



CALL TO ORDER

MINUTES

A. Minutes of July 9, 2024

OLD BUSINESS

NEW BUSINESS

A. Variance

- 1) Request from **Raven Residential Group, LLC** to vary the Midtown Overlay Zone residential density requirements and parking requirements on a 0.75± acre tract located on the east side of Grove Street, south of the intersection of Grove Street and Summit Street (a/k/a **762 Grove Street, SW**), having a zoning of Heavy Industrial (H-I).

Ward Number: Three

Tax Parcel Number(s): 01-017-001-010

Request: 18 residential condominiums

B. Zoning Amendment

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

Ward Number: Five

Tax Parcel Number(s): 15-035-000-015

Request: Data center

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: August 14, 2024
Date Submitted: August 23, 2024
Final Approval Date: August 23, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of July 9, 2024
Meeting Date: September 10, 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 reviewed 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. 2024-07-09 PAB DRAFT minutes

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

CALL TO ORDER Vice-Chair Thompson at 5:30 p.m.

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

Members Absent: Chairman Doug Carter

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

Others Present: Council Member Barbara Brooks

MINUTES OF JUNE 11, 2024

There was a motion to approve the minutes as presented.

Motion made by Young

Motion seconded by Simmons

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

OLD BUSINESS

NEW BUSINESS

A. Variance Request

- 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

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

The applicant is proposing to vary the local stream buffer standards to construct a three-unit apartment building. The property is zoned R-II, is 0.34± acre in size and is relatively flat. The existing stream is located within the neighboring property to the east. Previously, the property contained a single-family home and two detached sheds that were demolished over a year ago.

The adjacent and nearby uses include single-family homes, duplex homes and multi-family apartments. The proposed three-unit apartment building is 2,256 square feet in size, one-story with surface level parking.

The Gainesville Unified Land Development Code (ULDC) requires a 75' protection buffer to be maintained against all streams as a way to minimize the impact of development and to maintain stream water quality. The first 25-feet of the buffer highlighted in orange is closest

to the stream and is a State mandated *undisturbed/non-impervious* buffer. The second 25-foot or 50' buffer is highlighted in yellow and is a local buffer 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-foot or 75' buffer highlighted in green is a local buffer may be minimally disturbed but must be kept free of all impervious cover.

The development proposes approximately 2,244 square feet of land disturbance area and installing 1,058 square feet of pervious pavers within the local 50' undisturbed buffer highlighted in yellow. In addition, approximately 268± square feet of impervious sidewalk area and 1,116 square feet of pervious pavers are proposed within the local 75' pervious buffer highlighted in green.

The applicant states the stream buffer severely limits the developable area by encroaching as much as 75' within the 100' wide lot. And states, the property was platted and recorded as a lot of record prior to the local stream ordinance being adopted.

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

Applicant Presentation: Sergio Antonio Lara, 1335 Daybreak Road, Cleveland stated his aunt owns the property but he was the developer. Mr. Lara advised they were unaware of stream buffer and would situate the building as far away from stream buffer as possible. He then stated there would be six parking spaces with two being handicap parking with a pervious surface.

FAVOR: None

OPPOSE: None

Board Comments: Board Member Young asked Mr. Lara as to the direction the building would be facing and stated the front of the apartment units would face the parking lot.

There was a motion to conditionally approve the request to vary the stream buffer requirement for a triplex apartment building having a zoning of Residential-II (R-II) with the following conditions:

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.**

Motion made by Martin

Motion seconded by Young

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

B. Special Use Request

- 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

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

The applicant is requesting special use approval within Light Industrial (L-I) zoning for a temporary vehicle storage yard for trucks and trailers. The adjacent uses include single-family homes in the County to the North and West. Avia Community Partners office to the South and Energy Assurance Laboratory, the City of Gainesville Flat Creek Water Reclamation Facility and Centennial Industrial Park to the East.

The property was annexed in 2021 and received a development permit for a 64,000± square foot office/warehouse metal fabrication facility for Rack Systems Holdings, LLC. Currently, the property has been graded and water vaults have been installed. A cul-de-sac on Mabry Road at the entrance to the property 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.

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*.

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 which are not generally consistent with the proposal. However, the property is currently zoned and approved for light Industrial purposes.

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.

The proposed zoning conditions were adopted when the property was annexed in 2021 (Ordinance No. 2021-08), with an amendment to condition 1 and a new condition 2 as stated.

Applicant Presentation: **Jimmy Adams**, 3800 Hardy Road, CEO and managing partner of AP2 Ventures and also present was CFO/Partner Spence Price. Mr. Adams stated they would be better financially with the 70,000 building financially but decided to develop as a trailer storage and not truck storage yard. He agrees with the conditions presented by staff and will comply with the buffer requirements.

Board Comments: **Board Member Fleming** questioned if trucks would be idling, the number of spaces for storage and the possibility of limiting operating hours due to noise. **Vice-Chair Thompson** questioned the operating hours and if the trailers would be empty and contain

flammable materials. **Board Member Simmons** commented as to any guarantee of no flammable materials stored in the trailers and if the trucks would just drop and leave.

Mr. Adams stated there would be 79 spaces for storage and would be difficult to put a limit on the hours of operation especially without a tenant or lease. He said the trailers would be dropped with trucks being present, in some cases idling and possibly parked while connected to the trailers. Mr. Adams advised there would be no guarantee of flammable liquids being stored but could put it in the lease and hopefully the tenant would follow through. Mr. Adams stated it would be tenant specific and plans to lease to one tenant/company with majority of traffic being during the day but possibly at night too. He mentioned there would be non-spill lighting, the property is much lower than the surrounding properties and would be fenced. Mr. Adams explained the reason for the special use that the City of Gainesville had no provisions for truck trailer storage. He advised a buffer would be in place to preserve the neighborhood and would be less of an impact with the storage rather than the previously approved 70,000 square foot warehouse operating 24/7.

FAVOR: None

OPPOSE: **Chad Pittman**, 3615 Tradition Drive, stated he was speaking on behalf of his father and neighbors on Westgate Drive that includes senior citizens and blue collar, middle- class people that has signed a petition to voice their fears and concerns. Mr. Pittman stated the citizens in the area have worked all their life for their homes and are concerned about their property values. He spoke about the history of the land and zoning requests through the years in the County and the property being annexed in the City. He stated they understand things must change but are not opposed to growth. He mentioned the property was annexed into the city in 2021 and learned it had been approved for metal fabrication to contain a large building and have several questions and concerns and the unknown of it. Mr. Pittman expressed concern regarding the operating hours, the surface being cement or asphalt, enclosed area for the project, storage of trailers being empty and any smells. He mentioned the comprehensive plan support for single families, fear of safety, attendant on site and there being a real estate sign on property. Mr. Pittman stated the neighbors understand growth happens but would like for it to be enclosed structures with a buffer and wants to live peaceful for their remaining years of life.

Beth Henson Law, 820 Park Street, stated her concerns were vacant properties being used for truck parking which generate money at cost to people, schools and churches along to being an “eye sore” to residents. She mentioned concerns of human trafficking and stated condition three being against the comprehensive plan for the area with six surrounding properties changed zoning. Mrs. Law stated there must be a better place for truck parking.

Rebuttal: **Mr. Adams** said he has owned the property for less than three years and learned a lot of history from Mr. Pittman regarding the area.

Board Member Martin made a motion for approval with conditions presented and the additional condition regarding no hazardous materials to be stored on the property.

Board Member Young asked the applicant if he would be agreeable to modify the conditions to state no hazardous materials be stored on the property and limit hours of operation from 6 AM to 6 PM or 9 PM.

Mr. Adams replied the facility could operate 24/7 as currently zoned for its use but was only asking for the approval for a trailer storage and limiting it to certain hours would be difficult to enforce with a tenant which has not been identified yet.

Vice-Chair Thompson spoke about the different topography and would be great if a buffer was already there.

Mr. Adams commented with the buffer you would only be looking over the tops of the trailer as opposed to a 32 ft building. He expressed his appreciation of working together and only wants the ability to market the property and is not happy with limiting the hours of operation.

Board Member Martin commented regarding approval with conditions limiting the hours and no hazardous materials stored.

There was a motion to recommend conditional approval of the special use request for a vehicle storage yard having a zoning of Light Industrial (L-I) with the following amended 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.

8. No hazardous materials shall be stored on the property.

Motion made by Board Member Martin

Motion for approval failed due to lack of second; therefore, denial recommended.

Deputy Director Tate stated that due to the amended motion to approve not being seconded and no new motion presented, the application is automatically recommended for denial per Section 9-22-9-10 (b) of the Unified Land Development Code.

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.

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

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.

FAVOR: None

OPPOSE: None

There was a motion to recommend approval of the code amendment as presented.

Motion made by Board Member Young

Motion seconded by Board Member Simmons

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

ADJOURNMENT

There was a motion to adjourn the meeting at 6:24 p.m.

Motion made by Board Member Fleming

Motion seconded by Board Member Simmons

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

Respectfully submitted,

Ryan Thompson, Vice-Chair

Gwen Fleming, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: August 14, 2024
Date Submitted: August 22, 2024
Final Approval Date: August 27, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Raven Residential Group, LLC** to vary the Midtown Overlay Zone residential density requirements and parking requirements on a 0.75± acre tract located on the east side of Grove Street, south of the intersection of Grove Street and Summit Street (a/k/a **762 Grove Street, SW**), having a zoning of Heavy Industrial (H-I).
Meeting Date: September 10, 2024

Purpose of Request:

The applicant is proposing to vary the Midtown Overlay Zone requirements to increase the number of residential units allowed from 9 dwelling units (12 du/acre) to 18 dwelling units (24 du/acre). In addition, the applicant is proposing to vary the number of parking spaces required from 36 to 24 spaces. The applicant believes the proposed redevelopment of the property is more consistent with the City's vision for the Midtown Area, and the increased density is important to the redevelopment of industrial sites.

The proposed detached condominiums consist of a mixture of two and three-story units that are 500 sf, 886 sf and 1,170 sf in size. Access is proposed from Grove Street with 24 parking spaces. The property contains two block buildings slated for demolition that were previously occupied by a concrete pumping business and an auto body repair shop. The adjacent uses include the Liberty Village apartments, Blast All Sandblasting Services, Southern Baked Pie bakery and Midland Park.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval with five 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. Survey
5. Site Plan
6. Architectural Renderings
7. Floor Plans

**GAINESVILLE PLANNING AND APPEALS BOARD
STAFF RECOMMENDATION**

Applicant Raven Residential Group, LLC
Property Owner John Malcolm Yearwood
Location 762 Grove Street, SW
Request Vary the Midtown Overlay Zone residential density and parking requirements
Size 0.75± acre
Zoning Heavy Industrial (H-I)
Ward Three
Proposed Use 18 residential condominiums
Planning Division Staff Recommendation **Approval, with conditions**
Date September 10, 2024

▪ **Request**

The applicant is proposing to vary the Midtown Overlay Zone requirements to increase the number of residential units allowed from 9 dwelling units (12 du/acre) to 18 dwelling units (24 du/acre). In addition, the applicant is proposing to vary the number of parking spaces required from 36 to 24 spaces.

The proposed “Trailside Cottages” detached condominiums consist of a mixture of two and three story units including four - 500 sf units, eight - 886 sf units and six - 1,170 sf units. The 500 sf and 886 sf floor plans include 1.5 bathrooms and the 1,170 sf floor plan includes 2.5 bathrooms. Access is proposed from Grove Street and 24 onsite parking spaces are planned. Amenities are to include a grilling station, green space and a pedestrian walkway that will provide access to the Midland Greenway.

▪ **Background Information and Existing Conditions**

The property contains two block buildings and two small sheds that are slated for demolition. The buildings were previously occupied for a concrete pumping business and an auto body repair shop. The adjacent uses include the Liberty Midland apartments, Blast All Sandblasting Services, Southern Baked Pie bakery and the Midland Park.

▪ **Significant Factors**

The Ordinance requires the applicant's claim for hardship must be based on the size or shape of the lot, its topography, or other physical characteristics inherent in the lot itself and not on the desired aesthetics. Further, the Code states that a variance shall not be granted as a convenience to the applicant or as a way to gain any advantage or interest over similarly zoned properties.

The applicant states that if not for the limited size of the property, it is likely that a Planned Unit Development (P-U-D) zoning would be approved, allowing increased densities. The applicant believes the proposed redevelopment of the property is more consistent with the City's vision for the Midtown Area, and the increased density is important to the redevelopment of industrial sites.

- **Other Departmental Comments**

There are no other departmental comments for this request.

- **Supporting Documents**

Statement of Hardship, Survey Plat, Concept Plan, Architectural Renderings and Floor Plans.

- **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 subject property is normal in shape and size. The topography is relatively flat but slopes downward toward the rear of the parcel which is adjacent to the Midland Greenway.

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

The purpose of the Midtown Overlay Zone is to protect the health, safety, and general welfare of the public and promote economic prosperity in Gainesville Midtown in a manner consistent with the City's Comprehensive Plan. The intent of the overlay zone is to set higher standards for the appearance and functionality of the land uses. It is also intended to encourage mixed use development and the creation of more housing, employment, and recreational opportunities in Midtown.

The applicant is proposing two times the residential density than what would typically be approved for the subject property. However, there are other multi-story residential developments within the Midtown area with higher residential densities zoned Planned Unit Development (P-U-D). The subject property is not large enough to qualify as a residential P-U-D which requires 1.5 acres of land.

The proposed number of parking spaces permitted is 12 fewer than required by the Unified Land Development Code for a single-family detached unit. A single-family detached residence requires a minimum of 2 spaces per unit. however, a two bedroom apartment requires a minimum of 1.6 parking spaces per unit. The applicant is proposing 1.3 parking spaces per unit. The following table provides a comparison of residential developments within the Midtown Overlay Zone.

Name	Property Size Acres	Units Total	Density Du/Ac	Parking Spaces	Parking Space Ratio
<i>Trailside Cottages</i>	<i>0.75</i>	<i>18</i>	<i>24</i>	<i>24</i>	<i>1.3 / Unit</i>
The Enclave	4.09	52	12.7	125	2.4 / Unit
Liberty Midland	1.13	14	12.4	24	1.7 / Unit
Walton Summit	11.74	258	21.98	377	1.5 / Unit
Everly (Solis Ph 1)	5.6	220	39.3	331	1.5 / Unit
Solis Ph 2	4.1	180	43.9	275	1.5 / Unit
Midland Apartments	4.84	214	44.2	297	1.4 / Unit

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

The property is zoned Heavy Industrial (H-I) which normally allows for more intense commercial and industrial uses. However, the Midtown Overlay Zone standards prohibit heavy commercial and industrial uses such as salvage yards, auto repair/sales, pawn shops, liquor stores and tobacco or vaping stores. The property would retain its right to be redeveloped regardless of the proposed variances.

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

The proposal is similar to other residential developments within the Midtown or Downtown area in regards to overall density. The applicant anticipates that only one parking space per unit will be necessary which would provide six additional spaces for visitors or overflow parking. Dedicated on street parking is not provided in front of the property along Grove Street which may require guests to park and walk from the surrounding road network. Overall, the proposal will provide for additional housing opportunities within walking distance to downtown and the Highlands to Islands trail network.

(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.

Other than the size of the property and the proposed use being more compatible with vision and goals of the Midtown Overlay Zone, there appears to be no physical hardship with the property. The applicant desires to maximize the residential density for the property, but the developable area is limited due to the property not being large enough to be rezoned to a P-U-D.

(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 applicant has an option to purchase the property at this time. According to the applicant, they were unaware of the Midtown Overlay Zone density requirements and the inability to rezone the property to a PUD due to its size.

▪ **Staff Recommendation**

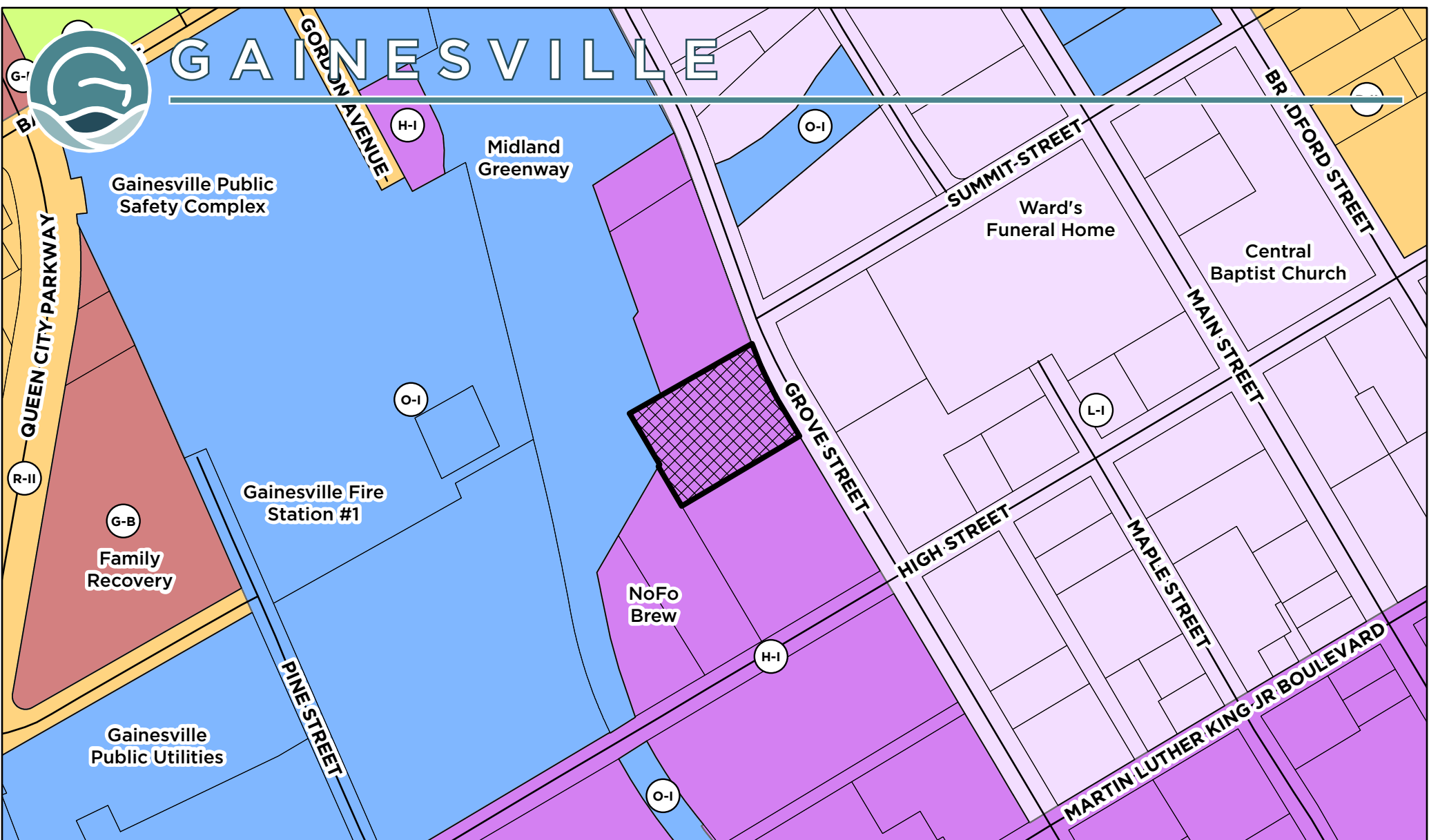
The Planning Division staff is recommending **conditional approval** of this variance request based on the Comprehensive Plans support of residential development within the Midtown Overlay Zone and the need for intown, quality affordable housing.

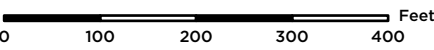
Conditions

- 1. The development shall be substantially consistent with the site plan and architectural renderings submitted with this application and shall be subject to the approval of the Community & Economic Development Director. In addition, all roof structures shall be constructed with architectural shingles, and the front and sides of each condominium unit shall be constructed with a minimum 3-foot high watermark of brick or stone.**
- 2. The frontage landscape area along Grove Street shall be maintained and sodded with grass and shall include a minimum of two 3-inch caliper size deciduous trees 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 four (4) of the total residential units may be rented.

- 4. 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 building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
- 5. 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 for the last condominium unit.**

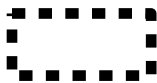
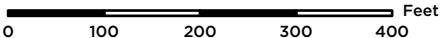


Applicant: RAVEN RESIDENTIAL GROUP, LLC		Request: Vary the Midtown Overlay Zone residential density & parking requirements on +/- 0.75 AC within Heavy Industrial (H-I) zoning for residential condominiums.	
VARIANCE REQUEST			
Subject Property Address: 762 Grove Street, SW	Tax Parcel: 01-017-001-010	 Subject Property	
Meeting Date: 9/10/2024	Map Prepared: 8/12/2024		
		 Scale: 1" = 400'	Page 15 of 35



GAINESVILLE

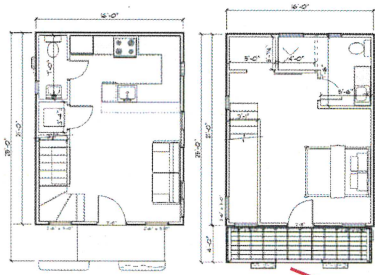


Applicant: RAVEN RESIDENTIAL GROUP, LLC		Request: Vary the Midtown Overlay Zone residential density & parking requirements on +/- 0.75 AC within Heavy Industrial (H-I) zoning for residential condominiums.	
VARIANCE REQUEST			
Subject Property Address: 762 Grove Street, SW	Tax Parcel: 01-017-001-010	 Subject Property	Aerial from 2023
Meeting Date: 9/10/2024		Map Prepared: 8/12/2024	
			Scale: 1" = 400'



STATEMENT OF HARDSHIP

1. The property is a redevelopment site located in the Midtown Overlay District. If not for the limited size of the property, it is likely that a PUD zoning, allowing increased densities, would be approved.
2. Properties in the Midtown Overlay District are restricted to densities and standards of the underlying zoning district which, in many cases, are not consistent with the City's vision for the Midtown area. Increased densities are important to the redevelopment effort, especially for current industrial sites.
3. The strict adherence to the default Midtown Overlay District density (12 units per acre) restricts the ability to achieve densities that are consistent with other developments in the overall district.
4. Since the densities and standards would likely be granted to a PUD, there is no detriment to the public good or impact to the surrounding properties in the area.
5. As the property is being developed for a less intensive use (residential vs. industrial), consideration should be given to bringing a more desirable use to the property.
6. Although the existing restrictions are part of the Midtown Overlay District, it is reasonable to expect some deviation would be granted to further the City's goals and vision for the Midtown area.

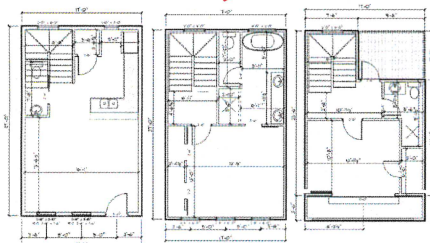
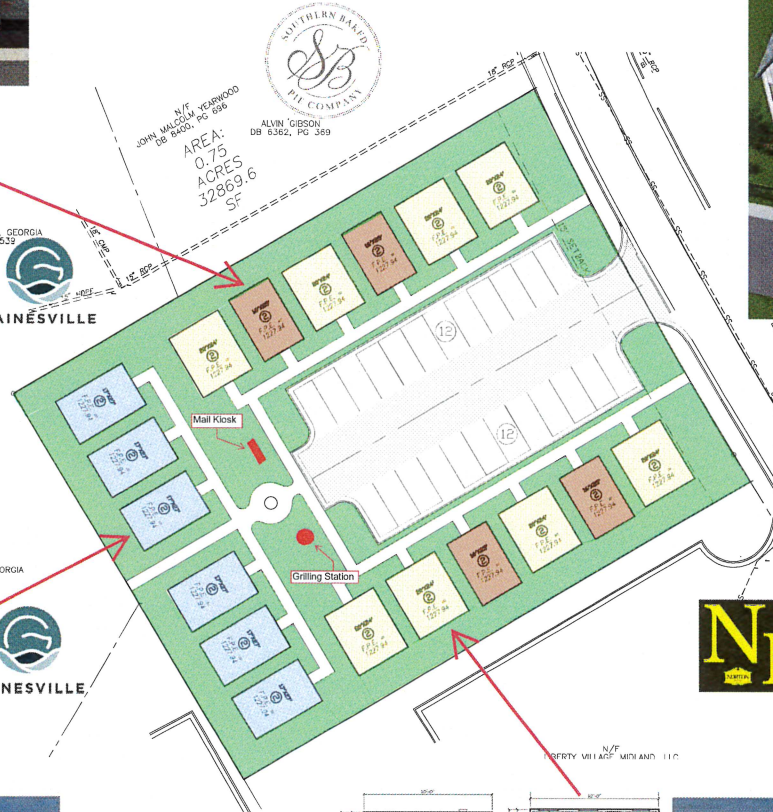


MAIN FLOOR
SCALE 1/4" = 1'-0"

SECOND FLOOR
SCALE 1/4" = 1'-0"



N/F
CITY OF GAINESVILLE, GEORGIA
DB 6643, PG 539



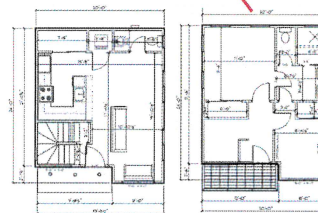
MAIN FLOOR
SCALE 3/16" = 1'-0"

SECOND FLOOR
SCALE 3/16" = 1'-0"

THIRD FLOOR
SCALE 3/16" = 1'-0"



NoFo
BREW CO



OPTION 1
MAIN FLOOR B
SCALE 3/16" = 1'-0"

OPTION 1
SECOND FLOOR B
SCALE 3/16" = 1'-0"



THE DOWNTOWN OF GAINESVILLE
STREET AND HIGH STREET



TRAILSIDE COTTAGES
URBAN LIVING ON THE GREENWAY

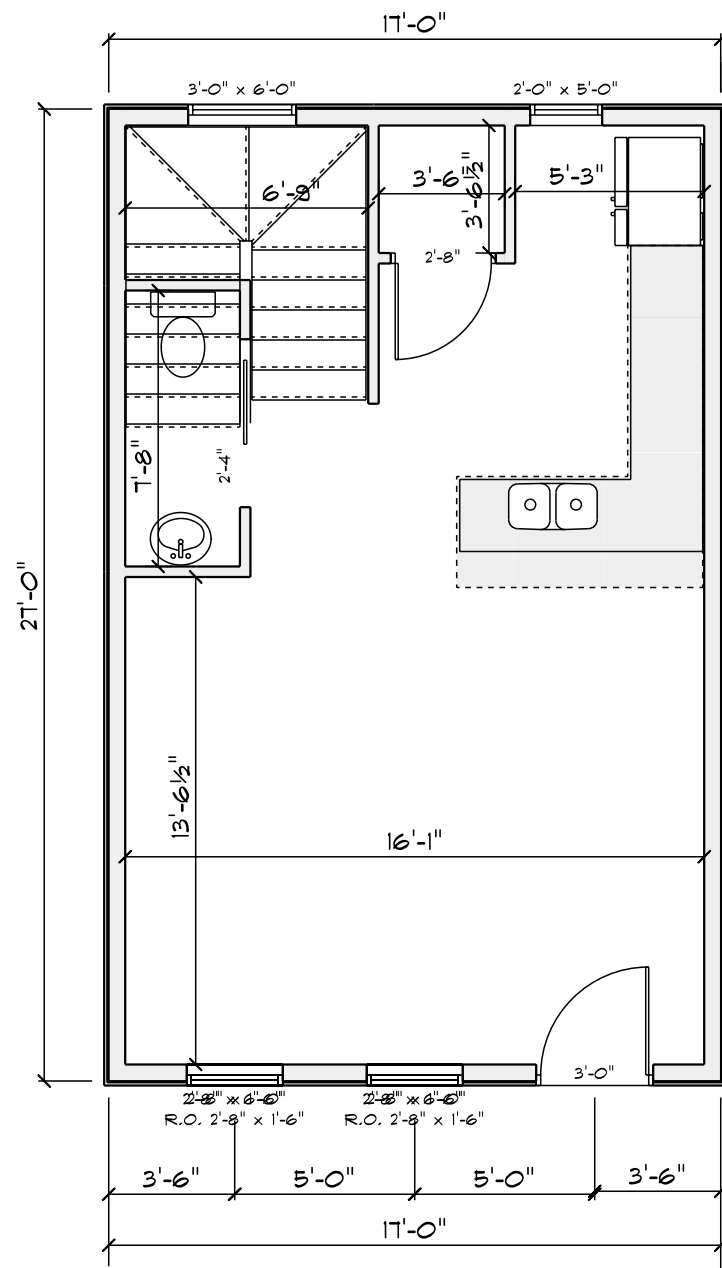


RRG

Raven Residential Group, LLC

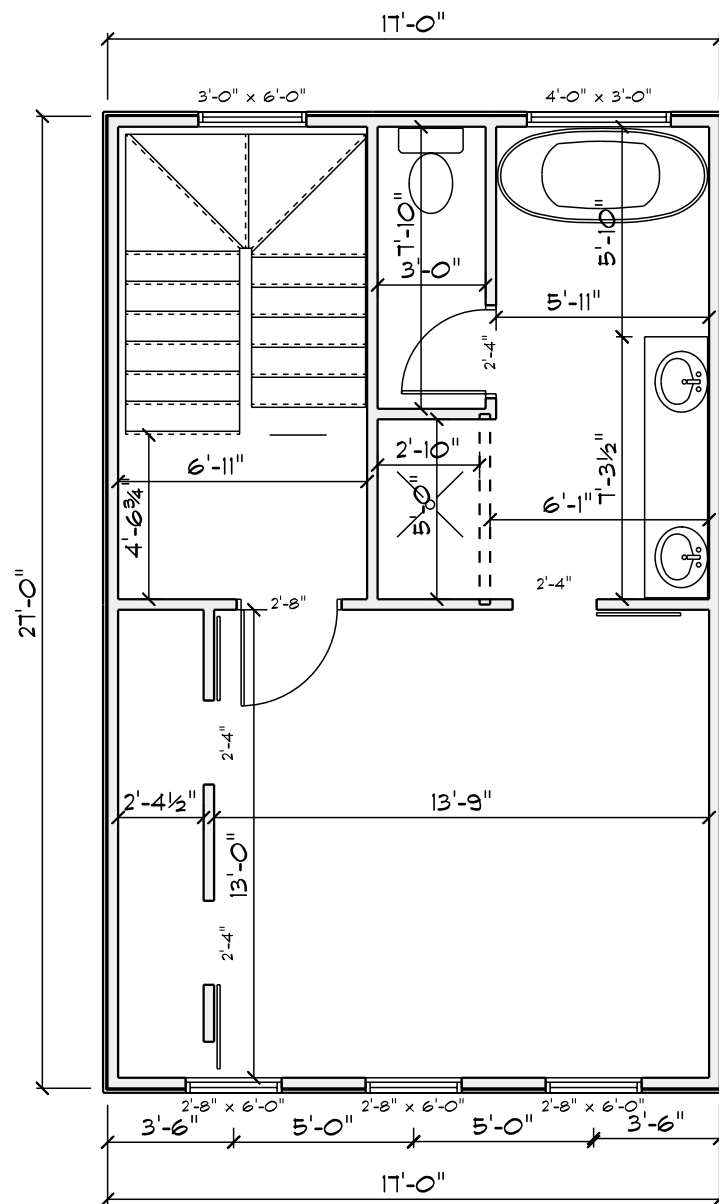






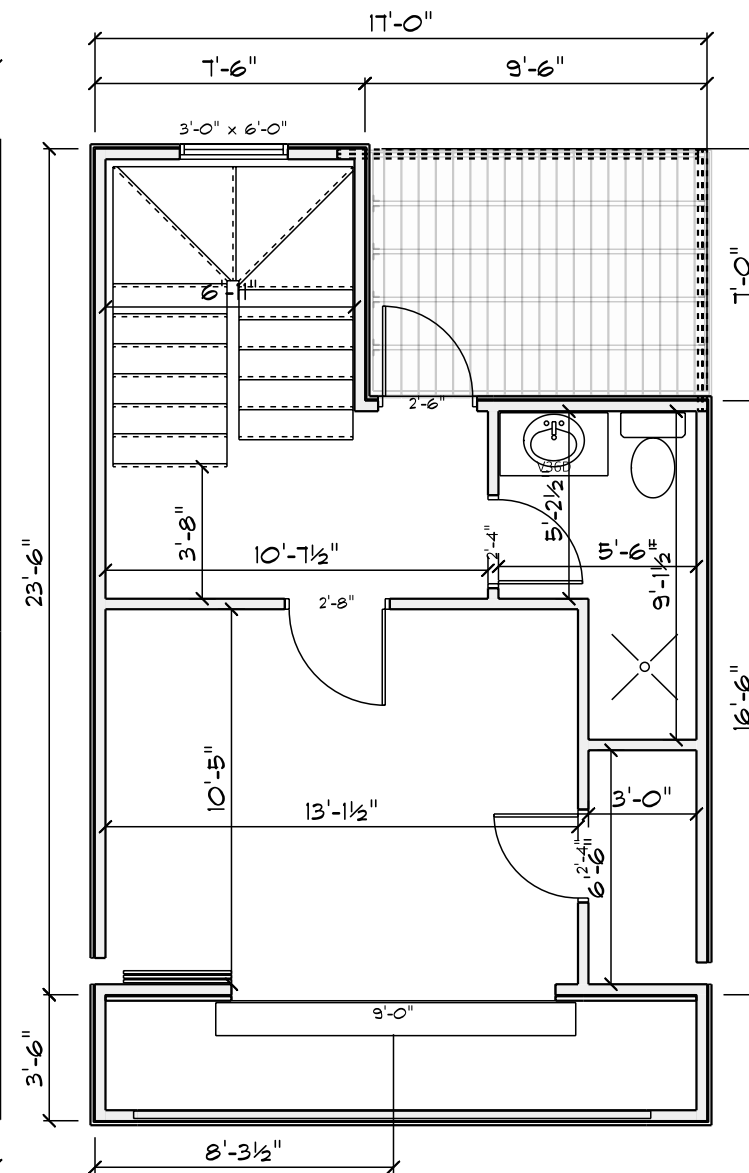
MAIN FLOOR

SCALE: 3/16" = 1'-0"



SECOND FLOOR

SCALE: 3/16" = 1'-0"



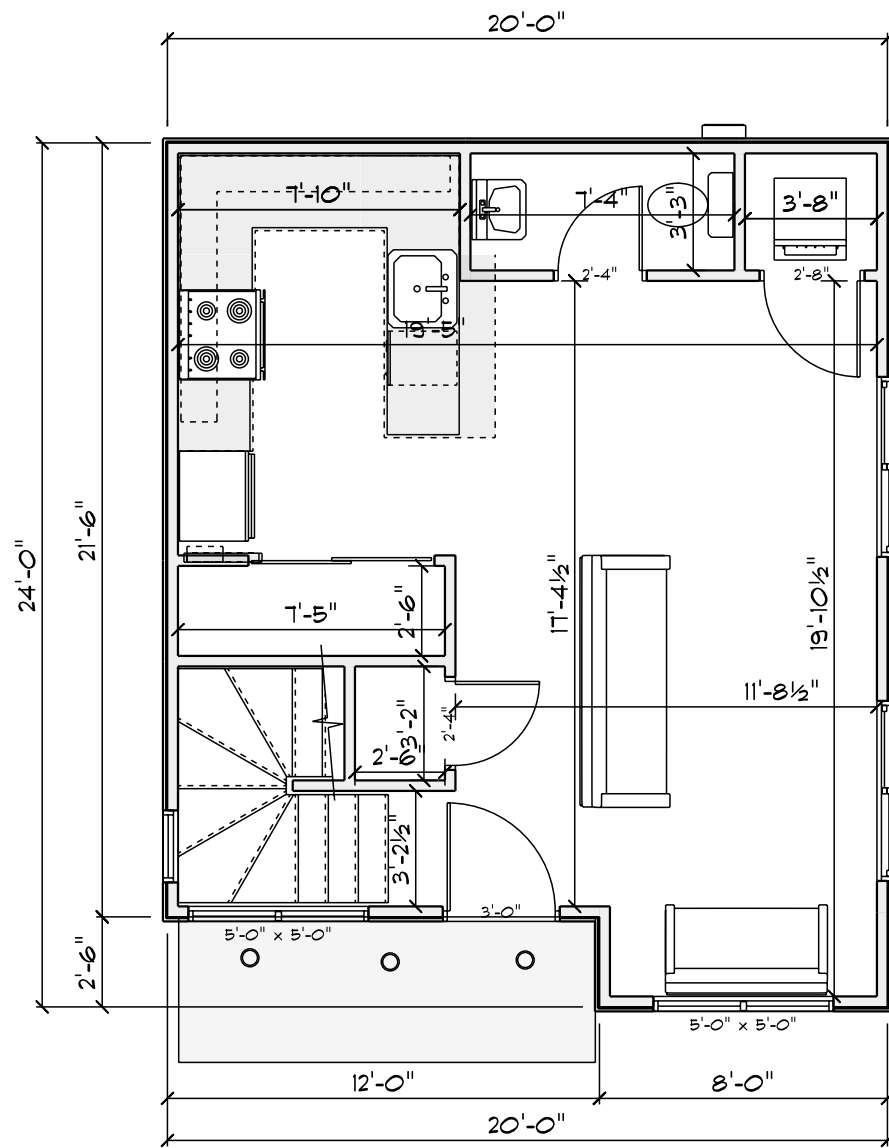
THIRD FLOOR

SCALE: 3/16" = 1'-0"



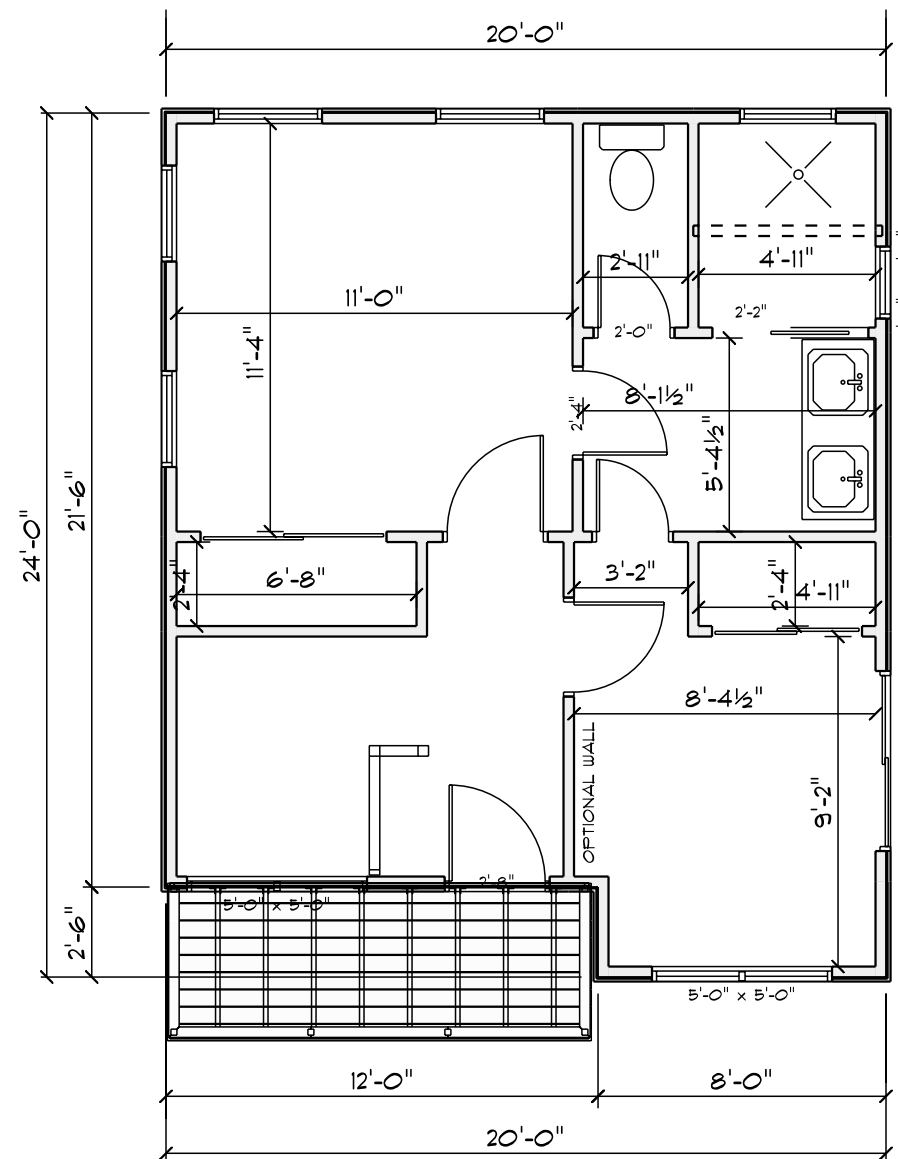
GROVE ST - MODEL A 4/18/24

2 BED, 2.5 BATH
1,170 - FINISHED SF



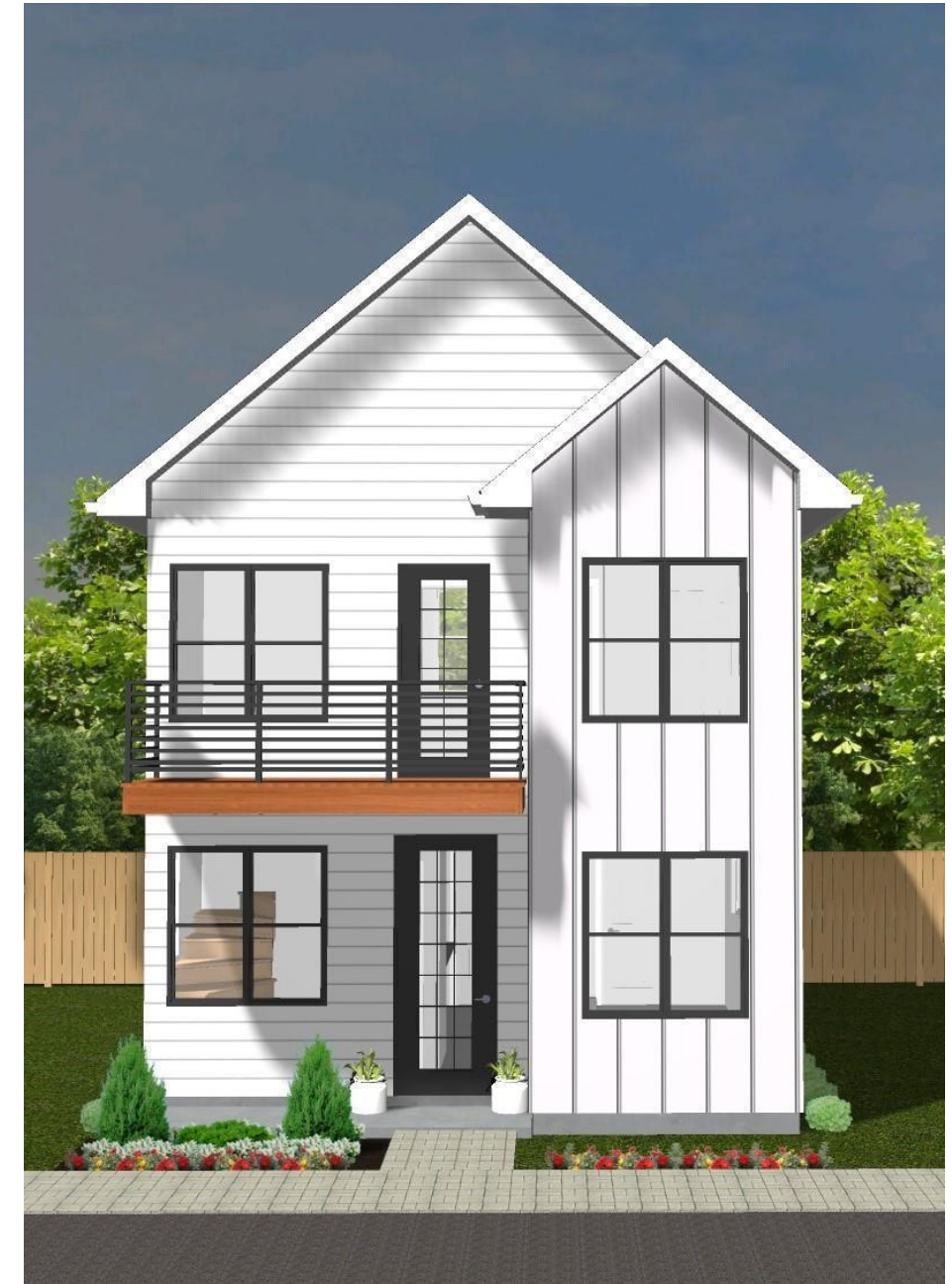
MAIN FLOOR

SCALE: 3/16" = 1'-0"



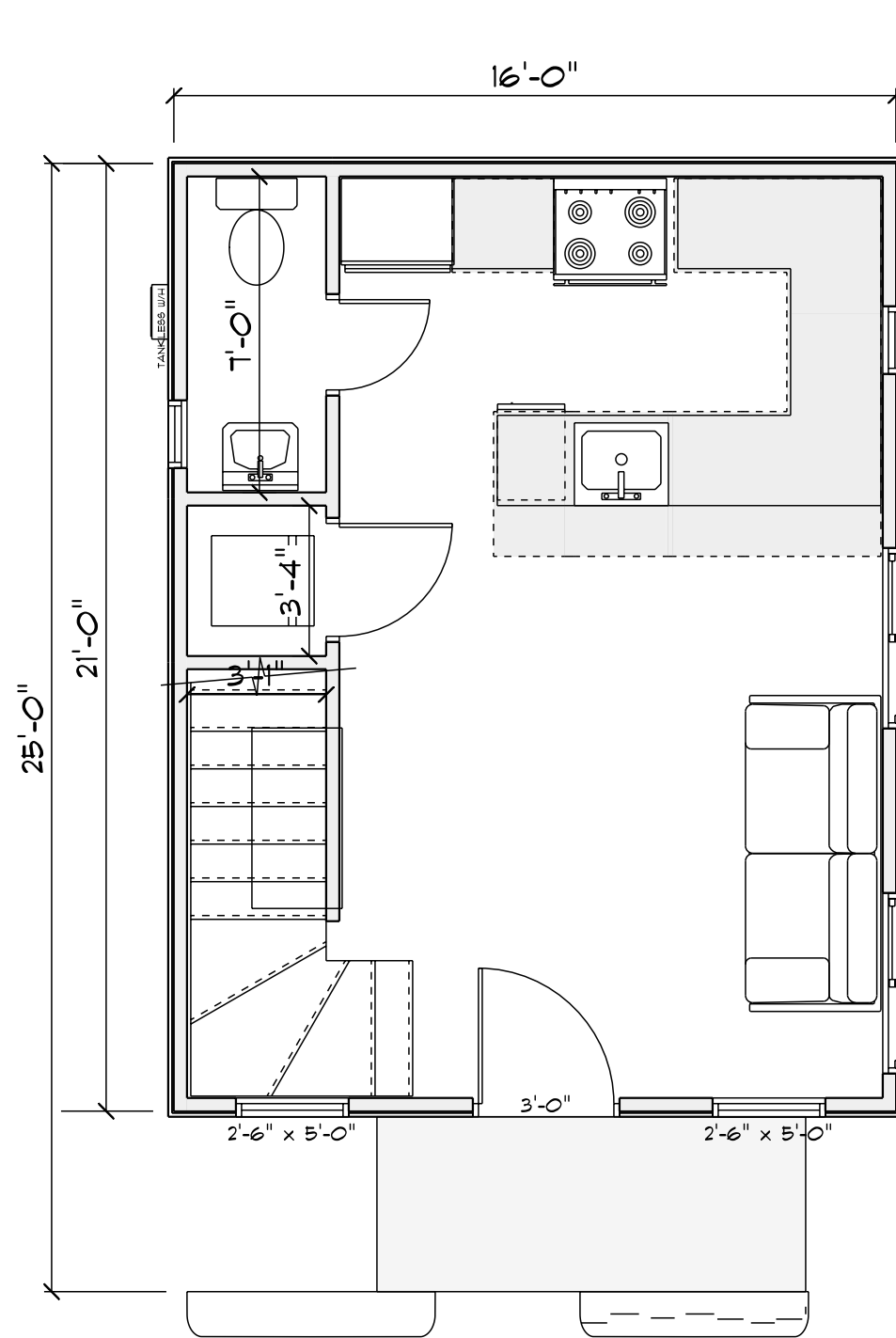
SECOND FLOOR

SCALE: 3/16" = 1'-0"



