

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.

Reverend Lee Koontz, First Presbyterian Church of Gainesville, delivered the invocation after which the Pledge of Allegiance was recited in unison.

CONSENT AGENDA:

Minutes: July 11, 2019 Work Session

Minutes: July 16, 2019 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, Brooks

Resolutions:

- A. BR-2019-27 Property Acquisition from Alvin Gibson and Lease to SBA Properties, LLC for Wireless Facility
- B. BR-2019-28 Qualifying for the 2019 Municipal Election
- C. PR-2019-11 Bioesque Botanical Disinfectant Solution Donation from Georgia Mountains Healthcare Coalition Region B
- D. PR-2019-12 Bureau of Justice Assistance Bulletproof Vest Partnership Grant Program FY19-20

City Manager Bryan Lackey briefly reviewed the resolutions.

Motion to adopt the resolutions as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Brooks

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

PUBLIC HEARINGS:

Request from Karl Chambers and David Reddicks to annex a 0.49± acre tract located on the southwest side of the intersection of Athens Street and Cooley Drive, having road frontage on the east side of Black Drive (a/k/a 1026 Athens Street) and to establish zoning as Residential-II (R-II). Ward Number: Three. Tax Parcel Number(s): 00-056-003-026, 057 and 058. Request: Residential duplex.

- ***Proposed Annexation Ordinance 2019-18***
- ***Proposed Zoning Ordinance 2019-19***

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

Community and Economic Development Deputy Director Matt Tate summarized the request noting the Planning and Appeals Board and staff recommended approval with the following five (5) conditions:

1. The proposed use shall be generally consistent with the standards depicted on the architectural pictures provided with this annexation application including exterior materials and roof pitch to present a residential appearance. The property shall be limited to a one or two-family structure.
2. An evergreen buffer shall be provided within the 10-foot side yard setback behind proposed structure. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
3. All proposed lawn areas fronting Athens Street and Cooley Drive shall be sodded with grass extending to the edge of the road bed.
4. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
5. 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.

City Attorney Abb Hayes opened the floor for comments.

Karl Chambers, Gwinnett County resident, spoke in favor of the application. He expressed a desire to provide a duplex housing unit for single family occupancy.

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

Motion to approve Ordinance 2019-18, AN ORDINANCE ANNEXING A 0.49± ACRE TRACT LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF ATHENS STREET AND COOLEY DRIVE, HAVING ROAD FRONTAGE ON THE EAST SIDE OF BLACK DRIVE (A/K/A 1026 ATHENS STREET); 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.

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

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

Motion to approve Ordinance 2019-19, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 0.49± ACRE TRACT LOCATED ON THE SOUTHWEST SIDE OF THE INTERSECTION OF ATHENS STREET AND COOLEY DRIVE, HAVING ROAD FRONTAGE ON THE EAST SIDE OF BLACK DRIVE (A/K/A 1026 ATHENS STREET) AT THE TIME OF ANNEXATION AS RESIDENTIAL-II, WITH CONDITIONS (R-II-c); 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 Brooks

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

Request from Integrity Development Group, LLC to annex a 219.65± acres tract located northeast of the intersection of Athens Highway and Gillsville Highway, and southeast of the intersection of Athens Highway and Gaines Mill Road (a/k/a 2242 Gaines Mill Road; 2579 and 2581 Gillsville Highway) and to establish zoning as Planned Unit Development (P-U-D). Ward Number: Three. Tax Parcel Number(s): 15-022C-000-010 and 15-023-000-014. Request: 375 single-family homes.

- ***Proposed Annexation Ordinance 2019-20***
- ***Proposed Zoning Ordinance 2019-21***

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

Community and Economic Development Deputy Director Matt Tate summarized the request noting the Planning and Appeals Board and staff recommended approval with the following conditions:

1. The development standards within the narrative, site plan and architectural renderings submitted with the applicant's annexation application shall be made part of the zoning ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.
2. The owner/developer shall plant minimum 6-foot high evergreen buffer trees around all detention ponds, mail kiosk, amenity areas and park areas adjacent to the single-family lots. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
3. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director and the Georgia Department of Transportation. All required access/traffic/sidewalk improvements associated with the proposed development or any additional improvements identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.
4. All interior roads shall meet City of Gainesville standards. Sidewalks within the remaining future phases shall be required on both sides of the road and shall be a minimum width of 5-feet.
5. The developer shall reserve property within the proposed subdivision to provide for future access to the adjacent Heritage Pointe subdivision located to the north. The reserved property shall be a minimum of 55-feet in width extending to the property boundary and shall align with the reserved access lot within the Heritage Pointe subdivision. The property shall be designated as reserved on the final plat.

