

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
MAY 10, 2022**

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, Kelvin Simmons, Carmen Delgado and Ryan Thompson

Members Absent: None

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

Others Present: Council Members Barbara Brooks and George Wangemann

MINUTES OF APRIL 12, 2022

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

NEW BUSINESS

NOTE: Chairman Carter recused himself due to a conflict of interest with the following request.

A. Variance Request

- 1) Request from **Gainesville Dental Group, LLC** to vary the front yard setback requirement on a 0.54± acre tract located on the south side of Spring Street, west of Race Street (a/k/a **412 Spring Street, SE**), having a zoning of General Business (G-B).

Ward Number: Four
Tax Parcel Number(s): 01-008-001-002
Request: Medical office building

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

The applicant is proposing to vary the front yard setback from Spring Street from 40-feet to 15-feet for a two-story, 7,000± square foot medical office building. The subject property is 0.54 acres in size zoned General Business (G-B) which requires a 40-foot front yard setback. The adjacent uses include the Georgia Power office, Bank of America and various professional and medical offices. The property is vacant of structures but contains an existing asphalt driveway and parking lot. The applicant is basing the hardship on the location of the existing parking lot and the remaining area to construct the building.

The Planning Division staff is recommending conditional approval of this variance request based on the location of the existing parking lot and the fact that many buildings along Spring Street have a similar front yard setback.

Applicant Presentation: **Payton Anderson**, 133 Prominence Court, stated he is with Davis Engineering & Surveying located in Dawsonville. Mr. Anderson said they would like to line the building up with the two adjacent buildings and without encroaching on the existing parking lot so there is no additional paving and utilize the site as is. He agreed with everything stated by Deputy Director Tate.

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 from 40-feet to 15-feet for a medical office building with a zoning of General Business (G-B) with the following condition:

Condition

The proposal shall be generally consistent with the concept plan and architectural rendering provided with this variance application.

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

NOTE: Chairman Carter returned to the meeting. Board Member Delgado recused herself due to a conflict of interest with the following request.

B. Rezoning Request

- 1) Request from **Ricky and Janice Hames** to rezone a 0.24± acre tract located on the south side of Oak Street, east of the intersection of Ridgewood Terrace, Woods Mill Road, Rainey Street and Oak Street (a/k/a **721 Oak Street, NW**), from General Business (G-B) to Residential-I (R-I).

Ward Number: Four
Tax Parcel Number(s): 01-026-001-012
Request: Single-family residence

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

The applicant is proposing to rezone the property from G-B to R-I for a single-family home. The property previously consisted of an abandoned single-family home that was demolished seven years ago. Adjacent uses include the Oak Street Plaza office and retail center, Towne Creek Apartments, and a vacant lot. The proposed home will be two-stories with a two car garage and anticipated to be over 2,500 square feet in size. The attached picture provided with the application is only intended to represent the general scale and quality of construction. The architectural style of the home has not been finalized at this time. The property is located within the *Mixed-Use General* land use category and the Central Core Character Area which allows for office, neighborhood retail and residential.

The Planning Division staff is recommending conditional approval of this request based on the Comprehensive Plan and the adjacent mixture of uses.

Applicant Presentation: **Vanity Hall**, 301 Jesse Jewell Parkway, stated she is with the Buffington Real Estate Group and the property has been listed for 7 months with the only interest in the property was for residential. She said those interested in it thought it was too small for a business and the only opportunity for a contract was for residential.

FAVOR: **Camille Viera**, 175 John W. Morrow, Jr. Parkway, stated she is the selling agent representing the buyer which have lived in the area for 20 years. She said the buyer's intent is to build a historical home and with the surrounding area of mixed use of commercial and residential would request approval.

OPPOSE: **Lynn Godfrey**, 700 & 706 Oak Street, stated his company is Accusite Surgical Services which is across the street from the site. Mr. Godfrey stated he is not against the request but had questions as to the exact plans such as a single dwelling, square footage, if it would be rented or if the applicant would live in the home. He commented he was concerned with the traffic affects across the street.

REBUTTAL: Ms. Viera stated the plan will be similar to the submitted photograph, two story and approximately 2,500 square feet which will be owner occupied.

PLANNING AND APPEALS BOARD COMMENTS: Chairman Carter asked Mr. Tate to explain the condition in the staff report.

Deputy Director Tate stated the request will go to the June 7th City Council meeting and if approved, the plans will require approval of staff per the condition of zoning.

There was a motion to recommend conditional approval to rezone the subject property for a single-family residence from General Business (G-B) to Residential-I (R-I) with the following condition:

Condition

The style of the proposed single-family home shall consist of Craftsman or Modern Farmhouse architecture and shall require review and approval by the Community and Economic Development Department Director.

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

NOTE: Board Member Delgado returned to the meeting.

C. Special Use Request

- 1) Request from **Jeff Arkema** for a special use on a 1.77± acres tract located on the north side of Browns Bridge Road, east of McEver Road (a/k/a **2888 Browns Bridge Road, SW, Suite E**), having a zoning of Regional Business (R-B).
Ward Number: Four
Tax Parcel Number(s): 08-015-006-025
Request: Automotive styling center

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

The applicant is proposing a special use within Regional Business (R-B) zoning to allow an auto styling center that provides services such as vehicle and marine window tinting, vehicle wraps, protective films and coatings, detailing, lighting and window graphics, security system and alarms, remote starters, audio and electronics, auto and marine parts and accessories. The adjacent uses within the shopping center include Grace Family Dentistry, Gorditas and Burritos Mexican restaurant, Little Caesars Pizza and Walmart Neighborhood Market

Specifically, the business location is within Suite E of the existing shopping center which includes 8,640 square feet of space which was the previous site of the Family Dollar store. The anticipated business hours are Monday thru Saturday from 8:00 A.M. to 6:00 P.M. with a total of 6 employees. Interior renovations to the building will be required as well as a drive-up ramp with a rollup door in the rear of the building for vehicles being serviced.

The subject property is located within the *Retail/Commercial* land use category and the *Suburban Residential* Character Area which includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses.

Applicant Presentation: Jeff Arkema, 7580 Yacht Club Drive, stated there would not be any mechanic type work, only accessories, window coverings, car wrappings and noise would not be a major concern.

FAVOR: None

OPPOSE: None

PLANNING AND APPEALS BOARD COMMENTS: None

There was a motion to recommend conditional approval of the special use request for an automotive styling center having a zoning of Regional Business (R-B) with the following conditions:

Conditions

1. The applicant/business owner shall provide noise control measures adjacent to the suite occupied by Grace Family Dentistry. This may include soundproofing material or other measures where necessary per the approval of the Community and Economic Development Department Director.
2. Vehicles shall not be stored on the premises except for those being serviced.

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

ADJOURNMENT

There was a motion to adjourn the meeting at 5:48 p.m.

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

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary