



CALL TO ORDER

MINUTES

A. Minutes of March 14, 2023

OLD BUSINESS

NEW BUSINESS

A. Annexation

- 1) Request from the **City of Gainesville** to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a **1200 and 1204 Marler Street**) and to establish a zoning of Heavy Industrial (H-I).
Ward Number: Three
Tax Parcel Number(s): 00-031-005-001B
Request: Department of Water Resources water/sewer services

B. Rezoning

- 1) Request from **Bradley Duncel** to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a **1113 and 1117 Green Street Circle**) from Residential-I (R-I) to Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 01-074-002-015 and 022
Request: Office uses

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: March 1, 2023
Date Submitted: March 21, 2023
Final Approval Date: March 21, 2023
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of March 14, 2023
Meeting Date: April 11, 2023

Purpose of Request:

The purpose of this 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 and 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. 2023-03-14 PAB DRAFT minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
MARCH 14, 2023

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

Members Present: Chairman Doug Carter, Vice-Chair Jane Fleming and Board Members Eddie Martin, Rich White, Kelvin Simmons, Ryan Thompson and Rick Young

Members Absent: None

Staff Present: Community & Economic Deputy Director Matt Tate and Recording Secretary Judy Foster

Others Present: Council Members George Wangemann and Barbara Brooks

MINUTES OF JANUARY 10, 2023

There was a motion to approve the minutes as presented.

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

OLD BUSINESS

NEW BUSINESS

A. Zoning Amendment Request

- 1) Request from **Gillsville Investment, LLC** to amend an existing Planned Unit Development (P-U-D) zoning on a 219.65± acres tract located northeast of the intersection of Athens Highway and Gillsville Highway, and southeast of the intersection of Athens Highway and Gaines Mill Road (a/k/a **2242 Gaines Mill Road, SE; 2579 and 2581 Gillsville Highway, SE**).

Ward Number: Three

Tax Parcel Number(s): 15-022C-000-010 and 15-023-000-014

Request: Single-family homes and townhomes

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

The applicant is proposing to amend the existing Planned Unit Development (P-U-D) zoning for 285 residential units consisting 172 single-family homes and 113 townhomes at a density of 1.31 du/acre. The subject property is 219.65± acres in size and was annexed with P-U-D zoning in 2019 for 375 single-family homes at a density of 1.71 du/acre. Recently, a land development permit was issued for the property for a 246 single-family lot subdivision known as “Glassmanor Ridge”. Due to the property’s topographical challenges and existing streams the development reduced the number of lots from 375 to 246.

In order to recapture some of the density, the applicant is proposing that one street within the development be redesigned to accommodate townhomes instead of single-family detached homes. If approved, there will be 90 less units than what is currently approved for the site.

Some of the adjacent uses include the Heritage Pointe Subdivision, single-family homes, limited commercial, a church and the GDOT Maintenance Complex.

The proposed single-family homes include two-story and ranch style homes at a minimum of 1,600 sf of heated floor space on minimum 7,800 sf lots which is consistent with the existing zoning standards. The proposed two-story townhomes will range from 1,700 to 1,733 sf of heated floor space. Amenities will include a pool, cabana, tot lot, mail kiosk and two pickle ball courts. Access to the development is proposed from Gillsville Highway and all interior roads will be dedicated to the City except for the townhome street which will remain private. A revised traffic Impact Study was performed for the proposal which is summarized within the staff report. The developer is coordinating with GDOT regarding the site access improvements on Gillsville Highway.

The property is located within the *Single-family Residential* land use category and *Suburban Neighborhood* Character area of the Comprehensive Plan which encourages diversified housing choices that may include smaller lot sizes to support a range of household incomes, sizes, types, but consist mostly of traditional single-family detached lots. The proposal is within density range and appears consistent with the Comprehensive Plan.

The Planning Division staff is recommending conditional approval of this Planned Unit Development (P-U-D) zoning amendment request, based on the Comprehensive Land Use Plan and the current approved use for the property. The existing P-U-D zoning conditions from Ordinance 2019-21 are recommended with no change.

Applicant Presentation: Steve Gilliam, 340 Jesse Jewell Parkway, Suite 300, stated he had Bill Schmidt of McKinley Homes with him to answer any technical questions. He stated the traffic study recommendations and six zoning conditions are acceptable to his client.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the zoning amendment request to the existing Planned Unit Development (P-U-D) for single-family homes and townhomes with the following conditions:

Conditions

1. The development standards within the narrative, site plan and architectural renderings submitted with the applicant's annexation application shall be made part of the zoning ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.
2. The owner/developer shall plant minimum 6-foot high evergreen buffer trees around all detention ponds, mail kiosk, amenity areas and park areas adjacent to the single-family lots. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
3. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director and the Georgia Department of Transportation. All required access/traffic/sidewalk improvements associated

with the proposed development or any additional improvements identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.

- 4. All interior roads shall meet City of Gainesville standards. Sidewalks within the remaining future phases shall be required on both sides of the road and shall be a minimum width of 5-feet.**
- 5. The developer shall reserve property within the proposed subdivision to provide for future access to the adjacent Heritage Pointe subdivision located to the north. The reserved property shall be a minimum of 55-feet in width extending to the property boundary and shall align with the reserved access lot within the Heritage Pointe subdivision. The property shall be designated as reserved on the final plat.**
- 6. The developer and current property owner consent to pay \$50,000.00 to be used solely for the purpose of contributing to the cost of a traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129). All funds shall be deposited no later than one month after the issuance of the initial land disturbance permit for the Planned Unit Development. All such payments will be deposited into an escrow account at a financial institution chosen by the City of Gainesville. The City of Gainesville shall choose an escrow agent, who shall be authorized to disburse the finds to the City of Gainesville as said funds are needed for the traffic signal at the intersection of Gaines Mill Road and Athens Highway (US 129).**

Motion made by Board Member White

Motion seconded by Board Member Simmons

Vote – 7 favor

ADJOURNMENT

There was a motion to adjourn the meeting at 5:39 p.m.

Motion made by Board Member Martin

Motion seconded by Board Member White

Vote – 7 favor

Respectfully submitted,

Doug Carter, Chairman

Judy Foster, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: March 10, 2023
Date Submitted: March 16, 2023
Final Approval Date: March 21, 2023
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from the **City of Gainesville** to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a **1200 and 1204 Marler Street**) and to establish a zoning of Heavy Industrial (H-I).
Meeting Date: April 11, 2023

Purpose of Request:

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City in order to expand maintenance operations for water and sewer services. The property is currently zoned Heavy Industrial (I-II) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). City of Gainesville property currently adjoins the property to the east and is also located across Marler Street. Other adjacent uses include older Gainesville Mill housing single-family and duplex homes in the county.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval. 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. Plat
5. Photos

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant and Property OwnerCity of Gainesville
Location1200 and 1204 Marler Street
Request.....Annex, with H-I zoning
Total Acres1.866±
WardThree
Proposed Use.....Department of Water Resources
water/sewer services
Planning Division Staff Recommendation.....**Approval**
DateApril 11, 2023

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

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City in order to expand maintenance operations for water and sewer services. There are no specific plans at this time regarding what improvements will be made to the property. The property is currently zoned Heavy Industrial (I-II) and Office Institutional (O-I) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). The property was previously occupied by a roofing and sheet metal contractor business. Properties owned by the City of Gainesville adjoin the subject property to the east and to the north across Marler Street which are used for public utility purposes. Other adjacent uses include older Gainesville Mill housing single-family and duplex homes in the county.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	City of Gainesville Water Resources	Heavy Industrial (H-I) - City
South	Single-family and duplex homes (Gainesville Mill housing)	Residential-II (R-II) - County
East	City of Gainesville Water Resources	Heavy Industrial (H-I) - City
West	Duplex home City of Gainesville Water Resources	Residential-II (R-II) - County Heavy Industrial (H-I) - City

▪ **Other Departmental Comments**

There were no other departmental comments for this request.

▪ **Zoning History**

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

2021 – A request by Scott Stringer to amend a 57.29± acres tract located within the Mundy Mill development at 0 Mundy Mill Road, SW and 0 Old Oakwood Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved to change the location of multi-family apartments and industrial/ office/ warehouse uses.

2021 – A request by Koch Foods of Gainesville, LLC to rezone 0.55± acre tract from Residential-II (R-II) to Heavy Industrial (H-I) located at 911, 913 and 919 Davis Street, SW was conditionally approved to expand the existing poultry processing plant.

2020- A request by the City of Gainesville to rezone 39.0± acres consisting of 25 properties located within Midtown Gainesville from Heavy Industrial (H-I), Light Industrial (L-I), General Business (G-B), Residential-II (R-II) to Office and Institutional (O-I) for existing uses was approved.

2020- A request by Davis Pine, LLC to rezone a 0.47± acre tract located at 890, 892 and 898 Wills Street, SW from General Business (G-B) to Residential-II (R-II) for seven multi-family apartments was approved with conditions.

2020- A request by the Gainesville Non-Profit Development Foundation to rezone a 1.07± acres tract located at 623, 635, 641 and 645 Davis Street, SW from General Business (G-B) and Heavy Industrial (H-I) to Residential-II (R-II) for four single-family homes was approved with conditions.

▪ **Staff Analysis**

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

The subject property has functioned for industrial purposes adjacent and nearby property consists of mostly Heavy Industrial zoned property within the jurisdictions of Gainesville and Hall County. However, the property is adjacent to established Gainesville Mill housing in the county which is zoned for residential purposes. The City of Gainesville currently owns and operates the adjacent properties to the east and to the north across Marler Street. It appears the proposal is suitable given how much of the adjacent properties are used for public purposes.

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

The proposed use should not adversely affect the existing use or usability of adjacent or nearby property over and above what uses are currently zoned for the property. Any future improvements made to the property will be required to adequately buffer the adjacent residential uses. It is anticipated that the property will function similarly as the adjacent Gainesville Water Resources operations.

(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 within the *General Mixed Use* land use category. This includes areas contain or are planned for a mixture of land uses including office, neighborhood retail, and detached and attached residential. The types of nonresidential uses that are desirable in this area would include restaurants, specialty retail and low intensity office.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Economic Development Gateways character area* which appears to support the applicant's proposal. This character area represents the industrial, warehousing and other commercial enterprises that parallel the I-985 and Norfolk-Southern railroad corridor. The primary vision for the area is to continue to support economic development while preserving and strengthening important natural and cultural resources. These areas include a wide range of office, business, light industrial, manufacturing, research, and development uses; and commercial uses that directly support or are otherwise linked to the dominant business use as well as mixed-use, residential (existing uses only), public / institutional, transportation / communications / utilities, and parks / recreation / conservation uses.

In addition, the Comprehensive Plan includes the subject property within the redevelopment concept plan for the Mill Village & Midland Infill area. The long-range plan envisions the old Gainesville Mill serving as a mixed-use building (retail/office/apartments) and surrounding properties consisting of mixed-use, light industrial, commercial, multi-family, townhomes and single-family uses as a way to reactivate and revitalize the area south of Midland.

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

The subject property is zoned Heavy Industrial (I-II) and Office Institutional (O-I) within unincorporated Hall County. The City of Gainesville recently acquired the property and desires to annex the property into the city limits with H-I zoning to be consistent with the adjacent City owned property.

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

The property will be used to expand existing Department of Water Resources Operations and will function in a similar manner as the adjacent Water Resources operations. City water and sewer services are currently provided to the property. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 0.8± mile from the subject property.

It is anticipated that the ingress and egress traffic movements will function similar to the existing industrial traffic along Marler Street and nearby Dean Street and Hancock Avenue. Traffic movements along Marler Street are acceptable but are periodically impacted due to the nearby Norfolk Southern railway train crossings. The property currently has three driveways that function adequately but are anticipated to be improved according to the needs for the Water Resources utility.

The proposed use will have no impact on the Gainesville City School System given the proposal is for public utility purposes.

(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?

This property is located near established industrial and residential uses. It is anticipated that the property will be utilized for public purposes but could eventually include mixture of residential and light industrial uses along Marler Street as part of the overall redevelopment of the Gainesville Mill Village. Revitalizing the area south of Midland is an important goal of the Gainesville Comprehensive Plan which will require annexing additional properties and improving nearby blighted properties. The city does this by engaging in neighborhood revitalization activities, demolition of dilapidated housing, and acquisition of vacant parcels. This development would provide a well-established neighborhood with new quality construction and a desirable housing option.

(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?

Due to the subject property's proximity to existing public facilities and industrial properties, the proposal appears to promote a reasonable balance between the interests of the City, the property owner, and neighboring residents and property owners.

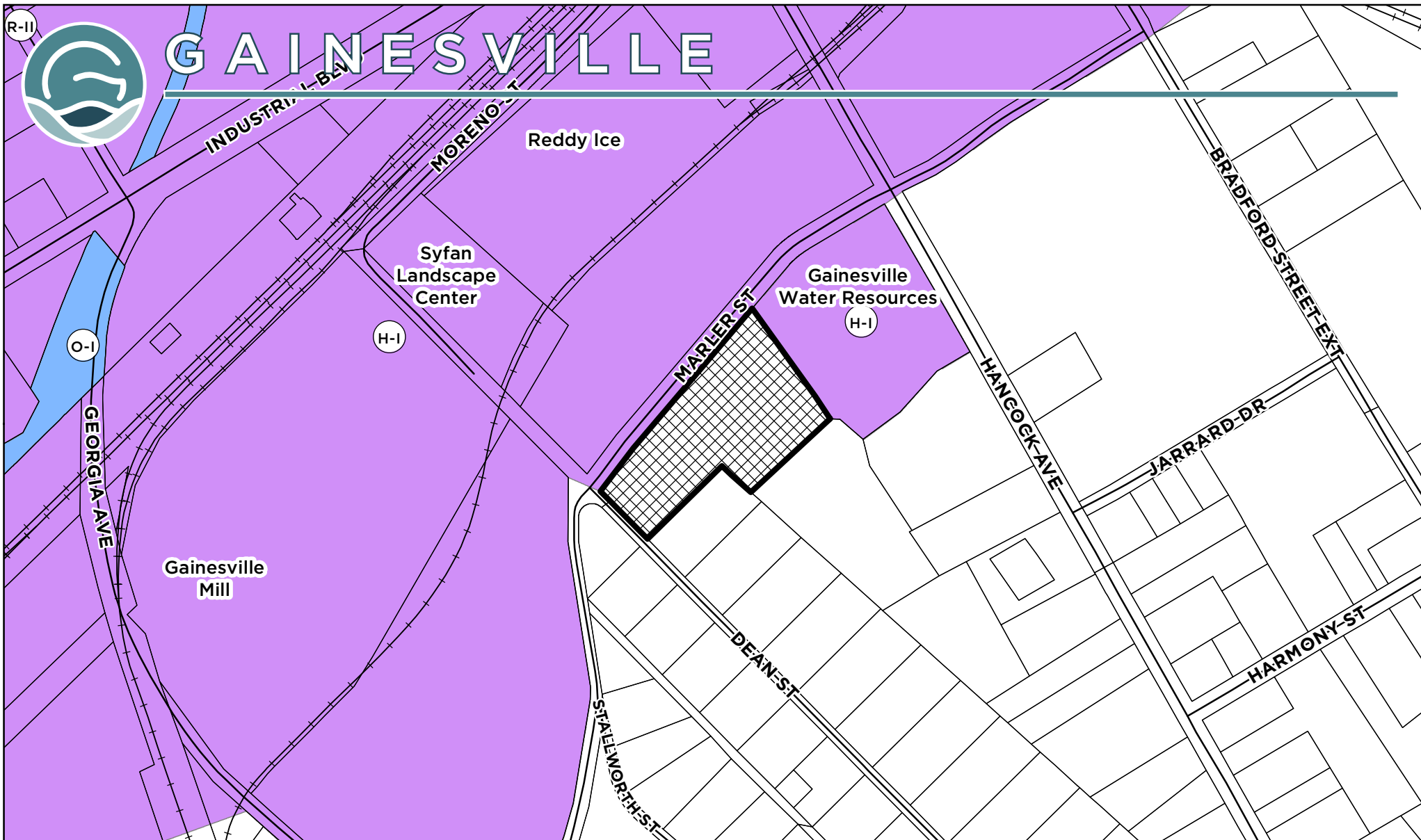
▪ **Staff Recommendation**

The Planning Division staff is recommending **approval** of this annexation request with **Heavy Industrial (H-I) zoning**, based on the Comprehensive Plan and the adjacent industrial uses.

R-II



GAINESVILLE



Applicant:

CITY OF GAINESVILLE

ANNEXATION REQUEST

Subject Property Address:

1200 & 1204 Marler Street

Tax Parcel:

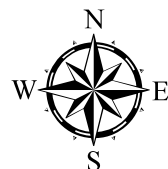
00-031-005-001B

Request:

Annex a 1.866+/- acres tract and establish zoning as Heavy Industrial (H-I) for water and sewer services for the Department of Water Resources



Subject Property



Meeting Date: 04/11/2023

Map Prepared: 03/01/2023

0 130 260 390 520 Feet

SCALE: 1" = 250'



GAINESVILLE



Applicant:

CITY OF GAINESVILLE

ANNEXATION REQUEST

Subject Property Address:

1200 & 1204 Marler Street

Tax Parcel:

00-031-005-001B

Request:

Annex a 1.866+/- acres tract and establish zoning as Heavy Industrial (H-I) for water and sewer services for the Department of Water Resources



Subject Property

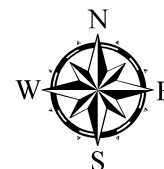
Aerial from 2021

Meeting Date: 04/11/2023

Map Prepared: 03/01/2023

0 130 260 390 520 Feet

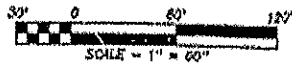
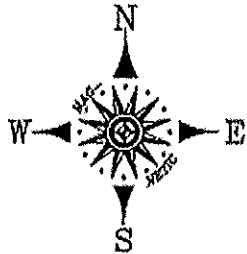
SCALE: 1" = 250'



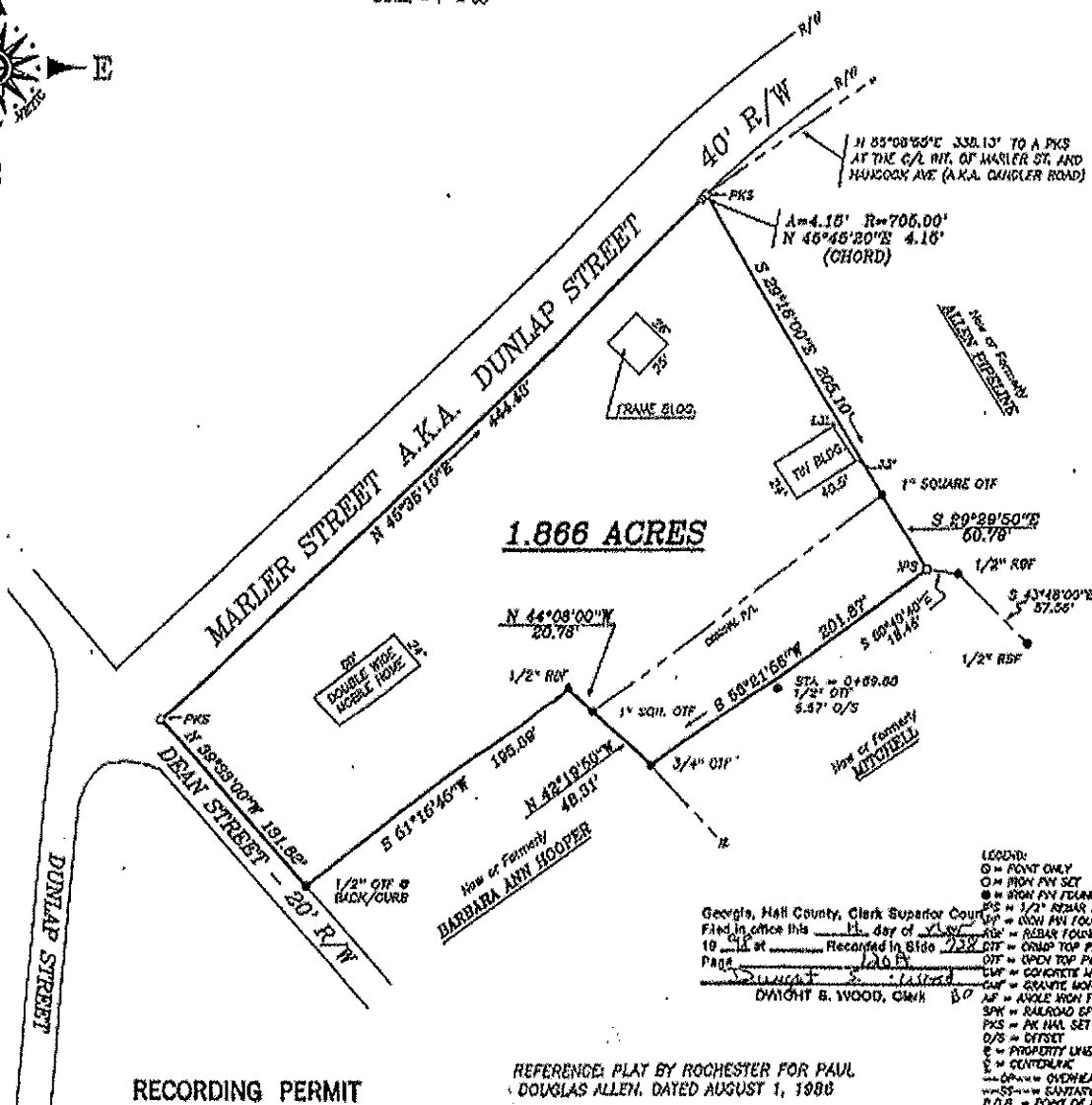
City of Gainesville Annexation Narrative

1200 and 1204 Marler Street

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City to expand water and sewer services as part of the Department of Water Resources. The property is currently zoned Heavy Industrial (I-II) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). City of Gainesville property currently adjoins the property to the east and is also located across Marler Street.



THIS PLAT IS SUBJECT TO ANY
EASEMENTS AND/OR RIGHTS
OF WAY HERETOFORE GRANTED.



Georgia, Hall County, Clerk Superior Court
Filed in office this 11. day of 11/19/90
10 of 11 at Recorded in Side 728 DT
Page 120 of 120
Dwight B. Wood, Clerk

LEGEND:
O = POINT ONLY
O = FROM ANY SET
O = FROM ANY FOUND
PS = 1/2\"/>

RECORDING PERMIT
By [Signature] 11-9-90
GAINESVILLE PLANNING COMMISSION

REFERENCE PLAT BY ROCHESTER FOR PAUL
DOUGLAS ALLEN, DATED AUGUST 1, 1988

	SURVEY FOR: PAUL DOUGLAS ALLEN		
	COUNTY: HALL	G.M.D.: 411 GAINESVILLE	STATE: GEORGIA
	DATE: OCTOBER 20, 1990	SCALE: 1" = 60'	PARTY CHIEF: WSB
	SURVEYED BY: BAUKNIGHT & ASSOCIATES, INC.		DRAWN BY: WSB
	W. SLATE BAUKNIGHT GEORGIA REG # 2534 2397 BETHANY BOWERSVILLE RD. CAULON, GA 30520 706-378-3918 706-245-0927 CALL TOLL FREE 1-800-376-3846		APPROVED BY: WSB
			OLD FILE: DGALLENE
		NEW FILE: DGALLENE	LOCATION MAP

THE FIELD EQUIPMENT USED FOR THIS SURVEY
WAS A SURVEY SET.
THE FIELD DATA OBTAINED FOR THIS PLAT IS
BASED UPON A CLOSURE PRECISION OF ONE
FOOT IN 12,562 FEET AND AN ANGULAR
ERROR OF 1" PER ANGLE POINT AND
WAS ADJUSTED USING 110 RULE. THIS
PLAT HAS BEEN CALCULATED FOR CLOSURE
AND IS FOUND TO BE ACCURATE WITHIN ONE
FOOT IN 12,562 FEET.
I HEREBY CERTIFY, THAT IN MY OPINION
THIS IS A CORRECT REPRESENTATION OF THE
LAND PLATED AND HAS BEEN PREPARED IN
CONFORMITY WITH THE MINIMUM STANDARDS
AND REQUIREMENTS OF THE LAW.





CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: March 10, 2023
Date Submitted: March 16, 2023
Final Approval Date: March 21, 2023
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Bradley Duncel** to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a **1113 and 1117 Green Street Circle**) from Residential-I (R-I) to Office and Institutional (O-I).
Meeting Date: April 11, 2023

Purpose of Request:

The applicant is proposing to rezone the property from Residential-I (R-I) to Office and Institutional (O-I) for office uses which may include a medical office/clinic, business service establishment or a general office. The proposed office building is one-story and approximately 2,000 square feet in size. The property consists of two parcels which contain a sewer easement in the middle of the two tracts along the combined property line. Shared access is proposed from the adjacent James Kennedy State Farm insurance office property which has an existing driveway on Green Street Circle. Other adjacent uses include a professional office, Stans Biscuits/Deli restaurant and single-family homes located to the rear of the property off of Green Street Circle. Jacobs Media/WDUN and the Thompson Court shopping center are located directly across Thompson Bridge Road.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval with four 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

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant.....Bradley Dunckel
Property OwnerJames E. Bates, Jr.
Location1113 and 1117 Green Street Circle
Request.....Rezone from R-I to O-I
Size.....0.48± acre
WardTwo
Proposed Use.....Office uses
Planning Division Staff Recommendation.....**Approval, with conditions**
DateApril 11, 2023

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

The applicant is proposing to rezone the subject 0.48± acre property from Residential-I (R-I) to Office and Institutional (O-I) for a 2,000 square foot office building which may include a medical office/clinic, business service establishment or a general office uses. The proposed office is designed as a one-story building and will provide a total of 10 parking spaces. Shared access is proposed from the adjacent James Kennedy State Farm Insurance office property which has an existing driveway on Green Street Circle.

The subject property consists of two undeveloped, wooded parcels which contain a sewer easement along the shared side property line. The property slopes upward 30 to 35 feet from the road. One of the properties (1113 Green Street Circle), is located within the Gateway Corridor Overlay Zone which ensures improved development quality for new development along the corridor. The proposal appears to adhere to the Overlay standards according to the pictures provided with the application that depict the type of architecture and scale of the office building.

There was a proposal in 2001 to rezone the subject property from Residential-I (R-I) to Office and Professional (O-P). The proposal included a 4,255 square foot medical office building, 20 parking spaces and a separate proposed driveway on Green Street Circle. The Planning Staff recommended approval with conditions. The Planning and Appeals Board (PAB) recommended denial. The zoning request was later withdrawn prior to the City Council meeting. The PAB recommendation of denial was due to the proposed size of the office building and an unresolved property boundary/access issue that involved the grassed median area fronting Thompson Bridge Road.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	James Kennedy Insurance Office	Planned Unit Development (P-U-D)
South	Professional Office	Residential & Office (R-O)
East	Stans Biscuits deli/restaurant; Jacobs Media/WDUN; Thompson Court Shopping Center	Neighborhood Business (N-B)
West	Single-family homes (Green Street Circle Neighborhood)	Residential-I (R-I)

- **Other Departmental Comments**

There were no other departmental comments for the request.

- **Zoning History**

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

2020 - A request by Clipper Petroleum, Inc to rezone a 0.41± acre tract with a special use located at 150 Christopher Drive; 1261 and 1265 Thompson Bridge Road from Residential-I (R-I) to Neighborhood Business (N-B) was approved with conditions for a convenience store with fuel pumps

2020 - A request by Walker-Lanier, LLC to rezone a 0.50± acre tract located at 989 Lanier Avenue and 1437 Walker Street from Residential-I (R-I) to Residential-II (R-II) was approved with conditions for duplex homes.

2017 - A request by The 5 MCS, LLC to rezone a 5.24± acres tract located at 1012 Enota Avenue from Residential-I (R-I) and Planned Unit Development (P-U-D) to Planned Unit Development (P-U-D) was approved with conditions for an assisted living facility, townhome cottages and a single-family home.

2017 - A request by Adams & Copeland, LLC for a special use for a hair salon and office within the Office and Institutional (O-I) zoning district located at 1665 Thompson Bridge Road was approved with conditions.

2017 - A request by Montecito Development for a special use for a convenience store with fuel pumps within the Neighborhood Business (N-B) zoning district located at 1281 Thompson Bridge Road was denied.

2017 - A request by Montecito Development to rezone a 0.48± acres tract located at 149 Enota Avenue from Office and Institutional (O-I) to Neighborhood Business (N-B) zoning district with a special use was denied.

2016 - A request by Jack Bailey to rezone a 0.61± acre tract located at 1665 Thompson Bridge Road NW from Residential-I (R-I) to Office and Institutional (O-I) was approved with conditions for an insurance office.

2016 - A request by Teresa Vickers for a special use for a hair salon within the Office and Institutional (O-I) zoning district located at 977 and 983 Enota Avenue was approved with conditions.

2015 - A request by David P. Johnson to rezone a 1.458± acres tract located at 1537 and 1551 Thompson Bridge Road; and 135 Virginia Circle from Residential-I (R-I) to Neighborhood Business (N-B) with a special use for a restaurant with drive-thru and retail was denied.

2014 – A request by Polestar Development, LLC to rezone a 1.741± acres tract located at 1435 Thompson Bridge Road from Residential-II (R-II) to Regional Business (R-B) for a grocery store and fuel service station was approved with conditions.

2013 - A request by Michael Slate to rezone a 0.67± acre tract located at 971 Lanier Avenue NE from Residential-I (R-I) to Residential and Office (R-O) for a professional office was approved with conditions.

- **Staff Analysis**

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

The adjacent properties include a mixture of residential, office and commercial uses. The subject property has retained its historic zoning of Residential-I (R-I) which is somewhat unusual in light of the nonresidential development that has occurred along this segment of Green Street Circle and Thompson Bridge Road. Similar office uses within the immediate vicinity include the Jim Kennedy State Farm Insurance, Trinity Engineering Group and Gainesville Dental Group.

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

The proposal appears to address the concerns raised during the previous 2001 rezoning request. The proposed office building is 2,000 square feet in size which is less than half the size of the previously proposed office building in 2001. Of comparison the adjacent residential and office buildings range from 924 and 2,825 square feet in size. In addition, shared access is now proposed which eliminates the need for a second driveway near the intersection of Green Street Circle and Thompson Bridge Road. As required by code, a vegetated buffer and no spill lighting will help screen the proposed office from the adjacent residential properties. In addition, the proposed office will operate during the day which should have minimal impact on the adjacent residential properties.

(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 within the *General Mixed-Use* land use category which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, detached residential and attached residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Traditional Neighborhoods Character Area*. Land uses allowed include Parks and recreation, single-family residential, multi-family residential, limited general mixed-use, commercial (retail and office), and public and institutional uses. Although the area is mostly built-out, opportunities for infill development should be promoted as they arise and neighborhood-serving businesses are encouraged.

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

The property is zoned for single-family residential purposes. The subject property has remained vacant for years in part due to the location, steep topography and previously unresolved access issues. Given the property is adjacent to other office and commercial uses, it appears the property is best suited for nonresidential purposes.

(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 proposal should not cause an excessive or burdensome use of public facilities or services. The development proposes to utilize City water and sewer services which are available and have capacity. Existing public safety services already respond to the adjacent and nearby properties. Gainesville Fire Station #1 located off of Queen City Parkway is approximately 2.1± miles away; Gainesville Fire Station #2 is located approximately 2.0± miles off of Cleveland Highway and Gainesville Fire Station #3 is located approximately 3.6± miles off of Nancy Creek Road.

Traffic generated from the proposed office should be minimal given the scale of the development and the limited parking spaces. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), a medical office could generate 72±

new trips per weekday (50% entering, 50% exiting), including 7 A.M. and 9 P.M. peak hour trips. A traffic impact study was not required for the proposal.

The proposed use will have no impact on the Gainesville City School System given the proposal is for office purposes.

(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 property is located within a mixed-use area that includes uses such as residential, office and neighborhood scale retail. The nearby properties fronting Thompson Bridge Road and this segment of Green Street Circle have transitioned from residential uses to nonresidential uses over the past 30 years. The proposed office use is consistent with the Comprehensive Plan and appears to be in scale with the surrounding structures.

(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 nonresidential uses, it appears the proposed office use reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property, with the proposed original zoning conditions.

▪ **Staff Recommendation**

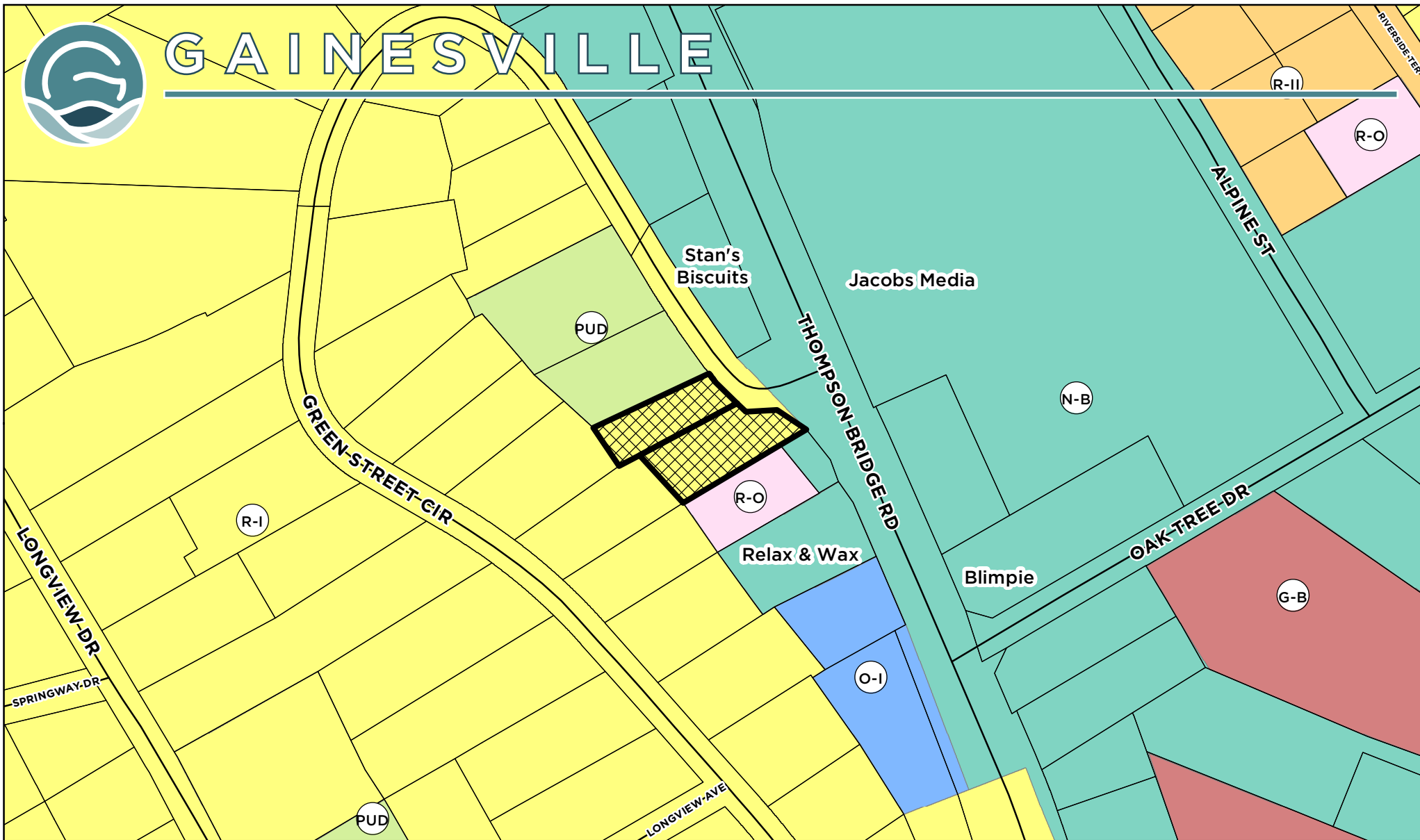
The Planning Division staff is recommending **conditional approval** of this rezoning request with **Office and Institutional (O-I) zoning**, based on the Comprehensive Plan and the adjacent residential and non-residential land uses.

Conditions

1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards. Specifically, the proposed office building shall not exceed 2,000 square feet in size and constructed with a minimum 6:12 pitched roof.
2. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.
3. A mixture of evergreen and deciduous buffer trees shall be planted within the required 25-foot wide buffer area adjacent to the single-family lots located to the rear of the property. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
4. Vehicular access to the subject property shall be from the adjacent driveway as shown on the applicant's site plan and shall require review and approval by the Gainesville Public Works Department Director.



GAINESVILLE



Applicant: **BRADLEY DUNCKEL**

REZONING REQUEST

Subject Property Address:
1113 & 1117 Green Street Circle, NW

Tax Parcel:
01-074-002-015 & 022

Request:

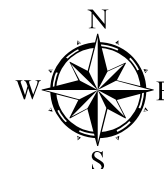
Rezone a 0.48+/- acre tract from Residential-I (R-I) to Office and Institutional (O-I) for an office building



Subject Property

0 80 160 240 320 Feet

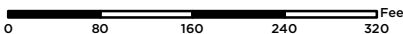
SCALE: 1" = 167'

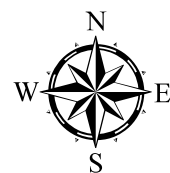




GAINESVILLE



Applicant: BRADLEY DUNCKEL		Request: Rezoning a 0.48+/- acre tract from Residential-I (R-I) to Office and Institutional (O-I) for an office building	
REZONING REQUEST			
Subject Property Address: 1113 & 1117 Green Street Circle, NW	Tax Parcel: 01-074-002-015 & 022	 Subject Property	Aerial from 2021
Meeting Date: 04/11/2023	Map Prepared: 03/02/2023		SCALE: 1" = 167'



Project Narrative – Re-Zoning

LOCATION – 1113 & 1117 Green Street Circle

ACREAGE – 0.48 acres +/-

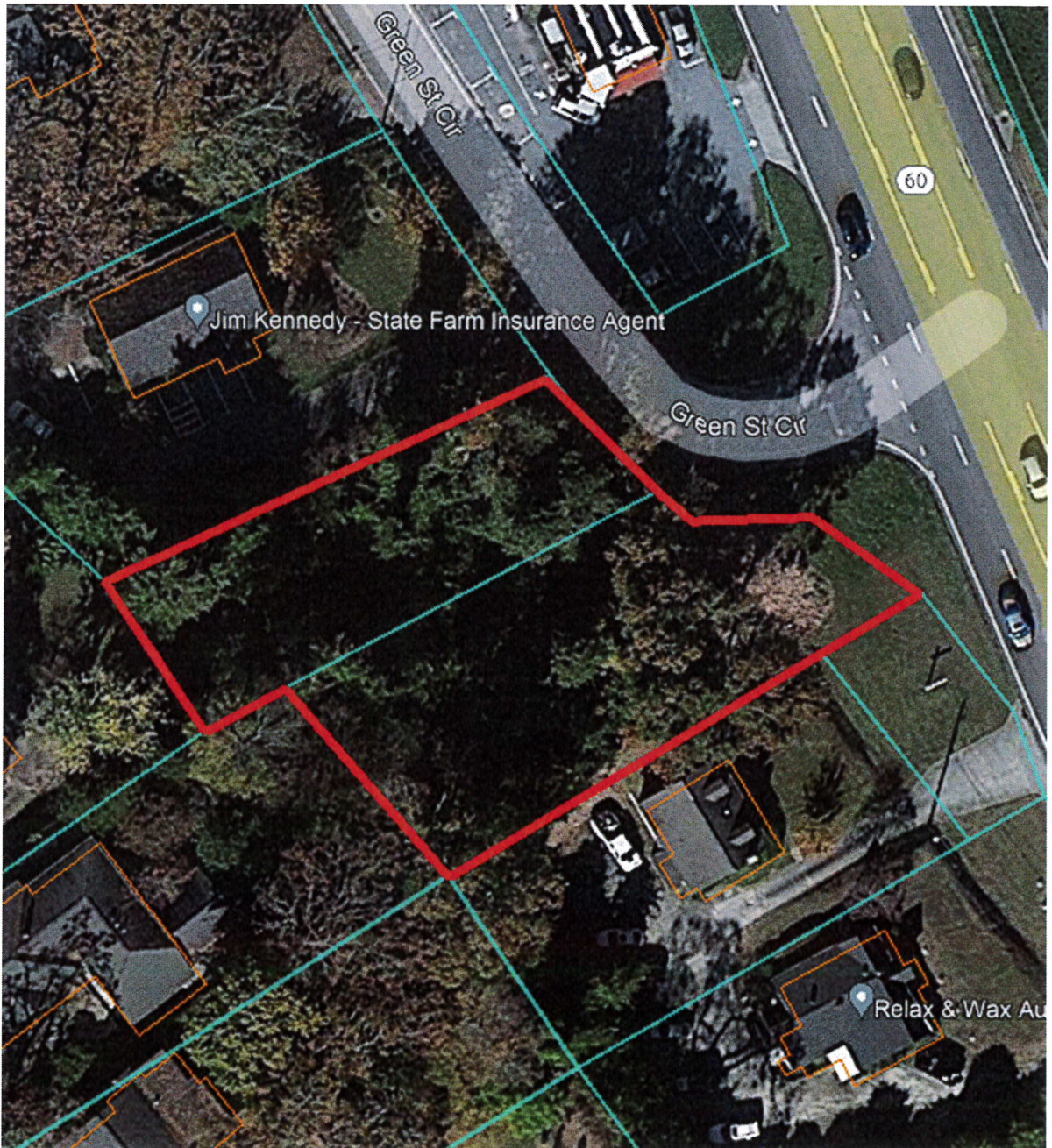
APPLICANT – Bradley Dunckel

Summary

The accompanying application seeks a zoning change from R-1 to O-I (Office/Institutional) for a 0.48 +/- acre undeveloped lot in two separate parcels. The parcel is located on Green Street Circle near its intersection with Thompson Bridge Road (SR 60). The intent is obtain a zoning change that would allow development of an office building on the lot. The proposed use is consistent with the City's 2040 Comprehensive Plan for this area, which is described as "General Mixed Use" and includes "areas containing or planned for a mixture of land uses including office, neighborhood retail, and detached and attached residential. The types of non-residential uses that are desirable in this would include restaurants, specialty retail, and low intensity office".

Site Description

The site consists of two adjacent parcels, located at 1113 & 1117 Green Street Circle



Adjacencies

The R-II property is surrounded by a variety of zonings including, PUD to the North, R-1 to the West and R-O to the south. Property to the east (across Green St. Circle) is zoned as N-B.

Access

Access to the property is planned from an existing driveway located on the parcel to the north owned by James C. Kennedy, through an access easement with Mr. Kennedy. The joint use of the existing driveway will eliminate the need for an additional driveway from the property, in an area where the proximity to the Green Street Circle/Thompson Bridge Road intersection could create traffic conflicts.

Comprehensive Plan Consistency

The project is located within the “Traditional Neighborhoods” character area designation of the 2040 Comprehensive Plan, which recognizes the need for “infill commercial development” along Thompson Bridge Road.

Proposed Uses (as described in Table 9.6.1)

- Clinic
- Business Service Establishment
- Office

Lighting, Signage & Graphics

All outdoor lighting and signage will follow the guidelines and requirements of the City of Gainesville code. Low spill fixtures, up lighting and low impact signage will be utilized to mitigate negative impacts. All exterior street and directional signage will be coordinated to promote a unified and coordinated plan.

Architectural

Dimensional Requirements

Dimensional Requirements shall follow those outlined in Table 9-6-2 with the following variance requests:

- Reduce side setback to R-O from 25' to 10'.

Office	Office: A building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind on the premises. Includes medical, dental, clinical, CPA, attorney, and real estate offices among others. This term includes freight agency or shipping coordinators involved in the remote arrangement of freight or cargo transportation.
Clinic	Clinic: An institution or professional office, other than a hospital or nursing home, where persons are counseled, examined, and/or treated by one or more persons providing any form of healing or medical health service. Persons providing these services may offer any combination of counseling, diagnostic, therapeutic or preventative treatment, instruction, or services, and which may include medical, physical, psychological, or mental services and facilities for primarily ambulatory persons. Patients are not lodged overnight and are admitted for examination or treatment requiring only short (e.g., a matter of a few hours) recovery time.

Business service establishment	Business service establishment: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming and data processing, photocopying, blueprinting and duplication services, commercial art and graphic design, mailing agencies, employment services, detective, protective, and security system services, accounting, auditing, and bookkeeping services, messenger services and couriers, business consulting firms, interior decorating, locksmiths, and uniform rental and cleaning.
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APPLICANT INFORMATION:

BRADLEY DUNCKEL
3703 TIMBER WALK DRIVE
GAINESVILLE, GA 30506
770-363-1997
BDUNCK@GMAIL.COM

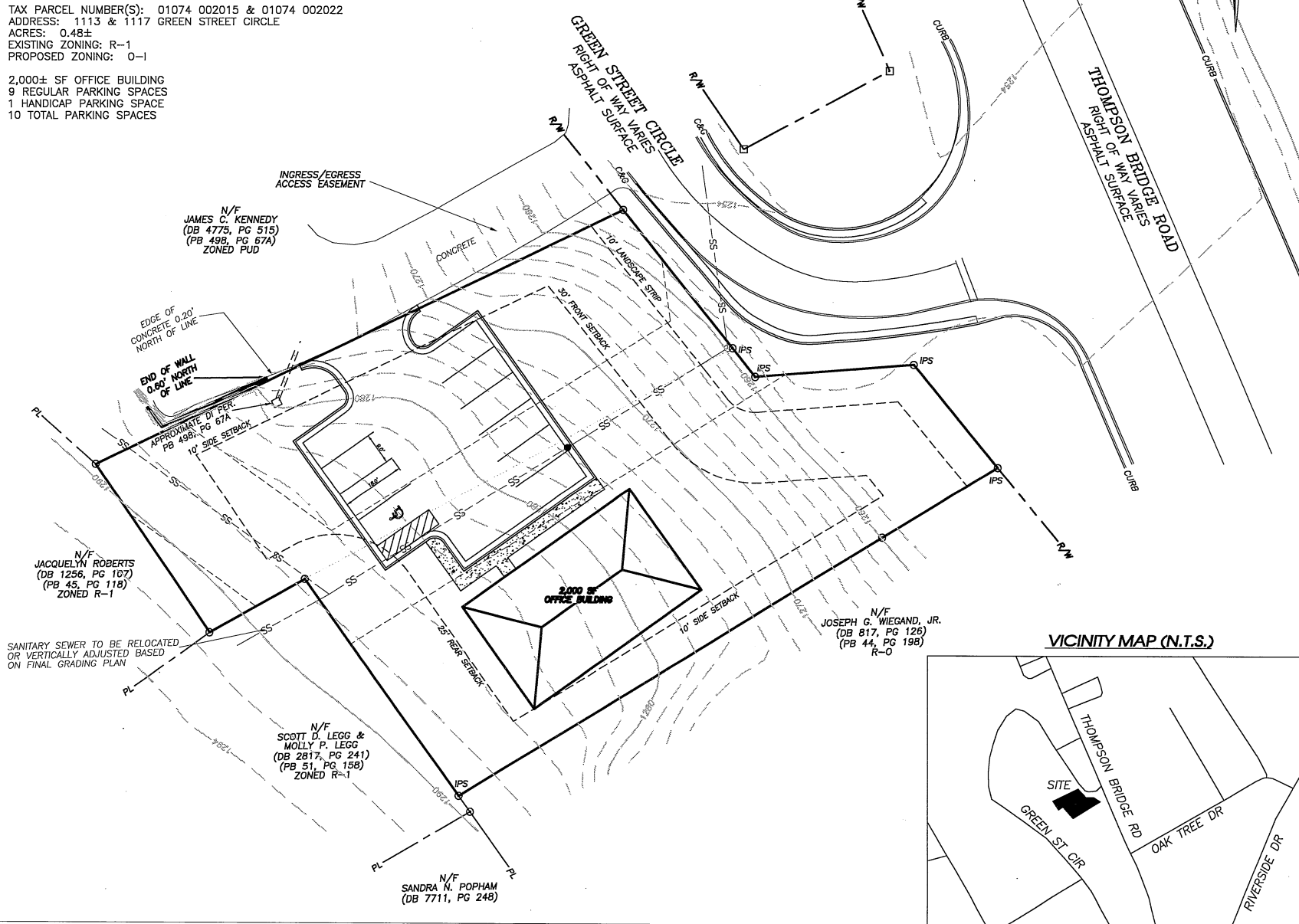
PROPERTY OWNER INFORMATION:

JAMES E. BATES, JR.
2275 LIMESTONE PARKWAY
GAINESVILLE, GA 30501
770-654-1132
JEBBER58@GMAIL.COM

SITE NOTES

TAX PARCEL NUMBER(S): 01074 002015 & 01074 002022
 ADDRESS: 1113 & 1117 GREEN STREET CIRCLE
 ACRES: 0.48±
 EXISTING ZONING: R-1
 PROPOSED ZONING: O-1

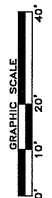
2,000± SF OFFICE BUILDING
 9 REGULAR PARKING SPACES
 1 HANDICAP PARKING SPACE
 10 TOTAL PARKING SPACES

**VICINITY MAP (N.T.S.)**

REZONING PLAN
 FOR
GREEN STREET CIRCLE

LOCATED IN LAND LOT 146, 9TH DISTRICT
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS



SHEET
1
 OF
1
 DATE: 12-23-2022
 SCALE: 1"=20'

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Robert S. Cleveland
 ROBERT S. CLEVELAND, PLS # 2894
 scleveland@rochester-assoc.com
 Rochester and Associates, LLC.
 LSF-000484 EXPIRATION 6/30/2024
 www.rochester-assoc.com

11/15/22
 DATE

THIS BLOCK RESERVED FOR THE
 CLERK OF THE SUPERIOR COURT

LEGEND

C&G - CURB & GUTTER
 CTP - CRIMP TOP PIPE
 CL - CENTER LINE
 CLF - CHAIN LINK FENCE
 CTF - CRIMP TOP PIPE FOUND
 DB, PG - DEED BOOK, PAGE
 DI - DROP INLET
 GW - GUY WIRE
 IPS - IRON PIN SET (1/2" REBAR)
 JB - JUNCTION BOX
 LL - LAND LOT LINE
 LLL - LAND LOT LINE
 MH - MANHOLE
 MON - MONUMENT
 OT - OPEN TOP PIPE
 N/F - NOW OR FORMERLY
 -P- - POWER LINE
 -P/T- - POWER & TELEPHONE LINE
 PBX - POWER BOX
 PL - PROPERTY LINE
 POB - POINT OF BEGINNING
 PP - POWER POLE
 RB - REBAR
 R/W - RIGHT OF WAY
 -SS- - SANITARY SEWER LINE
 -T- - TELEPHONE LINE
 -UC- - UNDERGROUND COMMUNICATION
 -UE- - UNDERGROUND ELECTRIC
 -UP- - UNDERGROUND POWER
 -UT- - UNDERGROUND TELEPHONE
 -W- - WATER LINE
 WM - WATER METER



N/F
 JAMES C. KENNEDY
 (DB 4775, PG 515)
 (PB 498, PG 67A)

EDGE OF CONCRETE 0.20'
 NORTH OF LINE
 APPROXIMATE DI PER.
 PB 498, PG 67A

END OF WALL
 0.60' NORTH
 OF LINE

TRACT "A"
 0.203 ACRES
 OR
 8,835 SQ. FT.
 N/F
 JAMES E. BATES, JR.
 (DB 6063, PG 353)
 (PB 45, PG 118)

TRACT "B"
 0.268 ACRES
 OR
 11,659 SQ. FT.
 N/F
 JAMES E. BATES, JR.
 (DB 6323, PG 511)
 (PB 51, PG 204)

N/F
 JOSEPH G. WIEGAND, JR.
 (DB 817, PG 126)
 (PB 44, PG 198)

N/F
 SCOTT D. LEGG &
 MOLLY P. LEGG
 (DB 2817, PG 241)
 (PB 51, PG 158)

N/F
 SANDRA N. POPHAM
 (DB 7711, PG 248)

SURVEY NOTES

1. THE FIELD DATA DATED 11/15/22 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,549 FEET AND AN ANGULAR ERROR OF 08" SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. A TRIMBLE S-SERIES ROBOTIC TOTAL STATION WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 276,004 FEET.
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE (R10-2) GNSS GPS RECEIVER WITH A TRIMBLE TSC7 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY TRIMBLE NAVIGATION. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POSITIONS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
5. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND VISIBLE EVIDENCE. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. THIS PROPERTY ARE LOCATED IN ZONE "X" AS PER F.E.M.A. INSURANCE RATE MAP OF HALL COUNTY, GEORGIA. COMMUNITY PANEL NO. 13139C01796, EFFECTIVE DATE APRIL 4, 2018.
10. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484", UNLESS OTHERWISE NOTED.
11. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
13. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER)



Rochester **DECM**

Rochester and Associates, LLC
 425 Oak St NW, Gainesville, GA 30601
 770.718.0600 p | www.rochester-assoc.com

RETRACEMENT SURVEY FOR:
JAMES E. BATES, JR
 LOCATED IN LAND LOT 146, 9TH DISTRICT
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS



SHEET OF **11**
 DATE: 11/15/22
 SCALE: 1"=40.00'
 DRAWN BY: SSC
 FILE NO.: 18BY01



Representative Only



Representative Only



Representative Only