Mr. Tate indicated a neighborhood meeting, focused primarily on traffic, and prompted a \$50,000 contribution for traffic improvements at the intersection of Gaines Mill Road and Athens Highway. He commented on actions forthcoming by the City and Department of Transportation regarding traffic. Mr. Tate asked the governing body to consider adding condition 6 as follows: "The developer and current property owner consent to pay \$50,000.00 to be used solely for the purpose of contributing to the cost of a traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129). All funds shall be deposited no later than one month after the issuance of the initial land disturbance permit for the Planned Unit Development. All such payments will be deposited into an escrow account at a financial institution chosen by the City of Gainesville. The City of Gainesville shall choose an escrow agent, who shall be authorized to disburse the funds

to the City of Gainesville as said funds are needed for the traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129)".

City Attorney Abb Hayes opened the floor for comments.

Real Estate Agent Billy Powell spoke on behalf of the developer and confirmed there would be no activity/connectivity to Gaines Mill Road. He stated the anticipated build out was a ten year period. Mr. Powell reserved the remainder of his time for rebuttal.

Kim Crumley, 2479 Athens Highway, Hall County resident, spoke in favor of the request expressing a desire for sewer service. She felt this part of the county suffers and sewer service would bring commercial development.

Angela Middleton, 2836 Gaines Mill Road, Hall County, spoke in opposition expressing concern for the school system. She stated three different school systems service this area. She felt there should be discussion with the school board regarding the safety of transporting the children.

Brenda Smith, 2398 Pine Grove Road, Hall County resident, expressed appreciation for the neighborhood meeting before speaking in opposition of the request. She felt the community had false hope because the final decision on a traffic light will be made by the Department of Transportation. She shared her understanding of the criteria to install a traffic signal. She felt it would be November at the earliest for completion of the traffic study. She recommended delaying the decision until that information is available. Mrs. Smith also commented on her fear of trespassers noting she doesn't want trouble.

Donald Smith, 2398 Pine Grove Road, Hall County resident, commented on surrounding businesses and expressed a desire for quality of life in this area.

Kevin Wood, 2715 Gillsville Highway, Hall County resident, indicated there appears to be a lot of traffic issues at the intersection of Gaines Mill Road and Highway 129 as well as a lot of road maintenance issues. It was his opinion that one entrance for the Gaines Mill subdivision is inadequate and should have been addressed by the developer. Mr. Wood felt the neighborhood meeting appeared to be constructive. He felt Gillsville Highway residents will experience the same issues the Gaines Mill residents are facing. Mr. Wood commented on notification of the proposal and indicated zoning signs were not easily seen even by those looking for them. He requested a delay until more information is available and the community can be informed. Mr. Wood closed with a comment about the financial benefits of connecting the property to Gaines Mill Road.

Freddie Hopkins, 3073 Baker Road, Hall County resident, stated his mother lives on Gaines Mill Road and he has an interest in what happens. His mother has been fighting for 30+ years to get a traffic light. He felt the decision should be delayed until all of the studies are received and shared concerns about county related matters.

Billy Powell confirmed everyone is in agreement with the conditions.

Upon inquiry from Council Member Thompson, the average cost was reported at \$260,000 and may increase over time.

Upon inquiry from Council Member Bruner, Johnny Hastings, Brookhaven resident, stated the homes would be between 1600 and 2500 square feet. He commented on the market study indicating starter homes were needed in this area. They will be very nice homes.

Council Member Brooks inquired about the building materials for the exterior of the homes.

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

Motion to approve Ordinance 2019-20, AN ORDINANCE ANNEXING A 219.65± ACRES TRACT LOCATED NORTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND GILLSVILLE HIGHWAY, AND SOUTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND GAINES MILL ROAD (A/K/A 2242 GAINES MILL ROAD; 2579 AND 2581 GILLSVILLE HIGHWAY); 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.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

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

Motion to approve Ordinance 2019-21, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 219.65± ACRES TRACT LOCATED NORTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND GILLSVILLE HIGHWAY, AND SOUTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND GAINES MILL ROAD (A/K/A 2242 GAINES MILL ROAD; 2579 AND 2581 GILLSVILLE HIGHWAY) 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, including the addition of a condition 6 to read as follows: “The developer and current property owner consent to pay \$50,000.00 to be used solely for the purpose of contributing to the cost of a traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129). All funds shall be deposited no later than one month after the issuance of the initial land disturbance permit for the Planned Unit Development. All such payments will be deposited into an escrow account at a financial institution chosen by the City of Gainesville. The City of Gainesville shall choose an escrow agent, who shall be authorized to disburse the funds to the City of Gainesville as said funds are needed for the traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129)”.**

Motion made by Council Member Brooks

Council Member Couvillon expressed appreciation to the citizens in attendance indicating these matters are not taken lightly. Most of the concerns were for the county. He commented on studies indicating the community needs affordable housing. He felt the development would increase property values

Motion seconded by Council Member Couvillon

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

Request from S&E Holdings to rezone a 2.48± acres tract located east of the intersection of Green Street and Ridgewood Drive and west of Glenwood Drive (a/k/a 0, 718 and 736 Green Street NE; 430 Glenwood Drive, NE) from Residential-I (R-I) and Residential and Office (R-O) to Residential and Office (R-O). Ward Number: Two. Tax Parcel Number(s):

01-039-001-003 (Part), 004 (Part), 025 (Part) and 026. Request: 25 townhome units and office space.

