

1. CALL TO ORDER

2. MINUTES

A. January 12, 2021 PAB Meeting Minutes

3. OLD BUSINESS

4. NEW BUSINESS

A. Rezoning Requests

- (1) Request from **Dave Odom** to rezone a 1.56± acres tract located on the south side of Oak Street, west of its intersection with West Academy Street (a/k/a **341 and 361 Oak Street, NW**) from General Business (G-B) to Planned Unit Development (P-U-D).

Ward Number: Four

Tax Parcel Number(s): 01-026-001-002A and 003

Request: Mixed-use residential and commercial

5. MISCELLANEOUS

6. ADJOURNMENT

Date Submitted: 1/22/2021
Presenter: N/A
Item of Business: January 12, 2021 PAB Meeting Minutes
Meeting Date: 2/9/2021

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
MINUTES OF MEETING
JANUARY 12, 2021**

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

Members Present: Chairman Doug Carter and Board Members Rich White, Eddie Martin, Kelvin Simmons, Carmen Delgado and Ryan Thompson

Members Absent: Vice-Chair Jane Fleming

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

Others Present: Council Member George Wangemann

MINUTES OF DECEMBER 8, 2020

Motion made by Board Member White
Motion seconded by Board Member Thompson
Vote – 6 favor, 1 absent (Fleming)

NEW BUSINESS

A. Variance Request

- 1) Request from **Cornel Potra** to vary the front yard setback requirement within the Midtown Overlay Zone on a 0.57± acre tract located on the southwest side of the intersection of Gordon Avenue and Saint Thomas Drive, having road frontage on the northside of Queen City Parkway (a/k/a **535 Queen City Parkway, SW**), having a zoning classification of General Business (G-B).

Ward Number: Three
Tax Parcel Number(s): 01-029-007-003
Request: Office building addition

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

The applicant is requesting to vary the front yard setback from 15-feet to 1-foot along Saint Thomas Drive. The property is located within the Midtown Overlay Zone which requires a 15-foot front yard. The existing building is currently setback 12-feet from Saint Thomas Drive. The surrounding uses include a QT fueling station/convenience store, The Guest Lodge Motel, previous massage therapy spa, vacant land, metal building and a residential rental home. The subject property contains a 4,200 square foot multi-tenant office building originally constructed in 2006 that was purchased by the applicant in 2019. The building is occupied by the Potra Law Firm and part of the building is subleased by the original owner, J. Lawson & Associates, LLC.

The property and building have since been renovated with interior and exterior additions including fencing, parking, landscaping, lighting, signage, dumpster pad enclosure and common outdoor gathering space for employees and family. The purpose of the request is to construct a 15' x 70' office addition, and two outdoor pergola additions 10' x 10' and 15' x 30' in size. The proposed additions are to be located within an existing landscaped area

between the existing building and decorative fence. The applicant is basing the hardship on the narrow shape of the property.

The Planning Division staff is recommending **conditional approval** of this variance request based on the width of the lot and the existing road frontages with one condition.

Applicant Presentation: **Greg Loyd**, 421 Ridgewood Avenue, stated he is representing Mr. Potra as general contractor. He said the applicant has made improvements to the location and is needing additional office space which is the purpose of the addition to the side of the building. Mr. Loyd advised the reason for the variance is due to the narrow lot and three road frontages and ask the Board to consider the variance so Mr. Potra is able expand the office.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to conditionally approve the request to vary the front yard setback requirement along Saint Thomas Drive for an office building addition having a zoning of General Business (G-B) with the following condition:

Condition

The proposed 10' x 10' outdoor pergola addition fronting Queen City Parkway shall not be permitted. The area shall remain as landscape/green space.

Motion made by Board Member Thompson
Motion seconded by Board Member Delgado
Vote – 6 favor, 1 absent (Fleming)

B. Annexation Request

- 1) Request from **Damon Santimauro** to annex a 7.01± acres tract located on the southwest side of Mabry Road, between Old Flowery Branch Road and Centennial Drive (a/k/a **3521 Mabry Road**) and to establish zoning as Light Industrial (L-I).

Ward Number: Four
Tax Parcel Number(s): 08-024-002-047
Request: Office/Metal fabrication plant

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

The applicant is proposing to annex the 7.01± acres subject property with Light Industrial (L-I) zoning for sewer for the proposed Titan Steel Door metal fabrication plant which involves robotic welding, laser cutting, roll forming, tamping and machining. The property is currently zoned Light Industrial (I-I) within unincorporated Hall County and is adjacent to the city limits located on the east side of Mabry Road. The adjacent uses include single-family homes, Avita Community Partners, Energy Assurance laboratory and Centennial Industrial Park.

The applicant intends to construct 61,200 square feet of office/warehouse and manufacturing space that will be developed in two phases. Employee hours are 7:00 A.M. to

3:30 P.M. A portion of Mabry Road is proposed to be improved by constructing a cul-de-sac at the driveway entrance to address truck turning movements while still allowing for vehicular traffic to pass through.

The 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 which includes low-density residential, medium-density residential, multi-family residential, public / institutional, commercial, and parks / recreation / conservation, mixed-use.

The Planning Division staff is recommending **conditional approval** of this annexation request with a zoning of **Light Industrial (L-I)** based on the Comprehensive Plan and the adjacent industrial uses with six conditions.

Applicant Presentation: **Damon Santimauro**, 2314 Centennial Circle stated he has no problems with the conditions and agrees to working with staff on the 50 foot buffer in condition three. Mr. Santimauro said they have another facility nearby within the Centennial Industrial park with similar items so they have knowledge of the traffic flow. He asked the Board to consider their request to be annexed into city for sewer.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the annexation request and establish zoning as Light Industrial (L-I) with the following conditions:

Conditions

1. The approved uses for the property shall be limited to light industrial uses to include the proposed use, office, warehouse, storage, distribution, further processing, assembly and fabrication.
2. The proposed development shall be generally consistent with the standards depicted on the architectural elevation provided with the annexation application. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative, concept plan and architectural renderings shall take precedence over the applicant's development standards.
3. The development shall require a minimum 50-foot wide evergreen planted buffer adjacent to all single-family properties located to the south and west. The trees shall be a minimum installation height of 8 feet and shall consist of a mixture of Arborvitae Green Giant, Japanese Cryptomeria, Eastern Red Cedar, and Holly. The location, number, spacing, size and type of trees planted shall be subject to Community and Economic Development Department Director approval in order to effectively screen the adjacent residential properties.
4. All access point design for the subject property shall require approval by the Gainesville Public Works Director and Hall County Public Works Department. All required access / traffic / sidewalk and improvements to Mabry Road associated

with the proposed development shall be at the full expense of the developer/property owner.

- 5. An electronic message board sign shall not be permitted for the subject property.**
- 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.**

Motion made by Board Member White

Motion seconded by Board Member Martin

Vote – 6 favor, 1 absent (Fleming)

C. Zoning Amendment Request

- 1) Request from **Scott Stringer** to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 57.29± acres located on the southwest side of the intersection of Mundy Mill Road and Millside Parkway and west of the intersection of Mountain View Road and Old Oakwood Road (a/k/a **0 Mundy Mill Road, SW and 0 Old Oakwood Road, SW**).

Ward Number: Four

Tax Parcel Number(s): 08-043-000-078 and 08-024-005-363

Request: Multi-family apartments and industrial / office / warehouse uses

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

The proposed zoning amendment includes a 57.29± acres portion of the 605.0± acres Mundy Mill mixed-use development originally approved in 2004. The entire development is currently approved for 1,148 single-family homes, 1,235 condominiums, townhomes or apartments, 806,000 square feet of office/warehouse space and 885,000 square feet of commercial/retail space. There have been 4 previous zoning amendments and currently there are multiple phases of single-family homes and apartments built or under construction as well as the existing Mundy Mill Learning Academy elementary school.

Specifically, the first part of the amendment includes relocating the 300 multi-family apartment units within Pod “E” to part of Pod “I” next to the approved outparcel commercial uses. The second part of the request involves relocating/changing some of the previously approved office/commercial/retail square footage from Pod “I” to Pod “E” for up to 170,000 square feet of industrial/office/warehouse uses. There are no immediate development plans for this parcel and preliminary access is shown from Old Oakwood Road and Mountain View Drive. The total residential units and non-residential square footage will remain the same.

The Gainesville 2030 Future Development Map places the Pod “E” portion of the subject property within the *Mixed-Use General* land use category and the Pod “I” portion of the subject property within the *Retail/Commercial* land use category. As well, the subject property is located within the *Suburban Residential* Character Area which includes low-density residential, medium-density residential, multi-family residential, public / institutional, commercial, and parks / recreation / conservation and mixed-use.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request based on the comprehensive plan and the adjacent uses. The existing zoning conditions are recommended with highlighted amendments to zoning conditions 17, 18 and 20 and the addition of zoning conditions 31 and 32.

Applicant Presentation: **Billy Powell**, 329 Oak Street stated he is speaking on behalf of the applicant and owner. Mr. Powell said the main point is there will be no additional units as they are simply relocating the product along with retail space. He stated the reason for relocating the 300 multi-family units to Mundy Mill Road is to increase marketability. Mr. Powell stated Atlanta builder Carter USA which is a six-decade old firm and builds a high quality product. Mr. Powell then reviewed the slides on the PowerPoint and said they intend to build 10 buildings.

FAVOR: None

OPPOSE: **Fiona Thorpe**, 4142 Pear Haven Lane, stated she is speaking on behalf of her mother Winnifred Thorpe that lives next to the proposed industrial warehouse use. Ms. Thorpe stated there are concerns about the warehouse portion of the new plan. She said her mother would like to know the type of industrial plant, any barriers installed to keep the noise and commercial traffic out. The other concern was if a traffic light would be installed at Millside Parkway on Mundy Mill which is a divided highway and would need a traffic light between the apartments, warehouses and the homes. The last concern mentioned by Ms. Thorpe was water runoff and absorption when it rains because there is an issue now and does not want any additional water problems.

Maclesha Bourne, 4233 Weeping Willow Drive, stated she is with the HOA representing Winnifred Thorpe. She said they wanted to know what provisions will be in place to prevent any possible industrial pollution that might affect the health of the surrounding community. She mentioned there are a lot of senior citizens that reside on Pear Haven Lane and wants everyone to be mindful of those citizens.

Planning and Appeals Board Comments: Chairman Carter stated they will get answers regarding the five issues mentioned. He also said to his knowledge from speaking with Mr. Tate there are no definite plans for the industrial pod and they would be required to come back before the Board for approval.

Mr. Tate showed the location in question on the map where Pear Haven Lane backs up to the industrial part. He said there is a natural buffer within the residential portion and with no specific plans staff has added two extra conditions to the thirty conditions. Mr. Tate read the new conditions and stated since there is no specific use for the industrial pod, the developers would need to come back before the Board for approval and public notification would be sent out allowing citizens to attend and there is no timetable for the industrial pod. Mr. Tate stated the last condition, depending on the use/size of it, may require further traffic study. Mr. Tate said any run-off issues are thoroughly studied during the plan review process which would be required once it has come back to this Board and approved. The stormwater engineer would review the plans during that process that could impact the adjacent properties. He said that it would be reviewed again and there are noise control measures, and buffer requirements in place to address the issue.

Rebuttal: Mr. Powell stated they will comply with any setback requirements and stormwater runoffs by working with the staff and the Community and Economic Development Department. The traffic signal at Mundy Mill and Millside Parkway has been approved. Mr. Powell said he is not aware of the time frame for it but the property owner has gotten approval for it.

There was a motion to recommend conditional approval of the zoning amendment request to allow for multi-family apartments and industrial / office / warehouse uses to be relocated within the Planned Unit Development (P-U-D) with the following conditions:

Changes to existing zoning conditions 17, 18 and 20 and new zoning conditions 31 and 32 are highlighted below.

Conditions

Transportation/Traffic

- 1. All road improvements associated within the scope of the proposed development shall be at the full expense of the developer(s). The scope of the development shall be defined as those roads/intersections directly within, adjacent to, and within 1,500 feet of the subject property as studied within the Traffic Impact Study (TIS) submitted with this application. These road improvements are to include additional signalization, turn lanes, widening of roads, striping, and signage as stated in the TIS. This may include all or portions of Mundy Mill Road, Meeks Road, Fairbanks Drive, Old Oakwood Road, Old Flowery Branch Road, and Mountain View Road. The cost of the required road improvements shall be prorated based on developed property values of the residential, commercial, retail, office and industrial properties.**
- 2. The developer(s) shall work with the Georgia Department of Transportation, Hall County Traffic Engineering, the City of Oakwood, and the City of Gainesville Public Works Department to ensure that these improvements are performed in a timely manner so as to not conflict with any of the existing or planned road projects that are scheduled to take place outside the scope of the proposed development.**
- 3. All sign locations, access point (new and existing) designations for *new* roads, sight distances, and sight triangles shall be reviewed and clarified, in the beginning stages of plans and submittals with GDOT and the Public Works Director so as to limit the number of access points in that area.**
- 4. A signal warrant study will be required for the major intersections of internal streets within the development. If a signal light is warranted at a specific intersection, such installation shall be completed at the expense of the developer(s) and shall meet all specifications as determined by the Public Works Department. A signal light shall not be installed until traffic volumes actually meet the levels as determined by the warrant study.**
- 5. The developer(s) shall meet with Public Works prior to initiating the final civil design to discuss a traffic calming plan. A traffic calming plan consisting of tools such as landscaped traffic circles at intersections, raised crosswalks, landscaped center medians, chicanes, or other measures that aid in keeping the average speed on residential streets approximately 25 mph or below shall be prepared and approved by Public Works. Specific measures in the approved plan shall be constructed at the same time the streets are constructed.**
- 6. All roads dedicated to the City of Gainesville shall meet City specifications, and all private roads shall be constructed with materials that meet City specifications.**
- 7. All interpretations relating to transportation and/or traffic improvement conditions shall be subject to approval of the Gainesville Public Works Director.**

8. The new four lane parkway as reflected on the site plan shall be constructed and designed so as to allow a connection to the Tumbling Creek Connector across Old Oakwood Road.

Development Standards

9. Sidewalks shall be required along both sides of the streets within the development and shall be a minimum of four feet (4') wide along streets classified as residential streets and six feet (6') wide along collector streets and streets in the commercial zones. Alternatively, sidewalks shall be permitted along one side of the street in parkway areas at a minimum width of eight feet (8') and a minimum of five feet (5') along roads classified as residential streets.
10. All proposed single-family lots within the development shall only be allowed to access new interior roads within the subdivision. Direct access shall not be allowed onto roads that existed prior to this development.
11. Access to all service areas adjacent to single-family detached homes, including dumpster pads, shall be limited to the hours of between 9:00 a.m. and 6:00 p.m., unless an emergency situation warrants access to these areas.
12. Upon completion of the development, no outside storage of any materials shall be allowed. No storage of hazardous chemicals, as listed in the Standard Fire Code, shall be permitted.
13. Outdoor lighting used in this development; be it for recreational, security or general purposes, shall be of non-spill design and placed in a manner so as to minimize direct visibility by adjoining or adjacent properties.
14. The proposed residential, office, commercial, and accessory structures shall be similar in scale and architecture to the elevation drawings and pictures as submitted with the application.
15. The subject property shall be developed substantially in accordance with the site plan with minor engineering deviations excepted. All site plan, architectural renderings, pedestrian/trail access plan, and traffic impact studies shall become a part of the annexation, zoning and rezoning ordinances.
16. The number of *single-family detached homes* shall not exceed 1208 units and shall contain a minimum of 1,500 square feet of heated space. Front facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The remaining three facades shall consist of these materials or cementeous siding such as hardiplank. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line and minimum lot width at right-of-way line of 20 feet, with the exception of Pod M of the concept plan which shall have a minimum lot width at the building setback line reduced to 50-feet.

Pod L of the concept plan dated 10/06/04 shall be the highest-end product proposed by the developer and shall contain a minimum of 1,800 square feet of heated space. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line, and minimum lot width at right-of-way line of 20 feet. Front and side facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The rear facade may consist of these materials or cementeous siding such as hardiplank.

Each home within all single-family residential detached pods will have an attached garage for at least two cars. The front yard of each lot shall be sodded and planted with at least one hardwood tree. Monument signage shall be used for the

entrance to any detached single-family residential pod as per the attached site plan, and each entrance shall have plantings or other architectural accents.

17. The number of attached *single-family condominiums*, fee simple townhomes or apartments shall not exceed 1,235 total units to include a total of 775 units for Pod's C and **I** and 460 units for Pod's J and K. The minimum unit/lot width for each condominium or fee simple townhome unit shall be 16 feet, and each unit shall contain a minimum of 1,200 feet of heated space. Building separations shall be as reflected on the site plan, and private drives built to City specs will be used within these communities. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. No fewer than three or more than ten condominium or fee simple townhome units shall exist within one continuous structure, and front facades will be staggered. All single-family condominiums shall contain one car garages. Monument signage shall be used for the entrance to any attached single-family residential pod as per the sign plan.
18. The height of an apartment building shall not exceed three stories, although $\frac{3}{4}$ splits will be allowed. Each apartment unit will contain a minimum of 650 square feet for Pod's C, **I**, J and K. Each unit shall have at least 1.75 parking spaces. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. Minimum building separations shall be as depicted on the site plan. Signage shall be as per the attached sign plan.
19. The subject property may be developed for up to 806,000 square feet of traditional office, mid-rise office, and office warehouse space. Within the 806,000 square foot maximum, commercial and retail uses may be allowed within Pods B and N. At no such time shall the maximum allowed square footage within those pods exceed what is specified on the approved concept plan. This space may be developed for these uses but sold in a condominium format. Height of such structures shall be limited to 3 stories from average finished grade. Parking spaces will be provided at a minimum ratio of 3.5 spaces per 1000 square feet of useable office space. Monument signage shall be required in any office pod as per Exhibit B, and lights shall be shielded and angled so as to minimize glare onto adjacent properties. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required.
20. **The subject property may be developed for up to 170,000 square feet of industrial/office/warehouse space within Pod E and 580,000 square feet of commercial space within Pod I.** The maximum height of any structure, excluding architectural accents; such as clocks, cupolas and bell towers; shall be 50 feet. Use of pitched roofs shall be encouraged. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required. Parking shall be provided at a minimum of four spaces per 1,000 square feet of space. Lights shall be shielded and angled so as to minimize glare onto adjacent properties, and dumpsters shall be screened. Under no circumstances shall the following uses be allowed: Pawn shops, adult entertainment, adult bookstores, extended-stay hotel, rooming house, or boarding house. Signage shall be as per the attached sign plan.
21. Architectural treatment shall be of consistent design throughout the community and as per the renderings.

22. A minimum of 100 acres shall be maintained as green space, with passive recreation and trails as per the plan. Sidewalks shall connect the residential and non-residential components of this community.
23. A Mandatory Property Owners Association will be created for the single-family detached community to insure that these conditions are observed during development and in terms of architectural consistency thereafter. Separate mandatory associations will be set up for the single-family detached and single-family attached products to own and manage open space, common areas, and architectural controls. Open space elsewhere in the project shall be maintained as common area by the overall Property Owner's Association, or by a separate Association within whose boundaries the common area is located. Maintenance of the amenities package set forth on the site plan shall be the responsibility of the owners of single-family detached homes. However, at the option of those residents, memberships may be extended to other Mundy Mill residents for a fee to cover maintenance. Amenities packages also may be established in the individual townhome or apartment pods, but shall be the responsibility of the owners of land therein.

Buffers

24. A 100 foot wide buffer shall be provided against Balus Creek and all other blue-line streams. The first 50 feet of the buffer shall be measured from the top of the creek bank and shall be undisturbed. The remaining 50 feet of the buffer, if disturbed, shall be stabilized and replanted with vegetation subject to Planning Department approval.
25. A 25 foot minimum perimeter buffer will be created and infilled as necessary with plant material. However, this buffer will not be required along any Mundy Mill Road frontages. Landscaped buffers of at least 25 feet are also required along any road frontages.
26. Landscaped buffers of at least 25 feet also shall separate any non-residential pod or existing non-residential use from a residential pod. The buffer shall be subject to Planning Department approval.
27. All proposed detention ponds shall be sufficiently fenced and buffered from view from all roads and adjacent properties. All buffer materials shall be approved by the Planning Department.

Gainesville City Board of Education

28. As agreed to by the owner/developer, the 17.0 acre tract of land identified on the plat/site plan attached as Exhibit A shall be reserved for use as an elementary school site. At that time (or earlier at the owner/developer's discretion), and presupposing the School Board still wants the property for an elementary school, the owner/developer shall promptly convey to it, without charge. In the event the School Board does not secure a building permit and begin construction of an elementary school before December 31, 2012, then the developer shall retain all rights to development of the entire 17.0 acres tract as per the original terms of zoning approval except for this condition, and the School Board shall promptly convey marketable title to the property back to the owner/developer at no charge. Additionally, if no elementary school is actually constructed on this site by December 31, 2013, then the School Board shall return marketable title to the property to the developer without charge. The conveyance documents executed by the owner/developer to the School Board will contain these terms and requirements. This agreement to reserve the 17.0 acres tract shall not prohibit the

owner/developer from including it in any plat it may prepare for its development of a single-family residential pod and also will allow the owner/developer to put on it any necessary utility or other storm water easements which may be required for the development as a whole, provided such improvements do not materially affect the Board's ability to use the site for a school. This agreement also shall not prohibit the owner/developer from earlier transferring the 17.0 acres site to the City to be held for the School Board, subject to the requirements of this paragraph. Finally, but for utility/drainage easements or right-of-way dedicated as part of the road system in or along the frontages of the Mundy Mill development, the owner/developer shall not be required to dedicate or give to the City of Gainesville any additional property incidental to this development. However, if the School Board fails to acquire this property, then the owner/developer shall convey three acres of land to the City for a public safety use.

Notwithstanding any of the foregoing, if at such time as the School Board has acquired the 17.0 acres site and is ready to begin feasibility assessments, and if the State Board of Education should determine that the site is not then suitable for use as a school under the applicable state standards, then the Board of Education may sell the 17.0 acres tract and retain the proceeds for use in purchasing an alternative site. Provided, however, that once an arms length transaction for a fair market value purchase of the site has been secured by the School Board, the owner/developer shall have a right of first refusal to repurchase the tract at the exact same purchase price. Provided further, that the proceeds from such sale must be expended on a new school site within 60 days of closing, otherwise it shall be remitted instantly to the owner/developer.

The City notes that this condition may be imposed only because the owner/developer has agreed to it.

Quality Enhancement

29. In order to further enhance and assure the quality of development, the City expects the developer shall perform/provide the following:
- Detailed landscape plan for parkway, subject to approval by the Department of Planning and Development.
 - Reconstruction of Mundy Mill as focal point for community, subject to approval of the Georgia Department of Transportation.
 - A minimum of two amenity locations shall be provided for the entire development of the detached single-family residential pods. At minimum the amenity sites shall include a pool house, swimming pool and playground.
 - Sidewalks and streetlights throughout community.
 - All products within the development shall contain exterior construction materials limitation; must use brick, masonry stucco, stacked stone, cedar shake, or hardiplank.
 - Open space - 18%.
 - Pedestrian trail plan (3.5± miles) connecting entire community.
 - Parkway plan sidewalk width sufficient to create a bicycle lane.
 - Every single-family home built on the subject property shall contain ceramic tiled bathroom floors.

- Every single-family home shall be built to accommodate at least one fireplace.
 - No vinyl siding on any product within development excluding soffit areas.
 - Each pod of townhouses and apartments will have its own amenities package.
 - All underground utilities.
 - Uniform mailboxes will be provided for each detached single-family residential pod.
 - Uniform street signs will be provided throughout the development.
30. Along Balus Creek, the developer shall reserve for the City, by way of easement, a ten-foot strip of land for use as a bicycle path. At such time as the City or County constructs an element of its bike path system to which this easement might connect, the City and/or County, at its/their expense, may pave this strip. No development shall occur on the property which would interfere with the eventual construction of this path by the appropriate governmental entity, except for the boulevard which will cross the creek.
31. Prior to a land development permit application being submitted for the proposed Industrial/office/warehouse uses within Pod "E", the property owner shall be required to submit a site plan review application for a public hearing before the Planning and Appeals Board.
32. A Traffic Impact Study shall be required with the submittal of the site plan review application for Pod "E" if determined necessary by the Gainesville Public Works Department Director. All access point design for the subject property shall require review and approval by Hall County and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposal or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the property owner.

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

ADJOURNMENT

There was a motion to adjourn the meeting at 6:04 p.m.

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

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary

Date Submitted: 1/22/2021

Presenter: Matt Tate

Item of Business: Request from **Dave Odom** to rezone a 1.56± acres tract located on the south side of Oak Street, west of its intersection with West Academy Street (a/k/a **341 and 361 Oak Street, NW**) from General Business (G-B) to Planned Unit Development (P-U-D).
Ward Number: Four
Tax Parcel Number(s): 01-026-001-002A and 003
Request: Mixed-use residential and commercial

Meeting Date: 2/9/2021

Purpose of Request:

The proposal includes rezoning the subject property for a mixed-use development consisting of 9 detached cottage homes, 11 attached townhomes and an existing 1,200 square foot commercial building.

The cottages are designed as two-story units with a minimum of 1,150 square feet of heated floor space, each with a small accessory building that can be used for additional residential living/office space. Each cottage unit will have two parking spaces within the driveway. The townhomes are designed as three-story units ranging from 1,600 to 2,100 square feet of heated floor space, with a two-car garage.

Common space will include 6 visitor parking spaces, a small greenspace/park and mail kiosk. The commercial building will utilize the existing two driveways on Oak Street. A private road is proposed from Oak Street to serve the residential units. The road will be built to meet the weight bearing capacity and clearance requirements but with reduced road widths. The road will be privately maintained and private trash service will be provided. Adjacent uses include commercial office building, power substation, St. Paul United Methodist Church, offices and the Atlanta Union Mission thrift store.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff recommended approval with seven 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
☐ Concept Plan	Backup Material

- ▣ Survey
- ▣ Architectural Renderings

- Backup Material
- Backup Material

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant Dave Odom
Property Owner Richard Padgham
Location 341 and 361 Oak Street, NW
Request Rezone from G-B to P-U-D
Total Acres 1.56± acres
Ward Four
Proposed Use Mixed-use residential and commercial
Planning Division Staff Recommendation **Approval, with conditions**
Date February 9, 2021

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

The proposal includes rezoning the subject property from General Business (G-B) to Planned Unit Development (P-U-D) for a mixed-use development consisting of 9 detached cottage homes, 11 attached townhomes and an existing 1,200 square foot commercial building for office/retail/café purposes. The residential units will have the ability to be sold as fee-simple and/or offered as long-term rental properties.

The 9 cottages are designed as two-story units with a minimum of 1,150 square feet of heated floor space, each with a small accessory building that can be used for additional residential living/office space. Each cottage unit proposes 2 bedroom and 2.5 bathrooms and two parking spaces will be provided within the driveway. The 11 townhomes are designed as three-story units ranging from 1,600 to 2,100 square feet of heated floor space, with a two-car garage. Each unit will provide 3 bedrooms and 3.5 bathrooms.

Common space will include 6 visitor parking spaces, a small greenspace/park and mail kiosk. The commercial building will utilize the existing two driveways. A private road is proposed from Oak Street to serve the residential units. The road will be built to meet the weight bearing capacity and clearance requirements but with reduced road widths. The roads will be privately maintained.

Development Standards (Summary):

Total Units: 20 units (9, two-story detached cottages and 11, three-story townhomes)

Density: Gross- 12.8 du/ac; Residential property only- 14.9± du/ac

Commercial: 1,200 sf with uses allowed within General Business (G-B)

Minimum Residential Lot Size: 600 sf

Maximum Structure Height: Primary Units 40-feet (2-3 stories); Accessory Bldgs. 25-feet

Residential Heated Square Feet: Primary Units -1,150 to 2,100 sf; Accessory Bldgs. -250 sf

Setbacks: Front: 0 feet; Front Corner: 0 feet; Side: 3 feet; Side Attached: 0 feet; Rear: 3 feet

Parking: 2 spaces per residential unit and 6 guest spaces; Commercial -13 spaces provided

Streets: Private- 20 feet wide (18 feet of permeable pavers and 1 foot of curbing on each side built to meet weight bearing capacity and clearance requirements for Public Safety)

Services: City Public Water/Sewer and trash pick-up

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Atlanta Union Mission Thrift Store; Teelish Screen Printing; Natures Healing Massage; The Guest House (previously)	General Business (G-B)
South	St. Paul United Methodist Church	Neighborhood Business (N-B) and General Business (G-B)
East	Academy Oak Business Center	General Business (G-B)
West	Power substation	General Business (G-B)

▪ **Other Departmental Comments**

The Gainesville Public Works Department states that trash pick-up will be provided by the City for the residential units. In addition, proposed units 1 and 20 will need to be located so as not to interfere with the site distance for traffic exiting the development. All improvements such as roads and sidewalks within the subject property shall be privately owned and maintained.

There were no other departmental comments for this request.

▪ **Zoning History**

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

2020 – A request by Juan Luna for a special use within Neighborhood Business (N-B) zoning on a 1.66± acres tract located at 0, 903, 915, 919, 921, 925 and 927 Washington Street, NW was conditionally approved for twenty apartments.

2018 – A request by KRM 2016, LLC for a special use within Neighborhood Business (N-B) zoning on a 0.82± acre tract located at 520 Washington Street, NW was conditionally approved for five duplex apartments.

▪ **Staff Analysis**

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

The surrounding properties includes a mixture of office, commercial, institutional and public uses. The adjacent properties are zoned General Business (G-B) and Neighborhood Business (N-B). The proposed mixed-use development is unique to the area and would provide for quality housing close to downtown. Oak Street was originally developed for residential purposes, but many of the properties have been redeveloped for nonresidential uses.

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

The proposed use should not adversely impact the surrounding and nearby properties; however, the residential use will change how the property functions with full time residents. Parking, access, stormwater and building orientation are important as to not detract from the adjacent nonresidential uses and to provide for sufficient privacy for the future residences.

(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 *Central Core* Character Area specifically within the *Downtown/Midtown* subarea. The vision for this area includes additional office and housing to provide a more sustainable mix of uses. Historic preservation and sensitive infill are key to maintaining a strong sense of place. There should be a focus on preservation of existing character through an adaptive reuse where feasible. Land uses supported in the 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 property is zoned General Business (G-B) which is intended for heavy commercial uses such as office, gas station, retail, restaurant and mini-warehouse uses with building heights not to exceed 5-stories in height or 75-feet with zero (0') rear and side yard setbacks. The G-B zoning district does not permit residential uses; therefore, the applicant is proposing to rezone the subject property to a P-U-D at an overall gross density of 12.8 dwelling units per acre including the commercial 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?

City water, sewer and public safety services are currently provided to the property. Stormwater facilities will be required to be upgraded to meet the current stormwater regulations. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 1.1± miles from the subject property.

The proposal will slightly increase ingress and egress traffic movements along Oak Street which provides a secondary connection to downtown Gainesville from the Lakeshore Mall area and Gainesville High School. Oak Street is a two-lane road with sidewalks on both sides of the street. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the residential townhomes and cottages on average could generate 116± new trips per weekday, 9± A.M. and 10± P.M. peak hour trips. The classification for a café/restaurant use was used to calculate the trips for the commercial building. According to the existing size of the building, the commercial use could generate 108± new trips per weekday, 7± A.M. and 11± P.M. peak hour trips.

The proposed use should have minimal impacts on the Gainesville City School System given there are 20 residential units proposed and the development is geared towards working class, retired and aging citizens.

(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?

Development along Oak Street consists of a mixture of old and new uses of which many have been redeveloped over the last 20 to 30 years such as the nearby Academy Oak Business

Center, Park Place offices, and Rochester & Associates. The Comprehensive Plan identifies the need for quality housing within the downtown area. The subject property is conducive for a mixture of commercial and residential purposes as it is situated within an area that is walkable to downtown office, retail, restaurant and public uses.

(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?

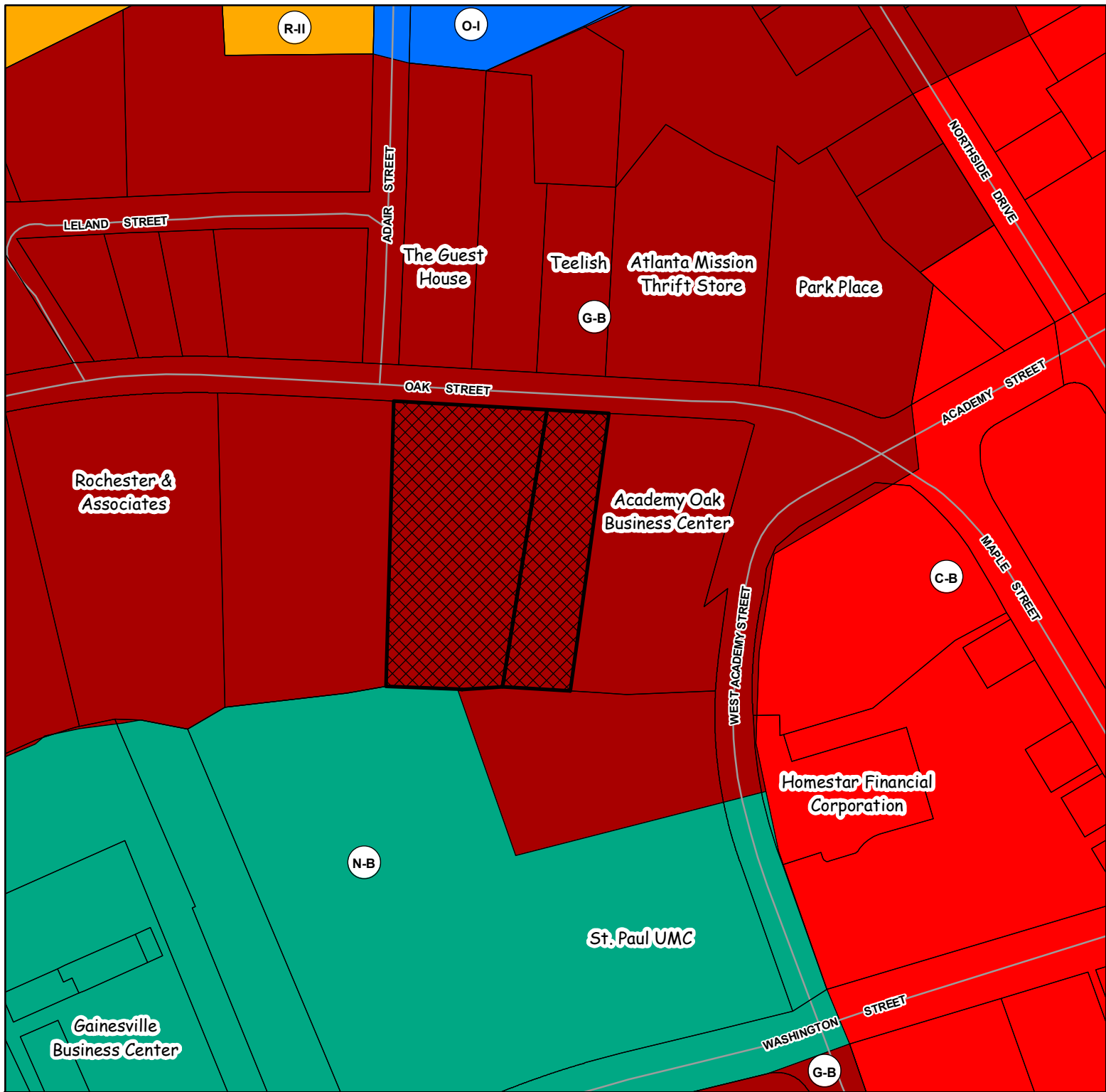
Based on the Comprehensive Plan and the adjacent mixture of uses, the proposed rezoning request with the recommended conditions appears to reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this rezoning request from General Business (G-B) to Planned Unit Development (P-U-D) based on the Comprehensive Plan and the adjacent mixture of uses.

Conditions

1. The proposal shall be generally consistent with the concept plan and architectural elevations provided with this rezoning application.
2. Prohibited uses for the subject property shall include extended stay hotels, motels/hotels with rooms accessed from the exterior of the building, adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience 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.
3. The owner/developer shall screen the proposed stormwater detention pond and dumpster with a mixture of evergreen trees. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
4. All proposed residential structures shall be setback a minimum of 10-feet from the adjacent office building located to the east of the subject property and shall have a maximum building height of 35-feet, measured from the lowest elevation.
5. All new structures, signs and trees shall be setback from Oak Street so as not to interfere with the site distance for traffic exiting the development. All improvements such as roads and sidewalks within the subject property shall be privately owned and maintained.
6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
7. 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:

DAVE ODOM

REZONING REQUEST

Request:

Rezone 1.56+/- acres from General Business (G-B) to Planned Unit Development (P-U-D) for mixed-use residential and commercial

Subject Property Address:

341 & 361 Oak Street, NW

Tax Parcel:

01-026-001-002A and 003

Meeting Date: 02/09/2021

Map Prepared: 01/13/2021



Subject Property



0 90 180 270 360 Feet

1" = 150'

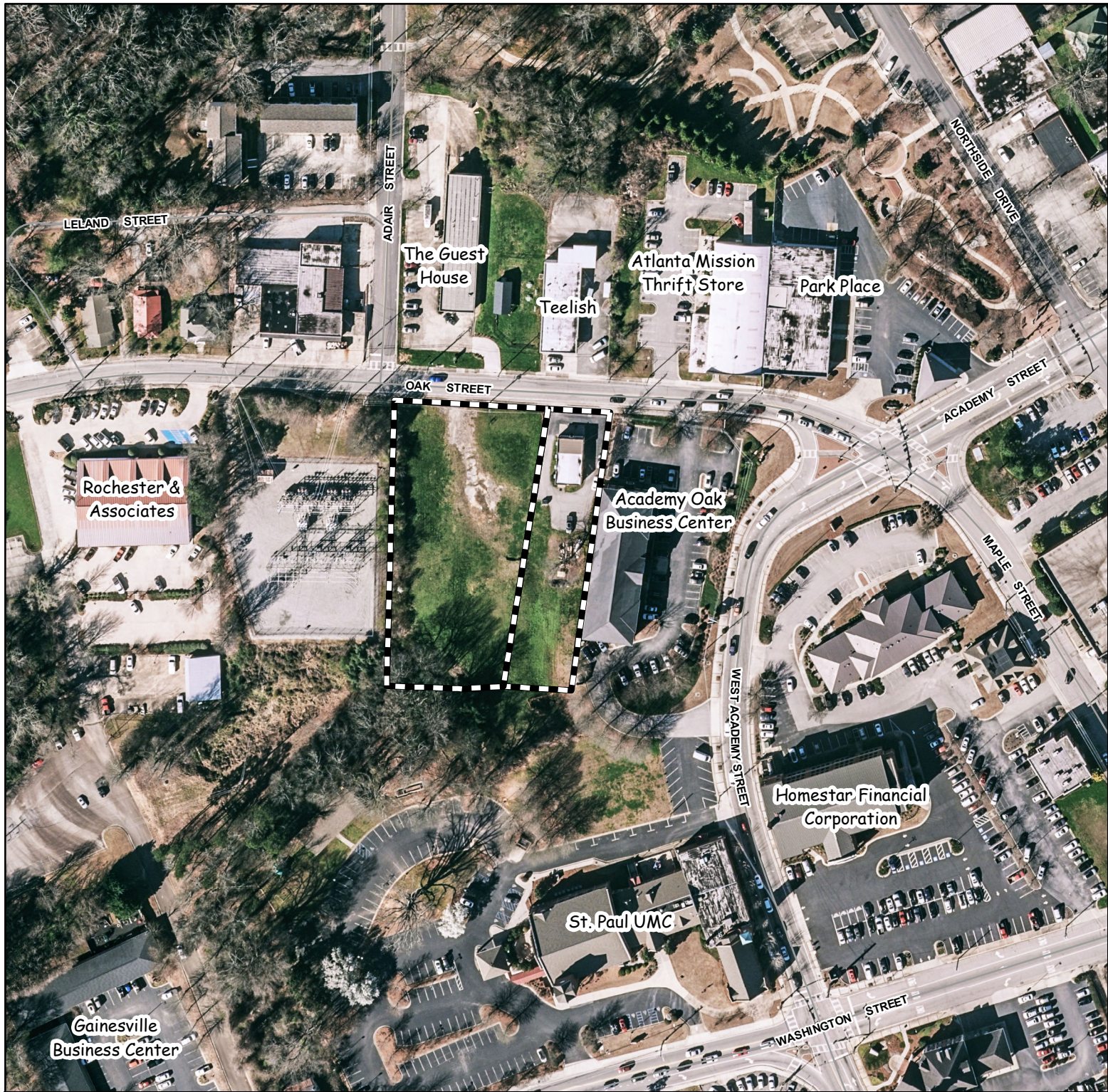


CITY OF

GAINESVILLE

COMMUNITY AND ECONOMIC DEVELOPMENT





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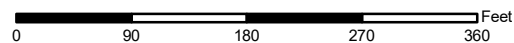
Meeting Date: 02/09/2021

Map Prepared: 01/13/2021



Subject Property

Aerial from 2018



1" = 150'



CITY OF

GAINESVILLE

COMMUNITY AND ECONOMIC DEVELOPMENT



SITE DEVELOPMENT REGULATIONS

361 OAK

THE CITY OF GAINESVILLE
STATE OF GEORGIA

A PLANNED UNIT DEVELOPMENT



DECEMBER 23, 2020

DRAWINGS AND SPECIFICATIONS ARE PROPRIETARY AND PROPERTY OF SYNCHRONICITY, LLC. NO USAGE ON ANY OTHER PROJECT OR DESIGN PERMITTED. VIOLATIONS SUBJECT TO FULL PROSECUTION UNDER LAW. USAGE FOR ANY REASON OUTSIDE OF THIS SPECIFIC PROJECT MUST HAVE WRITTEN PERMISSION FROM SYNCHRONICITY, LLC.

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EXECUTIVE SUMMARY

361 OAK is a Planned Unit Development located at 361 Oak Street (a 40' public right-of-way) southeast of the intersection of Adair Street within the limits of the City of Gainesville, Georgia. The parcel is located within the Central Core District of the City in close proximity of Downtown's historic central square. The project is an aggregated redevelopment parcel totaling 1.57 acres. The parcel is located within Land Lot 154, 9th Land District, City of Gainesville, Hall County Georgia. The current zoning of the parcel is G-B General Business with a maximum 75' structure height.

Currently, the site is comprised of one building: a historic brick structure occupied by a general business office use. The remainder of the site is a vast field of undeveloped open space. There are no wetlands on site. There are no grand or historic trees of significance.

The development concept is an innovative urban planned unit development incorporating traditional neighborhood development (TND) practices into a vibrant, human-scaled, pedestrian friendly community. This will be achieved by combining existing compliant commercial general business uses with newly constructed attached & detached fee-simple single family residential units; all linked together by an interconnected Woonerf living street system. Residential units that will have the ability to be sold as fee-simple and/or offered as long-term rental properties.

An internal Woonerf, a living street, will serve as the linking element of community Open Space as well as a new Private Right-of-Way with a central park with mail kiosk as the primary neighborhood gathering space. The genesis of the entire development gravitates around human-centered design principles leading towards a safe & sociable environment.

COMPREHENSIVE PLAN ALIGNMENT

The 361 OAK Planned Unit Development is aligned with the City of Gainesville's vision for future land use utilizing redevelopment and infill opportunities.

The intent of a planned unit development (PUD) is to:

- Provide flexibility in the design of developments.
- Encourage comprehensive planning of developments.
- Permit innovation in neighborhood design that includes incorporation of open space, preservation of natural features and other amenities; to provide opportunity for a mixture of uses within a development and to insure compatibility of developments with surrounding areas.

Redevelopment and infill opportunities of underutilized sites are one of Gainesville's greatest physical assets because their development or redevelopment can help enhance or complete existing neighborhoods and districts. These sites can reduce the need to travel further to shop or work, preserve lands further out, and save taxpayers infrastructure costs.

Through contextually sensitive design, innovative shared open space planning and an urban architectural vernacular, the goal of the 361 OAK Planned Unit Development is to most appropriately comply with the City of Gainesville's 2040 Comprehensive Plan Goals for the Downtown/Midtown Core as follows...

"Issues & Opportunities:

1. Need for urban-scale housing, especially around Downtown and Midtown, and adjacent redevelopment areas.
2. Lacking higher-end/greater variety retail, especially in the Downtown Core.
3. Small retail and dining continues to struggle around and near the City Square.
4. Vacant land is not being utilized for infill development.
5. Need to explore housing products for aging population."

Attention to the City's needs and desires, along with careful attention to details with innovative land planning practices will ensure that the Citizenry and the City of Gainesville will receive an innovative urban planned unit development incorporating traditional neighborhood development (TND) practices into a vibrant, human-scaled, pedestrian friendly community.

This new community will integrate seamlessly within the City's urban fabric, greatly contributing to the transformation Oak Street streetscape. The efforts of the Developer of 361 OAK will positively impact Oak Street's progression...yielding a beautiful, safe & sociable environment.

361 OAK will set the example as a signature infill redevelopment; meeting Comprehensive Plan goal needs by transforming neglected and underutilized resources into a beautiful neighborhood, creating new living opportunities for Gainesville's working class, retired and aging citizens.

DEVELOPMENT PLAN

Property Address:	361 Oak Street, Lot 154, 9 th District, Gainesville, Georgia
Site Area:	1.57 AC +/-
Existing Zoning:	GB – General Business
Existing Conditions:	Existing general business commercial building and an undeveloped yard with open space.
Proposed Uses:	An urban planned unit development incorporating traditional neighborhood development (TND) practices into a vibrant, human-scaled, pedestrian friendly community. This will be achieved by combining existing compliant commercial general business uses with newly constructed attached & detached fee-simple single family residential units; all linked together by an interconnected Woonerf living street system.
Proposed Density:	12.73 DU/AC
Site Development:	<u>Maximum General Business Space:</u> 2,000 GSF <u>Maximum Residential Units:</u> 20 <u>Property Setbacks</u> Front: 0 feet Front Corner: 0 feet Side: 3 feet Side Attached: 0 feet Rear: 3 feet Minimum Lot Size: 600 SF
Max. Structure Height:	Structure heights are permitted to a maximum fifty feet (40') measured from the average adjacent R.O.W./Front Property Line back-of-curb elevation to the top of roof. Newly constructed homes will range from two to three stories. Heights will be distributed appropriately according to adjacent land uses and contextually appropriate massing.
Open Space:	As exhibited in the Concept Plan, community Open Space will be provided via a Woonerf living street system, walks and yards, as well as a central park with Mail Kiosk as the primary neighborhood gathering space.
Parking:	Two (2) parking spaces per residential unit, and one (1) parking space per 1,000 GSF of general business commercial space will be located throughout the development via driveway, garage, and surface lot spaces.
Flexibility:	As the Developer progresses with design for this innovative urban neighborhood, flexibility in revisions to the Concept Plan via site layout & engineering will be granted as long as overall proposed density shall not be eclipsed.

THE WOONERF SYSTEM

Term: Woonerf (Dutch Pronunciation: ['ʋo:n.ɛrf])

Question: What is a Woonerf?

Answer...The concept of the woonerf was developed in the late 1960s in the city of Delft, Netherlands. Residents of a neighborhood were upset with cut-through traffic speeding through their neighborhood, making it unsafe. The residents took out their brick streets and replaced them with winding serpentine paths. This action initiated the woonerf—or “residential yard” in Dutch—a residential street in which the living environment predominates rather than vehicular infrastructure. Through the physical alteration of the street, the woonerf provides space for cars while fully accommodating the needs of residents. The main goal of a woonerf is to change the way streets are used and to improve the quality of life in residential streets by designing them for people, not just for traffic.

In a woonerf, the street is shared among pedestrians, bicyclists, and motor vehicles; however, pedestrians have priority over cars. The street is designed without a clear division between pedestrian and auto space (i.e., no continuous curb), so motorists are forced to slow down and travel with caution. Limiting vehicular speed not only improves residents’ feelings of safety, but also promotes greater use of the public space. This action allows more room for new features in the street such as street furniture (e.g., planters, street trees, benches) and areas for social interaction, bringing more people out on the streets to walk, bike, play, and interact with each other. In other words, a woonerf transforms the street into a livable and attractive environment for a variety of activities. The woonerf concept in urban planning has proven to be successful in the Netherlands. As a result, it has become increasingly popular in many other countries in Europe as well as around the world. The term itself, “woonerf,” varies from one country to another. For example, a woonerf is also known as a *home zone*. The home zone concept was developed from the woonerf concept in Britain in the late 1990s. According to Appleyard and Cox, there is a subtle difference between the two: a woonerf in the Netherlands emphasizes creating a sense of place, while a home zone in Britain focuses more on easing traffic and reducing accidents. However, both concepts incorporate formal and informal space for children’s play and social activities. Another concept is the *shared street*, which is commonly used in the United States; however, this concept can be applied to residential streets as well as commercial ones. Since all these terms, as well as others, originated from the woonerf concept, they share similar principles and design characteristics, and thus they are often used interchangeably.

The Developer of 361 OAK will be implementing a Woonerf System within the central Open Space of the neighborhood. This will allow the safe passage and interaction among pedestrians, cyclists and automobiles. This will provide residents a public space in front of their homes as a place to play, socialize and engage in the community.

Source: Collarte, Natalia “The Woonerf Concept ‘Rethinking a Residential Street in Somerville’ “
December 7, 2012

GENERAL GUIDELINES

A. Parking

Due to 361 OAK's unique project composition, parking is being proposed as:

Two (2) parking spaces per residential unit, and one (1) parking space per 1,000 GSF of commercial space will be located throughout the development via driveway, garage and surface lot spaces:

- Standard parking & driveway space: 9' x 18'; or 9' x 17' with vehicle overhang
- Parallel parking space: 8' x 22'
- Garage space: 8'-6" x 18'

B. Residential Units

Single-family attached & detached fee-simple residential dwelling units will exist throughout the development; comprising the majority of building space use. Residential units will have frontage along the Oak Street Public Right-of-Way as well as along the interior 361 OAK Private Right-of-Way. Addressing for all residential units will be clearly visible along the 361 OAK Private Right-of-Way. Residential units will have the ability to be sold as fee-simple and/or offered as long-term rental properties.

Front setbacks shall be zero feet (0'). Rear setbacks shall be three feet (3'). Side non-attached setbacks of three feet (3') shall apply to free standing units and the end units of attached units. Attached residential units shall exist with zero foot (0') side setbacks along their adjoining side property line (demising wall). Front corner setbacks of zero feet (0') will apply to the allowed placement of all buildings on corner lots (those having frontage on two or more public/private rights-of-way) and shall observe the required minimum front setback of zero feet (0) for all frontages from all rights-of-way. This provision will, for example, apply to the entry cottage units.

Accessory Buildings: Accessory buildings shall have a maximum height of twenty-five (25) feet and a maximum area of two hundred fifty (250) square feet of conditioned living space. Accessory buildings can include heated living or residential office space and must maintain a similar exterior finish and architectural appearance to that of the primary residence, as being subordinate.

C. Commercial Unit

One commercial unit will exist within the project, occupying the existing commercial building on the property. Uses allowed in the GB – General Business zoning designation will be allowed in this unit. Addressing for the commercial unit will be clearly visible along the Oak Street Public Right-of-Way.

D. Building Heights & Massing

Structure heights are permitted to a maximum fifty feet (40') measured from the average adjacent R.O.W./Front Property Line back-of-curb elevation to the top of roof. Newly constructed homes

will range from two to three stories. Heights will be distributed appropriately according to adjacent land uses and contextually appropriate massing.

E. Property Owners Association

The Developer will establish a Property Owners Association (POA) for the development. The POA will be managed by the Developer (or their appointed representative) until all units are sold and duties will be transferred to the POA.

The POA will be responsible for funding and maintaining interior street repairs & replacement, the Woonerf, entry signage and landscaping & lighting, and any other Developer/POA installed amenities on private property and/or Open Spaces outside of the 361 OAK Private Right-of-Way. These areas and associated drainage systems will be privately maintained by the Developer until the ongoing maintenance is assumed by the Property Owners Association.

F. Utilities

The City of Gainesville will provide water and sewer services via existing adjacent infrastructure. Power and natural gas will be provided by Georgia Power. Garbage collection will be provided by private services utilizing standard residential rolling trash & recycling cans (no dumpsters).

G. Signage

Up to two (2) flanking columnar entry signage monuments, at a height maximum of six feet (6') each, identifying the project will be placed in future locations, to be determined, at the neighborhood's entry along Oak Street. The monuments will be illuminated with decorative lighting for wayfinding purposes.

Entry monuments, supporting decorative landscape and infrastructure (such as landscape lighting & irrigation) shall occur *outside* of the Oak Street public Right-of-Way and therefore be exempt from City & State encroachment requirements.

H. Landscape

Decorative and supplemental landscaping may be provided throughout the development, adjacent to the Oak Street public Right-of-Way, and within the 361 OAK private Right-of-Way. Decorative landscape and infrastructure (such as landscape lighting & irrigation) shall occur *outside* of the Oak Street public Right-of-Way and therefore be exempt from City & State encroachment requirements.

I. Lighting

The Developer will prepare a lighting plan for street lights (in conjunction with Georgia Power) and may also provide decorative building, landscape, site & tree lighting throughout the development and adjacent to the Oak Street Right-of-Way. Buildings and entry signage may be illuminated for the purposes of safety and wayfinding.

J. Streets, Sidewalks & the Woonerf System

The Developer will construct the two-way 361 OAK Private Right-of-Way from Oak Street at a minimum thirty five feet (35') wide. The minimum typical street pavement width will be twenty feet (20'): 18' of permeable street pavers bound by 1' curbing on each side. A standard minimum four foot (4') sidewalk will be provided throughout the neighborhood. The intention is for the 361 OAK Private R.O.W. to operate and function as would a Public R.O.W. via the presence and use of pedestrians, bicyclists, motorists, and all of the City of Gainesville's emergency service and public service providers (such as Police, Fire, EMS, Street Sweeping, etc.).

This street will be built to Private standards, meeting the weight bearing capacity and clearance requirements of City Engineering & Fire Standards. The entirety of the R.O.W. will be paved. The intended material is a road worthy paver system with pervious joints for stormwater retention & detention purposes, utilizing low-impact development sustainability practices. Road sections and materials will be certified by Civil and Materials Engineers, as necessary. This information will be provided during the permitting processes. Fire truck staging (min. 20' wide) will be provided throughout the internal vehicular/pedestrian circulation court (a.k.a. the "Woonerf").

No on-street parking will be allowed along 361 OAK's Private R.O.W., per posted signage and monitoring. "No parking", "Stop" and other street signage will be provided in the R.O.W. (which may be expanded to include). Off-street guest parking spaces will be provided to service the neighborhood.

The Developer will be implementing a permeable Woonerf System as the central Open Space of the neighborhood. This will allow the safe passage and interaction among pedestrians, cyclists and automobiles. The Woonerf will provide residents a public space in front of their homes as a place to play, socialize and engage in the community. The Woonerf System within the 361 OAK Private Right-of-Way will be constructed by the Developer (and/or assigns) and maintained privately until the ongoing maintenance is assumed by the Property Owners Association.

The Woonerf System and driveways outside the 361 OAK Private Right-of-Way will be constructed by the Developer and maintained privately until the ongoing maintenance is assumed by the Property Owners Association or individual property owner, as assigned.

Coordination for the encroachment of the 361 OAK Private Right-of-Way intersection with Oak Street Public Right-of-Way will be conducted with the City of Gainesville and GA DOT. Sight distance visibility at the ingress/egress intersection will be maintained in accordance with the City of Gainesville and GA DOT standards.

The intent for accessibility throughout the project is to provide that the private Right-of-Way and all units and amenities be ADA and FHA compliant.

K. Trees

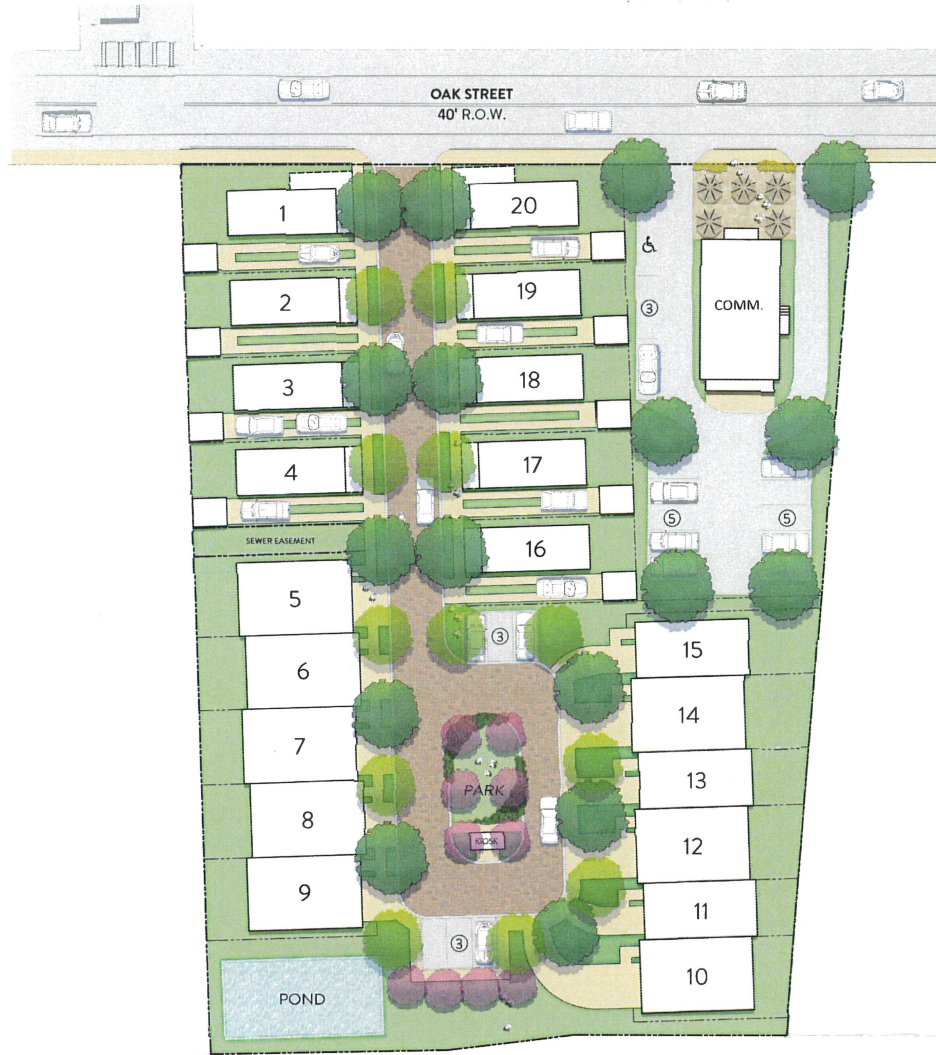
Street trees will be planted within the verge of the 361 OAK Private Right-of-Way. Shade and decorative trees will be planted throughout the neighborhood with the goal of positively contributing towards the City's overall tree canopy.

L. Community Benefit

The Citizenry and the City of Gainesville will receive an innovative urban planned unit development incorporating traditional neighborhood development (TND) practices into a vibrant, human-scaled, pedestrian friendly community.

This new community will integrate seamlessly within the City's urban fabric, greatly contributing to the transformation Oak Street streetscape. The efforts of the Developer of 361 OAK will positively impact Oak Street's progression...yielding a beautiful, safe & sociable environment.

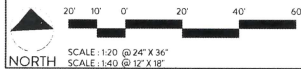
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DEVELOPMENT SUMMARY

1.57 AC	TOTAL SITE AREA (+/-)
PUD	PROPOSED ZONING
3.0	HEIGHT MAX. (STORIES)
40'	MAX. BUILDING HEIGHT
35'	RIGHT-OF-WAY
1	COMMERCIAL
1	OFFICE/RETAIL/CAFE
1,200	TOTAL COMMERCIAL GSF +/-
13	PARKING SPACES
1:93	PARKING RATION (GSF)
20	RESIDENTIAL UNITS
9	COTTAGE
11	TOWNHOUSE (TH)
12.73	PROPOSED DENSITY (DU/AC)
46	PROPOSED PARKING
18	DRIVEWAY
22	GARAGE
6	GUEST
1:3.33	GUEST PARKING RATIO
1:2.30	TOTAL PARKING RATIO
COTTAGE	UNIT DETAILS (TYP.)
16' x 42'	FOOTPRINT
2.0	STORIES
2/2.5	BEDROOM/BATHROOM
1,150	HEATED SQUARE FOOTAGE (HSF)
2	DRIVEWAY SPACES
TH - 'A'	UNIT DETAILS (TYP.)
20' x 40'	FOOTPRINT
3.0	STORIES
3/3.5	BEDROOM/BATHROOM
2,000	GROSS SQUARE FOOTAGE (GSF)
1,600	HEATED SQUARE FOOTAGE (HSF)
400	ROOF TERRACE (SF)
2	GARAGE SPACES
TH - 'B'	UNIT DETAILS (TYP.)
26' x 40'	FOOTPRINT
3.0	STORIES
3/3.5	BEDROOM/BATHROOM
2,600	GROSS SQUARE FOOTAGE (GSF)
2,100	HEATED SQUARE FOOTAGE (HSF)
500	ROOF TERRACE (SF)
2	GARAGE SPACES

LOT 154
9TH DISTRICT
GAINESVILLE
FLORIDA
361 OAK STREET



synchronicity
LAND + ARCHITECTURE

SHEET TITLE

CONCEPT PLAN

SHEET #

L-100

JOB #: 00000.00

DATE: 12.23.2020

RE: PUD

NOT FOR CONSTRUCTION





