

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

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

Reverend Whit Martin, Asbury Chapel Church, provided the invocation after which the Pledge of Allegiance was recited in unison.

CONSENT AGENDA:

Minutes: June 13, 2024 Work Session
Minutes: June 18, 2024 Mayor/Council Meeting
Minutes: June 27, 2024 Called Mayor/Council Meeting
Minutes: July 2, 2024 Called Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Dunagan
Motion seconded by Council Member Hayes
Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

Resolutions

- A. AR-2024-04 Second Quarter Budget Adjustment for Fiscal Year 2024
- B. AR-2024-05 Third Quarter Budget Adjustment for Fiscal Year 2024
- C. BR-2024-28 2024 Special Election Addressing House Bill 1269
- D. BR-2024-29 Amendment and Restatement of the GMEBS Defined Benefit Retirement Plan for City Employees
- E. BR-2024-30 Authorization to Execute a Gas Utility Easement in Favor of Liberty Utilities in Gainesville 85 Business Park
- F. BR-2024-31 Builders First Source Second Airport Lease Extension Agreement
- G. BR-2024-32 Home Air, Inc. and America's Home Place, Inc. Airport Corporate Hangar Lease Extension
- H. BR-2024-33 GDOT Project STP00-0003-00(626) Cost Agreement

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

Motion to adopt the resolutions as presented.

Motion made by Council Member Thompson
Motion seconded by Council Member Guzman
Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

PUBLIC HEARINGS:

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.

- **Proposed Rezoning Ordinance 2024-22**

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

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following nine (9) 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.

Mr. Tate shared information about the applicants request to remove conditions 3, 6 and 8 noting the proposed change was not approved by the Planning and Appeals Board and ultimately recommended denial. Since that time, the applicant has reconsidered and is willing to adhere to all conditions.

Attorney Hayes opened the floor for public comments.

FAVOR:

Attorney Carla Walker, Walker, Ball & Dimo, LLC, spoke in support of the application. She recognized staff for doing a great job and commented on the proposed development noting it supports the improvements for the area. They were willing to work with all the conditions as proposed by staff. She reserved time for rebuttal.

Council Member Brooks inquired about the parking at which time Ms. Walker confirmed there were 94 parking spaces in total. She further shared her reason for the reconsideration.

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

Motion to approve the Ordinance 2024-22, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON 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, WITH CONDITIONS (R-II-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. with conditions as presented.

Motion made by Council Member Hayes

Motion seconded by Council Member Dunagan

Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

Council Member Thompson commented on the Planning and Appeals Board and expressed appreciation for their thoughts, input and willingness to serve.

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.

- ***Proposed Annexation Ordinance 2024-23***
- ***Proposed Zoning Ordinance 2024-24***

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

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval.

Attorney Hayes opened the floor for public comments.

FAVOR:

Don Jones, Atlas Technical Consultants, Dawsonville resident, represented the property owner. He stated this was a straight-forward request to tie into the city sewer.

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

Motion to approve Ordinance 2024-23, AN ORDINANCE ANNEXING 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); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **as presented**.

Motion made by Council Member Dunagan

Motion seconded by Council Member Thompson

Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

Motion to approve Ordinance 2024-24, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON 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) AND TO ESTABLISH A ZONING OF RESIDENTIAL-I (R-I); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **as presented**.

Motion made by Council Member Thompson

Motion seconded by Council Member Guzman

Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

CITY ATTORNEY ISSUES:

City Attorney Abb Hayes stated the following items were discussed at the Work Session and deal with expansion of the Midland Greenway and recent property acquisition.

Business Resolution 2024-34

Property Encroachments with Area Realty I, LLC

City Attorney Abb Hayes stated the proposed resolution authorizes the execution of three Quit-Claim Deeds to resolve legal issues as it pertains to property descriptions.

Motion to adopt the resolution BR-2024-34 as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Thompson

Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

Business Resolution 2024-35

Property Encroachments with Bradford & Main, LLC and Easement Agreement

City Attorney Abb Hayes stated the proposed resolution authorizes execution of an easement agreement as to a proposed development at the Inked Pig property. A building encroachment and need for a temporary easement was discovered. He referenced two minor changes made since discussed at the Work Session to include 1) the addition of an Exhibit B for the temporary easement, and 2) a date change to extend the letting of the contract to one (1) year.

Motion to adopt the resolution BR-2024-35 as presented.

Motion made by Council Member Guzman

Motion seconded by Council Member Thompson

Votes favoring the motion: Hayes, Brooks, Dunagan, Thompson, Guzman

ADJOURNMENT: 5:52 PM

/ag

W. Samuel Couvillon, Mayor

Denise O. Jordan, City Clerk