

OFFICIALS PRESENT: Danny Dunagan, Sam Couvillon, George Wangemann, Ruth Bruner, Zack Thompson
OFFICIALS ABSENT: Barbara Brooks
STAFF PRESENT: Bryan Lackey, Angela Sheppard, Abb Hayes, Denise Jordan, Alisa Grayson

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

Council Member Wangemann delivered the invocation after which the Pledge of Allegiance was recited in unison.

PRESENTATIONS / RECOGNITIONS:

PlanFirst Designation

Kathy Papa, Georgia Department of Community Affairs, recognized and congratulated the City for their renewed designation as a *PlanFirst* Community. This renewal extends to 2021. She commented on the program noting it recognizes and rewards communities for demonstrating an established pattern of successfully implementing their comprehensive plan.

"Shop With A Cop" Program

Mayor Dunagan commented on Council's and Management's practice of donating funds to a local charity in lieu of exchanging gifts. This year's recipient is the "Shop With A Cop" Program. He presented a donation of \$750 to the Gainesville Police Department to assist with the program.

69th Annual Mayors' Motorcade

Community Service Center Deputy Director Karina Costantini commented on the City partnering with the Georgia Municipal Association to participate in this annual event. Gifts and a donation of \$1,020 was presented to Avita Community Partners.

COUNCIL ANNOUNCEMENTS:

Council Member Thompson commented on the *Christmas on Green Street* event being a great success.

Mayor Dunagan echoed Mr. Thompson's sentiments about the *Christmas on Green Street* event. He thanked staff and all of the participants.

CONSENT AGENDA:

Minutes: November 15, 2018 Work Session

Minutes: November 20, 2018 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Thompson

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

Absent: Brooks

Resolutions:

- A. BR-2018-60 Second Addendum to Intergovernmental Development Agreement Regarding Marketing and Sale of Property - Gainesville Industrial Park West
- B. BR-2018-61 Second Amendment to Intergovernmental Agreement with Gainesville Redevelopment Authority Regarding the Former Georgia Mountains Center Property
- C. PR-2018-27 GEMA GSAR FY2018 Homeland Security Truck Grant
- D. PR-2018-28 GEMA GSAR FY2018 Homeland Security K-9 Grant

City Manager Bryan Lackey provided a brief overview of the resolution items.

Motion to adopt the resolutions as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Thompson

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

Absent: Brooks

PUBLIC HEARING(S):

Business Resolution 2018-62

Transmittal of a Ten-Year Update to the 2006 CIE

City Attorney Abb Hayes called for the public hearing, confirmed the public notice was properly advertised, and outlined the public hearing process.

Community Development Department Director Rusty Ligon stated the proposed resolution authorized the transmittal of the ten-year update of the City's 2006 Capital Improvements Element (CIE) of the Comprehensive Plan to the Georgia Mountains Regional Commission (GMRC) and Georgia Department of Community Affairs. This year's update was a major update that projected a 55% increase in the population over the next 20 years. Upon approval, staff will forward the update to the GMRC for their approval.

City Attorney Hayes opened the floor for comments. There being none, the public hearing was closed and the matter returned to the governing body for action.

Motion to adopt Resolutions BR-2018-62 as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

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

Absent: Brooks

Request from KRM 2016, LLC to rezone a 0.855± acre tract located on the northeast and northwest side of the intersection of Athens Street and Mill Street (a/k/a 827, 831 and 851 Athens Street, SE) from Residential-II (R-II) and Heavy Industrial (H-I) to Residential-II (R-II). Ward Number: Three. Tax Parcel Number(s): 01-034-006-009 and 010; 01-034-001-013. Request: Five residential duplexes.

City Attorney Abb Hayes called for the public hearing, confirmed the public notice was properly advertised and outlined the public hearing process.

Planning Manager Matt Tate briefly summarized the request. The Planning and Appeals Board and staff recommended approval with the following four (4) conditions:

1. The proposed duplex structures shall be generally consistent with the standards depicted on the pictures provided with this application not to exceed a maximum of 1.5 stories in height with a minimum 3:12 pitched roof. The exterior walls shall consist of cementitious siding materials with a minimum 3-foot high brick water table on the front and side exterior walls of the structure. In addition, each unit shall include a covered front porch.
2. The developer shall provide for a frontage landscape area along Athens Street which may include trees/shrubs and a decorative fence consisting of brick, wrought iron, aluminum or vinyl materials not to exceed 4-feet in height. The location, spacing, size and type of trees/shrubs planted and fence shall be subject to Community Development Department Director approval.
3. All driveway locations shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. Any required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
4. An updated survey/plat of the subject properties shall be recorded prior to obtaining a Certificate of Occupancy.

