

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
JULY 13, 2021**

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

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

Members Absent: Board Member Kelvin Simmons

Staff Present: Community & Economic Director Rusty Ligon, Community & Economic Deputy Director Matt Tate and Recording Secretary Gwen Fleming

Others Present: City Attorney Abb Hayes, City Manager Bryan Lackey, Assistant City Manager Angela Sheppard, Council Members Barbara Brooks, Sam Couvillon, Zack Thompson and George Wangemann

MINUTES OF JUNE 8, 2021

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

OLD BUSINESS

A. Rezoning Request

- 1) Request from **City of Gainesville** to rezone a 1.716± acres tract located between Jesse Jewell Parkway, West Academy Street, Broad Street and Maple Street (a/k/a **312 Jesse Jewell Parkway, SW; 315 and 323 Broad Street, SW; 0 and 320 Maple Street, SW**) from General Business (G-B) to Central Business (C-B) with a special use.
Ward Number: Four
Tax Parcel Number(s): 01-012-004-001; 01-006-004-002, 004, 005 and 006
Request: Restaurant and special event center

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

The City of Gainesville is proposing to rezone the subject property from General Business (G-B) to Central Business (C-B) with a special use. Some of the surrounding uses include Carroll Daniel Construction, Offices, The Arts Council, Poultry Park, IHOP restaurant and Wild Wings Café. The property consists of five lots located within the heart of downtown which are partially located within the Midtown Overlay Buffer Zone. The property contains a parking lot and the Gainesville Midland Train Park which is in the process of being relocated further south within Midtown to the new Midland Train Park under construction at the railroad wye. The existing zoning of G-B allows for numerous commercial uses including a restaurant and special event centers that accommodate under 100 patrons. The purpose of the request is to clean up the zoning boundary to be consistent with the zoning of most of the properties within the downtown central business district and to allow a special event center that can accommodate over 100 patrons. As detailed in the staff report, Bourbon Brothers intends to develop the property for a 9,000 SF restaurant with roof top dining and an outdoor patio area and a 15,000 SF indoor entertainment venue.

The Gainesville Future Development Map places the majority of the property within the *Mixed-Use Downtown* land use category and a portion of the property within *Park/Recreation/Conservation* land use category. As well, the property is located within the *Central Core* Character Area specifically within the *Downtown/Midtown* subarea which includes mixed-use, multi-family residential, commercial, public / institutional and transportation / communications / utilities.

The Planning Division staff is recommending **conditional approval** of this rezoning request with a special use based on the Comprehensive Plan and the adjacent mixture of uses with three conditions.

Applicant Presentation: Bob Mudd, 1247 Lakestone Court, developer for the venue stated he has been involved in this project for a number of years including building the restaurant in northern Colorado Springs. He shared information about the existing project in Colorado Springs with the fundamental business and culture being the same but the architectural will change to fit the downtown sector of Gainesville. He said the site plan consists of two businesses, one being a 9,000 square foot restaurant, 1,500 square foot bar with a rooftop patio on the second floor that will be adjoined to a 15,000 square foot venue capable of hosting music acts, corporate events and other type of engagements. Mr. Mudd explained Bourbon Brothers has been open in Colorado Springs since 2014 and has a southern style kitchen with fireplaces, serving Saturday and Sunday brunch, lunch and dinner each day. He stated it has expertly crafted cocktails with a bourbon theme and the intention is to replicate a lot of the elements here but not the exact architecture. Mr. Mudd stated the restaurant has maintained a 4-Star Yelp rating and been awarded the Six Star Diamond Award. He said the photos of the building shown in the presentation will not have the same exterior in Gainesville. He then mentioned well known performers to play at the Colorado Springs location and believes with the proximity to areas nearby the Gainesville venue such as Atlanta, Nashville, Charlotte, and Birmingham, the location is important for acts that otherwise wouldn't be able to book. Mr. Mudd said it is typically seated in tables of eight, 80 percent of the ticketed shows and on average two ticketed shows per week and accommodates about 500 people but can also house general admission, a recent general admission event housed 1,400 people. He said the objective is to keep the same interior design consistency but the outside will look much different. He explained the Colorado Springs location is the primary host for Fed-Ex offices which is a state-of-the-art facility, simulcast and pay-per-view capacity with nearly 2 million worth of AV inside. Mr. Mudd stated the architecture on the outside is very important and wants to be an asset to Gainesville and a partnership. He said there is a lot of work to be done and are comfortable with the recommendations from the City as related to the conditions of the rezoning. They feel it is best to orient the venue toward the back side of the property, anticipates needing to use valet parking to move vehicles into the parking garage a block over. He stated the buildings are adjoined and desire is to put the rooftop patio area at the corner of Maple Street and Broad Street on the back side of the building. The concept is to design the outside like the 1930's with red brick consistent with the downtown square. He stated they will likely use a local general contractor and architects as well. He said they plan to see 100 to 120 ticketed shows per year and at full capacity expect to hire 80 to 90 people. He stated at the other location the surrounding restaurant and hotels see an increase on the same day of the shows of nearly 20 percent and expect 20 percent of the ticket sales to come from outside of Hall County.

