



CALL TO ORDER

MINUTES

A. Minutes of January 9, 2024

OLD BUSINESS

NEW BUSINESS

A. Variance

- 1) Request from **Raven Residential Group** to vary the front yard setback requirement on a 0.925± acre tract located on the south side of Washington Street, west of the intersection of Washington Street and West Academy Street (a/k/a **521 Washington Street, SW**), having a zoning of Neighborhood Business (N-B).

Ward Number: Two
Tax Parcel Number(s): 01-027-001-003
Request: Residential condominium community

B. Rezoning

- 1) Request from the **City of Gainesville** to rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I).

Ward Number: Three
Tax Parcel Number(s): 01-015-001-010 and 013
Request: Existing uses

C. Special Use

- 1) Request from **Raven Residential Group** for a special use on a 0.925± acre tract located on the south side of Washington Street, west of the intersection of Washington Street and West Academy Street (a/k/a **521 Washington Street, SW**), having a zoning of Neighborhood Business (N-B).

Ward Number: Two
Tax Parcel Number(s): 01-027-001-003
Request: Residential condominium community

- 2) Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I).

Ward Number: Five
Tax Parcel Number(s): 15-035-000-015
Request: Data mining facility

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 19, 2024
Date Submitted: January 19, 2024
Final Approval Date: January 19, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of January 9, 2024
Meeting Date: February 13, 2024

Purpose of Request:

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

Facts & Issues / History & Background:

The draft minutes were reviewed by the Office and Records Coordinator and the Community & Economic 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. 2024-01-09 PAB DRAFT minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
JANUARY 9, 2024

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

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

Members Absent: Board Member Jane Fleming

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

Others Present: Council Member Barbara Brooks

MINUTES OF DECEMBER 12, 2023

There was a motion to approve the minutes as presented.

Motion made by Vice-Chair Thompson
Motion seconded by Board Member Young
Vote – 5 favor, 1 absent (Fleming), 1 vacant

OLD BUSINESS

A. Rezoning Request

- 1) Request from **Simpatico Communities** to rezone a 3.17± acres tract located on the northeast side of the intersection of Jesse Jewell Parkway and Scotland Avenue, having road frontage on the northside of Johnson Street (a/k/a **839 and 853 Jesse Jewell Parkway, SW**) from General Business (G-B) to Planned Unit Development (P-U-D).
Ward Number: Three
Tax Parcel Number(s): 01-029-001-005 and 007
Request: Mixed-use building

There was a motion to remove the rezoning request from the table.

Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 5 favor, 1 absent (Fleming), 1 vacant

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

The applicant is requesting to rezone the subject 3.17± acres property for a mixed-use building consisting of 148 hotel and living hospitality units / rooms. The subject property was the previous site of L&K Cafeteria, auto oil/service business and various commercial and apartment uses. These uses were demolished five years ago and the property has remained in its current state. The property is located within the Gateway Corridor Overlay Zone and within the Westside Tax Allocation District (TAD) of which the applicant intends to file a formal application for TAD funds.

The adjacent uses include Popeyes Restaurant; Econo Lodge Motel, Super 8 Motel; Blackstock Auto Service, various offices, Single-family homes, townhomes and duplex apartments. The proposed building will consist of five stories over a lower parking level and will total approximately 97,597 square feet in size and the exterior building materials will mostly consist of a mixture of EFIS, masonry and glass. According to the applicant, no more than 59 of the 148 total units will be occupied for 15 days or more at a time. Forty (40) of the units will be specifically designed as apartments and 19 units will be designed for extended stay lodging.

Other uses include 7,028 sf restaurant/ bar, 820 sf coffee shop, 12,303 sf Thrive co-working, 1,395 sf office space, 2,913 sf lobby area, 960 sf exercise room, 6,000+ sf of outdoor patio space and additional kitchen, laundry and employee space. Surface level and underground parking are proposed and primary access is proposed from Jesse Jewell Parkway and Scotland Avenue. A private / gated access from Johnson Street is proposed that will provide parking for service and housekeeping vehicles under the parking structure. This parking area will be fenced and screened with landscaping to minimize impacts on the adjacent residential uses.

The request will require coordination with the Georgia Department of Transportation (GDOT). Special encroachment permits will be required as well as an Intersection Control Evaluation (ICE) study.

The Comprehensive Plan places the property within the *Commercial future land use category* and the *West Side Character Area* which support general mixed-use, multi-family residential, office, retail and hotel uses.

The Planning Division staff is recommending **conditional approval** of this Planned Unit Development (P-U-D) rezoning request, based on the Comprehensive Plan and the adjacent mixture of uses.

Conditions

1. The development standards within the applicant's narrative, concept plan and architectural renderings shall be made part of the zoning ordinance and the future site plan application shall be subject to the Community Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative, concept plan and architectural renderings shall take precedence over the applicant's development standards.
2. The uses within the proposed mixed-use building shall be limited to a 148 unit hotel, residential, restaurant/bar, coffee bar, co-working office space, conference room space and associated amenities.
3. The proposed hotel and residential spaces shall adhere to Unified Land Development Code standards for lodging services except that the minimum size per each unit shall be no less than 234 square feet in size.
4. A maximum of 40% (59 units) of the hotel units may be occupied by patrons for more than 15 days at time within one or more rooms/units. This includes 40 units specifically designed as apartments on floors one and two, and up to 19 hotel type units on floors three, four and five.

5. The number of proposed units and square footage of restaurant/bar, coffee bar, co-working office space, conference room space and associated amenities shall be based on the onsite parking spaces provided for each use per the Unified Land Development Code parking requirements. Any proposed on-street parking spaces shall require review and approval by the Gainesville Public Works Department.
6. The developer shall coordinate all traffic improvements with the Gainesville Public Works Director and the Georgia Department of Transportation (GDOT) and prior to permitting. The Gainesville Public Works Director and GDOT shall have the final determination of the time line of these improvements based on the developer's proposed construction schedule. All costs associated with the improvements shall be at the full expense of the developer.
7. All service areas, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.
8. 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.
9. The frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees. In addition, the frontage landscape area along Johnson Street shall contain a mixture of evergreen trees and shrubs and shall be subject to the approval of the Community & Economic Development Director.
10. A uniform sign plan shall be required for the proposed development subject to the approval of the Community and Economic Development Department Director.
11. The subject property shall be properly maintained prior to, during and after the property is redeveloped for the proposed use. This shall include regularly scheduled landscape management, removal of trash/debris and illegal parking of vehicles or trailers.

Applicant Presentation: Felipe Zubia, 10 Roswell Street, Alpharetta, with Simpatico Communities representing the property owner Virtua Gainesville stated they have owned the site for five years and originally the plans were for a Home2 Suites and Marriott Courtyard. Mr. Zubia stated the space will cater to those relocating with the need for extended stays but would prefer all 148 units sold as hotel units since it would bring more revenue. He mentioned the concept will be incorporating a live/work/play/stay site with food and beverage along with a social concept such as cornhole, darts or simulated golf and co-work space. He also said Thrive on the Gainesville square have committed to 12,000 square feet since they are at capacity and believes it is a great location being a gateway to downtown Gainesville.

Board Member Young was curious about the number of rooms containing kitchens and Mr. Zubia replied there are 40 units designated as apartments but can be rented overnight as a hotel room.

Vice-Chair Thompson asked if there would be any branding on the facility and Mr. Zubia replied he works for a private equity investment group and spoke about their portfolio and being the third largest hotel management group in the country and townhome development. Mr. Zuba stated they are developing variations of the same concept in Arizona and Colorado as in Gainesville.

FAVOR: None

OPPOSE: **Gina London Pilcher**, 714 Scotland Avenue, stated she is not opposed to the property being developed but concerned about the water issues and drainage. She spoke about the drainage issues from Jesse Jewell, flooding of the parking area on her property and mentioned the water retention pond at the apartment complex on Myrtle and Summit was overflowing with the recent rain. Mrs. Pilcher's only concern was with the water drainage issue being resolved.

Chairman Carter stated the if the project was approved and come to fruition during construction the City of Gainesville staff would monitor the engineering, conduct hydrology studies and the water runoff would be addressed. He said there would most likely be underground detention.

Mr. Zubia stated they are aware of the concern and hired a local civil engineer James Irvin with Foothills Land Design. He said there will be underground storage along with some green space being utilized for retention.

Vice-Chair Thompson asked if the restaurant/bar would be internally operated or leased. Mr. Zubia said it would be a sister company or a very selective food/beverage operator being a more higher end provider and not a typical Hilton Garden Inn restaurant.

Olivia Chert, 603 Orchard Brook Drive, stated one concern regarding the 2040 Comprehensive Plan named the site a development to help the community but with the proposed development plan seems to be a money grab for the property developer or any outside businesses without serving the community. She stated the second concern was the city board had not taken the time to address the community other than by letters which were all in English but the community is all Spanish speakers with the majority unable to read or speak English. Ms. Chert felt there has not been adequate engagement with the community for them to show opposition for it as with other communities therefore the Board should table the proposal again to consider how it will serve the community and address community properly.

Chairman Carter asked Deputy Director Tate what could be developed on the property without any zoning being changed. Mr. Tate stated the property is zoned General Business and uses such as hotel, motel, auto service, auto repair, car lot, restaurant along with a multitude of heavy commercial uses would be allowed on the property without requiring any zoning approval. Vice-Chair Thompson stated he is more concerned with the multi-family aspect of the project.

There was a motion to recommend denial to rezone the subject property for a mixed-use building from General Business (G-B) to Planned Unit Development (P-U-D) zoning.

Motion made by Vice-Chair Thompson

Motion seconded by Board Member Martin

Vote – 4 favor, 1 against (Carter), 1 absent (Fleming), 1 vacant

B. Zoning Amendment Request

- 1) Request from **Weekley Homes, LLC** to amend an existing Planned Unit Development (P-U-D) zoning on a 120.98± acres tract located on the northwest side of McEver Road, west of the intersection of McEver Road and Gould Drive (a/k/a **0 and 1300 Gould Drive, SW**).

Ward Number: Four
Tax Parcel Number(s): 08-016-002-001A; 08-017-000-001
Request: Single-family subdivision for active adults

There was a motion to remove the zoning amendment request from the table.

Motion made by Vice-Chair Thompson
Motion seconded by Board Member Simmons
Vote – 5 favor, 1 absent (Fleming), 1 vacant

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

The applicant is proposing to amend a 120.98± acres property zoned Planned Unit Development (P-U-D) for a 229 lot age-restricted, single-family subdivision for active adults known as “Lanier Landing”. The proposed development also includes a 3.5± acres commercial out lot for 75,000 square feet of commercial space that could include restaurants, professional office space and/or climate-controlled storage units.

The property consists of two parcels with frontage along Lake Lanier and McEver Road, within the Gateway Corridor Overlay Zone. The property is heavily wooded and contains three tributaries that flow into Lake Lanier as well as a Georgia powerline easement that traverses part of the property. Adjacent uses include the Waters Edge subdivision, Cresswind at Lake Lanier subdivision, Pemmican Point subdivision, Societal CDMO Pharmaceutical Company, Midgaord Self Storage Walmart Neighborhood Market and a church.

The property was rezoned in 1982 for a conference center and scientific retreat complex intended to compliment the adjacent Elan Pharmaceutical (now Societal CDMO Pharmaceutical Company), but were never developed. The proposed residential lots are comprised of 134 (50 foot wide lots) and 95 (60 foot wide lots) with an overall density of 1.89 dwelling units per acre and just under 32 acres of open green space.

Amenities include a 5,000 square foot clubhouse, resort-style swimming pool, lawns, mail kiosk, pocket parks, 10± pickleball courts, dry boat storage and kayak storage. A multi-slip dock is also proposed within the cove located between the subject property and the Cresswind at Lake Lanier subdivision, which has not been approved by the Corps of Engineers. It is anticipated the project will be built over a period of 48 to 60 months over three phases. The Gainesville Fire Department states that all roads must be constructed to City standards not to exceed 10% grade for the fire apparatus road. Road widths could be subject to change as needed.

The request will require coordination with the Georgia Department of Transportation (GDOT). A driveway permit will be required for access on SR 53/ McEver Road. A traffic Study was provided for the development which is summarized in the staff report.

The proposed development required a Development of Regional Impact (DRI #4011) study to be performed by the Georgia Mountains Regional Commission (GMRC). According to the study, the GMRC recommends that City work with the Gainesville Hall Metropolitan Planning Organization (GHMPO) and the Georgia Department of Transportation (GDOT) to review the proposed configuration of access and possible impacts to McEver Road and the intersection of McEver Road and Browns Bridge Road. In addition, best environmental practices are encouraged regarding stormwater management upon compliance with State and local regulations.

The Comprehensive plan places the subject property within the *Parks, Recreation & Conservation* future land use category and within the *Suburban Neighborhood* Character Area.

The Planning Division staff is recommending **conditional approval** of this Planned Unit Development (P-U-D) zoning amendment request, based on the Comprehensive Plan and the adjacent and nearby residential uses.

There are revised conditions that have been agreed upon between the applicant and the adjacent neighborhoods. Staff has reviewed the revised conditions and are in agreement with the proposed changes.

There were twelve original conditions. There are now a total of eighteen conditions with revisions to conditions 3, 5, & 6 and new conditions 13 thru 18.

Conditions

1. The development standards within the applicant's narrative, concept plans, project detail booklet and architectural renderings shall be made part of the zoning ordinance, and shall be subject to the Community and Economic Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with these documents shall take precedence over the applicant's development standards.
2. The proposal shall not exceed 229 age-restricted, single-family units (1.89 du/ac).
3. Site plan review and approval shall be required by the Planning and Appeals Board and City Council prior to the development of the proposed commercial space. A revised traffic impact study for the commercial space shall be required if determined necessary by the Gainesville Public Works Director and the Georgia Department of Transportation prior to a permit being issued. **In this regard, commercial uses within the commercial space are limited to office, self-storage, and/or RV/Boat storage.**
4. The development shall comply with applicable U. S. Department of Housing and Urban Development (HUD) rules for age-restricted communities. The organization established for the management of the development shall comply with HUD rules for verification of occupancy and shall maintain procedures for routinely determining the occupancy of each unit. Such procedures may be part of a normal leasing or purchasing agreement and must provide for regular updates as required by HUD.
5. A mandatory Homeowners Association (HOA) or multiple associations shall be required for the proposed development providing for the financial management, architectural controls, enforcement of community standards and management of all common areas. Any modifications or new construction within the community must be approved by the Architectural Review Board. The Board will be established and operated by the developer until such time the powers are transferred to the HOA(s). A covenant shall be required to be recorded for the proposed development stating that no more than 20% of the total residential units may be rented.

The homeowners' association (HOA) shall include in its covenants:

- **A provision requiring that each and every occupied residence shall be occupied by at least one (1) adult who is fifty five (55) years of age or older**
 - **A provision requiring that no person under the age of eighteen (18) is allowed to occupy a residence in the Community for a total of more than ninety (90) days, consecutive or non-consecutive, in any calendar year**
 - **Control of the HOA must be transferred to the residents no later than the sale of ninety percent (90%) of the dwellings within the development**
 - **Outdoor residential amenity areas must be closed between the hours of 10 pm and 6 am**
6. The proposed 50-foot wide perimeter buffer adjacent to the Waters Edge subdivision shall remain undisturbed. In addition, a staggered row of buffer trees shall be planted adjacent to the undisturbed perimeter buffer. The trees shall consist of a mixture of Cryptomeria, Arborvitae and Eastern Red Cedar trees at a minimum height of 10 feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director. **Along the portion of the common boundary with Waters Edge Subdivision depicted as being adjacent to Lots 201-210 on the site plan, there shall be installed an additional row of evergreen plantings consisting of at least three (3) species, with plantings being at least 6-feet tall at the time of planting, spaced 10-12 feet apart on center. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.**
 7. The right-of-way fronting McEver Road shall be landscaped and maintained subject to the approval of the Community and Economic Development Director.
 8. 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 (GDOT). 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.
 9. All proposed roads shall meet City standards. Sidewalks shall be provided on both sides of all roads and drive aisles/parking areas at a minimum width of 5-feet. The sidewalks shall extend and connect to the existing sidewalk network on McEver Road.
 10. All service areas, loading areas, ground or roof top HVAC equipment for the commercial uses shall be screened from view from all adjacent uses, roads and Lake Lanier.
 11. 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.
 12. A uniform sign plan shall be required for the proposed development subject to the approval of the Community and Economic Development Department Director.
 13. **Prior to land disturbance, orange tree-save fencing shall be installed around trees to be left undisturbed as indicated on the LDP.**
 14. **Homes must be a minimum of 1,500 sf. In addition, homes may only be of single-story**

or story-and-a-half design, and either style home may be on a basement or slab foundation.

- 15. All homes shall have a garage which accommodates no less than two (2) cars. Double car garage doors shall be a minimum of 16 feet wide.**
- 16. If any fencing is required for these ponds, such shall be constructed equestrian-style fence with wire mesh backing. If fencing is present, such fencing shall be screened with appropriate evergreen landscaping to be approved by the Community and Economic Development Department Director.**
- 17. Only residents of the development may utilize RV/Boat Storage or docks within the residential amenity areas.**
- 18. Any blasting will occur between the hours of 11 am and 4 pm, Monday - Friday. Blasting is prohibited on weekends. In addition, the developer will maintain a citizen notice list for blasting notification and provide email, texting, or web portal notice prior to blasting. Any citizen and resident shall have the right to be placed on the notification list.**

Applicant Presentation: Ethan Underwood, 202 Tribble Gap Road, Cumming, attorney with Miles Hansford stated they had reached a consensus with good discussions with the adjacent neighborhoods regarding traffic, aesthetics, lake views along with the construction. Mr. Underwood presented a power point presentation and stated the construction would be phased with lots designed for little yard maintenance and lower density than the original design. He stated due to traffic concerns the proposal will be an age restricted community which will have less traffic going out at less than peak drive times than a non-age restricted community. He also mentioned the addition of conditions regarding the homestyle, size, senior community, and HOA provisions/restrictions, limiting the commercial space and a zoning condition to address the concern of blasting during construction if necessary.

FAVOR: Bill Marianes, 2773 Waters Edge Drive, stated once learning of the development neighbors from Cresswind, Waters Edge and Pemmican Run met for discussions and named the group the "CWEPR Community" and formed a volunteer group of professionals with different skill sets including Cresswind HOA Vice-Chair Louis McClure, Bill Cannon with waste water treatment experience, Paul Meyer with a real estate development background and Mike Smith formerly with the planning board in Gwinnett County and zoning commission. He said the neighbors would prefer keeping the 120 acres as a nature preserve but understood the need to sell the property and believed the developer to be credible. He stated they were not in favor of the first proposal which contained 30,000 sq. ft of restaurant space, 591 homes and 415 apartments with the second proposal being reduced with 507 homes, 320 condos but with major traffic concerns at McEver and Browns Bridge Road. Mr. Marianes stated at that point the group had an opportunity for discussions with the developer and came to a consensus with the current proposal which included 229 single-family senior homes, then had discussions with Mr. Tate regarding a larger buffer with extra trees and height. He then said there are 2,500 people in the "CWEPR Community" and they came to a consensus and agree with city recommendations including the 18 conditions for approval but would like to add an additional condition for professional negotiations to continue during the development process. He acknowledged Jason Durham, the lead representative for Weekley Homes listened to all the group's arguments and met them more than half way, Attorney Ethan Underwood for doing a great job in moving the process along and stated Matt Tate had most of the residents reach out to him as some point but patiently lead them through the process and owe a debt of

gratitude to him and the staff. Mr. Marianes stated appreciation to the Planning Board for their work and hope the Board will accept the good faith that has been accomplished in the past six months.

Mike Smith, 2640 Pemmican Run, stated the community came together and everyone was professional and has not been his experience over the years with zoning boards. He asked for clarification on the commercial development and the process of coming back through the zoning process.

Chairman Carter answered nothing commercial can be done without going the process of resubmitting plans, site design, architectural including traffic specifics to the Planning Board and then onto City Council. He reminded them that Mr. Underwood stated it would be restricted for either office, self-storage or RV/boat storage which limits the uses while still requiring the future proposed commercial use to go through the same public hearing process first.

OPPOSE: Jim Walters, 311 Green Street Suite 103, stated he represents Barry and Bridget Conner that own two lake lots in Waters Edge and two homes in Pemmican Run. He said the Conner's are not opposed to the development but wanted the Board to be aware the density seems too large for area and more appropriate at 1.25 units per acre. Mr. Walters asked for clarification regarding the commercial property and Chairman Carter stated it would require further site plan approval and must go back through the public hearing process with final approval from City Council. Mr. Walters stated the Conner's object to the commercial development portion due to the vague proposal and request the Planning Board to reject that portion of the request.

Jennifer Knight – 2719 Water View Circle, stated she had searched two years before deciding on Water View Circle based on the 121 acres that backs up to it which she believes adds value to her home. She stated the neighbors on Water View Circle were not involved with any of the negotiations and were never notified or invited to the meetings. She presented a slide presentation on her computer and said the original request showed a original 100-foot undisturbed buffer next to the Waters Edge subdivision and her property. She stated the water runoff goes through her back yard into Lake Lanier which could be considered a watershed for the drinking water and EPD regulations might apply. The second request would be for a nose abatement fence due to the blasting. She stated Dr. Tom Diggs discovered two critically endangered species and would request the plants identified be protected. Ms. Knight's other concern was regarding the 10 storm water management areas regarding the maintenance of them. She also mentioned the 2023 Unified Code regarding denials and a waiting period of six months before resubmitting along with the concept plan being constitutionally binding and believes is missing some minimal requirements per the Unified Code.

Chairman Carter stated the items were tabled at the applicant's request and not denied. He stated the board will take into consideration her input.

Board Member Martin stated some confusion regarding the commercial site and **Vice-Chair Thompson** asked for clarification and stated the property is currently zoned commercial but nothing can be done with the site until a plan has been proposed at which time will need to come back through Planning Board and City Council.

Deputy Director Tate stated the property was approved as part of the retreat center originally. He said the proposed zoning condition #3 requires the applicant to come back before the

Planning and Appeals Board and City Council for the specific commercial use to be reviewed and approved. In addition, the proposed commercial use is limited to an office, self-storage or RV/boat storage which will required further approval before the Planning and Appeals Board and City Council. A site plan and architectural elevation/renderings will be required as part of the site plan approval process.

Board Member Young asked about the opposition petition signed by neighbors and noticed some of them speaking in favor and wondered if they wanted to withdraw it.

Deputy Director Tate stated the petition was in opposition of the original request and was left in the packet as an original attachment.

Bill Marianes stated all historical records were from the original plan A and plan B and all concerns have been addressed.

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

Conditions

1. The development standards within the applicant's narrative, concept plans, project detail booklet and architectural renderings shall be made part of the zoning ordinance, and shall be subject to the Community and Economic Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with these documents shall take precedence over the applicant's development standards.
2. The proposal shall not exceed 229 age-restricted, single-family units (1.89 du/ac).
3. Site plan review and approval shall be required by the Planning and Appeals Board and City Council prior to the development of the proposed commercial space. A revised traffic impact study for the commercial space shall be required if determined necessary by the Gainesville Public Works Director and the Georgia Department of Transportation prior to a permit being issued. In this regard, commercial uses within the commercial space are limited to office, self-storage, and/or RV/Boat storage.
4. The development shall comply with applicable U. S. Department of Housing and Urban Development (HUD) rules for age-restricted communities. The organization established for the management of the development shall comply with HUD rules for verification of occupancy and shall maintain procedures for routinely determining the occupancy of each unit. Such procedures may be part of a normal leasing or purchasing agreement and must provide for regular updates as required by HUD.
5. A mandatory Homeowners Association (HOA) or multiple associations shall be required for the proposed development providing for the financial management, architectural controls, enforcement of community standards and management of all common areas. Any modifications or new construction within the community must be approved by the Architectural Review Board. The Board will be established

and operated by the developer until such time the powers are transferred to the HOA(s). A covenant shall be required to be recorded for the proposed development stating that no more than 20% of the total residential units may be rented.

The homeowners' association (HOA) shall include in its covenants:

- A provision requiring that each and every occupied residence shall be occupied by at least one (1) adult who is fifty five (55) years of age or older
 - A provision requiring that no person under the age of eighteen (18) is allowed to occupy a residence in the Community for a total of more than ninety (90) days, consecutive or non-consecutive, in any calendar year
 - Control of the HOA must be transferred to the residents no later than the sale of ninety percent (90%) of the dwellings within the development
 - Outdoor residential amenity areas must be closed between the hours of 10 pm and 6 am
6. The proposed 50-foot wide perimeter buffer adjacent to the Waters Edge subdivision shall be remain undisturbed. In addition, a staggered row of buffer trees shall be planted adjacent to the undisturbed perimeter buffer. The trees shall consist of a mixture of Cryptomeria, Arborvitae and Eastern Red Cedar trees at a minimum height of 10 feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director. Along the portion of the common boundary with Waters Edge Subdivision depicted as being adjacent to Lots 201-210 on the site plan, there shall be installed an additional row of evergreen plantings consisting of at least three (3) species, with plantings being at least 6-feet tall at the time of planting, spaced 10-12 feet apart on center. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
 7. The right-of-way fronting McEver Road shall be landscaped and maintained subject to the approval of the Community and Economic Development Director.
 8. 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 (GDOT). 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.
 9. All proposed roads shall meet City standards. Sidewalks shall be provided on both sides of all roads and drive aisles/parking areas at a minimum width of 5-feet. The sidewalks shall extend and connect to the existing sidewalk network on McEver Road.
 10. All service areas, loading areas, ground or roof top HVAC equipment for the commercial uses shall be screened from view from all adjacent uses, roads and Lake Lanier.
 11. 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.

12. A uniform sign plan shall be required for the proposed development subject to the approval of the Community and Economic Development Department Director.
13. Prior to land disturbance, orange tree-save fencing shall be installed around trees to be left undisturbed as indicated on the LDP.
14. Homes must be a minimum of 1,500 sf. In addition, homes may only be of single-story or story-and-a-half design, and either style home may be on a basement or slab foundation.
15. All homes shall have a garage which accommodates no less than two (2) cars. Double car garage doors shall be a minimum of 16 feet wide.
16. If any fencing is required for these ponds, such shall be constructed equestrian-style fence with wire mesh backing. If fencing is present, such fencing shall be screened with appropriate evergreen landscaping to be approved by the Community and Economic Development Department Director.
17. Only residents of the development may utilize RV/Boat Storage or docks within the residential amenity areas.
18. Any blasting will occur between the hours of 11 am and 4 pm, Monday - Friday. Blasting is prohibited on weekends. In addition, the developer will maintain a citizen notice list for blasting notification and provide email, texting, or web portal notice prior to blasting. Any citizen and resident shall have the right to be placed on the notification list.

Motion made by Vice-Chair Thompson

Motion seconded by Board Member Young

Vote – 4 favor, 1 oppose (Martin), 1 absent (Fleming), 1 vacant

Chairman Carter stated there would be a five-minute break before continuing at the request of some board members.

NEW BUSINESS

A. Rezoning Request

- 1) Request from **Booker Property Holdings, LLC and Paul Wilmont** to rezone a 0.47± acre tract located on the north side of Summit Street between E. E. Butler Parkway and Chestnut Street (a/k/a **235 Summit Street, SE**), from Neighborhood Business (N-B) to Residential-II (R-II).

Ward Number: Three

Tax Parcel Number(s): 01-020-004-004A

Request: Four townhomes

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

The applicant is proposing to rezone the 0.47± acre property from Neighborhood Business (N-B) to Residential-II (R-II) to construct four (4) fee-simple attached townhouses. The property is partially wooded and previously contained a single-family home that was demolished approximately 17 years ago. The subject property is located within the Midtown Overlay Zone and the adjacent uses include the Walton Summit Apartments, single-family home, City Plumbing and Electric and vacant property.

The townhome units will be two story with 3 bedroom / 2.5 bath homes and a minimum of 1,400 sf of heated space. Each townhome provides for a single car garage and additional guest parking will be provided within in the common area. Final site design and elevations of the townhome units have not been fully determined at this time. The proposed townhomes are intended to be for sale units.

The Future Development Map for the City of Gainesville places the subject property within the *Downtown Mixed-Use category* and within the *Central Core* Character Area which support a mixture of higher density residential uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request with **Residential-II (R-II)** zoning, based on the Comprehensive Plan and the adjacent residential land uses.

Applicant Presentation: Paul Wilmont, 4757 Martin Crossing West Drive, spoke on behalf of Booker Property Holdings and hopes to enhance the community by beautifying that part of Gainesville and believes the four townhomes will help. Mr. Wilmont stated he grew up in the area and would appreciate the request being approved.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval to rezone the subject property for four townhomes from Neighborhood Business (N-B) to Residential-II (R-II) with the following conditions:

Conditions

1. The use of the property shall be limited to a maximum of four (4) residential townhome or condominium units. Each unit shall contain a minimum heated floor space area of 1,400 square feet.
2. The proposed development shall adhere to the Midtown Overlay Zone site and architectural design standards, and is subject to the approval of the Community and Economic Development Director.
3. The front yards along Summit Street shall be sodded with grass. In addition, a minimum of one, 3-inch caliper size hardwood tree shall be required to be planted within the front yard of each townhome lot.
4. A mixture of evergreen trees shall be planted along part of the easterly property line between the adjacent residential home and the proposed townhome units / parking areas. The minimum install height of the trees shall be 10 feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
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 townhome unit.

Motion made by Board Member Martin
Motion seconded by Board Member Simmons
Vote – 5 favor, 1 absent (Fleming), 1 vacant

B. Special Use Request

- 1) Request from **Moez Hasni** for a special use on a 4.11± acres tract located on the east side of Crescent Drive, north of the intersection of Jesse Jewell Parkway and Crescent Drive (a/k/a **400 Crescent Drive, NE**), having a zoning of General Business (G-B).
Ward Number: Two
Tax Parcel Number(s): 15-033C-000-077
Request: Staybridge Suites extended stay hotel

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

The request is for a special use within General Business (G-B) zoning to allow a Staybridge Suites by Intercontinental Hotel Groups (IHG) extended stay hotel. The property is located within the Limestone Corridor Overlay Zone and the adjacent uses include two single-family homes in the county, shopping center under development, undeveloped property approved for a climate-controlled storage facility and I-985 / Exit 24.

The extended stay hotel will be 4 stories in height with 98 rooms with 112 surface level parking spaces and amenities. Access is proposed from Crescent Drive and from the neighboring Dunkin Donuts anchored shopping center which has inter parcel connection with the subject property. The exterior of the building will consist of a mixture of Masonry, EFIS and glass designed to meet the Limestone Corridor Overlay Zone standards.

Georgia Department of Transportation will require coordination to determine the impacts to the traffic signal at SR 369 at White Sulphur Road.

The Comprehensive Plan places the property within the *General Mixed-Use* land use category and the *Economic Development Gateways character area* which includes areas containing or planned for a mixture of land uses and supports commercial and service uses.

The Planning Division staff is recommending **conditional approval** of the proposed special use request within **General Business (G-B) zoning**, based on the Comprehensive Plan and the adjacent nonresidential land uses.

Applicant Presentation: **Moez Hasni**, 400 Crescent Drive, represented Hall County Landfill Exit 24, LLC and stated they are proposing a Staybridge Suites by IHG with rates approximately \$200 per night which will attract higher end cliental. He stated there are very view options in the area and most cliental prefers to stay more than three nights per week with the majority staying Monday thru Thursday leaving on Friday. Mr. Hasni stated it will serve hot breakfast, quick bites in the evening, happy hour with wine and beer but no hard liquor. He mentioned it will have a gym, swimming pool and possibly pickle ball for exercise and will glad to answer any questions.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the special use request for a Staybridge Suites extended stay hotel having a zoning of General Business (G-B) with the following conditions:

Conditions

- 1. The special use approval shall be limited to the operation of a Staybridge Suites by IHG extended stay hotel. No other use on the subject property for “Extended Stay Lodging Services,” as that term is defined in Section 9-10-6-16 of the Gainesville Unified Land Development Code, shall be permitted.**
- 2. The proposed development shall be generally consistent with the concept plan and architectural renderings provided with this application. The exterior wall materials shall include a mixture of brick or stone and EFIS per the approval of the Community & Economic Development Director.**
- 3. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 4. The frontage landscape areas and right-of-way areas along Crescent Drive shall be sodded with grass. The frontage landscape areas and landscape islands within the parking lot shall contain minimum 3-inch caliper size trees subject to the Community & Economic Development Director approval.**
- 5. All service areas, dumpster enclosures, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 6. The subject property shall be limited to one (1) monument sign not to exceed 10-feet in height, 80 square feet of sign face area, 120 square feet of total sign structure area with internal or external lighting. Building signage shall be permitted as regulated within the Gainesville Unified Land Development Code. An electronic message board sign or electronic changeable copy sign shall not be permitted for the subject property.**
- 7. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, Hall County Public Works and Utilities Director and the Georgia Department of Transportation if determined necessary. The 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 owner/developer.**

Motion made by Board Member Young
Motion seconded by Board Member Simmons
Vote – 5 favor, 1 absent (Fleming), 1 vacant

ADJOURNMENT

There was a motion to adjourn the meeting at 7:01 p.m.

Motion made by Vice-Chair Thompson

Motion seconded by Board Member Martin

Vote – 5 favor, 1 absent (Fleming), 1 vacant

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 19, 2024
Date Submitted: January 22, 2024
Final Approval Date: January 25, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Raven Residential Group** to vary the front yard setback requirement on a 0.925± acre tract located on the south side of Washington Street, west of the intersection of Washington Street and West Academy Street (a/k/a **521 Washington Street, SW**), having a zoning of Neighborhood Business (N-B).
Meeting Date: February 13, 2024

Purpose of Request:

The applicant is proposing to vary the front yard setback from Washington Street from 40-feet to 30-feet. The applicant is basing the hardship on the property size, topography and an existing sanitary sewer easement. The purpose of the request is to redevelop the subject property for a micro-housing development consisting of eleven residential fee-simple condominiums. The proposed units are two-stories on minimum 300 square foot condominium lots. The minimum condominium size will be 500 square feet of heated floor space. One and two bedroom options will be available at multiple price points to meet the growing and unfulfilled need for obtainable housing. A private access drive/road is proposed from Washington Street and one parking space for each unit will be provided, as well as four guest parking spaces. Amenities include a mail kiosk and a small community lawn and fire pit. The property contains a vacant rental home that will be demolished. A sanitary sewer easement and creek are located to the rear of the property. The adjacent uses include a small retail center, a single-family home, residential condominiums and St. Paul United Methodist Church.

Special use approval is also required for this proposed development, which is item C.1 on the agenda.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff is recommending the request be tabled to the March 12, 2024, Planning and Appeals Board meeting.

Department Director:

Rusty Ligon

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

Amount Requested:

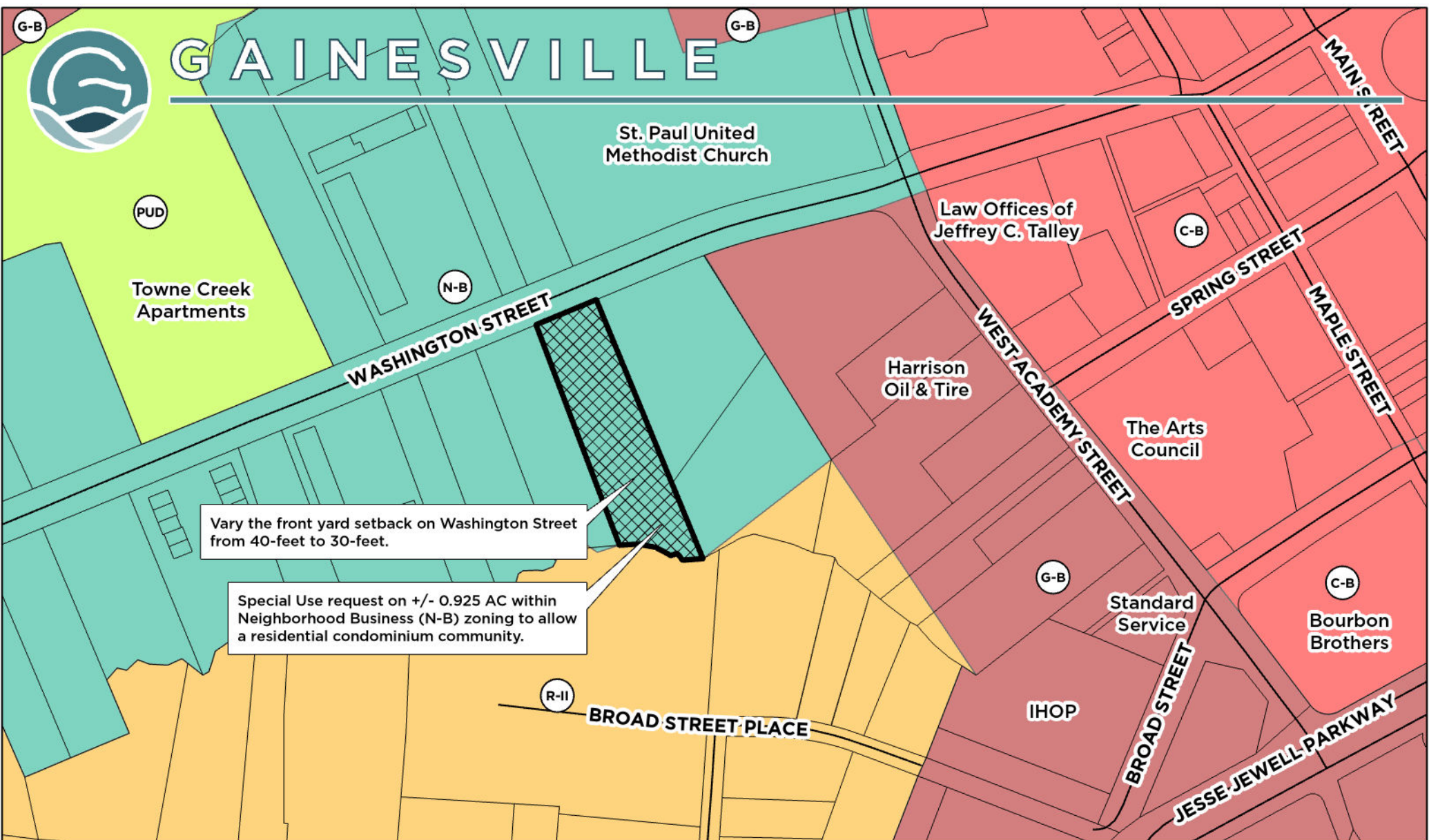
Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Location maps
2. Statement of Hardship
3. Project Narrative
4. Concept Plan
5. Elevations
6. Architectural renderings
7. Existing Home Photo

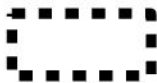
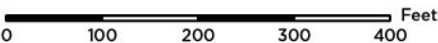


Applicant: RAVEN RESIDENTIAL GROUP		Request: - Vary the front yard setback on Washington Street from 40-feet to 30-feet. - Special use request on +/- 0.925 AC within Neighborhood Commercial (N-B) zoning to allow a residential condominium community.	
VARIANCE AND SPECIAL USE REQUEST			
Subject Property Address: 521 Washington Street, SW	Tax Parcel: 01-027-001-003	 Subject Property	 Scale: 1" = 200' Page 22 of 73
Meeting Date: 2/13/2024 Map Prepared: 1/17/2024			



GAINESVILLE



Applicant: RAVEN RESIDENTIAL GROUP		Request: - Vary the front yard setback on Washington Street from 40-feet to 30-feet.	
VARIANCE AND SPECIAL USE REQUEST		- Special use request on +/- 0.925 AC within Neighborhood Commercial (N-B) zoning to allow a residential condominium community.	
Subject Property Address: 521 Washington Street, SW	Tax Parcel: 01-027-001-003	 Subject Property	Aerial from 2023
Meeting Date: 2/13/2024		Map Prepared: 1/17/2024	
			Scale: 1" = 200'



Variance Request

STATEMENT OF HARDSHIP

The Gainesville Planning and Appeals Board has the authority, in specific cases, to grant variances from the terms of the Unified Land Development Code of the City of Gainesville, Georgia, when the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Unified Land Development Code will, in specific cases, result in unnecessary hardship and so that the resolution shall be observed, public safety and welfare secured, and substantial justice done. The authority to grant such variances shall be limited to those instances where a hardship is clearly established as required by the Unified Land Development Code. Variances may be granted only upon a finding by the Gainesville Planning and Appeals Board that:

Describe how each situation listed below relates to your application.

1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography. (The hardship must relate to the physical character of the lot and not to a personal or economic hardship.)

The size of the parcel (0.952 acres) falls below the PUD threshold of 1.5 acres and therefore the requirements of the underlying zoning creates a hardship for developing the parcel as an intown (urban) type of residential community.

2) The application of the requirements of this resolution to this particular property would create an unnecessary hardship.

Based on the need for attainable housing within walking distance of the downtown center, the strict requirements of the underlying zoning would render the parcel undevelopable, for the intended use, if these requirements cannot be varied.

3) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned.

The parcel configuration, topography and existing sanitary sewer easement limit the buildable area and therefore adversely affect the reasonable use of the parcel without variances to the underlying zoning.

4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.

For example, granting the variance would not confer any special privilege that is denied by this regulation to other property in the same zoning district. Such conditions are not the result of any actions of the property owner.

The variances requested would align with a reasonable PUD request if the size of the parcel qualified. There are no known detrimental impacts that would be anticipated from granting these variances. No actions of the property owner have created the conditions that require these variances.

5) There must be a proved hardship by showing beyond a doubt the inability to make a reasonable use of the land if the zoning ordinance were applied literally.

As currently zoned, the requirements for a single family, detached, condominium use would not allow for development of a product that would fit the need for intown (urban) residential use.

6) The hardship cannot be self-created; e.g., as in a case where the lot was purchased with the knowledge of an existing restriction.

The parcel is "under contract" with a zoning contingency for the special use permit and variances being requested.

I hereby certify that the above information and all attached information is true and correct.

Signature of Applicant: Bradley Dunckel

Date: 12/29/23

PROJECT NARRATIVE

GVL Village

THE CITY OF GAINESVILLE

A MICRO HOUSING DEVELOPMENT



DECEMBER 29, 2023

EXECUTIVE SUMMARY

GVL VILLAGE is an eleven unit, micro-housing development located at 521 Washington Street (a 60' public right-of-way) southeast of the intersection of West Academy Street within the limits of the City of Gainesville, Georgia. The parcel is located within the Central Core District of the City in close proximity of the Downtown historic square and rapidly expanding food and entertainment district. The project is a redevelopment parcel of 0.952 acres at a density of 11.55 units per acre. The parcel is located within Land Lot 154, 9th District, Hall County Georgia. The current zoning of the parcel is NB - Neighborhood Business with this request for a Special Use Permit and Variances

Currently, the site is comprised of one structure, a single family home built around 1937 and most recently used as a rental property. The remainder of the site is undeveloped with a variety of vegetation. The rear property line is a stream and the back one-third of the property will be mostly undeveloped. The property to the east is a commercial building with individual rental spaces and to the west is another single family home, apparently used as a rental. Also in the immediate vicinity is a self-storage complex, a business center, St. Paul Methodist Church and the new Washington Street duplexes.

The development concept is for an innovative micro-housing development incorporating Traditional Neighborhood Development (TND) practices into a vibrant, human-scaled, pedestrian friendly community. *Micro homes are the "next step up" from tiny houses; they range from 400 to approximately 800 square feet and must encompass an independent kitchen, bathroom, and at least one window. These dwellings can be modular, pre-fabricated, or custom builds, and use materials and finishes comparable to traditional homes. They are spatially evolved from apartment living with no shared walls, ceilings, or floors, and each unit has an independent outdoor living area such as a porch or piece of land.* These residential units will be offered as fee simple, detached condominiums, subject to a restrictive covenant.

A central street, will serve the homes located on both sides. Homes will have a fenced outdoor area at the rear and parking will be accomplished on the side of the home with a paved or geo-grid parking strip. A small common area space will be located at the front of the development. The genesis of the entire development gravitates around human-centered design principles leading towards a safe & sociable environment.

GVL VILLAGE will meet a growing and unfulfilled need for obtainable housing, located in an urban setting, and within walking distance of the Downton District. One & two bedroom options will be offered at multiple price points. All common area maintenance will be covered by the Condominium Owners Association, insuring that the project will retain its quality and value for years to come.

COMPREHENSIVE PLAN

The GVL VILLAGE development is consistent with the goals and objectives of the City of Gainesville's Comprehensive Plan and its vision for future land use utilizing redevelopment and infill opportunities.

Needs & Opportunities in the Plan include:

- There is opportunity to redevelop areas of the city to remove blight and underutilized developments, while introducing more up-to-date development styles

Stated Goals & Strategies of the Plan include:

- Encourage new, high-quality infill residential development that maintains community character and ensures stable, long-term property values and neighborhoods.
- Provide for maximum flexibility in the mixture and arrangement of land uses and unique and innovative land planning via planned unit developments, at appropriate locations, and with appropriate sizes and scales.

Redevelopment and infill opportunities of underutilized sites are one of Gainesville's greatest physical assets because of their development potential that can help enhance housing opportunities and support the growth potential of the district. GVL VILLAGE will fill a need for obtainable housing in a location suitable for pedestrian interconnectivity to the Downtown District. Developments of these type of sites can reduce the need to travel further to shop or work, preserve lands further out, and save taxpayers infrastructure costs. This new community will integrate seamlessly within the City's urban fabric and greatly contribute to the evolving perimeter development of the Downtown District.

The GVL VILLAGE property is identified being in the Plan's Character Area as part of the "Central Core" with a Future Land Use of "General Mixed Use" which includes "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." This proposal (Special Use Permit & Variances) seems appropriate for the area.

GVL VILLAGE will set the example as Gainesville's first signature infill redevelopment featuring micro-housing, while meeting the Comprehensive Plan goals of transforming neglected and underutilized resources into a desirable downtown neighborhood, while creating new living opportunities for Gainesville's ever diversifying and growing population.

DEVELOPMENT PLAN

Property Address: 521 Washington Street, Lot 154, 9th District, Gainesville, Hall County, Georgia

Site Area: 0.952 AC +/-

Existing Zoning: NB – Neighborhood Business

Proposed Zoning: NB – Neighborhood Business with Special Use Permit & Variances

Existing Conditions: Existing vacant single family house.

Proposed Uses: An urban, micro-housing development incorporating traditional neighborhood development practices into a vibrant, human-scaled, pedestrian friendly community..

Proposed Density: 11.55 DU/AC

Site Development: Maximum Residential Units: 11

Development Standards

Minimum Lot Size – 300 SF (condominium ownership)

Minimum Unit Size - 500 SF

Minimum Setback from Washington Street - 30'

Front Setback: 5 feet form Private Drive to front porch

Side Setback: 3 feet

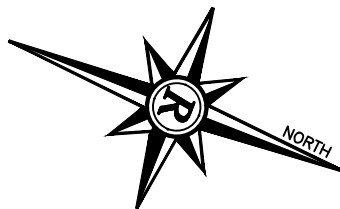
Minimum Building Separation: 10 feet

Rear Setback: 5 feet

Open Space: As exhibited in the Concept Plan, community Open Space will be provided near the front of the project along with undisturbed areas at the rear of the property.

Parking: One (1) parking spaces per residential unit, with a minimum of four (4) guest parking spaces

Flexibility: As the Developer progresses with design for this innovative urban neighborhood, approval flexibility in revisions to the Concept Plan via site layout & engineering at the Staff level will be granted as long as overall proposed density shall not be eclipsed.



Dimensional Standards
Parcel Size - 0.952 Acres
Units - 11
Density - 11.55 units/acre
Minimum Lot Size - 300 SF(condo)
Minimum Lot Width - 14'
Front Setback from Private Drive - 5'
Minimum Separation - 10'
Private Drive Width - 20'
Private Drive Easement - 30'

Property Location
521 Washington Street
Parcel #01027 001003
0.952 Acres
Zoning - N-B

Applicant
Raven Residential Group
Bradley Dunckel, Agent
770-363-1997
bdunck@gmail.com

Stormwater
Management

Dumpster

5' Rear SB

Community
Garden

Mail Kiosk

20' Private Drive

5' Front SB

30' Setback to
Washington St

Guest Parking

10' Min.
Separation

Lawn w/ Fire Pit

Washington Street
60' R/W

Variances Requested from N-B Dimensional Requirements		
Item	From	To
Front Setback from Washington St.	40'	30'



SHEET 1 OF 1
DATE: 12-21-23
SCALE: 1"=40'

ZONING PLAN
FOR :
GVL VILLAGE
521 WASHINGTON STREET
LOCATED IN
LAND LOT 154
9TH DISTRICT
CITY OF GAINESVILLE, HALL COUNTY, GEORGIA



Plan A



Plan B















CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 19, 2024
Date Submitted: January 22, 2024
Final Approval Date: January 25, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from the **City of Gainesville** to rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I).
Meeting Date: February 13, 2024

Purpose of Request:

The City of Gainesville is proposing to rezone two properties totaling 0.5± acre located within the Midtown Overlay Zone (733 Main Street = 0.3± acre; 718-A Bradford Street = 0.2± acre). The properties are owned by G-4 Development Group, LLC and consist of a photography studio under development and a parking lot. As part of the approved Tax Allocation Development (TAD) agreement, the properties were required to be rezoned from L-I to O-I. Adjacent uses include a hair salon, offices and a climate-controlled self-storage facility. There are no other changes proposed to the properties at this time.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval of the request. See the Staff Recommendation report for details.

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Staff Recommendation Report
2. Location maps
3. Narrative
4. Survey
5. Photo

Applicant	City of Gainesville
Property Owner	G-4 Development Group, LLC
Location	718-A Bradford Street 733 Main Street SW
Request	Rezone from L-I to O-I
Total Acres	0.5± acre
Ward	Three
Proposed Use	Existing uses
Planning Division Staff Recommendation	Approval
Date	February 13, 2024

2023 – A request by Booker Property Holdings, LLC and Paul Wilmont to rezone a 0.47± acre tract from Neighborhood Business (N-B) to Residential-II (R-II) located at 235 Summit Street, SE was conditionally approved for four townhome units.

2023 – A request by Greg Loyd to rezone a 0.397± acre tract from General Business (G-B) to Residential-II (R-II) located at 812 Dixie Street was conditionally approved for four condominium units.

2023 – A request by the City of Gainesville to annex a 1.866± acres tract with a zoning of Heavy Industrial (H-I) located at 1200 and 1204 Marler Street was approved for Water Resources water/sewer services.

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.

2020- A request by the City of Gainesville to rezone a 6.84± acres tract located at 110 and 120 Jesse Jewell Parkway, SE; 525 Bradford Street, SE; 111 College Avenue, SE from Planned Unit Development (P-U-D) and General Business (G-B) to Planned Unit Development (P-U-D) was approved with conditions for a mixed-use development.

2020- A request by the City of Gainesville to rezone a 4.1± acres tract located at 610 and 622 Main Street, SW; 605 Grove Street, SW from Light Industrial (L-I) to Planned Unit Development (P-U-D) was approved with conditions for a mixed-use development.

2019- A request by Christopher Wimberly to rezone 0.31± acre located at 315 Summit Street, SE from Residential-II (R-II) to General Business (G-B) was approved with conditions for a funeral home.

2016- A request by the Gainesville Housing Authority to rezone 11.671± acres located at 233, 240, 315, and 323 Atlanta Street; 207, 209, 221, 223 and 229 Summit Street from Residential-II (R-II), Neighborhood Business (N-B) and General Business (G-B) to Planned Unit Development (P-U-D) was approved with conditions for multi-family apartments.

Staff Analysis

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

The adjacent and nearby property consists of a mixture of office, commercial and industrial zoned properties. The adjacent properties owned by G-4 Development Group, LLC are zoned Office and Institutional (O-I) as well which includes an office building and The Midland Salon. The proposed rezoning appears suitable based on the adjacent uses and zoning.

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

There is no proposed change in use. The properties will continue to function as photography studio and a parking lot. There will be no adverse effects to the adjacent or nearby properties.

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

It is staff's opinion that the proposal is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject properties within the *Downtown Mixed-Use category* which is similar to General Mixed-Use, but at a higher intensity. This includes areas containing predominately retail uses and other higher density residential uses featuring a mix of traditional and contemporary architectural styles. Residential above ground-floor retail or offices uses are also encouraged.

According to the Character Area map for the City of Gainesville, the subject properties are located within the Midland subarea of the *Central Core* Character Area which is the historic heart of Gainesville, centered on the square and extending to the east, west and south. The vision for this area is to continue to evolve as the symbolic heart of the city and should strive for a more sustainable mixture of uses. Recent and ongoing public improvements Downtown and Midland have begun a long-term transition to more diverse land uses and redevelopment opportunities. Land uses supported in this Character Area include Parks and recreation, higher density single-family residential, Multi-family residential, General mixed-use, Downtown mixed-use, Commercial, Public and institutional.

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

The subject properties are currently zoned for light industrial purposes and the proposed zoning of O-I would effectively downzone the properties. As previously stated, the proposed zoning of Office and Institutional (O-I) is more appropriate based on the existing use of the properties. The proposed rezoning will further support the Midtown Overlay Zone which currently prohibits inappropriate uses such as liquor stores, tobacco/vaping stores, auto sales/repair and heavy industrial uses.

(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 proposed rezoning request should not cause any excessive or burdensome use of public facilities or services.

(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 properties are located within the Midtown Overlay Zone which was established in 2005 with the intent to set higher standards for the appearance and functionality of the land uses. It is also intended to encourage mixed-use development and the creation of more housing, employment, and recreational opportunities originally identified within the *The Renaissance of Midtown Gainesville Redevelopment Plan* created in 2001. The strategic public investment within the overlay will continue to encourage further investment as desired by the applicant. Rezoning the subject properties to a more appropriate zoning that reflects the existing uses will only help to support this effort.

(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?

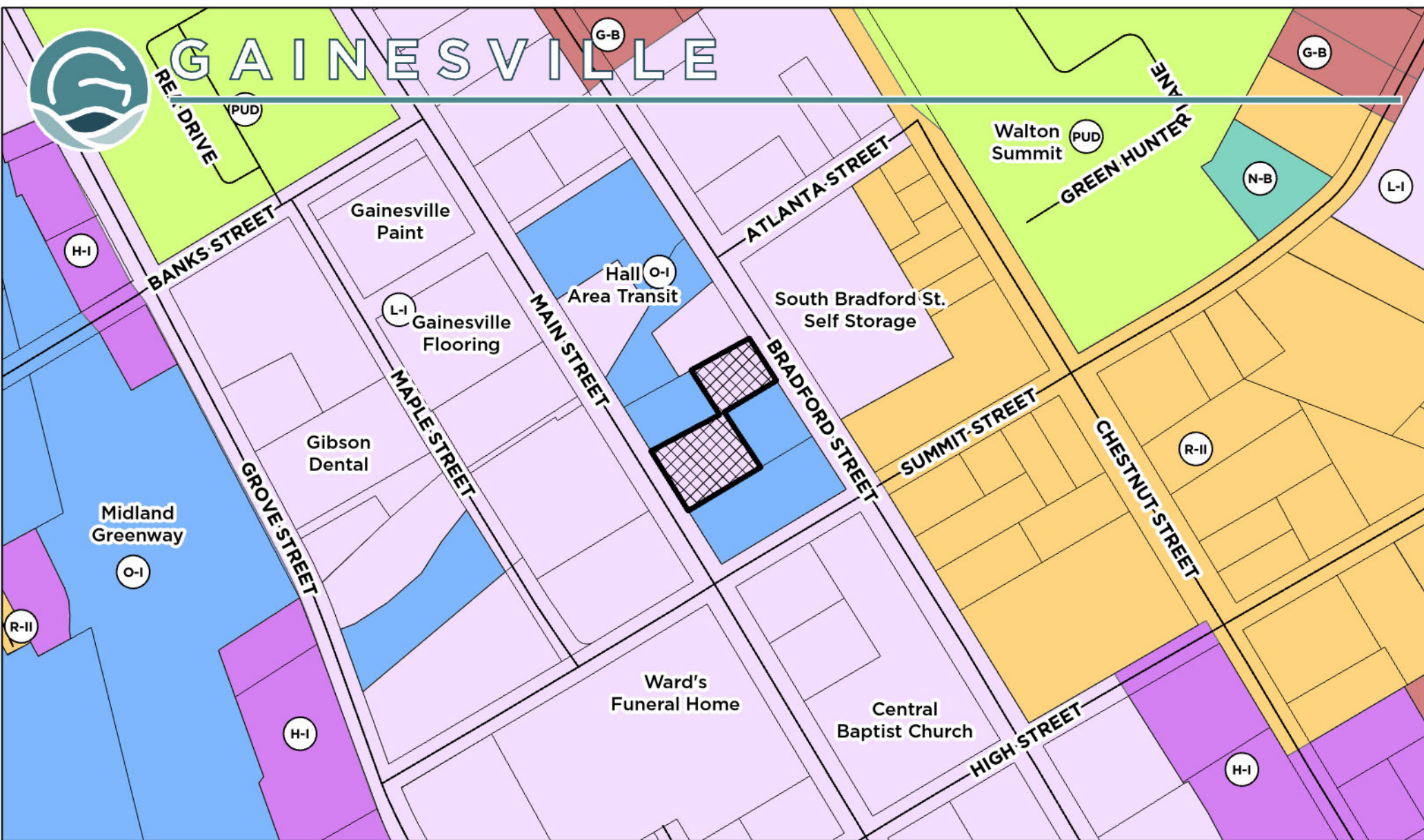
Based on the Comprehensive Plan and the existing uses, it appears the proposal reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

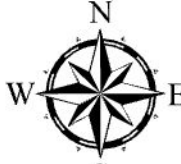
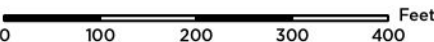
▪ **Staff Recommendation**

The Planning Division staff is recommending **approval** of this rezoning request with a zoning of **Office and Institutional (O-I)** based on the Comprehensive Land Use Plan and the existing uses.



GAINESVILLE

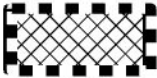
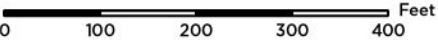


Applicant: CITY OF GAINESVILLE		Request: Rezone +/- 0.5 AC within the Midtown Overlay Zone, currently zoned Light Industrial (L-I) to Office & Institutional (O-I).	
REZONING REQUEST			
Subject Property Address: 718-A Bradford Street 733 Main Street SW	Tax Parcel: 01-015-001-010 01-015-001-013	 Subject Property	 Scale: 1" = 200'
Meeting Date: 2/13/2024 Map Prepared: 1/18/2024			



GAINESVILLE



Applicant: CITY OF GAINESVILLE		Request: Rezone +/- 0.5 AC within the Midtown Overlay Zone, currently zoned Light Industrial (L-I) to Office & Institutional (O-I).	
REZONING REQUEST			
Subject Property Address: 718-A Bradford Street 733 Main Street SW	Tax Parcel: 01-015-001-010 01-015-001-013	 Subject Property	Aerial from 2023
Meeting Date: 2/13/2024		Map Prepared: 1/18/2024	
			Scale: 1" = 200'



Narrative

The City of Gainesville is proposing to rezone 733 Main Street (0.30± acre) and 718-A Bradford Street (0.20± acre) from Light Industrial (L-I) to Office and Institutional (O-I), within the Midtown Overlay Zone. The properties are privately owned by G-4 Development Group, LLC and consist of a photography studio under development and a parking lot. There are no other changes proposed for the properties at this time. As part of the approved Tax Allocation Development (TAD) agreement – Resolution BR-2023-40, the properties were required to be rezoned from L-I to O-I. Adjacent uses include a hair salon, offices and a climate controlled self-storage facility.

SURVEYOR'S CERTIFICATE (CITY)

It is hereby certified that this plot is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plot is based has a closure precision of one foot in 32,873 feet, and an angular error of 17" per angle point, and was adjusted using Least Squares rule. This plot has been calculated for closure and is found to be accurate within one foot in 55,672 feet.

By: Robert S. Cleveland
Registered Georgia Land Surveyor No. 2984
Rochester & Assoc., Inc. Certificate of
Authorization No. LSF-000484
Email: scleveland@rochester-assoc.com

5/4/2023
DATE

APPROVED
FOR
RECORDING

PAUL DUNLAP
GAINESVILLE COMPANY
(DB 581, PG 85)
COMMUNITY & ECONOMIC DEVELOPMENT
SIGNATURE: Heather Dawese
DATE: 8/30/2023

THIS BLOCK RESERVED FOR THE
CLERK FOR THE SUPERIOR COURT.

LEGEND:

CMP - CORRUGATED METAL PIPE
CDB - CURB AND GUTTER
CL - CENTER LINE
CONC - CONCRETE
CB - CATCH BASIN
DIP - DUCTILE IRON PIPE
DB, PG - DEED BOOK, PAGE
EC - EDGE OF CONCRETE
FH - FIRE HYDRANT
FF - FINISHED FLOOR
GW - GUY WIRE
IPF - IRON PIN FOUND
IPF - IRON PIN SET (1/2" R/B)
IPF - WITH YELLOW CAP STAMPED
IPF - ROCHESTER LSF 000484
INVT - INVERT
LL - LAND LOT
LP - LIGHT POLE
MH - SEWER MANHOLE
PVC - POLYVINYL CHLORIDE PIPE
N/F - NOW OR FORMERLY
OT - OPEN TOP PIPE
P - POWER LINE
P-T - POWER & TELEPHONE LINE
POB - POINT OF BEGINNING
REBAR - REINFORCED CONCRETE PIPE
PP - POWER POLE
PTP - POWER & TELEPHONE POLE
PB, PG - PLAT BOOK, PAGE
RB - REBAR
RCP - REINFORCED CONCRETE PIPE
R/W - RIGHT OF WAY
SW - SIDEWALK
TBX - TELEPHONE BOX
TBM - TEMPORARY BENCH MARK
TP - TELEPHONE POLE
TW - TOP OF WALL
WF - WOOD FENCE
WM - WATER METER

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE State of Georgia County of Hall The undersigned certifies that he or she is the owner of the land shown on this plot and that the plot and the public and private improvements contained therein or associated therewith meet all applicable requirements and standards of the Gainesville Unified Land Development Code. The owner further acknowledges this plot and allotment to be his free act and deed, and dedicates to the City of Gainesville forever all areas shown or indicated on this plot as public streets, easements or other public use areas, and all water system, sewerage and other public improvements (hereinafter "facilities"). However, the City of Gainesville will not take ownership and maintenance of these facilities until such time as the undersigned petitions for and the Governing Body of the City of Gainesville accepts the dedication and acceptance of the facilities as provided in section 9-13-14-12 of the Gainesville Unified Land Development Code and provided a maintenance bond as required in sections 9-13-13-9 and Last Revised June 21, 2016 Article 9-13, Subdivisions and Land Development Gainesville, GA, Unified Land Development Code 13-8

Owner's name: Tim Gilmer
Owner's address: 743 Main Street SW
Gainesville, GA 30501

Date: 6-29-23
(Owner's signature)

TRACT "A"
AREA
0.532 ACRES
OR
23,160 SQ. FT.

G-4 DEVELOPMENT GROUP, LLC
(DB 8588, PG 232)
(DB 8923, PG 723)

TRACT "B"
AREA
0.199 ACRES
OR
8,654 SQ. FT.

G-4 DEVELOPMENT GROUP, LLC
(DB 8515, PG 228)

SURVEYOR'S CERTIFICATION

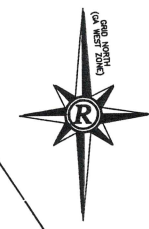
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plot has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plot as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plot 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 the O.C.G.A. Section 15-6-67.

Robert S. Cleveland, GA RLS #2894
Rochester & Assoc., Inc. Certificate of
Authorization No. LSF-000484
Email: scleveland@rochester-assoc.com

5/4/2023
DATE

NOTES:

1. THE FIELD DATA DATED 3/18/21 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,741 FEET AND AN ANGULAR ERROR OF 09" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 55,672 FEET. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TOPCON GT5-225.
2. THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND. VISIBLE EVIDENCE ONLY. THE SURVEYOR MAKES NO GUARANTEE THAT THE 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
3. THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
4. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0187C, HALL COUNTY, GEORGIA. REVERSED DATE, APRIL 4, 2018; HOWEVER A PORTION OF TRACT "A" IS LOCATED IN A FUTURE FLOOD ZONE PER HALL COUNTY GIS.
5. ALL DISTANCES AS SHOWN ARE HORIZONTAL. GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; 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 A TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
7. THE BEARINGS SHOWN HEREON WERE CALCULATED FROM ANGLES TURNED.

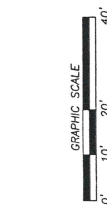


Rochester **DECM**
425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | www.rochester-assoc.com

RECONFIGURATION SURVEY FOR:
G-4 DEVELOPMENT GROUP, LLC

LOCATED IN DISTRICT
LAND LOT 153, 9TH DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS
1.	8/3/23	ADD WATER LINES ON BRADFORD ST.	
1.	6/22/23	ADDRESS COMMENTS	



SHEET 1 OF 1
DATE: 5/4/23
SCALE: 1" = 20'
FILE: K080
JOB: 0220071.G40
DRAWN BY: RSC





CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 19, 2024
Date Submitted: January 22, 2024
Final Approval Date: January 25, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Raven Residential Group** for a special use on a 0.925± acre tract located on the south side of Washington Street, west of the intersection of Washington Street and West Academy Street (a/k/a **521 Washington Street, SW**), having a zoning of Neighborhood Business (N-B).
Meeting Date: February 13, 2024

Purpose of Request:

The applicant is proposing to redevelop the subject property for a micro-housing development consisting of eleven residential fee-simple condominiums. The proposed units are two-stories on minimum 300 square foot condominium lots. The minimum condominium size will be 500 square feet of heated floor space. One and two bedroom options will be available at multiple price points to meet the growing and unfulfilled need for obtainable housing. A private access drive/road is proposed from Washington Street and one parking space for each unit will be provided, as well as four guest parking spaces within the development. Amenities include a mail kiosk and a small community lawn and fire pit. The property contains a vacant rental home that will be demolished. A sanitary sewer easement and creek are located to the rear of the property. The adjacent uses include a retail strip center, a single-family home, residential condominiums and St. Paul United Methodist Church.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff is recommending the request be tabled to the March 12, 2024, Planning and Appeals Board meeting.

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

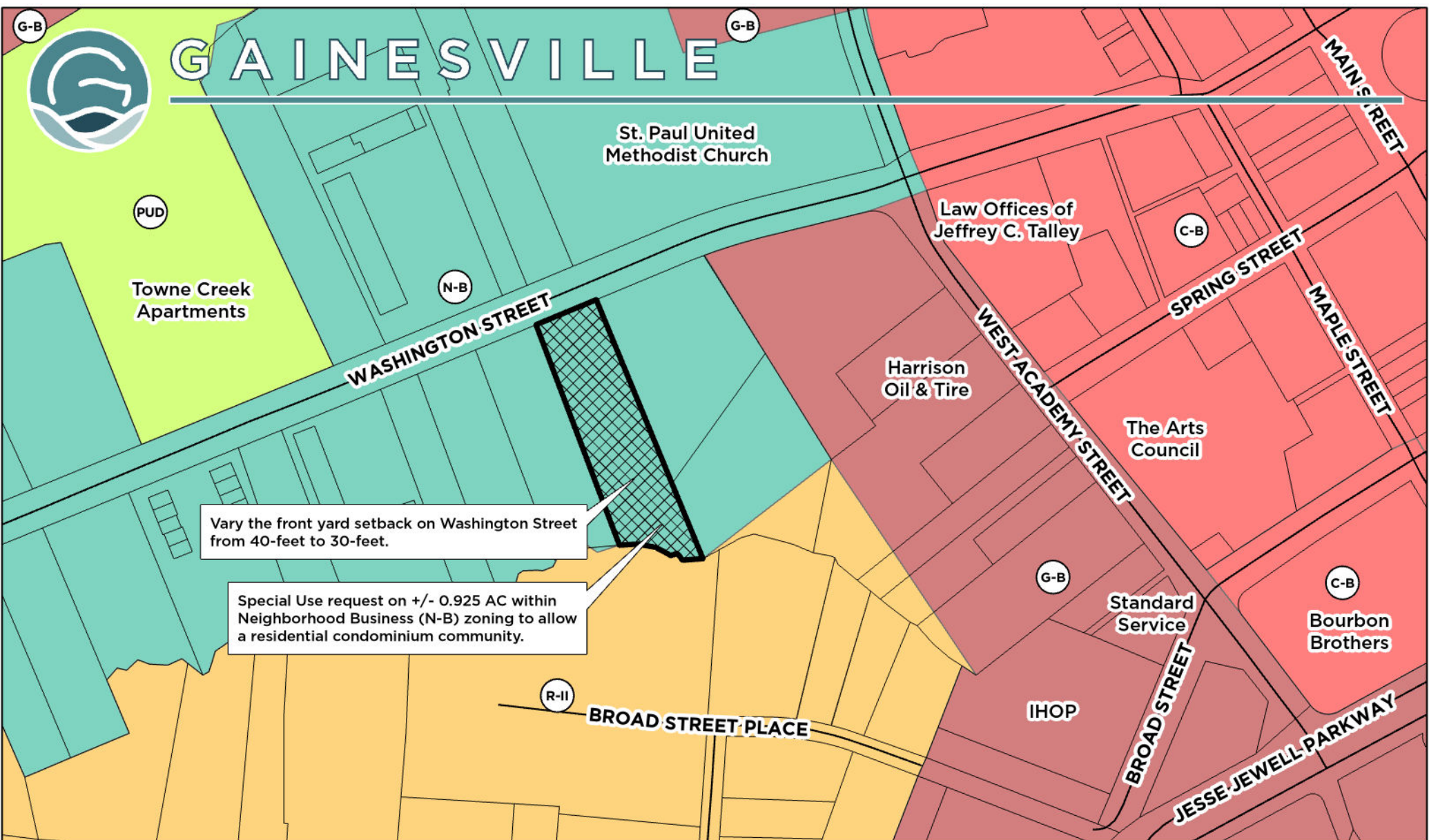
Finance Comments:

Administrative Comments:

Attachments:

1. Location maps
2. Project Narrative
3. Concept Plan

4. Elevations
5. Architectural Renderings
6. Existing Home Photo

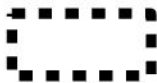
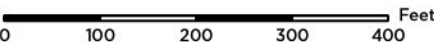


Applicant: RAVEN RESIDENTIAL GROUP		Request: - Vary the front yard setback on Washington Street from 40-feet to 30-feet. - Special use request on +/- 0.925 AC within Neighborhood Commercial (N-B) zoning to allow a residential condominium community.	
VARIANCE AND SPECIAL USE REQUEST			
Subject Property Address: 521 Washington Street, SW	Tax Parcel: 01-027-001-003	 Subject Property	
Meeting Date: 2/13/2024 Map Prepared: 1/17/2024		 Scale: 1" = 200'	



GAINESVILLE



Applicant: RAVEN RESIDENTIAL GROUP		Request: - Vary the front yard setback on Washington Street from 40-feet to 30-feet. - Special use request on +/- 0.925 AC within Neighborhood Commercial (N-B) zoning to allow a residential condominium community.	
VARIANCE AND SPECIAL USE REQUEST			
Subject Property Address: 521 Washington Street, SW	Tax Parcel: 01-027-001-003	 Subject Property	Aerial from 2023
Meeting Date: 2/13/2024		Map Prepared: 1/17/2024	
			Scale: 1" = 200'



PROJECT NARRATIVE

GVL Village

THE CITY OF GAINESVILLE

A MICRO HOUSING DEVELOPMENT



DECEMBER 29, 2023

EXECUTIVE SUMMARY

GVL VILLAGE is an eleven unit, micro-housing development located at 521 Washington Street (a 60' public right-of-way) southeast of the intersection of West Academy Street within the limits of the City of Gainesville, Georgia. The parcel is located within the Central Core District of the City in close proximity of the Downtown historic square and rapidly expanding food and entertainment district. The project is a redevelopment parcel of 0.952 acres at a density of 11.55 units per acre. The parcel is located within Land Lot 154, 9th District, Hall County Georgia. The current zoning of the parcel is NB - Neighborhood Business with this request for a Special Use Permit and Variances

Currently, the site is comprised of one structure, a single family home built around 1937 and most recently used as a rental property. The remainder of the site is undeveloped with a variety of vegetation. The rear property line is a stream and the back one-third of the property will be mostly undeveloped. The property to the east is a commercial building with individual rental spaces and to the west is another single family home, apparently used as a rental. Also in the immediate vicinity is a self-storage complex, a business center, St. Paul Methodist Church and the new Washington Street duplexes.

The development concept is for an innovative micro-housing development incorporating Traditional Neighborhood Development (TND) practices into a vibrant, human-scaled, pedestrian friendly community. *Micro homes are the "next step up" from tiny houses; they range from 400 to approximately 800 square feet and must encompass an independent kitchen, bathroom, and at least one window. These dwellings can be modular, pre-fabricated, or custom builds, and use materials and finishes comparable to traditional homes. They are spatially evolved from apartment living with no shared walls, ceilings, or floors, and each unit has an independent outdoor living area such as a porch or piece of land.* These residential units will be offered as fee simple, detached condominiums, subject to a restrictive covenant.

A central street, will serve the homes located on both sides. Homes will have a fenced outdoor area at the rear and parking will be accomplished on the side of the home with a paved or geo-grid parking strip. A small common area space will be located at the front of the development. The genesis of the entire development gravitates around human-centered design principles leading towards a safe & sociable environment.

GVL VILLAGE will meet a growing and unfulfilled need for obtainable housing, located in an urban setting, and within walking distance of the Downton District. One & two bedroom options will be offered at multiple price points. All common area maintenance will be covered by the Condominium Owners Association, insuring that the project will retain its quality and value for years to come.

COMPREHENSIVE PLAN

The GVL VILLAGE development is consistent with the goals and objectives of the City of Gainesville's Comprehensive Plan and its vision for future land use utilizing redevelopment and infill opportunities.

Needs & Opportunities in the Plan include:

- There is opportunity to redevelop areas of the city to remove blight and underutilized developments, while introducing more up-to-date development styles

Stated Goals & Strategies of the Plan include:

- Encourage new, high-quality infill residential development that maintains community character and ensures stable, long-term property values and neighborhoods.
- Provide for maximum flexibility in the mixture and arrangement of land uses and unique and innovative land planning via planned unit developments, at appropriate locations, and with appropriate sizes and scales.

Redevelopment and infill opportunities of underutilized sites are one of Gainesville's greatest physical assets because of their development potential that can help enhance housing opportunities and support the growth potential of the district. GVL VILLAGE will fill a need for obtainable housing in a location suitable for pedestrian interconnectivity to the Downtown District. Developments of these type of sites can reduce the need to travel further to shop or work, preserve lands further out, and save taxpayers infrastructure costs. This new community will integrate seamlessly within the City's urban fabric and greatly contribute to the evolving perimeter development of the Downtown District.

The GVL VILLAGE property is identified being in the Plan's Character Area as part of the "Central Core" with a Future Land Use of "General Mixed Use" which includes "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." This proposal (Special Use Permit & Variances) seems appropriate for the area.

GVL VILLAGE will set the example as Gainesville's first signature infill redevelopment featuring micro-housing, while meeting the Comprehensive Plan goals of transforming neglected and underutilized resources into a desirable downtown neighborhood, while creating new living opportunities for Gainesville's ever diversifying and growing population.

DEVELOPMENT PLAN

Property Address: 521 Washington Street, Lot 154, 9th District, Gainesville, Hall County, Georgia

Site Area: 0.952 AC +/-

Existing Zoning: NB – Neighborhood Business

Proposed Zoning: NB – Neighborhood Business with Special Use Permit & Variances

Existing Conditions: Existing vacant single family house.

Proposed Uses: An urban, micro-housing development incorporating traditional neighborhood development practices into a vibrant, human-scaled, pedestrian friendly community..

Proposed Density: 11.55 DU/AC

Site Development: Maximum Residential Units: 11

Development Standards

Minimum Lot Size – 300 SF (condominium ownership)

Minimum Unit Size - 500 SF

Minimum Setback from Washington Street - 30'

Front Setback: 5 feet form Private Drive to front porch

Side Setback: 3 feet

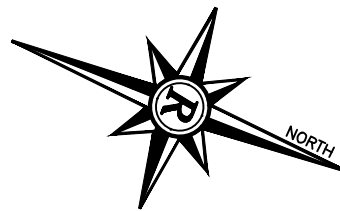
Minimum Building Separation: 10 feet

Rear Setback: 5 feet

Open Space: As exhibited in the Concept Plan, community Open Space will be provided near the front of the project along with undisturbed areas at the rear of the property.

Parking: One (1) parking spaces per residential unit, with a minimum of four (4) guest parking spaces

Flexibility: As the Developer progresses with design for this innovative urban neighborhood, approval flexibility in revisions to the Concept Plan via site layout & engineering at the Staff level will be granted as long as overall proposed density shall not be eclipsed.

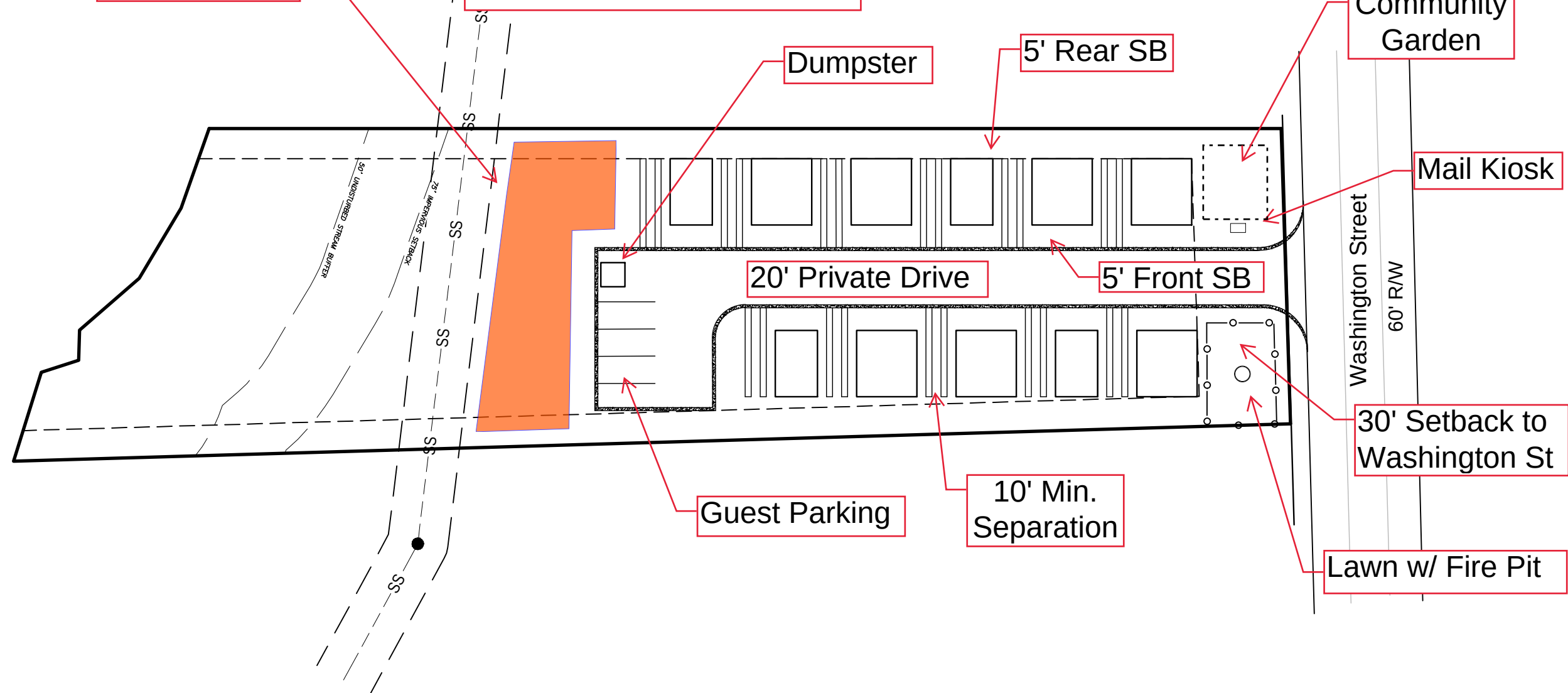


Dimensional Standards
Parcel Size - 0.952 Acres
Units - 11
Density - 11.55 units/acre
Minimum Lot Size - 300 SF(condo)
Minimum Lot Width - 14'
Front Setback from Private Drive - 5'
Minimum Separation - 10'
Private Drive Width - 20'
Private Drive Easement - 30'

Property Location
521 Washington Street
Parcel #01027 001003
0.952 Acres
Zoning - N-B

Applicant
Raven Residential Group
Bradley Dunckel, Agent
770-363-1997
bdunck@gmail.com

Stormwater Management



Variances Requested from N-B Dimensional Requirements		
Item	From	To
Front Setback from Washington St.	40'	30'



ZONING PLAN
FOR :
GVL VILLAGE
521 WASHINGTON STREET
LOCATED IN
LAND LOT 154
9TH DISTRICT
CITY OF GAINESVILLE, HALL COUNTY, GEORGIA

SHEET
1
OF
1
DATE: 12-21-23
SCALE: 1"=40'

Plan A



Plan B













FOR SALE
NORTON
770.297.4800
JOE ELIAS
678.865.6007



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 19, 2024
Date Submitted: January 22, 2024
Final Approval Date: January 25, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I).
Meeting Date: February 13, 2024

Purpose of Request:

The request is for a special use within Heavy Industrial (H-I) zoning to allow a data mining facility. Specifically, the data mining facility is a high powered computing server center that searches and analyzes a large batch of raw data in order to identify patterns and extract useful information for companies to learn more about their customers and to develop more effective marketing strategies, increase sales and decrease costs. The proposed development includes two small data center structures and a single access driveway from Palmour Drive. The data mining facility will operate 24 hours a day and 7 days a week and will produce noise from fans/blowers that cool the servers. The applicant states the noise level drops to a conversation level of (65 dB) values after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended denial of the request. 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. Renderings

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant HadjPadj Technologies, LLC
Property Owner C & J 861, LLC
Location 1176 Palmour Drive, SW
Request Special Use within General Business (G-B)
Total Acres 1.37± acres
Ward Five
Proposed Use Data mining facility
Planning Division Staff Recommendation **Denial**
Date February 13, 2024

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

The request is for a special use within Heavy Industrial (H-I) zoning to allow a data mining facility. Specifically, the data mining facility is a high-powered computing server center that searches and analyzes a large batch of raw data in order to identify patterns and extract useful information for companies to learn more about their customers and to develop more effective marketing strategies, increase sales and decrease costs.

The proposed development includes two small data center structures and a single access driveway from Palmour Drive. The data mining facility will operate 24 hours a day and 7 days a week and will produce noise from fans/blowers that cool the servers. The applicant states the noise level drops to a conversation level of (65 dB) values after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Lee Gilmer Memorial airport	Heavy Industrial (H-I) -Gainesville
South	LaserCraft Technologies Inc	Heavy Industrial (H-I) -Gainesville
East	Ace Hardware Distribution Center	Heavy Industrial (H-I) -Gainesville
West	Shasta Beverages Inc	Heavy Industrial (H-I) -Gainesville

▪ **Other Departmental Comments**

According to Kate Mattison, Director of Gainesville Parks & Recreation, significant investment is being made in this area for the new trail system that has been years in the making and will be complete within a couple of years. Noise pollution is a concern and would be detrimental to the trail. Not just from an aesthetic aspect, but from a safety aspect as well. The location is right at the edge of the wooded area where having all your senses about you is very important. A park

user may not be able to hear a threat coming as they wouldn't be aware of their surroundings. It makes me uneasy. Overall, I just don't feel like it's a good fit for the site and location.

▪ **Zoning History**

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

2023 – A request by the City of Gainesville to annex a 1.866± acres tract with a zoning of Heavy Industrial (H-I) located at 1200 and 1204 Marler Street was approved for Water Resources water/sewer services.

2023- A request by the Rochester and Associates, LLC to annex 3.674± acres tract located at 1010 Aviation Boulevard, with Heavy Industrial (H-I) zoning for an expansion of poultry freezer and processing was approved with conditions.

2021- A request by the Koch Foods of Gainesville, LLC to annex 0.572± acre tract located at 950 and 966 Industrial Boulevard, SW, with Heavy Industrial (H-I) zoning and to rezone a 0.55± acre tract located at 911, 913 and 919 Davis Street, SW from Residential-II (R-II) to Heavy Industrial (H-I) for a poultry processing plant expansion was approved with conditions.

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 property is currently undeveloped and is located within Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport. The surrounding properties are zoned Heavy Industrial (H-I). A segment of the Highlands to Islands multi-use trail will soon be located adjacent to the property on the north side of Palmour Drive.

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

The subject property is located directly adjacent to a future segment of the Highlands to Islands multi-use trail network along the northside of Palmour Drive. Construction of this segment of the trail is anticipated to begin during the fall/winter of 2024. According to the applicant's narrative, the noise from the servers can be loud at times when the fans cooling the processing chips have to work at a higher frequency during the summer months in Georgia. The cooling system typically runs 24 hours a day and 7 days a week due to the computer servers operating all the time. While the applicant states the noise decibel levels drop below conversation level (65 dB) values after 100 feet distance, the noise generated by the data mining center will be constant as opposed to the intermittent noise created by the airport and other nearby uses.

Additionally, the Industrial Park South covenants when created stated that no lot or any portion of the property shall be used so as to cause a nuisance such as sound, smoke, fumes, odors, dust or other hazards. Although this covenant has expired, development within the park was designed with this restriction in mind. Therefore, it is staff belief that any future uses should function in a manner that is respectful to nearby businesses.

The mitigation of the noise has not been clearly determined by the applicant and it is unknown how far reaching the impacts may be on nearby properties and the community as a whole. Therefore, staff is recommending denial of this special use request.

(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 *Industrial* land use category which includes 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.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Economic Development Gateways character area*. 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, and environmental sustainability. 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.

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

According the Gainesville Unified Land Development Code, the Heavy Industrial (H-I) District is intended for the location of primarily light and heavy manufacturing uses with *limited* restrictions on off-site impacts such as noxious odors, dust, fumes, gas, noise, and vibration. Some permitted or special uses may be objectionable due to the emission of noise, vibration, smoke, dust, gas, fumes, odors, or radiation and that may create fire or explosion hazards or other objectionable conditions. Special uses in this district include those uses known to create a severe safety hazard or to be major producers of air pollution, thus being subject to state and/or federal environmental controls.

(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?

Existing infrastructure such as water, sewer and access are in place to serve the proposed use. Nearby developments currently utilize City water and sewer services have sufficient capacity to serve the development. Gainesville Fire Station #1 off of Queen City Parkway is located approximately 1.95 miles away. The applicant does not anticipate there will be impacts to traffic given that the use does not require on going staff to operate and customers are unlikely to visit the location in person. The proposed use is nonresidential and will have no impacts to the 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?

As previously stated, the surrounding area is heavy industrial and there is a large public investment being made into this area. Future industrial uses and public investment were both anticipated by the Comprehensive Plan. However, the proposed use appears to create noises and disturbances that are not supported by the changing conditions.

(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 nature of the proposed use and potential sound disturbance, staff feels the proposal does not reflect or promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of the property.

▪ **Staff Recommendation**

The Planning Division staff is recommending **denial** of the proposed special use request within **Heavy Industrial (H-I) zoning**, based on the Comprehensive Plan and the potential negative impacts to nearby properties and the Highlands to Islands multi-use trail.



GAINESVILLE

Lee Gilmer
Memorial Airport

Boehringer
Ingelheim

AIRPORT PARKWAY

Merial
Select

QUEEN CITY PARKWAY

H-I

PALMOUR DRIVE

Poly
Enterprises

Ace Hardware
Distribution Center

Shasta
Beverages

IMS Gear
Georgia, LLC

LaserCraft
Technologies

Louver
Shop

1985 EXIT-20 SB ON
1985 EXIT-20 SB OFF
R-I-A

Applicant: **HADJPADJ TECHNOLOGIES, LLC**

SPECIAL USE REQUEST

Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015

Request:

Special use request on +/- 1.37 AC within Heavy Industrial (H-I) zoning to allow a data mining facility.



Subject Property



Meeting Date: 2/13/2024

Map Prepared: 1/18/2024

0 200 400 600 800 Feet

Scale: 1" = 400'



GAINESVILLE

Lee Gilmer
Memorial Airport

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Ingelheim

AIRPORT PARKWAY

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Select

QUEEN CITY PARKWAY

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LaserCraft
Technologies

Louder
Shop

1985 EXIT-20 SB ON
1985 EXIT-20 SB OFF

Applicant:
HADJPADJ TECHNOLOGIES, LLC

SPECIAL USE REQUEST

Request:
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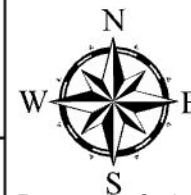
Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015



Subject Property

Aerial from 2023



Meeting Date: 2/13/2024

Map Prepared: 1/18/2024

0 200 400 600 800 Feet

Scale: 1" = 400'

Viral Chhadua
2313 Crystal Ct
Gainesville, GA 30506
info@hadjpadj.tech
678-622-3112

City of Gainesville Planning & Zoning

HadjPadj Technologies LLC is proposing to use the 1.3 acre lot located at 1176 Palmour Drive in Gainesville's Industrial park for a HPC (High Powered Computing) Server Center. The lot is currently zoned H-I and is being unused. HadjPadj Technologies with the help of local electrical contractors will set up the necessary electrical equipment to power these HPC Servers. This will require minimal land disturbance as we only need about 3000-5000 sqft of space to operate. The traffic will be minimal outside of the initial setup and configuration of the servers.

The noise from these servers can be loud at times when the fans cooling the processing chips tends to have to work at a higher frequency during the summer months in Georgia. However, these noise levels drop down below conversation level (65 dB) values after 100 feet distance. There are several other ways for us to mitigate any noise issues that may arise, however, we have chosen this site specifically due to its distance from any residential area, and the surrounding sites being industrial warehouses and the Gainesville airport.

-Viral Chhadua
678-622-3112

PROJECT DESCRIPTION:
INSTALLATION OF TWO (2)X20' DATA CENTERS WITH ALL NECESSARY IMPROVEMENTS.

SITE ADDRESS: 1176 SW PALMOUR DRIVE GAINESVILLE FL 32601

TOTAL ACRES: 1.53 ACRES

BUILDING SPECIFICS:
FRONT: 50'
SIDE: 30'
REAR: 30'

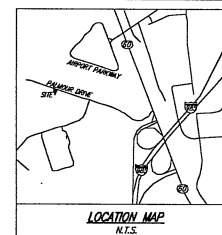
UTILITIES SHOWN HEREON ARE FROM EXISTING STRUCTURES AND ABOVE GROUND MARKS
FOUND DATA ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION
OF UNDERGROUND UTILITIES.

BOUNDARY INFORMATION:
PROPERTY BOUNDARY INFORMATION FROM PLAT OF SURVEY FOR COUNTY CORSEY BY
NORTHWOODS SURVEYING & ENGINEERING, INC. DATED 04/25/02.

TOPOGRAPHY INFORMATION:
TOPOGRAPHY INFORMATION FROM HALL COUNTY G.I.S. DATA DATA

CONTOUR INTERVAL= 2'

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER
FLOOD INSURANCE RATE MAP NO. 131030000N, DATED 04/04/78



24-HOUR CONTACT
VIRAL CHHADUA
(678) 622-3112
VIRALCHHADUA@GMAIL.COM



CONCEPTUAL SITE PLAN

ADMIRAL CHHADUA - SPECIAL USE PERMIT
CITY OF GAINESVILLE
GAINESVILLE G.M.D. 411 DISTRICT
HALL COUNTY, GA

☒ **DRAWN BY:** SJM
CHECKED BY: PSA
LAND LOT: -
DISTRICT: -
SECTION: -
CITY: GAINESVILLE
COUNTY: HALL
DATE: 12/19/2023

SHEET NO.
1 OF 1

PROJECT NO.
2023-575



IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