City Attorney Hayes opened the floor for comments.

Eddie Martin, Jr., Suwanee address, stated they were requesting to downgrade the zoning to allow for affordable quality housing.

Upon inquiry from Council Member Bruner, Mr. Martin stated the homes would resemble a New Orleans style with a one-story level as depicted in the pictures that were displayed.

There being no further comments, the hearing was closed and the matter returned to the governing body for consideration.

Motion to approve Ordinance 2018-32 with conditions as presented, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.855± ACRE TRACT LOCATED ON THE NORTHEAST AND NORTHWEST SIDE OF THE INTERSECTION OF ATHENS STREET AND MILL STREET (A/K/A 827, 831 AND 851 ATHENS STREET, SE) FROM RESIDENTIAL-II (R-II) AND HEAVY INDUSTRIAL (H-I) TO RESIDENTIAL-II, WITH CONDITIONS (R-II-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; 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

Absent: Brooks

Request from Southeastern Land Solutions, LLC to amend the existing Planned Unit Development (P-U-D) zoning on a 1.34± acres tract located on the northwest side of the intersection of McEver Road and Stephens Road (a/k/a 0 McEver Road, SW). Ward Number: Four. Tax Parcel Number(s): 08-042B-000-180. Request: Five single-family lots. City Attorney Abb Hayes called for the public hearing and confirmed the public notice was properly advertised.

Planning Manager Matt Tate summarized the request noting comments and a letter of concern from the school board were received. The Planning and Appeals Board and staff recommended approval with the following four (4) conditions:

1. The proposed single-family homes shall be generally consistent with the standards depicted on the concept plan and architectural elevations provided with this zoning amendment application.
2. The City of Gainesville shall assume no responsibility to provide for the maintenance of streets, solid waste pickup and/or stormwater management, due to the subject property's limited access through the jurisdictions of Hall County and the City of Oakwood. The owner/developer expressly consents to this rezoning condition.
3. In the event that the owner/developer sells any of the lots within the subject property, the owner/developer shall provide written notification within each deed of sale of the preceding condition that the City of Gainesville shall not be responsible for the maintenance of streets, solid waste pickup and/or stormwater management.
4. The subject property shall be limited to five (5) age-restricted single-family lots for seniors 55 years of age and up. The development shall comply with applicable U. S. Department of Housing and Urban Development (HUD) rules for age-restricted communities. The organization established for the management of the development shall comply with HUD rules for verification of occupancy and shall maintain procedures for routinely determining the occupancy of each unit. Such procedures may be part of a normal leasing or purchasing agreement and must provide for regular updates as required by HUD.

City Attorney Hayes opened the floor for comments.

Eric Johansen, Suwanee address, spoke on behalf of the applicant Southeastern Land Solutions, LLC. He stated the subject property was part of a bigger planned development that had been successfully rezoned in the City of Oakwood. The solution for the subject property was to amend the Copper Springs Subdivision zoning to allow for this type development. The proposed lots would be for age-restricted senior living only. Mr. Johansen stated they were in agreement with the conditions.

Council Member Thompson felt there would be confusion with future property owners paying for City of Gainesville services but not receiving the benefits. He was also concerned about there being one entryway to the property which was through another city.

Mr. Tate stated they felt the conditions addressed the issues surrounding the services noting it was the responsibility of the developer to notify the future property owners about the conditions.

Council Member Couvillon commented on buyers being aware at the time of purchase and the developer's responsibility to properly provide the information.

There being no further comments, the hearing was closed and the matter returned to the governing body for consideration.

Motion to deny the request.

Motion made by Council Member Thompson
Motion failed due to lack of a second.

Motion to approve Ordinance 2018-33, 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 1.34± ACRES TRACT LOCATED ON THE NORTHWEST SIDE OF THE INTERSECTION OF MCEVER ROAD AND STEPHENS ROAD (A/K/A 0 MCEVER ROAD, SW); REPEALING CONFLICTING

ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **with conditions as presented.**

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

Votes favoring the motion: Couvillon, Wangemann, Bruner

Votes opposing: Thompson

Absent: Brooks

Motion failed due to lack of four affirmative votes in accordance with Charter Section 2.22(a).

CITY MANAGER ISSUES:

City Manager Bryan Lackey echoed Council's comments regarding the *Christmas on Green Street* event being a great success. He extended appreciation to city staff for making this a great event.

ADJOURNMENT: 6:06 PM

/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk