

OFFICIALS PRESENT: Danny Dunagan, Sam Couvillon, George Wangemann, Ruth Bruner,
Zack Thompson, Barbara Brooks

STAFF PRESENT: Bryan Lackey, Angela Sheppard, Abb Hayes, Denise Jordan

Mayor Dunagan called the meeting to order at 5:30 PM and served as the presiding officer.

Associate Pastor Jamey Prickett, First United Methodist Church, delivered the invocation after which the Pledge of Allegiance was recited in unison.

COUNCIL ANNOUNCEMENTS:

Council Member Wangemann announced a community cleanup would occur on February 17, 2018 in conjunction with Keep Hall Beautiful.

CONSENT AGENDA:

Minutes

- A. January 9, 2018 Mayor/Council Meeting
- B. January 18, 2018 Work Session
- C. January 23, 2018 Mayor/Council Meeting

Motion to approve the minutes as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Thompson

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

Resolutions

- A. BR-2018-07 Authorize Payment to Bleakly Advisory Group from the Fund Balance of the Tax Allocation District Fund
- B. BR-2018-08 Diverse Use of Fireworks
- C. BR-2018-09 Tax Allocation District (TAD) Funding For Broad Street Station at 400 Jesse Jewell Parkway
- D. BR-2018-10 Tax Allocation District (TAD) Funding for Carroll Daniel Construction Company at 330 Main Street and Downtown Parking Deck Expansion at 0 Main Street
- E. BR-2018-11 Tax Allocation District (TAD) Funding for JOMCO Inc. at 808 S. Main Street
- F. BR-2018-12 Tax Allocation District (TAD) Funding for Parkside on the Square at 106 Spring Street and Downtown Parking Deck Expansion at 0 Main Street
- G. PR-2018-03 Parking Deck Expansion Project
- H. PR-2018-04 Spout Springs Road Utilities Relocation - Phase I

City Manager Bryan Lackey provided a brief summary of each resolution.

Motion to adopt the resolutions as presented.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

GENERAL LEGISLATION:

Home Rule Ordinance 2018-01

Discontinue Second Readings and Clarify Voting Powers of the Mayor

City Manager Lackey provided a brief summary of the changes that would be implemented by the proposed ordinance.

Motion to hold first reading on Home Rule Ordinance 2018-01, AN ORDINANCE TO AMEND SUBSECTION B OF SECTION 2.23 ENTITLED "ORDINANCE FORM; PROCEDURES" OF THE CHARTER OF THE CITY OF GAINESVILLE, GEORGIA AND SUBSECTION 1 OF SECTION 2.29 ENTITLED "POWERS AND DUTIES OF MAYOR" OF THE CHARTER OF THE CITY OF GAINESVILLE, GEORGIA BY ELIMINATING SAID SUBSECTIONS IN THEIR ENTIRETY AND SUBSTITUTING IN THEIR PLACE THE LANGUAGE SET FORTH BELOW; TO REPEAL CONFLICTING PROVISIONS OF THE CHARTER; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Thompson

Motion seconded by Council Member Bruner

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson

Votes opposing the motion: Brooks

PUBLIC HEARING(S):

City Attorney Hayes reviewed the public hearing process.

Request from EDRE Assets, LLC to annex a 5.048± acres tract located on the north side of Ramsey Road at its terminus (a/k/a 0, 2608 and 2611 Ramsey Road) and to establish zoning as Planned Unit Development (P-U-D). Ward Number: Two. Tax Parcel Number(s): 09-110-000-019 (part), 024 and 027. Request: 3 single-family lots.

City Attorney Abb Hayes confirmed the hearing was advertised.

Planning Manager Matt Tate summarized the application. The Planning and Appeals Board approved the request with the following five conditions:

1. The proposal shall be limited to a maximum of 3 single-family lots and shall adhere to the development standards as depicted within the narrative, concept plan and architectural renderings submitted with the application.
2. The minimum heated floor space of each single-family home shall be 2,000 square feet.
3. Completion of the common driveway shall be required prior to the issuance of a Certificate of Occupancy for the proposed homes. Access point design of the proposed shared

driveway along Ramsey Road must be reviewed and approved by the Gainesville Public Works Department. All road improvements associated with access to the subject property shall be at the full expense of the developer.

4. The owner/developer shall disclose the existence of industrial activities on adjacent and nearby properties as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices which may take place on adjacent and nearby property including, but not limited to noise, odors, dust, traffic and the operation of machinery. Therefore, owners, occupants and users of the property should be prepared to expect the effects of such practices."
5. All conditions of zoning shall be made a part of any final plat created for the subdivision.

FAVOR:

Jack O'Hanlon from Marietta represented EDRE Assets, LLC. He asked for support of the application.

There being no other comments, the hearing was closed and the matter was returned to the Council for a decision.

Motion to hold first reading on Ordinance 2018-02, AN ORDINANCE ANNEXING A 5.048± ACRES TRACT LOCATED ON THE NORTH SIDE OF RAMSEY ROAD AT ITS TERMINUS (A/K/A 0, 2608 AND 2611 RAMSEY ROAD); ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE, GEORGIA; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES; and first reading on Ordinance 2018-03, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 5.048± ACRES TRACT LOCATED ON THE NORTH SIDE OF RAMSEY ROAD AT ITS TERMINUS (A/K/A 0, 2608 AND 2611 RAMSEY ROAD) AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented by staff.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

Request from Altus Development, LLC to rezone a 1.13± acres tract located on the northwest side of the intersection of Park Hill Drive and South Enota Drive (a/k/a 1351 Park Hill Drive) from Residential-II (R-II) to Office and Institutional (O-I). Ward Number: Two. Tax Parcel Number(s): 01-077-001-027. Request: Medical office.

