

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

Mayor Couvillon delivered the invocation after which the Pledge of Allegiance was recited in unison.

COUNCIL ANNOUNCEMENTS:

Council Member Wangemann

Announced the City of Gainesville will be presented with the Tree City USA Growth Award and the 2021 Tree City USA Award during a ceremony to be held on Friday, February 18 at the Elachee Nature Science Center.

Council Member Clay

Welcomed the City's newest neighbor, Solis Gainesville, to the downtown/midtown area and provided a quick update on information received during today's ribbon-cutting ceremony.

Council Member Brooks

Announced college scholarship opportunities offered by the Browns Bridge Church for descendants of families expelled from Forsyth County in 1912.

Council Member Dunagan

Congratulated the Gainesville Fire Department on the appointment of their new Deputy Fire Chief Zach Philyaw.

CONSENT AGENDA:

Minutes: January 27, 2022 Work Session

Minutes: February 1, 2022 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Clay

Motion seconded by Council Member Dunagan

Votes favoring the motion: Brooks, Clay, Dunagan, Wangemann

Absent: Thompson

APPOINTMENTS:

Friends of the Parks Board – Position Previously Held by Bill Taylor

Motion to appoint Linda Sloyer to serve on the Friends of the Parks Board as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Brooks

Votes favoring the motion: Brooks, Clay, Dunagan, Wangemann

Absent: Thompson

PUBLIC HEARING:

***(Tabled at the October 5, 2021, December 7, 2021 and January 18, 2022 Council Meetings)
Request from Easto Construction to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 4.847± acres located southeast of the intersection of Thompson Bridge Road and High Vista Point (a/k/a 2702 High Vista Point, NE). Ward Number: One. Tax Parcel Number(s): 01-100-002-032. Request: 44 residential townhomes.***

• ***Proposed Zoning Amendment Ordinance 2021-27***

City Attorney Abb Hayes opened 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 request noting, it was his understanding, the applicant would like to amend their request to reduce the number of units from 44 to 34 residential units. The Planning and Appeals Board recommended denial and staff recommended approval with the following six conditions. Staff also recommended an amendment to condition 1 if the request is approved.

1. The proposal shall be generally consistent with the concept plan and architectural pictures provided with this zoning amendment application per the review and approval of the Community and Economic Development Director.
2. The proposed townhome development shall adhere to the development standards stated within Section 9-10-2-5 of the Unified Land Development Code entitled "Single-Family Attached Dwelling (Fee-Simple Townhouse)."
3. In addition to the parking provided for each townhome unit and the amenity, a minimum of 10 guest parking spaces shall be provided within the development.
4. The owner/developer shall screen all stormwater detention ponds with a mixture of evergreen trees. In addition, there shall be a minimum 20-foot wide landscape buffer planted area adjacent to High Vista Point and Thompson Bridge Road. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
5. Signage for the development shall be located at the entrance of the development located off of High Vista Point. Signage shall be limited to the residential zoning standards stated within Section 9-18-5-6 of the Unified Land Development Code entitled "Project Entrance Signs", not to exceed 8-feet in height and 32 square feet of sign face area with ground lighting.
6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.

Attorney Hayes opened the floor for comments.

Tyler Smith, with Smith, Gilliam, Williams & Miles, P.A., 340 Jesse Jewel Parkway, stated he represented the applicant Easto Construction, Inc. He provided a brief background history on one of the company's owners noting he regretted not being able to attend the hearing. He also

summarized the history surrounding the rezoning application. After the initial denial by the Planning and Appeals Board and various meetings/discussions, revisions were made to address some of the concerns received from the High Point residents at which time a more traditional design was invoked and the number of units were reduced to 34. He stated they were willing to develop either the condominium complex or the townhome style noting they felt the townhomes were more fitting. He introduced Robert Fouse, architecture for the applicant, to provide more details about the plan and reserved time for rebuttal.

Robert Fouse, Dunwoody resident and architecture for the applicant, shared his project history, background and excitement about this project. He commented on the project development and agreed the condominium style was not the best use of the property at which time the idea of a three-story townhome was conceived. He described the site property as being substantially sloped and a lot of dirt would need to be removed. He commented on the 34-unit concept plan which provides every unit with a view of the lake. This was the compelling element for the development and they anticipated a sale price point between \$800k and \$1.2 million. He also anticipated these would be vacation and weekend homes. He complimented and expressed appreciation for the residents in being helpful and engaging with providing information. In closing, he stated they were comfortable with the tower design but feel the townhomes were a better fit for the City of Gainesville.

OPPOSITION:

Scotty Ball, 2713 High Vista Point, stated he was an attorney and a homeowner in the adjacent neighborhood. He complimented Mr. Smith and his clients on being forthcoming in their negotiation and discussions. He distributed copies of the plat as recorded in 2005 and briefly outlined the primary objections to the application which included concerns with a large power transmission line, existing sanitary sewer and roadway easements, and an easement with slopes running through the property as well as extreme topography resulting in limited usable property. He distributed copies of the conceptual site plan for comparison to the plat noting it was not feasible. Other concerns included no engineering studies had been completed, the lack of due-diligence, traffic and the appearance of the gateway corridor. He urged Council to say no to the current plan.

Bob Willis, 2718 High Vista Point, lead with a petition indicating 95% of the residents opposed the development. He stated there had been no material changes since the denial of the application at the September 15, 2021 Planning and Appeals Board meeting. He summarized topics with no verifiable comparable information and questioned the due-diligence for this project.

Dani Burns, 2706 High Vista Point, stated she was a real estate agent and broker. She addressed concerns about sell ability. She commented on conditions that effect sales and felt the prices were inflated when considering these items. She did not oppose the high-rise because she felt it was a better use of the property offering less destruction to the environment and land.

Mr. Ball restated the main issue was that the plan does not work.

REBUTTAL:

Tyler Smith, addressed the comments regarding the physical characteristics of the property and the easements. He acknowledged they can't proceed beyond the easement restrictions. He confirmed no full engineering had occurred. However, there is a site plan and if approved they

would move forward with engineering and will work to address the concerns. Mr. Smith stated the project would not add any traffic and noted most of the homes would be secondary homes. He also commented on the owner and Mr. Fouse's background and experience. They understood the risks and were willing to build either development but felt the townhomes were a better use. They want to be good neighbors and provide a project that aesthetically fits the Gainesville community. In closing, he asked Council to approve the request and thanked them for everything they do for the City of Gainesville.

Council Member Clay extended appreciation to Mr. Smith and Mr. Fouse for their willingness to work with the community, staff and Council and to Mr. Fouse for sharing his residential experience. She expressed concern with a plan intended for non-primary residents at the expense of a neighborhood of primary residents. She asked what was done to protect the existing residence noting this was her concern.

Mr. Fouse indicated no civil engineering has been completed and there is no accurate topographic survey of the site. There have been no site line studies to date. Significant site line studies are planned.

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

Council Member Dunagan stated he felt it was a good project but on a different piece of property.

Motion to deny the request as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Wangemann

Votes favoring the motion: Brooks, Clay, Dunagan, Wangemann

Absent: Thompson

CITY MANAGER ISSUES:

Solis Gainesville Project

City Manager Bryan Lackey echoed Council Member Clay's compliments regarding the Solis Gainesville project noting he was thoroughly impressed.

ADJOURNMENT: 6:20 PM

/ag

W. Samuel Couvillon, Mayor

Denise O. Jordan, City Clerk