- ***Proposed Rezoning Ordinance 2019-22***

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

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following five (5) conditions:

1. The development standards within the narrative, site plan and architectural renderings submitted with the applicant's rezoning application shall be made part of the zoning ordinance, and shall be subject to the approval of the Gainesville Historic Preservation Commission and the Director of the Community and Economic Development Department.
2. The subject property shall be limited to the proposed residential townhomes and office use. Multi-family apartments are not an approved use for the property.
3. The existing trees located within the subject property shall remain except for what is only necessary to be removed for the development. The replacement trees as part of the required tree/landscape plan shall be at minimum 3-inch caliper size and consist of evergreen and deciduous trees. In addition, the applicant shall replant the evergreen buffer around the off-site detention pond if the existing trees are removed. 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. All access point design for the subject property shall require review and approval by 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.
5. 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.

City Attorney Hayes opened the floor for comments.

Stephen Hill, 1885 Lake Warner Road, shared details about the development. He indicated the materials and design features are comparable with other properties in the area. He also commented on the market and sales for the townhomes before commenting on the diverse style of buildings in the area. Mr. Hill felt Gainesville has been successful because of its diversity.

Delores O'Shields, 4388 B Clark Road, Hall County resident, expressed opposition to going into the green space and historic district. She felt there was a better place for apartments. She also commented on the amount of traffic in this area.

Jenny Browning, 873 Glenwood Drive, stated she lives in the Longstreet Hills subdivision which is very close to the proposed development. She read the email sent to Matt Tate believing it summarized her concerns, i.e., location, parking, community dumpsters, detention pond, marketability and number of units. She did not oppose some townhomes in this area as long as they were architecturally as well as historically appropriate and as long as the number of units was reduced.

REBUTTAL:

Mr. Hill stated the development is for townhomes not apartments. The traffic study indicated there would be no impact. The proposed development exceeds the city's requirements and the detention pond is being addressed. He indicated garbage pickup at each unit would be an option. Mr. Hill restated the diversity along Green Street is consistent with the diversity in this community.

Jim Walters, 2401 Island Drive, stated the community uses his private driveways before and after work each day.

Mr. Hill addressed questions from the governing body.

Mr. Tate commented on the use of trip generation manuals to determine whether an independent traffic study was needed. In this case, a traffic study was not conducted.

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

Council Member Brooks commented on the difficulty in making decisions about proposed developments.

Motion to approve Ordinance 2019-22, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 2.48± ACRES TRACT LOCATED EAST OF THE INTERSECTION OF GREEN STREET AND RIDGEWOOD DRIVE AND WEST OF GLENWOOD DRIVE (A/K/A 0, 718, 736 GREEN STREET, NE; AND 430 GLENWOOD DRIVE, NE) FROM RESIDENTIAL-I (R-I) AND RESIDENTIAL AND OFFICE (R-O) TO RESIDENTIAL AND OFFICE, WITH CONDITIONS (R-O-c); 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 Brooks

Motion seconded by Council Member Wangemann

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

Request from Georgia Mountains YMCA, Inc. to rename Howard Road to YMCA Drive, located between State Route 365 and White Sulphur Road. Ward Number: Two. Request: Road name change.

- ***Proposed Renaming Ordinance 2019-23***

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

Community and Economic Development Deputy Director Matt Tate summarized the application noting YMCA is the only location that would be effected by an address change.

City Attorney Hayes opened the floor for comments.

Frank Simpson, 425 Spring Street, spoke on behalf of the YMCA Board noting the facility is experiencing a lot of growth. He expressed appreciation for support.

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

Motion to approve Ordinance 2019-23, AN ORDINANCE TO RENAME HOWARD ROAD TO YMCA DRIVE, LOCATED BETWEEN STATE ROUTE 365 AND WHITE SULPHUR ROAD; 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 Wangemann

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

EXECUTIVE SESSION

Mayor Dunagan requested an Executive Session to discuss real estate matters.

Motion to enter an Executive Session at 6:51 PM to discuss real estate matters.

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

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

OFFICIALS PRESENT: Dunagan, Couvillon, Wangemann, Bruner, Thompson, Brooks

STAFF PRESENT: Lackey, Sheppard, Hayes, Ligon, Jordan

Motion to close the Executive Session at 7:09 PM.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

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

ADJOURNMENT: 7:09 PM

DJ/ag

C. Danny Dunagan, Jr., Mayor

Denise O. Jordan, City Clerk