



Work Session Agenda
Thursday, July 13, 2023, 9:00 AM
Administration Building, Boardroom (3rd Floor)
300 Henry Ward Way, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

DEPARTMENT ISSUES:

Financial Services

- Resolution: Declaration of Surplus Property Brenda Carpio

Public Works

- Resolution: Waltkoch, Ltd. Airport Lease Extension Agreement Lisa Poole

Community & Economic Development

- **Public Hearing Item: July 18, 2023 Council Meeting** Abb Hayes
Request from **Dutton Properties, LLC** to annex a 1.44± acres tract located on the north side of Beverly Road, east of the intersection of Limestone Parkway and Beverly Road (a/k/a **2041 Beverly Road**) and to establish a zoning of Office and Institutional (O-I). **Ward Number: Two**. Tax Parcel Number: 09-124-000-007. **Request: Medical office.**
- **Public Hearing Item: July 18, 2023 Council Meeting** Abb Hayes
Request from **Dutton Properties, LLC** to amend the existing zoning conditions for a 2.01± acres tract zoned Office and Institutional (O-I) located on the northeast side of the intersection of Limestone Parkway and Beverly Road (a/k/a **0 Beverly Road, NE**). **Ward Number: Two**. Tax Parcel Number: 09-124-000-202. **Request: Medical Office.**

CITY MANAGER ISSUES:

MAYOR ISSUES:

- Appointment(s): Metropolitan Planning Organization - Citizens Advisory Committee Sam Couvillon

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Tuesday, July 11, 2023, 9:46 AM



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: June 13, 2023
Date Submitted: July 5, 2023
Final Approval Date: July 10, 2023
Presenter: Brenda Carpio, Budget and Purchasing Manager
Item of Business: Resolution: Declaration of Surplus Property
Meeting Date: July 13, 2023

Purpose of Request:

Requesting Council declare the property on the attached listings as surplus for public sale or disposal.

Facts & Issues / History & Background:

The City's Capital Asset policy dictates the procedure for transferring assets that have outlived their useful life to surplus. This policy has been followed with the assets listed on Attachment A and B. Finance periodically requests that property be declared surplus in order to sell or dispose of property in a timely and orderly manner. Surplus property that was purchased by the City is offered to other City departments before a sale takes place. Property seized or confiscated by the Police department is not offered to City departments.

Department Recommendation:

Approve the resolution for property listed on Attachments A and B be declared as surplus.

Department Director:

Jeremy Perry

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

Amount Requested:

N/A

Sources of Funds:

N/A

Finance Comments:

N/A

Administrative Comments:

N/A

Attachments:

1. Resolution: Declaration of Surplus Property
2. Attachment A: Tagged- Final
3. Attachment B: Non-Tagged-Final

RESOLUTION BR-2023 - ____

Declaration of Surplus Property

WHEREAS, the City Finance staff recommends that the attached list (Attachment A and B) of property be declared surplus and made available for the sale or donation in accordance with Resolution BR-90-81 adopting the City's Purchasing Policies and Procedures; and

WHEREAS, it has been determined that the attached list of property has served beyond its useful life and the City Finance staff believes that the method of disposal shall be by sale at auction to the highest bidder in accordance with the policies and procedure, or dispensation in a manner approved by the City Manager; and

WHEREAS, the City Finance staff shall set a date, place and time for the appropriate sale; and

WHEREAS, the method of disposal of surplus property shall be an auction, utilizing GovDeals, an online auction company recommended by the Georgia Municipal Association, with concurrence of the City Attorney, City Clerk, and City Manager in accordance with the policies and procedures, or dispensation in a manner approved by the City Manager; and

WHEREAS, funds derived from the sale of surplus property shall be deposited to the appropriate fund and account as determined by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby declare this property surplus and available for public sale or disposal as approved by the City Manager, and that any item not sold at the sale shall be disposed of in an appropriate manner with concurrence of the City Manager.

Adopted this ____ day of _____, 2023.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

Tagged Assets

Asset #	Asset Description	Dept #	Purchase Date	Attachment A Purchase Cost
Inspections				
12568	2002 Ford Ranger Ext Cab 4x4	7220	1/30/2007	\$ 20,000.00
Planning & Zonning				
11372	2004 Chevy 1500 4X4	7410	9/11/2003	\$ 17,588.00
Stormwater				
12410	2006 Volvo BL-60 4x4 Backhoe	4250	10/30/2006	\$ 49,254.00
PW. Streets				
11399	2004 Ford F150 Long Bed	4200	9/3/2003	\$ 20,618.00
11723	2005 Ford F250 4x4	4200	9/2/2004	\$ 25,053.00
11982	2006 Ford F250 4x4	4200	9/14/2005	\$ 20,457.00
13103	2010 Ford F350 Cab and Chassis only duallyFord	4200	8/18/2009	\$ 31,237.00
14198	Hustler X-One Mower	4200	2/27/2013	\$ 6,874.99
14599	Hustler X-One Mower	4200	4/18/2014	\$ 7,458.80
Fire				
14169	2013 Ford F150 Ext Cab 4x4	3500	10/30/2012	\$ 22,517.00
Police				
13824	2011 Chevy Caprice	3200	6/30/2012	\$ 34,326.68
13826	2011 Chevy Caprice	3200	6/30/2012	\$ 34,341.18
13828	2012 Chevy Caprice	3200	6/30/2013	\$ 34,253.28
14260	2013 Chevy Caprice	3200	9/13/2013	\$ 36,470.66
Department of Water Resources				
12682	2007 New Holland B95 Backhoe Loader	4440	8/8/2007	\$ 47,666.00
15489	Hardee LR40142 Cutter Attachment	4330	5/24/2016	\$ 14,450.00

Non-Tagged Assets

Attachment B

Asset #	Asset Description	Dept #	Comments
Police			
NO TAG	Cadillac Escalade	3200	SEIZED
NO TAG	Chevy SS Camaro	3200	SEIZED
NO TAG	BMW 535 4dr.	3200	SEIZED
NO TAG	Toyota Camry 4 dr.	3200	SEIZED
NO TAG	Misc. PD Electronics	3200	BELOW THRESHOLD

Human Resources			
NO TAG	2- Detento Stand Up Scales	1540	BELOW THRESHOLD
NO TAG	Exam Table	1540	BELOW THRESHOLD
NO TAG	Kitchen Countertop with Sink	1540	BELOW THRESHOLD

Community Service Center			
NO TAG	Miscellaneous Equipment from Transit Buses	7561	BELOW THRESHOLD

Vehicle Services			
NO TAG	Miscellaneous Vehicle Parts	4990	BELOW THRESHOLD

Department of Water Resources			
NO TAG	Sandstorm Sandblaster	4900	BELOW THRESHOLD
NO TAG	Misc. Locator Equip/ Leak Detector	4440	BELOW THRESHOLD



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: June 22, 2023
Date Submitted: July 5, 2023
Final Approval Date: July 10, 2023
Presenter: Lisa Poole, Airport Manager
Item of Business: Resolution: Waltkoch, Ltd. Airport Lease Extension Agreement
Meeting Date: July 13, 2023

Purpose of Request:

To authorize a lease extension agreement with Waltkoch, Ltd.

Facts & Issues / History & Background:

The City of Gainesville entered into a Lease Agreement on August 9th, 1978, for Tract A-19 of the Airport Industrial Park with Waltkoch, Ltd. and Waltkoch, Ltd. desires to extend the Lease through August 31, 2033.

Department Recommendation:

Adopt the resolution.

Department Director:

Chris Rotalsky

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Resolution: Waltkoch Airport Lease Extension Agreement
2. Attachment Letter: WaltKoch, LTD Lease Extension Request
3. Attachment: WaltKoch Memorandum Airport Lease Extension Agreement

RESOLUTION BR-2023 - ____

Waltkoch, Ltd. Airport Lease Extension Agreement

WHEREAS, the City of Gainesville entered into a Lease Agreement on August 9, 1978, for Tract A-17 of the Airport Industrial Park (said Lease Agreement hereinafter referred to as “the Lease”) with WaltKoch, Ltd. as the Lessee; and

WHEREAS, by the attached letter from Sam Stanford, General Manager of WaltKoch, Ltd. to the City’s Airport Manager, Lisa Poole, dated February 27, 2023 (said letter hereinafter referred to as “the Letter”), Lessee notified the City of Lessee’s desire to extend the Lease through August 31, 2033; and

WHEREAS, the City hereby approves Lessee’s request to extend the Lease through August 31, 2033, with the terms of said extension to be the same as those set forth in the attached Lease Extension Agreement, with the exception that the monthly rent shall be increased to \$2,254.16.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the attached Lease Extension Agreement as set forth above.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager, and City Attorney to sign such documents as necessary to effectuate the extension of the Lease.

Adopted this _____ day of _____ 2023.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

770 536-0224
Telephone
770 535-7809
Facsimile



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WALT KOCH LTD.

Ms. Lisa Poole
Airport Manager
City of Gainesville
Public Works Department

02/27/2023

Re: Lease Agreement between City of Gainesville and WaltKoch, LTD. – Airport
Industrial Park; AIP Lot A-17.

