

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
SEPTEMBER 14, 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, Kelvin Simmons, Eddie Martin, Carmen Delgado and Ryan Thompson

Members Absent: None

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

Others Present: Council Members Barbara Brooks, George Wangemann, City Clerk Denise Jordan and Deputy Clerk Alisa Grayson

MINUTES OF AUGUST 10, 2021

There was a motion to approve the minutes as presented.

Motion made by Board Member Thompson
Motion seconded by Board Member Delgado
Vote – 7 favor

OLD BUSINESS

NEW BUSINESS

A. Variance Request

- 1) Request from **Beltan Properties** to vary the stream buffer requirement on a 0.76± acre tract located on the north side of Stillwater Drive, east of Chattahoochee Trace (a/k/a **3076 Stillwater Drive, NW**), having a zoning classification of Residential-I-A (R-I-A).

Ward Number: One

Tax Parcel Number(s): 01-107-001-059

Request: Single-family home and septic field lines

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

The applicant is proposing to vary the third and outermost 25-feet of the required 75-foot stream buffer in order to construct primary underground septic field lines for a single-family home. The first 50' of the buffer is required to be undisturbed and the third and outermost 25-feet of the buffer may be minimally disturbed but must be kept free of all impervious cover. The 0.76 acre property is located within the Chattahoochee Estates West subdivision and contains an existing concrete foundation for a two-story, 7,775± square foot home currently under construction. The permit for the home was issued on 2/1/2021. The property is zoned R-I-A, is heavily wooded and slopes downward from the street to the creek branch/rear property line which flows to Lake Knickerbocker. The adjacent uses include single-family homes. Specifically, total area of encroachment within the outermost 25-feet includes approximately a 4,000± square foot area (25' x 160') which includes the

underground primary septic field lines. A similar variance was approved for the property next door at 3080 Stillwater Drive on 12/8/2020. The applicant is basing the hardship on the fact that the recorded plat for the property predates the current stream buffer requirements and the ordinance has created limited area to access suitable soil for a septic system. The applicant states the area of encroachment will be landscaped back with sodded grass and or pine straw / mulch to return to its natural state.

The Planning Division staff is recommending **conditional approval** of the proposed stream buffer variance request based on the slope of the property and proposed mitigation plan.

Applicant Presentation: **Matt Bell**, 5207 Atlanta Highway, stated after reviewing the topo they had to re-position the location of the garage. He said the septic permit was submitted with Environmental Health, and they recommended for him to apply for a variance to remove the last 25 feet of the stream buffer requirement. He stated his neighbor had the same issue but not because of Lake Knickerbocker but a small stream on the back side of the property which is causing the issue with the field lines. Mr. Bell agrees with the staff comments and recommendation.

PLANNING AND APPEALS BOARD COMMENTS: None

There was a motion to conditionally approve the request to vary the stream buffer requirement for a single-family home and septic field lines having a zoning of Residential-I-A (R-I-A).

Condition

The applicant shall be required to adhere to the site plan and mitigation plan submitted with this stream buffer variance request.

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

B. Rezoning Requests

- 1) Request from **Adventures Real Estate, LLC** to rezone a 17.028± acres tract located on the north side of Browns Bridge Road, southeast of Cherry Hill Drive (a/k/a **2520 Browns Bridge Road, SW**) from Residential-I-A (R-I-A) to General Business (G-B).
Ward Number: Five
Tax Parcel Number(s): 08-015-009-014 (Part)
Request: Automotive related facility

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

The applicant is proposing to rezone the 17.028 subject property to develop an automotive facility which sells pre-owned vehicles. The adjacent uses include vacant land, Church, future site of CarMax used car sales facility and residential homes. The property is undeveloped, heavily wooded, contains a stream and is located within the Gateway Corridor Overlay Zone. According to the concept plan, the proposal includes a dealership building with associated parking for customers, employees and inventory and access is preliminarily shown from Browns Bridge Road. As well, the applicant states that the future development will agree to adhere to the Gateway Corridor Overlay Zone

standards. Coordination will be required with the Georgia Department of Transportation (GDOT). There were no other departmental comments for this request.

The Gainesville 2030 Future Development Map places the front half of the subject property within the *Retail/Commercial* land use category and the rear half of the property within the *Medium-High Density Residential* land use category. The *Retail/Commercial* land use category where the proposed auto facility is proposed includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses.

According to the Character Area map for the City of Gainesville, the subject property is located both within the *Browns Bridge Corridor* Character Area which includes medium-density residential, multi-family residential, mixed-use, commercial, light industrial, and parks / recreation / conservation uses.

The Planning Division staff is recommending **conditional approval** of the rezoning request with a zoning of **General Business (G-B)** based on the Comprehensive Plan and the adjacent and nearby mixture of uses.

Applicant Presentation: Frank Simpson, 1186 Riverside Terrace, stated he had a few representatives present from Adventures Real Estate and reminded everyone that Browns Bridge Road is known as the automotive corridor from new dealers to used/repairs and service. He stated they do have a new car dealership that will develop and occupy the site. Mr. Simpson said it will be a full service facility with a repair shop in the back and new cars for sale in the front. He also said the power-point presentation slide of the building will be similar as to the one occupied by the dealership. They are in agreement with the Gateway Corridor guidelines and agree to the conditions set forth by the planning department.

OPPOSE: None

There was a motion to recommend conditional approval to rezone the subject property from Residential-I-A (R-I-A) to General Business (G-B) with the following conditions:

Conditions

- 1. The proposed buildings shall meet the exterior building material requirements of the Gateway Corridor Overlay Zone.**
- 2. An electronic message board sign shall not be permitted for the subject property.**
- 3. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director in coordination with Hall County and the Georgia Department of Transportation (GDOT). 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 owner/developer.**
- 4. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use shall be recorded prior to obtaining a Certificate of Occupancy.**

Motion made by Board Member Martin

Motion seconded by Board Member Thompson

Vote – 7 favor

- 2) Request from **Northeast Georgia Medical Center** to rezone a 48.997± acres tract located northwest of the intersection of Jesse Jewell Parkway and Downey Boulevard, having road frontage on Brenau Lane, Sherwood Park Drive, South Enota Drive, Spring Street, Medical Center Way and Wisteria Drive (a/k/a **743 Spring Street, NE; 1227 Sherwood Park Drive, NE; 200 Wisteria Drive, NE; 1075 Jesse Jewell Parkway, SW**) from Planned Unit Development (P-U-D) and Office and Institutional (O-I) to Planned Unit Development (P-U-D).

Ward Number: Three

Tax Parcel Number(s): 01-023-006-007; 01-064-004-009

Request: Hospital campus expansion

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

The applicant is proposing to rezone the 48.9 acres subject property in order to expand the existing hospital campus to include 927,500 square feet of facility space over a period of 13 years which will include three phases. Surrounding uses include the Brenau campus, Sherwood Office Park, various offices, gas station, apartments and the Fair Street neighborhood. As well, the property is located within the Limestone Parkway Overlay Zone. The proposal includes a new 660,000 square foot patient tower totaling 12 stories in height which will include a roof top helipad.

Emergency room services will be relocated to the ground floor of the new tower. Additionally, approximately 400,000 square feet of space will be constructed within the campus, as well as, 795 new parking spaces and a 40,000 square foot Central Energy Facility (CEF) located within the adjacent Sherwood Office Park. (Shaded) Existing buildings will be updated overtime and as part of the proposal and access will be improved to include a new driveway off of Downey Boulevard across from Vine Street for the Emergency Room and parking deck. As well, intersection and access improvements on South Enota Drive and Sherwood Park Drive are proposed.

A Traffic Impact Study was conducted for the proposed development on July 2021 which studied 7 intersections including the new site driveways. The full build-out is anticipated to generate 4,090 daily entering and 4,090 exiting trips, 553 trips entering and 260 trips exiting in the A.M. and 282 trips entering and 598 trips exiting in the P.M.

A Development of Regional Impact Study was completed for this request and the Georgia Mountains Regional Commission found that the proposal does **NOT** present any potential adverse inter-jurisdictional impacts. Coordination will be required with the Georgia Department of Transportation and the Gainesville Public Works Department. There were no other departmental comments for this request.

The Gainesville Future Development Map places the majority of subject property within the *Public / Institutional / Transportation, Communication and Utilities* land use category and the *Mixed-Use General* land use category. The Character Area map places the subject property is within the *Limestone Medical Corridor Character Area* which is supportive of the proposal.

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

Applicant Presentation: **Carol Burrell**, 3262 Dunlap Drive, CEO of Northeast Georgia Health System and joining her was NGHS Board Chair R. K. Whitehead and stated together they will provide a high level overview of the tower project. She then introduced several people in attendance that were in support of the project.

R. K. Whitehead, 459 Peninsula Road, Chairman of Northeast Georgia Health System Board of Trustees, stated the project has been several years in planning and is consistent with the long-range master plan of the system. Mr. Whitehead said it should be recognized the importance of the project, with COVID when things were shutting down, they continued to plan, work through various issues of getting the new tower built including the rezoning process. He said the Board's role is to ensure the long-term health care needs of the community are met from 15, 20 to 30 years of generations which is what this new project will do. He then spoke about the background of the hospital from the beginning in 1951 with 90 beds, growing to a four hospital system, stating once the project is complete, the Gainesville campus will have a total 749 beds making it the third largest single hospital campus on record in the state. He said the project has been approved and endorsed by the Georgia Department of Community Health which awarded the medical center a Certificate of Need approval to proceed on much needed services.

Carol Burrell stated the plan for a new tower assures the community the system will meet the needs of the most critical patients and it is the key clinical staff that makes the future services available. Ms. Burrell said upon opening there will be an additional 600 new jobs providing care for patients. She then explained the slides of the presentation for the future expansion which connects directly to the north patient tower that was completed in 2009. She said it will add an additional 120 beds with 72 beds built over time. She said the space dedicated to the tower is focused on high capacity clinic services specifically on heart and vascular, including comprehensive stroke care, trauma, and emergency services. She stated it will replace and expand emergency services department from the south side to the north side of the campus facing Downey Boulevard. She said the emergency department treats well over 100,000 patients annually and is ranked as the fifth busiest in the state and the new plan will allow them to treat up to 140,000 patients. She also said support services included are expanded food services, more than 400 additional parking spaces and a supporting Central Energy facility and in total the square footage within the tower footprint is approximately 700,000 square feet. She also explained the slide showing the scale of the new tower compared to the current north tower and with an important feature of a roof-top heli-pad for emergency air transport. She stated patients that arrive by air will be transported via oversized high speed elevators to the service required which is carefully planned to be in close proximity of the patient's arrival. She said the planning of the tower has been during a critical time with four surges of COVID 19 pandemic and the knowledge gained through the experience provided an opportunity to plan for a different future with the ability to better screen, treat and manage a high volume of infectious patients. She said Dr. Mohak Dave will speak about the important safety measures built to the planning and investment strategy.

R.K. Whitehead stated Phase 1 should be opening in January of 2025 and Phase 2 will be an additional 72 beds which will be three floors on the back side.

Dr. Mohak Dave, 2620 Parker Trail, Medical Director for Emergency Services, stated he will talk about the COVID response and its importance to the planning component of the project. He said they were already into the planning of it prior to the onset of the pandemic and realized that COVID was going to be primarily a respiratory, air-borne transmitted disease

and knew they had negative pressure space in the emergency department but only had four beds with a pandemic that was coming full force. He said they had to adapt very quickly to meet the needs of patients which included having two tents with one tent at the Braselton campus which had negative pressure, including a mobile medical unit to care for and protect patients as well as staff. He stated they far exceeded the supply of negative pressure beds, then they went back to the planning partners to figure how to go from makeshift isolation rooms to the future state. Dr. Dave stated the new project will now have every emergency department bed negative pressure capability, negative pressure in the waiting room spaces as well as the in-patient wings. He then explained negative pressure is basically a vacuum that keeps the bad viral particles or disease in a contained space and releasing them into the environment after the appropriate degree of filtering.

Willard Larisey, 140 Vidal Boulevard, Decatur, architect, explained the architectural renderings of the presentation. The first rendering was the main public entry of the existing rotunda of north tower one with the new expansion to the right. The building is ten occupied stories tall with a mechanical penthouse and heli-pad on top. He stated the lower portion of the expansion is an extension of the north concourse which leads to the emergency department, new kitchen and food/dining destination. He said the next floor contains a significant amount of medical equipment which supports the negative pressure capability as described by Dr. Dave. Mr. Larisey said there are five patient floors with a screen wall on top to hide the roof-top equipment and then the heli-pad. He explained the exterior materials which is consistent with the materials used for the Braselton medical center along with the extensive landscaping installed at both locations. Mr. Larisey then spoke of the renderings on the north side of the building as viewed from Downey and is dedicated for the emergency department with the parking deck to the right in the foreground which will provide convenient access for patients, ambulances and for staff. He stated the next rendering is the emergency department entrance and to the right are three levels but only one and a half levels are visible above-ground. He said the next rendering is the north side with a full build-out of Phase 2 with three additional patient floors on the back wing providing the 72 additional patient beds. He stated the current Phase 1 includes the foundation and structure to support the future expansion and is important when trying to preserve land-bank and put the most clinical program in place. Mr. Larisey stated the next rendering is the northeast corner of the remote Central Energy facility, two stories tall with a roof-top screen and a staff parking deck behind it. He stated the two floors are taller than normal because of the medical equipment required to support the negative pressure capabilities for the hospital. The design includes several features to help minimize the scale of the building which is set into the hillside covered by dirt on two sides along with a two-tone color scheme to help breakdown the scale along with a significant planting of evergreen trees between the property and adjacent property owners. He explained the final slide is the site plan with three main components being the hospital expansion and bed tower, on the top right is the emergency department deck and Central Energy facility on the left. He stated the drawing illustrates a connection between the Central Energy facility and the hospital which will be an underground concrete utility tunnel that will provide a safe routing under South Enota for the mechanical and electrical services.

Emily Bagwell, 9018 Bill Savage Road, Lula, legal advisor for the zoning application stated she will provide highlights of the project schedule and address the staff report. She stated after reviewing the staff report, they are confident with the proposed conditions with one minor change being the second sentence of condition 3 be revised to read "The buffer tree planting shall be subject to the approval of the Community & Economic Development Director." She stated it would give them more flexibility on the type of plantings and with 20 foot at initial planting trees which will be evergreens. Ms. Bagwell stated as indicated on the

timeline NGMC received its Certificate of Need from the State of Georgia for the new tower in August and has been authorized to construct the project by the state. She said enabling work such as demolition and utility relocation has already begun along South Enota Drive. She stated work on the tower and related support facilities including the parking deck and Central Energy facility will start at the beginning of 2022 and the project open for business at the beginning of 2025. She shared some economic and employment facts related to the tower with approximately 600 new incremental employees along with the health system having a strong track record directed by the board of employing vendors based on their service area on construction projects. She stated the construction project and related employment will continue the hospital's role as a strong economic force in Hall County and beyond.

OPPOSE: Dr. Phil Koch, 1221 Sherwood Park Drive, stated he is an oral surgeon with an office in Sherwood Park for 42 years and on the medical staff for 44 years. Dr. Koch is not speaking against the project and thinks it looks great but the only issue is the power plant is proposed to be put in his office park one building down from his office. He said according to the studies that have been done it will not make much noise. He stated when he purchased the lot he was told it would only be for professional office buildings. He again stated he does not oppose the project but questioning why the power plant is positioned in their nice office park which has 12 to 15 buildings with each having their own architectural personality. Dr. Koch said he has always been proud to be in the office park with a neighborhood atmosphere, very private. He is concerned with noise and basically a big box at the corner of the street. He asked for such a large project why it has to be located in their office park. He said big city hospitals position those type of power plants on top of the hospital or other locations. Dr. Koch is not excited about having a power plant 150 feet from his office with patients coming in and hopefully the hospital could explore another location for it. He met with the hospital representatives at his office, he asked them about putting it on top of the building being built and was told they planned to expand it two more stories later which would be in the way and suggested locating the building across the street in an empty lot but was told there was a creek and an issue with the structure support. Dr. Koch's other concern was the issue of eminent domain with the hospital taking property whenever they need it for expansion.

REBUTTAL: Mr. Larisey stated the design process has been ongoing for over a year to find the best location for energy facility and begins with good site planning. He stated on the hospital now the energy facility is located out of the path of clinical expansion which is a good common principal and even considered locating it there but due to the amount of underground utilities that must remain operational it is not possible. He said there is no room for it adjacent to the expansion within the confines of Downey and South Enota. Mr. Larisey stated they considered locating it under the facility but already digging down for the hospital and parking deck as far as economically feasible or locating it in the basement which is full of mechanical equipment so there is no space for it there. He said they explored locating it on top of the parking deck which is structured for two additional floors of parking and the weight of parking compared to the equipment is not a possibility. Mr. Larisey stated the risk of putting cooling towers on top of clinical services is a huge risk and not advisable. He stated it was the design team and hospital's recommendation that Sherwood was the most feasible and logical site.

Tracy Vardeman, 911 Chattahoochee Drive, stated they met with every property owner in the park that had an interest and have discussed the same concerns with them and have no plans to acquire property. They are looking long-term about expansion for the health system in the future and acquired Sherwood Plaza several years ago but no definitive plans

for it. She stated any service that is outpatient is the desire to get it off campus such as the medical park buildings on Jesse Jewell.

There was a motion to recommend conditional approval to rezone the subject property from Planned Unit Development (P-U-D) and Office and Institutional (O-I) to Planned Unit Development (P-U-D) with the suggested modification of condition three as follows:

Conditions

- 1. The development standards shall be consistent with the concept plan and architectural renderings provided with this rezoning application.**
- 2. Within 180 days of the issuance of a Certificate of Completion for the new Hospital Tower, the applicant will conduct a study to measure the sounds emanating from the Central Energy Facility located at or near the property known as 1227 Sherwood Park Drive ("CEF"). Should the average decibels emanating from the CEF, as measured along the northern property line during normal operating conditions exceed, by more than eight decibels, the average daytime decibel levels as measured adjacent to 1227 Sherwood Park Drive along the northern property line prior to issuance of the Certificate of Completion, but without the CEF in operation, ("Existing Sound Environment"), then the applicant will use reasonable measures in an effort to reduce the decibel level to no more than eight decibels above that of the Existing Sound Environment.**
- 3. The proposed Central Energy Facility ("CEF") shall be buffered along the northerly and easterly property lines with evergreen trees at a minimum install height of twenty feet (20') to help screen the facility from the adjacent Sherwood Park Office Park. The buffer trees shall be subject to the approval of the Community and Economic Development Director.**
- 4. Any required new stormwater detention facility shall be provided on site and underground.**
- 5. All service areas, including dumpster pads, shall be screened from view from adjoining properties, public streets, parking areas, and other areas open to the public. Such screening, which may be vegetative or structural with vegetation, is subject to the Community and Economic Development Director approval. Any structural buffer must have a decorative appearance and conform to the architectural style of the building.**
- 6. The proposed number, location, type and size of all signage for the development shall be subject to the Community & Economic Development Director approval.**
- 7. 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. All required access/traffic/sidewalk improvements associated with the proposed development or any additional improvements identified necessary within the Traffic Impact Study (TIS) shall be at the full expense of the developer/property owner. This shall not include improvements to the intersection of Park Hill Drive at S. Enota Drive identified within the TIS.**

Motion made by Board Member Martin

Motion seconded by Board Member White

Vote – 6 favor, 1 abstain (Carter)

C. Zoning Amendment Requests

- 1) Request from **Winterset Holdings, LLC** to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 12.66± acres located on the east and west sides of Wilson Drive, northeast of its intersection with Athens Highway (a/k/a **2125 Wilson Drive, SE**).
Ward Number: Three
Tax Parcel Number(s): 15-022D-000-001 (Part)
Request: 65 residential townhomes

Chairman Carter stated Deputy Director Tate received notification the applicant would like to table their request to the October 12, 2021 Planning and Appeals Board meeting.

There was a motion to table the zoning amendment request to the October 12, 2021 PAB meeting.

Motion made by Board Member Thompson
Motion seconded by Board Member Simmons
Vote – 7 favor

- 2) Request from **Easto Construction** to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 4.847± acres located southeast of the intersection of Thompson Bridge Road and High Vista Point (a/k/a **2702 High Vista Point, NE**).
Ward Number: One
Tax Parcel Number(s): 01-100-002-032
Request: 50 residential townhomes

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

The applicant proposes to amend the 4.847± acres property zoned Planned Unit Development (P-U-D) zoning for a gated community consisting of 50 fee-simple townhomes. Adjacent uses include High Pointe gated single-family neighborhood, Vista Ridge apartment complex, Rubicon Center, The Dance Company and various offices. The property is part of a larger Planned Unit Development (P-U-D) originally approved in 1995 for 31 single-family lots and 200 condominium units within two 15-story buildings. In 2000, the P-U-D was amended reducing the number of condominium units to 34 within a 12-story building. Presently there are 17 single-family homes and a community dock constructed on the adjacent neighboring High Pointe subdivision which is not included as part of the zoning amendment. The property is partially wooded with steep terrain and contains a powerline easement. The proposal includes increasing the number of units from 34 condominium units to 50 townhome units that will range from 2,750 and 3,100 square feet in size of heated floor space with three to four bedrooms. Each unit 3-story in design to include a two-car garage or a fully covered carport. Amenities are to include a common area, pool, club house with kitchen and active space. Access is proposed from a new driveway located off of High Vista Point. Coordination with the Georgia Department of Transportation will be required to address the proposed access. There were no other departmental comments for this request.

The Future Development Map for the City of Gainesville places the subject property within the *Low-Medium 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. The proposed residential density for the subject property is 10.32 du/ac for the subject 4.8 acres property but has an overall residential density of 3.6± du/ac for the original PUD boundary which includes the High Point neighborhood property.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Lake District* which includes low-density residential, medium-density residential, multifamily residential, mixed-use, commercial, public / institutional, transportation / communications / utilities, and parks / recreation / conservation.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request based on the Comprehensive Plan and the adjacent residential uses with the following conditions:

1. The proposal shall be generally consistent with the concept plan and architectural pictures provided with this zoning amendment application per the review and approval of the Community and Economic Development Director.
2. The proposed townhome development shall adhere to the development standards stated within Section 9-10-2-5 of the Unified Land Development Code entitled "Single-Family Attached Dwelling (Fee-Simple Townhouse)."
3. In addition to the parking provided for each townhome unit and the amenity, a minimum of 10 guest parking spaces shall be provided within the development.
4. The owner/developer shall screen all stormwater detention ponds with a mixture of evergreen trees. In addition, there shall be a minimum 20-foot wide landscape buffer planted area adjacent to High Vista Point and Thompson Bridge Road. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
5. Signage for the development shall be located at the entrance of the development located off of High Vista Point. Signage shall be limited to the residential zoning standards stated within Section 9-18-5-6 of the Unified Land Development Code entitled "Project Entrance Signs", not to exceed 8-feet in height and 32 square feet of sign face area with ground lighting.
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.

Applicant Presentation: Robert Fouse, 1548 Jade Cove Drive, Powder Springs, stated he is the architect for the project and complimented the neighborhood for meeting with him. He said their goal is to be a good and compelling neighbor to the Gainesville community and feels the property can be developed to the good of everyone. His client asked him to explore the P-U-D zoning as zoned already but wants to explore the highest and best use for the property which is a townhome community rather than a high-rise. They consider it to be a more appropriate construction in between a lovely single-family home community to the north and a multi-family community to the south. He said the high-rise is more compelling economically but felt the best thing for everyone is to consider a townhome development like the slides on the presentation. Mr. Fouse stated there is no designed floorplan or elevation and only picked the style of structure from the internet but many at the neighborhood meeting did not like the style chosen. He stated it is their desire to work with them to

address concerns and engage the neighbors in the process. The site plan on the presentation depicts 44 units but are applying for 50 units maximum but still needs to complete due diligence to determine the exact size and configurations but expect it to be less. He said they are exploring a high-end price point with an average sale price of \$800,000 to \$900,000 for the units but will not sell for that amount if there is no place for a lawn/landscaping, patio/porch area. The most important feature for the site is the panoramic lake view which is almost 270 degrees of lake view but the lower to the lake it shrinks to 45 to 60 degree view of the water. He stated the purpose is to provide a wonderful residential living opportunity with lake view and lake front property. He stated they are not exploring the option of docks and feel the project is a gap development between the \$500,000 to \$600,000 range homes and the multi-family apartments to the south and can fill the gap in an appropriate and architectural aesthetic way. He acknowledged he has no certain style of building and designs whatever the client desires. He hopes to involve the neighbors in deciding the style of the townhomes and looking forward to their comments and believes there is a better use for modification of the P-U-D zoning and believes in the townhome project presented. They acknowledge there are several challenges and concerns regarding traffic, intersection of driveway from High Vista Point onto Thompson Bridge Road. They will work with the neighbors, and support of the city to approach GDOT to provide some controls at the intersection. The project will double the amount of vehicles impacting the intersection which may require a traffic study and his client agrees too. There are questions of where the driveway will connect to High Vista Point, not to impact the roundabout, gate and drive. He hopes to engage all parties in the discussion and is aware some will not be happy with the project. They have been exploring the site for two years and there is a reason it has been undeveloped since 1990 for 30 years because it is a tough site. He believes this project is a good answer and the most appropriate.

OPPOSE: Mark Burns, 2706 High Vista Point, stated he is the treasurer for the High Point Homeowners Association and on behalf of the board and neighbors respectfully oppose the request for rezoning.

Bob Willis, 2718 High Vista Point, stated he is representing the homeowners association and has given out two items. The first was a petition of signatures of the residents with 100 percent opposing the application and respectfully request denial of it. He stated they are not opposed to development and are well aware of growth in the community and agree the land should be developed. Mr. Willis said the property is not flat, mostly ridge and is more cliff-like and believes the reason for the zoning is because there is very little space there with the cross-roads of a major power line, Corps property, lake, topography and grade. They met with the developer to get more information but could not get enough information to know what the project is going to be about. They are very concerned about the verifiable track record of the architect and developer but want reliable evidence that shows experience and skill to complete the project successfully. He stated the other handout contains their primary objections to the project and reviewed them briefly. Mr. Willis said there was no local resume of work of prior projects found but the architect has had two business entities that the Secretary of State has ended for failure to pay the registration fee. They looked for evidence of a website for the developer, nothing was found and the business address was a sports bar or tee shirt shop in Buford. He said when reviewing the plans, they are incomplete and inadequate details such as the stock photos. Mr. Willis said they wonder about the developer's due diligence on the project since at the meeting they were told there has been no meaningful civil engineering, utility, environmental, traffic or marking studies and no ground or grade surveys. He said they could not find evidence of experience, credibility or attention to details. He said they feel the project is too complex for a developer or architect's first or second project. They have asked for a list or a portfolio and evidence

of experience and have received nothing. He said with no traffic study done and number of cars could go over 100 to 150 per day and already very dangerous. He said the price points are not based on marketing studies and appear unrealistic. Mr. Willis said with the developer being unknown, and the complexity of the project their concern is it will not be properly and successfully completed. He said there is the risk of flipping which if the developer decides to sell the property undeveloped then the community would likely have no say on the development to the new developer and concerned this might happen due to the incomplete nature of the due diligence with the track record almost non-existence.

Dani Burns, 2706 High Vista Point, stated she has been in real estate for twenty years, license broker as well as a sales agent with fourteen years in Gainesville at Keller Williams Lanier Partners. She spoke about her sales for last year compared to this year and specializing in lake and luxury. Ms. Burns said in the last two years she has been involved in every MLS recorded sale of a Gainesville townhome or condo project above \$500,000. She stated in the Gainesville Times and from their meeting with the developer, the price point was \$800,000 to \$900,000 range. She stated in the packet is a marketing analysis regarding townhomes in Gainesville and the average townhome is 248,000 with the most expensive being \$608,000 in the Candler Park subdivision. She stated Candler Park is closer to town, easier to build, contains garages but these drawings do not show garages. She stated Candler Park does not have road noise and significant power lines which effects selling and value of the property. She said those two factors impact their subdivision and the sales price for the last year in High Point of a home over 6,000 square feet at \$642,800. She feels the developer is not taking the negative factors into consideration. She stated their neighborhood value is almost 25 percent less in sales compared to Marina Bay and Harbor Point due to the negative impact of road noise and power lines. Ms. Burns stated if the zoning is changed and the developer is not able to follow-through and if his numbers are incorrect, they would be looking at an unfortunate, unfavorable and unintended consequence concerning this rezoning. She stated they are not a subdivision opposed to development, and are open to working with a seller or developer that brings a proposal that is reasonable and feasible that can be worked on together. Ms. Burns appreciates the comments to involve the community but just worried they will not follow through. She said if the zoning was approved, they are opposed to carports and the architectural designs.

REBUTTAL: Mr. Fouse stated he understands each of the comments made but disappointed that some were more directed at qualifications than the project. He said he has been a registered architect in 9 states for 30 years, and done about 700 projects. He said his client has done many projects in his career and feels he does not need to justify his qualifications. He said they are still committed trying to work with the neighborhood association, understand their concerns, understands their statements but the job of the developer is to make sure he is not going to lose money on a development and if so, he's not going to do it and will stop. Mr. Fouse said the project is very preliminary and is deliberate and told the neighborhood association last week that is deliberate. He said they are about to spend a quarter of a million dollars on engineering and architectural work to confirm that this idea is going work but are not going to do that until there is clarification from the board if that is a path worth taking or not.

There was a motion to recommend denial of the zoning amendment request to allow for 50 residential townhomes with Planned Unit Development (P-U-D) zoning.

Motion made by Board Member Thompson
Motion seconded by Board Member Simmons
Vote – 7 favor

ADJOURNMENT

There was a motion to adjourn the meeting at 7:06 p.m.

Motion made by Board Member Simmons
Motion seconded by Board Member Martin
Vote – 7 favor

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary