



## **AGENDA**

**Gainesville Planning and Appeals Board  
Tuesday, October 8, 2019, 5:30 PM  
Gainesville Justice Center**

### **1. CALL TO ORDER**

### **2. MINUTES**

#### **A. August 13, 2019 PAB Meeting Minutes**

### **3. OLD BUSINESS**

### **4. NEW BUSINESS**

#### **A. Annexation Requests**

- (1) Request from **RY Holding Company, LLC** to annex a 2.016± acres tract located on the south side of Monroe Drive, east of Danbury Lane (a/k/a **2348 Monroe Drive**) and to establish zoning as Heavy Industrial (H-I).

Ward Number: Three

Tax Parcel Number(s): 15-032-000-010C

Request: Sewer for existing office/warehouse use

#### **B. Rezoning Requests**

- (1) Request from **1779 Property Rentals, LLC** to rezone a 3.68± acres tract located on the southwest corner of the intersection of Eberhart Street and Martin Luther King Jr. Boulevard, having frontage on the southeast side of High Street (a/k/a **310, 316 and 430 High Street SE; 1779 Martin Luther King Jr. Boulevard SE**) from Residential-II (R-II), Planned Unit Development (P-U-D) and Heavy Industrial (H-I) to Light Industrial (L-I).

Ward Number: Three

Tax Parcel Number(s): 01-033-003-003, 004 and 005

Request: Expand existing Industrial Pipe & Supply business

### **5. MISCELLANEOUS**

### **6. ADJOURNMENT**

# CITY OF GAINESVILLE

## AGENDA REQUEST

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**Date Submitted:** 9/17/2019  
**Presenter:** N/A  
**Item of Business:** August 13, 2019 PAB Meeting Minutes  
**Meeting Date:** 10/8/2019

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**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

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**If funding is involved, are funds approved within the current budget?**

N/A

**Amount Requested:**

**Source of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**ATTACHMENTS:**

| Description                                                                                       | Type    |
|---------------------------------------------------------------------------------------------------|---------|
|  Draft Minutes | Minutes |

**GAINESVILLE PLANNING AND APPEALS BOARD**  
**DRAFT MINUTES OF MEETING**  
**AUGUST 13, 2019**

**CALL TO ORDER** Chairman Carter at 5:31 p.m.

**Members Present:** Chairman Doug Carter, Vice-Chair Jane Fleming and Board Members Rich White, Carmen Delgado, Kelvin Simmons and Ryan Thompson

**Members Absent:** Board Member Eddie Martin

**Staff Present:** Community & Economic Development Deputy Director Matt Tate and Recording Secretary Gwen Fleming

**Others Present:** Council Member George Wangemann

**MINUTES OF JULY 9, 2019**

Motion made by Board Member Thompson

Motion seconded by Board Member White

**Vote – 6 favor, 1 absent (Martin)**

**NEW BUSINESS**

**A. Rezoning Request**

- 1) Request from the **City of Gainesville** to rezone a 395.69± acres tract located south of the terminus of Fulenwider Road (a/k/a **1701 Fulenwider Road, SW**) from Residential-I-A (R-I-A) to Heavy Industrial (H-I).  
Ward Number: Three  
Tax Parcel Number(s): 15-023-000-167 (Part)  
Request: Future industrial use

**Staff Presentation:** Deputy Director Matt Tate gave the following staff presentation:

The City of Gainesville is proposing to rezone 395.69± acres from R-I-A to H-I for future industrial uses which will be part of the overall 1,300 acres 85 Business Park property. No specific use for the property has been determined at this time. The property was originally annexed and zoned in 1991 for a land application farm for wastewater which was never constructed. The current uses within the property include the Gainesville Public Lands and Buildings maintenance facility and the Kubota ATV / RTV test track. The property is heavily wooded with rolling topography and streams. Surrounding uses include numerous industrial uses, Allen Creek Soccer Complex, Gainesville and Hall County Gun Range, Hall County Fire Training facility and a few single-family properties. Access to the property is currently from Fulenwider Road.

The Gainesville Comprehensive Plan places the subject property within the *Industrial* future land use category and within the *Economic Development Gateways* character area which includes a wide range of office, business, light industrial, manufacturing, research, and development uses.

The Planning Division staff is recommending conditional approval of this rezoning request with Heavy Industrial (H-I) zoning with two conditions, based on the Comprehensive Plan and the surrounding industrial uses.

**FAVOR:** None

**OPPOSE:** **Ken Knott**, 2920 Wallace Road, stated he owns property close to the area and plans to retire, concerned how it might affect the land he owns and future use of it. He wanted to know the time period of construction to begin. Chairman Carter stated it depends on the rezoning request outcome and some of the other surrounding property and is unsure of a timeline from the city at this point. Mr. Tate stated there is no specific timeline. The business park would not bring in odors, dust or industrial noise, and would be a clean and modern 21<sup>st</sup> century industrial business park. This is the first step in process. Mr. Knott asked if the 395 acres includes some of the Hall County land surrounding it. Mr. Tate stated he can meet with him afterwards to share information about the overall plan. Mr. Carter explained there will be public hearings involving the other acreage.

**Garnet Knott**, 2920 Wallace Road, wife of Ken Knott, is concerned about the property because it was inherited from her brother that passed away from cancer in 2011. Her brother built his dream home off on the back of the property and would be very close to the proposed park. She stated since her brother passed a shooting range is close by and can be disruptive during the day. Her brother bought the land with thoughts of living with peace and quietness to enjoy nature. The biggest concern is for her brother's dream not to be ruined.

**Planning and Appeals Board Comments:** Chairman Carter encouraged Mr. and Mrs. Knott to get with Mr. Tate to understand and be more informed about the project.

**There was a motion to recommend conditional approval of the request to rezone the subject property from Residential-I-A (R-I-A) to Heavy Industrial (H-I) zoning for future industrial uses with the following conditions:**

**Conditions**

1. All exterior walls of the proposed building(s) shall meet the standards of the future industrial park covenants.
2. A Development of Regional Impact Study (DRI) and a Traffic Impact Study (TIS) shall be required to be submitted to the Georgia Mountains Regional Development Center (GMRDC) upon meeting the development thresholds for a DRI, prior to a land disturbance permit being issued.

Motion made by Board Member Thompson

Motion seconded by Board Member White

**Vote – 6 favor, 1 absent (Martin)**

**B. Road Action Request**

- 1) Request from **QuikTrip Corporation** to abandon a 0.293± acre (309.51± linear foot) portion of Gordon Avenue, extending southeast from its intersection with Jesse Jewell Parkway (State Route 13).  
Ward Number: Three  
Request: Abandon to petitioner for a QuikTrip gas station / convenience store

**Staff Presentation:** Deputy Director Matt Tate gave the following staff presentation:

Request from QuikTrip Corporation to abandon a portion of Gordon Avenue. The portion to be abandoned is 0.293± acre (309.51± linear feet in length and 40 feet in width). To combine the right-of-way with the adjacent properties to develop a 4,993 square foot QuikTrip gas station / convenience store and canopy with 14 fueling positions. The ROW and adjacent property are zoned G-B and are located within the Midtown Overlay Zone. The zoning and overlay allows for a gas station / convenience store on properties 2.0 acres or larger in size of which the development will exceed. The developer will demolish the existing two-story motel and office building located on either side of Gordon Avenue and will lower the elevation of the property to street grade. Inter parcel access will be provided to Jesse Jewell Parkway, Queen City Parkway, East Avenue and the remaining segment of Gordon Avenue.

A traffic impact study was performed for the proposal which determined the studied intersections are expected to operate adequately in the future with the addition of auxiliary right turn lanes at the project driveways on Jesse Jewell Parkway and Queen City Parkway. The developer is required to coordinate with GDOT and the City of Gainesville regarding the planned intersection improvements at Queen City Parkway and Jesse Jewell Parkway.

The Planning Division staff is recommending conditional approval of this road abandonment request with seven conditions based on the development access plan and the results of the traffic impact study.

**Applicant Presentation:** Ben Qualls, 952 Old Peachtree Road, stated he is with QuikTrip and very excited to add another store to the City of Gainesville and opportunity to be a part of the redevelopment of the downtown area. This will be the latest prototype and actually looks like the store on Limestone and Jesse Jewell but 900 square foot smaller as well as having the canopy on the side. The sign will be a nice touch to the redevelopment of the downtown corridor. He agrees with all suggested staff conditions.

**FAVOR:** None

**OPPOSE:** None

**Planning and Appeals Board Comments:** None

**There was a motion to recommend conditional approval of the request to abandon a portion of Gordon Avenue as presented for a QuikTrip gas station/convenience store with the following conditions:**

**Conditions**

- 1. The development standards within the concept plan (Exhibit A) and architectural renderings (Exhibit B) submitted with the applicant's road abandonment application shall be made part of the ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 2. The gas canopy shall be located to the side of the building as depicted on the concept plan and the support poles shall be fully faced with brick to match the architecture of the proposed building.**

3. The proposed development shall be required to plant minimum 3" caliper trees as part of the required tree/landscape plan. The number, location, spacing, size and type of trees planted shall be subject to the approval of the Director of Community and Economic Development Department.
4. The owner/developer shall construct a "Welcome to the City of Gainesville" sign at the northeast corner of the intersection of Jesse Jewell Parkway and Queen City Parkway and shall be at the full expense of the property owner/developer. The sign shall provide additional panel space on either side of the "Welcome to the City of Gainesville" graphic to provide for the addition of City logo/branding. The location, type and size of the sign shall be subject to the Director of the Community and Economic Development Department.
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 constructed at the full expense of the property owner/developer.
6. Easements for the existing water main and gravity sanitary sewer within the subject property shall be required.
7. An updated as-built survey/plat of the subject property, indicating all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.

Motion made by Board Member Thompson  
Motion seconded by Board Member Simmons  
**Vote – 6 favor, 1 absent (Martin)**

#### **ADJOURNMENT**

**There was a motion to adjourn the meeting at 5:51 p.m.**

Motion made by Board Member Simmons  
Motion seconded by Board Member White  
**Vote – 6 favor, 1 absent (Martin)**

Respectfully submitted,

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Doug Carter, Chairman

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Gwen Fleming, Recording Secretary

# CITY OF GAINESVILLE

## AGENDA REQUEST

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**Date Submitted:** 9/17/2019

**Presenter:** Matt Tate

**Item of Business:** Request from **RY Holding Company, LLC** to annex a 2.016± acres tract located on the south side of Monroe Drive, east of Danbury Lane (a/k/a **2348 Monroe Drive**) and to establish zoning as Heavy Industrial (H-I).  
Ward Number: Three  
Tax Parcel Number(s): 15-032-000-010C  
Request: Sewer for existing office/warehouse use

**Meeting Date:** 10/8/2019

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**Purpose of Request:**

The applicant is proposing to annex the subject property with a zoning of Heavy Industrial (H-I) for sewer. The property is adjacent to the city limits to the south, east and west and is currently zoned Heavy Industrial (I-II) within unincorporated Hall County. There are no proposed changes other than connecting to sewer due to a failed septic system. The property is currently the site of three businesses which include The Rock Yard, North Georgia Airless Paint Sprayer/Pressure Washing and Moon Sheetmetal Fabricating & Welding. Access is from Monroe Drive and the property contains a 19,000 square foot office/warehouse building and a 1,600 square foot detached metal building. The adjacent uses are all zoned for heavy industrial purposes within the city and county.

**History/Background:**

**Facts & Issues for Consideration:**

**Department Recommendation:**

Staff recommended approval with one condition. See the Staff Recommendation report for details.

**Department Director:**

Rusty Ligon

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**If funding is involved, are funds approved within the current budget?**

N/A

**Amount Requested:**

**Source of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**ATTACHMENTS:**

| Description                                          | Type            |
|------------------------------------------------------|-----------------|
| <input type="checkbox"/> Staff Recommendation Report | Report          |
| <input type="checkbox"/> Location Maps               | Backup Material |
| <input type="checkbox"/> Narrative                   | Backup Material |
| <input type="checkbox"/> Plat                        | Backup Material |

**GAINESVILLE PLANNING and APPEALS BOARD  
STAFF RECOMMENDATION**

**Applicant and Property Owner**..... RY Holding Company, LLC  
**Location**..... 2348 Monroe Drive  
**Request**..... Annex with Heavy Industrial (H-I) zoning  
**Size** ..... 2.016± acres  
**Ward**..... Three  
**Proposed Use**..... Sewer for existing office/warehouse use  
**Planning Division Staff Recommendation** ..... **Approval, with condition**  
**Date**..... October 8, 2019

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

The applicant is proposing to annex the subject property with a zoning of Heavy Industrial (H-I) for sewer. The property is adjacent to the city limits to the south, east and west and is currently zoned Heavy Industrial (I-II) within unincorporated Hall County. There are no proposed changes to the property other than connecting to sewer due to a failed septic system. The property currently contains a 19,000 square foot office/warehouse building and a 1,600 square foot detached metal building which consists of three separate businesses (The Rock Yard, North Georgia Airless Paint Sprayer/Pressure Washing and Moon Sheetmetal Fabricating & Welding). Access to the property is currently from Monroe Drive and the adjacent uses are all zoned for heavy industrial purposes within the city and county.

▪ **Adjacent Land Use and Zoning**

| Location       | Use                                                          | Zoning                           |
|----------------|--------------------------------------------------------------|----------------------------------|
| North          | Industrial Office/Warehouse;<br>Lincare Medical Oxygen Sales | Light Industrial (I-II) - County |
| South and West | Allen Creek Industrial Park                                  | Heavy Industrial (H-I) - City    |
| East           | J&G Poultry and Seafood<br>Processing Plant                  | Heavy Industrial (H-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:*

**2016** - A request by R. Lawton Jordon, Esq. Partner, Williams Teusink, LLC to rezone a 3.53± acres tract located at 1305, 1307, 1309, 1311, 1313, 1315, 1317, & 1319 Calvary Church Road from Residential-I-A (R-I-A) and General Business (G-B) to Light Industrial (L-I) was approved with conditions for a recycling center.

▪ **Staff Analysis**

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

The property is developed for industrial purposes in the county and is suitable given the surrounding industrial uses and zoning. The existing businesses within the property have been in operation for over 10 years and no changes are proposed. In 2001, the adjacent industrial poultry plant to the east was annexed for sewer as well.

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

There should be no additional impacts on the adjacent or nearby properties. The property will continue to function as a heavy industrial use which involves truck deliveries, indoor/outdoor storage and fabrication.

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

The Future Development Map for the City of Gainesville places the property within the *Industrial* land use category, which includes a wide range of office, business, supportive commercial, light industrial, manufacturing, research and development uses.

According to the Character Area map for the City of Gainesville, the subject property is located within the Economic Development Gateways character area which appears to support the applicant's proposal. This character area represents the industrial, warehousing and other commercial enterprises that parallel the I-985 and Norfolk-Southern railroad corridor. The primary vision for the area is to continue to support economic development while preserving and strengthening important natural and cultural resources. These areas include a wide range of office, business, light industrial, manufacturing, research, and development uses; and commercial uses that directly support or are otherwise linked to the dominant business use as well as mixed-use, residential (existing uses only), public / institutional, transportation / communications / utilities, and parks / recreation / conservation uses.

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

The property is currently zoned Heavy Industrial (I-II) in Hall County which is similar to the proposed Heavy Industrial (H-I) within Gainesville. The zoning appears to be appropriate for the existing and future use of the 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 proposal should not cause an excessive or burdensome use of public facilities or services over and above how it currently functions. The development proposes to utilize City water services. The need to utilize sewer services due to a failed septic system will reduce/improve the environmental impacts. Sewer is available and is located close to the rear property line which may require an easement from the adjacent property owner.

Existing public safety services already respond to the adjacent and nearby properties. Gainesville Fire Station #1 off of Queen City Parkway is located approximately 2.7± miles from the property.

Access appears to be adequate; however, one of the existing driveways is gravel which should be improved as a concrete apron to help keep debris from spreading into the road.

There are no impacts on the City school system as the property is developed and zoned for nonresidential purposes.

**(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 industrial. This will continue to be supported given the close proximity of the CSX railroad, Lee Gilmer Airport, Candler Highway, Athens Highway and water/sewer infrastructure.

**(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 existing use of the property and the adjacent industrial uses, it appears the proposal with the recommended condition 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 condition.

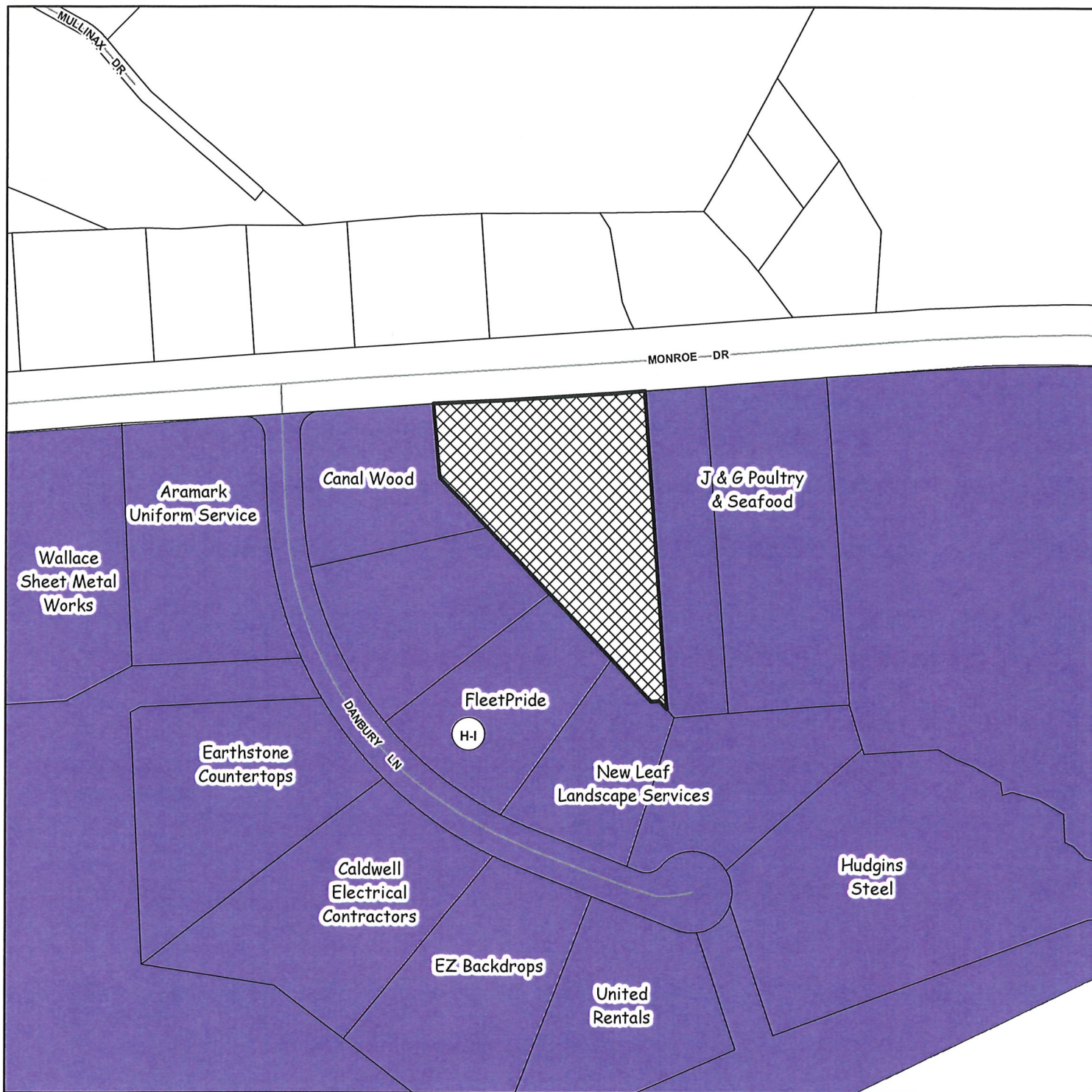
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▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this annexation request with a zoning of **Heavy Industrial (H-I)** based on the Comprehensive Land Use Plan and the adjacent industrial uses.

**Condition**

The existing gravel driveway shall be improved by constructing a concrete apron between the right-of-way line and the edge of the road bed. The improvements shall be completed within one year of the property being annexed into the city limits. All access point design for the subject property shall require review and approval by Hall County Engineering and the Gainesville Public Works Department Director. All required driveway improvements shall be at the full expense of the developer/property owner.



Applicant:

**RY HOLDING COMPANY, LLC**

## ANNEXATION REQUEST



**Request:**

Annex 2.016+/- acres and establish zoning as Heavy Industrial (H-I) for sewer for existing office/warehouse use

**Subject Area Address:**

2348 Monroe Drive

Meeting: 10/08/2019

Prepared: 09/04/2019

**Community & Economic Development Department**



Subject Property



0 120 240 360 480 Feet

1" = 200'

**Tax Parcel:**

15-032-000-010C



Applicant:

RY HOLDING COMPANY, LLC

## ANNEXATION REQUEST



**Request:**

Annex 2.016+/- acres and establish zoning as Heavy Industrial (H-I) for sewer for existing office/warehouse use

**Subject Area Address:**

2348 Monroe Drive

Meeting: 10/08/2019

Prepared: 09/04/2019

Community & Economic Development Department



Subject Property

Aerial from 2018

0 120 240 360 480 Feet



1" = 200'

**Tax Parcel:**

15-032-000-010C

Annexation Narrative  
2.016 Acres, Monroe Drive

This application requests approval of an application to annex approximately 2.016 acres of improved property within Hall County to the City of Gainesville. This application also requests that City apply zoning to the annexed area of light industrial to match the current zoning by Hall County.



The subject property is comprised of tax parcel 15032 000010C of Hall County. There are no additional improvements planned to the property at this time. There should be no traffic impact change.

Presently, this property contains three businesses. The current septic system is not adequate to support the use. The purpose of this application is for annexation in order to connect to the City of Gainesville's sewer line located at the rear of the property on Danbury Lane.

\* 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

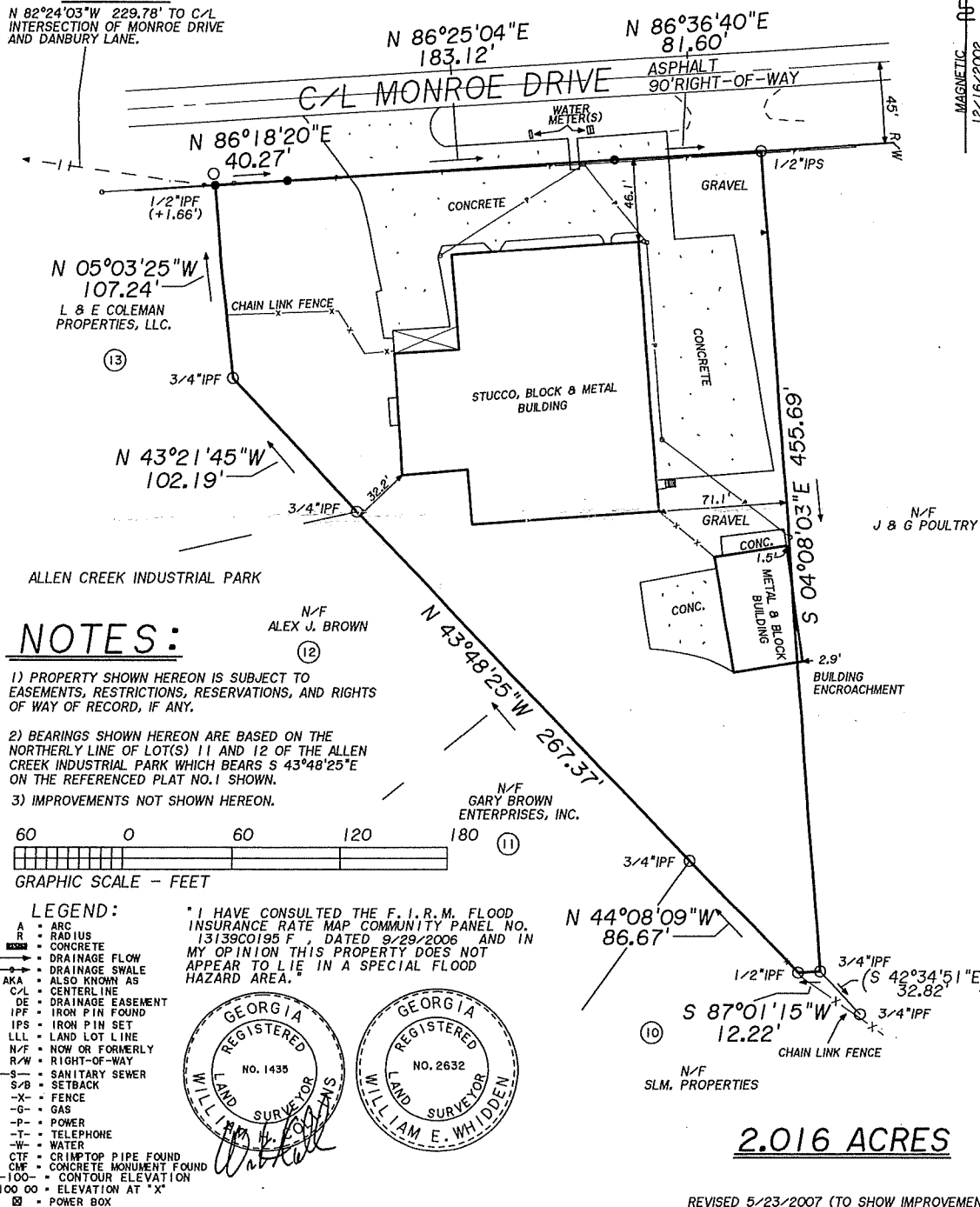
FIELD SURVEY ERROR OF CLOSURE 1:16187  
ANGULAR ERROR PER ANGLE POINT 00°00'01"  
INSTRUMENT USED TOPCON GPT 2005  
ADJUSTED BY LEAST SQUARES  
PLAT ERROR OF CLOSURE 1:242109

## REFERENCES:

- 1) PLAT BY RUFUS E. OWENS, INC. FOR ALLEN CREEK INDUSTRIAL PARK DATED 12/16/2002
- 2) PLAT BY MORELAND ALTABELLI ASSOCIATES, INC. FOR DOUG ALLEN 139.673 ACRES DATED 11/08/1999.
- 3) PLAT BY DWIGHT KILBY & ASSOCIATES FOR EDDIE HOWINGTON 1.995 ACRES DATED 9/8/1980. PB. 80 PG. 64
- 4) PLAT BY OWEN PATTON FOR JAN COOLEY 2.00 ACRES DATED 4/10/1979. PB. 76 PG. 270
- 5) DEED BETWEEN JOHN B. HULSEY, JR. AND DAVID AGUILERA DATED 12/16/1997. DB. 3049 PG. 33
- 6) DEED BETWEEN PAUL DOUG ALLEN AND EVELYN COLEMAN DATED 12/10/2002. DB. 4407 PG. 13
- 7) DEED BETWEEN JHW JV, L.C.C. AND J & G POULTRY, INC. DATED 12/15/2006. DB. 5909 PG. 108

**TIE:**

N 82°24'03"W 229.78' TO C/L INTERSECTION OF MONROE DRIVE AND DANBURY LANE.

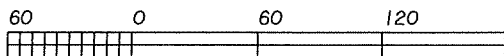


## NOTES:

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 LOT(S) 11 AND 12 OF THE ALLEN CREEK INDUSTRIAL PARK WHICH BEARS S 43°48'25\"E ON THE REFERENCED PLAT NO. 1 SHOWN.

3) IMPROVEMENTS NOT SHOWN HEREON.

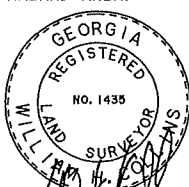


GRAPHIC SCALE - FEET

### LEGEND:

- A - ARC
- R - RADIUS
- CONC - CONCRETE
- DR - DRAINAGE FLOW
- DS - DRAINAGE SWALE
- AKA - ALSO KNOWN AS
- C/L - CENTERLINE
- DE - DRAINAGE EASEMENT
- IPF - IRON PIN FOUND
- IPS - IRON PIN SET
- LLL - LAND LOT LINE
- N/F - NOW OR FORMERLY
- R/W - RIGHT-OF-WAY
- S - SANITARY SEWER
- S/B - SETBACK
- X- - FENCE
- G- - GAS
- P- - POWER
- T- - TELEPHONE
- W- - WATER
- CTF - CRIMP TOP PIPE FOUND
- CMF - CONCRETE MONUMENT FOUND
- 100- - CONTOUR ELEVATION
- 100 00 - ELEVATION AT "X"
- ☐ - POWER BOX

\* I HAVE CONSULTED THE F.I.R.M. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 13139C0195 F, DATED 9/29/2006 AND IN MY OPINION THIS PROPERTY DOES NOT APPEAR TO LIE IN A SPECIAL FLOOD HAZARD AREA.



**2.016 ACRES**

REVISED 5/23/2007 (TO SHOW IMPROVEMENTS)

PREPARED BY:

TP.

DATE:

3/05/2007

SURVEY FOR:

**MARK NOLL**

**FARLEY-COLLINS-WHIDDEN**

P.O. BOX 731 (770)532-1001

1856 THOMPSON BRIDGE ROAD, SUITE 11

GAINESVILLE, GA. 30501

JOB #

C2342

LOCATION:

GAINESVILLE (GM - 411) DISTRICT  
HALL COUNTY, GEORGIA

SCALE:

1" = 60'

# CITY OF GAINESVILLE

## AGENDA REQUEST

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**Date Submitted:** 9/17/2019

**Presenter:** Matt Tate

**Item of Business:** Request from **1779 Property Rentals, LLC** to rezone a 3.68± acres tract located on the southwest corner of the intersection of Eberhart Street and Martin Luther King Jr. Boulevard, having frontage on the southeast side of High Street (a/k/a **310, 316 and 430 High Street SE; 1779 Martin Luther King Jr. Boulevard SE**) from Residential-II (R-II), Planned Unit Development (P-U-D) and Heavy Industrial (H-I) to Light Industrial (L-I).  
Ward Number: Three  
Tax Parcel Number(s): 01-033-003-003, 004 and 005  
Request: Expand existing Industrial Pipe & Supply business

**Meeting Date:** 10/8/2019

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**Purpose of Request:**

The applicant is proposing to rezone the subject property for the purpose of expanding the existing Industrial Pipe & Supply business. The tract of land consists of three properties of which the two smaller tracts fronting High Street will remain undeveloped. The applicant desires to have all three of the properties under one zoning classification. The applicant intends to build an 11,840 square foot warehouse building and loading dock to provide for inside storage of materials. The existing building is approximately 27,000 square feet in size. Access is from Martin Luther King Jr. Boulevard and will remain unchanged. The subject property is located within the Midtown Overlay Zone. The adjacent property is zoned Heavy Industrial (H-I), Light Industrial (L-I) and Residential-II (R-II) which contain City Plumbing & Electric Supply Company, Piedmont Tractor & Equipment, First Baptist Church, gas station and some residential uses.

**History/Background:**

**Facts & Issues for Consideration:**

**Department Recommendation:**

Staff recommended approval with three conditions. See the Staff Recommendation report for details.

**Department Director:**

Rusty Ligon

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**If funding is involved, are funds approved within the current budget?**

N/A

**Amount Requested:**

**Source of Funds:**

**Finance Comments:**

---

**Administrative Comments:**

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**ATTACHMENTS:**

| Description                                          | Type            |
|------------------------------------------------------|-----------------|
| <input type="checkbox"/> Staff Recommendation Report | Report          |
| <input type="checkbox"/> Location Maps               | Backup Material |
| <input type="checkbox"/> Narrative                   | Backup Material |
| <input type="checkbox"/> Survey                      | Backup Material |
| <input type="checkbox"/> Site Plan                   | Backup Material |
| <input type="checkbox"/> Architectural Rendering     | Backup Material |

 Floor Plan  
 Photos

Backup Material  
Backup Material

**GAINESVILLE PLANNING and APPEALS BOARD  
STAFF RECOMMENDATION**

**Applicant and Property Owner**..... 1779 Property Rentals, LLC  
**Location**..... 310, 316 and 430 High Street SE;  
1779 Martin Luther King Jr. Boulevard SE  
**Request**..... Rezone from R-II, P-U-D and H-I to L-I  
**Size** ..... 3.68± acres  
**Ward**..... Three  
**Proposed Use**..... Expand existing business  
**Planning Division Staff Recommendation** ..... **Approval, with conditions**  
**Date**..... October 8, 2019

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

The applicant is proposing to rezone the subject property for the purpose of expanding the existing Industrial Pipe & Supply business which is a wholesale supplier of pipe fittings, valves and other hardware. The subject property consists of three parcels of which the larger parcel fronts Martin Luther King Jr. Boulevard, Eberhart Street and High Street. The two smaller parcels are undeveloped and front High Street. The applicant desires to have all three of the parcels under one zoning classification. The applicant intends to build an 11,840 square foot (80' by 148') warehouse building and loading dock on the larger parcel to provide for inside storage of materials. The existing building is approximately 27,000 square feet in size. Access is currently from Martin Luther King Jr. Boulevard and will remain unchanged. The subject property is located within the Midtown Overlay Zone which promotes higher standards for the architectural appearance and function of land uses to promote economic prosperity in Midtown Gainesville.

**Adjacent Land Use and Zoning**

| Location | Use                                                   | Zoning                                        |
|----------|-------------------------------------------------------|-----------------------------------------------|
| North    | Rental Homes, Express Convenience Store/Gas station   | Residential-II (R-II), Heavy Industrial (H-I) |
| South    | Multi-Family Housing, Industrial Office/Storage Lot   | Residential-II (R-II), Heavy Industrial (H-I) |
| East     | Piedmont Tractor & Equipment                          | Heavy Industrial (H-I)                        |
| West     | City Plumbing & Electric Supply Company, Rental Homes | Residential-II (R-II), Light Industrial (L-I) |

▪ **Other Departmental Comments**

There were no departmental comments for this request.

▪ **Zoning History**

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

**2019-** A request by Christopher Wimberly to rezone 0.31± acre located at 315 Summit Street, SE from Residential-II (R-II) to General Business (G-B) was approved with conditions for a funeral home expansion.

**2018-** A request by KRM 2016 LLC to rezone 0.855± acre located at 827, 831 and 851 Athens Street SE from Heavy Industrial (H-I) to Residential-II (R-II) was approved with conditions for five residential duplexes.

**2016 –** A request by the Gainesville Housing Authority to rezone 11.671± acres located at 233, 240, 315, and 323 Atlanta Street; 207, 209, 221, 223 and 229 Summit Street from Residential-II (R-II), Neighborhood Business (N-B) and General Business (G-B) to Planned Unit Development (P-U-D) for low income apartments was approved with conditions. The request also included the abandonment of a 0.603± acre portion of Atlanta Street right-of-way.

**2014-** A request by Pap Datta to rezone 1.04± acres with a special use located at 510, 514 and 520 Maple Street from General Business (G-B) to Light Industrial (L-I) was approved with conditions for a micro-brewery.

▪ **Staff Analysis**

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

The adjacent and nearby properties include a mix of residential, commercial and industrial uses. The surrounding properties are zoned Residential-II (R-II), General Business (G-B), Light Industrial (L-I) and Heavy Industrial (H-I). The proposal is reasonable as much of the property is currently developed for light industrial purposes as are the surrounding uses.

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

The proposed building addition should have no impact on the adjacent uses as the property will continue to function in a similar manner. The proposed building addition will be more in keeping with the Midtown Overlay standards by providing indoor storage for material that is currently stored outside.

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

The Gainesville Future Development Map for the City of Gainesville places the subject property within the *Mixed-Use Midtown* land use category. This category includes areas to be developed in accordance with the Midtown Redevelopment Plan which allows 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 *Central Core* Character Area specifically within the *Downtown/Midtown* subarea which appears to support the applicant's proposal. The vision for this area should strive for additional office and housing to provide a more sustainable mix of uses. Recent public improvements to Midtown including the Midtown Greenway and the Jesse Jewell pedestrian bridge have begun a long-term transition to more diverse land uses including a mixed-use core along Main and Bradford streets; flanking multi-family (ideally mixed-income) housing; a multi-modal transportation node at the Amtrak station; and an office / conference / hospitality extension of Downtown across Jesse Jewell Parkway. In addition, mixed-income high quality

multi-family housing development should be targeted to take advantage of the open space investment made in the Midtown Greenway and related parks. Land uses supported in the Midtown subarea include mixed-use, multi-family residential, commercial, public / institutional, and transportation / communications / utilities.

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

The proposed zoning classification of Light Industrial (L-I) appears to be appropriate for the current use and future growth which could include office, warehouse, wholesale and distribution instead of heavy manufacturing. In addition, consolidating the zoning from Residential-II (R-II), Planned Unit Development (P-U-D) and Heavy Industrial (H-I) to a zoning of Light Industrial (L-I) will help reduce potential development challenges such as building setbacks, buffers and building code/fire rating issues.

**(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 is located near downtown Gainesville and already utilizes various City services including police and fire protection and water utilities.

Gainesville Fire Station #1 and the Gainesville Police Station are located approximately 0.8± miles from the property within the Public Safety Complex.

The proposed addition will have minimal impacts to water and sewer which is adequate to serve the site.

Given the proposal is for non-residential purposes, there will be no impact to the school system.

The property will function in a similar manner as all employee, visitor and truck deliveries will continue to utilize the driveway located on Martin Luther King Jr. Boulevard. According to the "Trip Generation Manual" as published by the Institute of Transportation Engineers, the estimated trips for the industrial use are 272± trips per weekday, 39 A.M. and 42 P.M. peak hour trips.

**(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 subject property is located within an area comprised of a mixture of older rental homes, commercial and industrial uses with some newer light industrial uses. The Midtown Overlay Zone as a whole will continue to experience significant residential and non-residential redevelopment due to strategic public investment and existing economic tools such as the Midtown Tax Allocation District, Midtown Opportunity Zone and the Federal Opportunity Zone.

**(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?**

Given the existing use of the property and the surrounding mixture of uses, the proposal with the recommended conditions appears to promote a reasonable balance between the promotion of public health, safety, morality, or general welfare and the right to unrestricted use of property.

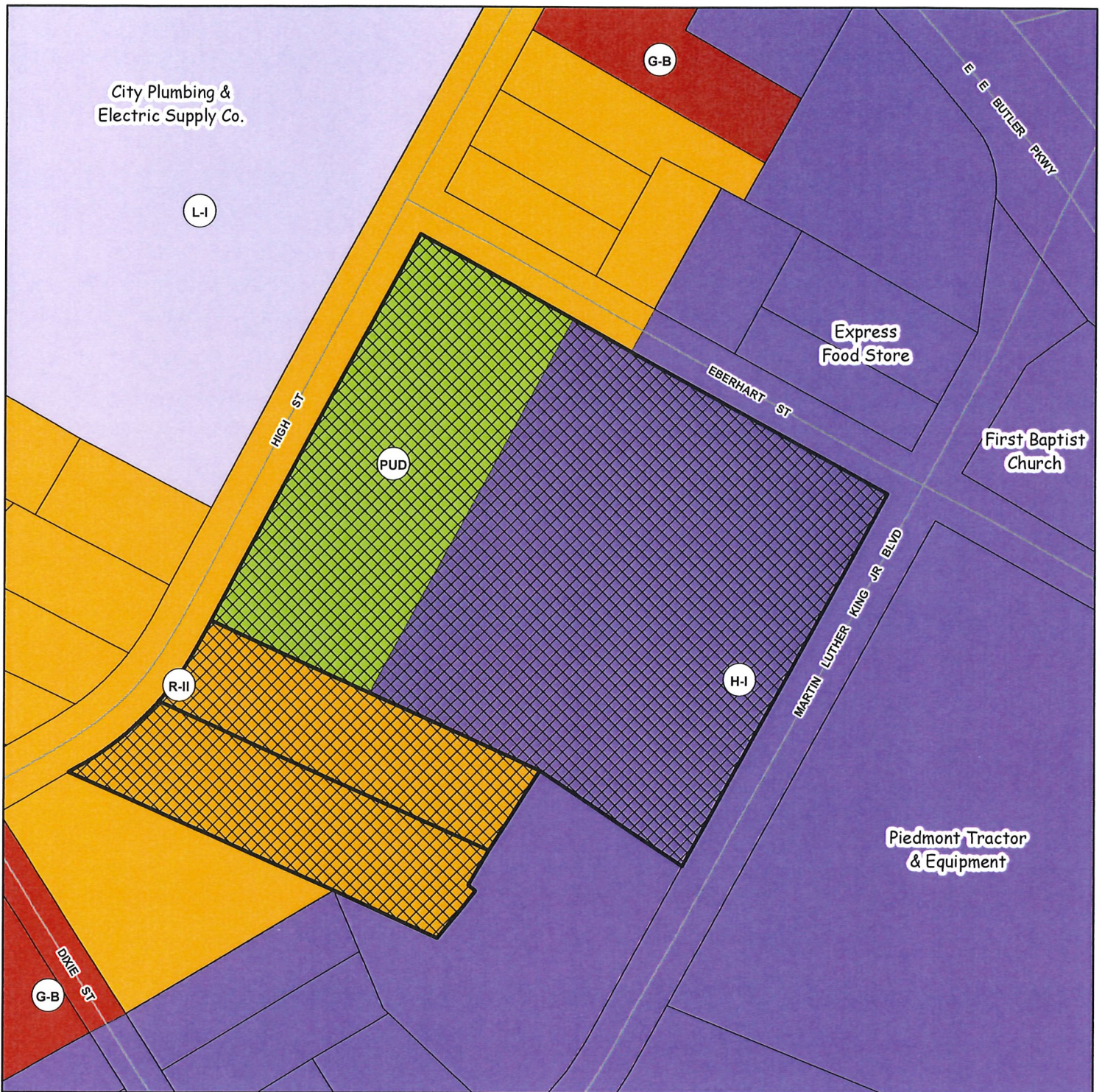
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▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this rezoning request with **L-I zoning**, based on the Comprehensive Plan and the surrounding mixture of uses.

**Conditions**

1. The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.
2. The exterior walls of the proposed building shall be constructed with a minimum 3-foot high brick water table.
3. An updated as-built survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.



Applicant:

1779 PROPERTY RENTALS, LLC

## REZONING REQUEST



**Request:**

Rezone 3.68+/- acres from Residential-II (R-II), Planned Unit Development (P-U-D) and Heavy Industrial (H-I) to Light Industrial (L-I) to expand existing Industrial Pipe & Supply business

**Subject Area Address:**

310, 316 & 430 High Street; & 1779 MLK Jr. Blvd.

Meeting: 10/08/2019

Prepared: 09/04/2019

Community & Economic Development Department

 Subject Property



0 60 120 180 240 Feet

1" = 100'

**Tax Parcel:**

01-033-003-003, 004 and 005



Applicant:

1779 PROPERTY RENTALS, LLC

## REZONING REQUEST



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Community & Economic Development Department



Subject Property

Aerial from 2018

0 60 120 180 240 Feet



1" = 100'

**Tax Parcel:**

01-033-003-003, 004 and 005

# IPS

## INDUSTRIAL PIPE & SUPPLY CO.

Industrial Pipe & Supply is a family-owned business that has been in operation for 43 years. We have been renting and operating out of 1779 MLK Jr. Blvd. since 1984 and need the space rezoned to facilitate the expansion of our business. The expansion would include building an additional warehouse in the rezoned space, which will allow us to store and sell additional materials and products. This add-on will aid in the growth of Industrial Pipe by allowing us to better serve our existing customers and widen our reach to a larger customer base.



[illegible]

WATER SERVICE BY:

SEWER SERVICE BY:

2. DCD BOOK 7062, PAGE 316  
3. PLAT BOOK 87, PAGES 108-109  
4. PLAT BOOK 88, PAGE 1  
5. PLAT BOOK 87, PAGE 14

[illegible]

D.I.  
TOP: 1219.42  
BOTTOM: 1219.54

LUTHER KING JR.  
50 R/W

**WETLANDS INFORMATION:**  
AS PER THE U.S. FISH AND WILDLIFE SERVICE NATIONAL  
WETLANDS INVENTORY AS RESEARCHED ON THE FOLLOWING

**STATE WATERS BUFFER:**

AN UNDISTURBED VEGETATIVE BUFFER MEETING CITY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. THERE SHALL BE A 50-FOOT UNDISTURBED BUFFER AS MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN DISTURBED BY NORMAL STREAM FLOW OR WAVE ACTION. THERE SHALL BE

GRAPHIC SCALE - 1 INCH = 30 FEET



ENTALS, LLC  
SUPPLIES CO., INC."

1779 PROPERTY  
INDUSTRIAL PIPE AND

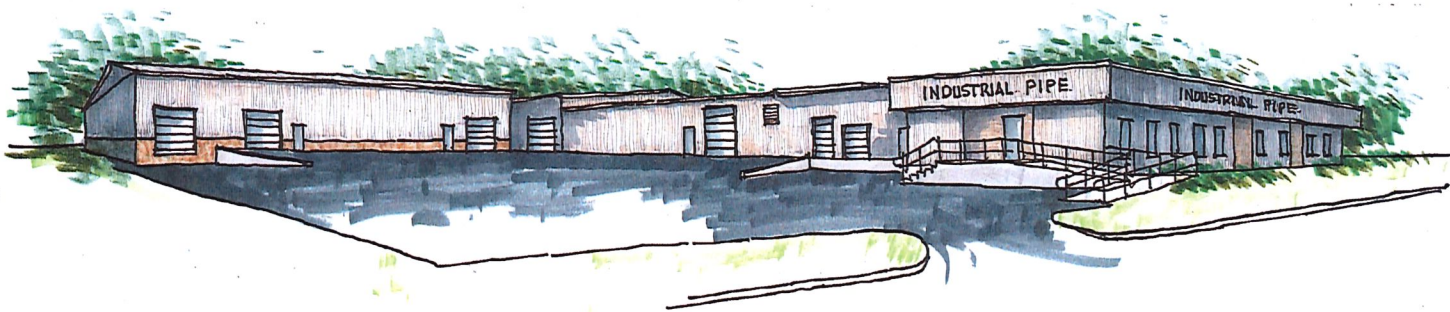
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ADDEND

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| 1 | 4/20 |
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|   |      |

SCALE: \_\_\_\_\_  
SURVEY DATE: \_\_\_\_\_  
PLAT DATE: \_\_\_\_\_  
BLANK DATE: \_\_\_\_\_

574



Architects  
Gainesville  
Georgia 30601  
770 534 0872

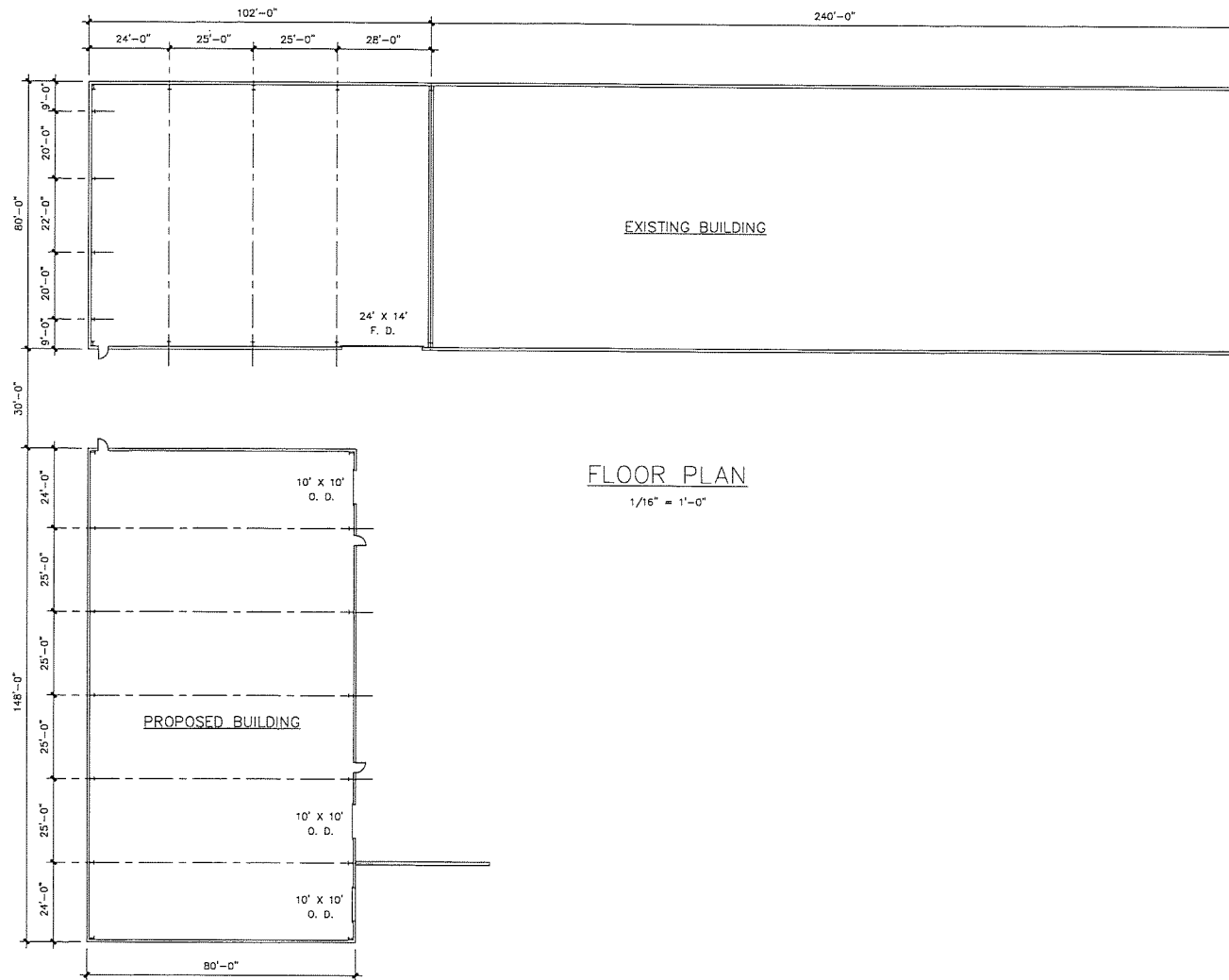
Bailey Associates

INDUSTRIAL PIPE AND SUPPLY CO.  
GAINESVILLE, GEORGIA

Project No 19017  
Drawn By JKB  
Checked By  
Date JUNE 6, 2019  
Revisions

A2

OF 2



FLOOR PLAN  
1/16" = 1'-0"



Architects  
Bailey Associates, Inc.  
Gainesville, Georgia 30501  
770.534.0612

Bailey Associates

INDUSTRIAL PIPE AND SUPPLY CO.  
GAINESVILLE, GEORGIA

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A1

OF 2