Brian Rochester, 425 Oak Street, Rochester & Associates, said he had the opportunity to visit the facility in Colorado Springs while visiting his daughter. He had heard many things about the venue such as being a honkytonk but he attended a concert with approximately

500 in attendance. Mr. Rochester said the atmosphere was amazing and they had a fantastic family time and the food was great. He said there has been concern about noise but he actually went outside onto the patio for a phone call during the concert and had no problem hearing and having a conversation. At the end of the show, he went outside to watch people leaving the venue and thought it was well designed with the amount of people leaving and operated very well. He stated it was a clean facility, including the bathrooms which had no waiting during the show. He said the entire atmosphere is something the community would be proud of and a tremendous asset for years to come. He said it would be good for all age groups to attend and would ask the Board to vote to affirm this moving forward.

OPPOSE: Attorney Matt Reeves, Anderson, Tate & Carr Law Firm, One Sugarloaf Center, 1960 Satellite Boulevard, Duluth, stated he wants to present some concerns and requests on behalf of The Arts Council, not to oppose the rezoning but to ask for a deeper level of depth and study on the application. He stated three years ago the City purchased 0.4 acre of the 1.7 acres from The Arts Council under threat of eminent domain to alleviate parking problems that existed in the area. He stated there is a parking agreement on file with the City from 2018 that provided for 0.4 acre of the property to be a parking lot open to the public 12 times a year with 40 spaces reserved for the Arts Council for their outdoor venue. He said many board members and supporters are present at the meeting and asked them to stand up. He stated they have a different view for Bourbon Brothers and don't believe that Gainesville is a desert for entertainment and Gainesville has done a great job over the last five, ten, twenty years in attracting high quality development and having high standards. He said The Arts Council has been a part of the effort to improve downtown Gainesville. He stated a lot of cities spend taxpayer money in developing the town green but The Arts Council spent years and well over a million dollars from supporters in the community to build the outdoor performing arts center next to the Bourbon Brothers property which hosts concerts. He then passed out the Summer Concert Series schedule and stated there are a number of high quality events to attract visitors, shoppers and diners in the area. He stated the event facility named after the CEO and director Gladys Wyant is an outdoor facility and faces Bourbon Brothers property on Broad Street and is asking for conditions to be placed on the zoning that would re-orient the buildings, as well as the outdoor patio and outdoor bar to face away from the Arts Council's open air outdoor facility. He said it could be done like Carroll Daniel with the back of the building facing Broad Street and the rooftop patio facing the next street over or build a wall at ground level to block sound or music as well as a wall on the rooftop bar to shield sound and amplified music which could interfere with The Arts Council's operations. He said it's possible to impose zoning classifications or zoning conditions to protect existing private property owners from a new development in order to keep an existing property owner from being harmed. Mr. Reeves said that is what they are requesting in this case to prevent conflicts and adjacent land uses based on the work The Arts Council has done in downtown Gainesville. He stated Bourbon Brothers proposed outdoor operations and consumption of the parking area, threatened to harm The Arts Council presently but could be stopped. He said in discussions recently Bourbon Brothers did offer to devote 40 parking spaces, twelve times a year next to The Arts Council for their use just like the City promised in 2018 but has not been imposed by way of zoning conditions yet and asked the board to enter that condition. He stated if Bourbon Brothers would face the outdoor patio/rooftop bar toward Jesse Jewell or toward Maple Street rather than Broad Street it would make the new development more consistent with the City's comprehensive plan in addition to protecting The Arts Council outdoor event facility. He stated this is a big proposed development that could be very positive if done correctly but not if done in a rush. Mr. Reeves stated The Arts Council has asked a lot of questions and begun getting some answers from Bourbon Brothers but a lot of work is needed to be sure

