final approval by Staff. Improvements shall be eligible for impact fee credits as agreed to in a development agreement.
12. Open space shall be developed substantially as depicted on the site plan prepared by AEC, dated 4/3/24. Open space shall be developed with decorative landscape, hardscape and

seating and landscaping shall include plant selections promoting the historic Downtown, with final approval by DRB.

13. Fences and walls visible from the public right-of-way or City-owned property shall be decorative. Fences shall be metal, and walls shall be brick, stone, or similar material and shall be covered in creeping vines, as approved by DRB.
14. HVAC and similar equipment shall not be visible or shall be screened from the public right-of-way or City-owned property.
15. Garbage pickup shall be from within the parking deck of the development.
16. Developer shall pay a lump sum parking in-lieu fee of \$94,500 prior to the issuance of a building permit.
17. Developer shall provide creative signage, such as a painted sign, blade sign, or perpendicular sign, with final approval by DRB.
18. A construction staging plan shall be provided with the LDP, subject to final approval by Staff.
19. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

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

Kathi Cook, Director of Economic & Community Development, presented consideration of text amendments to Articles I and II of the Unified Development Code (UDC) to amend the definition and miscellaneous regulations pertaining to 'Extended Stay Hotel', add a definition for 'Hotel, Hybrid', add 'Hotel, Hybrid' use in certain zoning districts, and add 'Hotel, Hybrid' miscellaneous regulations.

Staff recommends amendments to Unified Development Code (UDC) Articles I and II to amend the definition of 'Extended Stay Hotel', add a definition for 'Hotel, Hybrid', add 'Hotel, Hybrid' use in certain zoning districts, amend Miscellaneous Regulations pertaining to 'Extended Stay Hotels', and add Miscellaneous Regulations pertaining to the 'Hotel, Hybrid' use. Amend UDC Section 1.4. Definitions, amend UDC Section 2.2 Permitted Use Districts and Regulations, and amend UDC Section 2.7 Miscellaneous Regulations.

The amendments to the definition and miscellaneous regulations pertaining to 'Extended Stay Hotel' is necessary to distinguish the use from the proposed 'Hotel, Hybrid' use. The primary distinction proposed to the definition of 'Extended Stay Hotel' is to the average length of stay. Additional regulations related to 'Extended Stay Hotel' and 'Hotel, Hybrid' are proposed to address public health, safety, and welfare. These include prohibitions against vehicles backing into parking spaces with the license plate not visible from the drive aisle, as well as a maximum height for shrubs along the properties' road frontage.

The proposed 'Hotel, Hybrid' use is intended to address a new hotel concept allowing stays up to one (1) year. The new hotel concept typically has rooms equipped with a full kitchen

and laundry room. Currently, the City's Unified Development Code (UDC) includes three (3) hotel uses, 'Boutique Hotel', 'Hotel or Motel' and 'Extended Stay Hotel'. 'Extended Stay Hotel' use would not allow the new hotel concept due to the length of stay and in-room food preparation and laundry facilities.

The proposed definition of 'Hotel, Hybrid' limits the number of long-term stay rooms (up to one year) to no more than 30% of the total rooms in the hotel. All other rooms would comply with the definition of 'Hotel or Motel' which has an average stay of less than seven (7) days. Staff proposes to allow 'Hotel, Hybrid' by conditional use in the CUP (Community Unit Plan), O-I (Office-Institutional), C-2 (General Commercial), PSC (Planned Shopping Center), LI (Light Industrial), and MU (Mixed Use) zoning districts. As is the case with an 'Extend Stay Hotel', miscellaneous regulations are proposed for the 'Hotel, Hybrid' use, including a minimum three (3) acre parcel size, minimum 60,000 square feet of conference room or group meeting space, minimum 4-star hotel rating, specific parking rate, maximum number of long-term stay rooms, minimum 3,000 square foot on-site sit-down restaurant, minimum room size and maximum occupancy, to name a few. A conditional use request for this hotel type would be required to comply with the miscellaneous regulations in order to be considered for approval.

After presentation of changes and discussion:

- ❖ Vice-Chair Zurinkas offered a motion to approve as described by Ms. Cook with the comment that Staff is going to review that event space language.
- Commissioner Perkins seconded the motion.
- The motion carried (7-0)

7. ADJOURNMENT

Chair Kung'u adjourned the meeting at 9:12 p.m.