City Attorney Abb Hayes confirmed the hearing was advertised.

Planning Manager Matt Tate summarized the application. The Planning and Appeals Board along with the staff recommended approval of the application with the following four conditions:

1. The exterior materials of the building shall adhere to the standards as depicted on the architectural elevation provided with this rezoning application. All flat roof surfaces and roof top equipment shall be screened by a parapet roof on all sides.

2. The westerly side of the property shall be planted with a dense evergreen buffer along the property line. The location, spacing, size and type of vegetation and trees planted shall be subject to Community Development Department Director approval. In addition, a decorative eight foot (8') tall opaque fence shall be provided between the planted buffer and the building / parking area / dumpster but shall not extend to Park Hill Drive beyond the proposed dumpster pad.
3. All access point design and sidewalk installation along Park Hill Drive and South Enota Drive must be reviewed and approved by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the developer / property owner.
4. An updated as-built boundary survey / plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Rock Baker, Gainesville resident, expressed his opinion about the application and felt it would be positive for the City and the citizens.

There being no other comments, the hearing was closed and the matter was returned to the Council for a decision.

Motion to hold first reading on Ordinance 2018-04, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 1.13± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF PARK HILL DRIVE AND SOUTH ENOTA DRIVE (A/K/A 1351 PARK HILL DRIVE) FROM RESIDENTIAL-II (R-II) TO OFFICE AND INSTITUTIONAL, WITH CONDITIONS (O-I-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented by staff.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

Request from Tyler Land Holdings to amend the existing Planned Unit Development (P-U-D) zoning on a 2.98± acres tract located on the northeast side of the intersection of McEver Road and Hillside Gardens Lane (a/k/a 1209 and 1229 Hillside Gardens Lane). Ward Number: Five. Tax Parcel Number(s): 08-006-001-058 and 075. Request: Boat sales dealership.

City Attorney Abb Hayes confirmed advertisement occurred.

Planning Manager Matt Tate summarized the application. The Planning and Appeals Board along with staff recommended approval with the following seven conditions:

1. The proposal shall be generally consistent with the building and site development standards provided with this application.
2. The proposed use shall be limited to the proposed boat sales and service use, as well as professional office uses.

3. The outdoor storage areas shall be limited to storage of boats only. The storage areas must consist of asphalt, concrete or an impervious material acceptable to the Gainesville Department of Water Resources Director.
4. The proposed landscaping along McEver Road and Hillside Gardens Lane shall be a minimum of 15 feet in width and shall screen all proposed boat storage areas and above ground storm water detention areas. The location, spacing, size and type of vegetation and trees planted shall be subject to Community Development Department Director approval.
5. A decorative wrought iron fence not to exceed eight feet (8') in height shall be installed along the perimeter of the property between the storage and parking areas and the vegetated buffer.
6. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the developer / property owner.
7. All building and property improvements as identified in the applicant's concept plan and the aforementioned zoning conditions shall be completed by December 31, 2018. Upon the completion of all improvements, an updated as-built boundary survey/plat of the subject property shall be recorded.

Rett Tyler, Alabama resident, stated he is the founder of Skiers Marine and indicated this was a great location for their fifth store. He stated financing was already approved and commented on actions in progress to proceed with the development.

There being no other comments, the hearing was closed and the matter was returned to the Council for a decision.

Motion to hold first reading on Ordinance 2018-05, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY AMENDING THE EXISTING PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c) ZONING ON A 2.98± ACRES TRACT LOCATED ON THE NORTHEAST SIDE THE INTERSECTION OF MCEVER ROAD AND HILLSIDE GARDENS LANE (A/K/A 1209 AND 1229 HILLSIDE GARDENS LANE); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented by staff.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

Request from the City of Gainesville to amend the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendments are to include amendments to Section 9-21-1-7 entitled "Meetings"; amendments to subsections (a), (b), (c) and (f) of Section 9-22-2-18 entitled "Action By Governing Body"

Planning Manager Matt Tate summarized the amendments that (1) allow the Community Development Director to set the Planning and Appeals Board meeting calendar and (2) accompany the Home Rule ordinance to remove the second reading requirements.

Motion to hold first reading on Ordinance 2018-06, AN ORDINANCE TO AMEND SECTION 9-21-1-7 OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF GAINESVILLE, GEORGIA ENTITLED "MEETINGS" AND TO AMEND SECTION 9-22-2-18

OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF GAINESVILLE, GEORGIA ENTITLED "ACTION BY GOVERNING BODY" BY ELIMINATING SAID SECTIONS IN THEIR ENTIRETY AND SUBSTITUTING IN THEIR PLACE THE LANGUAGE SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

CITY ATTORNEY ISSUES:

Business Resolution 2018-06

Authorization to Execute Compromise, Settlement and Release Agreement By and Between the City of Gainesville and Fairway Outdoor Funding, LLC

City Attorney Hayes stated this resolution resolves all outstanding issues with Fairway particularly relating to billboards. He summarized some details of the agreement.

Motion to adopt the resolution as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Thompson

Votes favoring the motion: Couvillon, Wangemann, Bruner, Thompson, Brooks

ADJOURNMENT: 6:03 PM

/dj

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk