



CALL TO ORDER

MINUTES

A. Minutes of June 11, 2024

OLD BUSINESS

NEW BUSINESS

A. Variance

- 1) Request from **Sergio Antonio Lara** to vary the stream buffer requirement on a 0.34± acre tract located on the south side of Holland Avenue, west of Dorsey Street (a/k/a **1203 Holland Avenue SW**), having a zoning classification of Residential-II (R-II).
Ward Number: Two
Tax Parcel Number(s): 01-130-005-001
Request: Triplex apartment building

B. Special Use

- 1) Request from **AP2 Ventures, LLC** for a special use on a 7.01± acres tract located on the west side of Mabry Road, southeast of Old Flowery Branch Road (a/k/a **3521 Mabry Road, SW**), having a zoning of Light Industrial (L-I).
Ward Number: Four
Tax Parcel Number(s): 08-024-002-047
Request: Vehicle storage yard

C. Code Amendment Request

- 1) Request from the **City of Gainesville** to amend the Gainesville Unified Land Development Code consisting of Articles 9-1 through 9-24, as published by Municode. The City of Gainesville is proposing to amend Articles 9-1 through 9-24 of the Gainesville Unified Land Development Code as part of the update of both the Code of Ordinances and the Unified Land Development Code in partnership with Municode.
Ward Number:
Tax Parcel Number(s):
Request:

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: June 14, 2024
Date Submitted: June 18, 2024
Final Approval Date: June 18, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of June 11, 2024
Meeting Date: July 9, 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. 2024-06-11 PAB DRAFT minutes

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
JUNE 11, 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 Deputy Director Matt Tate and Recording Secretary Gwen Fleming

Others Present: Council Member Barbara Brooks

MINUTES OF MAY 14, 2024

There was a motion to approve the minutes as presented.

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

OLD BUSINESS

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

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

A. Rezoning Request

- 1) 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: Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to rezone two parcels which total 4.08± acres from R-I and G-B to R-II, for a total of 42 owner occupied, fee-simple townhomes. at a proposed density of 10.3 du/ac. The larger R-I zoned portion of the property is located within the Gateway Corridor Overlay Zone and is 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 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. Some of the adjacent uses include Holly Park,

Terrace View Condominiums, Hidden Cove Condominiums, Vista Ridge Apartments and The Dance Company. Access to the townhomes is proposed on both sides of Minor Drive and parking for each unit will consist of a one car garage and surface level parking. The typical townhome unit will be two-stories with a minimum of 1,600 square feet in size, and will include 3 bedrooms and 2 ½ baths, with a master suite on the main level.

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 Comprehensive Plan places the subject property within the *General Mixed-Use* Future Land Use category and the Lake District Character Area, which includes areas containing or planned for a mixture of land 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: Carla Walker, 340 Jesse Jewell, Suite 650, stated she represents the applicant and encouraged the board to follow the recommendation of the staff for approval. Ms. Walker stated Holly Park is scheduled for improvements in the future by the city and stated the proposed rezoning request will support the park and will improve the area. She also stated the area has kudzu along with trash and has become a site for people taking advantage of the secluded area. Ms. Walker spoke about the project with it being proposed for adults 55 and older with master suites on the main level, utilities currently present and zoned residential. She stated due to the topography a vertical product will be a better fit than a single-family home footprint. She then asked for reconsideration of the condition regarding the additional parking spaces in order to preserve green space and landscaping and stated the ordinance only requires two parking spaces per unit which is one more than required and asked for the condition be removed. Ms. Walker stated adhering to the condition regarding the sidewalks would make the project not viable due to the topography and size of the land and requiring additional green space outside Minor Drive would affect the ability to have the number of units needed to make it a viable project. The last concern was regarding the leasing restrictions, Ms. Walker stated that some hardship exemptions should be added to the conditions since it is intended to be marketed toward an older community. She asked the board to consider approval of the request as recommended by the staff.

FAVOR: None

OPPOSE: Chairman Carter stated the Board had a copy of an email in opposition that was provided by the staff.

Beth Henson Law, 820 Park Street, asked if there was research done on the developers and corporations. Chairman Carter stated there is no research done individually on the developers but said staff meets regularly with the applicant, the Board makes a recommendation to the City Council which has the final decision. Ms. Law stated she researched it and found it to be an admin dissolved LLC since 2018 on the Secretary of State website. This was due to the failure of filing its annual registration and/or failure to maintain a registered agent or office in the state for Outer Banks, LLC. She questioned the comment regarding the topography and sloping of lake property doesn't support single-family homes and mentioned Island Drive with similar topography. She stated 42 homes on four acres doesn't seem to be the answer for

the property. She also mentioned DOT projected 250 new car trips per day along with noise pollution, ecological impact by Lake Lanier to an already overdeveloping area. She stated the city limits is facing a tremendous housing problem which not many seem to care. She then stated there is an expected thirty percent increase in homeless count and noted the staff analysis stated "the proposed use could have minimal impact on the Gainesville City School System" although there is school bus transportation and "the applicant states that each townhome unit will be marketed toward residents without children". Ms. Law stated she is a life-long resident of the City of Gainesville and has young kids with some of their friends being homeless or living in the Motel 6. She questioned the City's incentive that hopefully no children will live in the development in a nice house by a public park within the city limits at the lake. She stated it seems the development would not be built for the citizens of Gainesville, certainly not children or the ecological impact as a priority and appears to be a clear money grab by non-Gainesville individuals and murky corporations without considerations to the needs of the community nor the environmental impact to Lake Lanier and surrounding green space. Ms. Law stated she has visited the park many times in forty years including fishing, and stated the road to the park needs to be fixed but has never seen anything unsafe.

Rebuttal: Ms. Walker stated it was nice to have Ms. Law speak and would encourage all the citizens to participate and know what is going on. She thinks Ms. Law put a lot of stock into the work of the planning staffing but urged the board that the staff has done the homework and looked into things and recommended approval. She is willing to speak with Ms. Law afterwards to address any specific concerns and believes the project is viable and worthwhile and will be sure to have the LLC renewed.

Board Comments: Board Member Fleming asked about the development being for only those 55 and older along with percentage of units rented be monitored and the additional parking situation. Ms. Walker stated there are no restrictions requiring it but would be marketed toward that age group. She also said the HOA would monitor the rentals and with covenants at time of purchase along. She mentioned Code Enforcement would need to be called but the HOA would be responsible for maintaining and required to know who was living in each unit. Ms. Walker said the request to have an ability for an exemption for example a medical hardship situation would need to be applied for with the HOA. She advised planning staff requested eight additional spaces for the development in addition to what is already proposed and would prefer only the three parking spaces per unit. Ms. Walker stated the reason for not having additional parking was to balance green space and landscape. Board Member Fleming agreed Holly Park needs to be used more often with needed improvements made to it and would not have an issue if the project was for 55 and older. Ms. Walker advised that was the intent for the property and best option to sell the units but would not want it to be limited to it.

Chairman Carter asked if there had been any discussions of limiting apartment rentals. Ms. Walker commented it would be the responsibility of the HOA since there would be individual owners and currently have no leasing conditions on the property and would need to be added by the Board. Chairman Carter asked Deputy Director Tate to comment the percentage of rentals. Mr. Tate advised there have been other properties rezoned that limited the number of rental units to no more than 20 percent. The HOA would be in charge of regulating the 20 percent rule and then Code Enforcement if need be.

Chairman Carter advised the Board not knowing the motion which will be made but in his personal opinion it is reasonable to keep the conditions by staff with no exceptions regarding guest parking and development of sidewalks which is standard on every development.

Vice Chair Thompson commented condition three of the staff report states no more than 20 percent of the units rented.

Board Member Martin advised it should be stated if the project was restricted to 55 and older. Chairman Carter commented that it would be the responsibility of the developer to do so and mentioned a previous subdivision that had done an age restriction.

Deputy Director Tate commented the development was Weekly Homes at Lanier Landing which was restricted to 55 and older along with no more than 20 percent of the homes could be rented.

There was a discussion among Board Members regarding rentals and reporting problems along with the 20 percent rental restriction and creating problems on mortgages and values.

There was a motion to recommend denial to rezone the subject property for residential townhomes from Residential-I (R-I) and General Business (G-B) to Residential-II (R-II).

Motion made by Board Member Martin

Motion seconded by Board Member Fleming

Vote – 4 favor, 2 oppose (Carter, Thompson), 1 vacant

NEW BUSINESS

A. Annexation Request

- 1) 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).

Ward Number: Five

Tax Parcel Number(s): 08-015-006-014E

Request: Sewer for an existing single-family home

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

The applicant is proposing to annex a 1.25± acres property with a zoning of Residential-I (R-I) in order to connect to City sewer.

The existing septic system is failing and there are no other proposed changes to the property at this time.

The subject property is currently zoned Residential-I (R-I) within Hall County and the adjacent uses include single-family homes in the county and the Gainesville Middle School West Campus.

The property contains a two-story, single-family home and detached shed, with two access driveways off of Gould Drive.

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 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.

Applicant Presentation: Don Jones, 930 Interstate Ridge Drive, stated he is with Atlas Technical Consultants Civil Engineers and Surveyors and represents the property owner for the request of annexation. Mr. Jones said it was a straight-forward request and happy to answer any questions.

FAVOR: None

OPPOSE: None

There was a motion to recommend approval to of the annexation request for sewer for an existing single-family home and establish zoning as Residential-I (R-I).

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 6:04 p.m.

Motion made by Board Member Simmons
Motion seconded by Vice Chair Thompson
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: June 14, 2024

Date Submitted: June 18, 2024

Final Approval Date: June 27, 2024

Presenter: Matt Tate, Community & Economic Development Dept Deputy Director

Item of Business: Request from **Sergio Antonio Lara** to vary the stream buffer requirement on a 0.34± acre tract located on the south side of Holland Avenue, west of Dorsey Street (a/k/a **1203 Holland Avenue SW**), having a zoning classification of Residential-II (R-II).

Meeting Date: July 9, 2024

Purpose of Request:

The applicant is requesting to vary the stream buffer standards in order to construct a three-unit apartment building. The proposed one-story building is 2,256 square feet in size (24' x 94'), with surface level parking. The property previously contained a single-family home and two sheds located within the stream buffer that were demolished last year. The property is relatively flat, and the existing stream is located within the neighboring property to the east. Specifically, the proposed variance would allow for approximately 2,244 square feet of disturbed area within the 50' undisturbed buffer and 268± square feet of impervious area within the 75' pervious buffer. No land disturbance or impervious area is proposed within the State 25' undisturbed buffer. The applicant states the stream buffer severely limits the developable area by encroaching as much as 65' within the 100' wide lot. The adjacent and nearby uses include single-family homes, duplex homes and multi-family apartments.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval with two 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. Hardship statement
4. Site Plan

5. Color Stream Buffer Site Plan
6. Elevations
7. Floor plan

GAINESVILLE PLANNING AND APPEALS BOARD STAFF RECOMMENDATION

Applicant Sergio Antonio Lara
Property Owner Melva A. Mendoza
Location 1203 Holland Avenue, SW
Request Vary the stream buffer requirement
Size 0.34± acre
Zoning Residential-II (R-II)
Ward Two
Proposed Use Triplex apartment building
Planning Division Staff Recommendation **Approval, with conditions**
Date July 9, 2024

▪ **Request**

The applicant is requesting to vary the stream buffer standards to construct a three-unit apartment building. The proposed building is 2,256 square feet in size (24' x 94'), one-story, with surface level parking. Approximately 2,244 square feet of disturbed area and 1,058 square feet of pervious paving is proposed within the local 50' undisturbed buffer. In addition, 268± square feet of impervious area and 1,116 square feet of pervious paving is proposed within the local 75' pervious buffer. No land disturbance, impervious area or pervious paving is proposed within the State 25' undisturbed buffer.

BUFFER ENROACHMENT AREAS			
	25' STATE BUFFER (SF)	50' LOCAL UNDISTURBED BUFFER (SF)	75' LOCAL NON-IMPERVIOUS BUFFER (SF)
DISTURBED AREA	0	2,244	2,422
IMPERVIOUS AREA	0	0	268
PERVIOUS AREA	0	1,058	1,116

The Gainesville Unified Land Development Code (ULDC) requires a 75-foot protection buffer to be maintained against all streams as a way to minimize the impact of development and to maintain stream water quality. The buffer is measured horizontally from the top of the stream bank. Of the 75-foot buffer requirement, the first 25-feet of the buffer closest to the stream is a State mandated *undisturbed/non-impervious* buffer. The second 25-feet of the buffer is a local buffer that is mandated by the City of Gainesville that is to remain undisturbed and does not allow for hard surface (impervious) materials such as buildings or concrete/asphalt parking areas. The third and outermost 25-feet of the buffer is mandated by the City of Gainesville and may be minimally disturbed but must be kept free of all impervious cover.

▪ **Background Information and Existing Conditions**

The property is an existing lot of record and previously contained a single-family home and two detached sheds that were demolished over a year ago. The property is relatively flat and the existing stream is located within the neighboring property to the east. The adjacent and nearby uses include single-family homes, duplex homes and multi-family apartments.

▪ **Significant Factors**

The Ordinance states the Planning and Appeals Board may grant a variance where the shape, topography or other existing physical condition prevents land development, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel. The Code also states that a variance shall not be granted as a convenience to the applicant or as a way to gain any advantage over similarly zoned properties.

The applicant states the stream buffer severely limits the developable area by encroaching as much as 75' within the 100' wide lot. The applicant further states that the narrowness of the lot combined with the stream buffer requirements severely limits what can be developed. The property was platted and recorded as a lot of record prior to the local stream ordinance being adopted.

▪ **Other Departmental Comments**

There are no other departmental comments for this request.

▪ **Supporting Documents**

Statement of Hardship, Site Plan, Architectural Elevation, Floor Plan

▪ **Analysis**

(1) Are there extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography?

The property is relatively flat and is normal in size and shape. However, the property is 100 feet in width of which the stream buffer extends approximately 75 feet within the property. In addition, the size of the property is impeded by the location of the stream, thus providing no available area to relocate the proposed building and parking within the property.

(2) Would the application of the Unified Land Development Code to this particular piece of property create an unnecessary hardship?

Given the required stream buffer, it appears that over a third of the property would be deemed unbuildable. The location of the stream requires the proposed structure to be shifted to the westerly side of the property while locating a portion of the proposed permeable parking lot within the local 50' and 75' stream buffer.

(3) Are there conditions that are peculiar to the property which adversely affect its reasonable uses or usability as currently zoned?

The location of the stream in relation to the width and size of the property appear to limit the full development potential under the property's current zoning. A zoning of Residential-II (R-II) allows for a maximum of 60% impervious coverage area of the lot and a maximum building coverage area of 35%. The applicant proposes a maximum impervious area of 46.5% and a maximum building coverage area of 15% which are well below what is currently permitted.

(4) Would relief, if granted, cause substantial detriment to the public good or impair the purposes and intent of this ordinance?

The purpose of the stream buffer ordinance is to protect the public health, safety, environment and general welfare; minimize public and private losses due to erosion, siltation and water pollution; maintain stream water quality; and to minimize development within buffer areas by establishing buffer zone requirements and by requiring authorization for any such activities.

The proposed development requires that a civil engineered plan be reviewed and approved by City staff prior to the issuance of a land disturbance permit. Appropriate soil and erosion measures are vital toward the protection of the nearby stream. Best Management Practices

(BMP) will be required for all land-disturbing activities, as well as their proper design, installation and maintenance. Sediment run-off must be trapped using debris basins, sediment basins, silt fences, silt traps or similar measures until the disturbed area is stabilized with permanent vegetation. Post construction, all disturbed surfaces will be replanted with natural vegetation and coverings.

If relief were granted, the proposal should not cause substantial detriment to the public good or impair the purposes and intent of this ordinance upon an effective stormwater management plan being approved for the proposed development.

(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.

The width and size of the property appears to be severely impacted by the stream buffer requirements. If the stream buffer variance request were to be denied, it appears the only option would be to develop the property for a single-family home or residential duplex.

(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 property owner acquired the property in June of 2023 and was first made aware of the neighboring stream after the property was purchased. The property previously contained an older home and shed that were partially within both the local stream buffer, as well as, a second shed that was located within the State 25' buffer.

▪ **Staff Recommendation**

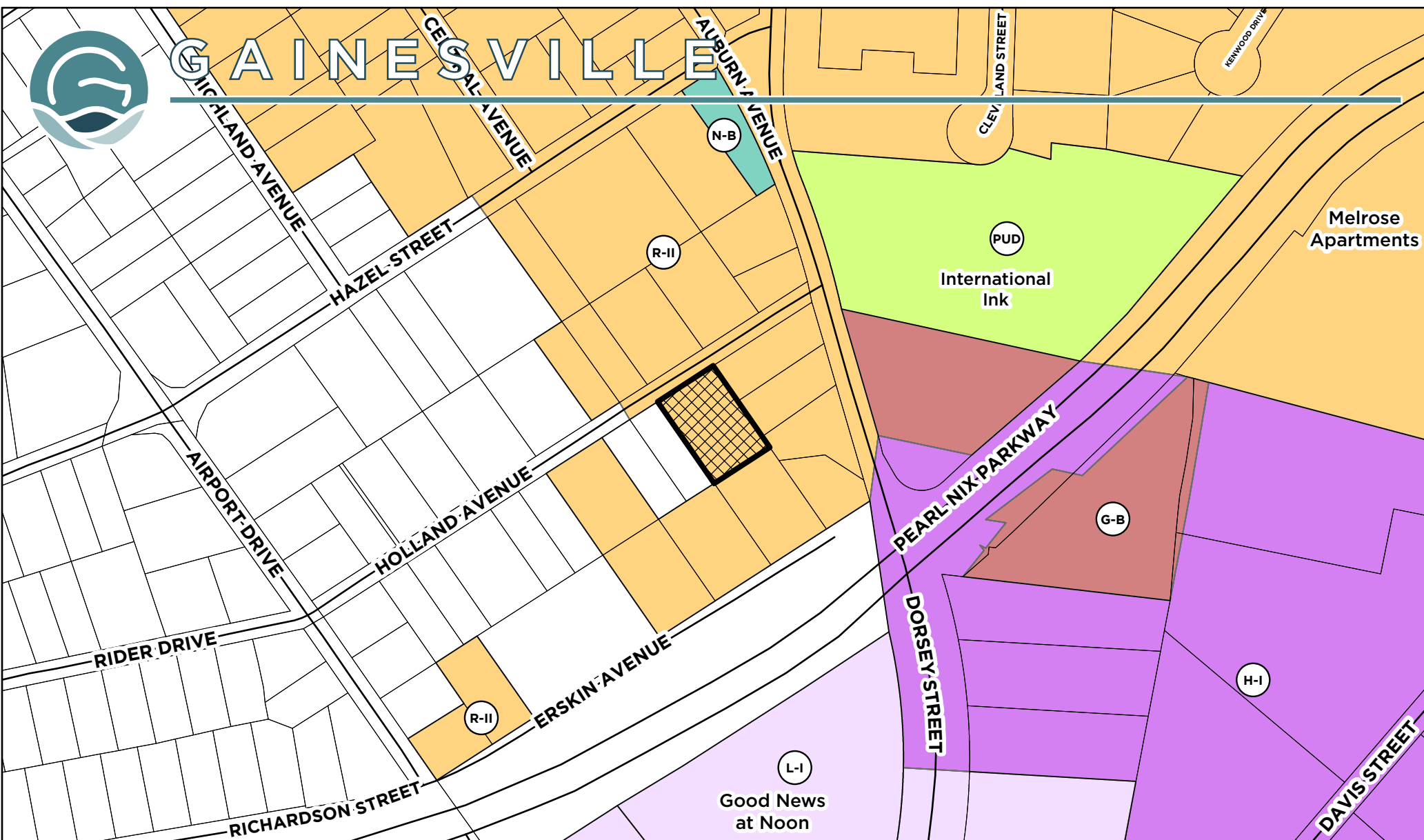
The Planning Division staff is recommending **conditional approval** of the proposed stream buffer variance request based on the size and width of the property.

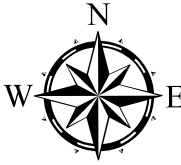
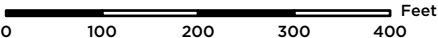
Conditions

1. **A stormwater management plan shall be required to be reviewed and approved by the Gainesville Department of Water Resources prior to the issuance of a permit. The management plan shall include pervious paving/pavers within the driveway and parking areas, subject to the approval of the Gainesville Department of Water Resources.**
2. **The exterior front and two side walls of the apartment building shall be constructed with a minimum 3-foot high architectural watermark of brick or stone materials.**



GAINESVILLE

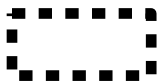


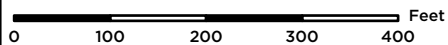
Applicant: SERGIO ANTONIO LARA		Request: Vary the undisturbed and impervious stream buffer requirements for a triplex apartment on +/- 0.34 AC within Residential-II (R-II) zoning.	
VARIANCE REQUEST			
Subject Property Address: 1203 Holland Avenue, SW	Tax Parcel: 01-130-005-001	 Subject Property	
Meeting Date: 07/09/2024	Map Prepared: 06/11/2024		
			Scale: 1" = 200'



GAINESVILLE



Applicant:		SERGIO ANTONIO LARA		Request:	
		VARIANCE REQUEST		Vary the undisturbed and impervious stream buffer requirements for a triplex apartment on +/- 0.34 AC within Residential-II (R-II) zoning.	
Subject Property Address:	Tax Parcel:	 Subject Property		Aerial from 2023	
1203 Holland Avenue, SW	01-130-005-001				
Meeting Date: 07/09/2024		Map Prepared: 06/11/2024		Scale: 1" = 200'	



****For Stream Protection Buffer Variance Request Only****

STREAM PROTECTION VARIANCE BUFFER CRITERIA
(Sec. 9-16-3-7)

STATEMENT OF HARDSHIP

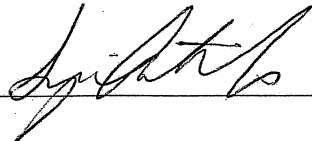
The Gainesville Planning and Appeals Board has the authority, in specific cases, to grant variances from the terms of the Unified Land Development Code of the City of Gainesville, Georgia, when the variance will not be contrary to the public interest where, owing to special conditions, a literal enforcement 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 in sequence and in narrative format how each statement/question listed below relates to your application.

1) Provide the locations of all streams on the property, including along property boundaries.
The stream is located on the neighboring property located to the East. A portion of the undisturbed State 25' buffer and the local 25' undisturbed buffer and impervious buffer are located within the 1203 Holland Avenue property boundary.
2 Does the property's shape, size, topography, slope, soils, vegetation or other physical conditions existing at the time of the adoption of this chapter prevent land development unless a stream buffer protection variance is granted?
The property is small in size and cannot be developed as the stream buffer requirements extend approximately 65' within the property which is only 100' width. A maximum impervious area of 60% is allowed while only 46.5% is proposed for the site.
3) Show the location and extent of the proposed buffer or setback intrusion.
See the attached site plan and mitigation plan.
4) Are there unusual circumstances that would create extreme hardship when there is strict adherence to the minimal buffer requirements in the ordinance?
The property previously contained a house and two sheds, of which the sheds and parking area were located within the stream buffer area. It was unknown that a neighboring stream existed until after the structures were demolished.
5) Variances are not to be considered when, following original adoption of this chapter, actions of any property owner of a given property have created conditions of a hardship on that property. Does this apply?
N/A. There was no previous knowledge that a stream buffer would be required. as the stream was not depicted on the plat of GIS Map. The property and previous home predated the current stream buffer ordinance.
6) Are there alternative designs possible which require less intrusion or no intrusion?
A single-family or duplex home could possibly be constructed without a variance. However, the property is zoned R-II and allows for up to 4 dwelling units. Logistically, it is not possible to construct the proposed 3 units and required parking without encroaching.
7) Are there long-term and construction water-quality impacts of the proposed variance? Explain.
No. The property has functioned without any storm water measures. The proposed development will be required to provide for erosion, storm water and water quality measures.
8) Would the issuance of the variance be at least as protective of natural resources and the environment? Explain.
Yes. The proposed development is required to provide for storm water and erosion measures which do not currently exists.

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

Signature of Applicant:



I Date: 05-31-2024

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SITE ANALYSIS

PROPOSED CONDOMINIUMS	3 UNITS
MINIMUM PARKING	6 SPACES
MAXIMUM PARKING	12 SPACES
PARKING SHOWN	7 SPACES
TOTAL SITE AREA	0.345 ACRES
MAXIMUM BUILDING COVERAGE	35%
BUILDING COVERAGE SHOWN	16.3%
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%
IMPERVIOUS SURFACE COVERAGE SHOWN	19.7%

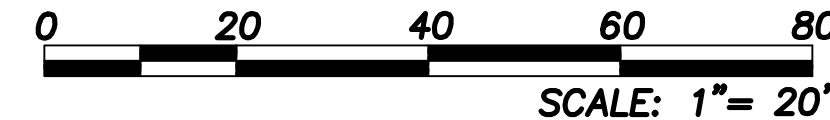
LEGEND

	PERVIOUS PAVING
	IMPERVIOUS PAVING
	IMPERVIOUS ENCROACHMENT
	GRADING WITHIN 50' UNDISTURBED BUFFER

NOTES:

- 1.) APPLICANT: MELVA MENDOZA
4080 LOST MILL LANE
BUFORD, GEORGIA 30519
- 2.) 24-HOUR CONTACT: MR. SERGIO LARA
(678) 628-6237
- 3.) EXISTING ZONING: R-II
PROPOSED ZONING: R-II
- 4.) TOTAL PROPOSED IMPERVIOUS AREA = 2,957 S.F.
APPROXIMATE IMPERVIOUS AREA REMOVED FROM SITE (REMOVED HOUSE AND SHEDS) = 2,435 S.F.
APPROXIMATE TOTAL NET GAIN OF IMPERVIOUS AREA = 522 S.F.

BUFFER ENCROACHMENT AREAS			
	25' UNDISTURBED STATE BUFFER (SF)	50' UNDISTURBED BUFFER (SF)	75' IMPERVIOUS SETBACK (SF)
DISTURBED AREA	0	2,244	2,422
IMPERVIOUS AREA	0	0	268
PERVIOUS AREA	0	1,058	1,116



GSWCC LEVEL II
CERTIFICATION #16,729

Stream Buffer Variance Plan for:
**HOLLAND AVENUE
TRIPLEX**
Georgia Militia District #411
City of Gainesville, Hall County, Georgia
04-25-2024

416 Pickle Ferry Road
Building H, Unit 300
Cumming, GA 30040
(770) 889-9430
www.mga-se.com

Mcwhorter & Anderson
LAND SURVEYING &
CIVIL ENGINEERING

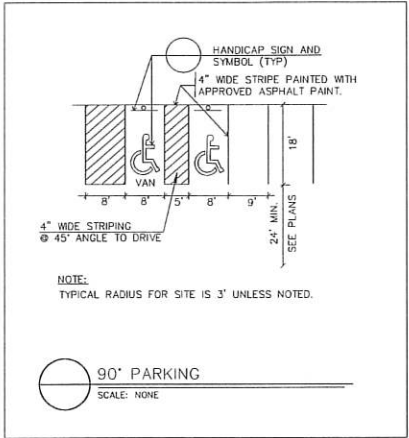
SHEET TITLE:
**VARIANCE
PLAN**

SHEET:
V-1.0



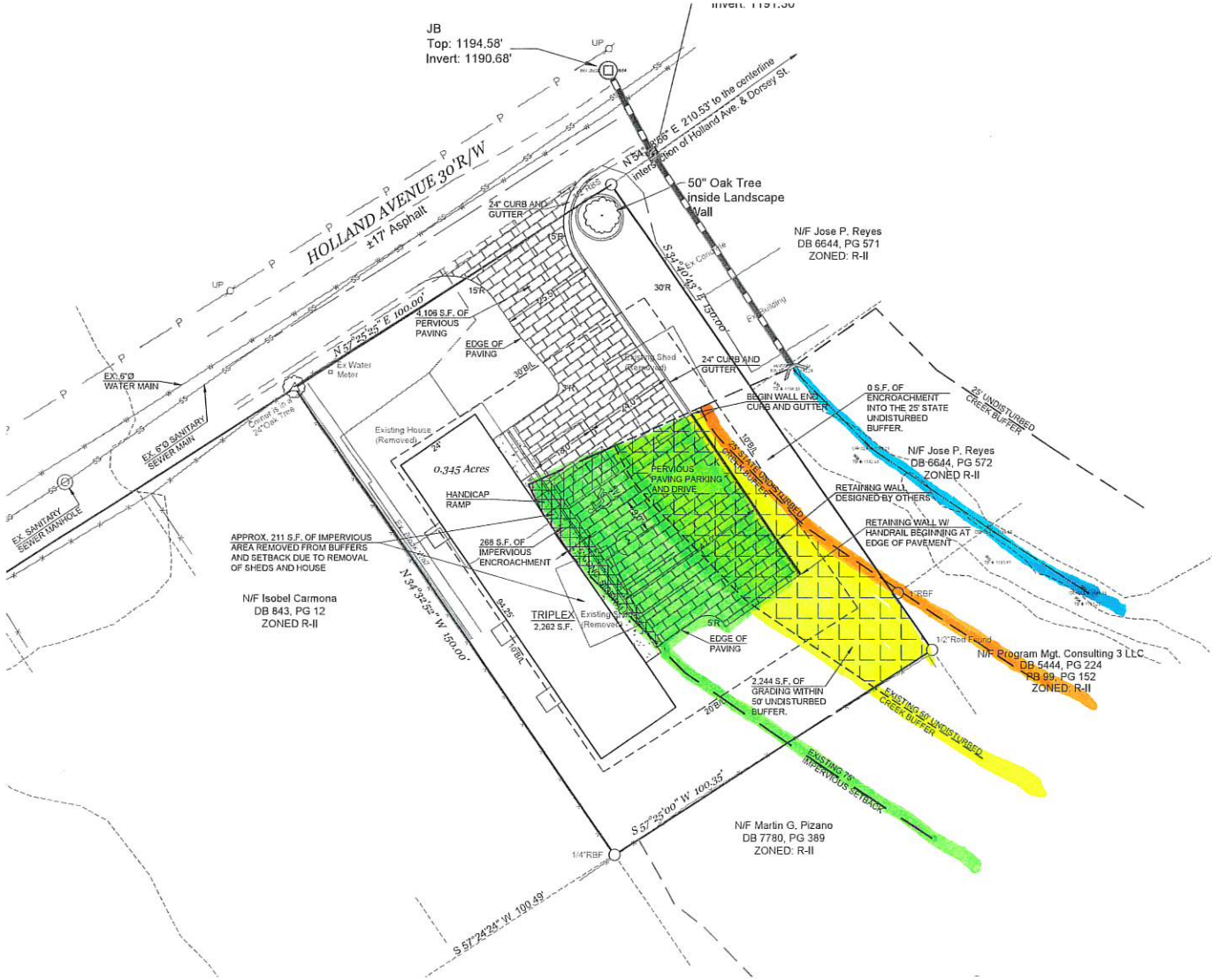
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SITE ANALYSIS	
PROPOSED CONDOMINIUMS	3 UNITS
MINIMUM PARKING	6 SPACES
MAXIMUM PARKING	12 SPACES
PARKING SHOWN	7 SPACES
TOTAL SITE AREA	0.345 ACRES
MAXIMUM BUILDING COVERAGE	35%
BUILDING COVERAGE SHOWN	16.3%
MAXIMUM IMPERVIOUS SURFACE COVERAGE	60%
IMPERVIOUS SURFACE COVERAGE SHOWN	46.5%

BUFFER ENCROACHMENT AREAS			
	25' UNDISTURBED STATE BUFFER (SF)	50' UNDISTURBED BUFFER (SF)	75' IMPERVIOUS SETBACK (SF)
DISTURBED AREA	0	2,244	2,422
IMPERVIOUS AREA	0	0	268
PERVIOUS AREA	0	1,058	1,116



GSWCC LEVEL II
CERTIFICATION #16,729

REVISIONS

DATE	COUNTY COMMENTS	COUNTY COMMENTS
05-15-2024		
05-17-2024		

Variance Plan for:

HOLLAND AVENUE
TRIPLEX

Georgia Militia District #411
City of Gainesville, Hall County, Georgia
04-25-2024

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Cumming, GA 30040
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Mcwhorter
&
Anderson

LAND SURVEYING &
CIVIL ENGINEERING

SHEET TITLE:

SITE PLAN

SHEET:

C-2.0

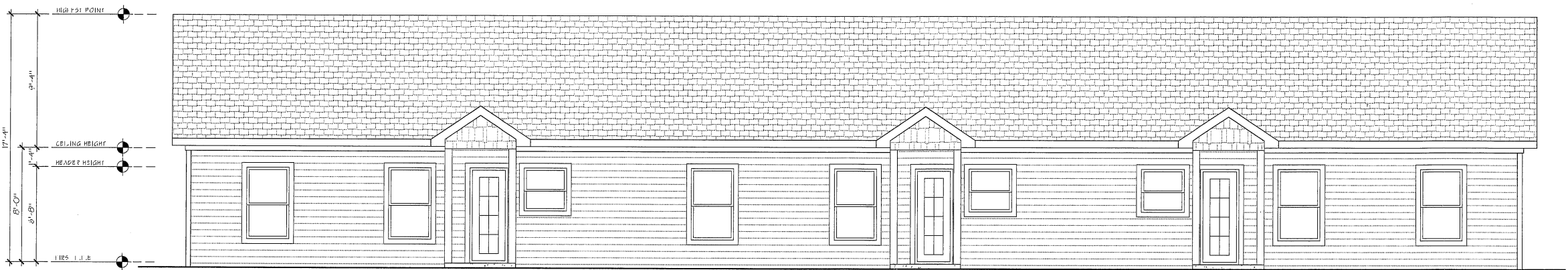
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FILE: 12920BA

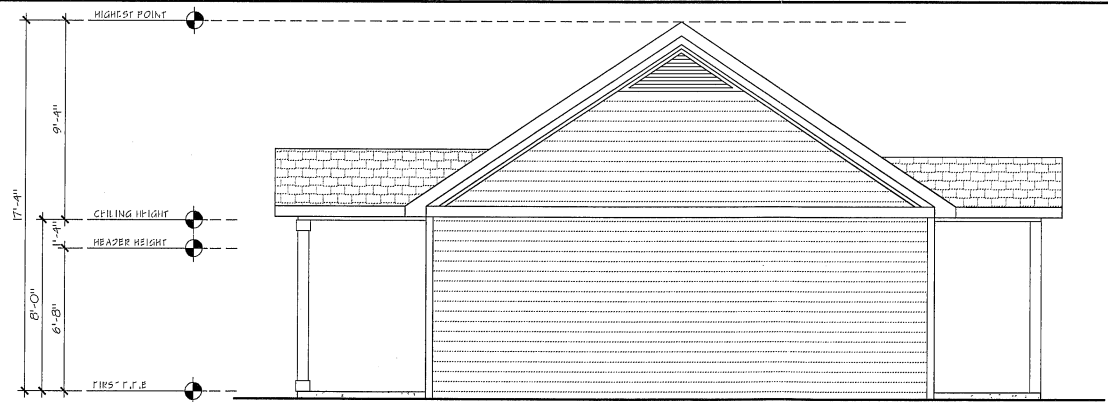
Page 17 of 38



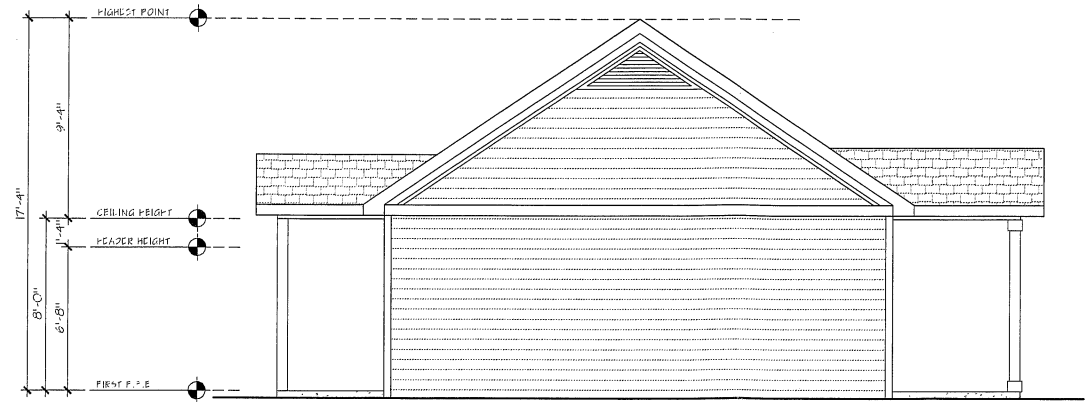
1 PROPOSED FRONT ELEVATION
SCALE: 1/4" = 1' - 0"



1 PROPOSED REAR ELEVATION
SCALE: 1/4" = 1' - 0"



1 PROPOSED RIGHT SIDE ELEVATION
SCALE: 1/4" = 1' - 0"

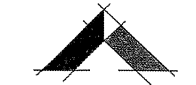


1 PROPOSED LEFT SIDE ELEVATION
SCALE: 1/4" = 1' - 0"

ENGINEER STAMP & SEAL:



DRAWINGS BY:
STUDIO TEN DESIGNS



Studio Ten
ARCHITECTURAL DESIGNS

JASON ALBERT - 678.390.4655
JASON@STUDIOTENDESIGNS.COM

NEW CONSTRUCTION @:

PROJECT MANAGER

DRAWN BY:
JASON ALBERT
678.390.4655
JASON@STUDIOTENDESIGNS.COM

DOCUMENT PHASE:

RELEASED FOR
CONSTRUCTION

AUGUST 8, 2023

SHEET TITLE:

PROPOSED
EXTERIOR ELEVATIONS

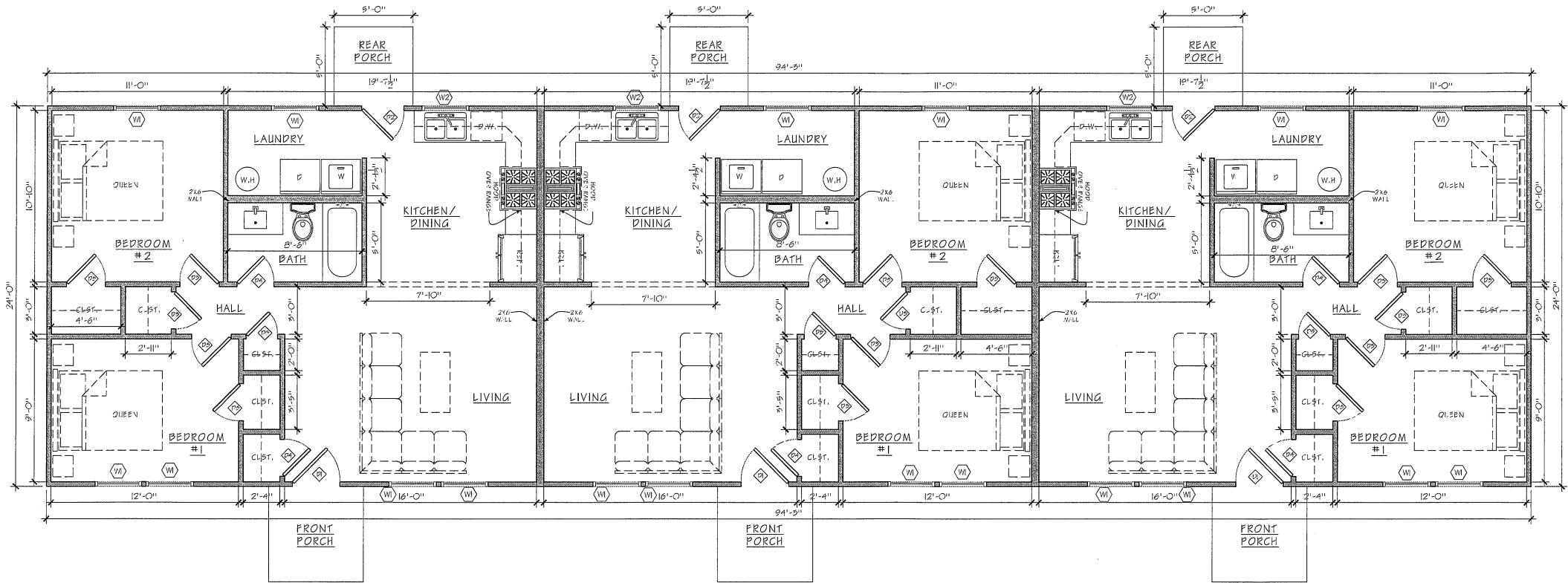
A.3



DRAWINGS BY:
STUDIO TEN DESIGNS



JASON ALBERT - 678.390.4655
JASON@STUDIOTENDESIGNS



1 PROPOSED FLOOR PLAN
SCALE: 1/4" = 1' - 0"

NEW CONSTRUCTION @:

PROJECT MANAGER

DRAWN BY:
JASON ALBERT
678.390.4655
JASON@STUDIOTENDESIGNS.COM

DOCUMENT PHASE:

RELEASED FOR
CONSTRUCTION

AUGUST 8, 2023

SHEET TITLE:

PROPOSED
FLOOR PLAN

A.2



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: June 14, 2024
Date Submitted: June 18, 2024
Final Approval Date: June 28, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **AP2 Ventures, LLC** for a special use on a 7.01± acres tract located on the west side of Mabry Road, southeast of Old Flowery Branch Road (a/k/a **3521 Mabry Road, SW**), having a zoning of Light Industrial (L-I).
Meeting Date: July 9, 2024

Purpose of Request:

The applicant is requesting special use approval for a vehicle storage yard for trucks (truck yard). The property was annexed in 2021 for an 75,000± square foot office and metal fabrication plant for Rack Systems Holdings, LLC. The property received a development permit in 2021 and has been graded and water vaults installed. A cul-de-sac on Mabry Road has also been constructed to better facilitate truck traffic.

The revised proposal includes the construction of approximately 76 outdoor truck parking spaces that will be secured and illuminated with access off of Mabry Road. The intent is to provide temporary parking for a nearby industrial company off of Centennial Drive and other industrial uses. The applicant states the long-term desire is to complete the development with a quality 70,000 square foot industrial building, hopefully within three to five years when market conditions improve. The adjacent and nearby uses include single-family homes, Avita Community Partners, Energy Assurance Laboratory and the Centennial Industrial Park all of which are in the county.

Facts & Issues / History & Background:

Department Recommendation:

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

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Staff Recommendation Report
2. Location maps

3. Narrative
4. Site Plan/Survey
5. Original Site Plan

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant and Property Owner..... AP2 Ventures, LLC
Location..... 3521 Mabry Road
Request..... Special Use within Light Industrial (L-I)
Size 7.01± acres
Ward..... Four
Proposed Use..... Vehicle storage yard
Planning Division Staff Recommendation **Approval, with conditions**
Date..... July 9, 2024

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

The applicant is requesting special use approval for a temporary vehicle storage yard for trucks and trailers. The property was annexed with a zoning of Light Industrial (L-I) in 2021 and received a development permit for a 64,000± square foot office/warehouse metal fabrication facility for Rack Systems Holdings, LLC. At this time, only the property has been graded and water vaults have been installed. A cul-de-sac on Mabry Road has also been constructed to better facilitate truck traffic.

The revised proposal includes the construction of approximately 76 outdoor secured parking spaces with access off of Mabry Road. The intent is to provide temporary truck/trailer storage for nearby industrial uses. The applicant states the long-term desire is to complete the development with a quality 70,000± square foot industrial building, hopefully within three to five years when market conditions improve.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Single-family homes; Agriculture	Agricultural Residential-III (AR-III) -County
South	Avita Community Partners	Agricultural Residential-III (AR-III) -County
East	City of Gainesville Flat Creek Water Reclamation Facility Energy Assurance Laboratory,	Residential-I (R-I) -City
	Centennial Industrial Park	Light Industrial (I-I) -County
West	West Gate Estates Subdivision	Residential-I (R-I) -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:

2024 – A request by Clayton Properties Group, Inc. – Matt Stokes to amend a 17.25± acres tract and a 12.52± acres tract located within the Mundy Mill development at 2930 Old Oakwood Road, SW and 4102 Mundy Mill Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved for residential townhomes.

2022 – A request by CA Holdings, LLC to amend a 17.25± acres tract (subject property) located within the Mundy Mill development at 2930 Old Oakwood Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved for an industrial warehouse/distribution facility.

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

2020 – A request by Smith, Gambrell & Russell, LLP to annex a 4.01± acres tract with a zoning of Light Industrial (L-I) located at 2500 West Park Drive was conditionally approved for an existing industrial warehouse use.

2018 – A request by Hydro Extruder, LLC to annex a 10.98± acres tract and a 11.29± acres tract with a zoning of Light Industrial (L-I) located at 2829 Mountain View Road and 2949 Old Oakwood Road was conditionally approved to expand the existing industrial use.

2016 – A request by Butler Property, LLC to amend a 92.06± acres tract located within the Mundy Mill development at 3035 Old Oakwood Road SW and 3523 Mountain View Road SW zoned Planned Unit Development (P-U-D) was approved to change the location of some of the single-family homes, multi-family apartments, commercial and industrial uses.

▪ **Staff Analysis**

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

The subject property is currently zoned Light Industrial (L-I) and is approved a 64,000± square foot office/warehouse metal fabrication facility. The applicant has stated the proposed storage yard will be temporary for a period of three to five years. Development to the east has trended toward light industrial growth primarily due to the adjacent County Centennial Industrial Park. The proposal would only be suitable on a temporary basis if properly buffered from the adjacent residential neighborhood.

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

The proposed use will increase traffic along Mabry Road. A cul-de-sac has been constructed to better facilitate truck traffic while allowing for other vehicular traffic to pass through. The proposed storage yard will need to be sufficiently buffered from adjacent and nearby residential uses to the north and west.

(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 Single-Family Residential Future Land Use category and within the *Suburban Neighborhoods Character Area*.

The Single-Family Residential Future Land Use category includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from four to six dwelling units per acre.

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.

It is staff's opinion that the proposal is inconsistent with the future land use map and character area map. However, the property is currently approved for an industrial use.

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

The property is currently zoned Light Industrial (L-I) and will remain unchanged. The existing zoning conditions limit the uses to office, warehouse, storage, distribution, further processing, assembly and fabrication. A stand-alone storage yard for trucks and trailers in itself is not considered an approved use within L-I zoning and requires special use approval.

(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 vehicle storage "Truck" yard should have minimal impacts on water/sewer utilities, police, fire and schools, based on how the use will function.

City water, sewer, and public safety services are currently available for the subject property and capacity is sufficient. Gainesville Fire Station #4 is located approximately 1.7± miles off of Memorial Park Drive which currently services adjacent and nearby properties.

According to the "Trip Generation Manual" as published by the Institute of Transportation Engineers, the estimated trips are 425 ± trips per weekday, 62 A.M. and 66 P.M. peak hour trips for the current approved 64,000± square foot office/warehouse metal fabrication facility. The "Trip Generation Manual" does not provide specific traffic data for the proposed use; however, the applicant anticipates approximately 15 trailer movements a day. As previously stated, a new cul-de-sac the Mabry Road entrance to the development has been constructed to help facilitate truck traffic.

(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 area has experienced industrial growth over the past 25 to 30 years due to the location of Centennial Industrial Park. While available parcels within the industrial park are limited, future industrial growth is expected due to the availability of water and sewer. It is anticipated the subject property will be developed for light industrial purposes in the future.

(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 existing approved industrial use for the property and the adjacent industrial uses, the proposed temporary truck/trailer storage yard 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.

▪ **Additional Special Use Criteria**

- (1) The type of street providing access to the subject property is adequate to serve the proposed Special Use.**

Mabry Road is a local county road located between Old Flowery Branch Road and Mountain View Road, which experiences cut through traffic from nearby Centennial Drive (Industrial Park) and Memorial Park Drive. Mabry Road is a two-lane road with no sidewalks and curb and gutter.

- (2) Access into and out of the property adequately provides for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.**

A cul-de-sac to help accommodate truck turning movements has been constructed at the entrance to the subject property on Mabry Road. There appears to be sufficient access for trucks and emergency vehicles traveling toward Centennial Drive and Mountain View Road. The segment of Mabry Road at its intersection with Old Flowery Branch Road is only 10 feet wide and is not sufficient for truck traffic. No sidewalks are proposed for the development.

- (3) Public facilities such as schools, water or sewer utilities, and police or fire protection are adequate to serve the Special Use.**

The existing water, sewer and public safety are adequate to serve the proposed use. There are no impacts to the school system.

- (4) Refuse, service, parking and loading areas on the property are located and screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.**

The subject property previously received a development permit for a 64,000± square foot office/warehouse metal fabrication facility. The development plan included a 30-foot wide vegetated buffer adjacent to the adjacent residential properties in the county. In addition, non-spill lighting will be required for the proposed security lighting.

- (5) The hours and manner of operation of the Special Use have no adverse effects on other properties in the area.**

There are no specific hours of operation proposed at this time. The applicant states that trucks will be moved as needed by the tenant to serve their business needs. Most of the truck traffic flow is anticipated to be to/from nearby Centennial Drive, away from residential properties. Stormwater water measures are required to minimize any drainage from the subject property.

- (6) The height, size and location of the buildings or other structures proposed on the property are compatible with the height, size or location of buildings or other structures on neighboring properties.**

The proposal does not include constructing a structure. The height of the truck trailers stored on the lot will be less than any future industrial building proposed for the lot.

Based on the site plan, the finished floor elevation of the storage lot will be 12 to 14 feet lower than the adjacent residential homes located to the west. The adjacent homes to the north are 20 to 30 feet below the finished floor elevation of the storage lot but appears to be well buffered with mature trees.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this Special Use request based on the existing approved industrial use for the property and the adjacent industrial uses.

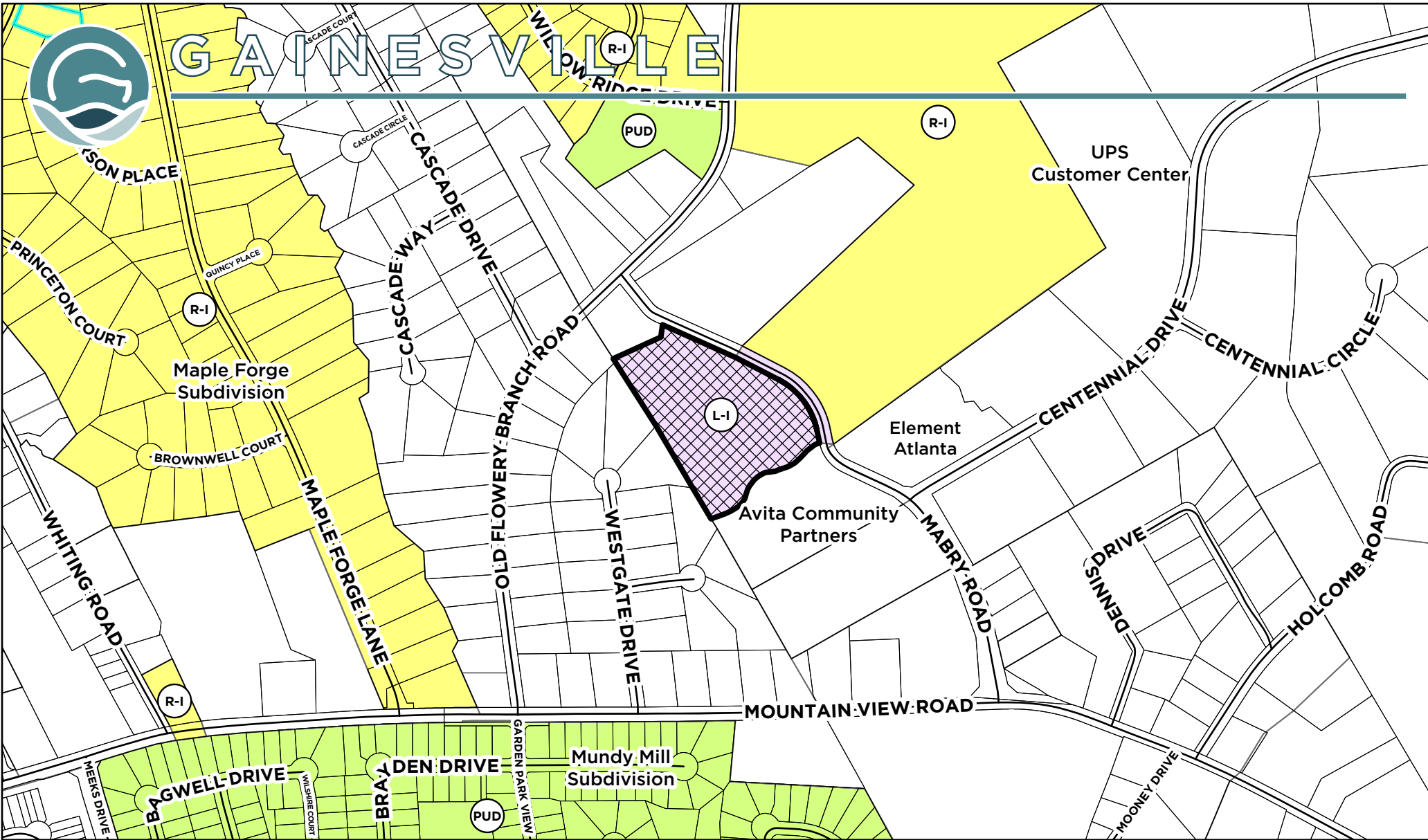
Except for the below underlined text, the below zoning conditions were adopted when the property was annexed in 2021 (Ordinance No. 2021-08).

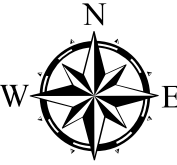
Conditions

1. The approved uses for the property shall be limited to light industrial uses to include the proposed use, office, warehouse, storage, distribution, further processing, assembly and fabrication, and the temporary storage of trailers/trucks.
2. The subject property's occupancy as a truck yard for the temporary storage of trailers/trucks shall not exceed 3 years from the adoption of this special use resolution. For good reason shown, the occupancy for such use may be extended no more than 2 additional years, and shall require further approval from the Community and Economic Development Director.
3. The proposed development shall be generally consistent with the standards depicted on the architectural elevation provided with the annexation application. 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.
4. The development shall require a minimum 50-foot wide evergreen planted buffer adjacent to all single-family properties located to the south and west. The trees shall be a minimum installation height of 8 feet and shall consist of a mixture of Arborvitae Green Giant, Japanese Cryptomeria, Eastern Red Cedar, and Holly. The location, number, spacing, size and type of trees planted shall be subject to Community and Economic Development Department Director approval in order to effectively screen the adjacent residential properties.
5. All access point design for the subject property shall require approval by the Gainesville Public Works Director and Hall County Public Works Department. All required access / traffic / sidewalk and improvements to Mabry Road associated with the proposed development shall be at the full expense of the developer/property owner.
6. An electronic message board sign shall not be permitted for the subject property.
7. An updated as-built boundary survey / plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.



GAINESVILLE

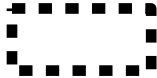
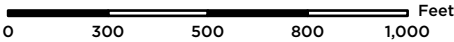


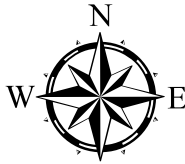
Applicant: AP2 VENTURES, LLC		Request: Special use to allow a vehicle storage yard on +/- 7.01 AC within Light Industrial (L-I) zoning.	
SPECIAL USE REQUEST			
Subject Property Address: 3521 Mabry Road, SW	Tax Parcel: 08-024-002-047	 Subject Property	
Meeting Date: 07/09/2024	Map Prepared: 06/11/2024		



GAINESVILLE



Applicant: AP2 VENTURES, LLC		Request: Special use to allow a vehicle storage yard on +/- 7.01 AC within Light Industrial (L-I) zoning.	
SPECIAL USE REQUEST			
Subject Property Address: 3521 Mabry Road, SW	Tax Parcel: 08-024-002-047	 Subject Property	Aerial from 2023
Meeting Date: 07/09/2024		Map Prepared: 06/11/2024	
		 Feet 0 300 500 800 1,000	Scale: 1" = 500'



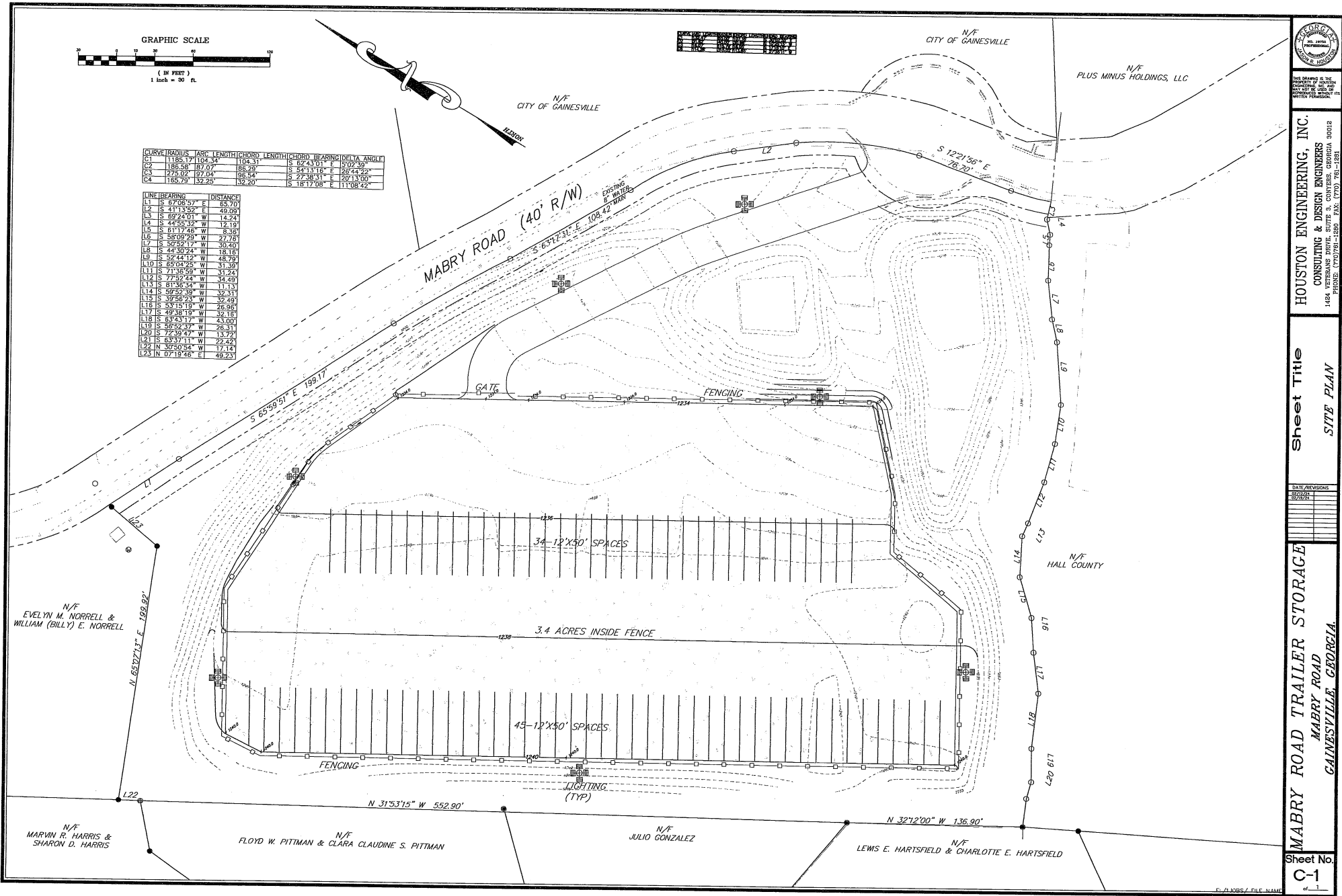
Mabry Drive was originally purchased with a development concept in mind and approved for construction by the City. After clearing the site, grading for construction and installation of water vaults for fire sprinklers, it is evident the market demand for this site has shifted. After investing more than \$1,000,000 in the improvements to date and with the massive amounts of vacant industrial space being dumped in the market by out-of-town financiers all along I-985 we feel the highest and best use for this site is Industrial Outside Storage.

Our long-term desire, when market conditions improve, hopefully within three to five years, is to complete this development with a quality 70,000 square foot industrial building.

However, in the interim, there appears to be a need for a fenced yard for one of the industrial companies along Centennial Drive / Memorial Park Road. Completion of this type of storage yard now will allow us to stabilize the investment and receive a modest return until the site can be fully developed.

We plan to install a buffer along the rear property line, however, would prefer to wait on other installations that will have to be sacrificed once building development begins.

You can see from the two (2) designs attached, the road and building pad layout are the same for the storage yard and the future building indicating the ultimate goal of constructing a building.



HOUSTON ENGINEERING, INC.
 CONSULTING & DESIGN ENGINEERS
 1484 VETERANS DRIVE, SUITE 3, GAINESVILLE, GEORGIA 30612
 PHONE: (770) 781-2280 FAX: (770) 781-1951

Sheet Title

MABRY ROAD TRAILER STORAGE

MABRY ROAD

GAINESVILLE, GEORGIA

SITE PLAN

DATE/REVISION

NO.	DATE	REVISION

Sheet No.

C-1

of 1

SIGHT DISTANCE CERTIFICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE PROJECT IS DESIGNED WITH ADEQUATE DISTANCE, THE REGULATED SPEED LIMIT OF THE APPROACHING THOROUGHFARE IS 25 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF +360 FEET TO THE LEFT, AND +360 FEET TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 14.5 FEET FROM THE EDGE OF PAVEMENT AND 8.6 FEET IN HEIGHT FOR THE DRIVER AND OBJECT ABOVE THE ROADWAY.

SIGNED [Signature] DATE 12-4-20



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1185.17	104.34	104.37	S 62°43'01" E	5°02'39"
C2	186.58	87.07	86.29	S 54°13'16" E	28°44'22"
C3	275.02	87.04	86.24	S 27°38'31" E	20°13'00"
C4	165.79	32.25	32.20	S 16°17'08" E	11°08'42"

LINE	BEARING	DISTANCE
L1	S 67°08'57" E	65.70
L2	S 41°13'52" E	49.09
L3	S 69°24'01" W	14.24
L4	S 44°55'32" W	12.19
L5	S 61°17'46" W	8.36
L6	S 58°09'20" W	27.76
L7	S 50°52'17" W	30.40
L8	S 44°30'24" W	18.16
L9	S 52°44'12" W	48.79
L10	S 65°04'25" W	31.39
L11	S 71°36'58" W	31.24
L12	S 77°52'14" W	34.40
L13	S 81°36'34" W	11.13
L14	S 59°52'39" W	32.31
L15	S 39°58'23" W	32.49
L16	S 53°15'16" W	26.98
L17	S 49°38'19" W	32.18
L18	S 63°43'17" W	43.00
L19	S 56°52'37" W	26.31
L20	S 72°39'47" W	13.72
L21	S 63°37'11" W	22.42
L22	N 30°50'34" W	17.14
L23	N 07°19'46" E	49.23

NIF WILLIAM (BILLY) E. NORRELL & EVELYN MARIE IVEY NORRELL

NIF EVELYN M. NORRELL & WILLIAM (BILLY) E. NORRELL

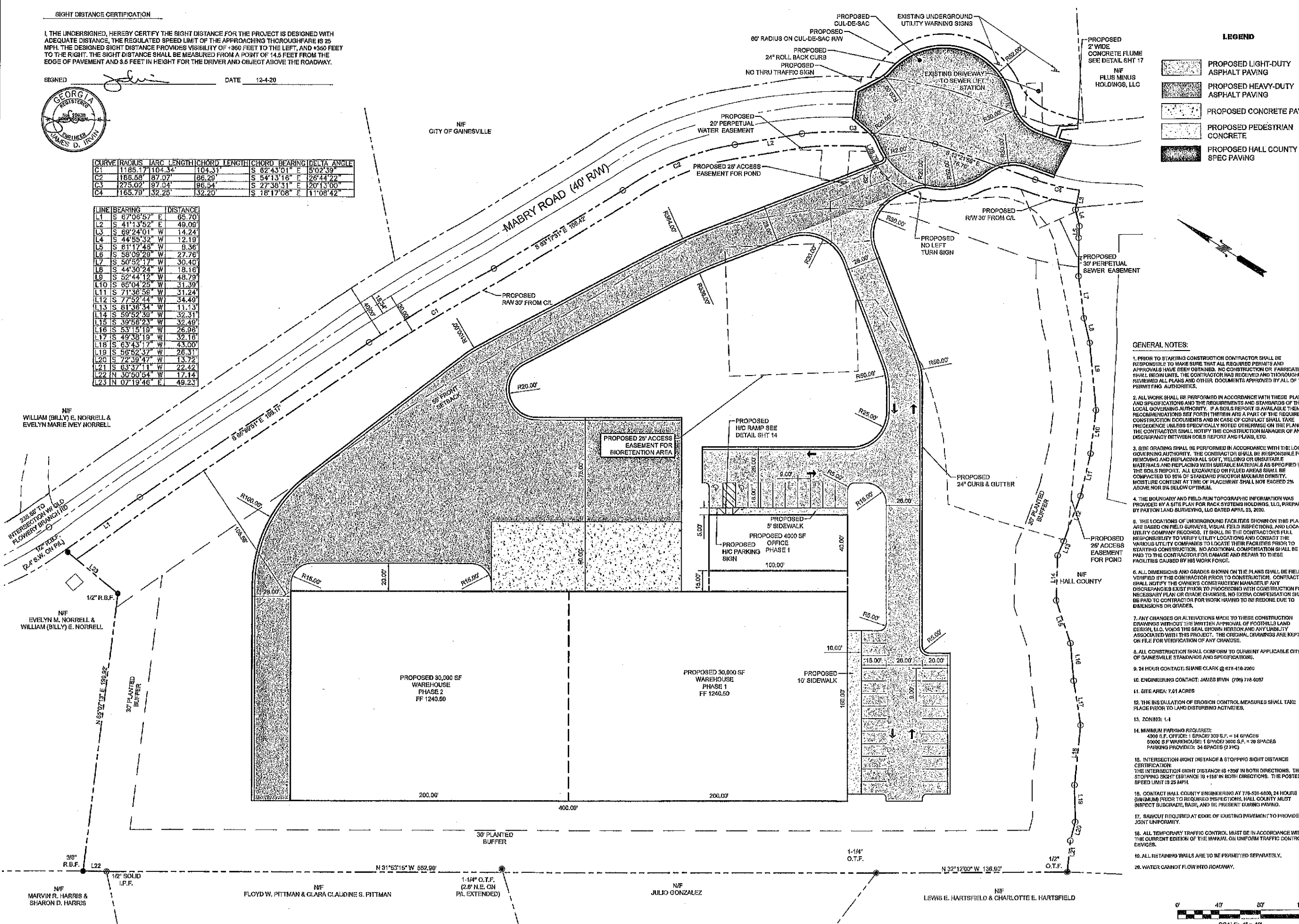
NIF MARVIN R. HARRIS & SHARON D. HARRIS

NIF FLOYD W. PITTMAN & CLARA CLAUDINE S. PITTMAN

1-1/4" O.T.F. (2.0" N.E. ON P.L. EXTENDED)

NIF JULIO GONZALEZ

NIF LEWIS E. HARTSFIELD & CHARLOTTE E. HARTSFIELD

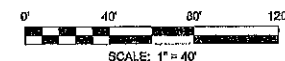


LEGEND

- PROPOSED LIGHT-DUTY ASPHALT PAVING
- PROPOSED HEAVY-DUTY ASPHALT PAVING
- PROPOSED CONCRETE PAVING
- PROPOSED PEDESTRIAN CONCRETE
- PROPOSED HALL COUNTY SPEC PAVING

GENERAL NOTES:

- PRIOR TO STARTING CONSTRUCTION CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGUN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. IF A SDLS REPORT IS AVAILABLE THEN RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCY BETWEEN SDLS REPORT AND PLANS, ETC.
- SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THE LOCAL GOVERNING AUTHORITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT, WEAVING OR UNSUITABLE MATERIALS AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE SDLS REPORT. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED TO 95% OF STANDARD PROCTOR MAXIMUM DENSITY. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL NOT EXCEED 2% ABOVE NOR 3% BELOW OPTIMUM.
- THE BOUNDARY AND FIELD RUN TOPOGRAPHIC INFORMATION WAS PROVIDED BY A SITE PLAN FOR RACK SYSTEMS HOLDINGS, LLC, PREPARED BY PATTON LAND SURVEYING, LLC DATED APRIL 23, 2020.
- THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THIS PLAN ARE BASED ON FIELD SURVEYS, VISUAL FIELD INSPECTIONS, AND LOCAL UTILITY COMPANY RECORDS. IT SHALL BE THE CONTRACTOR'S FULL RESPONSIBILITY TO VERIFY UTILITY LOCATIONS AND CONTACT THE VARIOUS UTILITY COMPANIES TO LOCATE THEIR FACILITIES PRIOR TO STARTING CONSTRUCTION. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.
- ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER'S CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES.
- ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF Foothills Land Design, LLC, VOID THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. THE ORIGINAL DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.
- ALL CONSTRUCTION SHALL CONFORM TO CURRENT APPLICABLE CITY OF GAINESVILLE STANDARDS AND SPECIFICATIONS.
- 24 HOUR CONTACT: SHANE CLARK @ 678-418-2260
- ENGINEERING CONTACT: JAMES IRVIN (786) 778-0087
- SITE AREA: 7.01 ACRES
- THE INSTALLATION OF EROSION CONTROL MEASURES SHALL TAKE PLACE PRIOR TO LAND DISTURBING ACTIVITIES.
- ZONING: L-4
- MINIMUM PARKING REQUIRED:
4000 S.F. OFFICE: 1 SPACE/300 S.F. = 14 SPACES
6000 S.F. WAREHOUSE: 1 SPACE/3000 S.F. = 20 SPACES
PARKING PROVIDED: 34 SPACES (2 HIC)
- INTERSECTION SIGHT DISTANCE & STOPPING SIGHT DISTANCE CERTIFICATION:
THE INTERSECTION SIGHT DISTANCE IS +356' IN BOTH DIRECTIONS. THE STOPPING SIGHT DISTANCE IS +155' IN BOTH DIRECTIONS. THE POSTED SPEED LIMIT IS 25 MPH.
- CONTACT HALL COUNTY ENGINEERING AT 776-531-6800, 24 HOURS (MINIMUM) PRIOR TO REQUIRED INSPECTIONS. HALL COUNTY MUST INSPECT SUBGRADE, BASE, AND BE PRESENT DURING PAVING.
- SAW/CUT REQUIRED AT EDGE OF EXISTING PAVEMENT TO PROVIDE JOINT UNIFORMITY.
- ALL TEMPORARY TRAFFIC CONTROL MUST BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
- ALL RETAINING WALLS ARE TO BE PERMITTED SEPARATELY.
- WATER CANNOT FLOW INTO ROADWAY.



184 PROFESSIONAL DRIVE
PHONE: (786) 778-0087
FAX: (786) 778-0089
www.foohillsland.com

OWNER/DEVELOPER
RACK SYSTEMS HOLDINGS, LLC
2314 CENTENNIAL CIR
GAINESVILLE, GA 32604

SITE PLAN
RACK SYSTEMS HOLDINGS, LLC
LAND LOT 24: 8th DISTRICT
HALL COUNTY, GA

NO.	DESCRIPTION	DATE
1	REVISED PER CITY OF GAINESVILLE & HALL CO.	3-2-21



GSWCC LEVEL II #9832

DATE: DECEMBER 4, 2020

SCALE: 1" = 40'

SHEET:

1



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: June 18, 2024

Date Submitted:

Final Approval Date:

Presenter: Matt Tate, Community & Economic Development Dept Deputy Director

Item of Business: Code Amendment Request

Meeting Date: July 9, 2024

Purpose of Request:

Facts & Issues / History & Background:

Department Recommendation:

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:
None



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: June 18, 2024

Date Submitted: June 18, 2024

Final Approval Date: June 27, 2024

Presenter: Matt Tate, Community & Economic Development Dept Deputy Director

Item of Business: Request from the **City of Gainesville** to amend the Gainesville Unified Land Development Code consisting of Articles 9-1 through 9-24, as published by Municode. The City of Gainesville is proposing to amend Articles 9-1 through 9-24 of the Gainesville Unified Land Development Code as part of the update of both the Code of Ordinances and the Unified Land Development Code in partnership with Municode.

Meeting Date: July 9, 2024

Purpose of Request:

The following amended language provides for consistency between the Unified Land Development Code and Code of Ordinances, as part of the Municode update.

- A. On the cover page, numbered as page ULDCiii, change "Juli Clay" to "Juli Hayes;" change "George Wangemann" to "Abigail Guzman;" and change "Denise O. Jordan, CMC" to "Denise O. Jordan, MMC."
- B. In Table 9-6-1 in the Use labeled as "Hookah, e-cigarette and/or vapor lounge/bar," delete "?" under both "L-I" and "H-I" and replace in both places with "O."
- C. In Table 9-6-1 in the Use labeled as "Lodging services, extended stay (also referred to as extended stay lodging services," delete "." under "G-B" and replace with "O."
- D. In Table 9-6-1 in the Use labeled as "Retail sales of all alternative nicotine products," delete the small "o" under "R-B," "G-B," "L-I," and "H-I" and replace with "O."
- E. In Sec. 9-8-4-2, the entire phrase "*Small water supply watershed*" should be italicized.
- F. In Sec. 9-13-12-10(8), change the word "tern" to "ten."

Facts & Issues / History & Background:

Department Recommendation:

Planning staff is recommending approval of the Update to the Gainesville Municode (Code of Ordinances) which includes the ULDC. See the Memo 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. Gainesville Municode update memo
2. Gainesville Municode ordinance ULDC

Memo

TO: Planning and Appeals Board
FROM: Matt Tate
SUBJECT: Municode update
DATE: July 9, 2024

The City of Gainesville is updating the Gainesville Municode (Code of Ordinances) which includes the Unified Land Development Code (ULDC). The proposed amendments consist of typographical errors or text that is out of date within the current Municode. The amended text can be found within Section 6 of the attached ordinance and includes Articles 9-1 through 9-24 of the ULDC currently adopted through April 1, 2022.

Passed: _____

AN ORDINANCE

No. 2024-

AN ORDINANCE TO ADOPT AND ENACT A NEW UNIFIED LAND DEVELOPMENT CODE FOR THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; TO PROVIDE A PENALTY FOR THE VIOLATION THEREOF; TO PROVIDE FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

The Code entitled "The Unified Land Development Code of the City of Gainesville, Georgia," published by Municode and available to the public and elected officials through the City Clerk's office, consisting of Articles 9-1 through 9-24, each inclusive, is hereby adopted.

SECTION 2

Such Unified Land Development Code referenced in Section 1 hereof embraces ordinances adopted through April 1, 2022. All ordinances of a general and permanent nature enacted on or before April 1, 2022, and not included in the Unified Land Development Code referenced in Section 1 hereof or recognized and continued in force by reference therein, are repealed.

SECTION 3

Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$1,000.00, imprisonment for a term not exceeding 180 days, or any combination thereof. Except as otherwise provided: (i) with respect to violations that are continuous with respect to time, each day that the violation continues is a separate offense; and (ii) as to other violations, each act is a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 4

Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

SECTION 5

Ordinances adopted after April 1, 2022, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code. Such ordinances include Ordinance 2023-14.

SECTION 6

The Code referenced and adopted in Section 1 hereof is hereby amended as follows:

- (A) On the cover page, numbered as page ULDCiii, change “Juli Clay” to “Juli Hayes;” change “George Wangemann” to “Abigail Guzman;” and change “Denise O. Jordan, CMC” to “Denise O. Jordan, MMC.”
- (B) In Table 9-6-1 in the Use labeled as “Hookah, e-cigarette and/or vapor lounge/bar,” delete “?” under both “L-I” and “H-I” and replace in both places with “O.”
- (C) In Table 9-6-1 in the Use labeled as “Lodging services, extended stay (also referred to as extended stay lodging services,” delete “.” under “G-B” and replace with “O.”
- (D) In Table 9-6-1 in the Use labeled as “Retail sales of all alternative nicotine products,” delete the small “o” under “R-B,” “G-B,” “L-I,” and “H-I” and replace with “O.”
- (E) In Sec. 9-8-4-2, the entire phrase “*Small water supply watershed*” should be italicized.
- (F) In Sec. 9-13-12-10(8), change the word “tern” to “ten.”

SECTION 7

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

SECTION 8

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

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk

4888-6823-4183, v. 5