Dear Ms. Poole,

Whereas our latest ten-year extension of our land lease is set to expire on August 31,
2023, WaltKoch LTD. would like to extend the lease term an additional ten years
(expiring on August 31, 2033).

Please acknowledge receipt of, and agreement with this proposed extension.

Sincerely,

Sam Stanford
General Manager-WaltKoch, LTD
1025 Airport Parkway
Gainesville, GA 30501

MEMORANDUM OF LEASE EXTENSION

THIS MEMORANDUM OF LEASE EXTENSION (this “Memorandum”), is made and entered into effective as of the 1st day of September, 2023, by and between **CITY OF GAINESVILLE, GEORGIA**, a municipal corporation of the State of Georgia, as Party of the first part (hereinafter referred to as “City”), and **WALTKOCH, LTD.**, a Georgia corporation, as Party of the second part (hereinafter referred to as “WaltKoch”); the words “City” and “WaltKoch” include their respective heirs, successors, and assigns where the context requires or permits.

W I T N E S S E T H:

WHEREAS, WaltKoch is the lessee of certain real property located in the City of Gainesville, Hall County, Georgia under the terms of that certain Lease Agreement between the City and WaltKoch, Ltd. dated August 9, 1978 (the “Lease”);

WHEREAS, WaltKoch has requested to extend the Lease through August 31, 2033 (the “Lease Extension”);

WHEREAS, the City and WaltKoch wish to give notice of the Lease Extension by executing this Memorandum.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. All provisions of the Lease, in addition to the recitals set forth hereinabove, are incorporated herein by this reference as fully as if set forth herein verbatim, with the sole exception that the monthly rent due under the Lease shall be increased to \$2,254.16.
2. City and WaltKoch hereby agree that the term of the Lease shall be extended through the 31st day of August, 2033.
3. This Memorandum is executed, delivered and recorded for the purpose of giving notice of the Lease Extension and is not intended to supersede or vary any provisions of the Lease, other than as set forth herein.
4. This Agreement may be executed in two or more identical counterparts. Each fully or partially executed counterpart shall be deemed an original, but all of such counterparts taken together shall constitute one and the same instrument.

[SIGNATURES ON SUCCEEDING PAGES]

IN WITNESS WHEREOF, City has caused this Memorandum to be duly executed under seal and delivered by its authorized representative on the day and year first above written.

CITY:

Signed, sealed and delivered
in the presence of:

CITY OF GAINESVILLE, GEORGIA

Unofficial Witness

By: _____ (SEAL)
Bryan Lackey, City Manager

Notary Public

Attest: _____
Denise O. Jordan, City Clerk

My Commission Expires: _____

[NOTARY SEAL]

APPROVED AS TO FORM

Abbott S. Hayes, Jr., City Attorney

IN WITNESS WHEREOF, WaltKoch has caused this Memorandum to be duly executed under seal and delivered by its authorized representative on the day and year first above written.

WALTKOCH:

Signed, sealed and delivered
in the presence of:

WALTKOCH, LTD.

Unofficial Witness

By: _____ (SEAL)
S. Keith Steinberg, CEO

Notary Public

Attest: _____
Cynthia Groover, Secretary

My Commission Expires: _____

[NOTARY SEAL]



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: June 22, 2023

Date Submitted: June 22, 2023

Final Approval Date: July 10, 2023

Presenter: Abb Hayes, City Attorney

Item of Business: **Public Hearing Item: July 18, 2023 Council Meeting**
Request from **Dutton Properties, LLC** to annex a 1.44± acres tract located on the north side of Beverly Road, east of the intersection of Limestone Parkway and Beverly Road (a/k/a **2041 Beverly Road**) and to establish a zoning of Office and Institutional (O-I). **Ward Number: Two**. Tax Parcel Number: 09-124-000-007. **Request: Medical office.**

Meeting Date: July 13, 2023

Purpose of Request:

To provide an overview of the following zoning request as presented at the June 13, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The applicant is proposing to annex the subject property with a zoning of Office and Institutional (O-I) in order to connect to sewer for a medical office. The property is wooded and is zoned Agricultural Residential-III (AR-III) within unincorporated Hall County. The property is contiguous to the city limits on all sides. The intent is to combine the subject property with the adjacent property to the west, which is described in the following zoning amendment request. The proposed two-story medical office is approximately 27,200 square feet in size (80' x 170') and will be designed set into the hillside so that access for each level will be at grade with upper and lower level parking. Access is proposed from Beverly Road and from an existing curb cut on Limestone Parkway which will require an access easement. The proposed medical office will adhere to the Limestone Parkway Overlay Zone requirements and will include brick facade materials and a pitched roof. The adjacent properties include medical offices, New Horizons Limestone nursing home, The Landings of Gainesville assisted living facility, single-family rental home and undeveloped land.

Department Recommendation:

Staff and PAB recommended approval with four conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2023- :

I move to approve the ordinance to annex the subject property for a medical office as presented.

Approval of Ordinance 2023- :

I move to approve the ordinance to establish zoning as Office and Institutional (O-I) with four conditions as presented.

Denial of the Request:

I move to deny the request.

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. Legal Ad
2. PAB Recommendation Report
3. Proposed Annexation Ordinance
4. Proposed Zoning Ordinance
5. Location Maps
6. Narrative
7. Site plan
8. Survey
9. Photos

GAINESVILLE PLANNING and APPEALS BOARD

RECOMMENDATION

Applicant and Property OwnerDutton Properties, LLC

Location2041 Beverly Road; 0 Beverly Road, NE

Request.....Annex with O-I zoning
Amend existing O-I zoning conditions

Total Acres3.45± acres
Annexation: 1.44± acres
Amendment: 2.01± acres

WardTwo

Proposed Use.....Medical office

Planning Division Staff Recommendation.....**Approval, with conditions**

Planning & Appeals Board Recommendation.....**Approval, with conditions**

DateJune 13, 2023

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

The applicant is proposing to annex a 1.44± acres tract with Office and Institutional (O-I) zoning and to amend the zoning conditions on an adjacent 2.01± acres tract zoned currently O-I. The properties total 3.45± acres in size and are located within the Limestone Parkway Overlay Zone.

The proposed annexation includes property zoned Agricultural Residential-III (AR-III) within unincorporated Hall County and is contiguous to the city limits on all sides. The proposed zoning conditions amendment includes property originally part of a larger tract that received special use approval in 2007 for an assisted living facility. The parent property has since been developed but the remnant subject property has remained undeveloped.

The intent is to combine both properties and develop a two story, 27,200 square foot medical office building. The building is designed to set into the hillside so that access for each level will be at grade with upper and lower level parking. Access is proposed from Beverly Road and from an existing curb cut on Limestone Parkway which will require an access easement. The proposed medical office will adhere to the Limestone Parkway Overlay Zone requirements and will include brick facade materials and a pitched roof.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	The Landings of Gainesville Assisted Living Single-Family Home	Neighborhood Business (N-B) Agricultural Residential-III (AR-III)
South	New Horizons Limestone Nursing Home Medical Office	General Business (G-B)
East	Medical Office	Neighborhood Business (N-B)
West	Southern Craft Dental Lab	Residential-I-A (R-I-A) Office and Institutional (O-I)

▪ **Other Departmental Comments**

Coordination will be required with the City of Gainesville Public Works Department and the Georgia Department of Transportation (GDOT) regarding all access point design.

▪ **Zoning History**

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

2022 – A request by Brand Properties to rezone 53.177± acres located at 515 Lakeview Drive, NE; 2065 Limestone Parkway; 1881 Jesse Jewell Parkway, NE from Planned Unit Development (P-U-D) and Residential-II (R-II) to Planned Unit Development (P-U-D) zoning was approved with conditions for a mixed-use development.

2022 – A request by Caballero Holdings, LLC to annex a 140.77± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 Eberhart Cemetery Road; 2465 Floyd Road, SE; 2166, 2170 and 2210 Old Cornelia Highway was conditionally approved for a master planned mixed-use development.

2022 – A request by Caballero Holdings, LLC to amend a 14.43± acres tract zoned Planned Unit Development (P-U-D) located at 0, 2490 and 2544 Floyd Road, SE; 0 Lenox Drive, SE; 0 Old Cornelia Highway, SE was conditionally approved for a master planned mixed-use development.

2021 – A request by Optum Development to annex a 7.77± acres tract with a zoning of Planned Unit Development (P-U-D) located at 1744 Cleveland Highway was conditionally approved for residential townhomes.

2020 – A request by Frank Norton, Jr. to annex a 2.16± acres tract with a zoning of Planned Unit Development (P-U-D) located at 39, 44, 48 and 49 Quarry Street; 4 Highland Street was conditionally approved for residential cottages and townhomes.

2020 – A request by Frank Norton, Jr. to amend a 14.75± acres tract zoned Planned Unit Development (P-U-D) located at 0 Lakeview Drive NE; 52, 54 and 56 Quarry Street NE was conditionally approved for residential cottages and townhomes.

2020 – A request by Capstone Acquisitions, LLC to annex a 6.148± acres tract with a zoning of Light Industrial (L-I) located at 0 Jesse Jewell Parkway was conditionally approved for a climate-controlled self-storage and office/warehouse.

2018 – A request by Limestone Greenway, LLC to annex a 75.12± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2065 Limestone Parkway was conditionally approved for a mixed-use development.

2017 – A request by Keel Property Management, LLC to annex a 6.32± acres tract with a zoning of General Business (G-B) located at 0 White Sulphur Road Drive was conditionally approved for restaurant, retail and a carwash.

2017 – A request by the City of Gainesville to rezone 53.177± acres located at 1514, 1515, 1545, 1560 and 1581 Community Way from Residential-II (R-II) to Office and Institutional (O-I) zoning was approved for existing uses and for future professional office purposes.

Staff Analysis

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

The subject properties appear appropriate for office development given that most of the surrounding properties are zoned for office, institutional and commercial purposes. The proposed medical office appears logical given its proximity to other medical uses and Northeast Georgia Medical Center.

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

The proposed request will function similarly as other medical uses along Beverly Road and the Limestone Parkway Corridor. Proposed access appears sufficient and a traffic signal is currently in place at the intersection of Limestone Parkway and Beverly Road.

(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.

The subject property is located within the *Limestone Medical Corridor* Character Area which is envisioned as an employment corridor and not anticipated to expand Gainesville's traditional neighborhood fabric, but there is space for housing development. Limestone Creek is a sensitive environment and should be buffered and protected from new development. There should be a focus on preservation of existing character through an adaptive reuse where feasible. Land uses supported in the character area are public / institutional, low density residential, medium density residential, multi-family residential, mixed-use, commercial, and parks / recreation / conservation.

It appears the proposal is consistent with the Comprehensive Plan.

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

The property consists of two parcels zoned Office and Institutional (O-I) and Agricultural Residential (AR-III). The intent is to combine the properties for a medical office use. The AR-III zoned property does not allow for a medical office use. Thus, the property is required to be annexed with O-I zoning to complement the adjacent subject property already zoned O-I in the city. If approved, both properties will have the same zoning designation and zoning conditions.

(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?

Surrounding developments currently utilize City water and sewer services and there is sufficient capacity to serve the development.

Existing public safety services respond to the adjacent and nearby properties. Gainesville Fire Station #2 located off of Cleveland Highway is approximately 1.3 miles away. Gainesville Police currently patrol Limestone Parkway and Beverly Road.

According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the proposed 27,200 square foot medical office could generate 983± new trips per weekday and 97± A.M. and 95± P.M. peak hour trips during the weekday. The existing road

network is sufficient to accommodate the proposed use. The Limestone Parkway (four lane) and Beverly Road (two lane) intersection is signalized with full signalized access.

The proposal is for a medical office use and will have no impact on the Gainesville City School System.

(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 anticipates the subject properties to be developed for a mixture of uses which is consistent with the adjacent residential, office, institutional and commercial uses. Nearby office, commercial and service uses will continue to develop along nearby Limestone Parkway and nearby Jesse Jewell Parkway. Much of this is due to the proximity of Exit 24/I-985 and Northeast Georgia Medical Center.

(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?

Given the subject property's proximity to/within the city limits and the adjacent mixture of uses, the proposal, with the zoning conditions recommended by staff, 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.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this annexation request with Office and Institutional (O-I) zoning and zoning condition amendment request based on the Comprehensive Plan and the adjacent and nearby mixture of uses.

The following zoning conditions shall replace the current zoning conditions stated within Zoning Resolution ZR 2007-04.

Conditions

1. **The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
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. **All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
4. **The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Excerpts from the June 13, 2023 PAB Meeting Minutes

Applicant Presentation: Ed Myers, 752 Chattahoochee Place, engineer with Myers and Company stated he is working on the project for the owner. Mr. Myers stated the original property was challenging but by annexing the second property it can be utilized more

efficiently by building into the hillside and the design will have similar characteristics as others along the corridor.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for a medical office and establish zoning as Office and Institutional (O-I) with the following conditions:

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Motion made by Board Member White

Motion seconded by Board Member Martin

Vote – 7 favor

There was a motion to recommend conditional approval of the zoning amendment request for a medical office with Office and Institutional (O-I) zoning with the following conditions:

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Motion made by Board Member Martin

Motion seconded by Vice Chair Fleming

Vote – 7 favor

Passed: _____

AN ORDINANCE

No. 2023-

AN ORDINANCE ANNEXING A 1.44± ACRES TRACT LOCATED ON THE NORTH SIDE OF BEVERLY ROAD, EAST OF THE INTERSECTION OF LIMESTONE PARKWAY AND BEVERLY ROAD (A/K/A 2041 BEVERLY ROAD) AND TO ESTABLISH A ZONING OF OFFICE AND INSTITUTIONAL (O-I) ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I

That from and after the passage of this Ordinance the following described lands are and shall be annexed into the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall constitute a part of the land within the corporate limits of the City of Gainesville, Georgia, as fully and completely as if the limits had been so defined by the General Assembly of Georgia.

Legal Description

All that tract or parcel of land lying and being in Land Lot 124, 9th Land District, Hall County, Georgia and being more particularly described as follows:

Beginning at the intersection of the northeastern right of way of Beverly Road and Limestone Parkway at a concrete monument as shown on the survey by Floyd and Associates, Inc. dated 7/8/2022 for Gary F. Anderson; Thence South 81 degrees 20 minutes 14 seconds East for a distance of 202.59 feet to a concrete monument found at the TRUE POINT OF BEGINNING on the southwestern corner; Thence North 29 degrees 19 minutes 40 seconds West for a distance of 338.73 feet to a concrete monument; Thence North 44 degrees 47 minutes 15 seconds East for a distance of 179.42 feet to a point; Thence South 26 degrees 33 minutes 45 seconds East for a distance of 438.18 feet to a point; Thence South 78 degrees 53 minutes 20 seconds West for a distance of 159.42 feet to the TRUE POINT OF BEGINNING;

Said property contains 1.444 acres more or less.

SECTION II

The Community and Economic Development Department of the City of Gainesville is directed to make and file with the Department of Community Affairs of the State of Georgia a certified copy

ORDINANCE NO. 2023 -

of this Ordinance together with a plat describing lands annexed to the City of Gainesville by this Ordinance.

SECTION III

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION IV

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION V

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

Passed: _____

AN ORDINANCE

No. 2023-

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 1.44± ACRES TRACT LOCATED ON THE NORTH SIDE OF BEVERLY ROAD, EAST OF THE INTERSECTION OF LIMESTONE PARKWAY AND BEVERLY ROAD (A/K/A 2041 BEVERLY ROAD) AT THE TIME OF ANNEXATION AS OFFICE AND INSTITUTIONAL, WITH CONDITIONS (O-I-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Office and Institutional, with conditions (O-I-c)**.

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Legal Description

All that tract or parcel of land lying and being in Land Lot 124, 9th Land District, Hall County, Georgia and being more particularly described as follows:

Beginning at the intersection of the northeastern right of way of Beverly Road and Limestone Parkway at a concrete monument as shown on the survey by Floyd and Associates, Inc. dated 7/8/2022 for Gary F. Anderson; Thence South 81 degrees 20 minutes 14 seconds East for a distance of 202.59 feet to a concrete monument found at the TRUE POINT OF BEGINNING on the southwestern corner; Thence North 29 degrees 19 minutes 40 seconds West for a distance of 338.73 feet to a concrete monument; Thence North 44 degrees 47 minutes 15 seconds East

ORDINANCE NO. 2023 -

for a distance of 179.42 feet to a point; Thence South 26 degrees 33 minutes 45 seconds East for a distance of 438.18 feet to a point; Thence South 78 degrees 53 minutes 20 seconds West for a distance of 159.42 feet to the TRUE POINT OF BEGINNING;

Said property contains 1.444 acres more or less.

SECTION II

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

W. Samuel Couvillon, Mayor

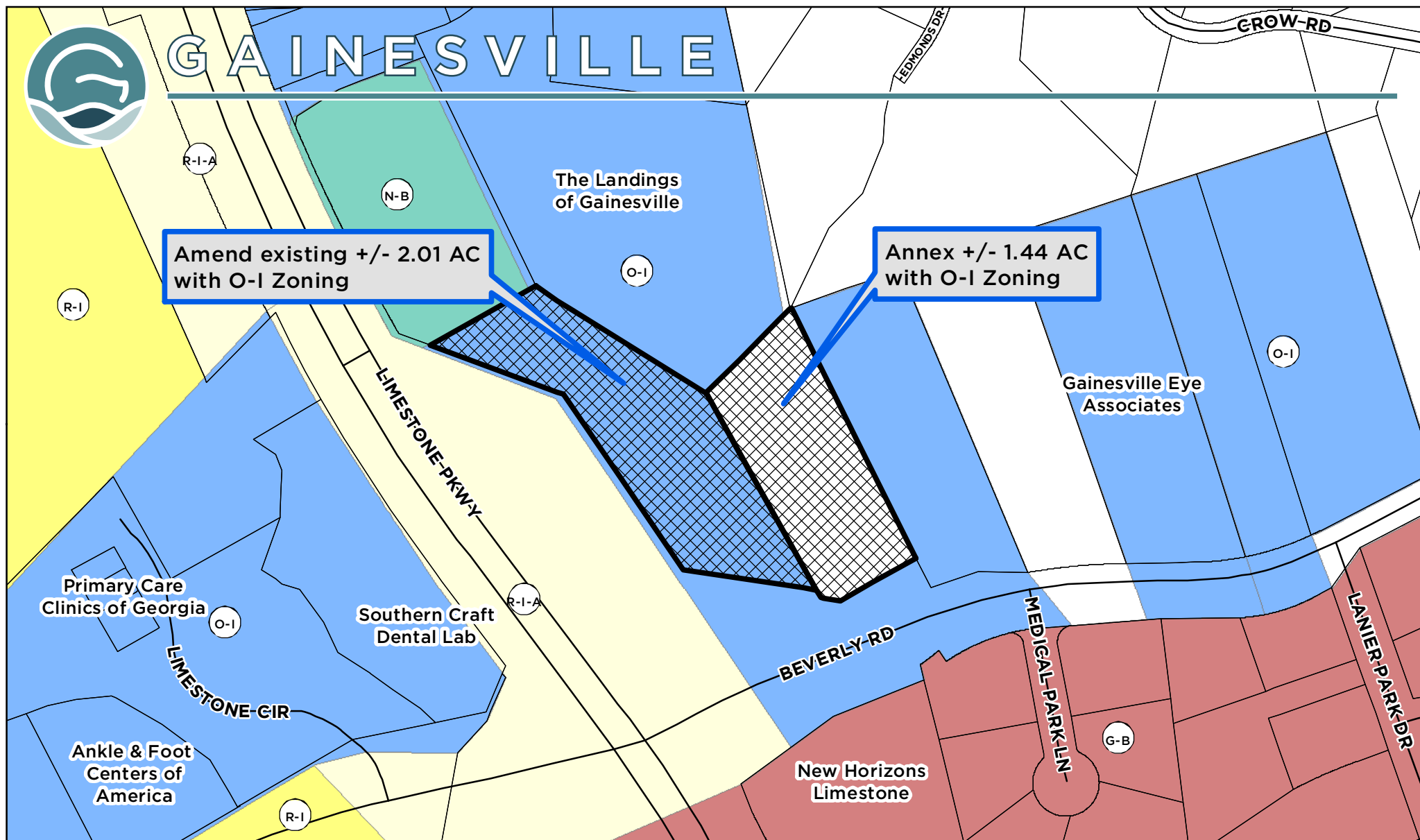
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **DUTTON PROPERTIES, LLC**

ANNEXATION & ZONING AMENDMENT REQUEST

Subject Property Address:
2041 Beverly Road
0 Beverly Road

Tax Parcel:
09-124-000-007
09-124-000-202

Request:

Annex +/- 1.44 AC and establish zoning of Office and Institutional (O-I); and amend existing Office and Institutional (O-I) zoning on a +/- 2.01 AC tract for a medical office



Subject Property

0 100 200 300 400 Feet

SCALE: 1" = 200'





GAINESVILLE

Amend existing +/- 2.01 AC
with O-I Zoning

The Landings
of Gainesville

Annex +/- 1.44 AC
with O-I Zoning

Gainesville Eye
Associates

Lakeview
Academy

Primary Care
Clinics of Georgia

Southern Craft
Dental Lab

Ankle & Foot
Centers of
America

New Horizons
Limestone

Applicant: **DUTTON PROPERTIES, LLC**

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Request:

Annex +/- 1.44 AC and establish zoning of Office and Institutional (O-I);
and amend existing Office and Institutional (O-I) zoning on a +/- 2.01 AC
tract for a medical office



Subject Property

Aerial from 2021

0 160 320 480 640 Feet

SCALE: 1" = 300'



Narrative

Beverly Medical Office Center

O-I Annexation & Zoning

Summary

This application seeks an annexation and zoning change from AR-III (Residential-Agriculture) in Hall County to O-I (Office & Institutional) for one of two parcels. The second parcel has an existing zoning of O-I with conditions. These two parcels will be combined and developed as a single medical office project.

Existing Site Description

The proposed development involves two existing parcels. One parcel is 2 acres at the corner of Beverly Road and Limestone Parkway. It is currently in the city and zoned O-I with existing conditions from a previous rezoning. The second parcel is 1.4 acres zoned AR-III in Hall County and is requested to be annexed into the city and rezoned to O-I. These properties are undeveloped and surrounded by O-I and N-B zoned properties in the city.

Proposed Development

These parcels will be combined and developed as a single medical office project. Access for the project will be through a driveway on Beverly Road and an access easement to connect to an existing curb and median cut on Limestone Parkway.

The medical office building will be a two-story building that will be set into the hillside so that access for each level will be at grade. This will reduce the size of any retaining walls needed to construct the project and let it blend into the existing topography.

The project is located in the Limestone Parkway Overlay Zone. All outdoor lighting will be low spill fixtures.

One monument sign will be placed at the corner of Limestone Parkway and Beverly Road. A smaller entrance sign will be constructed at each entrance. All signs will comply with the current county sign requirements.

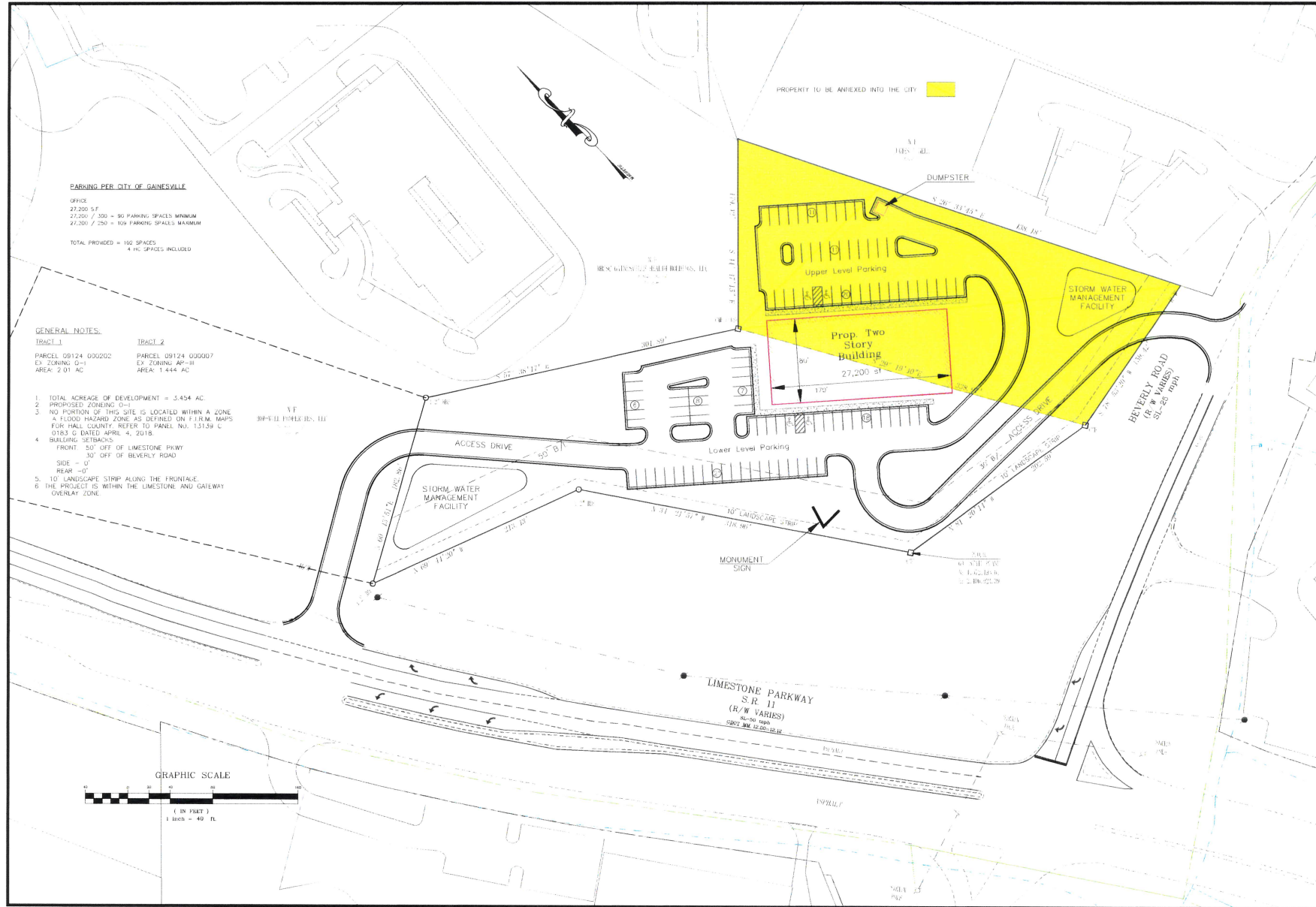
Building Setbacks and Buffers

Front: 50' along the right-of-way of Limestone Parkway
30' along the right of way of Beverly Road

Side & Rear: 0'

Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The storm water will discharge into an existing ditch which eventually flows into Limestone Creek across Limestone Parkway. The facilities will comply with all current storm water regulations for the City of Gainesville.



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 770-634-9172
 myers@myers-engineers.com

Seal

MYERS & CO.
 civil engineers

P.O. BOX 834
 GAINESVILLE, GA 30602

Revisions

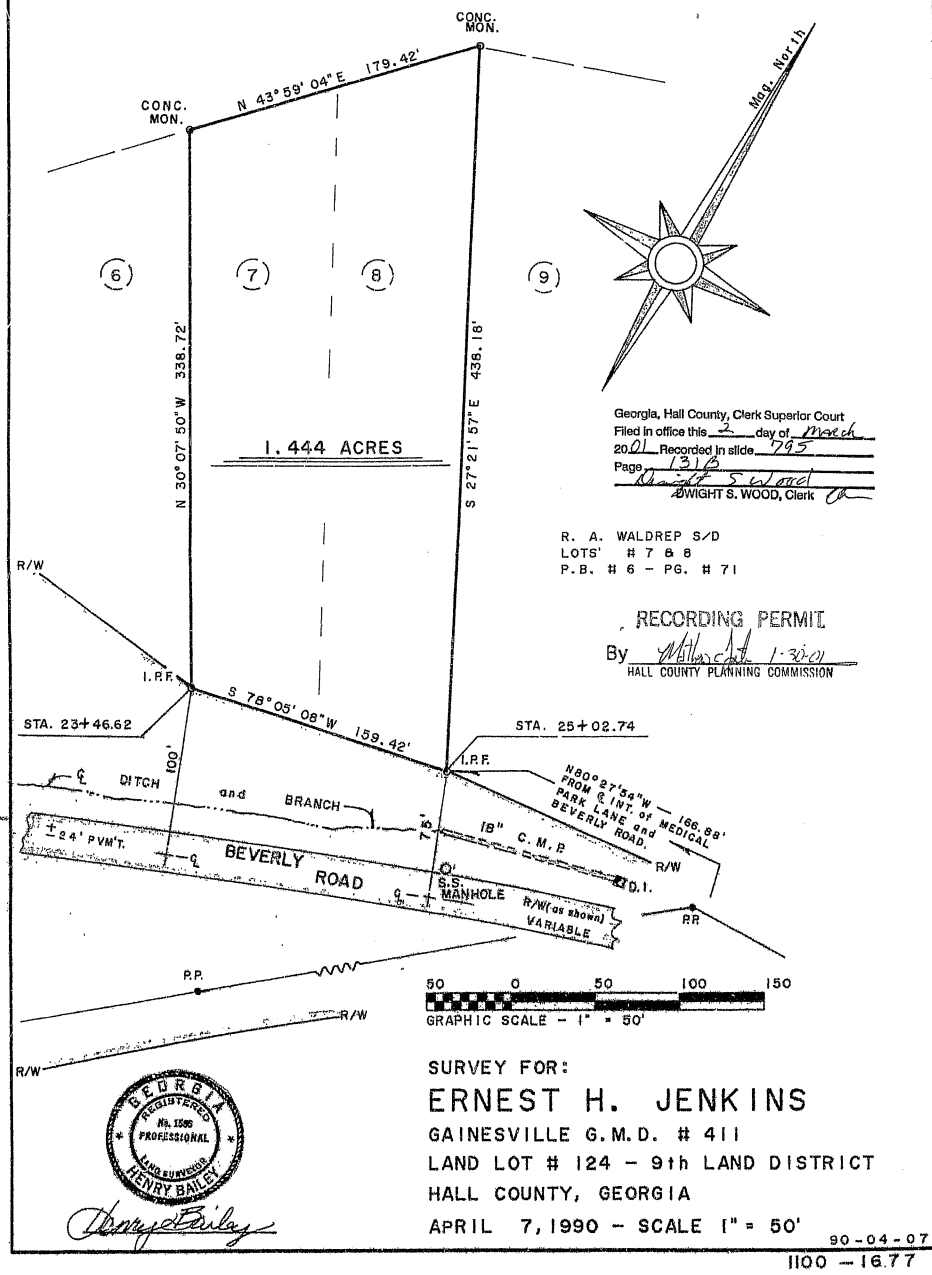
SHEET

1

Project Description
 BEVERLY MEDICAL
 OFFICE CENTER
 PARCELS 09124 000007 & 09124 000202
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

DATE 4-28-23
 JOB NO. 22-18
 Sheet Title
 REZONING-
 ANNEXATION PLAN

THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON 8TS-3R ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE, HAS AN ANGULAR ERROR OF 0.3" PER ANGLE POINT. A CLOSURE OF ONE FOOT IN 63,989 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 163,672 FEET.



The building will have a brick facade with a pitched roof, similar to the examples shown here.





CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: June 22, 2023

Date Submitted: June 22, 2023

Final Approval Date: July 10, 2023

Presenter: Abb Hayes, City Attorney

Item of Business: **Public Hearing Item: July 18, 2023 Council Meeting**
Request from **Dutton Properties, LLC** to amend the existing zoning conditions for a 2.01± acres tract zoned Office and Institutional (O-I) located on the northeast side of the intersection of Limestone Parkway and Beverly Road (a/k/a **0 Beverly Road, NE**). **Ward Number: Two**. Tax Parcel Number: 09-124-000-202. **Request: Medical Office.**

Meeting Date: July 13, 2023

Purpose of Request:

To provide an overview of the zoning request as presented at the June 13, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The applicant is proposing to amend existing zoning conditions that are part of Zoning Resolution ZR 2007-04 approved in 2007 for an assisted living facility. The subject property is zoned Office and Institutional (O-I) and was originally part of a larger tract which is now the location of The Landings of Gainesville assisted living facility. The remnant subject property was never developed and is heavily wooded. The intent is to combine the subject property with the adjacent property to the east which is described in the aforementioned annexation request. The proposed two-story medical office is approximately 27,200 square feet in size (80' x 170') and will be designed set into the hillside so that access for each level will be at grade with upper and lower level parking. Access is proposed from Beverly Road and from an existing curb cut on Limestone Parkway which will require an access easement. The proposed medical office will adhere to the Limestone Parkway Overlay Zone requirements and will include brick facade materials and a pitched roof. The adjacent properties include medical offices, New Horizons Limestone nursing home, The Landings of Gainesville assisted living facility, Lakeshore Tubal Reversal Center and Southern Craft dental lab.

Department Recommendation:

Staff and PAB recommended approval with four conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2023- :

I move to approve the ordinance to amend the existing zoning conditions with Office and Institutional (O-I) zoning for a medical office.

Denial of the Request:

I move to deny the request.

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. Legal Ad
2. PAB Recommendation Report
3. Proposed Zoning Amendment Ordinance
4. Location Maps
5. Narrative
6. Site plan
7. Survey
8. Photos

GAINESVILLE PLANNING and APPEALS BOARD

RECOMMENDATION

Applicant and Property OwnerDutton Properties, LLC

Location2041 Beverly Road; 0 Beverly Road, NE

Request.....Annex with O-I zoning
Amend existing O-I zoning conditions

Total Acres3.45± acres
Annexation: 1.44± acres
Amendment: 2.01± acres

WardTwo

Proposed Use.....Medical office

Planning Division Staff Recommendation.....**Approval, with conditions**

Planning & Appeals Board Recommendation.....**Approval, with conditions**

DateJune 13, 2023

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

The applicant is proposing to annex a 1.44± acres tract with Office and Institutional (O-I) zoning and to amend the zoning conditions on an adjacent 2.01± acres tract zoned currently O-I. The properties total 3.45± acres in size and are located within the Limestone Parkway Overlay Zone.

The proposed annexation includes property zoned Agricultural Residential-III (AR-III) within unincorporated Hall County and is contiguous to the city limits on all sides. The proposed zoning conditions amendment includes property originally part of a larger tract that received special use approval in 2007 for an assisted living facility. The parent property has since been developed but the remnant subject property has remained undeveloped.

The intent is to combine both properties and develop a two story, 27,200 square foot medical office building. The building is designed to set into the hillside so that access for each level will be at grade with upper and lower level parking. Access is proposed from Beverly Road and from an existing curb cut on Limestone Parkway which will require an access easement. The proposed medical office will adhere to the Limestone Parkway Overlay Zone requirements and will include brick facade materials and a pitched roof.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	The Landings of Gainesville Assisted Living Single-Family Home	Neighborhood Business (N-B) Agricultural Residential-III (AR-III)
South	New Horizons Limestone Nursing Home Medical Office	General Business (G-B)
East	Medical Office	Neighborhood Business (N-B)
West	Southern Craft Dental Lab	Residential-I-A (R-I-A) Office and Institutional (O-I)

▪ **Other Departmental Comments**

Coordination will be required with the City of Gainesville Public Works Department and the Georgia Department of Transportation (GDOT) regarding all access point design.

▪ **Zoning History**

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

2022 – A request by Brand Properties to rezone 53.177± acres located at 515 Lakeview Drive, NE; 2065 Limestone Parkway; 1881 Jesse Jewell Parkway, NE from Planned Unit Development (P-U-D) and Residential-II (R-II) to Planned Unit Development (P-U-D) zoning was approved with conditions for a mixed-use development.

2022 – A request by Caballero Holdings, LLC to annex a 140.77± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 Eberhart Cemetery Road; 2465 Floyd Road, SE; 2166, 2170 and 2210 Old Cornelia Highway was conditionally approved for a master planned mixed-use development.

2022 – A request by Caballero Holdings, LLC to amend a 14.43± acres tract zoned Planned Unit Development (P-U-D) located at 0, 2490 and 2544 Floyd Road, SE; 0 Lenox Drive, SE; 0 Old Cornelia Highway, SE was conditionally approved for a master planned mixed-use development.

2021 – A request by Optum Development to annex a 7.77± acres tract with a zoning of Planned Unit Development (P-U-D) located at 1744 Cleveland Highway was conditionally approved for residential townhomes.

2020 – A request by Frank Norton, Jr. to annex a 2.16± acres tract with a zoning of Planned Unit Development (P-U-D) located at 39, 44, 48 and 49 Quarry Street; 4 Highland Street was conditionally approved for residential cottages and townhomes.

2020 – A request by Frank Norton, Jr. to amend a 14.75± acres tract zoned Planned Unit Development (P-U-D) located at 0 Lakeview Drive NE; 52, 54 and 56 Quarry Street NE was conditionally approved for residential cottages and townhomes.

2020 – A request by Capstone Acquisitions, LLC to annex a 6.148± acres tract with a zoning of Light Industrial (L-I) located at 0 Jesse Jewell Parkway was conditionally approved for a climate-controlled self-storage and office/warehouse.

2018 – A request by Limestone Greenway, LLC to annex a 75.12± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2065 Limestone Parkway was conditionally approved for a mixed-use development.

2017 – A request by Keel Property Management, LLC to annex a 6.32± acres tract with a zoning of General Business (G-B) located at 0 White Sulphur Road Drive was conditionally approved for restaurant, retail and a carwash.

2017 – A request by the City of Gainesville to rezone 53.177± acres located at 1514, 1515, 1545, 1560 and 1581 Community Way from Residential-II (R-II) to Office and Institutional (O-I) zoning was approved for existing uses and for future professional office purposes.

Staff Analysis

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

The subject properties appear appropriate for office development given that most of the surrounding properties are zoned for office, institutional and commercial purposes. The proposed medical office appears logical given its proximity to other medical uses and Northeast Georgia Medical Center.

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

The proposed request will function similarly as other medical uses along Beverly Road and the Limestone Parkway Corridor. Proposed access appears sufficient and a traffic signal is currently in place at the intersection of Limestone Parkway and Beverly Road.

(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.

The subject property is located within the *Limestone Medical Corridor* Character Area which is envisioned as an employment corridor and not anticipated to expand Gainesville's traditional neighborhood fabric, but there is space for housing development. Limestone Creek is a sensitive environment and should be buffered and protected from new development. There should be a focus on preservation of existing character through an adaptive reuse where feasible. Land uses supported in the character area are public / institutional, low density residential, medium density residential, multi-family residential, mixed-use, commercial, and parks / recreation / conservation.

It appears the proposal is consistent with the Comprehensive Plan.

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

The property consists of two parcels zoned Office and Institutional (O-I) and Agricultural Residential (AR-III). The intent is to combine the properties for a medical office use. The AR-III zoned property does not allow for a medical office use. Thus, the property is required to be annexed with O-I zoning to complement the adjacent subject property already zoned O-I in the city. If approved, both properties will have the same zoning designation and zoning conditions.

(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?

Surrounding developments currently utilize City water and sewer services and there is sufficient capacity to serve the development.

Existing public safety services respond to the adjacent and nearby properties. Gainesville Fire Station #2 located off of Cleveland Highway is approximately 1.3 miles away. Gainesville Police currently patrol Limestone Parkway and Beverly Road.

According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the proposed 27,200 square foot medical office could generate 983± new trips per weekday and 97± A.M. and 95± P.M. peak hour trips during the weekday. The existing road

network is sufficient to accommodate the proposed use. The Limestone Parkway (four lane) and Beverly Road (two lane) intersection is signalized with full signalized access.

The proposal is for a medical office use and will have no impact on the Gainesville City School System.

(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 anticipates the subject properties to be developed for a mixture of uses which is consistent with the adjacent residential, office, institutional and commercial uses. Nearby office, commercial and service uses will continue to develop along nearby Limestone Parkway and nearby Jesse Jewell Parkway. Much of this is due to the proximity of Exit 24/I-985 and Northeast Georgia Medical Center.

(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?

Given the subject property's proximity to/within the city limits and the adjacent mixture of uses, the proposal, with the zoning conditions recommended by staff, 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.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this annexation request with Office and Institutional (O-I) zoning and zoning condition amendment request based on the Comprehensive Plan and the adjacent and nearby mixture of uses.

The following zoning conditions shall replace the current zoning conditions stated within Zoning Resolution ZR 2007-04.

Conditions

1. **The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
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. **All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
4. **The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Excerpts from the June 13, 2023 PAB Meeting Minutes

Applicant Presentation: Ed Myers, 752 Chattahoochee Place, engineer with Myers and Company stated he is working on the project for the owner. Mr. Myers stated the original property was challenging but by annexing the second property it can be utilized more

efficiently by building into the hillside and the design will have similar characteristics as others along the corridor.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for a medical office and establish zoning as Office and Institutional (O-I) with the following conditions:

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Motion made by Board Member White

Motion seconded by Board Member Martin

Vote – 7 favor

There was a motion to recommend conditional approval of the zoning amendment request for a medical office with Office and Institutional (O-I) zoning with the following conditions:

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Motion made by Board Member Martin

Motion seconded by Vice Chair Fleming

Vote – 7 favor

Passed: _____

AN ORDINANCE

No. 2023-

AN ORDINANCE AMENDING THE EXISTING ZONING CONDITIONS ON A 2.01± ACRES TRACT ZONED OFFICE AND INSTITUTIONAL (O-I) LOCATED ON THE NORTHEAST SIDE OF THE INTERSECTION OF LIMESTONE PARKWAY AND BEVERLY ROAD (A/K/A 0 BEVERLY ROAD, NE); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Office and Institutional, with conditions (O-I-c)**.

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this application and shall adhere to the Limestone Parkway Overlay Zone standards.**
- 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. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 4. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees subject to the approval of the Community & Economic Development Director.**

Legal Description

All that tract or parcel of land lying and being in Land Lot 124, 9th Land District, Hall County, Georgia and being more particularly described as follows:

POINT OF BEGINNING at the intersection of the northeastern right of way of Beverly Road and Limestone Parkway at a concrete monument as shown on the survey by Floyd and Associates, Inc. dated 7/8/2022 for Gary F. Anderson; Thence North 34 degrees 21 minutes 57 seconds West for a distance of 318.96 feet to a point; Thence North 69 degrees 44 minutes 20 seconds West for a distance of 213.43 feet to a point; Thence North 60 degrees 43 minutes 51 seconds East for a distance of 182.86 feet to a point; Thence South 57 degrees 38 minutes 17 seconds East for a distance of 301.89 feet to a concrete monument found; Thence South 29 degrees 19 minutes 40 seconds East for a distance of 338.97 feet to a concrete monument found on the

ORDINANCE NO. 2023 -

right of way for Beverly Road; Thence North 81 degrees 20 minutes 14 seconds West for a distance of 202.59 feet to the **POINT OF BEGINNING**.

Said property contains 2.02 acres more or less.

SECTION II

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5.

SECTION V

The effective date of this Ordinance shall be upon approval by the governing body of the City of Gainesville, Georgia.

W. Samuel Couvillon, Mayor

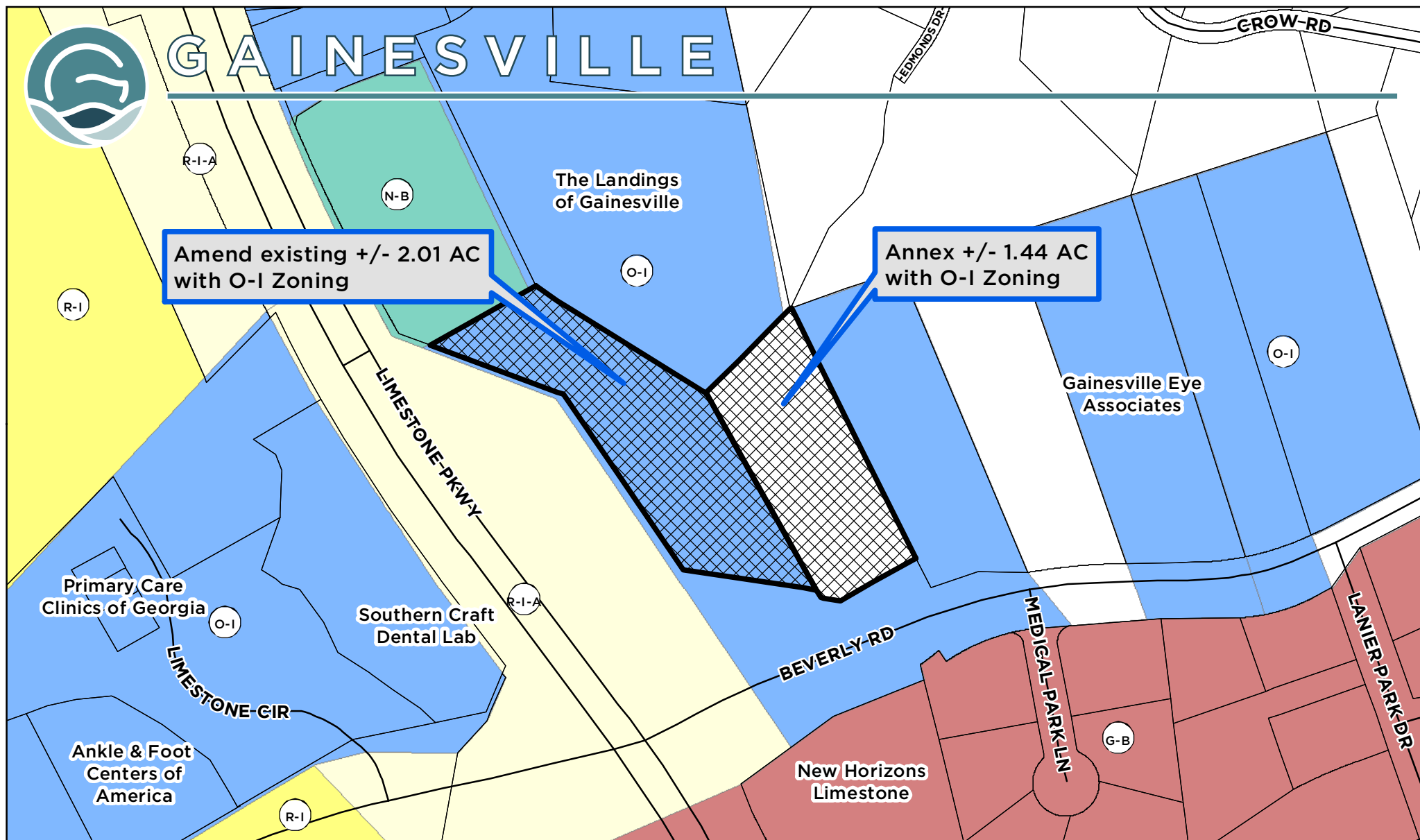
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **DUTTON PROPERTIES, LLC**

ANNEXATION & ZONING AMENDMENT REQUEST

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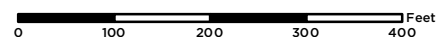
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Request:

Annex +/- 1.44 AC and establish zoning of Office and Institutional (O-I); and amend existing Office and Institutional (O-I) zoning on a +/- 2.01 AC tract for a medical office



Subject Property



SCALE: 1" = 200'





GAINESVILLE

Amend existing +/- 2.01 AC
with O-I Zoning

The Landings
of Gainesville

Annex +/- 1.44 AC
with O-I Zoning

Gainesville Eye
Associates

Lakeview
Academy

Primary Care
Clinics of Georgia

Southern Craft
Dental Lab

Ankle & Foot
Centers of
America

New Horizons
Limestone

Applicant: **DUTTON PROPERTIES, LLC**

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Annex +/- 1.44 AC and establish zoning of Office and Institutional (O-I);
and amend existing Office and Institutional (O-I) zoning on a +/- 2.01 AC
tract for a medical office



Subject Property

Aerial from 2021



Meeting Date: 06/13/2023

Map Prepared: 05/02/2023

0 160 320 480 640 Feet

SCALE: 1" = 300'

Narrative

Beverly Medical Office Center

O-I Annexation & Zoning

Summary

This application seeks an annexation and zoning change from AR-III (Residential-Agriculture) in Hall County to O-I (Office & Institutional) for one of two parcels. The second parcel has an existing zoning of O-I with conditions. These two parcels will be combined and developed as a single medical office project.

Existing Site Description

The proposed development involves two existing parcels. One parcel is 2 acres at the corner of Beverly Road and Limestone Parkway. It is currently in the city and zoned O-I with existing conditions from a previous rezoning. The second parcel is 1.4 acres zoned AR-III in Hall County and is requested to be annexed into the city and rezoned to O-I. These properties are undeveloped and surrounded by O-I and N-B zoned properties in the city.

Proposed Development

These parcels will be combined and developed as a single medical office project. Access for the project will be through a driveway on Beverly Road and an access easement to connect to an existing curb and median cut on Limestone Parkway.

The medical office building will be a two-story building that will be set into the hillside so that access for each level will be at grade. This will reduce the size of any retaining walls needed to construct the project and let it blend into the existing topography.

The project is located in the Limestone Parkway Overlay Zone. All outdoor lighting will be low spill fixtures.

One monument sign will be placed at the corner of Limestone Parkway and Beverly Road. A smaller entrance sign will be constructed at each entrance. All signs will comply with the current county sign requirements.

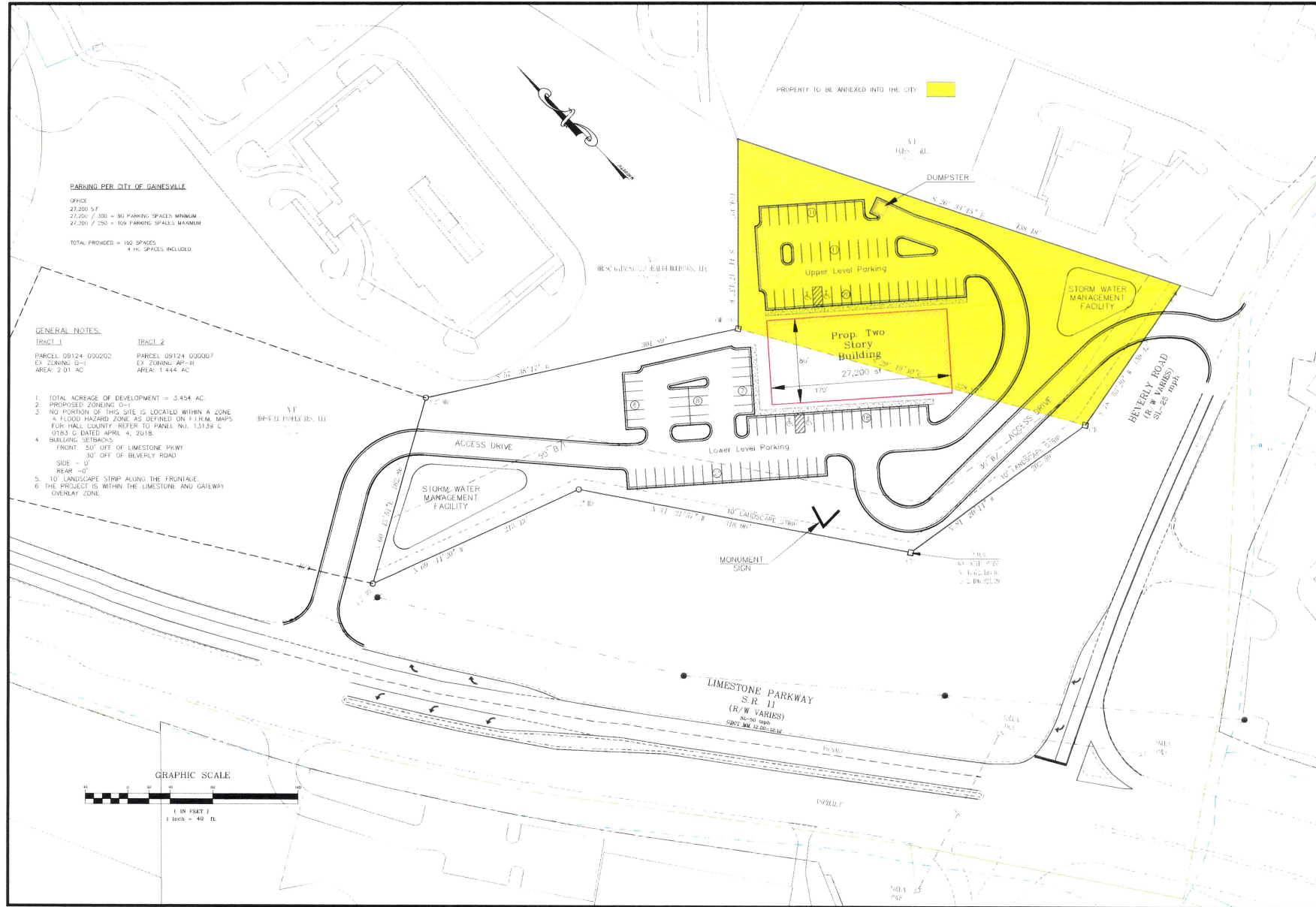
Building Setbacks and Buffers

Front: 50' along the right-of-way of Limestone Parkway
30' along the right of way of Beverly Road

Side & Rear: 0'

Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The storm water will discharge into an existing ditch which eventually flows into Limestone Creek across Limestone Parkway. The facilities will comply with all current storm water regulations for the City of Gainesville.



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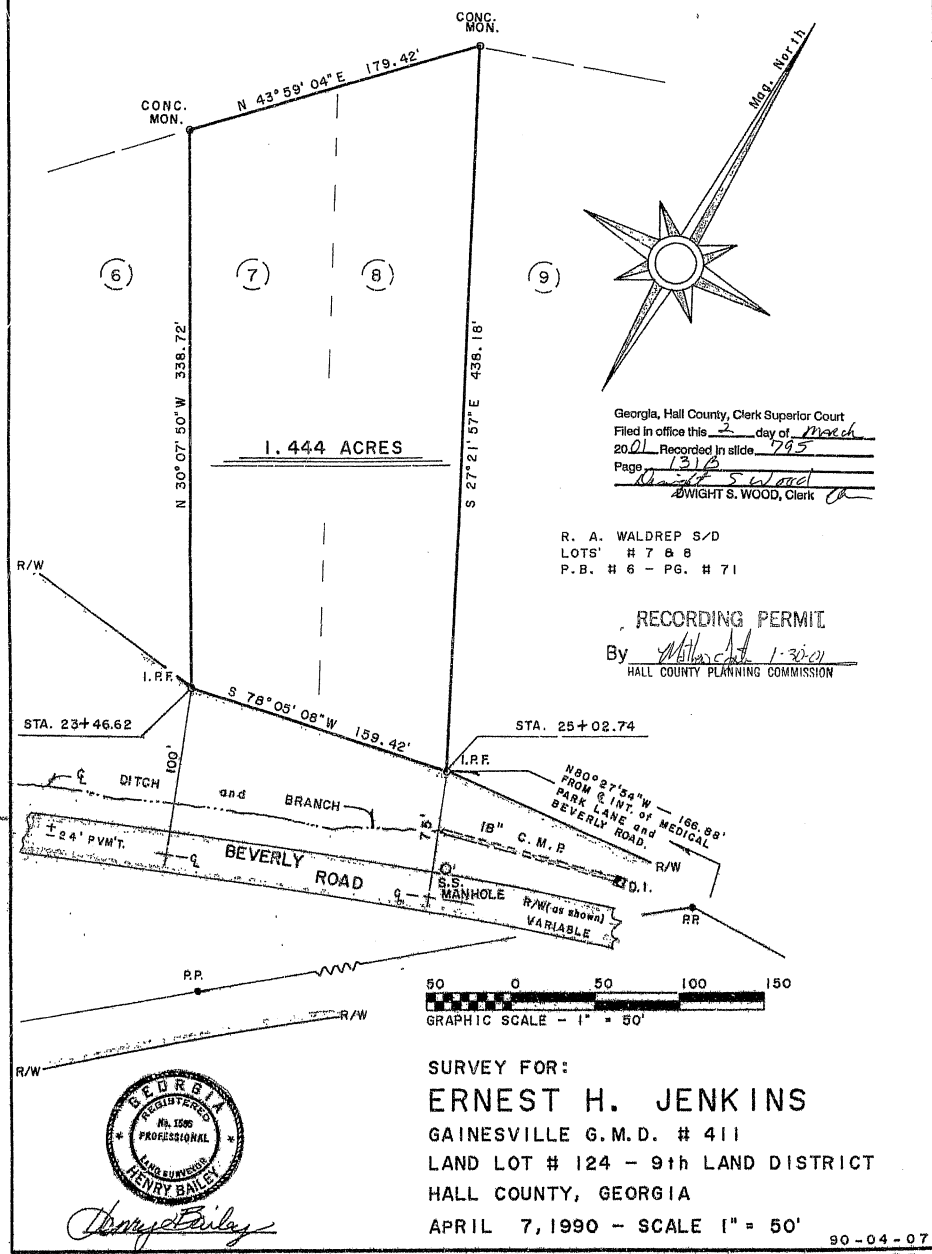
P.O. BOX 834
 770-654-9172
 myers@myers-inc.com
 GAINESVILLE, FL 32602

Project Description
 BEVERLY MEDICAL
 OFFICE CENTER
 PARCELS 09124 000007 & 09124 000202
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

DATE 4-28-23
 JOB NO. 22-18
 Sheet Title
 REZONING-
 ANNEXATION PLAN

SHEET
1

THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON 8TS-3R ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE, HAS AN ANGULAR ERROR OF 0.3" PER ANGLE POINT. A CLOSURE OF ONE FOOT IN 63,989 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 163,672 FEET.



The building will have a brick facade with a pitched roof, similar to the examples shown here.





CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: July 3, 2023
Date Submitted: July 10, 2023
Final Approval Date: July 11, 2023
Presenter: Sam Couvillon
Item of Business: Appointment(s): Metropolitan Planning Organization - Citizens Advisory Committee
Meeting Date: July 13, 2023

Purpose of Request:

The purpose of this request is to address the expired term and vacant positions.

Facts & Issues / History & Background:

The MPO-CAC follows the guidelines of the City Charter and the Code of Ordinances as well as the bylaws of the committee. Members of the committee serve three-year terms. Beverly Nordholz and Sammy Smith have expressed a willingness to serve another term as confirmed by Joseph Boyd, GHMPO. Betsy Wigington and Jason Cox have confirmed a willingness to serve. The outstanding debt verification process was completed with no concerns.

Department Recommendation:

To consider the nominations as submitted by the Mayor.

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. MPO-CAC Members
2. Connie Propes Resignation 2023
3. MPO-CAC Attendance Report

**Gainesville - Hall County
Metropolitan Planning Organization
Citizen Advisory Committee
(GHMPO-CAC)**

POST	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
Ward 1	Propes Vacant - Resigned	Connie	7/5/2011	3/19/2013 8/18/2015 6/6/2017 6/16/2020	6/30/2023
Ward 2	Nordholz	Beverly	8/7/2018	6/16/2020	6/30/2023
Ward 3	Smith	Sammy	8/15/17 UE	6/16/2020	6/30/2023
Ward 4	Lipscomb	Berlinda	12/2/2003	4/3/2007 7/5/2011 3/19/2013 7/19/2016 6/18/2019 8/16/2022	6/30/2025
Ward 5	Bush	William "Bill"	7/21/2020		6/30/2023

TERMS: Three year terms as of 6/6/17

Two year terms *Wards 2, 4, and 5 are 3 year terms

CONTACT: *Primary: Joseph Boyd, Transportation Planning Director, jboyd@hallcounty.org
Randi Doveton, Director, rdoveton@hallcounty.org
Michael Haire, Transportation Planner, mhaire@hallcounty.org
Rusty Ligon, Community Development Director

UPDATED: 8/17/2022 ag

From: [Joseph Boyd \(GHMPO\)](#)
To: [Alisa Grayson](#)
Cc: [Michael Haire \(GHMPO\)](#)
Subject: CAC Appointment - Connie Propes
Date: Thursday, February 16, 2023 1:11:09 PM
Attachments: [image001.png](#)

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Hey Alisa –

One of Gainesville’s Citizens Advisory Committee (CAC) members for the MPO, Connie Propes (Ward 1), let me know today that she will be resigning her post effective today from this committee due to ongoing personal and family circumstances. I let her know that we appreciated her 12 years of service on the CAC.

Please reach out when Gainesville has a replacement member to fill this post – her current term was scheduled to end on June 30, 2023. Thank you!

Joseph Boyd, AICP

Transportation Planning Director
Gainesville-Hall Metropolitan Planning Organization
2875 Browns Bridge Road, Gainesville, GA 30504
(770) 297-5541 | www.ghmpo.org



Gainesville-Hall County Metropolitan Planning Organization – CAC Attendance Report

		2018				2019				2020				2021				2022				2023			
NAME		1/25	4/26	7/26	10/25	1/31	4/25	7/18	9/12	2/27	4/23	7/30	11/5	2/25	4/29	7/29	10/28	2/24	4/28	7/28	11/3	2/16	4/27	7/27	10/26
Bush, William	GV													P	P	A	A	A	A	A	EA	A			
Nordholz, Beverly	GV				P	P	A	P	P	P	P	P	P	A	P	P	P	P	P	P	P	P			
Smith, Sammy	GV	P	P	EA	P	P	EA	P	P	P	P	A	P	P	P	P	P	P	P	P	P	P			

The new terms would begin on July 1, 2023 and end on June 30, 2026. Please let us know if you have any questions or need any additional info. Thank you!

Joseph Boyd, AICP
 Transportation Planning Director
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