

OFFICIALS PRESENT: Sam Couvillon, Zack Thompson, Barbara Brooks, Juli Clay, Danny Dunagan, George Wangemann
STAFF PRESENT: Bryan Lackey, Angela Sheppard, Abb Hayes, Denise Jordan, Alisa Grayson

Mayor Couvillon called the meeting to order at 5:30 PM and served as the presiding officer.

Mayor Sam Couvillon provided the invocation after which the Pledge of Allegiance was recited in unison.

CONSENT AGENDA:

Appointments: Cemetery Advisory Committee – Reappoint Nancy Kelemen and Margaret Howington

Appointment: Parks and Recreation Foundation Board – Appoint Sergio Morales

Motion to reappoint Nancy Kelemen and Margaret Howington to the Cemetery Advisory Committee; and to appoint Sergio Morales to the Parks and Recreation Foundation Board as presented.

Motion made by Council Member Clay

Motion seconded by Council Member Dunagan

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

Minutes: October 12, 2023 Work Session

Minutes: October 17, 2023 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Wangemann

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

Resolutions

- A. BR-2023-39 Greenleaf Townhomes Development Floyd Drive Tract Annexation Waiver
- B. BR-2023-40 Tax Allocation District (TAD) Funding for G-4 Development Group, Phase II at 721 and 733 Main Street

City Manager Bryan Lackey provided a brief overview of the resolutions.

Motion to adopt the resolutions as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Clay

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

PUBLIC HEARING:

Request from BDC Gainesville, LLC to annex a 50.711± acres tract located southeast of the intersection of Athens Highway and Monroe Drive, having road frontage on Athens

Highway and Monroe Drive (a/k/a 2544 Monroe Drive and 1570 Athens Highway) and to establish a zoning of Heavy Industrial (H-I), with a special use. Ward Number: Three. Tax Parcel Number(s):15-032-000-013. Request: Enclosed anaerobic digestion facility (Bioenergy Center).

- ***Proposed Annexation Ordinance 2023-23***
- ***Proposed Zoning Ordinance 2023-24***
- ***Proposed Zoning Resolution ZR-2023-03***

City Attorney Abb Hayes opened the public hearing, confirmed the public notice was properly advertised and outlined the public hearing process.

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following 11 conditions:

1. The development standards within the narrative, site plan and photographs submitted with the applicant's annexation application shall be made part of the zoning ordinance, and shall be subject to the approval of the Community and Economic Development Director.
2. The use of the subject property shall be restricted to the proposed enclosed Anaerobic Digestion Facility (Bioenergy Center). Any different use shall require a public hearing before the Gainesville Planning and Appeals Board and Gainesville City Council.
3. The size of the proposed Anaerobic Digestion Facility (Bioenergy Center) shall be in general conformance to what is shown on the site plan submitted with this annexation application. Any deviations shall be subject to the approval of the Community and Economic Development Director.
4. All offloading of solid feedstock shall be indoors. Any odors emitted from the offloading shall be sealed, treated and contained within a negative air pressure building. Liquid feedstock and soil amendment loadout shall be covered with minimal, if any expected odors, mitigated by best management practices, consistent with industry standards.
5. The proposed use shall conform with the City's industrial discharge permit requirements, as well as, submittal and approval of a detailed odor control plan per the approval of the Gainesville Department of Water Resources.
6. The exterior walls of all buildings, accessory buildings, silos and tanks shall be forest green in color. This shall not include roofs or membranes. Any deviations shall be subject to the approval of the Community and Economic Development Director.
7. The subject property shall be limited to one (1) monument sign fronting Monroe Drive, not to exceed 10-feet in height, 64 square feet in size, with internal or indirect lighting. Building signs shall be permitted as regulated within the Gainesville Unified Land Development Code. An electronic message board / changeable copy sign shall not be permitted for the subject property.
8. The existing, healthy trees located on the subject property, and not within the proposed limits of construction, shall be retained and incorporated into the design of the site improvements where possible, and shall be protected throughout construction of any required and/or proposed improvements.
9. A minimum 100-foot wide undisturbed buffer shall be required within the boundary of the subject property with the exception of the proposed driveway on Monroe Drive. A reduction of undisturbed buffer shall be permitted along the US 129 Right-of-Way where shown on the attached site plan. Any further reduction of the undisturbed buffer area shall be subject to the approval of the Community and Economic Development Director.

10. The proposed entrance on Monroe Drive shall be professionally landscaped and maintained. The design of the landscaped entrance shall require review and approval from the Community and Economic Development Director.
11. All access shall be limited to Monroe Drive shall be submitted for review by the Gainesville Public Works Director and Hall County Community Development & Infrastructure Department, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.

Attorney Hayes opened the floor for public comments.

Bradley Dunkel, Rochester & Associates, represented the applicant. He commented on the bioenergy renewable resource facility and its purpose. He displayed some renderings and discussed key points of the plan. There is a letter of support from Commissioner Tyler Harper, Georgia Department of Agriculture, explaining the benefits of this project. Chris Riley (Deal, Riley & Associates) was available to answer questions regarding state requirements and other technical details.

OPPOSITION:

Jennifer Knight, 2719 Water View Circle, felt the plan is a great idea. She proposed three amendments to protect the City: 1) assurance of no possibility of odors and use of the appropriate air scrubbers, 2) a preventative maintenance schedule with a generator for power failures, and 3) work with the local fire and emergency response personnel for safety measures.

REBUTTAL:

Chris Riley, 1660 Palmour Drive, commented on how the project started and the required regulations. He commented on this type processing throughout the state before addressing permitting. In addition to the permits, the facility is required to have ongoing maintenance and permit updates in accordance with state/local legislation.

Upon inquiry from Council Member Clay, Mr. Riley provided some insight on the ongoing mechanisms required for maintenance and regulations by the Environmental Protection Department (EPD) and Department of Agriculture.

Council Member Books commented on complaints from constituents regarding odor control. She confirmed there will be a designated person on site to address questions/complaints to share this information with the public. She requested the contact information be available to Council and the City Manager's Office.

There being no further comments, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to approve the Ordinance 2023-23, AN ORDINANCE ANNEXING A 50.711± ACRES TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND MONROE DRIVE, HAVING ROAD FRONTAGE ON ATHENS HIGHWAY AND MONROE DRIVE (A/K/A 2544 MONROE DRIVE AND 1570 ATHENS HIGHWAY) AND TO ESTABLISH A ZONING OF HEAVY INDUSTRIAL (H-I), WITH A SPECIAL USE 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 **as presented.**

Motion made by Council Member Dunagan

Motion seconded by Council Member Clay

Votes favoring the motion: Thompson, Clay, Dunagan, Wangemann

Votes opposing the motion: Brooks

Motion to approve the Ordinance 2023-24, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 50.711± ACRES TRACT LOCATED SOUTHEAST OF THE INTERSECTION OF ATHENS HIGHWAY AND MONROE DRIVE, HAVING ROAD FRONTAGE ON ATHENS HIGHWAY AND MONROE DRIVE (A/K/A 2544 MONROE DRIVE AND 1570 ATHENS HIGHWAY) AT THE TIME OF ANNEXATION AS HEAVY INDUSTRIAL, WITH CONDITIONS (H-I-c) WITH A SPECIAL USE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **with conditions as presented.**

Motion made by Council Member Clay

Motion seconded by Council Member Dunagan

Votes favoring the motion: Thompson, Clay, Dunagan, Wangemann

Votes opposing the motion: Brooks

Motion to adopt the Resolution ZR-2023-03 with conditions as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Thompson

Votes favoring the motion: Thompson, Clay, Dunagan, Wangemann

Votes opposing the motion: Brooks

Request from the Gainesville Housing Authority to annex a 2.031± acres tract located on the west side of Harrison Drive, east of Lanier Parkway (I-985) (a/k/a 1368 Harrison Drive) and to establish a zoning of Residential-II (R-II). Ward Number: Three. Tax Parcel Number(s): 01-142-001-002 (Part). Request: Low-income multi-family housing.

- ***Proposed Annexation Ordinance 2023-25***
- ***Proposed Zoning Ordinance 2023-26***

City Attorney Abb Hayes opened the public hearing and confirmed the public notice was properly advertised.

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following 19 conditions (the same conditions approved in 2003 and 2004 for the property):

1. A 75-foot undisturbed buffer shall be maintained between the development and the existing Biscayne Subdivision.
2. No unit shall be less than 900 square feet.
3. The entire development shall be limited to 9 du/ac.
4. At a minimum, 40% of the exterior siding must be masonry or stone on all four sides of each structure. The remaining exterior surfaces shall be cement type siding such as Hardie board.

5. Roof type shall be 25 year, architectural-type asphalt shingles.
6. Entry landscape shall include lighted signage in conformance with R-II standards and contain annual planting beds.
7. The site will have continuous perimeter fencing.
8. Parking shall be porous type asphalt paving.
9. All units shall be sprinklered for fire suppression, units to include visual and audio fire alarms.
10. Ten percent of the units are to be fully disabled accessible; including hearing, sight and mobility impaired accessibility.
11. The property shall have a minimum 2,500 square foot community center/office building to include a technology/computer center, fitness center, community meeting room, support service office, management office, maintenance office, shop and storage areas.
12. Development shall contain a swimming pool with bath house/changing room and outdoor gathering/party area.
13. Development shall contain a playground for children, tot lot for toddlers, sport court for teenagers/adults, walking trail and picnic area with covered tables.
14. Landscaping shall be natural and drought tolerant.
15. HVAC system will exceed Georgia Energy Code requirements.
16. Windows shall be thermal pane, low UV penetration windows.
17. Onsite laundry, washer-dryer hook-ups shall be provided for each unit.
18. Trash compacter for tenant garbage shall be provided.
19. Development shall comply with all other conditions of the Georgia Department of Community Affairs Office of Affordable Housing's manual governing development.

Attorney Hayes opened the floor for public comments. There being none, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to approve the ordinance 2023-25, AN ORDINANCE ANNEXING A 2.031± ACRES TRACT LOCATED ON THE WEST SIDE OF HARRISON DRIVE, EAST OF LANIER PARKWAY (I-985) (A/K/A 1368 HARRISON DRIVE) AND TO ESTABLISH A ZONING OF RESIDENTIAL-II (R-II) 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 **as presented**.

Motion made by Council Member Dunagan

Motion seconded by Council Member Brooks

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

Motion to approve the Ordinance 2023-26, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 2.031± ACRES TRACT LOCATED ON THE WEST SIDE OF HARRISON DRIVE, EAST OF LANIER PARKWAY (I-985) (A/K/A 1368 HARRISON DRIVE) AT THE TIME OF ANNEXATION AS RESIDENTIAL-II, WITH CONDITIONS (R-II-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **with conditions as presented**.

Motion made by Council Member Thompson

Motion seconded by Council Member Clay

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

Request from Greg Loyd to rezone a 0.397± acre tract located at the southwest side of the intersection of High Street and Dixie Street (a/k/a 812 Dixie Street) from General Business (G-B) to Residential-II (R-II). Ward Number: Three. Tax Parcel Number(s): 01-033-002-001. Request: Four condominium units.

- ***Proposed Rezoning Ordinance 2023-27***

City Attorney Abb Hayes opened the public hearing and confirmed the public notice was properly advertised.

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following six (6) conditions:

1. The use of the property shall be limited to four (4) detached single-family residential condominiums.
2. Each condominium unit shall contain a minimum heated floor space area of 1,800 square feet.
3. The architecture and overall design of the proposed single-family residential condominiums shall be consistent with the attached narrative, site plan, condominium renderings and floor plans, and shall be subject to the approval of the Community and Economic Development Director.
4. The front yards along Dixie Street and High Street and shall be sodded with grass. In addition, there shall be a minimum of one, 3-inch caliper size hardwood tree per condominium unit.
5. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
6. An updated as-built survey/plat showing all improvements to the property shall be required upon an occupancy permit being issued for the last condominium unit.

Attorney Hayes opened the floor for public comments.

Priscilla Freeman, 3733 Cherokee Ford, spoke on behalf of her father, Greg Lloyd, noting she was available for any questions.

There being no further comments, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to approve the Ordinance 2023-27, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.397± ACRE TRACT LOCATED AT THE SOUTHWEST SIDE OF THE INTERSECTION OF HIGH STREET AND DIXIE STREET (A/K/A 812 DIXIE STREET) FROM GENERAL BUSINESS (G-B) TO RESIDENTIAL-II, WITH CONDITIONS (R-II-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES with conditions as presented.

Motion made by Council Member Brooks

Motion seconded by Council Member Wangemann

Votes favoring the motion: Thompson, Brooks, Clay, Dunagan, Wangemann

ADJOURNMENT: 6:03 PM

/ag

W. Samuel Couvillon, Mayor

Denise O. Jordan, City Clerk