



AGENDA

Gainesville Mayor/Council Meeting
Tuesday, July 16, 2019, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS / RECOGNITIONS:

- A. Meritorious Service Awards - Israel Cazares and Erin Escalante

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Minutes

- A. June 13, 2019 Work Session
B. June 18, 2019 Mayor/Council Meeting

Resolutions

- A. PR-2019-10 Accept FY20 Legacy Link Grant Contract

PUBLIC HEARING(S):

Annexation/Zoning Items

- A. Request from **Matthew Magnus and Ryan Chambers** to rezone a 1.30± acres tract located southwest of the intersection of Crow Road and White Sulphur Road, having road frontage on the north side of Beverly Road (a/k/a **2092 Crow Road and 2005 White Sulphur Road**) from Residential-I (R-I) to Light Industrial (L-I). Ward Number: Two. Tax Parcel Number(s): 09-124-000-038 (Part). Request: HVAC contractor office warehouse.
- Proposed Rezoning Ordinance No. 2019-17

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, July 12, 2019, 2:55 PM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 6/23/2019
Presenter: Jay Parrish
Item of Business: Meritorious Service Awards - Israel Cazares and Erin Escalante
Meeting Date: 7/16/2019

Purpose of Request:

To present Meritorious Service Awards to Israel Cazares and Erin Escalante. Each recipient will receive a ribbon, certificate, and plaque.

History/Background:

Meritorious Service Awards for Israel Cazares and Erin Escalante for their life-saving actions on May 17, 2019.

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Jay Parrish

If funding is involved, are funds approved within the current budget?

No

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
☐ Cazares Award	Backup Material
☐ Escalante Award	Backup Material



MERITORIOUS SERVICE

This certificate is awarded to

ISRAEL CAZARES

For recognition of your life saving actions on May 17, 2019.

You arrived on the scene of an abnormal behavior call and were quickly able to identify the situation as a suicide threat. You took careful steps and were able to calm the victim for over 15 minutes and de-escalate the situation. The victim surrendered his weapon and his life was saved due to your quick thinking and heroic actions.

You are to be commended for your actions, your dedication to the law enforcement profession and this agency, and your service to our community.

Chief of Police

Date



MERITORIOUS SERVICE

This certificate is awarded to

Erin Escalante

For recognition of your life saving actions on May 17, 2019.

You arrived on the scene of an abnormal behavior call and were quickly able to identify the situation as a suicide threat. You took careful steps and were able to calm the victim for over 15 minutes and de-escalate the situation. The victim surrendered his weapon and his life was saved due to your quick thinking and heroic actions.

You are to be commended for your actions, your dedication to the law enforcement profession and this agency, and your service to our community.

Chief of Police

Date

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 7/10/2019

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 7/16/2019

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 7/12/2019
Presenter: Denise Jordan
Item of Business: June 13, 2019 Work Session
Meeting Date: 7/16/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 7/12/2019
Presenter: Denise Jordan
Item of Business: June 18, 2019 Mayor/Council Meeting
Meeting Date: 7/16/2019

Purpose of Request:

The purpose of this request is to allow the governing body to approve the referenced meeting minutes.

History/Background:

Facts & Issues for Consideration:

The referenced draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description

Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 6/21/2019
Presenter: Bryan Lackey
Item of Business: PR-2019-10 Accept FY20 Legacy Link Grant Contract
Meeting Date: 7/16/2019

Purpose of Request:

Legacy Link invited the Community Service Center to submit a request for proposals that would provide funding for Meals on Wheels, the Senior Life Center and Coordinated Transportation services.

History/Background:

Legacy Link, Inc. is our community's Area Agency on Aging. It is a pass through agency for funding available under the Older Americans Act. Funding for Meals on Wheels, Senior Life Center and some Coordinated Transportation services is granted to the City of Gainesville through a Legacy Link grant.

Facts & Issues for Consideration:

Legacy Link has reviewed the CSC's FY20 proposal and would like to offer grant funding to support its Meals on Wheels, Senior Life Center, and Senior Transportation Services. To receive FY20 grant funding the Gainesville City Council must authorize the City Manager and/or Mayor to execute the contract and associated documents. The FY20 grant requires a local match of **\$66,142** to receive some **\$751,575** in Federal/State funding. The local funds are already in the CSC's FY20 Budget Request.

Department Recommendation:

Authorize the approval of the FY20 Legacy Link, Inc. grant documents and future amendments.

Department Director:

Phillippa Lewis Moss

If funding is involved, are funds approved within the current budget?

Amount Requested:

\$66,142

Source of Funds:

General Funds

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description



PR-2019-10 Accept FY 20 Legacy Link Contract & Grant

Type

Resolution

RESOLUTION PR-2019-10

Accept FY20 Legacy Link Grant Contract

WHEREAS, the Gainesville-Hall County Community Service Center (CSC) is charged with providing a variety of services for aging persons in Hall County; and

WHEREAS, the CSC has for three decades applied for and been awarded a grant through Legacy Link for aging services to include senior transportation, home delivered meals, and congregate meals.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves of the FY20 Legacy Link grant contract and addendums and authorizes the Mayor and/or City Manager to sign any/all associated documents.

Adopted this _____ **day of** _____, **2019.**

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 6/27/2019

Presenter: Matt Tate

Item of Business: Request from **Matthew Magnus and Ryan Chambers** to rezone a 1.30± acres tract located southwest of the intersection of Crow Road and White Sulphur Road, having road frontage on the north side of Beverly Road (a/k/a **2092 Crow Road and 2005 White Sulphur Road**) from Residential-I (R-I) to Light Industrial (L-I). Ward Number: Two. Tax Parcel Number(s): 09-124-000-038 (Part). Request: HVAC contractor office warehouse.

- Proposed Rezoning Ordinance No. 2019-17

Meeting Date: 7/16/2019

Purpose of Request:

To hold a public hearing pertaining to the following rezoning request as presented at the June 11, 2019 Planning and Appeals Board meeting.

The applicant is proposing to rezone the subject property from Residential-I (R-I) to Light Industrial (L-I) for an HVAC contractor office warehouse. The warehouse will involve the assemblage of metal ductwork for HVAC systems. According to the applicant, there will be 3 to 5 employees and business hours will be from 7:00 AM to 5:00 PM Monday thru Friday. The property contains an existing 5,000 square foot metal building currently owned by the adjacent Faith Baptist Church which will be converted to the proposed use with associated parking. Access is to remain from Crow Road. As well, a 5,000 square foot addition with parking is depicted on the concept plan for future growth, but there is no immediate plan to expand the building. The subject property is located within the Limestone Parkway Overlay Zone. The adjacent property is zoned Agricultural Residential-III (AR-III) in the county and Residential-I (R-I) and General Business (G-B) in the city consisting of single-family homes, Faith Baptist Church and New Horizons Lanier Park long term care facility.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff recommended approval with General Business (G-B) zoning instead of Light Industrial (L-I), with six conditions. See PAB Recommendation Report for details and excerpts from the PAB meeting.

SAMPLE MOTIONS

Approval of Ordinance 2019-17:

I move to approve the ordinance to rezone the subject property from Residential-I (R-I) to General Business (G-B) with six conditions as presented.

Denial of the Request:

I move to deny this request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description		Type
	Legal Ad	Legal Ad
	PAB Recommendation Report	Report
	Proposed Rezoning Ordinance No. 2019-17	Ordinance
	Location Maps	Backup Material
	Narrative	Backup Material
	Concept Plan	Backup Material
	Plat	Backup Material
	Photos	Backup Material

LEGAL AD
Gainesville City Council

Publish Sunday, June 30, 2019
THE TIMES

**NOTICE OF PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE GAINESVILLE ZONING MAP**

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, July 16, 2019** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following request:

- 1) Request from **Matthew Magnus and Ryan Chambers** to rezone a 1.30± acres tract located southwest of the intersection of Crow Road and White Sulphur Road, having road frontage on the north side of Beverly Road (a/k/a **2092 Crow Road and 2005 White Sulphur Road**) from Residential-I (R-I) to Light Industrial (L-I).
Ward Number: Two
Tax Parcel Number(s): 09-124-000-038 (Part)
Request: HVAC contractor office warehouse

Additional information is available from the Community and Economic Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3.3(c))
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Applicant and Property Owner	Matthew Magnus and Ryan Chambers
Location	2092 Crow Road & 2005 White Sulphur Road
Request	Rezone from R-I to L-I
Total Acres	1.3± acres
Ward	Two
Proposed Use	HVAC Contractor office/warehouse
Planning Division Staff Recommendation	Approval, with G-B zoning & conditions
Planning & Appeals Board Recommendation	Approval, with G-B zoning & conditions
Date	June 11, 2019

▪ **Zoning History**

The following zoning actions have taken place in the immediate area during the last ten years:

2018 – A request by Limestone Greenway, LLC to annex a 75.12± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2065 Limestone Parkway was conditionally approved for a mixed-use development.

2014 – A request by Waffle House Inc. to amend a condition of zoning on a 3.21± acres tract located at 2551 Limestone Parkway zoned General Business, with conditions (G-B-c) was approved for a Waffle House restaurant.

2013 – A request by the City of Gainesville to annex 115 unincorporated island parcels and right-of-way totaling 197.07± acres in size was approved with conditions.

Analysis

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The subject property is currently being used for non-residential purposes and is located along Crow Road which is considered a residential street. The surrounding area includes a mixture of residential, office, medical services, public uses and limited retail uses. The surrounding properties are zoned Agricultural Residential-III (AR-III), Residential-I (R-I), General Business (G-B) and Light Industrial (L-I). The proposal could be considered suitable given the property has been used for non-residential purposes for many years. The property contains an older warehouse building owned and used for non-residential purposes by the adjacent Faith Baptist Church.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

It is important to protect the adjacent and nearby residential uses. The interior and exterior of the existing warehouse building will be improved and all office and HVAC fabrication work will be housed inside the building. According to the applicant there will be no noise, vibrations or odors from the proposed use. Approximately 3 to 5 employees are anticipated with normal business hours Monday thru Friday. The existing driveway and parking will be improved with additional evergreen vegetation to enhance the dense buffer that currently exists. Parking and any future expansion will be required to meet storm water detention and water quality standards.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

It is staff's opinion that the proposal is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject property within the *Mixed Use General* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Limestone Medical Corridor* Character Area. The Limestone Parkway corridor area is an employment corridor that is envisioned as one of the priority growth areas and is not anticipated to expand Gainesville's traditional neighborhood fabric. Land uses allowed within this area

include public / institutional, low-density residential, medium-density residential, multi-family residential, mixed-use, commercial, and parks / recreation / conservation.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The proposed use requires the property to be rezoned for non-residential purposes. The property could continue to be used by the adjacent church under its current zoning of Residential-I (R-I) as churches are permitted by right within all zoning districts. Given the property's proximity to the neighboring church and Beverly Road, it appears reasonable that the property could be rezoned. However, staff would recommend a zoning of General Business (G-B) rather than Light Industrial (L-I) based on the adjacent zonings.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The proposed use will have minimal impacts to public facilities. Water and sewer capacity is adequate to serve the proposed use. The Gainesville Fire and Police Departments currently respond to the property and nearest City of Gainesville Fire Station #2 is approximately 9 miles from the subject property. Hall County Fire Station #7 is approximately 3 miles from the property off of East Crescent Drive. There will be no impacts to the City school system.

According to the "Trip Generation Manual" as published by the Institute of Transportation Engineers, the proposed use at build out could generate approximately 17± new trips per weekday. The trip generation is based on a total of 5 employees for the use.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The surrounding area has experienced a mixture of residential and non-residential growth due to nearby Exit 24 /I-985, Jesse Jewell Parkway, Limestone Parkway and White Sulphur Road. Nearby Northeast Georgia Medical Center has also impacted the area greatly by attracting numerous new residential, office and commercial uses. It is staff's opinion that the proposed use appears to be consistent with existing and expected uses of the Comprehensive Plan.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Based on the subject property's proximity to city limits and other residential properties, the proposal with the zoning conditions recommended by staff appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this rezoning request with **General Business (G-B) zoning**, based on the Comprehensive Plan and the surrounding mixture of uses.

Conditions

1. The subject property shall be limited to the proposed HVAC Contractor office/warehouse use and the permitted uses within the Neighborhood Business (N-B) zoning district excluding a convenience store, dollar-type store, coin laundry facility, convenience store, tobacco or vaping store, massage parlor or tattoo parlor.
2. The exterior walls of the existing metal building shall be painted similarly to the existing color or an earth tone color. In addition, a minimum 3-foot high brick or stone water table shall be required on the exterior walls facing north, east and south.
3. The existing trees located within the subject property shall remain except for what is only necessary to be removed for the development. If deemed necessary, the required tree/landscape plan shall provide for additional evergreen trees and deciduous trees to be planted to help screen the building, parking area and detention pond from Beverly Road, Crow Road and the adjacent properties. The number, location, spacing, size and type of trees planted shall be subject to the approval of the Director of Community and Economic Development Department.
4. There shall be no freestanding signs permitted fronting Crow Road.
5. All access point design for the subject property shall require review and approval by the Hall County Public Works Department and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be constructed at the full expense of the property owner/developer.
6. An updated as-built survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.

Excerpts from the June 11, 2019 PAB Meeting Minutes

Applicant Presentation: Leigh Justice, 855 Cherokee Road, stated she was involved with the project as a landscape architect. The property is somewhat abandoned and has some graffiti on the building. The property retains some natural buffer as shown on the concept plan and even with substantial tree coverage, more of a buffer can be added to meet requirements.

FAVOR: Richard Cole, 3626 Woods Road, stated he was Pastor of Faith Baptist Church which owns the subject property. There were a number of people who were interested in purchasing the property which they felt would not be compatible with the Church and residents in the area. He felt the applicants would be good neighbors for the adjacent property owners.

Daniel Bell, 2646 Sardis Way, Buford, stated he has been a member of Faith Baptist Church for 48 years and felt the proposed use would be a good fit for the area. The building was formerly used as a dormitory for camp meetings and is no longer needed.

Reed Elrod, 3402 Fork Road, stated he has been a member of Faith Baptist Church since 1980 and felt the proposed use was what was needed to keep things safe and under control. He has been in the sheet metal business for fifteen years and it is a quiet and safe business which families would appreciate having in the area.

Ramona Elrod, 3402 Fork Road, stated they were looking forward to the improvements to the property and prefer having a good business there rather than an abandoned building.

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the request to rezone the subject property from Residential-I (R-I) to General Business (G-B) zoning with the following conditions:

Conditions

1. The subject property shall be limited to the proposed HVAC Contractor office/warehouse use and the permitted uses within the Neighborhood Business (N-B) zoning district excluding a convenience store, dollar-type store, coin laundry facility, convenience store, tobacco or vaping store, massage parlor or tattoo parlor.
2. The exterior walls of the existing metal building shall be painted similarly to the existing color or an earth tone color. In addition, a minimum 3-foot high brick or stone water table shall be required on the exterior walls facing north, east and south.
3. The existing trees located within the subject property shall remain except for what is only necessary to be removed for the development. If deemed necessary, the required tree/landscape plan shall provide for additional evergreen trees and deciduous trees to be planted to help screen the building, parking area and detention pond from Beverly Road, Crow Road and the adjacent properties. The number, location, spacing, size and type of trees planted shall be subject to the approval of the Director of Community and Economic Development Department.
4. There shall be no freestanding signs permitted fronting Crow Road.
5. All access point design for the subject property shall require review and approval by the Hall County Public Works Department and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be constructed at the full expense of the property owner/developer.
6. An updated as-built survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.

Motion made by Vice-Chair Fleming

Motion seconded by Board Member Martin

Vote – 5 favor, 2 absent (Delgado, Thompson)

Passed: _____

AN ORDINANCE

No. 2019-17

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 1.30± ACRES TRACT LOCATED SOUTHWEST OF THE INTERSECTION OF CROW ROAD AND WHITE SULPHUR ROAD, HAVING ROAD FRONTAGE ON THE NORTH SIDE OF BEVERLY ROAD (A/K/A 2092 CROW ROAD AND 2005 WHITE SULPHUR ROAD) FROM RESIDENTIAL-I (R-I) TO GENERAL BUSINESS, WITH CONDITIONS (G-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **General Business, with conditions (G-B-c)**:

Conditions

- 1. The subject property shall be limited to the proposed HVAC Contractor office/warehouse use and the permitted uses within the Neighborhood Business (N-B) zoning district excluding a convenience store, dollar-type store, coin laundry facility, convenience store, tobacco or vaping store, massage parlor or tattoo parlor.**
- 2. The exterior walls of the existing metal building shall be painted similarly to the existing color or an earth tone color. In addition, a minimum 3-foot high brick or stone water table shall be required on the exterior walls facing north, east and south.**
- 3. The existing trees located within the subject property shall remain except for what is only necessary to be removed for the development. If deemed necessary, the required tree/landscape plan shall provide for additional evergreen trees and deciduous trees to be planted to help screen the building, parking area and detention pond from Beverly Road, Crow Road and the adjacent properties. The number, location, spacing, size and type of trees planted shall be subject to the approval of the Director of Community and Economic Development Department.**
- 4. There shall be no freestanding signs permitted fronting Crow Road.**
- 5. All access point design for the subject property shall require review and approval by the Hall County Public Works Department and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be constructed at the full expense of the property owner/developer.**

ORDINANCE NO. 2019-17

- 6. An updated as-built survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.**

Legal Description

All that tract or parcel of land lying and being in Land Lot 26 and 27 of the 9th District of the City of Gainesville, Hall County, Georgia, 1.30± acres, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, proceed North 72°45'00" West a distance of 191.76 feet from the centerline intersection of White Sulphur Road and Crow Road to a 1/2" iron pin set and the *TRUE POINT OF BEGINNING*.

From thence, North 72°45'00" West a distance of 85.00 feet; thence proceed North 69°29'00" West a distance of 85.00 feet; thence proceed South 6°39'00" West a distance of 449.00 feet; thence North 59°32'00" East a distance of 150.00 feet; thence North 02°10'00" West a distance of 346.60 feet being the *TRUE POINT OF BEGINNING*.

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5.

SECTION V.

The effective date of this Ordinance shall be upon approval by the governing body of the City of Gainesville, Georgia.

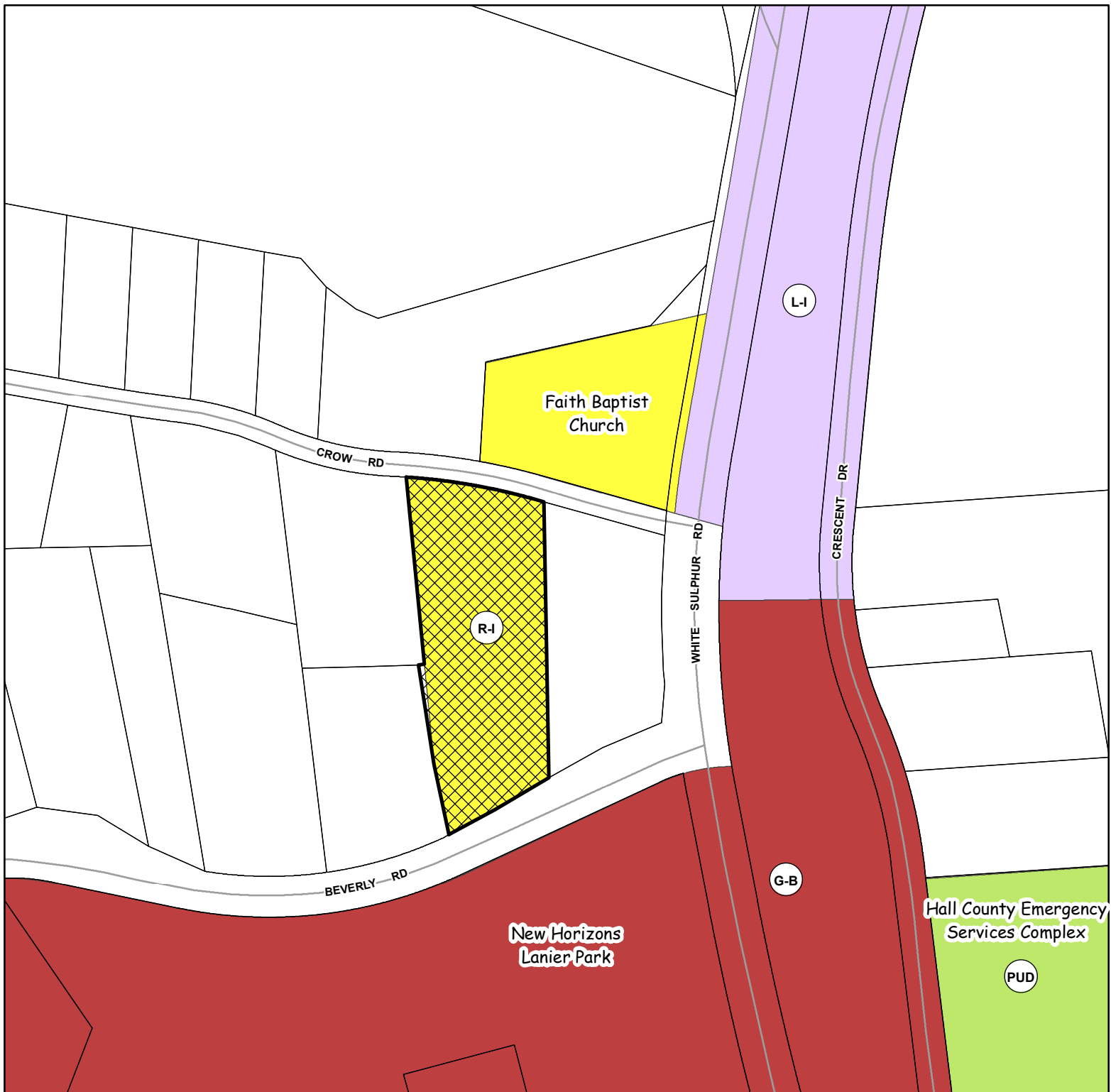
ORDINANCE NO. 2019-17

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



Applicant:

MATTHEW MAGNUS & RYAN CHAMBERS

REZONING REQUEST



Request:

Rezone 1.30+/- acres from R-I to L-I for HVAC Contractor Office Warehouse

Subject Area Address: 2092 Crow Road & 2005 White Sulphur Road

Meeting: 06/11/2019

Prepared: 05/14/2019

Community & Economic Development Department

 Subject Property



0 100 200 300 400 Feet

1" = 167'

Tax Parcel:

09-124-000-038 (Part)

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Applicant:
MATTHEW MAGNUS & RYAN CHAMBERS

REZONING REQUEST



Request:
 Rezone 1.30+/- acres from R-I
 to L-I for HVAC Contractor Office
 Warehouse

Subject Area Address: 2092 Crow Road &
 2005 White Sulphur Road

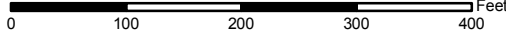
Meeting: 06/11/2019

Prepared: 05/14/2019

Community & Economic Development Department

 Subject Property

Aerial from 2015

 Feet



1" = 167'

Tax Parcel:

09-124-000-038 (Part)

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Narrative

Background

The purpose of this rezoning request is to rezone 1.30+/- acres on the southwest side of Crow Road from Residential-I (R-I) to Light Industrial (L-I) for Lanier HVAC Services LLC. The subject property is owned by Faith Baptist Church and was most recently used as a fellowship hall for the church located across the street. Currently, Faith Baptist Church does not use the existing 5,000+/- SF building.

The surrounding area includes properties zoned AR-III within jurisdictional Hall County; General Business (G-B), Office and Institutional (O-I), General Business (G-B), and Light Industrial (L-I) within the city limits of Gainesville. Businesses include doctors' offices, churches and a chicken processing plant.

Proposed Use

Lanier HVAC Services is a full service residential and commercial HVAC contractor headquartered in Gainesville, Georgia. It is Lanier HVAC Services intent to occupy the existing 5,000+/- SF metal building on the subject property for additional office and warehouse space. In addition to office and warehouse space, employees will be assembling metal ductwork for HVAC systems installed by Lanier HVAC. It is anticipated roughly 3-5 employees will be at the facility during business hours. Business hours are expected to be from 7:00 AM to 5:00 PM, Monday thru Friday. Lanier HVAC provides services in Northeast Georgia, but also in the Metropolitan Atlanta area, making the subject property appealing for its proximity to I-985.

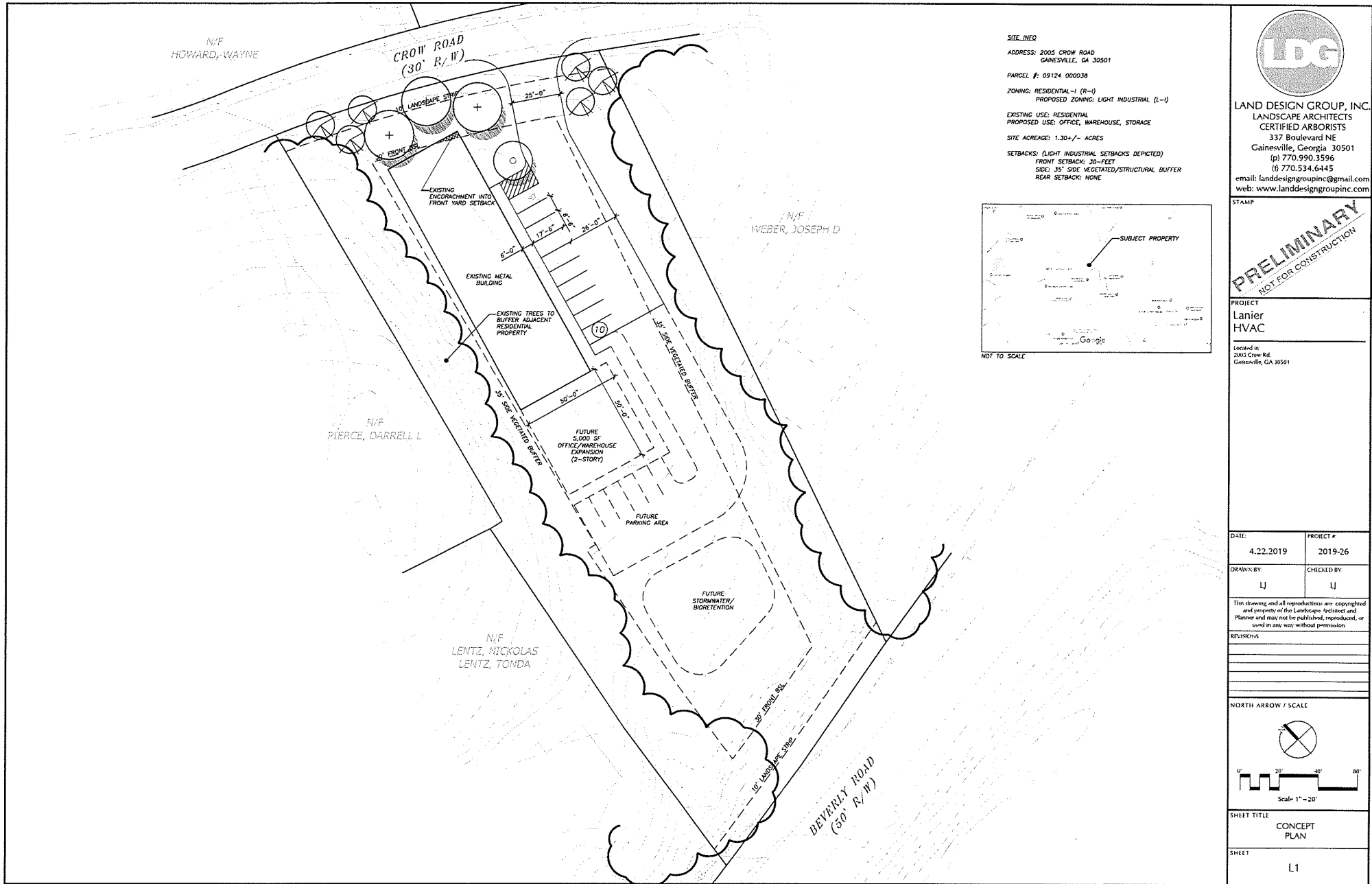
Site Improvements

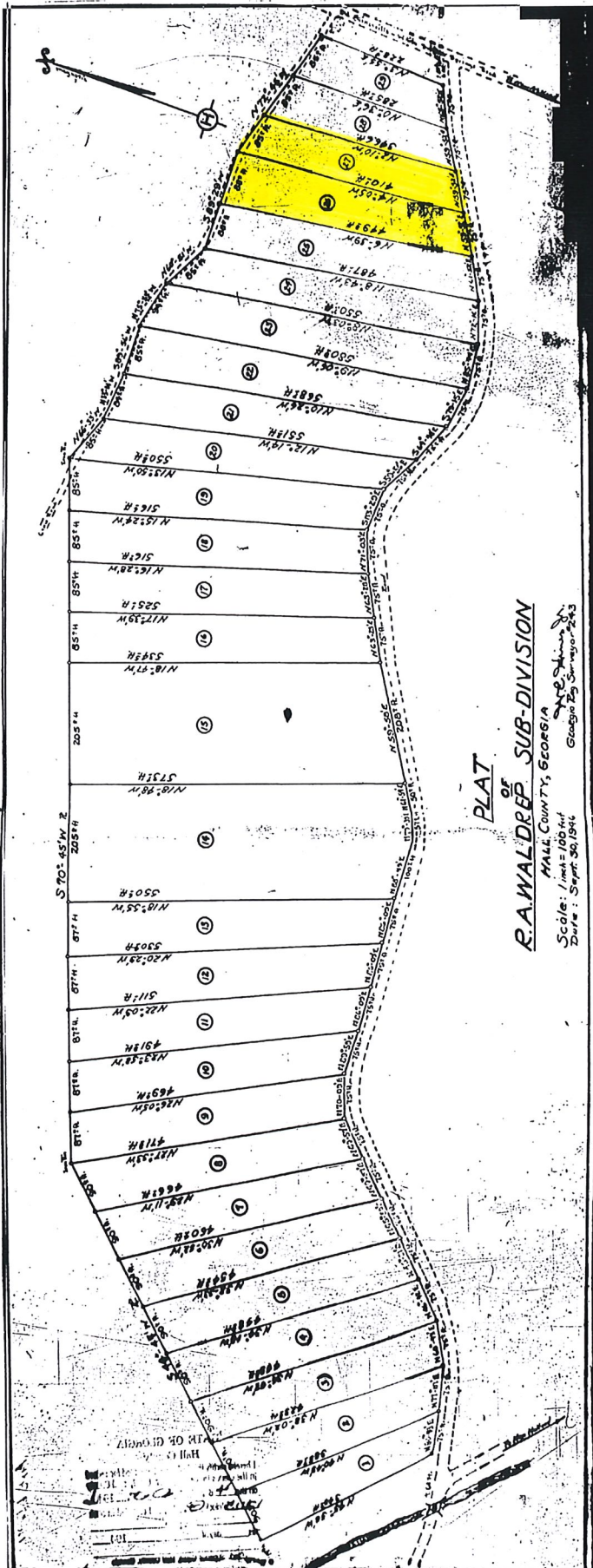
Currently, the existing metal building is vacant and is in need of much repair and has been a victim of graffiti. Lanier HVAC plans to renovate the existing building to make it suitable for office and warehouse space. Additionally, a new parking area will be constructed to accommodate employees and visitors to the property. Landscaping improvements will also be used for beautification as well as meeting any land development code requirements. Any storage of heating and air equipment or materials will be within the existing building. Should

outside storage be needed, all materials will be screened so as to not be visible from adjacent properties or the right-of-way along Beverly Drive or Crow Road. The property contains a septic system, however, sewer is available along Beverly Road. Public water is provided by the City of Gainesville along Crow Road. The proposed use will not increase demand on either of these services above what was being required by the church.

Future Expansion

Currently, Lanier HVAC only has a need to occupy the existing 5,000 SF building. However, the subject property is large enough (1.30+/- acres) in size to accommodate a building expansion should the need arise. While an exact size is not known at this time, an additional 5,000+/- SF (2-story) office/warehouse space is depicted on the concept plan for future use.





Recorded Oct 30, 1944. Hall County, Georgia.