this new development does not harm The Arts Council existing operations and parking, and the outdoor noise issues needs more work. Mr. Reeves asked the Board to table the rezoning request for a month to get unanswered questions that are important or impose conditions on the zoning. He provided the site plan from Bourbon Brothers that shades the 40 parking spaces in yellow, the request to table the issue and some proposed conditions. He stated The Arts Council has operated since 1972 and spent time, effort and resources building the outdoor facility and believes a very deliberate set of conditions to protect them as well as minimize conflicts in the future would be mutually beneficial. Mr. Reeves also passed out a copy of a letter showing the level of work recently and includes the parking agreement from 2018 with the City and the 0.4 acre of the property that was acquired under the threat of eminent domain from The Arts Council just a few years ago. He stated the supporters in attendance have remaining questions to be answered and so are asking for the tabling or the conditions to be imposed. He stated in response to the presentation of the Colorado venue being adjacent to a Bass Pro Shop shopping center and does not have a 6,900 square foot outdoor patio or a 1,500 square foot outdoor bar/patio on the roof in Colorado. He stated those things are not necessary for a good development and said The Arts Council is not opposed to the project being there but requests the buildings be reconfigured or sound walls be installed so outdoor noise is not projecting out onto The Arts Council's outdoor events. He agreed with Bourbon Brothers that a fair amount of work needs to be done on the details and referred to previous zonings of 32,000 square foot properties there is a lot more detail put in, a lot more conditions imposed by the City on private property than in this case where the City is trying to sell the property to Bourbon Brothers. Mr. Reeves stated they are asking for time to be reserved for more detail generated by Bourbon Brothers and to be sure the concerns are addressed. He said while 100 to 120 events per year is exciting, but that level of activity, if not planned correctly through building configuration, sound mitigation, ingress and egress and zoning conditions, could create a real traffic jam, not only for The Arts Council but could harm other private property owners in the immediate area. He is asking for care to be placed on this request due to volume of activity that Bourbon Brothers proposes. He said The Arts Council has many events during the year that are well managed and wants to continue doing that and doesn't want the events from Bourbon Brothers to interfere with their existing events. Mr. Reeves stated he respects Mr. Rochester greatly and believes he does great work, but while he has seen the venue and said some favorable words, his trade is drawing plans and in this case there is a site plan but not a lot of detail on it. He thinks spending the next month at the drawing board, getting buildings laid out, installing sound buffers and important details imposed is the request for Bourbon Brothers to have Mr. Rochester to spend time doing. He asked the board not to leave important questions unanswered which can be done through either tabling or through imposing those 18 conditions requested by The Arts Council which are not a surprise and was presented to Bourbon Brothers. He stated they met with them on June 25th and sent a proposal on July 6th, the Arts Council board convened and responded yesterday to Bourbon Brothers and are important conditions to protect The Arts Council.

Gladys Wyant, 2730 High Vista Point, Executive Director of The Arts Council, stated some events on the stage would be very crucial not to have sound interference. She spoke about songs that would be impacted if there were a lot of noise from across the street such as the volume of people talking at the outdoor patio or bar and wants a sound proof wall or buffering installed. She hopes that the Board would insist on some sort of sound study for outside noise. Mrs. Wyant thought a traffic study should be done if not already, along with a safety study for the roof top bar with railing for it. She noted on the aerial map from 2018 the proximity of both venues. Another concern she had was Broad Street being closed in the future and the rezoning of it. She stated there could be unintended consequences and

asked for more time and for the Board to table the request in order to work together with Bourbon Brothers and the City.

REBUTTAL: Robert Mudd stated he believes The Arts Council is a treasure of Gainesville and has had a number of discussions with leadership regarding their concerns. He stated they will partner with the City of Gainesville regarding the design and benefits so the project will be an asset to the City. They have had discussions since April with The Arts Council and made an offer to address their concerns. He stated the layout was done by Rochester, who considered different dimensions based on feedback from the Arts Council. They are looking for solutions to the parking concerns which they have assigned 40 spaces 12 times a year to address it. The places to sit will be toward the square with fireplaces while waiting for shows. He stated they are open to conversations and have offered at a great expense to put a natural barrier between the venues, and willing to work with their calendar regarding any amplified sound, will meet all requirements for the rooftop patio and wants to partner with The Arts Council and be a great asset to Gainesville.

PLANNING AND APPEALS BOARD COMMENTS: Chairman Carter asked Mr. Tate to comment regarding Broad Street being closed. Deputy Director Tate stated the request is not to close any of the streets and they will remain open. He said the right-of-way was included in the rezoning to clean up the zoning boundary. Vice Chair Fleming asked about the location for the outdoor patio, entrance and exits to the venue and if all concerts were inside. Mr. Mudd stated the patio would be adjacent to the music venue near Broad Street. The rooftop bar would be located at the corner of Maple and Broad Street, with the main entrance at the corner of Broad and Maple but exit both sides of Jesse Jewell and Broad Street with an adjoining valet service so the public can go in and out efficiently. He said all concerts will be inside with possibly amplified music on the dining patio at times but will work with sound ordinances for the City.

There was a motion to recommend conditional approval to rezone the subject property from General Business (G-B) to Central Business (C-B), with a special use, with the following conditions:

Conditions

- 1. A proposed site plan and architectural plan shall be subject to the Community & Economic Development Director approval.**
- 2. The proposed number, location, type, size and lighting requirements of all signage for the development shall be subject to the Community & Economic Development Director approval.**
- 3. All access point design for the subject property shall require review and approval by the Gainesville Public Works 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.**

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

NEW BUSINESS

A. Annexation Requests

- 1) Request from **Optum Development** to annex a 7.77± acres tract located on the northeast side of Limestone Parkway, across from the intersection of Tapawingo Drive and Riverwood Drive (a/k/a **1744 Cleveland Highway**) and to establish zoning as Planned Unit Development (P-U-D).

Ward Number: Two
Tax Parcel Number(s): 09-126-000-024 (Part)
Request: 36 residential townhomes

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

The applicant is proposing to annex the subject property with a zoning of Planned Unit Development (P-U-D) for a fee-simple residential townhome community consisting of 36 units. The property is currently zoned Residential-I (R-I) and Vacation Cottage (V-C) within unincorporated Hall County and is adjacent to the city limits to the west across Limestone Parkway. The adjacent uses include single-family homes within the county and the Liberty Utilities facility. The property is located within the Limestone Parkway Overlay Zone and borders a creek and Lake Lanier. The property has road frontage on Limestone Parkway and Tapawingo Drive. The proposed development is oriented toward Limestone Parkway and is designed with one access drive from Limestone Parkway. No access is proposed from Tapawingo Drive. Amenities include a pool, clubhouse and walking trails for residences within the development. A natural vegetated buffer consisting of deciduous and evergreen trees will remain adjacent to the residential properties located within unincorporated Hall County to the north and east. In addition, most of the existing trees fronting Limestone Parkway will remain. The exterior of the buildings are modern in design with a mixture of Hardie siding, stucco, stone or brick accents and metal canopies may be used over balconies and doors. The proposed townhome units will range from 2,241 to 2,549 square feet of heated floor space. Each unit includes three stories of living space, two car garages and a roof top deck with 3 bedrooms and 3½ baths. Coordination will be required with GDOT for the proposed request.

The Future Development Map for the City of Gainesville places the property within the *Low-Medium Density Residential* land use category and the *Limestone Corridor Character Area*. Land uses supported include public / institutional, low density residential, medium density residential, multi-family residential, mixed-use, commercial, and parks / recreation / conservation. The overall gross density of the proposed development is 4.63 dwelling units per acre which is considered medium density residential.

The Planning Division staff is recommending **conditional approval** of this annexation request with a zoning of **Planned Unit Development (P-U-D)** based on the Comprehensive Plan and the adjacent uses with 8 conditions.

Applicant Presentation: Ed Maxwell, 3547 Lake Breeze Lane, stated thirty-one years ago he moved his construction company from Clearwater, Florida to Gainesville. He showed the video for the project, modernized it and has developed a product not available in this market but available in Brookhaven and Buckhead. He stated it would be developed in the center of the property with green space all around averaging 300 feet to the nearest property and 200 feet to nearest stream buffer. He said it will be an open concept with 4 different floor plans, each unique with private rooftop decks, mother-in-law suite on ground level, and two bedrooms on the second level. He explained the elevations of the rooftops would be below

grade of Limestone Parkway and the roof of the buildings will be an average of 8 feet below Limestone Parkway tapering down from Limestone Parkway. He said the retaining wall that is on the low side of the site averages 5 feet in height. He said there will be no dirt to export or import and with the large green space it will give a private, quiet development. He mentioned the oversized garages and sidewalks in the project. He said the buildings will face one another for a warm friendly environment, gated community, limited access and secure development. He said two of the floor plans have the ability for an elevator to be added going to the rooftop deck. He said the clubhouse and pool will have a small fitness center, community garden on the property, and trying to save as many trees on property and placed the project so it is centered on the property. He said the traffic count estimate of 209 additional vehicles coming out onto Limestone, but the traffic count at the intersection of Limestone and Cleveland Highway is 8,800 cars a day. The traffic count down the street at Kroger is 31,000 cars a day. Therefore, adding 200 cars a day to it would not be that big of an impact. He then said the development would have access to shopping, hospital and I-985, family friendly and senior citizen friendly and not targeting to any particular group of people.

OPPOSE: Dean Davis, 2000 Riverwood Drive, founding principal and Director of Design at Well Design Studio Architects, stated he has attended a lot of rezoning applications but is representing the community and neighbors. He stated they are not only in opposition of the request but have unanswered questions about the proposed development. He said they would like the opportunity to meet with developers as a group to discuss the project and types of homes being proposed and believe a meeting will help put minds at ease. Mr. Davis said they have read documents but they do not give the full picture and there is no substitute to sitting down face to face with developers and believes the city and citizens will benefit from a meeting. They asked to defer the meeting for a month to have a chance for a meeting to discuss concerns and work with the developer. As a citizen he has reviewed the information given and he has a lot of questions such as the topography with at least 80 feet of slope from Limestone to Tapawingo Drive, doesn't understand how the project will sit below street level and really just understand the project and just wants a meeting since it is a big impact to the neighbors.

Bill Coates, 2050 Riverwood Drive, stated he has lived for 13 years at this address and loves the community. He only learned of the request about 9 to 10 days ago. He requested more time and is concerned since there is too much he doesn't know or had time to learn. He stated as he gets older he relies more on prayer, beginning and ending each day with prayer. His prayer is that they would respect one another and be respectful toward the developer and feel respect as a citizen affected by the development. He believes the most respectful thing to do would be given time to get questions answered, face to face conversations with those making the proposal. He asked the Board to give more time to learn more about the proposal to make a better informed decision about how it would truly affect the neighbors.

Gail Sargent, 1956 Pine Tree Trail, Sunset Heights, stated she is concerned about the entrance to the proposed development regarding the configuration of Limestone Parkway to be able to turn left as there seems to be issues regarding travel on Limestone Parkway. She also had questions about only one entrance stating it doesn't seem safe and she agrees with Dr. Coates about respect for the land owners as well as the developer. The other concern was about the design and thinks it doesn't fit the adjacent area.

Buster Roper stated he owns the oldest house on Wildwood Circle built in 1946 and when Limestone Parkway was built the cove larger than now. His concern is the project being

built disturbing the land without destroying the cove completely and silt fencing did not do any good when Limestone was built. He said the topography of the land is very steep from Limestone Parkway to the lake. His other concern was the creek and a buffer zone along with the presence of an Indian grave yard on the property and would like to know about the plans for it. He stated North Hall is not Buckhead and they do not want to be Buckhead which is the reason they chose to live in the area. He stated there is a quality of life that cannot be matched in North Hall County. He stated he understands the tax base needs to go up to keep things like this going but quality of life means more than money. He understands the owner of the property needs to do something with it but feels the project is a little too much density and needs to be reduced as it does not fit in.

Tim Myer, 1947 Tapawingo Drive, stated he has lived at the location for a year and a half and there are single family homes in the neighborhood. His concern is a wall on Tapawingo Drive which will sit 60 feet above ground. Also, from Limestone to Tapawingo Drive is a big drop-off and the project does not fit in with the surroundings. He stated he received notice eighteen days ago to attend this meeting which is not enough time with people on vacation and some people are still unaware of the proposal. His request is for more time.

Warren Brown, 125 Wildwood Circle and has lived at the location since 2016 and the location is right off the cove. He stated they see deer and occasionally an eagle, a lot of blue heron in the quiet cove and is concerned with taking away the green space a lot of stuff will disappear. He said he spends a lot of time in the water and sees the forest up the hill but this project will be higher than the top of the trees and would prefer to see the natural beauty that is there now.

Chairman Carter asked Mr. Maxwell to address the comments from Mrs. Sargent regarding the ingress/egress, the one entrance and contemporary design.

REBUTTAL: Ed Maxwell, DOT has actually permitted the site with either three or six entrances that's already been deeded but which doesn't make project safer. He stated the safest for any community is one way in and one way out because it deters people from coming in and doing anything wrong because they have to go back out the same way and it is easy to get trapped by law enforcement. He stated it will be a gated community and more secure. He disagreed with the comments about the trees and the 60 foot wall since there is no 60 foot wall in the plans provided by the civil engineer. He stated there is a drop off on the Tapawingo side of the property but the project is not on that side of the property. Mr. Maxwell said as far as a burial site on property, the sellers have not disclosed it, and he has no knowledge of it but willing to look into it and does not want to disturb anything. He stated he is willing to meet with neighbors and just let him know when and where and he will meet with them. He stated he does not want to develop something to ruin their lives or create any problems. He stated they are not allowed to have runoff into the lake, and has had two developments on the lake and never had an issue. He stated he will be sure everything is done correctly, with permits and following proper codes. He said the City has a great group that monitors erosion control and works with them on several projects. He said they decided to go with a more modern contemporary design which looks sharp, crisp and clean. He stated he did the big addition on the Quinlan Art Center, homes on Green Street, projects in 31 states, three projects in Washington, DC along with hotels in downtown Chicago. He stated he thought the project will look great and fit well into the trees and willing to look at different facades but are looking for a more modern, clean design. There will be a lot of glass railings similar to homes in Harbor Point that are being remodeled with glass rails for a better view. He stated he is willing to meet with them tonight and answer as many questions

as possible and has no objection to it. Mr. Maxwell said an environmental study will be done through the permitting process with the EPA and will be a permit that must be obtained.

PLANNING AND APPEALS BOARD COMMENTS: Board Member Martin asked Mr. Maxwell if he will meet with the neighbors before voting. Board Member Delgado asked if an environmental impact study was done. Vice Chair Fleming said it is very reasonable for the residents and applicant to want to meet to go over points that clarify the intention for the project to help them better understand. **A concerned citizen** asked if the Corp of Engineers had been notified since the last time there was construction on the road all the dirt when down the hill and filled the cove up which had to be cleaned out. Chairman Carter stated since this is in the preliminary stages, there would have been no notification, but certainly as Mr. Maxwell said, any development once it goes through the permitting process around the lake there would be notification and erosion control is a key part of it and too early for that at this point.

