



AGENDA

**Gainesville Planning and Appeals Board
Tuesday, June 13, 2017, 5:30 PM
Gainesville Justice Center**

1. CALL TO ORDER

2. OLD BUSINESS

3. NEW BUSINESS

A. Rezoning Request

- (1) Request from the **City of Gainesville** to rezone a 53.177± acres tract located on the northeast and northwest side of the intersection of Jesse Jewell Parkway and Community Way (a/k/a **1514, 1515, 1545, 1560 and 1581 Community Way, NE**) from Residential-II (R-II) to Office and Institutional (O-I).

Ward Number: Three

Tax Parcel Number(s): 01-082-004-002, 003, 004 and 007

Request: Existing uses and future office

4. MISCELLANEOUS

5. ADJOURNMENT

CITY OF GAINESVILLE

AGENDA REQUEST

Date Submitted: 5/24/2017

Presenter: Matt Tate

Item of Business: Request from the **City of Gainesville** to rezone a 53.177± acres tract located on the northeast and northwest side of the intersection of Jesse Jewell Parkway and Community Way (a/k/a **1514, 1515, 1545, 1560 and 1581 Community Way, NE**) from Residential-II (R-II) to Office and Institutional (O-I).
Ward Number: Three
Tax Parcel Number(s): 01-082-004-002, 003, 004 and 007
Request: Existing uses and future office

Meeting Date: 6/13/2017

Purpose of Request:

The City of Gainesville is proposing to rezone the subject property from Residential-II (R-II) to Office and Institutional (O-I). The property is located on the north side of Jesse Jewell Parkway and includes the Frances Meadows Aquatic Center, Gainesville Middle School, City of Gainesville property and all of Community Way right-of-way. The purpose of the request is to bring all of the properties into a consistent zoning classification to better fit the existing uses and for future professional office purposes.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff is recommending approval of this request.

Department Director:

Rusty Ligon

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
☐ Staff Report	Report
☐ Location Maps	Backup Material
☐ Narrative	Backup Material
☐ Plat	Backup Material

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant City of Gainesville

Property Owners City of Gainesville, Gainesville
Redevelopment Authority, City of
Gainesville School District

Location 1514, 1515, 1545, 1560 and 1581
Community Way

Request Rezone from R-II to O-I

Size 53.177± acres

Ward Three

Proposed Use Existing uses and future professional
office

Planning Division Staff Recommendation **Approval**

Date June 13, 2017

▪ **Applicant's Proposal and Background Information**

The applicant is proposing to rezone the subject property from Residential-II (R-II) to Office and Institutional (O-I). The property is located on the north side of the intersection of Jesse Jewell Parkway and Community Way and includes five parcels and all of Community Way right-of-way. The existing uses include the Frances Meadows Aquatic Center, Gainesville Middle School, athletic fields, a detention pond and a 2.0± acres undeveloped parcel. The property is located within the Limestone Corridor Overlay Zone and has access to Community Way and Lakeview Drive.

The purpose of the request is to bring all of the properties into a consistent zoning classification to better fit the existing uses. As well, a future professional office use is anticipated for an existing 2.0± acres undeveloped tract located within the subject property which is located on the west side of Community Way and adjacent to the Frances Meadows Aquatic Center parking lot.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Single-family homes	Residential-I (R-I) -City
South	Professional Office Vacant land, Orthodontist Office under construction	Planned Unit Development (P-U-D) -City Residential-II (R-II) and Planned Office Development (P-O-D) -County
East	Undeveloped land Single-family homes	Residential-II (R-II) -City Residential-II (R-II) -County
West	Professional Office and Multi-family apartments under construction	Residential-II (R-II) and Office and Institutional (O-I) -City

▪ **Other Departmental Comments**

There were no other departmental comments regarding this request.

▪ **Zoning History**

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

2017 – A request by Hanh My Thi Doan for a Special Use within Office and Institutional (O-I) zoning located at 502 South Enota Drive was denied for a nail salon.

2012 – A request by Pacolet Milliken Enterprises, Inc. to annex a 68.223[±] acres tract located at 601 White Sulphur Road was approved with conditional Planned Unit Development (P-U-D) zoning for a mixed-use development.

2008 – A request by JHME Properties, LLC to rezone 10.0[±] acres located at 1465 Jesse Jewell Parkway from Residential-II (R-II) to Office and Institutional (O-I) was approved with conditions for medical and general office uses.

2007 – A request by Northeast Georgia Medical Center/Health System, Inc. to annex 4.218[±] acres with Planned Unit Development (P-U-D) zoning and to rezone 4.218[±] acres from Residential-II (R-II) & General Business (G-B) to Planned Unit Development (P-U-D) located at 0, 1295, 1317, 1319, 1321 & 1405 Jesse Jewell Parkway and 1284 & 1285 Sims Street was approved with conditions for medical uses.

2007 – A request by Bow-Mil Properties, LLP to rezone 2.0[±] acres located at 2306 Limestone Parkway from Office and Institutional (O-I) to Neighborhood Business (N-B) was approved with conditions for a pharmacy, professional and medical uses.

2007 – A request by Steven P. Gilliam for a Special Use within Office and Institutional (O-I) zoning located at 2278 Limestone Parkway was approved with conditions for a 55-bed assisted living facility.

2007 – A request by Rochester & Associates, Inc. to rezone 5.146[±] acres located at 1975 Beverly Road and 2315 Limestone Parkway from Residential-I (R-I) and Residential-I-A (R-I-A) to Office and Institutional (O-I) was approved with conditions for medical and professional offices.

▪ **Staff Analysis**

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

It appears the proposed rezoning request is suitable in view of the zoning and development of adjacent and nearby properties. The subject property is surrounded by a mixture of land uses and zoning districts which include various professional and medical offices, single-family homes, undeveloped land and multi-family apartments which are under construction. These properties are zoned Residential-I (R-I), Residential-II (R-II), Office and Institutional (O-I) and Planned Unit Development (P-U-D). Other uses in the area include the New Holland Elementary School and a multi-tenant office building under construction that will be partially occupied by the Georgia Department of Transportation. Property located directly to the south and east is located within unincorporated Hall County and includes single-family homes, undeveloped land, Milliken Industrial property and the Sosebee & Britt orthodontist office under construction.

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

The use of the subject property will not change other than the addition of a professional office use in the future. The proposed zoning of Office and Institutional (O-I) is a more appropriate zoning given the existing and expected uses. The proposed zoning should have minimal impacts on the usability of adjacent and nearby property given that existing infrastructure is sufficient.

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

It is staff's opinion that the proposed development is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject property within the *Public / Institutional / Transportation, Communication, Utilities* land use category which includes areas containing or planned for institutional uses including governmental, educational, and medical facilities, houses of worship, and similar institutional facilities; or major transportation, utilities or communication facilities.

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 is envisioned as an employment corridor 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 current zoning of the property is Residential-II (R-II) which allows for numerous residential uses including single-family, duplex, townhomes, condominiums and apartments. The proposed zoning of Office and Institutional (O-I) is more appropriate zoning district to support the existing public, institutional and future office use of the subject property.

(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 subject property currently utilizes various City services; including police and fire protection and utilities. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 2.1 miles from the subject property. Hall County Fire Station #7 is located off of East Crescent Drive and is approximately 1.2 miles from the subject property. The existing Gainesville Middle School and Frances Meadows Aquatic Center will continue to utilize the existing signalized intersection of Community Way and Jesse Jewell Parkway, as well as the secondary access from Lakeview Drive and the neighboring office development to the west.

(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?

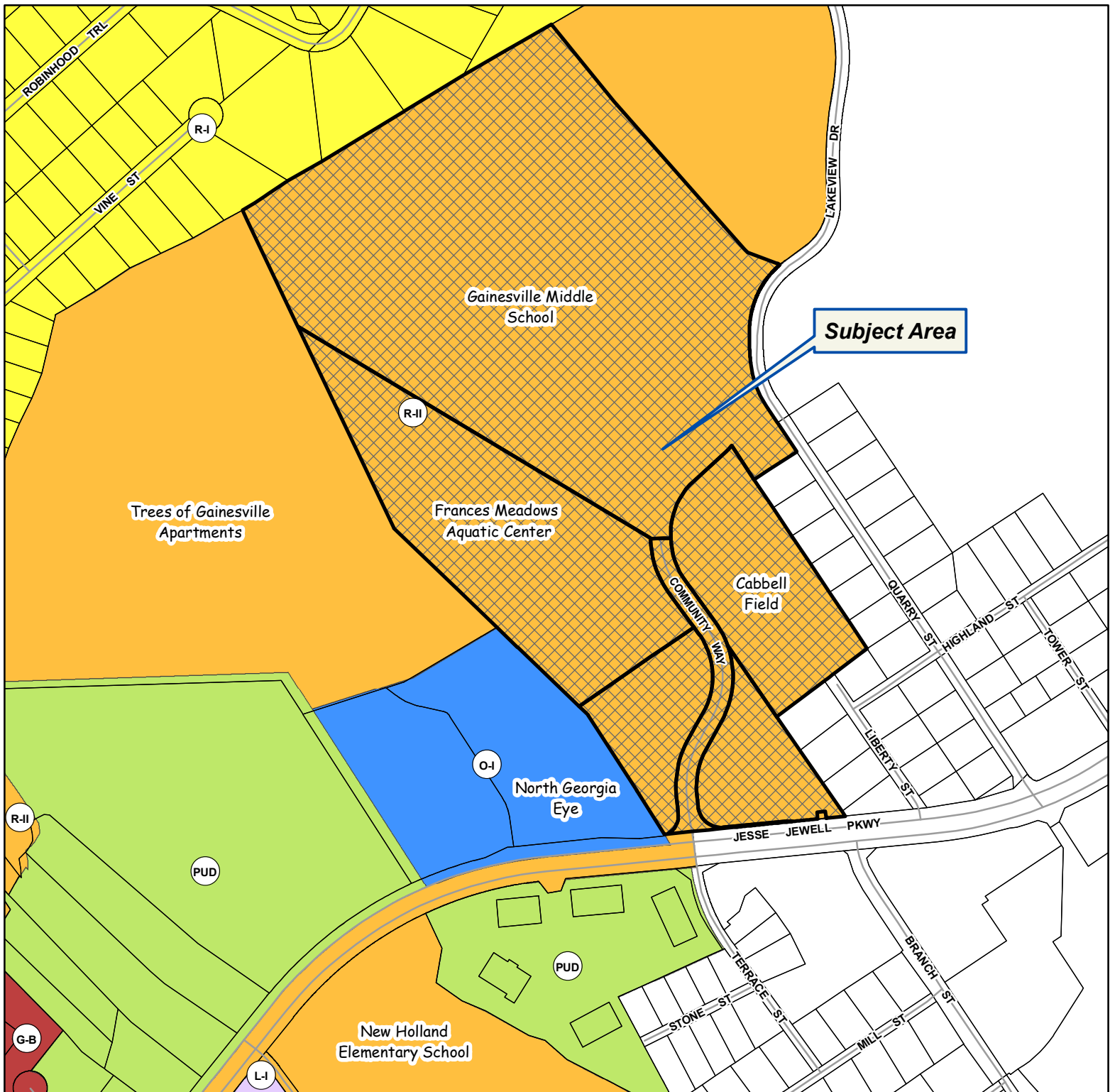
The proposed rezoning request appears to be consistent with the Comprehensive Plan and the surrounding mixture of residential and non-residential land uses. Significant growth has occurred along Jesse Jewell Parkway due to the emerging Northeast Georgia Medical Center. Much of this growth is in the form of supportive medical uses and services, professional offices, commercial/retail, public uses and multi-family residential.

(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?

The proposed rezoning request appears to promote a reasonable balance between the interests of the City, the property owner, and neighboring residents and property owners.

▪ **Staff Recommendation**

The Planning Division staff is recommending **approval** of this rezoning request with **O-I zoning**, based on the Comprehensive Plan and the surrounding residential and non-residential land uses.



Applicant:

CITY OF GAINESVILLE

REZONING REQUEST



Request:
Rezone a 53.177+/- acres tract from Residential-II (R-II) to Office and Institutional (O-I) for existing uses and future office

Subject Area Address:
1514, 1515, 1545, 1560 & 1581 Community Way, NE

Meeting: 6/13/2017

Prepared: 5/23/2017

Gainesville Community Development Department

 Subject Area

0 240 480 720 960 Feet



1" = 400'

Tax Parcel: 01-082-004-002, 003, 004 & 007



Applicant:

CITY OF GAINESVILLE

REZONING REQUEST



Request:
Rezone a 53.177+/- acres tract from Residential-II (R-II) to Office and Institutional (O-I) for existing uses and future office

Subject Area Address:
1514, 1515, 1545, 1560 & 1581 Community Way, NE

Meeting: 6/13/2017

Prepared: 5/23/2017

Gainesville Community Development Department

 Subject Area



0 240 480 720 960 Feet

1" = 400'

Tax Parcel: 01-082-004-002, 003, 004 & 007

Page 8 of 10

City of Gainesville Rezoning Narrative

The City of Gainesville is proposing to rezone 53.177± acres from Residential-II (R-II) to Office and Institutional (O-I). The property is located on the north side of Jesse Jewell Parkway and includes the Frances Meadows Aquatic Center, Gainesville Middle School, City of Gainesville property and all of Community Way right-of-way. The purpose of the request is to bring all of the properties into a consistent zoning classification to better fit the existing uses and for future professional office purposes.

Property Owner List

Parcel #	Owner	Address
01082 004002	City of Gainesville	1514 & 1515 Community Way
01082 004003	Gainesville Redevelopment Authority	1545 Community Way
01082 004004	City of Gainesville School District	1581 Community Way
01082 004007	City of Gainesville	1560 Community Way
Right-of-way	Community Way	

"IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW"

"I HAVE CONSULTED THE F.I.R.M. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 1313601005 E, DATED 3-21-2000 AND IN MY OPINION THIS PROPERTY DOES NOT APPEAR TO LIE IN A SPECIAL FLOOD HAZARD AREA."

"THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE."

FIELD SURVEY ERROR OF CLOSURE 1:44067
ANGULAR ERROR PER ANGLE POINT 00-00-05
INSTRUMENT USED NIKON TOPGUN
ADJUSTED BY LEAST SQUARES
PLAT ERROR OF CLOSURE 1:772,553

A	S 27°36'19"W	177.35'
B	S 05°31'10"W	63.92'
C	S 14°01'08"E	219.24'
D	S 33°33'06"E	46.49'
E	N 56°22'35"E	9.25'
F	S 33°33'06"E	103.02'
1	S 55°54'28"W	147.12'
2	S 33°33'07"E	99.07'
3	S 33°20'39"E	99.32'
4	S 33°34'53"E	199.02'
5	S 33°38'35"E	197.38'
6	S 51°17'48"W	120.61'
7	S 67°38'02"W	30.59'
8	S 56°22'43"W	176.54'
9	S 33°40'17"E	238.52'
10	S 33°21'15"E	139.25'
11	S 84°19'17"W	61.56'
12	N 05°40'43"W	25.00'
13	S 84°19'17"W	25.00'
14	S 05°40'43"E	25.00'

LAKEVIEW DRIVE
(50 Foot Right Of Way)

UTILITIES CONTACTS:

ATMOS GAS
175 JOHN MORROW JR. PARKWAY
GAINESVILLE, GA. 30501
MARK REEVES 770-534-7438

GEORGIA POWER
426 SPRING STREET S.E.
GAINESVILLE, GA. 30501
BO WHEELER 770-535-6441

CITY OF GAINESVILLE PUBLIC UTILITIES
757 QUEEN CITY PARKWAY S.W.
GAINESVILLE, GA. 30501
MORON BENNETT 770-538-2418

CHARTER COMMUNICATIONS (CATV)
1102 THOMPSON BRIDGE ROAD N.E.
GAINESVILLE, GA. 30501
1-800-955-7766

REFERENCES:

1) PLAT BY FARLEY-COLLINS ASSOC. FOR DEERING MILLIKEN, INC., NEW HOLLAND MILL, 10-25-1974, REVISED 6-09-1997.

2) PLAT BY FARLEY-COLLINS ASSOC. FOR THE MILLIKEN FOUNDATION, 161.5833 ACRES TOTAL, 5-02-2000, LAST REVISED 10-24-03.

TREE LEGEND:

B = BEECH
BR = BIRCH
C = CEDAR
CO = COTTONWOOD
COK = CHESTNUT OAK
D = DOGWOOD
H = HEMLOCK
HK = HICKORY
L = LOCUST
M = MAPLE
O = OAK
P = PINE
PO = POST OAK
POPL = POPLAR
R = RED OAK
S = SWEETGUM
WAK = WATER OAK
WC = WILD CHERRY
WP = WHITE OAK
WP = WHITE PINE

LEGEND:

A = ARC
R = RADIUS
CON = CONCRETE
DRAINAGE FLOW
DRAINAGE SCALE
AKA = ALSO KNOWN AS
CL = CENTERLINE
DE = DRAINAGE EASEMENT
IPF = IRON PIN FOUND
IPF = IRON PIN SET
LL = LAND LOT LINE
W/F = NOW OR FORMERLY
R/W = RIGHT OF WAY
S = SANITARY SEWER
S/W = BUILDING SETBACK
F = FENCE
G = GAS LINE
P = POWER LINE
T = TELEPHONE LINE
W = WATER LINE
CTF = CRIMPED TOP PIN FOUND
CMF = CONCRETE MONUMENT FOUND
x 100.00 = ELEVATION AT "x"
■ = POWER BOX
■ = LIGHT STANDARD
PIF = PIPE FOUND
PED = PEDESTAL
1100#00 = ELEVATION @ "x" ON TOP BACK OF CURB

NOTES:

1) PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD, IF ANY.

2) BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY LINE OF THE REFERENCED PLAT FOR DEERING MILLIKEN, INC., WHICH BEARS N59°49'E SEE REFERENCE NO. 1.

3) 30 FOOT SEWER EASEMENT CENTERED ON EXISTING MANHOLES.

4) AS PER MARK REEVES WITH ATMOS GAS THERE ARE NO GAS LINES ON JESSE JEWELL PARKWAY, LIBERTY STREET, OR QUARRY STREET.

5) UNDERGROUND UTILITIES AS SHOWN HEREON ARE APPROXIMATE LOCATIONS PUT TOGETHER WITH SURFACE LOCATIONS AND CITY OF GAINESVILLE PUBLIC UTILITIES WATER AND WASTE WATER SYSTEM MAPS NO. 64-1 AND 64-2.

6) APPROXIMATE LOCATION OF ROCK OUTCROP LINE AS SHOWN HEREON IS A GENERAL LOCATION OF ROCKY AREAS AND CORE BORINGS SHOULD BE DONE TO DETERMINE EXACT EXTENTS.

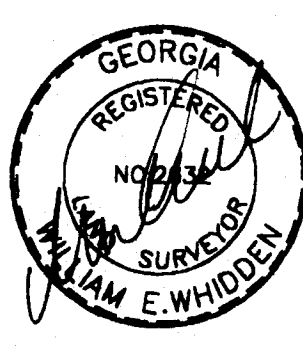
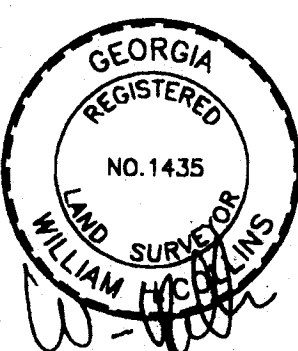
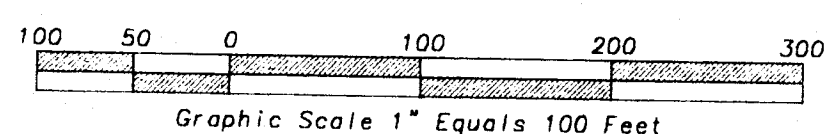
7) SURVEY TIED TO CITY OF GAINESVILLE PUBLIC UTILITIES DEPARTMENT GPS CONTROL STATION NO. 2514 AND ALL SHOWN HEREON ARE BASED ON SAME POINT BEING ELEVATION 1249.75 M.S.L.

CALL BEFORE YOU DIG

CALL FREE
UTILITIES PROTECTION CENTER, INC.
1(800)-282-7411
IN ATLANTA: 325-5000

THREE WORKING DAYS BEFORE YOU DIG
IT'S THE LAW

(2 FOOT VERTICAL CONTOURS)
53.177 ACRES



PREPARED BY:
FARLEY-COLLINS-WHIDDEN ASSOC.
P.O. BOX 731 532-1001
1856 THOMPSON BRIDGE ROAD, SUITE 11
GAINESVILLE, GA. 30501

DATE: 11-28-2005
SURVEY FOR: CITY OF GAINESVILLE
JOB #: C1680
LOCATION: City of Gainesville / Hall County
LAND LOTS 133 AND 137 - 9TH DISTRICT
HALL COUNTY, GEORGIA
SCALE: 1"=200'

DATE: 11-28-2005
SURVEY FOR: CITY OF GAINESVILLE
JOB #: C1680
LOCATION: City of Gainesville / Hall County
LAND LOTS 133 AND 137 - 9TH DISTRICT
HALL COUNTY, GEORGIA
SCALE: 1"=200'