



AGENDA

**Gainesville Planning and Appeals Board
Tuesday, February 12, 2019, 5:30 PM
Gainesville Justice Center**

1. CALL TO ORDER

2. MINUTES

A. January 15, 2019 PAB Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

A. Rezoning Requests

- (1) Request from **Fred O. Godbee** to rezone a 0.5± acre tract located on the northwest side of the intersection of Thompson Bridge Road and Springview Drive (a/k/a **1831 Thompson Bridge Road, NW**) from Residential-I (R-I) to Neighborhood Business (N-B).

Ward Number: One

Tax Parcel Number(s): 01-097-005-004

Request: Security company office

5. MISCELLANEOUS

6. ADJOURNMENT

CITY OF GAINESVILLE

AGENDA REQUEST

Date Submitted:

Presenter: N/A

Item of Business: January 15, 2019 PAB Meeting Minutes

Meeting Date: 2/12/2019

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 15, 2019

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: Kelvin Simmons

Staff Present: Community Development Planning Manager Matt Tate and Recording Secretary Brandy Palmero

Others Present: Council Member Barbara Brooks

MINUTES OF DECEMBER 11, 2018

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, absent (Kelvin Simmons)

NEW BUSINESS

A. Annexation Request

- 1) Request from **Russell Fuller** to annex a 0.34± acre tract located on the southeast side of the intersection of Dawsonville Highway and Washington Avenue (a/k/a **457 Dawsonville Highway**) and to establish zoning as General Business (G-B).
Ward Number: Five
Tax Parcel Number(s): 00-118-004-012
Request: Existing commercial retail

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

The applicant is proposing to annex a 0.34± acre property with a zoning of General Business (G-B) for the purpose of utilizing city sewer due to failed septic system. The property is currently zoned Highway Business (H-B) in Hall county and is part of an unincorporated island. The property is also located within the Gateway Corridor Overlay Zone and the surrounding uses include three separate retail strip centers, Dairy Queen restaurant, Kendrick & Sons used auto sales business, single-family homes, Little & Davenport Funeral Home, Walmart, Lowe's and Lakeshore Mall. The current use of the property is an antique and gift store name "Vintage Envy" and no changes are proposed. Access to the property will remain from Washington Avenue and Dorothy Drive. The property is located within the *Retail/Commercial* land use category of the Gainesville Future Development Map and within the *Longwood Cove* Character Area, which allows for *mixed-use and commercial uses*.

The Planning Division staff is recommending **conditional approval** of this annexation request with **General Business (G-B)** zoning, based on the Comprehensive Land Use Plan and the adjacent mixture of uses.

Applicant Presentation: **Russell Fuller**, 219 Shallowford Drive, Gainesville, stated the staff report covered everything and he had nothing further to add.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion for conditional approval of the annexation request with a zoning of General Business (G-B) for the purpose of utilizing the city sewer due to a failed septic system with the following conditions:

Conditions

1. Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with room accessed from the exterior of the building, adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.
2. All required access/traffic/sidewalk improvements associated with any development of the property shall be reviewed and approved by the Georgia Department of Transportation and the Gainesville Public Works Director and shall be at the full expense of the Developer.

Motion made by Board Member Martin

Motion seconded by Board Member White

Vote – 6 favor, absent (Kelvin Simmons)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:35 p.m.

Motion made by Board Member Thompson

Motion seconded by Board Member Martin

Vote – 6 favor, absent (Kelvin Simmons)

Respectfully submitted,

Doug Carter, Chairman

Brandy Palmero, Recording Secretary

CITY OF GAINESVILLE

AGENDA REQUEST

Date Submitted: 2/5/2019

Presenter: Matt Tate

Item of Business: Request from **Fred O. Godbee** to rezone a 0.5± acre tract located on the northwest side of the intersection of Thompson Bridge Road and Springview Drive (a/k/a **1831 Thompson Bridge Road, NW**) from Residential-I (R-I) to Neighborhood Business (N-B).

Ward Number: One

Tax Parcel Number(s): 01-097-005-004

Request: Security company office

Meeting Date: 2/12/2019

Purpose of Request:

The applicant is proposing to rezone the property to convert an existing single-family home to an office for E.K.G. Security, Inc. The property contains an older structure consisting of a brick ranch style home over a basement. According to the applicant, the structure has been unoccupied for over 10 years. Access is proposed from the existing driveways off of Thompson Bridge Road and Springview Drive. Additional parking is proposed off of the lower driveway fronting Springview Drive. Anticipated hours of operation are from 8 a.m. to 5 p.m. Monday thru Friday. A total of three employees are expected which will include the periodic training of 5 to 8 security officers. The surrounding properties include a single-family home, apartments, hair salon, pet salon and a chiropractic office.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff recommended 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 Report	Backup Material
☐ Location Maps	Backup Material
☐ Narrative	Cover Memo
☐ Site Plan	Backup Material

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant and Property Owner..... Fred O. Godbee
Location..... 1831 Thompson Bridge Road
Request..... Rezone from R-I to N-B
Size 0.5± acre
Ward..... One
Proposed Use..... Security company office
Planning Division Staff Recommendation **Approval, with conditions**
Date..... February 12, 2019

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

The applicant is proposing to rezone the subject property to convert an existing single-family home to an office for E.K.G. Security, Inc. The property is located on the northwest side of the intersection of Thompson Bridge Road and Springview Drive and is within the Gateway Corridor Overlay Zone. The property contains an older brick, ranch-style home over a basement. According to the applicant, the structure has been unoccupied for over 10 years. Access is proposed from the existing driveways off of Thompson Bridge Road and Springview Drive. However, Georgia Department of Transportation is limiting access to Springview Drive only due to there not being enough road frontage on Thompson Bridge Road to make the necessary improvements for a commercial driveway. An additional 6 parking spaces are proposed off of the lower driveway fronting Springview Drive. Anticipated hours of operation are from 8 a.m. to 5 p.m. Monday thru Friday. A total of three employees are expected which will include the periodic training of 5 to 8 security officers.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	J. Green Salon/ Mai's Massage; Legacy at North Pointe Apartments	Neighborhood Business (N-B); Residential-II (R-II)
South	Vacant land; Single-family home	Residential-I (R-I)
East	Chiropractic Office; Pet Salon	Neighborhood Business (N-B); General Business (G-B)
West	Single-family homes	Residential-I (R-I)

▪ **Other Departmental Comments**

Coordination with the Georgia Department of Transportation (GDOT) regarding improvements to the existing driveway on Thompson Bridge Road will be required. According to GDOT, access to the property will be limited to Springview Drive since the property is changing to a commercial use.

▪ **Zoning History**

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

2017 - A request by Adams & Copeland, LLC for a special use for a hair salon and office within the Office and Institutional (O-I) zoning district located at 1665 Thompson Bridge Road was approved with conditions.

2017 - A request by Montecito Development for a special use for a convenience store with fuel pumps within the Neighborhood Business (N-B) zoning district located at 1281 Thompson Bridge Road was denied.

2017 - A request by Montecito Development to rezone a 0.48± acres tract located at 149 Enota Avenue from Office and Institutional (O-I) to Neighborhood Business (N-B) zoning district with a special use was denied.

2016 - A request by Jack Bailey to rezone a 0.61± acre tract located at 1665 Thompson Bridge Road NW from Residential-I (R-I) to Office and Institutional (O-I) was approved with conditions for an insurance office.

2015 - A request by David P. Johnson to rezone a 1.458± acres tract located at 1537 and 1551 Thompson Bridge Road; and 135 Virginia Circle from Residential-I (R-I) to Neighborhood Business (N-B) with a special use for restaurant with drive-thru and retail was denied.

2014 – A request by Polestar Development, LLC to rezone a 1.741± acres tract located at 1435 Thompson Bridge Road from Residential-II (R-II) to Regional Business (R-B) for a grocery store and fuel service station was approved with conditions.

2013 - A request by Michael Slate to rezone a 0.67± acre tract located at 971 Lanier Avenue NE from Residential-I (R-I) to Residential and Office (R-O) for a professional office was approved with conditions.

2012 - A request by WAG Properties, Inc. to annex a 0.68± acre tract located at 1868 Thompson Bridge Road for a transportation logistics brokerage was approved with General Business (G-B) zoning.

2011 - A request by Jamie Collins to rezone a 1.149± acres tract located at 1452, 1464 and 1472 Thompson Bridge Road NE from Residential-I (R-I) and Neighborhood Business (N-B) to General Business (G-B) for a Taco Bell restaurant was approved with conditions.

2011 - A request by One Eleven, LLC for a special use for the Little Yellow Coffee House with a drive-thru within the Neighborhood Business (N-B) zoning district located at 996 Thompson Bridge Road was approved with conditions.

2010 - A request by Pam Abernathy for a special use for a single-family residence within the Office and Institutional (O-I) zoning district located at 1745 Thompson Bridge Road was approved with conditions.

2009 - A request by Lakewood Baptist Church to rezone a 39.53± acres tract located at 2235 Thompson Bridge Road from Residential-I (R-I), Residential-II (R-II) and General Business (G-B) to Planned Unit Development (P-U-D) for future expansion of the church was approved with conditions.

▪ **Staff Analysis**

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

The proposed security company office appears to be compatible with the adjacent and nearby commercial properties and could serve as a transitional use adjacent to the single-family properties off of Springview Drive. The adjacent and nearby properties are zoned Residential-I (R-I), Residential-II (R-II), Neighborhood Business (N-B) and General Business (G-B).

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

The proposal appears consistent with the adjacent and nearby non-residential properties. Impacts to neighboring residential properties should be minimized as the existing structure will retain its residential appearance and the proposed parking areas are setback a considerable distance from the closest single-family residence. In addition, the proposed zoning should have minimal traffic impacts as it does not permit by right more intrusive uses such as drive-thru restaurants or gas stations.

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

The Gainesville 2030 Future Development Map for the City of Gainesville places the subject property within the *Mixed Use General* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Lake District* Character Area. The presence of Lake Lanier and its distinctive rolling landscape help shape the character area and opportunities for land use changes are more prevalent south of Thompson Bridge. New commercial development should be concentrated at or near the existing Linwood Drive node. Neighborhood-serving retail and office is appropriate for the Thompson Bridge Road / Linwood Drive intersection and for frontage of a limited depth along Thompson Bridge Road. Land uses allowed in the Lake District are low-density residential, medium-density residential, multi-family residential, mixed-use, commercial, public / institutional, transportation / communications / utilities, and parks / recreation / conservation.

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

The subject property is currently zoned Residential-I (R-I). The proposal for a professional office requires the property to be rezoned. The proposed zoning of Neighborhood Business (N-B) seems appropriate given the adjacent commercial zoning. The property could continue to remain as is; however, the property has remained unoccupied for several years and has become less desirable for residential purposes as it fronts Thompson Bridge Road.

(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 property currently utilizes various city services including water, sewer, roads and public safety which are adequate to serve the proposal. The Fire and Police Departments currently

respond to adjacent and nearby properties. Gainesville Fire Station No. 2 is approximately 1.8 miles from the property off of Holly Drive.

The proposed change in use will generate a slight increase of ingress and egress traffic movements on Springview Drive and Thompson Bridge Road. According to the Institute of Transportation Engineers 9th Edition Trip Generation Manual, the security company office is expected to generate approximately 37 trips per weekday and approximately 6 AM/PM peak hour trips. Thompson Bridge Road is considered a major arterial road that should be improved to a "Complete Street" according to the Comprehensive Plan.

Given the proposed use, there will be no adverse impacts on the school system.

(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 Comprehensive Land Use Plan supports the proposal as a neighborhood scale office use. There are also numerous residential properties fronting Thompson Bridge Road between Thompson Bridge and Enota Avenue that have converted to small scale office and commercial uses. Protecting the established residential neighborhoods within the immediate area is vital to maintaining a sense of place.

(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 office use is reasonable given the development of the Thompson Bridge corridor. Due to the fact that the property is surrounded by residential and non-residential zoning districts and uses, it appears the proposal promotes a reasonable balance between the public health, safety, morality, or general welfare and the right to unrestricted use of property.

▪ **Staff Recommendation**

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

Conditions

1. The proposed use shall be generally consistent with the concept plan provided with this rezoning application and shall meet the Architectural Design Standards within Chapter 9-9-5 of the Unified Land Development Code.
2. The subject property shall be limited to the proposed office use or a single-family residence. In addition, all other permitted uses within the Neighborhood Business (N-B) zoning district shall be allowed excluding a convenience store, dollar-type store, coin laundry facility, convenience store, tobacco or vaping store, massage parlor or tattoo parlor.
3. The existing trees located within the subject property shall remain except for what is only necessary to be removed for the development. If deemed necessary, the required tree/landscape plan shall provide for additional evergreen trees and deciduous trees to be planted to help screen the rear parking area from Springview Drive and the adjacent residential property to the west. The number, location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.

4. There shall be no building signs or freestanding signs permitted fronting Springview Drive.
5. 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 shall be at the full expense of the developer/property owner.
6. 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.



Applicant:

FRED O. GODBEE

Gainesville Community Development Department

REZONING REQUEST

 Subject Property



Request:

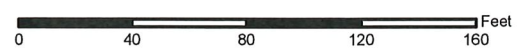
Rezone from Residential-I (R-I) to
Neighborhood Business (N-B) for
Security Company Office

Subject Area Address:

1831 Thompson Bridge Road, NW

Meeting: 02/12/2019

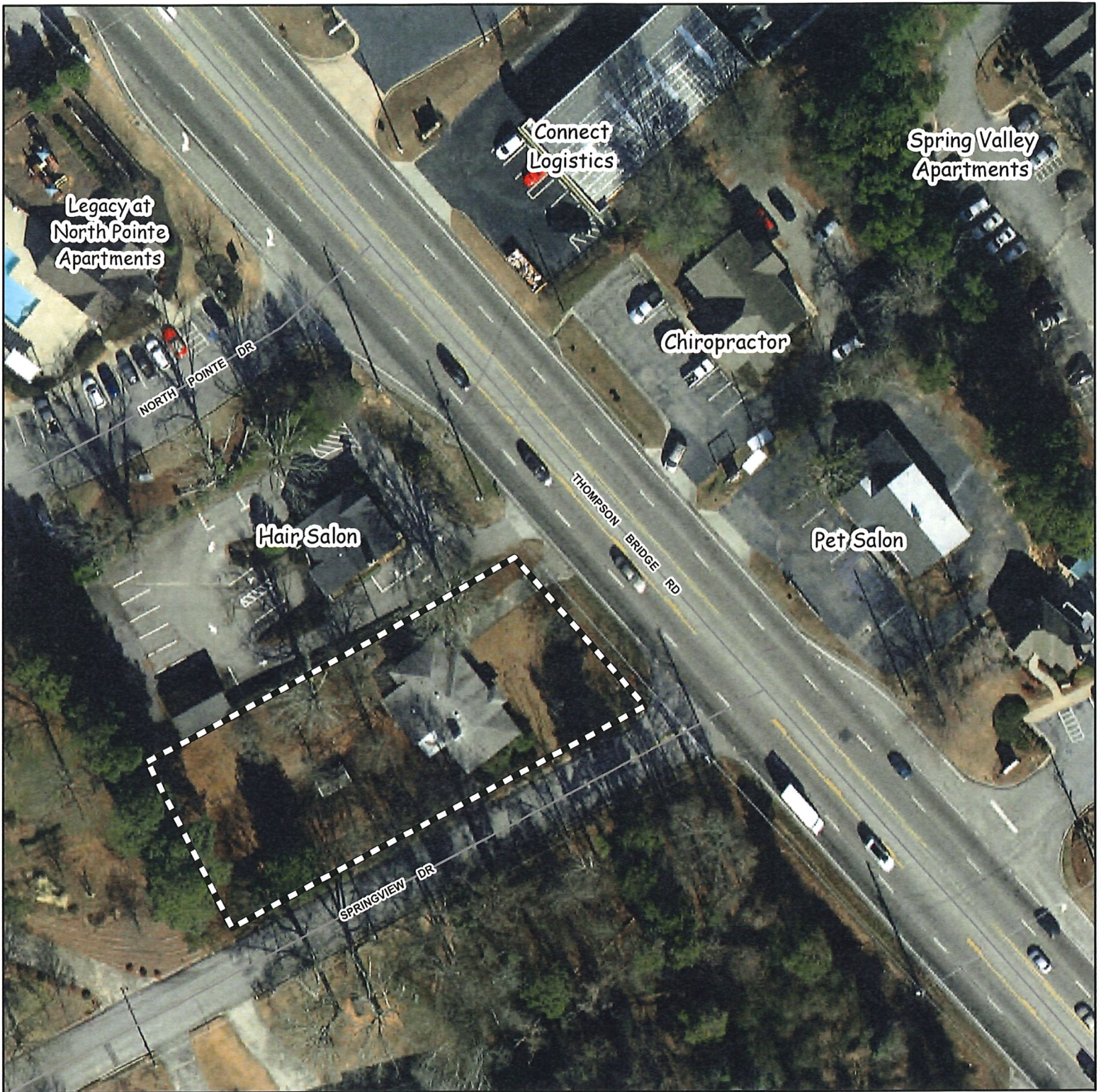
Prepared: 01/16/2019



1" = 67'

Tax Parcel:

01-097-005-004

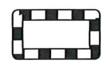


Applicant:

FRED O. GODBEE

Gainesville Community Development Department

REZONING REQUEST



Subject Property

Aerial from 2015



0 40 80 120 160 Feet

1" = 67'



Request:

Rezone from Residential-I (R-I) to Neighborhood Business (N-B) for Security Company Office

Subject Area Address:

1831 Thompson Bridge Road, NW

Meeting: 02/12/2019

Prepared: 01/16/2019

Tax Parcel:

01-097-005-004

Background and Purpose for Rezoning
1831 Thompson Bridge Rd, Gainesville, GA 30501

The purpose of the request for rezoning the property and house located at 1831 Thompson Bridge Rd, Gainesville, GA 30501 is to update and rezone the brick ranch home that was constructed in 1955 from residential (R1) to a professional office (Zoned NB) to be leased to EKG Security, Inc. The home located on the property contains 1,400 square feet on the main level and 1,400 square feet in a partially finished basement. Prior to Fred Godbee purchasing the property in August of 2018, the property had not been occupied and had been used as storage for an elderly family (the Smiths (the owners)) who had not lived on the property for over ten years. The grounds and house were in disrepair. I have made repairs to the roof and HVAC system, cleaned and painted the interior of the home, and cleaned the grounds. In three months, I have made substantial improvements to the property in order to be good neighbors and present a proper representation of the property.



Before Clean-up Photo



Before Inside Photo

The above photo shows the poor condition of the home and yard from Thompson Bridge Rd. The below photos show the updated view of the interior of the home and property's condition from the Thompson Bridge Rd.



LEGEND

ABBREVIATIONS

C&G - CURB & GUTTER
CL - CENTERLINE
CMF - CONCRETE MONUMENT FOUND
CONC - CONCRETE
CTP - CRIMP TOP PIPE
DB - DEED BOOK
DIST - DISTURBED
DWCB - DOUBLE WING CATCH BASIN
E - EAST
FH - FIRE HYDRANT
GW - GUY WIRE
IPS - IRON PIN SET
JB - JUNCTION BOX
LL - LAND LOT LINE
MH - MANHOLE
N - NORTH
N/F - NOW OR FORMERLY
OTP - OPEN TOP PIPE
PB - PLAT BOOK
PG - PAGE
PKN - SURVEY NAIL (PARKER-KALON)
PL - PROPERTY LINE
POB - POINT OF BEGINNING
POC - POINT OF COMMENCEMENT
PS - PLAT SLIDE
RB - REBAR
R/W - RIGHT-OF-WAY
S - SOUTH
SWCB - SINGLE WING CATCH BASIN
TYP - TYPICAL
W - WEST

SYMBOLS

● IRON PIN FOUND
■ CONCRETE MONUMENT FOUND
○ IRON PIN SET
⊙ COMPUTED POINT (NOT SET)
⊙ SANITARY SEWER MANHOLE
● JUNCTION BOX
▤ DOUBLE-WING CATCH BASIN
▤ SINGLE-WING CATCH BASIN
⦿ FIRE HYDRANT
⋈ WATER VALVE
⊠ WATER METER
⋈ UTILITY POLE
— GUY WIRE



NOTES

- 1) THE PURPOSE OF THIS PLAT IS TO DEPICT ALL OF THE LAND CONVEYED TO FRED ODOM GODBEE BY WARRANTY DEED VIA DB 8134 PG 712, DATED AUGUST 9TH, 2018.
- 2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. NO WARRANTY IS EXPRESSED OR IMPLIED WITH RESPECT TO THE QUALITY OF TITLE. EXCEPTION IS MADE AS TO ANY EASEMENTS OR OTHER RESTRICTIONS TO TITLE NOT SHOWN HEREON.
- 3) IN ADDITION TO THOSE OTHERWISE REFERENCED HEREON, THE FOLLOWING DOCUMENTS WERE USED IN THE PREPARATION OF THIS PLAT: PB 69 PG 142.
- 4) THE BASIS OF BEARING FOR THIS PLAT IS THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE GROUND (NOT GRID) DISTANCES. THE VERTICAL DATUM IS NAVD 88.
- 5) ALL IRON PINS SET (IPS) ARE 1/2" REBAR UNLESS OTHERWISE NOTED. ALL OTHER MONUMENTATION CALLED FOR HEREON WAS FOUND IN PLACE.
- 6) THE UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND EVIDENCE VISIBLE AT THE TIME OF FIELDWORK, AND/OR AVAILABLE MAPS OR PLATS, AND ARE SHOWN AS ACCURATELY AS POSSIBLE FOR REFERENCE ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF UTILITY LOCATIONS, WHICH SHOULD BE INDEPENDENTLY VERIFIED.
- 7) NO PORTION OF THE PROPERTY DEPICTED HEREON LIES WITHIN A FLOOD HAZARD ZONE PER FEMA FIRM MAP NUMBER 13139C0179G, EFFECTIVE DATE 04/04/2018.
- 8) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.06 FEET + 50 PPM FOR THE SUBJECT PROPERTY CORNER MONUMENTS AND WAS ADJUSTED USING LEAST SQUARES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A LEICA TS12 ROBOTIC TOTAL STATION.
- 9) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 181,129 FEET.
- 10) THIS SURVEY DOES NOT REPRESENT A THOROUGH INSPECTION OF THE INTERIOR OF THE PROPERTY SHOWN HEREON. IMPROVEMENTS, WETLANDS, DUMP SITES AND OTHER SIGNIFICANT FEATURES NOT SHOWN HEREON MAY EXIST.
- 11) THIS PLAT DOES NOT CONSTITUTE A PLAT OF SUBDIVISION AND DOES NOT REQUIRE APPROVAL BY THE LOCAL GOVERNING AUTHORITY FOR RECORDING ACCORDING TO O.C.G.A. 15-6-67(d).

REVISIONS:

BOUNDARY SURVEY FOR

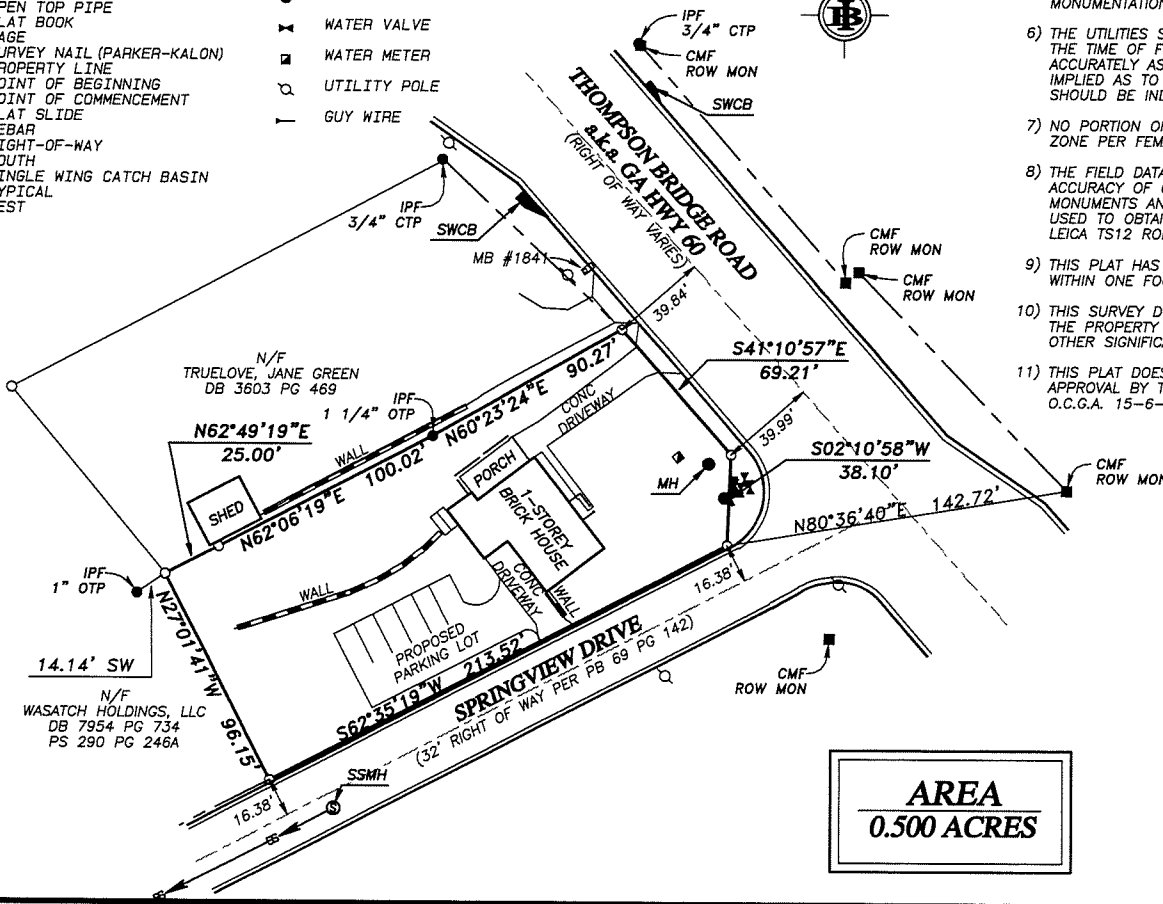
FRED ODOM GODBEE

LOCATED IN
LAND LOT 144, 9TH DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

IAN M. BRAGG
LAND SURVEYING

6590 JOHNSON CIRCLE
BRANCH, GEORGIA 30542
FLOET PR(C) (C) 2018-04-16
EMAIL: IANBRAGG@GMAIL.COM

© 2018 IAN M. BRAGG LAND SURVEYING



AREA
0.500 ACRES



1831 THOMPSON BRIDGE ROAD NW