There was a motion to table the annexation request until the August 10, 2021 Planning and Appeals Board meeting.

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

- 2) Request from **Carl Volle** to annex a 1.69± acres tract located on the south and west side of Meadowlark Lane, east of the intersection of Cleveland Highway and Meadowlark Lane (a/k/a **1646 Meadowlark Lane**) and to establish zoning as Residential-II (R-II).
Ward Number: Two
Tax Parcel Number(s): 00-084-006-001 (Part)
Request: Six single-family homes

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

The applicant is proposing to annex the subject property with a zoning of Residential-II (R-II) for sewer in order to construct six single-family homes that will be for sale. The property is currently undeveloped and is currently zoned Agricultural Residential-III (AR-III) within unincorporated Hall County. The city limits are adjacent to the north, south and east across Meadowlark Lane. The property is located within the Limestone Overlay Zone and the adjacent uses include single-family homes, apartments, condominiums and a mobile home park. The proposed lots will range from 9,580 to 22,215 square feet in size. Residential-II (R-II) zoning in the City allows for a minimum lot size of 7,500 square feet. The proposed homes are to include a minimum of 1,200 square feet of heated living area (3BR/2BA) and will include a one car carport.

The Future Development Map for the City of Gainesville places the subject property within the *Low-Medium Residential* land use category. According to the Character Area map for the City of Gainesville, the subject property is located within the *Limestone Medical Corridor* Character Area. Land uses allowed within this area include public / institutional, low-density residential, medium-density residential, multi-family residential, mixed-use, commercial, and parks / recreation / conservation.

The Planning Division staff is recommending **conditional approval** of this annexation request with **Residential-II (R-II)** zoning, based on the Comprehensive Land Use Plan and the adjacent residential land uses with 3 conditions.

Applicant Presentation: **Carl Volle**, 4529 Montclair Circle, stated there will be six single-family homes and will supply a large need in Gainesville which is affordable housing. He did a search for houses in 30501 zip code in the 200,000 to 300,000 range and there were only three that were built in 1950's and probably in need of work. The reason for the R-II development is needed to connect to the city sewer. He believes it will be the best use for the property without affecting too many people with traffic and such.

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request and establish zoning as Residential-II (R-II) with the following conditions:

Conditions

- 1. The development shall be limited to single-family homes.**
- 2. The development shall be generally consistent with the site plan and pictures provided with this annexation application. In addition, all roofs shall be constructed with architectural shingles and the front and sides of the homes shall be constructed with a minimum 3-foot tall watermark of brick or stone material.**
- 3. The front and side yards of all of the homes shall be sodded with grass.**

Motion made by Board Member Martin

Motion seconded by Board Member Thompson

Vote – 6 favor, 1 absent (Simmons)

B. Rezoning Request

- 1) Request from **McNeal Development, LLC** to rezone a 4.86± acres tract located between Queen City Parkway, Banks Street and Gordon Avenue, having road frontage on Saint Thomas Drive and Longstreet Avenue (a/k/a **504, 512, 514, 520 and 528 Banks Street, SW; 510 East Avenue, SW; 535, 548, 549, 604, 608, 620 and 628 Gordon Avenue, SW; 0, 602, 611 and 612 Longstreet Avenue, SW; 436 and 442 Parker Street, SW; 627 and 635 Queen City Parkway; 507 and 513 Saint Thomas Drive**) from Residential-II (R-II), Office and Institutional (O-I), General Business (G-B) and Heavy Industrial (H-I) to Planned Unit Development (P-U-D).

Ward Number: Three

Tax Parcel Number(s): 01-012-002-006; 01-013-001-001, 002, 003, 004, 005 and 006; 01-013-002-001, 002, 003, 004, 005, 006, 007, 007A, 008, 009 and 010

Request: 214 Multi-family apartments

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

The applicant is proposing to rezone the subject property from R-II, O-I, G-B and H-I to PUD for 214 multi-family market rate apartments. The subject property includes an assemblage of 18 parcels and all of Longstreet Avenue which are located within the Midtown Overlay Zone. The adjacent uses include the Gainesville Public Safety Complex, Potra Law Firm; United Community Bank, The Guest Lodge; QuikTrip Midland (Midtown) Greenway. The proposed development includes three apartment buildings consisting of a mix of studio, 1- and 2-bedroom units ranging from 638 to 1,165 square feet in size. Access is proposed

from Banks Street, Gordon Avenue, East Avenue and Saint Thomas Drive. Parking will be provided within the property as well as on-street parking that will be offset along Banks Street, East Avenue, Gordon Avenue, Parker Street and Saint Thomas Drive so that existing traffic flow will not be impeded. Pedestrian access to the Midland Greenway portion of the Highlands to Islands trail network will be provided. Amenities include a rooftop clubroom, business center, coffee bar, fitness center, resort style pool, pet spa, bike storage, indoor mail and package storage room, and dry-cleaning lockers. The property will be professionally managed by an experienced multi-family residential operator specializing in Class-A apartment communities. The property management company will be responsible for leasing, amenities and maintenance of the complex. Coordination will be required with the Georgia Department of Transportation for the proposed request.

The Gainesville Future Development Map places the subject property within the *Mixed-Use Midtown* land use category. As well, the Character Area Map for the City of Gainesville places the property within the *Central Core* Character Area. Land uses supported in the Midtown subarea include mixed-use, multifamily residential, commercial, public / institutional, and transportation / communications / utilities.

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 with 7 conditions.

Applicant Presentation: William Norris, McNeal Development, 2739 Old Mill Trail, Marietta, spoke of experience in other areas such as Atlantic Beach, Jacksonville Beach, Charlotte, Raleigh, Nashville and renovation project in Atlanta. He stated he is proposing to build a class "A" luxury apartment community, four stories with some basement units fronting the park area. He said they are conditioned corridor, elevator service, mostly surface park but garages included in the site plan. He said the strong economic growth in Gainesville is what brought him here and as a community seen a lot of manufacturing come to Hall County and Gainesville including the upcoming healthcare expansion with the new tower coming to the hospital. The project referenced in Raleigh next to Rex Hospital and Dean Davis was the architect that designed the project and a lot of the fundamentals that drove that project success exists in Gainesville. He said the Midtown Greenway, the city has done a great job investing in that park infrastructure and knows the residents of this property will see that as an asset. One of the desires is to allow the ground floor units that fronts the public right-of-way to have a direct park access to build stoops to engage the streets in a way you see in a lot of urban environments. He commented that the residents will get home, walk out their front door to enjoy the park and have easy access to downtown Gainesville.

OPPOSE: None

There was a motion to recommend conditional approval to rezone the subject property from Residential-II (R-II), Office and Institutional (O-I), General Business (G-B) and Heavy Industrial (H-I) to Planned Unit Development (P-U-D) with the following conditions:

Conditions

- 1. The proposed development shall not exceed 214 residential apartment units.**
- 2. The development shall be consistent with the concept plan and architectural renderings provided with this rezoning application.**

3. The proposed number, location, type and size of all signage for the development shall be subject to the Community & Economic Development Director approval.
4. The proposed on-street parking spaces along Banks Street, Gordon Avenue, Parker Street, East Avenue and Saint Thomas Drive shall be required to maintain two, 12-foot wide lanes and adhere to other State and Local requirements subject to the approval of the Gainesville Public Works Director. Any required road and striping improvements shall be at the expense of the developer.
5. Prior to a permit being issued for the subject property, a Traffic Impact Study shall be required if determined necessary by the Gainesville Public Works Department Director and the Georgia Department of Transportation (GDOT).
6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director and the Georgia Department of Transportation. The approval of said design shall be required prior to issuance of a land development permit. All required access/traffic/sidewalk improvements associated with the proposed development or any additional improvements identified within the Traffic Impact Study, if determined necessary, 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 last occupied residential unit.

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

ADJOURNMENT

There was a motion to adjourn the meeting at 7:07 p.m.

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

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary