



CALL TO ORDER

MINUTES

- A. Minutes of May 14, 2024

OLD BUSINESS

- A. Request from Outer Banks, LLC (Paul Brown) to rezone a 4.08± acres tract located on the northside of Old Thompson Bridge Road at its terminus and on the west side of Thompson Bridge Road, having road frontage on Thompson Bridge Road and Minor Drive (a/k/a 2590 and 2600 Old Thompson Bridge Road, NW) from Residential-I (R-I) and General Business (G-B) to Residential-II (R-II).

NEW BUSINESS

- A. Request from Don Jones to annex a 1.25± acres tract located on the west side of Gould Drive, between McEver Road and S Smith Road (a/k/a 2575 Gould Drive) and to establish a zoning of Residential-I (R-I).

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: May 2, 2024
Date Submitted: May 17, 2024
Final Approval Date: May 17, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of May 14, 2024
Meeting Date: June 11, 2024

Purpose of Request:

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

Facts & Issues / History & Background:

The draft minutes were approved by the Office & 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. DRAFT minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
MAY 14, 2024

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

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

Members Absent: None

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

Others Present: Council Member Barbara Brooks

MINUTES OF APRIL 9, 2024

There was a motion to approve the minutes as presented.

Motion made by Vice Chair Thompson
Motion seconded by Board Member Martin
Vote – 6 favor, 1 vacant

OLD BUSINESS

NEW BUSINESS

A. Rezoning Requests

- 1) Request from **Holly Owens / Gainesville Life Group** to rezone a 0.53 acre tract located on the east side of Bradford Street, between West Academy Street and Forrest Avenue (a/k/a **416 Bradford Street, NW**) from Office and Institutional (O-I) to Residential and Office (R-O).
Ward Number: Five
Tax Parcel Number(s): 01-024-004-015
Request: Mixed-use building

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

The applicant is proposing to rezone the 0.53± acre subject property from Office and Institutional (O-I) to Residential and Office (R-O) for a mixed-use building. The neighboring uses include the Forrest Hills Subdivision, Sylvan Wood office park, BCA studios architectural firm, Patton Land Surveying and a Chiropractors office. The proposal includes renovating the existing 7,096 square foot building for a mixed-use building to include the applicant's property management business and 6 residential apartments. The building was previously occupied by Paul Smith Dry Cleaners approximately 4 years ago and is in disrepair.

There are three levels to the building including the upper street level and two sub-levels. The proposed office space is 1,600± square feet to be located at the front half of the main level facing Bradford Street. Each of the three levels will have two apartments that are primarily 1 bed/1 bath and some 2 bed/2bath.

Other proposed improvements include new building façade, driveway, parking areas, signage and landscaping. The existing gravel parking at the rear of the building will be landscaped and refreshed with new gravel to reduce any stormwater impacts to the adjacent stream that borders the property to the north.

The Comprehensive Plan for the City of Gainesville places the property within the *General Mixed-Use* future land use category and the *Traditional Neighborhoods* Character Area which is intended for a mixture of uses including office, neighborhood retail, detached residential and attached residential.

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

Applicant Presentation: Holly Owens, 4841 Highland Road, stated Gainesville Life Group is a successful property management company owned by them since 2011 and have a limited number of properties they manage which is the reason they consider it a boutique company. She stated they prefer it to be small to maintain a level of customer service for the residents and investors. Their office was previously renovated and located at 564 Parkhill Drive but sold it and has renovated the property at 400 Northside Drive. Mrs. Owens stated the property at 416 Bradford Street was a great opportunity to be close to downtown and after inspection realized the building was three levels and only needs a small portion for their office. She said they considered other options with the zoning for the building such as daycare, assisted living and offices. She mentioned spending many hours working with different professionals and complimented the City of Gainesville staff. The first priority she stated will be to clean up the exterior of the property from being neglected for many years including removing all the old mechanical equipment. Mrs. Owens stated the design involves reconfiguring the front parking with the back portion of the lot gravel. She mentioned receiving questions from neighbors regarding the design and confirmed it would look like the renderings submitted. She described the layout of the building with the offices on the west side with two residences on the right side consisting of two bedroom / two bath flats at street level with 1,400 square feet each. She stated the lower level would be one bedroom / one bath flats of 1,000 square feet with the terrace level consisting of one bedroom / one bath flats with 800 square feet. She said there are no plans to add any additions to the existing structure. She stated the street and lower-level apartments will have built-in / open office space with the idea of targeting those residents who want a live/work/play lifestyle. They were unsure of the rent range but are planning to be at market rate and in line with nearby apartment complexes. Assigned parking spaces will be close to the entrance and limited to two registered vehicles per unit offering an onsite property manager and a luxury loft-style environment. She stated the occupancy limitations would be determined by the final floor plans but thought it to be one to three persons depending upon the floor plan. The guest parking would be at a nearby parking garage or on-street parking currently authorized by the city. They are excited about the project and consider it to be a great location for their office.

FAVOR: None

OPPOSE: Ellen DeFoor, 403 Forrest Lane, stated she is not in favor or oppose the project but as president of Forrest Hills HOA wants to share concerns from the neighbors. There were three primary concerns for the projecting with one being the target market of people residing in them and the overall market rate rent. The second concern mentioned was the number of residents and vehicles allowed per apartment and stated the street parking is an issue in the neighborhood along Forrest Avenue and Bradford Street. The third concern was the overall use of the space along with development of anything on the exterior perimeter of

the property such as a common area. She stated the overall priority is to ensure safety, livability, property values of the immediate neighborhood.

Board Comments: **President Carter** asked Deputy Director Tate to address the concern regarding usability of the space, additions to exterior and said condition two covers the design of the project. Mr. Carter stated the concern of the number of residents per unit was addressed by Mrs. Owens being 1 to 3 depending upon the size of the unit. Mr. Carter stated the concern regarding parking would be on-site parking which was addressed by Mrs. Owens along with the target market rental rate being competitive with other apartment complexes and would not be a subsidized project.

Deputy Director Tate stated condition two is common for proposed rezoning requests and protects surrounding property owners regarding the end result of the project with final approval from the C&ED Director.

Vice Chair Thompson stated he has personally seen a project completed by the Owens of a home nearby and done an incredible job and is confident it will be a major upgrade for the area.

Board Member Fleming asked about minimum square footage in regards to the number of persons allowed and Deputy Tate stated it is regulated by the building code but in terms of zoning there is no specified minimum square footage per unit.

There was a motion to recommend conditional approval to rezone the subject property for a mixed-use building from Office and Institutional (O-I) to Residential and Office (R-O) with the following conditions:

1. The proposed mixed-use building shall be limited to professional office uses and a maximum of six (6) residential units.
2. The proposed development shall closely reflect the applicant's site plan and architectural renderings submitted with this rezoning request. The final design and architecture of the building shall be subject to the approval of the Community & Economic Development Director.
3. An 8-foot tall opaque fence shall be required along the north side of the rear yard parking area.
4. A mixture of evergreen and deciduous buffer trees shall be planted between the required 8-foot tall opaque fence and the State 25-foot undisturbed stream buffer. The minimum installation height of the trees shall be 7-feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community & Economic Development Director.
5. All trash receptacles shall be screened from view from the road and adjacent properties. Service access to any proposed dumpster shall be restricted to one day a week, and limited to the hours of 7:00 a.m. and 9:00 p.m.
6. 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.
7. The rear yard parking area shall consist of gravel or other pervious material approved by the Community & Economic Development Director.

8. **All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a development permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**

Motion made by Vice Chair Thompson

Motion seconded by Board Member Young

Vote – 6 favor, 1 vacant

- 2) Request from **Outer Banks, LLC (Paul Brown)** to rezone a 4.08± acres tract located on the northside of Old Thompson Bridge Road at its terminus and on the west side of Thompson Bridge Road, having road frontage on Thompson Bridge Road and Minor Drive (a/k/a **2590 and 2600 Old Thompson Bridge Road, NW**) from Residential-I (R-I) and General Business (G-B) to Residential-II (R-II).

Ward Number: One

Tax Parcel Number(s): 01-100-001-001A and 00-100-001-001 (Part)

Request: Residential townhomes

Staff Presentation: Chairman Carter stated Deputy Director Tate received notification from the applicant requesting the item be tabled to the June 11, 2024 Planning and Appeals Board meeting for additional time to update the concept plan and architectural renderings.

There was a motion to table the rezoning request to the June 11, 2024, Planning and Appeals Board meeting.

Motion made by Board Member Martin

Motion seconded by Board Member Simmons

Vote – 6 favor, 1 vacant

B. Zoning Amendment Request

- 1) Request from **Clayton Properties Group, Inc – Matt Stokes** to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 29.77± acres located on the southeast side of the intersection of Millside Parkway and Continental Drive and west of the intersection of Old Oakwood Road and Mountain View Road (a/k/a **2930 Old Oakwood Road, SW and 4102 Mundy Mill Road, SW**).

Ward Number: Four

Tax Parcel Number(s): 08-024-005-363 and 08-030-000-009 (Part)

Request: Residential townhomes

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

The applicant is proposing to amend an existing Planned Unit Development (P-U-D) for of 196 fee-simple townhome units that will be for sale. Surrounding uses include a mixture of single-family residential uses, commercial and industrial uses.

The zoning amendment involves two separate tracts of land which are part of the 604.0± acres Mundy Mill master planned development. Pod 'E' is 17.25± acres in size and is currently approved for 210,000 sf of industrial warehouse /distribution space. The applicant now proposes 128 townhomes with access off of Mountain View Road. Pod 'F' is 12.52±

acres in size and is currently approved for 263,000 square feet of office space, the applicant now proposes 68 townhomes with access off of Continental Drive.

The P-U-D is approved for a total of 2,443 residential units consisting of 1,208 single-family detached homes and 1,235 attached residential units. Presently, only 2,206 residential units have been permitted and there is no developable area left within the residential pods. If approved, the overall development would still be 41 units less than what's currently approved and would not exceed the total number of attached units allowed.

The proposed townhomes are two-stories, 1,200 square feet, with 3 bedrooms and 2 ½ baths and a two-car garage featuring brick, stone, cedar shake, stucco, cementitious siding, or a mixture thereof. Amenities for each include a dog park, mail kiosk and guest parking and sidewalks of which a Home Owners Association (HOA) control and manage.

The Comprehensive Plan for the city of Gainesville places the 17.25± acres tract (Pod "E") within the *Industrial* future land use category and the 12.52± acres tract (Pod "F") within the *General Mixed-Use* future land use category. Both properties are located within the *Suburban Neighborhoods* Character Area.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request based on the Comprehensive Plan and the surrounding mixture of uses.

In order to reflect the proposed change in use, the following are staff's recommended changes to Ordinance 2022-29 which include amendments to zoning conditions 17, 19, 20 and the deletion of zoning condition 32 in its entirety.

Applicant Presentation: Clint Dixon, 5230 Bellewood Court, Buford, with Clayton Properties Group complimented Mr. Tate on the overview of the project and stated Clayton Properties having been building mostly single-family and townhomes in the community since 2015, but none of the multifamily. Mr. Dixon stated they are excited about the project and sad to see it coming to an end but have built two-story homes, single story and townhomes with different product lines being introduced and hope to continue with the two pods.

FAVOR: None

OPPOSE: None

Board Comments: Board Member Simmons asked if the project would complete the residential section and was confirmed by Mr. Dixon.

There was a motion to recommend conditional approval of the zoning amendment request for residential townhomes with Planned Unit Development zoning with the following conditions including amendments to conditions 17, 19, 20 and deletion of condition 32:

Transportation/Traffic

1. All road improvements associated within the scope of the proposed development shall be at the full expense of the developer(s). The scope of the development shall be defined as those roads/intersections directly within, adjacent to, and within 1,500 feet of the subject property as studied within the Traffic Impact Study (TIS) submitted with this application. These road improvements are to include additional signalization, turn lanes, widening of roads, striping, and signage as stated in the

TIS. This may include all or portions of Mundy Mill Road, Meeks Road, Fairbanks Drive, Old Oakwood Road, Old Flowery Branch Road, and Mountain View Road. The cost of the required road improvements shall be prorated based on developed property values of the residential, commercial, retail, office and industrial properties.

- 2. The developer(s) shall work with the Georgia Department of Transportation, Hall County Traffic Engineering, the City of Oakwood, and the City of Gainesville Public Works Department to ensure that these improvements are performed in a timely manner so as to not conflict with any of the existing or planned road projects that are scheduled to take place outside the scope of the proposed development.**
- 3. All sign locations, access point (new and existing) designations for new roads, sight distances, and sight triangles shall be reviewed and clarified, in the beginning stages of plans and submittals with GDOT and the Public Works Director so as to limit the number of access points in that area.**
- 4. A signal warrant study will be required for the major intersections of internal streets within the development. If a signal light is warranted at a specific intersection, such installation shall be completed at the expense of the developer(s) and shall meet all specifications as determined by the Public Works Department. A signal light shall not be installed until traffic volumes actually meet the levels as determined by the warrant study.**
- 5. The developer(s) shall meet with Public Works prior to initiating the final civil design to discuss a traffic calming plan. A traffic calming plan consisting of tools such as landscaped traffic circles at intersections, raised crosswalks, landscaped center medians, chicanes, or other measures that aid in keeping the average speed on residential streets approximately 25 mph or below shall be prepared and approved by Public Works. Specific measures in the approved plan shall be constructed at the same time the streets are constructed.**
- 6. All roads dedicated to the City of Gainesville shall meet City specifications, and all private roads shall be constructed with materials that meet City specifications.**
- 7. All interpretations relating to transportation and/or traffic improvement conditions shall be subject to approval of the Gainesville Public Works Director.**
- 8. The new four lane parkway as reflected on the site plan shall be constructed and designed so as to allow a connection to the Tumbling Creek Connector across Old Oakwood Road.**

Development Standards

- 9. Sidewalks shall be required along both sides of the streets within the development and shall be a minimum of four feet (4') wide along streets classified as residential streets and six feet (6') wide along collector streets and streets in the commercial zones. Alternatively, sidewalks shall be permitted along one side of the street in parkway areas at a minimum width of eight feet (8') and a minimum of five feet (5') along roads classified as residential streets.**
- 10. All proposed single-family lots within the development shall only be allowed to access new interior roads within the subdivision. Direct access shall not be allowed onto roads that existed prior to this development.**
- 11. Access to all service areas adjacent to single-family detached homes, including dumpster pads, shall be limited to the hours of between 9:00 a.m. and 6:00 p.m., unless an emergency situation warrants access to these areas.**

12. Upon completion of the development, no outside storage of any materials shall be allowed. No storage of hazardous chemicals, as listed in the Standard Fire Code, shall be permitted.
13. Outdoor lighting used in this development; be it for recreational, security or general purposes, shall be of non-spill design and placed in a manner so as to minimize direct visibility by adjoining or adjacent properties.
14. The proposed residential, office, commercial, and accessory structures shall be similar in scale and architecture to the elevation drawings and pictures as submitted with the application.
15. The subject property shall be developed substantially in accordance with the site plan with minor engineering deviations excepted. All site plan, architectural renderings, pedestrian/trail access plan, and traffic impact studies shall become a part of the annexation, zoning and rezoning ordinances.
16. The number of *single-family detached homes* shall not exceed 1208 units and shall contain a minimum of 1,500 square feet of heated space. Front facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The remaining three facades shall consist of these materials or cementeous siding such as hardiplank. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line and minimum lot width at right-of-way line of 20 feet, with the exception of Pod M of the concept plan which shall have a minimum lot width at the building setback line reduced to 50-feet.

Pod L of the concept plan dated 10/06/04 shall be the highest-end product proposed by the developer and shall contain a minimum of 1,800 square feet of heated space. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line, and minimum lot width at right-of-way line of 20 feet. Front and side facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The rear facade may consist of these materials or cementeous siding such as hardiplank.

Each home within all single-family residential detached pods will have an attached garage for at least two cars. The front yard of each lot shall be sodded and planted with at least one hardwood tree. Monument signage shall be used for the entrance to any detached single-family residential pod as per the attached site plan, and each entrance shall have plantings or other architectural accents.

17. The number of attached *single-family condominiums*, fee simple townhomes or apartments shall not exceed 1,235 total units to include a total of 775 units for Pod's C, E, F and I and 460 units for Pod's J and K. The minimum unit/lot width for each condominium or fee simple townhome unit shall be 16 feet, and each unit shall contain a minimum of 1,200 feet of heated space. Building separations shall be as reflected on the site plan, and private drives built to City specs will be used within these communities. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. No fewer than three or more than ten condominium or fee simple townhome units shall exist within one continuous structure, and front facades will be staggered. All single-family condominiums shall contain one car garages. Monument signage shall be used for the entrance to any attached single-family residential pod as per the sign plan.
18. The height of an apartment building shall not exceed three stories, although $\frac{3}{4}$ splits will be allowed. Each apartment unit will contain a minimum of 650 square feet for

Pod's C, I, J and K. Each unit shall have at least 1.75 parking spaces. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. Minimum building separations shall be as depicted on the site plan. Signage shall be as per the attached sign plan.

19. The subject property may be developed for up to ~~806,000~~ 87,200 square feet of traditional office, mid-rise office, and office warehouse space within Pod B, which may also include commercial and retail uses. ~~Within the 806,000 square foot maximum, commercial and retail uses may be allowed within Pods B and N.~~ At no such time shall the maximum allowed square footage within those pods exceed what is specified on the approved concept plan. This space may be developed for these uses but sold in a condominium format. Height of such structures shall be limited to 3 stories from average finished grade. Parking spaces will be provided at a minimum ratio of 3.5 spaces per 1000 square feet of useable office space. Monument signage shall be required in any office pod as per Exhibit B, and lights shall be shielded and angled so as to minimize glare onto adjacent properties. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required.
20. The subject property may be developed for up to ~~210,000 square feet of industrial/office/warehouse space within Pod E and~~ 802,000 square feet of commercial and retail space. Within the 802,000 square feet, up to 87,200 square feet shall be permitted within Pod B, up to 41,000 square feet within Pod F, up to 84,000 square feet within Pod G, up to 10,000 square feet within Pod H, and up to 580,000 square feet of commercial space within Pod I. The maximum height of any structure, excluding architectural accents; such as clocks, cupolas and bell towers; shall be 50 feet. Use of pitched roofs shall be encouraged. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required. Parking shall be provided at a minimum of four spaces per 1,000 square feet of space. Lights shall be shielded and angled so as to minimize glare onto adjacent properties, and dumpsters shall be screened. Under no circumstances shall the following uses be allowed: Pawn shops, adult entertainment, adult bookstores, extended-stay hotel, rooming house, or boarding house. Signage shall be as per the attached sign plan.
21. Architectural treatment shall be of consistent design throughout the community and as per the renderings.
22. A minimum of 100 acres shall be maintained as green space, with passive recreation and trails as per the plan. Sidewalks shall connect the residential and non-residential components of this community.
23. A Mandatory Property Owners Association will be created for the single-family detached community to insure that these conditions are observed during development and in terms of architectural consistency thereafter. Separate mandatory associations will be set up for the single-family detached and single-family attached products to own and manage open space, common areas, and architectural controls. Open space elsewhere in the project shall be maintained as common area by the overall Property Owner's Association, or by a separate Association within whose boundaries the common area is located. Maintenance of the amenities package set forth on the site plan shall be the responsibility of the owners of single-family detached homes. However, at the option of those residents, memberships may be extended to other Mundy Mill residents for a fee to cover maintenance. Amenities packages also may be established in the individual

townhome or apartment pods, but shall be the responsibility of the owners of land therein.

Buffers

24. A 100 foot wide buffer shall be provided against Balus Creek and all other blue-line streams. The first 50 feet of the buffer shall be measured from the top of the creek bank and shall be undisturbed. The remaining 50 feet of the buffer, if disturbed, shall be stabilized and replanted with vegetation subject to Planning Department approval.
25. A 25 foot minimum perimeter buffer will be created and infilled as necessary with plant material. However, this buffer will not be required along any Mundy Mill Road frontages. Landscaped buffers of at least 25 feet are also required along any road frontages. A staggered row of evergreen trees consisting of a mixture of Cryptomeria, Thuja Green Giant Arborvitae, Eastern Red Cedar and/or Holly trees shall be required adjacent to the entire perimeter buffer of Pod E excluding the westerly boundary adjacent to the city limits of Oakwood. The location, size and type of buffer trees shall be subject to the approval of the Community and Economic Development Department Director.
26. Landscaped buffers of at least 25 feet also shall separate any non-residential pod or existing non-residential use from a residential pod. The buffer shall be subject to Planning Department approval.
27. All proposed detention ponds shall be sufficiently fenced and buffered from view from all roads and adjacent properties. All buffer materials shall be approved by the Planning Department.

Gainesville City Board of Education

28. As agreed to by the owner/developer, the 17.0 acre tract of land identified on the plat/site plan attached as Exhibit A shall be reserved for use as an elementary school site. At that time (or earlier at the owner/developer's discretion), and presupposing the School Board still wants the property for an elementary school, the owner/developer shall promptly convey to it, without charge. In the event the School Board does not secure a building permit and begin construction of an elementary school before December 31, 2012, then the developer shall retain all rights to development of the entire 17.0 acres tract as per the original terms of zoning approval except for this condition, and the School Board shall promptly convey marketable title to the property back to the owner/developer at no charge. Additionally, if no elementary school is actually constructed on this site by December 31, 2013, then the School Board shall return marketable title to the property to the developer without charge. The conveyance documents executed by the owner/developer to the School Board will contain these terms and requirements. This agreement to reserve the 17.0 acres tract shall not prohibit the owner/developer from including it in any plat it may prepare for its development of a single-family residential pod and also will allow the owner/developer to put on it any necessary utility or other storm water easements which may be required for the development as a whole, provided such improvements do not materially affect the Board's ability to use the site for a school. This agreement also shall not prohibit the owner/developer from earlier transferring the 17.0 acres site to the City to be held for the School Board, subject to the requirements of this paragraph. Finally, but for utility/drainage easements or right-of-way dedicated as part of the road system in or along the frontages of the Mundy Mill development, the owner/developer shall not be required to dedicate or give to the City of Gainesville

any additional property incidental to this development. However, if the School Board fails to acquire this property, then the owner/developer shall convey three acres of land to the City for a public safety use.

Notwithstanding any of the foregoing, if at such time as the School Board has acquired the 17.0 acres site and is ready to begin feasibility assessments, and if the State Board of Education should determine that the site is not then suitable for use as a school under the applicable state standards, then the Board of Education may sell the 17.0 acres tract and retain the proceeds for use in purchasing an alternative site. Provided, however, that once an arms length transaction for a fair market value purchase of the site has been secured by the School Board, the owner/developer shall have a right of first refusal to repurchase the tract at the exact same purchase price. Provided further, that the proceeds from such sale must be expended on a new school site within 60 days of closing, otherwise it shall be remitted instantly to the owner/developer.

The City notes that this condition may be imposed only because the owner/developer has agreed to it.

Quality Enhancement

29. In order to further enhance and assure the quality of development, the City expects the developer shall perform/provide the following:

- Detailed landscape plan for parkway, subject to approval by the Department of Planning and Development.
- Reconstruction of Mundy Mill as focal point for community, subject to approval of the Georgia Department of Transportation.
- A minimum of two amenity locations shall be provided for the entire development of the detached single-family residential pods. At minimum the amenity sites shall include a pool house, swimming pool and playground.
- Sidewalks and streetlights throughout community.
- All products within the development shall contain exterior construction materials limitation; must use brick, masonry stucco, stacked stone, cedar shake, or hardiplank.
- Open space - 18%.
- Pedestrian trail plan (3.5± miles) connecting entire community.
- Parkway plan sidewalk width sufficient to create a bicycle lane.
- Every single-family home built on the subject property shall contain ceramic tiled bathroom floors.
- Every single-family home shall be built to accommodate at least one fireplace.
- No vinyl siding on any product within development excluding soffit areas.
- Each pod of townhouses and apartments will have its own amenities package.
- All underground utilities.
- Uniform mailboxes will be provided for each detached single-family residential pod.
- Uniform street signs will be provided throughout the development.

30. Along Balus Creek, the developer shall reserve for the City, by way of easement, a ten-foot strip of land for use as a bicycle path. At such time as the City or County constructs an element of its bike path system to which this easement might connect, the City and/or County, at its/their expense, may pave this strip. No development shall occur on the property which would interfere with the eventual construction of this path by the appropriate governmental entity, except for the boulevard which will cross the creek.

31. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director and Hall County Traffic Engineering. All required access/traffic/sidewalk improvements associated with the proposal shall be at the full expense of the property owner.

~~**32. The proposed truck bays, truck court and trailer storage shall be located in front of the building facing Old Oakwood Road. The rear of the proposed building adjacent to the Maple Park subdivision shall be limited to employee parking only.**~~

Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 6 favor, 1 vacant

ADJOURNMENT

There was a motion to adjourn the meeting at 6:02 p.m.

Motion made by Board Member Simmons
Motion seconded by Board Member Young
Vote – 6 favor, 1 vacant

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: May 2, 2024
Date Submitted: May 17, 2024
Final Approval Date: May 29, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Outer Banks, LLC (Paul Brown)** to rezone a 4.08± acres tract located on the northside of Old Thompson Bridge Road at its terminus and on the west side of Thompson Bridge Road, having road frontage on Thompson Bridge Road and Minor Drive (a/k/a **2590 and 2600 Old Thompson Bridge Road, NW**) from Residential-I (R-I) and General Business (G-B) to Residential-II (R-II).
Meeting Date: June 11, 2024

Purpose of Request:

This request was previously tabled at the May 14, 2024, Planning and Appeals Board meeting.

The applicant is proposing to rezone two tracts of land for a total of 42 fee-simple townhomes. Proposed access to the development is from Minor Drive, which is a private road that traverses the property and intersects with Old Thompson Bridge Road. The proposed townhomes are two-stories, 1,600 square feet in size, with 3 bedrooms and 2 ½ baths. Parking will include a one-car garage and surface level parking. Amenities include a pickle ball court and a mail kiosk. The townhome subdivision will have a Homeowners Association (HOA) providing for the financial management, architectural controls, enforcement of community standards and management of all common areas. The adjacent properties include Holly Park, Terrace View Condominiums, Hidden Cove Condominiums and Lake Lanier.

Facts & Issues / History & Background:

Department Recommendation:

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

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

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

4. Concept Plan
5. Townhome Architectural Rendering

GAINESVILLE PLANNING and APPEALS BOARD STAFF RECOMMENDATION

Applicant	Outer Banks, LLC (Paul Brown)
Property Owner	KNA Family Investments, LLC (Bhushan Khana)
Location	2590 and 2600 Old Thompson Bridge Road, NW
Request	Rezone from R-I and G-B to R-II
Total Acres	4.08± acres
Ward	One
Proposed Use	Residential townhomes
Planning Division Staff Recommendation	Approval, with conditions
Date	June 11, 2024

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

The applicant is proposing to rezone two parcels for a total of 42 owner occupied, fee-simple townhomes at a proposed density of 10.3 du/ac. Access is proposed from Minor Drive which is a private road within the property that intersects with Old Thompson Bridge Road. The townhomes are proposed on both sides of Minor Drive and consist of 3 bedroom and 2 ½ bath units, with a master suite on the main level. The typical townhome unit will be two-stories with a minimum of 1,600 square feet in size. Parking for each unit will consist of a one car garage and surface level parking. Amenities include a pickle ball court and mail kiosk. The townhome community will be managed by a mandatory Home Owners Association (HOA) to provide for the financial management, architectural controls, and enforcement of community standards and common areas.

The Residential-I (R-I) zoned portion of the property fronting Thompson Bridge Road is located within the Gateway Corridor Overlay Zone and has remained undeveloped except for Minor Drive which is a private, two lane road with no curb and gutter. Public water and sanitary sewer traverse the property and parallel Minor Drive. The smaller General Business (G-B) zoned tract was previously the location of the “The Landing” seafood restaurant and later a mobile home which has since been removed. Both parcels are heavily wooded with sloping topography.

Adjacent Land Use and Zoning

Location	Use	Zoning
North	Holly Park	Office and Institutional (O-I)
	Future Townhome Tract	Residential-II (R-II)
	The Dance Company, Alfa Insurance Co.	General Business (G-B)
South	Terrace View Condominiums	Office and Institutional (O-I)
	Hidden Cove Condominiums	Planned Unit Development (P-U-D)
East	Vista Ridge at Lake Lanier Apartments	Residential-II (R-II)
West	Lake Lanier (Holly Park)	Office and Institutional (O-I)

▪ **Other Departmental Comments**

There were no other departmental comments regarding this request.

▪ **Zoning History**

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

2024 – A request by Constantino Guitierrez to rezone a 0.38+ acre tract located at 934 Etta Vesta Circle, NE from Neighborhood Business (N-B) to Residential-I (R-I) was approved for a single-family home.

2023 – A request by Eric Owens for site plan approval on a 0.34± acre tract zoned Residential and Office (R-O) located at 1714 Thompson Bridge Road was conditionally approved for an office building.

2022 – A request by Easto Construction to amend a 4.847± acres tract zoned Planned Unit Development (P-U-D) located at 2702 High Visa Point, NE was withdrawn to the City Council meeting for 50 residential townhomes.

2019 – A request by Fred Godbee to rezone a 0.5+ acre tract located at 1831 Thompson Bridge Road, NW from Residential-I (R-I) to Neighborhood Business (N-B) was conditionally approved for a security office.

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

2014 - A request by Over the Hill Holdings, LLC to amend a 10.34± acres tract located at 2601 Thompson Bridge Road zoned Planned Unit Development (P-U-D) for an assisted living facility (Phoenix) 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 proposed use appears suitable given the adjacent and nearby properties consist of mostly residential condominiums and apartments. Other nearby uses include an insurance office, dance studio, Social Security Administration office (Rubicon office building) and The Phoenix at Lake Lanier assisted living facility. These properties are zoned Residential-II (R-II), Planned Unit Development (P-U-D), Office and Institutional (O-I) and General Business (G-B).

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

The proposed use will increase vehicular trips within the immediate area. Minor Drive is an underutilized private access road that at times serves as a cut through for motorists. Minor Drive has been incorporated as part of the overall design given the location of existing water and sewer utility easements. Proper soil erosion and sedimentation control measures are critical given the subject property slopes downward as much as 80 to 100 feet from Thompson Bridge Road to Lake Lanier. Other than some increase in vehicular and pedestrian traffic, the adjacent and nearby properties should not be adversely affected.

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

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

According to the Character Area map for the City of Gainesville, the subject property is located within the *Lake District*. The main character area driver is the presence of Lake Lanier and its distinctive rolling landscape. New housing will be a major source of growth for the area and should feature a wide range of product, from townhouses to high-end single-family detached homes. The area should maintain and advance a residential focus on both sides of the Lake Lanier bridge, combining traditional neighborhood development (TND) walkability with the natural character of the Country Club. The character area can accommodate limited mixed-use and commercial growth, but it must be carefully planned to avoid suburban sprawl. Land uses allowed in the Lake District are Parks and recreation, single-family residential, limited multi-family residential, limited general mixed-use, limited commercial (retail and office) and public and institutional uses.

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

The subject properties are zoned Residential-I (R-I) and General Business (G-B) which does not permit residential townhomes. Given the adjacent uses, sloping topography and limited visibility from Thompson Bridge Road, the properties appear more conducive for the proposed fee-simple townhome development. The property would retain its right to be developed for both single-family and commercial purposes if the rezoning were to be denied.

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

City water, sewer and public safety services are currently provided to the property. Gainesville Fire Station #3 is located off of Nancy Creek Road and is approximately 1.8± miles from the subject property.

The proposal will increase ingress and egress traffic movements primarily impacting the intersection of Old Thompson Bridge Road and Thompson Bridge Road (SR 60). Secondary access is located at Minor Drive and a private driveway which serve the adjacent Dance Studio and insurance office off of Thompson Bridge Road. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the duplex apartments on average could generate 244± new trips per day, 19± A.M. and 22± P.M. peak hour trips.

The proposed use could have minimal impact on the Gainesville City School System given there are 42 residential units proposed. The applicant states that each townhome unit will be marketed toward residents without children. The school system currently provides school bus transportation within the immediate area.

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

The subject properties have remained undeveloped for many years and are located in a secluded location but close to other residential developments. The Comprehensive Plan identifies the need for quality housing that is walkable to Lake Lanier and nearby parks. The proposed development would be adjacent to Holly Park of which future improvements are planned to better serve the community.

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

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

▪ **Staff Recommendation**

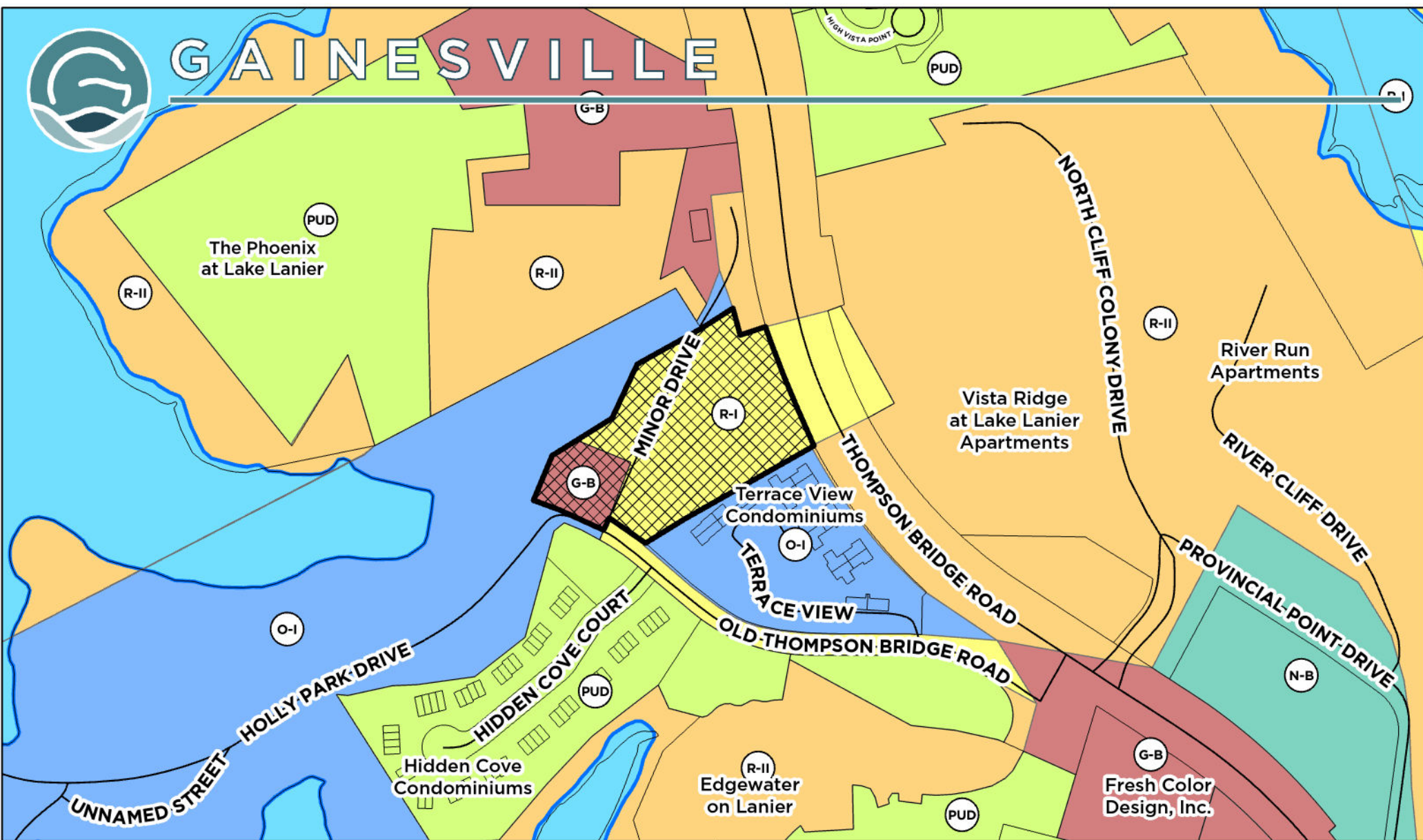
The Planning Division staff is recommending **conditional approval** of this rezoning request based on the Comprehensive Plan and the adjacent mixture of uses.

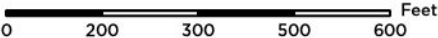
Conditions

1. The proposed residential townhomes shall not exceed 42 units. Apartments are not an approved use for the property.
2. The proposed development shall closely reflect the applicant's site plan and architectural rendering submitted with this rezoning request. In addition, all roof structures shall be constructed with architectural shingles, and the front and sides of each townhome building shall be constructed with a minimum 3-foot high watermark of brick or stone. The final location and architecture of each townhome unit shall be subject to the approval of the Community & Economic Development Director.
3. A mandatory Homeowners Association (HOA) shall be required for the proposed development providing for the financial management, architectural controls, enforcement of community standards and management of all common areas. 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.
4. A mixture of evergreen buffer trees shall be planted along Thompson Bridge Road. The minimum installation height of the trees shall be 7-feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community & Economic Development Director.
5. All trash receptacles shall be screened from view from the road and adjacent properties.
6. In addition to the driveway and garage parking provided for each townhome unit, a minimum of 8 guest parking spaces shall be provided within the proposed development. The final location of the guest parking spaces shall be subject to the approval of the Community & Economic Development Director.
7. Driveway access shall not be permitted on Old Thompson Bridge Road or Holly Park Drive.
8. Minimum 5-foot wide sidewalks with a 2-foot grass beauty strip shall be required on both sides of Minor Drive and the proposed interior roads within the subject property.
9. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a development permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.



GAINESVILLE



Applicant: OUTER BANKS, LLC (PAUL BROWN)		Request: Rezone +/- 4.08 AC currently zoned Residential-I (R-I) & General Business (G-B) to Residential-II (R-II) for residential townhomes.	
REZONING REQUEST			
Subject Property Address: 2590 Old Thompson Bridge Rd. NW 2600 Old Thompson Bridge Rd. NW	Tax Parcel: 01-100-001-001A 00-100-001-001 (Part)	 Subject Property	 Scale: 1" = 300' Page 20 of 34
Meeting Date: 5/14/2024 Map Prepared: 4/11/2024			



GAINESVILLE

The Phoenix
at Lake Lanier

MINOR DRIVE

Vista Ridge
at Lake Lanier
Apartments

River Run
Apartments

Terrace View
Condominiums

TERRACE VIEW

RIVER CLIFF DRIVE

PROVINCIAL POINT DRIVE

UNNAMED STREET

HOLLY PARK DRIVE

HIDDEN COVE COURT

Hidden Cove
Condominiums

OLD THOMPSON BRIDGE ROAD

Edgewater
on Lanier

Fresh Color
Design, Inc.

NORTH CLIFF COLONY DRIVE

THOMPSON BRIDGE ROAD

Applicant:
OUTER BANKS, LLC (PAUL BROWN)

REZONING REQUEST

Subject Property Address:
2590 Old Thompson Bridge Rd. NW
2600 Old Thompson Bridge Rd. NW

Tax Parcel:
01-100-001-001A
00-100-001-001 (Part)

Request:
Rezone +/- 4.08 AC currently zoned Residential-I (R-I) & General Business (G-B) to
Residential-II (R-II) for residential townhomes.



Subject Property

Aerial from 2023



Meeting Date: 5/14/2024

Map Prepared: 4/11/2024

0 200 300 500 600 Feet

Scale: 1" = 300'



LETTER OF INTENT
REQUEST FOR REZONING
CITY OF GAINESVILLE, GEORGIA

RE: 4.08 acres located at Old Thompson Bridge Rd
Parcel ID 00100 001001 and 01100 001001A

Through its engineer and as authorized by the Applicant, Outer Banks, LLC (the “Applicant”) respectfully submits this Letter of Intent to the Gainesville City Council in support of an application for rezoning for townhomes with a R-II zoning. The property is currently zoned G-B and R-1 in the City of Gainesville. Currently the property is in the Gainesville Gateway District and has the addresses 2590 and 2600 Old Thompson Bridge Road.

The accompanied site plan has 42 proposed townhome units with a density of 10.29 units per acre. Due to the topographical constraints of the property, this is most likely the maximum number of units using the preferred unit dimensions shown on the site plan. Minor Road, an existing private drive, is located through the property and the site plan utilizes this road. The units will be fee-simple with the residents owning the footprint of the unit. The area outside of the units will be owned and maintained by the HOA. The units will be 3 bedroom, 2 ½ bath, approximately 1,600 sf of heated space, and will have a garage. Currently, a pickleball court is planned as an active amenity.

The property is served by Gainesville water and sewer and a bioretention area is proposed to address stormwater management. The proposed development is consistent with the adjacent land uses and will encourage more visitation with Holly Park.

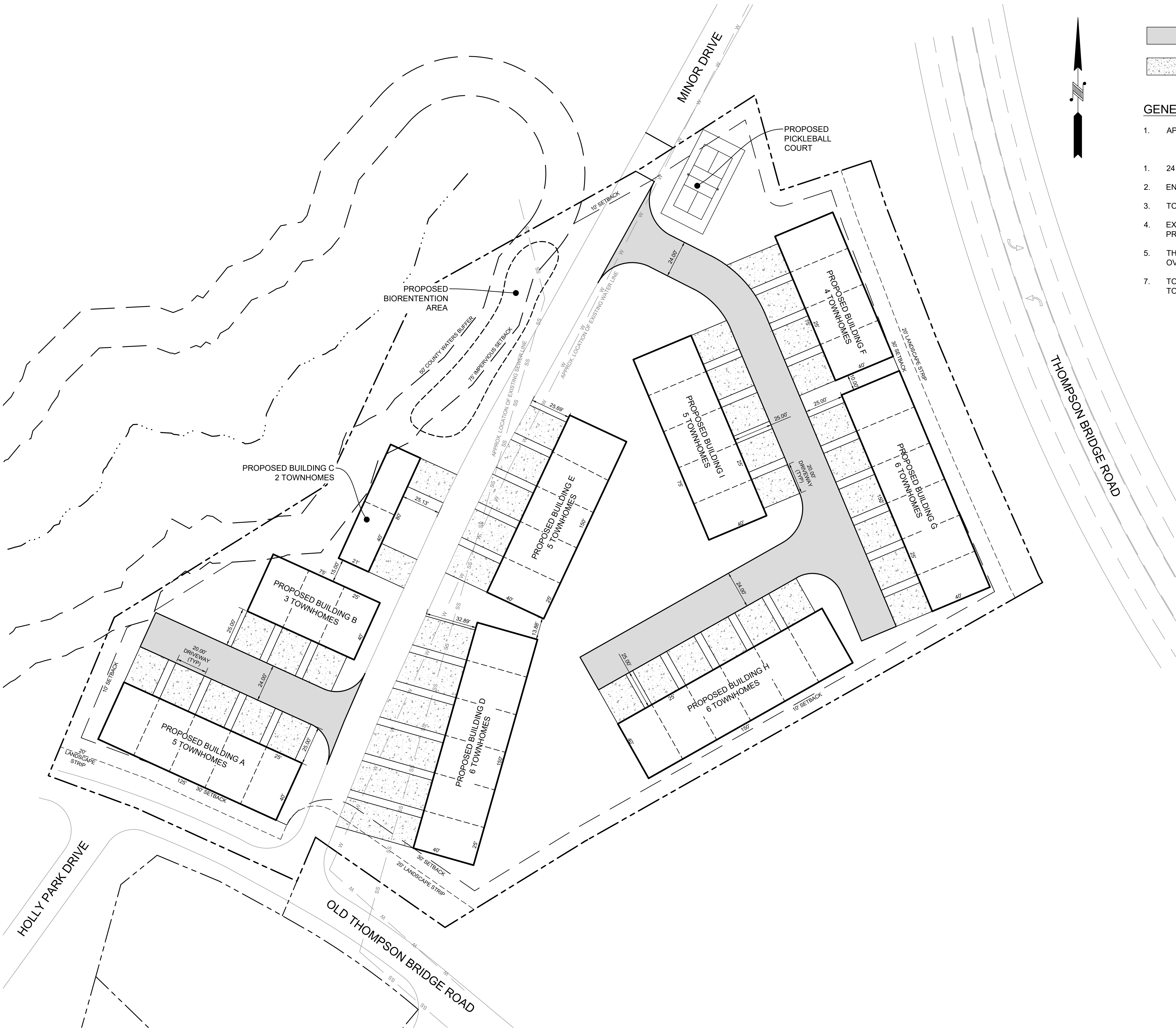
A Site plan and the appropriate authorization forms have been included in the application to allow for comprehensive review and approval of the proposed annexation and rezoning. Please contact us or the applicant if there are any questions or necessary clarifications.

Sincerely,

James Irvin, PE
Engineer for Applicant
Foothills Land Design, LLC

Foothills Land Design, LLC
164 Professional Drive
Baldwin, GA 30511

Ph: 706-778-0067
Fax: 706-778-0069
www.foothillslld.com



- LEGEND**
- PROPOSED LIGHT DUTY ASPHALT PAVING
 - PROPOSED CONCRETE PAVING

- GENERAL NOTES:**
1. APPLICANT: OUTER BANKS, LLC
3070 STILLWATER DRIVE
GAINESVILLE, GA 30506
 1. 24 HOUR CONTACT: PAUL BROWN @ (770) 377-2175
 2. ENGINEERING CONTACT: JAMES IRVIN @ (706) 778-0067
 3. TOTAL SITE AREA: 4.08 ACRES
 4. EXISTING ZONING: G-B AND R-I
PROPOSED ZONING: R-II
 5. THIS PROPERTY IS LOCATED IN THE GAINESVILLE GATEWAY OVERLAY DISTRICT.
 7. TOTAL UNITS ALLOWED: 48 (12 UNITS/ACRE)
TOTAL UNITS SHOWN: 42 (10.29 UNITS/ACRE)

foothills land design

164 PROFESSIONAL DRIVE
SUITE 100
GAINESVILLE, GA 30606
PHONE: (706) 778-0067
FAX: (706) 778-0069
www.foothillsld.com

OWNER:
KNA FAMILY INVESTMENTS, LLC
312 WEST MAIN STREET
CUMMING, GA 30040

SITE PLAN
MINOR DRIVE TOWNHOMES
LAND LOTS 143 & 149, 9TH DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GA

REVISIONS:	NO.	DESCRIPTION	DATE

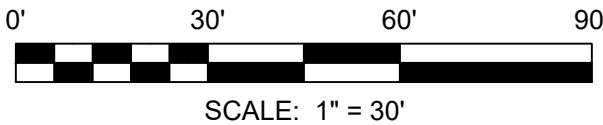
GEORGIA REGISTERED PROFESSIONAL ENGINEER
JAMES D. IRVIN
#29338

GSWCC LEVEL II #9832

DATE: MARCH 29, 2024

SCALE: 1" = 30'

SHEET:
C1
JOB #23170









CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: May 2, 2024
Date Submitted: May 17, 2024
Final Approval Date: May 30, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Don Jones** to annex a 1.25± acres tract located on the west side of Gould Drive, between McEver Road and S Smith Road (a/k/a **2575 Gould Drive**) and to establish a zoning of Residential-I (R-I).
Meeting Date: June 11, 2024

Purpose of Request:

The applicant is proposing to annex a 1.25± acres property with a zoning of Residential-I (R-I). The subject property is currently zoned Residential-I (R-I) within Hall County and contains a two-story, single-family home and detached shed. There are two access driveways off of Gould Drive. The existing septic system is failing and the property owner desires to utilize City sewer. There are no other proposed changes to the property at this time. The adjacent uses include single-family homes within unincorporated Hall County and the Gainesville Middle School West Campus is located directly across the street off of Gould Drive.

Facts & Issues / History & Background:

Department Recommendation:

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

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

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

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant Don Jones
Property Owner Martin Arellano
Location 2575 Gould Drive
Request Annex, with R-I zoning
Total Acres 1.25± acres
Ward Five
Proposed Use Sewer for an existing single-family home
Planning Division Staff Recommendation **Approval**
Date June 11, 2024

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

The applicant is proposing to annex a 1.25± acres property with a zoning of Residential-I (R-I). The subject property is currently zoned Residential-I (R-I) within Hall County and contains a two-story, single-family home and detached shed, with two access driveways off of Gould Drive. The existing septic system is failing and the property owner is in need of City sewer. There are no other proposed changes to the property at this time.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Single-family home	Residential-I (R-I) -County
South	Single-family home	Residential-I (R-I) -County
East	Gainesville Middle School (West Campus)	Office and Institutional (O-I) -City
West	Single-family home	Agricultural Residential-III (AR-III) -County

▪ **Other Departmental Comments**

There were no departmental comments for this request.

▪ **Zoning History**

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

2023 – A request by Weekley Homes, LLC to amend a 120.98± acres tract located at 0 and 1300 Gould Drive, SW zoned Planned Unit Development (P-U-D) was conditionally approved for a mixed-use development.

2023 - A request by Loan Donuts Holdings, LLC to rezone a 1.063± acres tract located at 2895 Browns Bridge Road from Office and Institutional (O-I) to Neighborhood Business (N-B) was conditionally approved for a Dunkin Donuts restaurant.

2023 – A request by QuikTrip Corporation C/O Eric Bikas to amend a 2.86± acres tract located at 2925 Browns Bridge Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved for QuickTrip convenience store/gas station.

2022 – A request by Jeff Arkema for a special use on a 1.77± acres tract located at 2888 Browns Bridge Road, SW was approved with conditional Office and Institutional (O-I) zoning for an automotive styling center.

2022 – A request by McKinley Homes US, LLC, for a special use on a 7.74± acres tract located at 2920 Florence Drive was approved with conditional Office and Institutional (O-I) zoning for 70 residential townhomes.

2021 – A request by Tidal Wave Auto Spa to amend a 7.76± acres tract located at 1440 McEver Road zoned Planned Unit Development (P-U-D) was conditionally approved for an express car wash facility.

2021 - A request by Adventures Real Estate, LLC to rezone a 17.028± acres tract located at 2520 Browns Bridge Road from Residential-I-A (R-I-A) to General Business (G-B) was conditionally approved for an automotive related facility.

2021 – A request by Pamela Eagar to annex a 0.15± acre tract located at 2834 Browns Bridge Road with a zoning of General Business (G-B) was conditionally approved for no proposed use.

2020 – A request by CenterPoint Integrated Solutions to annex a 7.81± acres tract located at 2602 Browns Bridge Road with a zoning of General Business (G-B) was conditionally approved for a CarMax Auto Superstore.

2020 – A request by Gainesville City Board of Education to rezone a 16.67± acres tract located at 1263 and 1279 McEver Road, SW from Residential-I (R-I) to Office and Institutional (O-I) was conditionally approved for a new middle school.

2020 – A request by Gainesville City Board of Education to annex a 5.931± acres tract located at 2550 and 2560 Gould Drive with Office and Institutional (O-I) zoning with a special use was conditionally approved for a new middle school and existing single-family home.

2020 – A request by Mauricio Ortega to annex a 0.51± acre tract located at 23 Cherrywood Drive with Residential-I (R-I) zoning was approved for sewer for a single-family home.

2017 – A request by Pro Building Systems to annex a 0.516± acre tract located at 2431 S Smith Road was approved with conditional General Business (G-B) zoning for an auto collision center.

2017 – A request by Manor Lake Development, LLC for a special use on a 9.24± acres tract located at 2900 McEver Road was approved with conditional Office and Institutional (O-I) zoning for an assisted living facility.

2015 – A request by the Roman Catholic Archdiocese of Atlanta to amend a 14.233± acres tract located at 2436 S. Smith Road and zoned Planned Unit Development (P-U-D) was conditionally approved for a church.

2015 – A request by the Roman Catholic Archdiocese of Atlanta to amend and rezone a 4.899± acres tract located at 0 S Smith Road from Residential-I (R-I) to Planned Unit Development (P-U-D) was conditionally approved for a church.

2013 – A request by Foote & Miller Properties, LLC to annex a 2.72[±] acres tract located at 2420 Browns Bridge Road was approved with General Business (G-B) zoning for sewer for an existing auto dealership.

▪ **Staff Analysis**

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

The adjacent properties include single-family homes within unincorporated Hall County and the Gainesville Middle School West Campus which is in the city limits. The purpose of the request is to connect sewer which is located in front of the property along Gould Drive.

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

The use of the property will remain the same and should not impact the use or usability of the adjacent or nearby property. The subject property is similar in size with other nearby county lots but is larger than typical R-I zoned lots within the city limits. It may be possible to subdivide the property in the future given its size.

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

The Comprehensive Plan for the City of Gainesville places the property within the *General Mixed-Use Future Land Use* category and within the *Suburban Neighborhoods Character Area*.

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

The vision for the *Suburban Neighborhoods Character Area* is to preserve older, stable residential subdivisions and encourage newer projects with smaller lot sizes, pedestrian infrastructure, and buildings patterned after traditional local housing, possibly containing a small neighborhood-serving “village center”. Neighborhood-scale businesses are prioritized that can serve local residents. Future population growth should be balanced between new development and infill areas. Housing choices should be diverse to support a range of household incomes, lifestyles, sizes and types, but consist mostly of single-family detached lots. Land uses allowed include parks and recreation, single-family residential, limited multi-family residential, limited general mixed-use, limited commercial (retail and office), public and institutional.

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

The existing use of the property will remain the same. The property is contiguous to the city limits and desires to utilize City sewer service which requires the property to be annexed. Abandoning the failed private septic system will improve any environmental impacts.

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

The change from county jurisdiction to city jurisdiction should not substantially affect public facilities or services.

There is sufficient water and sewer capacity that can serve the property. The Gainesville Fire and Police Departments currently respond to adjacent and nearby properties and Gainesville Fire

Station #4 located off of Memorial Park Drive is approximately 1.75 miles from the subject property. It is anticipated that the existing single-family residential use will have no additional impact on existing roads.

Given the scale of the request (1 home), minimal impacts to the City school system are anticipated as Gainesville Middle School West Campus is directly across the street. Gainesville Exploration Academy (elementary school) and Gainesville High School are also located within a one to three mile radius from the subject property.

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

The property is located between McEver Road (SR 53) and Browns Bridge Road (SR 369) which is conducive for a mixture of uses. However, it's is staff's opinion that most of the uses along this segment of Gould Drive will remain single-family in nature for many years given the current ownership.

(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?

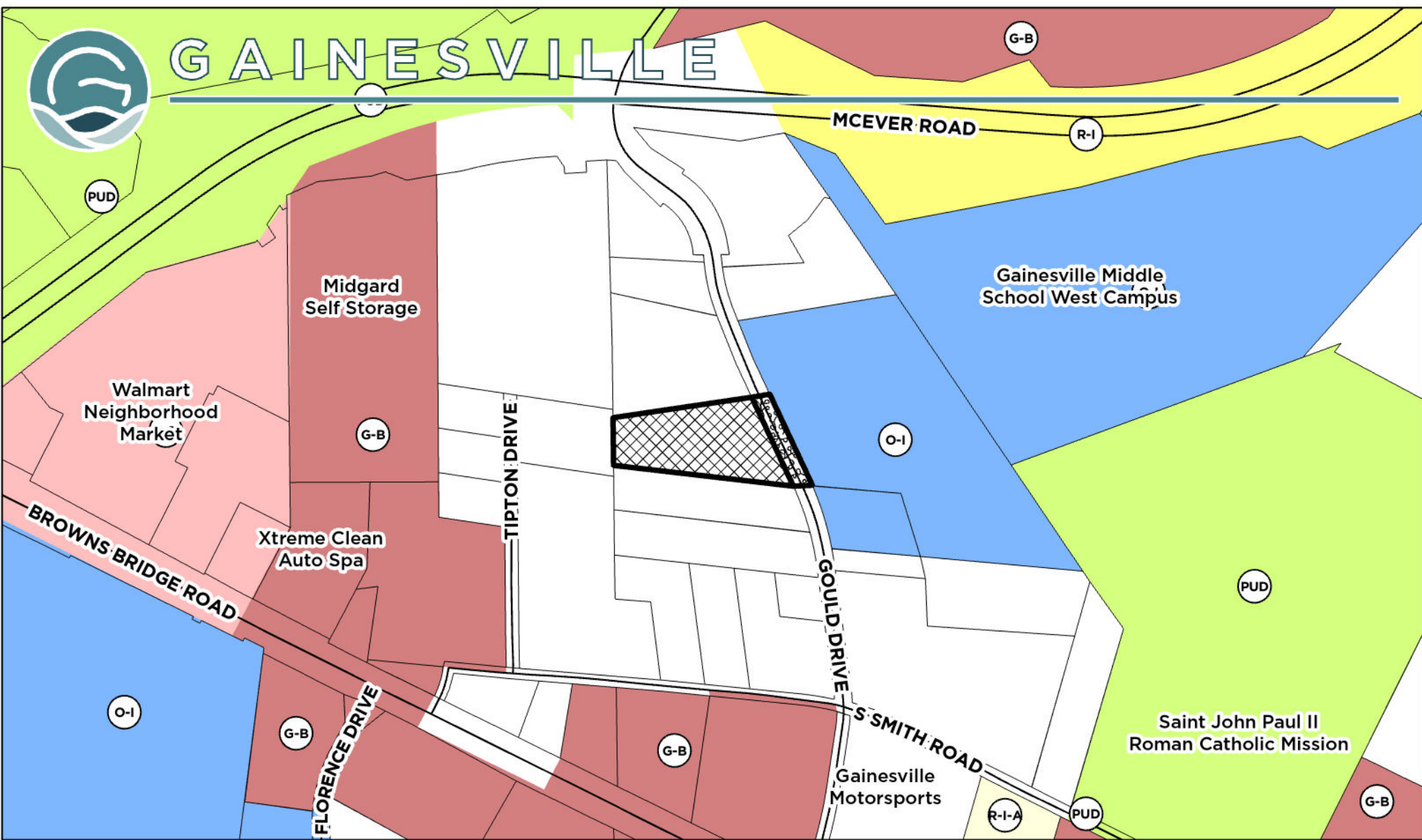
Based on the subject property's proximity to city limits and other residential properties, the proposed annexation request appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

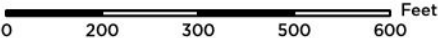
▪ **Staff Recommendation**

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



GAINESVILLE



Applicant: DON JONES		Request: Annex +/- 1.25 AC and establish zoning as Residential-I (R-I) for sewer for an existing single-family home.	
ANNEXATION REQUEST			
Subject Property Address: 2575 Gould Drive	Tax Parcel: 08-015-006-014E	 Subject Property  Right-Of-Way to be annexed	 Scale: 1" = 300'
Meeting Date: 6/11/2024 Map Prepared: 4/30/2024			



GAINESVILLE



Applicant: DON JONES		Request: Annex +/- 1.25 AC and establish zoning as Residential-I (R-I) for sewer for an existing single-family home.	
ANNEXATION REQUEST			
Subject Property Address: 2575 Gould Drive	Tax Parcel: 08-015-006-014E	 Subject Property and Right-of-Way to be Annexed	 Aerial from 2023 Scale: 1" = 300'
Meeting Date: 6/11/2024	Map Prepared: 4/30/2024		

Narrative for Annexation of 2575 Gould Drive into City Limits of Gainesville Georgia

Mr. Martin Arellano, is requesting that above mentioned property to be annexed into the City of Gainesville. Mr. Arellano is the current owner of said property and would like to connect to the City of Gainesville sanitary sewer system. The property is currently residential property containing a 2 story house with basement. At present, there are no plans to subdivide. Any future subdivision of the property will be addressed at a later date.

SURVEYOR CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Susan S. Anderson
Susan S. Anderson, PLS 2933

10-25-2023
Date



NOTES:

- 1.) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
- 2.) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- 3.) THE NORTH MERIDIAN SHOWN HEREON IS BASED ON GRID NORTH AS OBTAINED BY GPS.
- 4.) STATE PLANE COORDINATES ARE GEORGIA WEST ZONE NAD83/NAVDOBB AS ESTABLISHED BY RTK METHODS USING A LEICA GPS UNIT CONNECTED TO A BASE STATION ON THE EGPS NETWORK AND ARE BASED ON GEOID 2012B UTILIZING U.S. SURVEY FEET.
- 5.) THE CURRENT OWNER OF THE PROPERTY SHOWN HEREON IS MARTIN ARELLANO, TAX PARCEL # 08015 006014E.
- 6.) EXISTING ZONING: R-1

PLAT REFERENCES:

- 1.) SUBDIVISION PLAT OF THE J.S. GOULD SUBDIVISION, PREPARED BY MCGILL-GROGAN & ASSOCIATES, INC., RECORDED IN PLAT BOOK 7, PAGE 144.
- 2.) SURVEY FOR JAMES T. HILL, PREPARED BY MCGILL-GROGAN & ASSOCIATES, INC., DATED 9/26/1977, RECORDED IN PLAT BOOK 68, PAGE 188.

DEED REFERENCES:

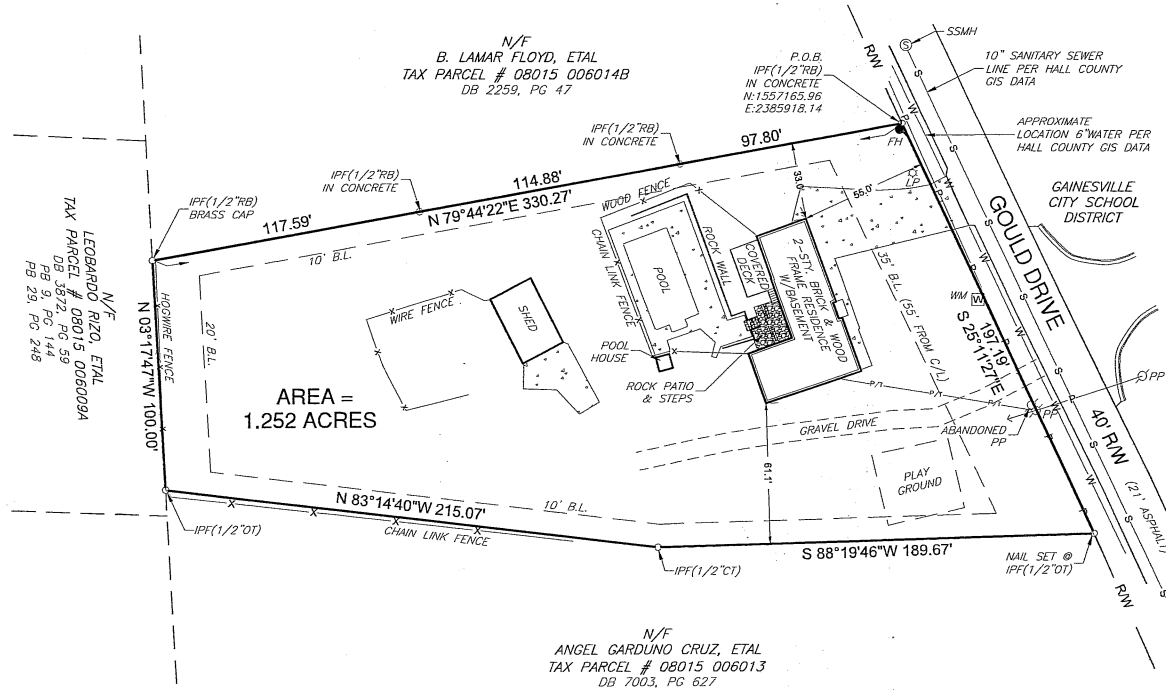
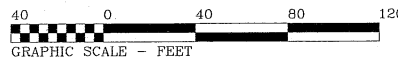
- 1.) LIMITED WARRANTY DEEDS FROM GLORIA IBARRA TO MARTIN ARELLANO, RECORDED IN DEED BOOK 9173, PAGE 753-755 AND DEED BOOK 9173, PAGE 768-770, HALL COUNTY, GEORGIA RECORDS.

LEGEND

IPF = IRON PIN FOUND
IPS = IRON PIN SET (1/2" REBAR)
OT = OPEN TOP PIPE
CT = CRIMP TOP PIPE
R/W = RIGHT OF WAY
P/L = PROPERTY LINE
C/L = CENTERLINE
LL = LAND LOT
LLL = LAND LOT LINE
N/F = NOW OR FORMERLY
DB = DEED BOOK
PB = PLAT BOOK
-X- = FENCE LINE
PP = POWER POLE
TP = TELEPHONE POLE
T = TRANSFORMER
-P- = OVERHEAD POWER
-T- = OVERHEAD TELEPHONE
-P/T- = OVERHEAD POWER & TELEPHONE
-UGP- = UNDERGROUND POWER
-UGT- = UNDERGROUND TELEPHONE
-G- = UNDERGROUND GAS
FH = FIRE HYDRANT
WM = WATER METER
WV = WATER VALVE
SSMH = SANITARY SEWER MANHOLE
CO = CLEANOUT
DI = DRAIN INLET
GI = GRATE INLET
CI = CURB INLET
YI = YARD INLET
JB = JUNCTION BOX
CMP = CORRUGATED METAL PIPE
RCP = REINFORCED CONCRETE PIPE
CPP = CORRUGATED PLASTIC PIPE
CIP = CAST IRON PIPE
DIP = DUCTILE IRON PIPE
B.L. = BUILDING SETBACK LINE
P.O.B. = POINT OF BEGINNING

FLOOD NOTE:

ACCORDING TO THE F.I.R.M. OF HALL COUNTY, PANEL NUMBER 13139C0188G, DATED APRIL 4, 2018, THIS PROPERTY IS LOCATED WITHIN ZONE X, AN AREA OF MINIMAL FLOOD AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA.



THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 778,187 FEET AND AN ANGULAR ERROR OF 00 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 278,228 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

TYPE OF EQUIPMENT: LEICA M560

Atlas Technical Consultants, LLC
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LSP001329, EXP. 8/30/2024
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MARTIN ARELLANO
LAND LOT 15-8TH DISTRICT
HALL COUNTY, GEORGIA

RETRACEMENT SURVEY FOR:

SHEET 1
of
1 SHEETS

VERTICAL SCALE: N/A
HORIZONTAL SCALE: 1" = 40'
DATE: 10/25/2023
DATE OF FIELD SURVEY: 10/23/2023
DRAWN BY: SA
CHECKED BY: DRJ
JOB NO.: 23-5000-G282

C:\DATA\SURVEY\230208\230208.DWG