



**CALL TO ORDER**

**MINUTES**

**A. Minutes of September 13, 2022**

**OLD BUSINESS**

**NEW BUSINESS**

**A. Annexation**

- 1) Request from **Atlantic Leasing, LLC** to annex two tracts totaling 1.0± acre located on the west side of Hudgins Street and the east side of Browns Bridge Avenue, north of Browns Bridge Road (a/k/a **1411 Hudgins Street and 1506 Browns Bridge Avenue**) and to establish a zoning of General Business (G-B).

Ward Number: Five  
Tax Parcel Number(s): 00-123-008-003A and 028  
Request: Combining properties

**B. Special Use**

- 1) Request from **William B. Stark Jr.** for a special use on a 1.0± acre tract located on the north side of Washington Street between West Academy Street and West Avenue (a/k/a **614 Washington Street, NW**), having a zoning of Neighborhood Business (N-B).

Ward Number: Four  
Tax Parcel Number(s): 01-026-001-043  
Request: Five residential duplexes

**MISCELLANEOUS**

**ADJOURNMENT**



## CITY OF GAINESVILLE

### Planning and Appeals Board Agenda Request

---

**Item Created:** August 29, 2022  
**Date Submitted:** September 19, 2022  
**Final Approval Date:** September 19, 2022  
**Presenter:** Matt Tate, Community & Economic Development Dept Deputy Director  
**Item of Business:** Minutes of September 13, 2022  
**Meeting Date:** October 11, 2022

---

**Purpose of Request:**

The purpose of the request is to allow the Planning and Appeals Board to approve the minutes from the referenced meeting.

**Facts & Issues / History & Background:**

The draft minutes were reviewed by the Office & Records Coordinator and the Community Development Deputy Director.

**Department Recommendation:**

Approval of the minutes as presented.

**Department Director:**

Rusty Ligon

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

---

**Administrative Comments:**

---

**Attachments:**

1. 2022-09-13 PAB DRAFT minutes

**GAINESVILLE PLANNING AND APPEALS BOARD**  
**DRAFT MINUTES OF MEETING**  
**SEPTEMBER 13, 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 and Ryan Thompson

**Members Absent:**   Board Member Carmen Delgado

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

**Others Present:**     Council Members George Wangemann and Juli Clay

**MINUTES OF AUGUST 9, 2022**

**There was a motion to approve the minutes as presented.**

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

**OLD BUSINESS**

**There was a motion to remove the variance request from the table.**

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

**A. Variance Request**

- 1) Request from **Greg Loyd** to vary the front yard setback requirement on a 0.12± acre tract located on the south side of Banks Street, between Main Street and Maple Street (a/k/a **658 Main Street, SW**), having a zoning of Light Industrial (L-I).  
Ward Number:            Three  
Tax Parcel Number(s): 01-015-002-009A  
Request:                   Collector vehicle storage and loft dwellings

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

The applicant is proposing to vary the front yard setback requirement along Banks Street from 15-feet to 0-feet for a two-story, 7,300± square foot mixed-use building. The property is zoned Light Industrial (L-I) and is located within the Midtown Overlay Zone. The Midtown Overlay Zone has a blanket front yard setback requirement of 15-feet regardless of what zoning district a property is located within. The adjacent uses include a mixture of uses some of which include Gainesville Paint, Attorney's office, Church, parking lot and the future site of the Solis Phase 2 mixed-use development on the old jail lot. The subject property is approximately 28 feet deep by 192 feet wide and has road frontage on Maple Street, Banks Street and Main Street. There are sidewalks fronting the property along Banks Street and Main Street. The

neighboring building occupied by Gainesville Paint is approximately a half foot (0.5') from the shared side yard property line.

The first floor of the proposed building consists of space to store 10 collector vehicles. Garage access and two proposed parking spaces are proposed on the Maple Street end of the building. A garage exit and landscaped area is proposed on the Main Street end of the building. The second floor includes two loft dwellings, each approximately 2,000 square feet in size. The applicant is basing their hardship on the fact that the lot is only 28-feet deep coupled with the fact that the property has three front yard setbacks.

If the variance request is considered for approval by the Planning and Appeals Board, staff would recommend the following conditions.

### **Conditions**

- 1. The architecture of the proposed building shall be generally consistent with the industrial brick building elevations shown within the attachment entitled “Exhibit A – Architectural Pictures” included with this variance approval. The final architectural design of the building shall require review and approval by the Community & Economic Development Director.**
- 2. There shall be no parking permitted between the proposed building and Main Street. The area shall be landscaped and only allow for garage access.**
- 3. The proposed development shall be limited to the proposed collector vehicle storage area and no more than two loft apartments, not to exceed 5,000 square feet of impervious area.**

**Applicant Presentation:** **Greg Loyd**, 421 Ridgewood Avenue, stated he is a general contractor representing the owner of the property Alvin Gibson. He advised Mr. Gibson’s desire to build on the property is to have a place to keep his restored vehicles instead of renting space for them along with being able to have them closer to his dental lab. Mr. Loyd stated the first idea of having the building with similar materials and look as the Solis structure and new apartments at Banks Street. He said after meeting with Planning staff the recommendation from them would be a brick building rather than a modern design and stated Mr. Gibson wants the building to look very nice. Mr. Loyd stated the reason for the zero setback is due to the narrow lot which originally had a zero setback but was changed over the years with zoning changes. He said the 15-foot setback makes it virtually unbuildable and Mr. Gibson would like to build something useable with a modern look. Mr. Loyd stated a zero setback is not uncommon in the area as there are older buildings next to the sidewalk further down Main Street but some newer buildings have greater setbacks due to having larger lots after the zoning changes. He stated Mr. Gibson is present and glad to answer any questions too.

**FAVOR:** None

**OPPOSE:** **Phil Bonelli**, 4828 Hopewell Church Road, stated he has been very involved improving walkability in the Midland area, the Highlands to Islands Trail, Vision 2030 and Comprehensive Plan which established the 15-foot setback. He believes the 15-foot setback should be maintained and with the proposed building taking up the entire space making the sidewalk unusable/unwalkable but agrees the plans look great but would not feasibly work in that area. He stated he has four children and would be difficult walking with them with only



five feet of space between a building and vehicles. He stated he had researched buildings with zero setbacks but didn't find any only some older buildings with setbacks 8-feet to 10-feet that probably built before paved roads and cars. Mr. Bonelli stated he would prefer to keep the 15-foot setback and not set a precedence for others which would be negative for the Midland area.

**Jason Everett**, 1820 Blue Ridge Drive, stated he is one of the adjacent property owners at the location of the Gainesville Paint building. He stated he is a member of the Main Street Board for the past ten years and chaired it for six years, involved in Vision 2030 Green Space Committee, chaired the sub-committee for the Greenway and the Redevelopment Authority. He voted for Solis and reviewed the setbacks and walkability of it and has a passion for the Midtown area. Mr. Everett stated Mr. Gibson is a friend, a neighbor and would support him in most everything but not this project since it is not consistent with the Vision 2040 plan. He stated several other buildings nearby have 8-foot and 12-foot setbacks but this setback would be 5-feet from the road making it possible to touch the building and a vehicle. Mr. Everett mentioned the downtown area expanding the sidewalks for walkability but this would be permanent making it difficult to walk with strollers and need to think about the permanence of it. He gave several more examples of other buildings that seemed to be right on the road but actually further back.

**Allison Everett**, 1820 Blue Ridge Drive, stated she is a co-owner of the property adjacent to the proposed project. She is a member of the Public Art Committee and uses her time and talents to facilitate public art throughout Gainesville and Hall County. She stated in 2017 they wanted to better use their property with a 70-foot mural painted on their property titled "Dream Big" with the hope to bring new life into Midtown/Midland area at that time. Mrs. Everett said now in 2022 Midland is an anchor for the "Highlands to Islands" trail with many amenities and is a destination uniquely different than the downtown square area. She stated the Public Art Committee along side Gainesville Park and Recreation and City government are working to designate the area as the Midland's Art District with exciting things happening. She feels this is a time to reflect on making long-term decisions moving forward given the Comprehensive Plan and the 2040 Downtown Midland study and objects to the variance for three reasons. The first reason for objecting is that it would not benefit the community and would set a precedence not wanted in the area, the second was the future expansion of the sidewalks being a critical issue and would place limiting factors for the city and future development, and third objection would be the unintended consequence of the variance needed to complete the project but would disrupt the planning by the City Council and City Managers and destroy a piece of public art. Mrs. Everett stated the loss of the iconic "Dream Big" mural is an unintended consequence from the variance and appreciates the time given to speak.

**BOARD COMMENTS:** Board Member Martin asked about the location of the gas lines, water drainage and downspouts at the property line. Deputy Tate stated they have spoken with the applicant and he is aware of the areas that need to be addressed from the development side such as the need for a construction easement from the adjacent property owner or possibly a permanent easement, storm management from the rooftop drainage, gas meters on the back side of the existing building and the power lines along Banks Street over the sidewalk.

**REBUTTAL:** Mr. Loyd stated some of the issues have been discussed along with asking Georgia Power to install taller poles for the power lines to be taller than the building. He stated the gutter on the back of the adjacent building will need to be large enough to carry the water between the two buildings by installing a valley gutter and if required or needed an underground detention would be installed or pervious concrete. Mr. Loyd said the front of the building along Main Street would be landscaped except for a driveway but no parking in the

front. He then spoke about a 3-foot easement and reducing the size of the building to 25-feet to take care of any water problems and the need of a work easement. He said without the zero setback it would make the building too narrow to have more than one row of cars inside and drive-path needed. Board Member Martin asked about the height of the building and if an easement would be needed for the back side of the apartments. Mr. Loyd stated the building would be 20-feet tall with a low-profile roof and a parapet on it to hide the roof and will not show a pitch on it. He said an easement would be needed if built on a zero setback along with a firewall leaving a four-foot space for the downspouts/draining and would be the minimum size building feasible and functionable to build. Board Member Martin asked if the applicant would need to come back through the Planning and Appeals Board if the building needed to be narrower and Deputy Director Tate stated if the applicant reduced the footprint of the building he would not be required to come back through the Board but would be required to adhere to the conditions of the approval. Everything will go through development review, architectural review and permitting process for the building. Mr. Tate stated an easement being required would depend upon the distance to the property line and the existing building is a half foot from the shared property line according to the plat. Mr. Loyd stated a construction easement would be required to build at the property line but if built three-foot off then it would not be needed.

**There was a motion to deny the request to vary the front yard setback requirement from 15-feet to 0-feet for collector vehicle storage and loft dwellings with a zoning of Light Industrial (L-I).**

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

## **NEW BUSINESS**

### **A. Annexation Request**

- 1) Request from **Arturo Maruri** to annex two tracts totaling 0.32± acre located on the east and west side of Ralston Street, south of Hazel Street (a/k/a **1511 and 1514 Ralston Street**) and to establish zoning as Residential-I (R-I).  
Ward Number: Four  
Tax Parcel Number(s): 00-129-002-010 and 00-130-001-007  
Request: Sewer for two existing single-family homes

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

The applicant is proposing to annex the subject properties with a zoning of Residential-I (R-I) for the purpose of utilizing city sewer for two existing single-family homes. The properties are located east of Atlanta Highway and north of Pearl Nix Parkway are part of a larger incorporated island.

The property located at 1511 Ralston Street is 0.15± acre in size and is located on the east side of Ralston Street. The property is zoned Residential-II (R-II) within the County and contains a new rental home built in 2021. The property located at 1514 Ralston Street is 0.17± acre in size and is located on the west side of Ralston Street. The property is zoned Highway Business (H-B) within the County and contains a rental home originally constructed in 1940. No other changes are proposed at this time.

The properties are located within the *Mixed-Use* and *Multi-family Residential* Future Land use categories and within the *West Side* character area which supports improving the quality and stabilizing the existing older housing and to provide housing affordability.

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

**FAVOR:** None

**OPPOSE:** None

**There was a motion to recommend approval of the annexation request for sewer for two existing single-family homes and establish zoning as Residential-I (R-I).**

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

#### **ADJOURNMENT**

**There was a motion to adjourn the meeting at 6:03 p.m.**

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

Respectfully submitted,

---

Doug Carter, Chairman

---

Gwen Fleming, Recording Secretary



## CITY OF GAINESVILLE

### Planning and Appeals Board Agenda Request

---

**Item Created:** August 30, 2022

**Date Submitted:** September 19, 2022

**Final Approval Date:** September 20, 2022

**Presenter:** Matt Tate, Community & Economic Development Dept Deputy Director

**Item of Business:** Request from **Atlantic Leasing, LLC** to annex two tracts totaling 1.0± acre located on the west side of Hudgins Street and the east side of Browns Bridge Avenue, north of Browns Bridge Road (a/k/a **1411 Hudgins Street and 1506 Browns Bridge Avenue**) and to establish a zoning of General Business (G-B).

**Meeting Date:** October 11, 2022

---

#### **Purpose of Request:**

The applicant is proposing to annex the subject properties with a zoning of General Business (G-B). Both properties are zoned Residential-I (R-I) and are adjacent to the city limits to the south and east. The property located at 1411 Hudgins Street is 0.51± acre in size and the property located at 1506 Browns Bridge Avenue is 0.49± acre in size. The intent is to combine the two properties with the adjacent Jim Hardman auto dealership property. No other use is proposed at this time. Both properties previously contained a single-family home and have since been cleared, grassed and fenced. The adjacent properties include the Jim Hardman car dealership and single-family homes.

#### **Facts & Issues / History & Background:**

#### **Department Recommendation:**

Planning staff recommended approval with two conditions. See the Staff Recommendation report for details.

#### **Department Director:**

Rusty Ligon

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

#### **Finance Comments:**

---

#### **Administrative Comments:**

---

#### **Attachments:**

1. Staff Recommendation Report
2. Location Maps
3. Narrative
4. Survey

## 5. Pictures

|                                                     |                                                                                              |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Applicant and Property Owner</b> .....           | Atlantic Leasing, LLC                                                                        |
| <b>Location</b> .....                               | 1411 Hudgins Street<br>1506 Browns Bridge Avenue                                             |
| <b>Request</b> .....                                | Annex, with G-B zoning                                                                       |
| <b>Total Acres</b> .....                            | 1.0± acres total<br>0.51± acre- 1411 Hudgins Street<br>0.49± acre- 1506 Browns Bridge Avenue |
| <b>Ward</b> .....                                   | Five                                                                                         |
| <b>Proposed Use</b> .....                           | Combining properties                                                                         |
| <b>Planning Division Staff Recommendation</b> ..... | <b>Approval, with conditions</b>                                                             |
| <b>Date</b> .....                                   | October 11, 2022                                                                             |

**2018** – A request by REB Land Development, LLC to rezone a 2.744± acres tract located at 621 Lakeshore Drive from Residential-I (R-I) to General Business (G-B) for a multi-tenant retail, office and restaurant was withdrawn.

**2017-** A request by Gainesville Market, LLC for a special use within General Business (G-B) zoning on a 5.0± acres located at 600 Shallowford Road was approved with conditions for a commercial outdoor recreational facility.

**2017** – A request by Masy Seng to annex a 0.19 ± acre tract with a zoning of General Business (G-B) located at 593 and 597 Shallowford Road was conditionally approved for a donut shop.

### **Analysis**

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

The subject properties consist of a grassed area and fencing which serves as a buffer to the adjacent residential homes. The applicant desires to bring all of the property under one jurisdiction with the same zoning. There is no change in use proposed.

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

The proposal will function in a similar manner as it currently does in the County. The properties previously contained single-family homes that were demolished by the property owner. According to the applicant, additional buffer trees will be planted within a 10-foot wide buffer strip next to the existing fence. However, the proposed zoning of G-B would allow for the expansion of the existing car dealership if proposed in the future.

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

The Future Development Map for the City of Gainesville places the property located at 1506 Browns Bridge Road within the *Commercial* land use category and 1411 Hudgins Street within the *Multi-family Residential* land use category. The Commercial land use category includes areas focused on retail, office, and or other commercial service activities such as grocery stores, banks, restaurants, hotels and automotive-related businesses. The Multi-family Residential land use category includes areas containing or planned for single-family attached or multi-family housing at densities at a minimum of four dwelling units per acre.

As well, the Character Area map for the City of Gainesville places the subject property within the *West Side* character area. Land uses allowed in the West Side include higher density residential, mixed-use, commercial, light industrial, public and institutional and parks and recreation.

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

The applicant desires to have all of the property owned by Atlantic Leasing, LLC (Jim Hardman) under one jurisdiction and zoning of General Business (G-B). This appears to be reasonable as the adjacent larger property operated within the city limits under a zoning of G-B.

**(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

The change from County jurisdiction to City jurisdiction should not substantially affect public facilities or services at this time. The Gainesville Fire and Police Departments currently respond

to adjacent and nearby properties and the nearest City of Gainesville Fire Station #1 is approximately 1.7 miles from the subject property. No impacts to the City school system are anticipated.

**(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?**

The subject properties will be combined with the larger parent tract that fronts Brown Bridge Road. Properties fronting Browns Bridge Road are expected to remain commercial. The residential properties located along Hudgins Street and Browns Bridge Avenue have been established since the 1950's and 1960's and provide for affordable single-family housing. It is staff's opinion that the proposal appears to be consistent with existing and expected uses for the area.

**(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

Based on the existing use of the subject properties and their proximity to the existing car dealership, the proposal appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

---

**Recommendation**

The Planning Division staff is recommending **conditional approval** of this annexation request with **General Business (G-B)** zoning, based on the Comprehensive Land Use Plan and the adjacent commercial land use.

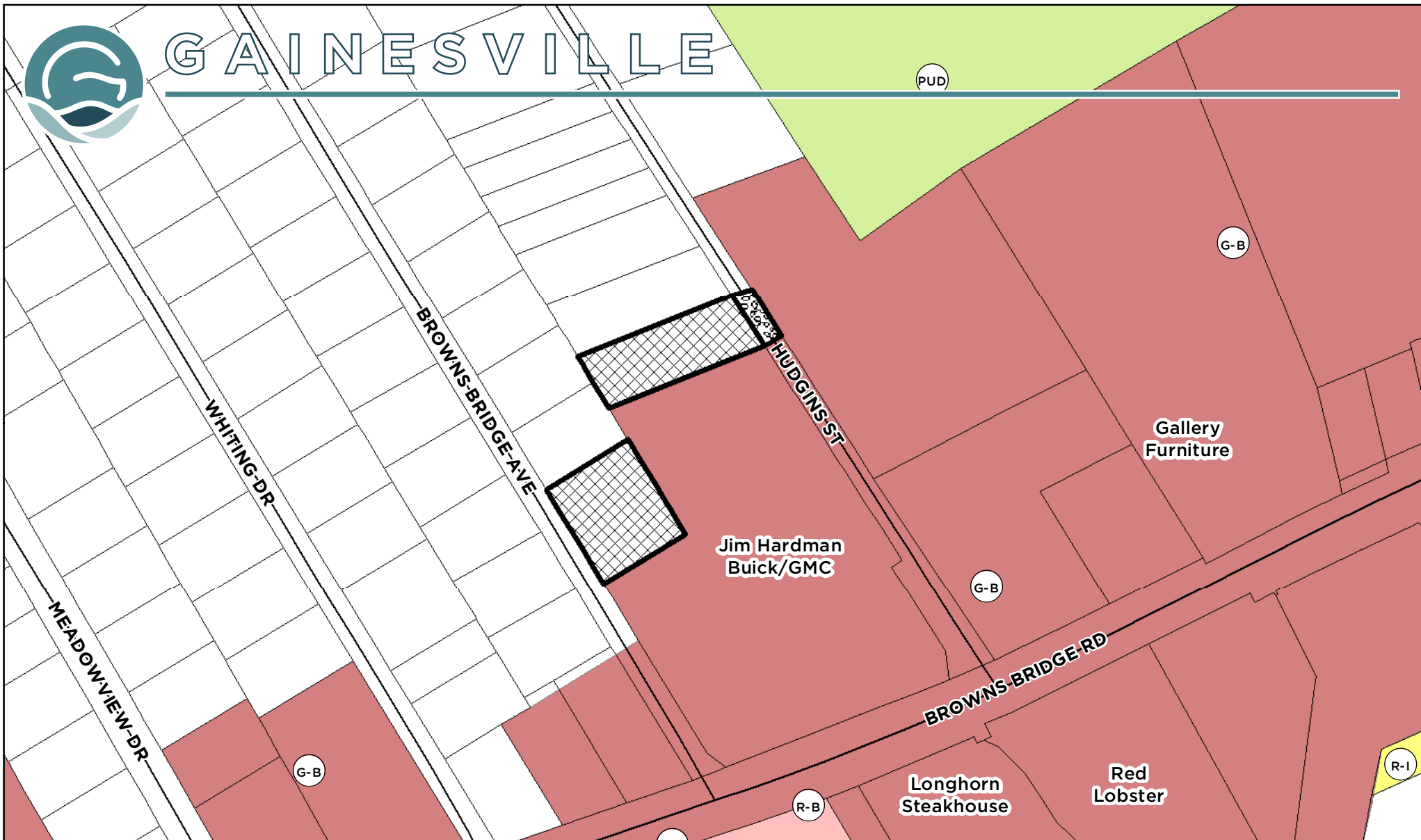
**Conditions**

1. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.
2. A staggered row of evergreen trees consisting of a mixture of Cryptomeria, Thuja Green Giant Arborvitae, Eastern Red Cedar and/or Holly trees shall be required within the buffer area adjacent to the single-family properties to the north. The location, size and type of buffer trees shall be subject to the approval of the Community and Economic Development Department Director.





# GAINESVILLE



Applicant:

**ATLANTIC LEASING, LLC**

## ANNEXATION REQUEST

Subject Property Address:

1411 Hudgins Street &  
1506 Browns Bridge Avenue

Tax Parcel:

00123 008003A &  
00123 008028

Request:

Annex two tracts totaling +/- 1 AC with General Business (G-B) zoning to combine lots with adjacent property.



Subject Property



ROW to be Annexed



SCALE: 1" = 200'



Meeting Date: 10/11/2022

Map Prepared: 08/25/2022





# GAINESVILLE



Applicant:

**ATLANTIC LEASING, LLC**

## ANNEXATION REQUEST

Subject Property Address:

1411 Hudgins Street &  
1506 Browns Bridge Avenue

Tax Parcel:

00123 008003A &  
00123 008028

Request:

Annex two tracts totaling +/- 1 AC with General Business (G-B) zoning to combine lots with adjacent property.



Subject Property

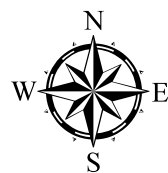


ROW to be Annexed

Aerial from 2021

0 100 200 300 400 Feet

SCALE: 1" = 200'





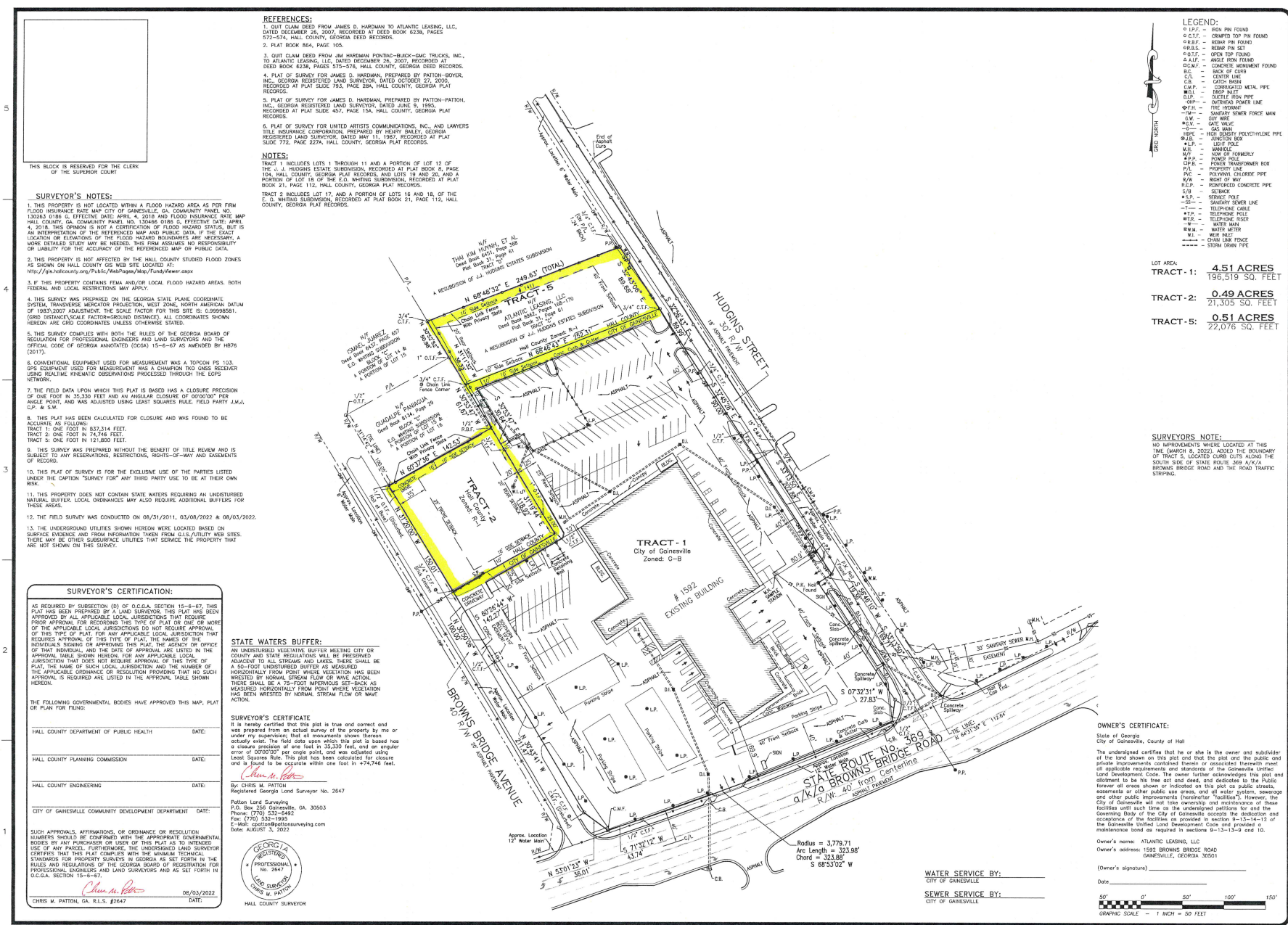
Narrative for Annexation Request  
1411 Hudgins Street and 1506 Browns Bridge Avenue

I would like to annex 1411 Hudgins Street (0.51 acres) and 1506 Browns Bridge Avenue (0.49 acres) and combine both properties with the adjacent property located at 1592 Browns Bridge Road (Jim Hardman Buick GMC) with a zoning request of General Business (G-B).

I have installed a black coated chain link fence with privacy slats along the outer boundaries adjacent to the existing residential properties. I also will be planting a landscape buffer along the adjacent residential properties in the fall of this year.

A 10' wide buffer will be provided to include the existing privacy fence and landscape buffer.

I am not proposing any curb cuts for access or any site improvements at this time, but merely want to combine the properties so that I have one contiguous piece of property.



REGISTERED PROFESSIONAL  
LAND SURVEYORS  
P.O. BOX 296  
GAINESVILLE, FL 32602  
PHONE: (770) 532-6442  
FAX: (770) 532-1995  
www.pattonsurveying.com

**PATTON**  
LAND SURVEYING, LLC

COMPARED BY: C.M.P.  
DRAWN BY: J.A.L., C.P. & S.W.  
CHECKED BY: C.M.P.

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

SHEET NUMBER:  
1 of 1  
SCALE: 1" = 50'  
SURVEY DATE: 05/31/2011  
PLAT DATE: 09/12/2011  
REVISED SURVEY & PLAT DATE:  
03/03/2022  
11-161.04.dwg  
JN. 11-161

















## CITY OF GAINESVILLE

### Planning and Appeals Board Agenda Request

---

**Item Created:** August 30, 2022

**Date Submitted:** September 19, 2022

**Final Approval Date:** September 20, 2022

**Presenter:** Matt Tate, Community & Economic Development Dept Deputy Director

**Item of Business:** Request from **William B. Stark Jr.** for a special use on a 1.0± acre tract located on the north side of Washington Street between West Academy Street and West Avenue (a/k/a **614 Washington Street, NW**), having a zoning of Neighborhood Business (N-B).

**Meeting Date:** October 11, 2022

---

#### **Purpose of Request:**

The applicant is proposing a special use within Neighborhood Business (N-B) zoning to allow five duplex apartments for a total of 10 units. The property contains no structures and is heavily wooded. According to the applicant's concept plan, each unit will be designed as a two-story residence and approximately 1,300 square feet in size with 2 bedrooms and 2.5 bathrooms and 2 parking spaces per unit. Access will be provided off of Washington Street and from a planned easement to the rear of the property to allow access to Oak Street. The exterior of the proposed duplex structures will include a mixture of vertical and horizontal Hardie board (fiber cement) siding. The adjacent properties include the Gainesville Business Center office complex, Towne Creek Apartments, Rochester & Associates, CASA and the Intowne Business Center.

#### **Facts & Issues / History & Background:**

#### **Department Recommendation:**

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

#### **Department Director:**

Rusty Ligon

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

#### **Finance Comments:**

---

#### **Administrative Comments:**

---

#### **Attachments:**

1. Staff Recommendation Report
2. Location Maps
3. Narrative
4. Site plan



5. Survey
6. Architectural Renderings - Elevation A Option A & B
7. Architectural Rendering - Elevation B-C Composite

**GAINESVILLE PLANNING and APPEALS BOARD  
STAFF RECOMMENDATION**

**Applicant** ..... William B. Stark Jr  
**Property Owner** ..... Frankie Luna  
**Location** ..... 614 Washington Street, NW  
**Request** ..... Special use request within N-B zoning  
**Total Acres** ..... 1.0± acres tract  
**Ward** ..... Four  
**Proposed Use** ..... Five residential duplexes  
**Planning Division Staff Recommendation** ..... **Approval, with conditions**  
**Date** ..... October 11, 2022

---

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

The applicant is proposing a special use within Neighborhood Business (N-B) zoning to allow five duplex apartments for a total of ten residential units. The property is currently undeveloped and is partially wooded. According to the applicant's concept plan, each unit will be designed as a two-story residence and approximately 1,300 square feet in size with 2 bedrooms and 2.5 bathrooms and 2 surface level parking spaces per unit. Access will be provided off of Washington Street. The applicant is exploring whether an access easement will be allowed to the rear of the property to access to Oak Street. The exterior of the proposed duplex structures will include a mixture of vertical and horizontal Hardie board (fiber cement) siding.

▪ **Adjacent Land Use and Zoning**

| Location | Use                                                    | Zoning                                                      |
|----------|--------------------------------------------------------|-------------------------------------------------------------|
| North    | Towne Creek Apartments and offices fronting Oak Street | Planned Unit Development (P-U-D) and General Business (G-B) |
| South    | Intowne Business Center and CASA office                | Neighborhood Business (N-B)                                 |
| East     | Gainesville Business Center office complex             | Neighborhood Business (N-B)                                 |
| West     | Towne Creek Apartments                                 | Planned Unit Development (P-U-D)                            |

▪ **Other Departmental Comments**

There were no other departmental comments regarding this request.

▪ **Zoning History**

**2022** - A request by Ricky and Janice Hames to rezone a 0.24± acre tract located at 721 Oak Street, NW from General Business (G-B) to Residential-I (R-I) was conditionally approved for a single-family residence.

**2021** - A request by Dave Odom to rezone a 0.50± acre tract located at 341 and 361 Oak Street, NW, from General Business (G-B) to Planned Unit Development (P-U-D) was conditionally approved for mixed-use residential and commercial.



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

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

▪ **Staff Analysis**

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

The proposed residential use appears to be supported by the mixture of surrounding uses and zoning districts. The surrounding uses include offices, single-family and multi-family residential with zonings Planned Unit Development (P-U-D), Neighborhood Business (N-B) and General Business (G-B).

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

The proposed use should have minimal affects to the surrounding and nearby properties as the proposed development is small in scale as it includes only 10 residential units. The property is currently unused. Sufficient parking, storm water detention and landscaping will be provided that will improve the function and aesthetics of the property. Any traffic generated should be minimal given the scale of the project but additional turning movements on Washington Street will occur given that the property is undeveloped. There appears to be sufficient sight distance for the proposed driveway.

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

The Future Development Map for the City of Gainesville places the subject property within the *General Mixed Use* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and detached or attached residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the westside of the *Central Core* Character Area known as the “*Five Points*” area of Gainesville. The Central Core character area is the historic heart of Gainesville, centered on the Square and extending to the east, west and south. Land uses allowed within this area include higher density single-family residential and multi-family residential. Specifically, diverse new housing opportunities are encouraged targeting mixed-income, high quality multi-family housing.

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

The property is zoned Neighborhood Business (N-B) which is intended for neighborhood scale commercial and office uses, but allows residential where appropriate as a special use. The property has historically functioned as a residential use which previously contained a single-family home that was demolished approximately 20 years ago. The proposed development will provide for quality housing downtown and is within N-B zoning density range of 10 dwelling units per acre.

**(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

City water, sewer and public safety services are currently provided to the property. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 1.0± mile from the subject property.

The proposal will slightly increase ingress and egress traffic movements along Washington Street. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the duplex apartments on average could generate 67± new trips per day, 6± A.M. and 7± P.M. peak hour trips.

The proposed use will have minimal impact on the Gainesville City School System given there are only 10 residential units proposed. Nearby larger residential developments such as the Towne Creek Apartments have children that attend City schools which are provided bus service.

**(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?**

The Comprehensive Plan identifies the need for quality housing within the downtown area. The subject property is conducive for residential purposes as it is situated within an area that is walkable to numerous offices, retail, restaurant and public uses. Development along the Washington Street corridor has consisted of small specialty shops, professional offices, as well as multi-family residential and limited single-family residential.

**(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

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

---

▪ **Additional Special Use Criteria**

**(1) The type of street providing access to the subject property is adequate to serve the proposed Special Use.**

Washington Street serves as a connector road between the downtown central business district and the Lakeshore Mall/Dawsonville Highway regional shopping district. The existing street is adequate to serve the proposed development. Additionally, the developer will be required to address solid waste services and a mail kiosk placement on project site.

**(2) Access into and out of the property adequately provides for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.**

The applicant's concept plan appears to provide for sufficient access for pedestrian safety, parking and access for emergency vehicles.

**(3) Public facilities such as schools, water or sewer utilities, and police or fire protection are adequate to serve the Special Use.**

The existing public facilities are adequate to serve the proposed use given its small scale.

- (4) Refuse, service, parking and loading areas on the property are located and screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.**

The proposed residential use is less intense than the neighboring uses. According to the concept plan, there appears to be sufficient parking and landscaping provided to reduce any impacts on adjacent properties. It is intended that individual trash receptacles will be provided for each duplex home.

- (5) The hours and manner of operation of the Special Use have no adverse effects on other properties in the area.**

The proposal is for residential duplex apartments which by nature are considered less intense than some office/commercial uses. The duplex units will be occupied throughout all hours of the day which is similar to nearby properties.

- (6) The height, size and location of the buildings or other structures proposed on the property are compatible with the height, size or location of buildings or other structures on neighboring properties.**

The proposed duplex homes will be two story. The height, size and location of the proposed structures appear consistent with other structures located along Washington Street which include a variety of residential, office, semi-public and commercial uses.

▪ **Staff Recommendation**

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

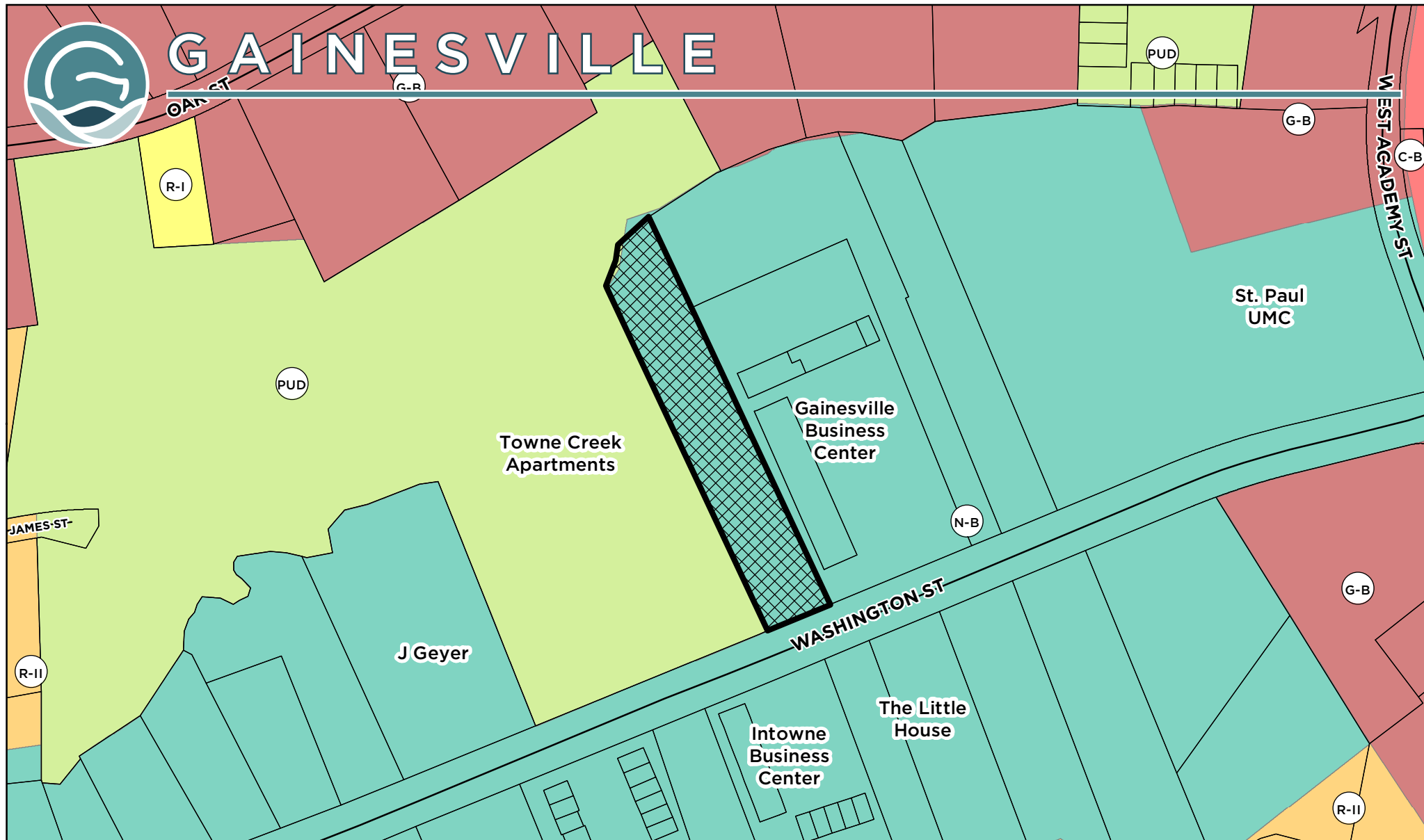
**Conditions**

- 1. The development shall be generally consistent with the site plan and the architectural style of the two elevation drawings labeled "A" Elevation- Option A and "B-C Composite" Elevation submitted with this special use application. In addition, the roof shall be constructed with architectural shingles and the front and two sides of each duplex building shall be constructed with a minimum 3-foot tall watermark of brick or stone material.**
- 2. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and 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.**
- 3. 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.**





# GAINESVILLE



Applicant: **WILLIAM B. STARK, JR.**

## SPECIAL USE REQUEST

Subject Property Address:  
614 Washington Street, NW

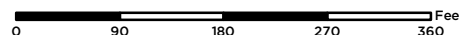
Tax Parcel:  
01-026-001-043

Request:

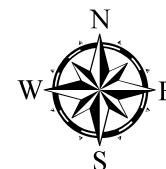
Special use on a 1.0+/- acre tract within Neighborhood Business (N-B) zoning district for five residential duplexes



Subject Property



SCALE: 1" = 167'



Meeting Date: 10/11/2022

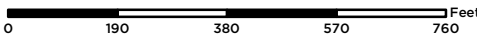
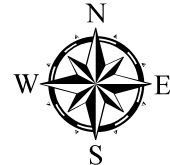
Map Prepared: 09/07/2022





# GAINESVILLE



|                                                        |                               |                                                                                                                                 |                                                                                                        |
|--------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Applicant: <b>WILLIAM B. STARK, JR.</b>                |                               | Request:<br>Special use on a 1.0+/- acre tract within Neighborhood Business (N-B) zoning district for five residential duplexes |                                                                                                        |
| <b>SPECIAL USE REQUEST</b>                             |                               |                                                                                                                                 |                                                                                                        |
| Subject Property Address:<br>614 Washington Street, NW | Tax Parcel:<br>01-026-001-043 |  Subject Property                          | Aerial from 2021                                                                                       |
| Meeting Date: 10/11/2022                               | Map Prepared: 09/07/2022      |  SCALE: 1" = 333'                          | <br>Page 27 of 33 |



# 614 Washington Street

## Redevelopment Narrative

There is currently no onsite structure or building. The legal address is 614 Washington St NW Gainesville, GA and is +/- 1 acres. The application for a special use permit will be used to develop 5 single family duplexes (10 total units) on the said property. This development is designed to provide a safe and livable environment for Gainesville citizens working in and around the downtown area. A zoning change is not needed, and there are no physical or environmental impacts to the adjoining property owners.

Since Washington street is predominantly residential with a handful of commercial parcels mixed in, there will be no negative impacts burdens to public facilities and services. Each 2 story building will be approximately 2,600 SF and each unit will be 1,300 SF of heated space with 2 bedrooms, 2.5 bathrooms, and 2 parking spaces per unit. This design will attract all demographics including single adults, young couples, older couples, and small families. The tenants will enter and exit off Washington Street with a proposed exit option through the property on Oak Street.

All public services including schools, fire department, police department, and local hospitals and medical care clinics are all adequate to serve this proposed use. The height and size of the units will be consistent with the adjoining and surrounding multi family and office buildings. The desire of this development is to provide appealing housing that is walking distance from the historical Gainesville Square and to be built in a way that is safe and enjoyable to the tenants as well as the community.

614 Washington St has been sitting empty for some time now. The proposed duplex homes will provide and encourage a healthy lifestyle as walking and biking to nearby restaurants and attractions will be possible. As many multi-family and large apartment complexes are being constructed around Gainesville, there is a need for smaller residential developments that are centrally located to Downtown and the surrounding businesses.











**Stark Properties  
22' Wide Duplex  
"A" Elevation - Option B**

07.28.22

GMD-GA 22046



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)  
© 2021 gmd design group of ga, inc.





**Stark Properties  
22' Wide Duplex  
"A" Elevation- Option A**

07.28.22

GMD-GA 22046



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)  
© 2022 gmdesigngroup of ga, inc.



**Pinegrove Partners  
22' Wide Duplex  
"B-C Composite" Elevation**

07.26.22

1x6 Fascia  
1x6 Frieze  
1x4 Trim  
1x8 Band

GMD-GA22046



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, standards, and MEP design requirements, unit price / floor plan changes, etc.)  
©2022 gmdesigngroup of ga, inc.