



AGENDA

**Gainesville Planning and Appeals Board
Tuesday, February 13, 2018, 5:30 PM
Gainesville Justice Center**

1. CALL TO ORDER

2. MINUTES

A. January 16, 2018 PAB Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

A. Zoning Amendment Request

- (1) Request from **Geosam Capital US (Atlanta), LP** to amend the existing Planned Unit Development (P-U-D) zoning on a 85.45± acres tract located at the terminus of Lilac Creek Trail and Shady Lane Drive, south of Gaines Mill Road within the Heritage Pointe Subdivision (a/k/a **0 Gaines Mill Road SE**).

Ward Number: Three

Tax Parcel Number(s): 15-022-000-014 (part)

Request: 100-single family detached lots

5. MISCELLANEOUS

6. ADJOURNMENT

CITY OF GAINESVILLE

AGENDA REQUEST

Date Submitted: 2/7/2018

Presenter: N/A

Item of Business: January 16, 2018 PAB Meeting Minutes

Meeting Date: 2/13/2018

Purpose of Request:

The purpose of this request is to allow the Planning and Appeals Board to approve the minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

The draft minutes were reviewed by the Planning Manager and Community Development Director.

Department Recommendation:

Approval of the minutes as presented.

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
☐ Draft Minutes	Minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
JANUARY 16, 2018

CALL TO ORDER Chairman Carter at 5:30 p.m.

Members Present: Chairman Doug Carter, Vice-Chair Jane Fleming and Board Members Eddie Martin, Sr., Carmen Delgado, Ryan Thompson and Rich White

Members Absent: None

Staff Present: Community Development Director Rusty Ligon, Planning Manager Matt Tate and Recording Secretary Judy Foster

Others Present: Council Members Barbara Brooks and George Wangemann

MINUTES OF DECEMBER 12, 2017

There was a motion to approve the minutes as presented.

Motion made by Board Member White
Motion seconded by Board Member Delgado
Vote – 6 favor, 1 vacancy

OLD BUSINESS

A. Annexation Request

- 1) Request from **EDRE Assets, LLC** to annex a 5.048± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D).
Ward Number: Two
Tax Parcel Number(s): 09-110-000-019 (part), 024 and 027
Request: 3 single-family lots

There was a motion to remove this agenda item from the table.

Motion made by Vice-Chair Fleming
Motion seconded by Board Member Martin
Vote – 6 favor, 1 vacancy

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to annex the subject property with a zoning of Planned Unit Development (P-U-D) for the purpose of utilizing city sewer for 3 single-family lots. The property is currently zoned Planned Residential Development (P-R-D) within unincorporated Hall County for 3-lots and is adjacent to the city limits to the south and east. The property touches Lake Lanier to the north and is heavily wooded. Nearby uses include mostly undeveloped land, a single-family home and Kubota Manufacturing and the Olympic rowing, canoe and kayak venue to the west. According to the applicant the three lots will each be over 1.35 acres in size. In order to reduce the overall impervious area, access to the three lots is proposed from Ramsey Road through a common access easement and driveway on Lot 2, as the entire three tracts combined only have 42' of road frontage. Each of the homes will have a minimum of 2,000 square feet of heated floor space. As well, three, 2-slip boat docks have been approved by the Corps of Engineers. The Gainesville City School System

states that bus transportation is not currently provided to the area and would not justify extending a bus route until additional developments are built.

The Future Development Map for the City of Gainesville places the subject property within the *Low-Medium Density Residential* land use category, which includes areas containing or planned for single-family housing at densities ranging from two to four dwelling units per acre. The development proposes a residential density of only 0.57 dwelling units per acre. According to the Character Area Map of the 2030 Gainesville Comprehensive Plan the property is located within the *Economic Development Gateways* Character Area which includes commercial, industrial, mixed-use, residential (existing low density residential uses), public / institutional, transportation / communications / utilities, and parks / recreation / conservation.

The Planning Division staff is recommending **conditional approval** of the annexation request with **(P-U-D) zoning**, based on the Comprehensive Plan and adjacent residential use, with five conditions.

Applicant Presentation: Jack O'Hanlon, 120 Hickory Walk, Marietta, stated he was a civil engineering consultant representing the applicant. He stated the staff report covered everything but did mention the reason the request was tabled was to remove a sliver of the subject property from the original survey which included the septic drain field for an adjacent property because of concerns by environmental health. He felt that issue had been resolved and asked for approval from the Board.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the request to annex the subject property and establish zoning as Planned Unit Development (P-U-D) with the following conditions:

Conditions

1. The proposal shall be limited to a maximum of 3 single-family lots and shall adhere to the development standards as depicted within the narrative, concept plan and architectural renderings submitted with the application.
2. The minimum heated floor space of each single-family home shall be 2,000 square feet.
3. Completion of the common driveway shall be required prior to the issuance of a Certificate of Occupancy for the proposed homes. Access point design of the proposed shared driveway along Ramsey Road must be reviewed and approved by the Gainesville Public Works Department. All road improvements associated with access to the subject property shall be at the full expense of the developer.
4. The owner/developer shall disclose the existence of industrial activities on adjacent and nearby properties as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices which may take place on adjacent and nearby property including, but

not limited to noise, odors, dust, traffic and the operation of machinery. Therefore, owners, occupants and users of the property should be prepared to expect the effects of such practices.”

- 5. All conditions of zoning shall be made a part of any final plat created for the subdivision.**

Motion made by Board Member Thompson

Motion seconded by Board Member Martin

Vote – 6 favor, 1 vacancy

NEW BUSINESS

A. Rezoning Request

- 1) Request from **Altus Development, LLC** to rezone a 1.13± acres tract located on the northwest side of the intersection of Park Hill Drive and South Enota Drive (a/k/a **1351 Park Hill Drive**) from Residential-II (R-II) to Office and Institutional (O-I).

Ward Number: Two

Tax Parcel Number(s): 01-077-001-027

Request: Medical office

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to rezone the subject 1.13 acres property in order to construct a 10,800 square foot medical office building. The property is located within the Limestone Corridor Overlay Zone and contains an established, single-family rental home that is currently occupied and is planned to be demolished to make room for the proposed medical office. The adjacent uses include the Beehive Homes Assisted Living Facility, Burnam Woods subdivision, CVS pharmacy and single-family homes. The anticipated hours for the medical office tenants are from 8 A.M. to 5 P.M. According to the concept plan, there will be a total of 47 parking spaces and a right turn in/out driveway is proposed on Park Hill Drive and South Enota Drive.

The Gainesville 2030 Future Development Map for the City of Gainesville places the subject property within the *Mixed Use General* land use category which supports a mixture of land uses including office, neighborhood retail, and residential. As well the property is located within the *Traditional Neighborhoods* Character Area and the *Northern Neighborhoods* Subarea which is not a primary destination for business; however neighborhood serving business development is encouraged.

The Planning Division staff is recommending **conditional approval** of this rezoning request based on the Comprehensive Plan and the mixture of residential and non-residential uses with four conditions.

Applicant Presentation: **Charlie Hawkins**, Norton Agency, 646 Tommy Aaron Drive, stated the buyer had no issues with the conditions of zoning as presented.

FAVOR: None

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-II (R-II) to Office and Institutional (O-I) zoning, with the following conditions:

Conditions

- 1. The exterior materials of the building shall adhere to the standards as depicted on the architectural elevation provided with this rezoning application. All flat roof surfaces and roof top equipment shall be screened by a parapet roof on all sides.**
- 2. The westerly side of the property shall be planted with a dense evergreen buffer along the property line. The location, spacing, size and type of vegetation and trees planted shall be subject to Community Development Department Director approval. In addition, a decorative eight foot (8') tall opaque fence shall be provided between the planted buffer and the building / parking area / dumpster but shall not extend to Park Hill Drive beyond the proposed dumpster pad.**
- 3. All access point design and sidewalk installation along Park Hill Drive and South Enota Drive must be reviewed and approved 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 shall be at the full expense of the developer / property owner.**
- 4. 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.**

Motion made by Board Member Martin

Motion seconded by Board Member Delgado

Vote – 6 favor, 1 vacancy

B. Zoning Amendment Request

- 1) Request from **Tyler Land Holdings** to amend the existing Planned Unit Development (P-U-D) zoning on a 2.98± acres tract located on the northeast side of the intersection of McEver Road and Hillside Gardens Lane (a/k/a **1209 and 1229 Hillside Gardens Lane**).**

Ward Number: Five

Tax Parcel Number(s): 08-006-001-058 and 075

Request: Boat sales dealership

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to amend the existing Planned Unit Development (P-U-D) zoning to allow a boat sales dealership. Adjacent uses include the Gainesville Exploration Academy, Hillside Memorial Gardens Cemetery, Hall County Recycling Center, Hillside Chapel Funeral Home and the Life South Community Blood Center. The entire 2.98 acres tract consists of two parcels which were originally annexed in 2004 with P-U-D zoning for office, warehousing and light retail uses within an existing 12,000 square foot metal building. In addition, there were to be three, 5,000 square foot, two-story office/warehouse buildings and an additional 8,000 square foot warehouse building that were never constructed. The existing metal building has been occupied by multiple tenants including a construction company, recreational trailers sales facility, arts and gifts retail store

and attorneys office. The applicant proposes to renovate and upgrade the existing metal building with brick facade, windows and architectural treatment. According to the applicant, all boats will be serviced inside of the existing building and boat inventory will be stored outside on the easterly side of the property fronting Hillside Gardens Lane. In addition, an area within the existing front parking lot facing McEver Road will be reserved for some boat inventory display. Extensive landscaping is proposed along portions of Hillside Gardens Lane and McEver Road to screen and beautify the boat storage and display areas. This will include a 15-foot wide vegetated buffer and a decorative wrought iron fence. Access will remain the same which includes two driveways on Hillside Gardens Lane.

The front portion of the subject property which contains the building is located within the *Retail/Commercial* land use category and the rear wooded portion of the subject property is located within the *Public / Institutional / TCU (transportation, communication, utilities)* land use category. The subject property is also located within the *Suburban Commercial* Character Area which includes commercial, public / institutional, multi-family residential and mixed use.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request based on the Comprehensive Plan and the adjacent residential and non-residential land uses, with seven conditions.

Applicant Presentation: **Rett Tyler**, 568 Sheffield Way, Birmingham, Alabama, stated that Skiers Marine is a 23 year old company in which he shared some history. He stated the Atlanta boating market is 5th in the nation so it only makes sense for them to expand their market area and have their fifth location in Gainesville. They are currently in a temporary location in Oakwood on Mundy Mill Road. Mr. Tyler stated the proposed project along the gateway into Gainesville would be a \$6,000,000 investment between the land, inventory and renovation of the building, and they are projecting 12 to 15 million in sales and estimate selling 100 new Mastercraft and pontoon boats per year. He stated they made a minor change to the exterior of the building and presented renderings of a daylight view and dusk view of the building to show the proposed lighting along McEver Road, noting this would be a state of the art facility with average boat sales of \$130,000 each. He felt they have the best employees and products and are excited about the opportunity to serve Gainesville.

FAVOR: **Ed Myers**, 752 Chattahoochee Place, stated he was the civil engineer for the project and had a few items on the technical side of things. He presented a letter from Rives Doss, one of the property owners, where he received support from the adjacent property owners for this project. Mr. Myers requested condition 3 be changed to allow the use of gravel in the screened storage areas as a cost savings but more importantly for safety reasons, noting gravel would better stabilize the boats. The applicant would like to display some boats along McEver Road as Mr. Tate mentioned. In conclusion, Mr. Myers asked condition 7 be revised so the applicant could occupy the space immediately upon closing which is scheduled for March 1st, noting they could immediately begin construction of the buffer and storage areas and install fencing. The applicant would like to stage the storage of the boats for the spring boating season then begin the building renovations in August when the boating season is winding down in order to be completed by the end of the year. The current condition requires an updated as-built survey to be completed before the certificate of occupancy could be issued.

OPPOSE: None

Planning and Appeals Board Comments: Chairman Carter reviewed the requested changes to conditions. Planning Manager Matt Tate stated the applicant did not want a display area which was totally buffered and noted screening with landscape and fencing was acceptable relating to the display area but he was unclear on the number of boats they plan to display.

Mr. Tyler stated the storage area for boat repair would be located behind the building going up Hillside Gardens Lane and they are requesting gravel to be used in that storage area which would not be visible from Hillside Gardens Lane because it also helps with water runoff. He stated the display area would be located on the grassy area, which is required to be paved according to standards, in front of the building and parking spaces along McEver Road where they would have 7 or 8 boats displayed. They would also display 5 or 6 boats in the parking spaces on the side of the building along Hillside Gardens Lane and display 5 or 6 boats indoors as well.

Chairman Carter asked Mr. Tyler to clarify the staging issue Mr. Myers mentioned. Mr. Tyler stated he would like to complete the project in three phases in the following order: 1) the boat repair storage area in the spring; 2) then the front display area; and finally 3) the building renovation in August which should be completed by the end of this year, noting once the building renovation begins, everything would come out of the building except for a couple of offices and they would not be able to operate.

Planning Manager Matt Tate stated there are other businesses in Gainesville with outdoor displays and his main concern is with the aesthetics by making sure the display area is landscaped and on a hard surface area as the City has a no yard parking ordinance. In regards to the use of gravel in the storage areas, Mr. Tate would like to leave condition 3 as stated which would allow the Department of Water Resources to review and approve any alternative material.

Community Development Director Rusty Ligon agreed with Mr. Tate but noted he would advocate on the applicant's behalf that the boat storage area be gravel for safety purposes.

There was discussion regarding the revision of condition 7 in order to allow the applicant to occupy the building in the spring before building renovations begin in August to be completed by the end of the year.

There was a motion to recommend conditional approval of the request to amend the existing Planned Unit Development (P-U-D) zoning to allow a boat sales dealership with the following revised conditions:

Conditions

- 1. The proposal shall be generally consistent with the building and site development standards provided with this application.**
- 2. The proposed use shall be limited to the proposed boat sales and service use, as well as professional office uses.**
- 3. The outdoor storage areas shall be limited to storage of boats only. The storage areas must consist of asphalt, concrete or an impervious material acceptable to the Gainesville Department of Water Resources Director.**

4. **The proposed landscaping along McEver Road and Hillside Gardens Lane shall be a minimum of 15 feet in width and shall screen all proposed boat storage areas and above ground storm water detention areas. The location, spacing, size and type of vegetation and trees planted shall be subject to Community Development Department Director approval.**
5. **A decorative wrought iron fence not to exceed eight feet (8') in height shall be installed along the perimeter of the property between the storage and parking areas and the vegetated buffer.**
6. **All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the developer / property owner.**
7. **All building and property improvements as identified in the applicant's concept plan and the aforementioned zoning conditions shall be completed by December 31, 2018. Upon the completion of all improvements, an updated as-built boundary survey/plat of the subject property shall be recorded.**

Motion made by Board Member Martin
Motion seconded by Board Member Thompson
Vote – 6 favor, 1 vacancy

C. Code Amendment Request

- 1) Request from the **City of Gainesville** to amend the Unified Land Development Code for the City of Gainesville, Georgia. The proposed amendments are to include amendments to Section 9-21-1-7 entitled "Meetings"; amendments to subsections (a), (b), (c) and (f) of Section 9-22-2-18 entitled "Action by Governing Body."

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The City Council currently approves the Planning and Appeals Board calendar each year and the amendment to Section 9-21-1-7 of the ULDC would give that authority to the Community Development Director as well as the authority to call any special meetings. The ULDC amendment to Section 9-22-2-18 would eliminate the requirement of a second reading for zoning ordinances. Currently, there is a public hearing / first reading of all zoning ordinances and two weeks later there is a second reading of the ordinance for final adoption which is basically a formality. However, the City Charter has to be amended as well to achieve this goal, so that process is running parallel with this ULDC amendment to eliminate second reading.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the code amendment as presented.

Motion made by Board Member White
Motion seconded by Board Member Martin
Vote – 6 favor, 1 vacancy

ADJOURNMENT

There was a motion to adjourn the meeting at 6:10 p.m.

Motion made by Board Member Martin
Motion seconded by Board Member Delgado
Vote – 6 favor, 1 vacancy

Respectfully submitted,

Doug Carter, Chairman

Judy Foster, Recording Secretary

CITY OF GAINESVILLE

AGENDA REQUEST

Date Submitted: 1/25/2018

Presenter: Matt Tate

Item of Business: Request from **Geosam Capital US (Atlanta), LP** to amend the existing Planned Unit Development (P-U-D) zoning on a 85.45± acres tract located at the terminus of Lilac Creek Trail and Shady Lane Drive, south of Gaines Mill Road within the Heritage Pointe Subdivision (a/k/a **0 Gaines Mill Road SE**).
Ward Number: Three
Tax Parcel Number(s): 15-022-000-014 (part)
Request: 100-single family detached lots

Meeting Date: 2/13/2018

Purpose of Request:

The applicant is proposing to amend an 85.45± acres portion of a 220± acres property known as the Heritage Pointe subdivision zoned Planned Unit Development (P-U-D). The purpose is to allow for 100 single family detached lots instead of 97 attached townhomes that were originally approved as part of the zoning in 2006 but were never constructed. The property is mostly wooded and contains a stream that traverses the property. The applicant states the aesthetics of the homes and development standards will be consistent with the existing homes within the subdivision with minimum lot sizes of 10,000 square feet, minimum lot widths of 55-feet, minimum 1,300 square foot ranch homes and minimum 1,700 square foot two-story homes.

Access will be provided by extending Lilac Creek Trail and water/sewer utilities are to be extended from within Phase 2 of the subdivision. Adjacent uses include single-family homes and undeveloped land.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Staff is recommending conditional approval with six conditions.

See the Staff Recommendation Report for details.

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 Recommendation Report	Report
☐ Location Maps	Backup Material
☐ Narrative	Backup Material
☐ Survey	Backup Material

 Site Plan
 Pictures

Backup Material
Backup Material

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant and Property Owner..... Geosam Capital US (Atlanta), LP
Location..... 0 Gaines Mill Road SE
Request..... Amend the existing Planned Unit Development (P-U-D) zoning
Size 85.45± acres
Ward..... Three
Proposed Use..... 100-single family detached lots
Planning Division Staff Recommendation **Approval, with conditions**
Date..... February 13, 2018

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

The applicant is proposing to amend an 85.45± acres portion of a 220± acres property known as the Heritage Pointe subdivision zoned Planned Unit Development (P-U-D). The purpose is to allow for 100 single family lots instead of 97 attached townhomes that were originally approved as part of the zoning in 2006 but were never constructed. All total, there will be 392 single-family lots of which there are 167+ existing homes and an additional 15+ home sites under construction. The property located within Phase 4 of the residential subdivision is mostly wooded and contains a stream that traverses the property.

Access will be provided from the extension of Lilac Creek Trail and water/sewer utilities are to be extended from within Phase 2 of the subdivision. The applicant states the aesthetics of the homes and development standards will be consistent with the existing homes within the subdivision with minimum lot sizes of 10,000 square feet, minimum 1,300 square foot ranch homes and minimum 1,700 square foot two-story homes. Due to the shape and size of the property, the applicant is proposing a minimum 55-foot lot width instead of a 65-foot lot width which is required for the home sites within the first three phases of the neighborhood.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Heritage Pointe Subdivision; Single-family homes	Planned Unit Development (P-U-D) – City Residential-II (R-II) - County
South	Vacant land	Agricultural Residential-IV (AR-IV) - County
East	Rosewood Subdivision; Single-family homes	Residential-I (R-I) - County Agricultural Residential-IV (AR-IV) - County
West	Single-family homes	Agricultural Residential-IV (AR-IV) - County

▪ **Other Departmental Comments**

There were no additional departmental comments regarding this request.

- **Zoning History**

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

2014 - A request by Alcovy-20, Inc. to amend a 26.10± acre tract located at 0, 2108 and 2125 Wilson Drive zoned Planned Unit Development (P-U-D) for a 55-lot single-family subdivision was approved with conditions.

2012 - A request by Gainesville Truck Center to annex a 14.03± acres tract located at 2145 Athens Highway with a zoning of Light Industrial (L-I) for sewer for an existing truck center was approved.

- **Staff Analysis**

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

The nearby properties are comprised of mostly single-family homes and undeveloped land. The proposed zoning amendment to allow single-family homes instead of attached townhomes appears to be suitable given the surrounding uses. The proposal is consistent in quality and scale with what is currently being constructed within the Heritage Pointe subdivision.

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

The proposal will add a total of three additional residences which should have minimal impacts within the existing subdivision or nearby area. It is anticipated that the development of single-family home sites as opposed to townhomes will moderately increase the number of vehicle trips.

The amount of disturbed land area will increase to account for larger lot sizes, homes, driveways and infrastructure. If approved, the development will be required to meet the storm water standards during pre, intermediate and post development. Of note, the property is located within the North Oconee Water Supply Watershed Protection Zone which intent is minimize the transport of pollutants and sediment to the water supply, to maintain the yield of water supply watersheds, and to ensure water can be treated to meet federal and state drinking water standards, within the North Oconee River small water supply watershed.

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

The proposal is consistent with the Comprehensive Plan and is within density range at an overall density of 1.78 dwelling units per acre. The Gainesville Future Development Map for the City of Gainesville places the property within the *Low-Medium Density Residential* land use category, which includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from two to four dwelling units per acre.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Suburban Residential* Character Area. The vision for this area is to preserve older, stable residential subdivisions and encourage newer projects with smaller lot sizes, pedestrian infrastructure, and buildings patterned after traditional local housing, possibly containing a small neighborhood-serving "village center". As the housing market recovers, stalled projects will need attention and possible redesign to capitalize on changing household demographics.

As well, the quality community objectives state that housing choices should continue to be diversified to support a range of household incomes, sizes, types, but consist mostly of

traditional single family detached lots. In areas where natural features or sensitive environments are important, cluster housing or conservation subdivision design may be appropriate. Land uses allowed in the Suburban Residential Character Area include low-density residential, medium-density residential, multi-family residential, public / institutional, commercial, and parks / recreation / conservation, mixed-use.

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

The subject property is zoned Planned Unit Development (P-U-D) and is limited to 97 residential townhomes. The existing zoning is site specific which requires a zoning amendment for the proposed 100 single-family lots. While the property could be developed for townhomes, staff believes the proposed amendment is more suitable for the existing neighborhood.

(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 proposal should not cause an excessive or burdensome use of public facilities or services. Water and sewer are currently present and have adequate capacity to serve the proposed development.

Existing public safety services already respond to the adjacent and nearby properties. Gainesville Fire Station #1 located off of Queen City Parkway is located approximately 5.8± miles away and Hall County Fire Station #1 is located approximately 3.1 miles off of Athens Highway.

According to the Institute of Transportation Engineers 9th Edition Trip Generation Manual the proposed change from townhomes to single-family lots will increase the number of vehicle trips. Single-family homes typically can generate more traffic due to larger unit sizes which have more vehicles per unit. The proposed single-family homes would generate an additional 388 weekday trips, (50% entering, 50% existing) and an additional 43 A.M. and 50 P.M. two-way trips per peak hour.

The projected number of students that may attend public schools within the proposed development is unknown at this time; however, it is expected that the load on the public school system would increase. Gainesville City Schools currently provides bus service to the adjacent homes within Heritage Pointe Subdivision.

(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?

It is anticipated that the surrounding property will remain as single-family and rural residential. At this time, there are no anticipated changes to this.

(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 Comprehensive Plan and the adjacent single-family residential uses, it appears the use reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property, with the proposed zoning conditions.

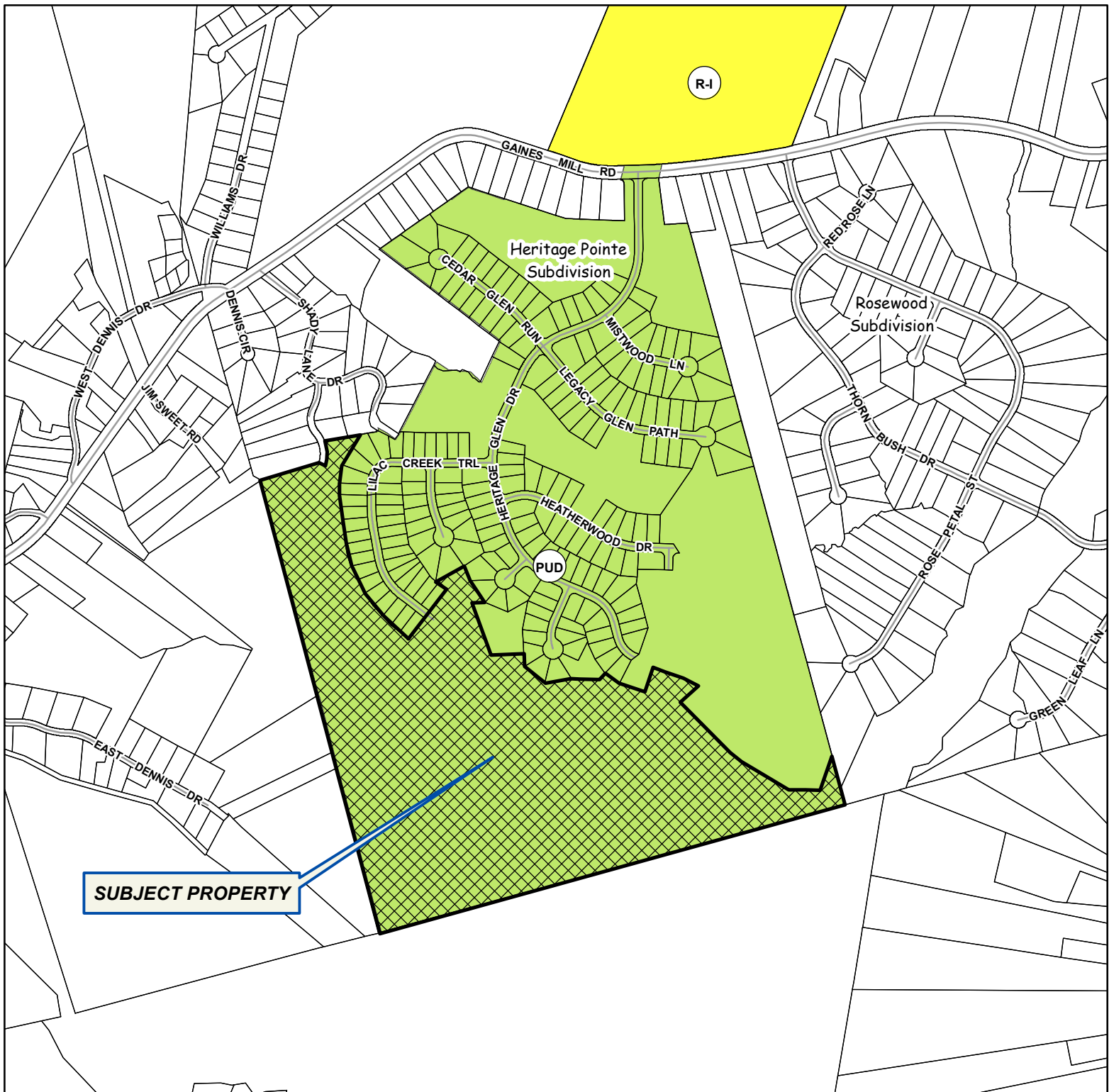
▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this zoning amendment request, based on the Comprehensive Land Use Plan and the adjacent single-family residential uses.

The proposed zoning conditions are similar to the previously adopted conditions for the Heritage Pointe Subdivision but have been amended to remove the townhome requirements.

Conditions

1. The proposed single-family homes shall be compatible with the existing single-family homes under construction within the Heritage Pointe subdivision and are to consist of a combination of brick, stone, and vinyl siding exterior facades.
2. The minimum heated floor space per single-family dwelling shall be 1,300 square feet for ranch homes and 1,700 square feet for two-story homes.
3. A buffer consisting of minimum 5-foot high evergreen buffer trees shall be required around all detention pond areas, per Community Development Department Director approval.
4. All amenity parking areas shall be appropriately screened from the adjacent residential property. The screening is to consist of a minimum 8-foot high opaque privacy fence that is architecturally compatible with the amenity pavilion. In addition, minimum 5-foot tall Leyland Cypress trees shall be required between the fence and the residential property, as per Community Development Department approval.
5. 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.
6. Any road or access improvements deemed necessary by the Gainesville Public Works Director for the scope of the project shall be the expense of the applicant/developer. The scope of the project shall be defined as the area in which the subject property fronts along Gaines Mill Road.



Applicant:

ZONING AMENDMENT REQUEST

GEOSAM CAPITAL US (ATLANTA), LP



Request:

Amend existing Planned Unit Development (P-U-D) zoning on a 85.45+/- acres tract for 100 single-family detached lots

Subject Area Address:

0 Gaines Mill Road SE

Meeting: 2/13/2018

Prepared: 1/24/2018

Gainesville Community Development Department

 Subject Property

0 480 960 1,440 1,920 Feet



1" = 800'

Tax Parcel: 15-022-000-014 (Part)



SUBJECT PROPERTY

Applicant:

ZONING AMENDMENT REQUEST

GEOSAM CAPITAL US (ATLANTA), LP



Request:

Amend existing Planned Unit Development (P-U-D) zoning on a 85.45+/- acres tract for 100 single-family detached lots

Subject Area Address:

0 Gaines Mill Road SE

Meeting: 2/13/2018

Prepared: 1/24/2018

Gainesville Community Development Department



Subject Property

Aerial from 2015

0 480 960 1,440 1,920 Feet



1" = 800'

Tax Parcel: 15-022-000-014 (Part)



Geosam Capital US, LLC
2170 Satellite Blvd., Suite 425
Duluth, GA 30097
t. (470) 440-6509

December 20, 2017

Matthew Tate
Planning Manager
City of Gainesville
Community Development
P.O. Box 2496
Gainesville, GA 30503

Re: Letter of Intent- Heritage Pointe Phase 4 PUD Zoning Amendment

Dear Mr. Tate:

Please be advised Geosam Capital US (Atlanta), LP (the "Applicant") is requesting a PUD zoning amendment for an approximately 85 acres portion of a 220 acres parcel of land located in GMD 268, City of Gainesville, Hall County, Georgia (the "Property"). The Property is located in the Heritage Pointe Subdivision (the "Subdivision"). Applicant's intent is for the Property to consist of only single-family detached residences.

The current zoning of the Property is Planned Unit Development with conditions pursuant to the City of Gainesville Ordinance No. 2006-05. The zoning conditions of the single-family residences in the Subdivision are as follows:

- (1) Density: 1.77 units per acre
- (2) Minimum Lot Size: 10,000 square feet
- (3) Lot Width: 65 ft.
- (4) Setbacks: 25 ft. front, 7.5 ft. side and 20 ft. rear

The Subdivision currently consists of ninety-one (91) built single-family residences with an additional fourteen (14) single-family residences under construction.

Applicant requests a zoning amendment to allow for the development of 100 single-family detached residences in an area previously planned for 97 single-family attached residences. The purposed total number of single-family detached residences in the Subdivision will be 392 units. The proposed residential density at 1.78 units per acre is appropriate for the area and complies with the City of Gainesville's maximum density of 2.18 units per acre.

Concurrent with the request to eliminate the single-family attached residences, Applicant requests a 10-foot reduction to the minimum lot width from 65 ft. to 55 ft. for the purposed 100 single-family detached residences. The Property exists as an irregularly shaped parcel in the Subdivision. The shape and size of the Property places a great hardship on the Applicant and prohibits reasonable development of the Property without the reduction of the

lot width. The 100 single-family detached residences shall meet or exceed all other current zoning conditions as originally approved by the City of Gainesville.

The proposed PUD zoning amendment will provide value to the City of Gainesville and the surrounding community. The increase in the single-family detached residences and the elimination of all single-family attached residences will not significantly impact the overall density of the area. The purposed variances would allow Applicant to construct single-family detached residences that conform to the neighborhood characteristics and aesthetics as all other residences in the Subdivision are single-family detached residences. The granting of the PUD zoning amendment would not cause substantial detriment to the public good or impair the intent of the Zoning Code of the City of Gainesville.

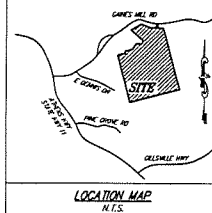
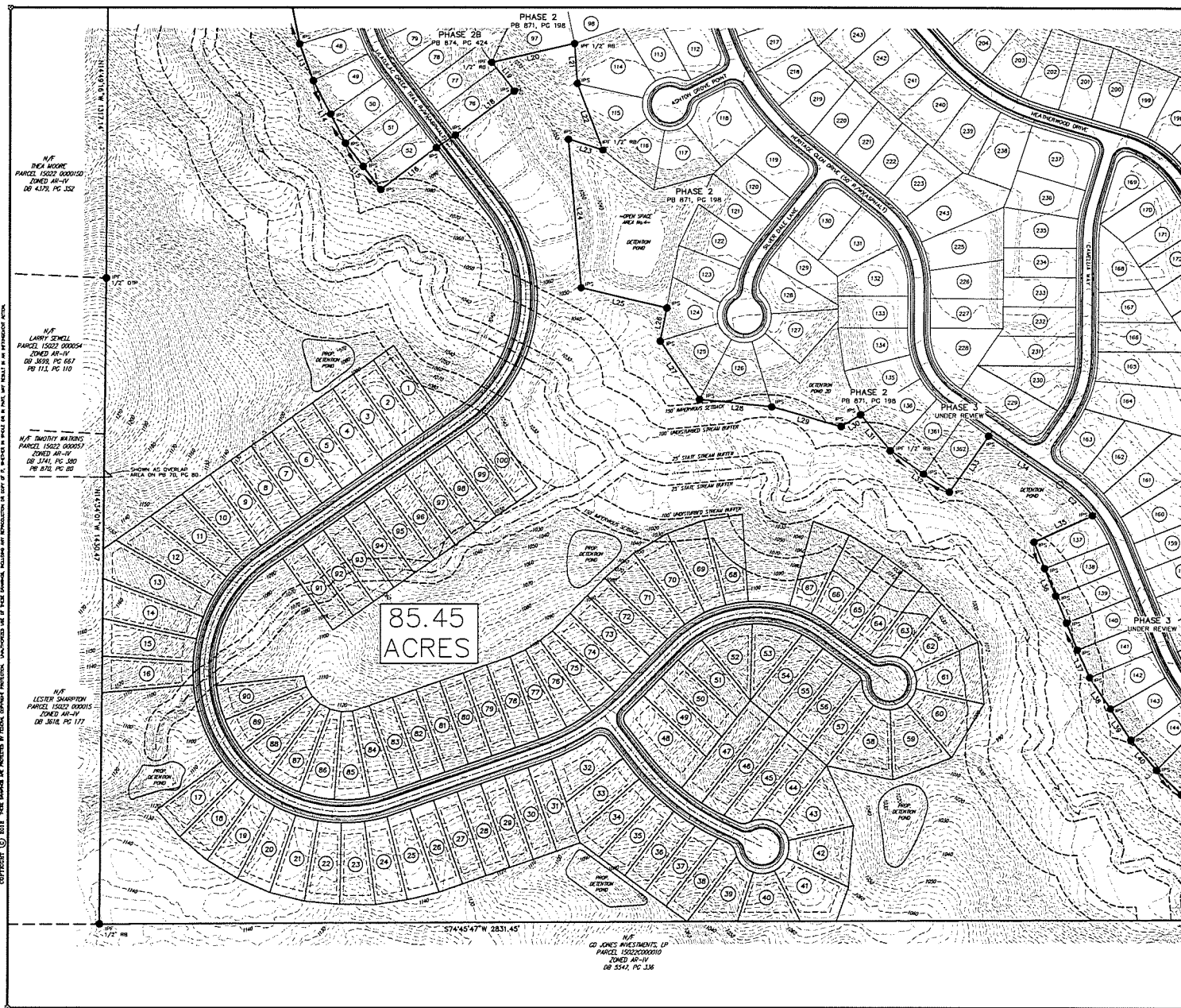
Accordingly, Applicant respectfully requests the PUD zoning amendment be granted. If there are any questions or concerns, please contact me at (470) 440-6509 or ahoffman@geosam.ca.

Sincerely,



Alise Hoffman

cc: Kevin Daniel



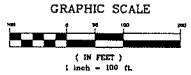
OWNER/DEVELOPER
GEOSAM CAPITAL US LP
 ATTN: KEVIN DANIEL
 2170 SATELLITE BLVD, SUITE 425
 DULUTH, GA 30097
 PHONE: (470) 440-6500

CONTACT
MR. KEVIN DANIEL
 PHONE: (770) 876-1501
 kdaniel@geosam.com

PHASE 4 SITE DEVELOPMENT DATA

LINE	CHORD BEARING	CHORD	ARC	RADIUS
1	N01°07'30"E	131.02	138.11	124.06
2	S81°32'33"E	99.20	99.20	325.07

LOT #	AREA	LOT #	AREA	LINE	BEARING	DISTANCE
1	18.75	51	18.75	L1	N72°30'04"E	357.07
2	18.75	52	18.75	L2	S58°13'56"E	40.00
3	18.75	53	18.75	L3	N31°46'01"E	5.61
4	18.75	54	18.75	L4	N32°01'10"W	15.25
5	18.75	55	18.75	L5	N80°31'05"E	230.98
6	18.75	56	18.75	L6	S31°02'18"W	208.70
7	18.75	57	18.75	L7	S10°21'37"W	109.79
8	18.75	58	18.75	L8	S01°36'45"W	65.01
9	18.75	59	18.75	L9	S08°57'32"E	294.12
10	18.75	60	18.75	L10	S10°34'43"E	65.00
11	18.75	61	18.75	L11	S17°33'24"E	69.21
12	18.75	62	18.75	L12	S26°15'21"E	177.80
13	18.75	63	18.75	L13	S34°59'00"E	88.43
14	18.75	64	18.75	L14	S42°15'09"E	156.27
15	18.75	65	18.75	L15	S50°17'44"E	130.00
16	18.75	66	18.75	L16	N37°42'16"E	154.00
17	18.75	67	18.75	L17	N41°38'30"E	50.12
18	18.75	68	18.75	L18	N37°42'16"E	162.34
19	18.75	69	18.75	L19	N52°16'20"W	81.96
20	18.75	70	18.75	L20	N62°00'22"E	187.81
21	18.75	71	18.75	L21	S18°17'25"E	50.47
22	18.75	72	18.75	L22	S30°51'09"E	158.44
23	18.75	73	18.75	L23	N8°47'44"W	80.19
24	18.75	74	18.75	L24	S20°06'04"E	350.00
25	18.75	75	18.75	L25	N88°13'39"E	195.00
26	18.75	76	18.75	L26	S03°20'24"E	75.00
27	18.75	77	18.75	L27	S49°19'48"E	155.22
28	18.75	78	18.75	L28	N80°49'49"E	165.53
29	18.75	79	18.75	L29	S89°24'31"E	160.43
30	18.75	80	18.75	L30	N44°10'37"E	50.08
31	18.75	81	18.75	L31	S54°34'57"E	103.11
32	18.75	82	18.75	L32	S69°38'05"E	159.33
33	18.75	83	18.75	L33	N19°33'55"E	152.02
34	18.75	84	18.75	L34	S70°26'05"E	191.42
35	18.75	85	18.75	L35	S50°32'44"E	141.52
36	18.75	86	18.75	L36	S38°53'18"E	259.17
37	18.75	87	18.75	L37	S39°18'15"E	67.40
38	18.75	88	18.75	L38	S48°31'43"E	83.68
39	18.75	89	18.75	L39	S44°51'43"E	83.50
40	18.75	90	18.75	L40	S55°31'27"E	87.83
41	18.75	91	18.75	L41	S60°31'12"E	204.85
42	18.75	92	18.75	L42	S63°33'12"E	171.79
43	18.75	93	18.75	L43	N89°33'25"E	196.43
44	18.75	94	18.75	L44	N26°05'31"E	207.79
45	18.75	95	18.75	L45	S15°11'40"E	291.85



LOT LAYOUT
 HERITAGE POINTE PHASE 4
 HALL COUNTY, GEORGIA
 LOTS 1-95
 LAND LOT 288

DATE 1/20/18
REVISION 1

DESIGNED BY TJB
CHECKED BY JSD
LAND LOT 288
DISTRICT -
CITY GAINESVILLE, GA
COUNTY HALL
DATE 8/20/17

SHEET NO.
 1 of 1
PROJECT NO.
 2016-291.3

