

OFFICIALS PRESENT: Danny Dunagan, Zack Thompson, George Wangemann, Sam Couvillon, Barbara Brooks, Juli Clay  
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**

#### **Post-Employment Service Recognition**

Mayor Dunagan recognized retirees Kelli Cranford (Water Resources) and John Robertson (Police) for their years of service. He read a testimonial and presented tokens of appreciation.

### **COUNCIL ANNOUNCEMENTS:**

#### **Council Member Clay**

1. Encouraged everyone to take the *hALL IN* pledge in the fight against the spread of COVID-19 and to celebrate the holidays safely.
2. Reminded everyone early voting has begun and encouraged everyone to vote.
3. Wished everyone happy holidays.

#### **Council Member Brooks**

1. Expressed appreciation for everyone wearing their masks at the meeting.
2. Shared information about the inaugural Christmas tree decorating contest and encouraged participation.

#### **Council Member Couvillon**

Expressed appreciation for City staff's service and for citizens taking the time out to provide commendations for the work they do.

#### **Council Member Wangemann**

Shared information about the City's new WeGo transportation system.

#### **Council Member Thompson**

1. Wished everyone safety while extending a Merry Christmas and Happy New Year.
2. Reminded everyone about shopping local.

#### **Mayor Dunagan**

1. Wished everyone a Merry Christmas and Happy New Year.
2. Commented on hospital report about bed availability and urged everyone to remain vigilant in the fight against the spread of COVID-19 by practicing safety measures.
3. Encouraged everyone to stop by the Administrative Building to view the beautiful Christmas trees.

### **CONSENT AGENDA:**

**Appointments: Ethics Committee – Appoint Ruth Bruner**

**Appointments: Historic Preservation Commission – Appoint Ruth Bruner**

**Motion to appoint Ruth Bruner to the Ethics Committee and to the Historic Preservation Commission as presented.**

Motion made by Council Member Clay

Motion seconded by Council Member Thompson

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**Minutes: November 12, 2020 Work Session**

**Minutes: November 17, 2020 Mayor/Council Meeting**

**Motion to approve the minutes accepting edits as presented.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**Resolutions:**

- A. AR-2020-10 Fourth Quarter Budget Adjustment for Fiscal Year 2020
- B. BR-2020-46 Accepting a Portion of Millside Parkway as a City Street
- C. BR-2020-47 Adoption of an Intergovernmental Agreement with Hall County for Constructing and Maintaining of the Library Parking Deck
- D. BR-2020-48 Chattahoochee Golf Course Advisory Committee Meetings
- E. BR-2020-49 Declaration of Surplus Property
- F. BR-2020-50 Sanitary Sewer Agreement Between City of Gainesville and Family Promise of Hall County, Inc.
- G. BR-2020-51 Selection of Airport Consultant
- H. PR-2020-17 FY2021 Local Maintenance and Improvement Grant (LMIG)

City Manager Bryan Lackey provided a brief overview of each item.

**Motion to adopt the resolutions as presented.**

Motion made by Council Member Thompson

Motion seconded by Council Member Clay

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**PUBLIC HEARING(S):**

***Request from the Clipper Petroleum, Inc. to rezone a 0.41± acre tract located on the north side of Christopher Drive, west of its intersection with Thompson Bridge Road (a/k/a 150 Christopher Drive) from Residential-I (R-I) to Neighborhood Business (N-B), with a special use. Ward Number: Two. Tax Parcel Number(s): 01-074-004-018. Request: Convenience store with fuel pumps.***

- ***Proposed Rezoning Ordinance 2020-43***
- ***Proposed Zoning Resolution 2020-05***

***Request from the Clipper Petroleum, Inc. for a special use on a 0.704± acre tract located on the northwest side of the intersection of Christopher Drive and Thompson Bridge Road (a/k/a 1261 and 1265 Thompson Bridge Road), having a zoning of Neighborhood***

**Business (N-B). Ward Number: Two. Tax Parcel Number(s): 01-074-004-019. Request: Convenience store with fuel pumps.**

- **Proposed Zoning Resolution 2020-06**

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

Community and Economic Development Deputy Director Matt Tate reviewed the two-part request. The Planning staff recommended denial of the request noting if considered, the following eight conditions were recommended:

1. The proposed development shall be generally consistent with the standards depicted on the architectural pictures provided with the rezoning and special use application including exterior materials, roof pitch, canopy, building/canopy setbacks and buffer.
2. The exterior materials and roof pitch of the building and canopy shall adhere to the standards as depicted on the architectural elevation provided with this rezoning application.
3. The development shall require a minimum 35-foot wide evergreen planted buffer adjacent to all single-family property located to the west. The location, number, spacing, size and type of trees planted shall be subject to Community and Economic Development Department Director approval.
4. The existing commercial billboard sign shall be removed from the property.
5. Prior to a permit being issued for the subject property, a Traffic Impact Study shall be required. The applicant shall coordinate with the Gainesville Public Works Department Director and the Georgia Department of Transportation (GDOT) to determine the scope of the study.
6. All access point design for the subject property shall require approval 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 or any additional improvements identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.
7. The applicant / owner shall provide for internal parcel vehicular access with the adjacent vacant property located to the north.
8. 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 Hayes opened the floor for comments.

**FAVOR**

Steve Gilliam, 301 Green Street, stated he represented the applicant and indicated Clipper Petroleum representatives Tom Bower, President, and Mark Linkesh, Real Estate Director, were present. He presented information surrounding the proposed project with focus on 1) the Christopher Drive property being consistent for commercial use, and 2) concerns pertaining to property intrusion. Picture slides were used to supplement the presentation. He commented on the removal of the house located at 150 Christopher Drive and the push back of the line for property development over the years due to state and local requirements (i.e., sidewalks, setback, parking, etc.). As a result, they determined the best use would be to rezone the property to allow for commercial use. Mr. Gilliam, commented on the buffer area behind the proposed building noting it was not directly up against the 50 ft buffer. Landscaping plans were

presented as well as letters of support from several Christopher Drive property owners. He noted there were plans to close the convenience store on the opposite side of Thompson Bridge Road with restrictive covenants to not allow use for a convenience store or gas station. Additional restrictions were noted.

Council Member Thompson confirmed the additional restrictions noted were added after the Planning and Appeals Board hearing.

Mr. Gilliam stated the eight conditions recommended by staff were reviewed and acceptable to the applicant.

Tom Bower, 5555 River Walk Court, expressed appreciation for consideration of the request. He provided some history about the Clipper business and stressed being a part of the community with having high standards. The project was good for the corridor and would improve the looks of the property. This is their third store on Thompson Bridge Road. He commented on the look of the facility and the landscaping enhancements. He was happy to answer any questions.

Charles Hudgins, 3612 Eleanors Trace, stated he owned the property located at 1175 and 1185 Thompson Bridge Road. He expressed being in favor of the project and felt the area needed to be redeveloped. He also commented on the closing of the convenience store on the opposite side possibly helping with the turn lane concerns/issues.

#### OPPOSITION

Pat Harold, 1171 Green Street Circle, commented on the disaster with traveling on Thompson Bridge Road. She felt they do not need more traffic which this would create.

#### REBUTTAL

Mr. Gilliam stated traffic is traffic and this would not affect it.

Mayor Dunagan requested an amendment to condition 3 in an effort to protect the neighborhood further.

Mr. Tate commented on the conditions and proposed amending condition 3 to 1) increase the buffer area requirement from a 35-foot to a 50-foot wide buffer and 2) provide specification as to the types of tree plantings in the area. A copy of the amended language was provided.

Mr. Thompson inquired if the developer would be in favor of the amended condition 3 at which time Mr. Gilliam indicated they would be.

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

Mr. Couvillon commented on decisions made by Council on rezoning matters and expressed the importance of taking the feelings of those in opposition into consideration.

Mr. Thompson commented on the neighborhoods being crucial to vitality and top priority of the Council, staff and Planning and Appeals Board. He commended staff and the Planning and Appeals Board for their hard work surrounding these type matters.

Mayor Dunagan agreed with Mr. Thompson's comments.

**Motion to approve Ordinance 2020-43, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.41± ACRE TRACT LOCATED ON THE NORTH SIDE OF CHRISTOPHER DRIVE, WEST OF ITS INTERSECTION WITH THOMPSON BRIDGE ROAD (A/K/A 150 CHRISTOPHER DRIVE) FROM RESIDENTIAL-I (R-I) TO NEIGHBORHOOD BUSINESS, WITH CONDITIONS (N-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented to include an amendment to condition 3 to read as follows: “The development shall require a minimum 50-foot wide evergreen planted buffer adjacent to all single-family property located to the west. The trees shall be a minimum installation height of 8 feet and shall consist of a mixture of Arborvitae Green Giant, Japanese Cryptomeria, Eastern Red Cedar, and Holly. The location, number, spacing, size and type of trees planted shall be subject to Community and Economic Development Department Director approval in order to effectively screen the convenience store and fuel canopy from the adjacent residential neighborhood.”**

Motion made by Council Member Wangemann

Motion seconded by Council Member Clay

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**Motion to adopt the resolution ZR-2020-05 with conditions to include an amendment to condition 3 as presented.**

Motion made by Council Member Clay

Motion seconded by Council Member Brooks

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**Motion to adopt the resolution ZR-2020-06.**

Motion made by Council Member Couvillon

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

#### **CITY MANAGER ISSUES:**

City Manager Bryan Lackey reported a water main break and commended the Water Resources staff for their hard work.

#### **Business Resolution 2020-18**

##### **Approval of Exercising Power of Eminent Domain at 628 EE Butler Parkway**

##### **(Tabled at the September 15, 2020 Mayor/Council Meeting)**

City Manager Lackey provided an update on the referenced item noting progress was being made as evidenced by the demolition of the two buildings on the site. He was excited about the prospects. In continuation of the efforts, he requested to table the item to the March 16, 2021 Council Meeting.

**Motion to table the resolution to the March 16, 2021 Council Meeting.**

Motion made by Council Member Clay

Motion seconded by Council Member Thompson

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

**Business Resolution 2020-52**

**Property Acquisition from America's Home Place, Inc.**

City Manager Lackey commented on the proposed resolution to authorize the purchase of a 0.81 acre tract of property located on Cleveland Highway in the amount of \$290,000 using impact fee funds. The property is located in front of the new Fire Station 2 and was being considered for a future police facility which provides for the opportunity to increase law enforcement efforts in the area. Mayor Dunagan felt this would be a great asset and addition to the Fire Station 2 property. Council Member Couvillon stated he agreed.

**Motion to adopt the resolution BR-2020-52 as presented.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Brooks

**Votes favoring the motion: Thompson, Wangemann, Couvillon, Brooks, Clay**

City Manager Bryan Lackey wished everyone a Merry Christmas.

**CITY CLERK ISSUES:**

City Clerk Denise Jordan wished everyone a Merry Christmas noting Mrs. Ruth Bruner stopped by the office today to wish everyone a Merry Christmas.

**ADJOURNMENT: 6:32 PM**

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C. Danny Dunagan, Jr., Mayor

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Denise O. Jordan, City Clerk