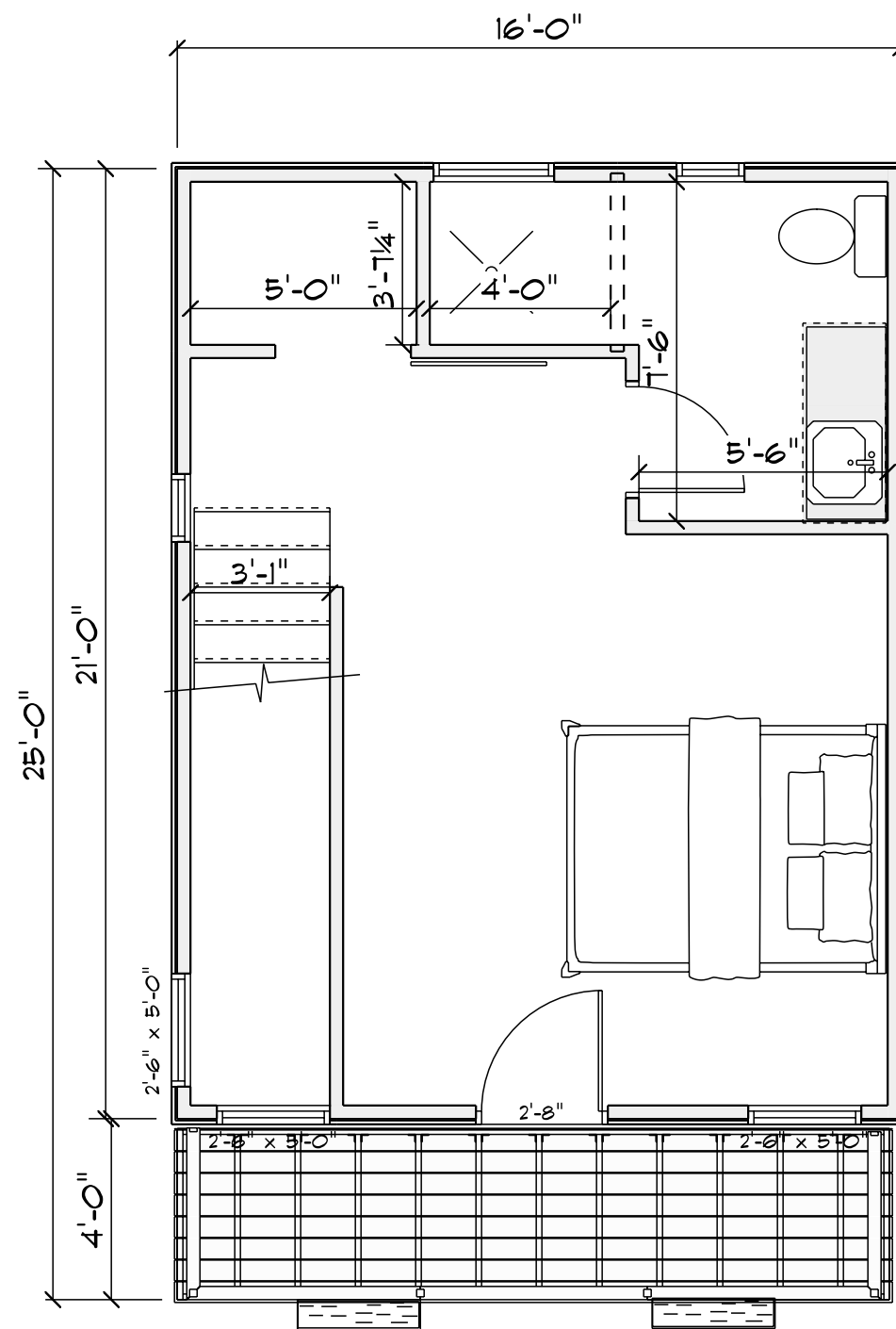
GROVE ST - MODEL B 4/12/24

2 BED, 1.5 BATH
886 - FINISHED SF



MAIN FLOOR

SCALE: 1/4" = 1'-0"



SECOND FLOOR

SCALE: 1/4" = 1'-0"



GROVE ST - MODEL C 4/18/24

1 BED, 1.5 BATH
500 - FINISHED SF



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: August 14, 2024
Date Submitted: August 22, 2024
Final Approval Date: August 27, 2024
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **HadjPadj Technologies, LLC** to amend a zoning condition on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I).
Meeting Date: September 10, 2024

Purpose of Request:

The applicant is proposing to amend a zoning condition to increase the number of data center huts permitted on the subject property. In April of 2024, special use approval was given for a maximum of two, 10' x 18' data center huts which was sufficient at that time. According to the applicant, Georgia Power initially required no additional upgrades, but were later told that significant upgrades were required at a substantial cost which no longer made the project feasible.

Therefore, the applicant proposes to amend zoning condition #1 of Zoning Resolution ZR-2024-04 to allow six, 10' x 40' data huts, or a total of 2,400 square feet of data center space. The increase will allow HadjPadj Technologies to consume more power which will make the project feasible. The additional number of data huts and increased size allows for more airflow which helps keep the servers cooler and quieter. The required landscape buffer will screen and further dampen any noise from the surrounding properties and Palmour Drive. According to the applicant, the data centers will operate 24 hours a day and 7 days a week. The noise level from the servers and fans drops to a conversation level of (65 dB) after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended denial of this request. See the Staff Memorandum 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/Memorandum
2. Location Maps
3. Narrative
4. Survey
5. Site plan
6. Pictures

MEMORANDUM

TO: Gainesville Planning and Appeals Board

FROM: Community and Economic Development Department

APPLICANT: HadjPadj Technologies, LLC

PROPERTY OWNER: C & J 861, LLC

LOCATION: 1176 Palmour Drive, SW

ZONING: Heavy Industrial (H-I)

DATE: September 10, 2024

SUBJECT: **Amend a zoning condition**

A request has been received from HadjPadj Technologies, LLC to amend a zoning condition to increase the number of data center huts permitted on the subject property. In April of 2024, a conditional special use approval was given for a maximum of two, 10' x 18' data center huts which was sufficient at that time. According to the applicant, Georgia Power initially required no additional upgrades, but were later told that significant upgrades were required at a substantial cost which no longer made the project feasible.

Therefore, the applicant is proposing to amend condition #1 of Zoning Resolution ZR-2024-04 to allow six, 10' x 40' data huts, or a total of 2,400 square feet of data center space. The increase allows the data huts to consume more power which will make the project feasible. The additional number of data huts and increased size allows for more airflow which helps keep the servers cooler and quieter. The required landscape buffer will screen and further dampen any noise from the surrounding properties and Palmour Drive. According to the applicant, the data centers will operate 24 hours a day / 7 days a week, and the noise level from the servers and fans drops to a conversation level of (65 dB) after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport.

The Planning staff recommended denial of the original special use request which was later approved by the Planning and Appeals Board and City Council with 5 zoning conditions. The Planning staff is recommending **denial** of this amended request, but if consideration is given by the Planning and Appeal Board, the following changes to the original zoning conditions are encouraged. The strikethroughs shown represent the text removed from the original zoning condition. The highlighted text represents the proposed amended and new zoning conditions.

Conditions

1. The **subject property proposal** shall be limited to **two 10' x 18' four, 10' x 45'** data center huts **or a total of 1,800 square feet of data center space and a storage facility limited in size to a typical storage container.**
2. **The proposed data center huts shall be screened on all sides by a sound barrier wall at a height sufficient to screen the data huts and storage facility from Palmour Drive and the adjacent properties. The location, type and architecture of the sound barrier wall shall be approved by the Community and Economic Development Director.**
3. All improvements on the subject property shall be limited to a maximum height of 12-feet. Furthermore, a storage facility limited in size to a typical shipping container shall be allowed to be placed on the property in such location as approved by the Community and Economic Development Director.
4. The proposed data huts shall be sufficiently screened with existing and new vegetation and trees as depicted on the site/landscape plan, subject to the approval of the Community and Economic Development Director.
5. All new fencing shall be chain-link coated with black color vinyl.
6. 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 building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
7. **When measured 100 feet from the data huts, the sound level shall not exceed 65 dB(A) at any time.**



GAINESVILLE

Lee Gilmer
Memorial Airport

PALMOUR DRIVE

H-I

Ace Hardware
Distribution Center

Poly
Enterprises

Shasta
Beverages

Applicant: **HADJPADJ TECHNOLOGIES, LLC**

ZONING AMENDMENT REQUEST

Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015

Request:

Amend zoning condition on +/- 1.37 AC within Heavy Industrial (H-I) zoning for a data mining facility.



Subject Property



Meeting Date: 9/10/2024

Map Prepared: 8/12/2024

0 100 200 300 400 Feet

Scale: 1" = 200'



GAINESVILLE

Lee Gilmer
Memorial Airport

PALMOUR DRIVE

Ace Hardware
Distribution Center

Poly
Enterprises

Shasta
Beverages

Applicant:
HADJPADJ TECHNOLOGIES, LLC

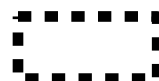
ZONING AMENDMENT REQUEST

Request:

Amend zoning condition on +/- 1.37 AC within Heavy Industrial (H-I) zoning for a data mining facility.

Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015



Subject Property

Aerial from 2023



Meeting Date: 9/10/2024

Map Prepared: 8/12/2024

0 100 200 300 400 Feet

Scale: 1" = 200'

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

City of Gainesville Planning & Zoning

HadjPadj Technologies LLC is proposing to use the 1.3 acre lot located at 1176 Palmour Drive in Gainesville's Industrial park for a HPC (High Powered Computing) Server Center. The lot is currently zoned H-I and is being unused. HadjPadj Technologies was issued a special use permit for this use back in April of 2024, but was limited to two data huts of 10'x18' in size each. At the time this was sufficient to develop the site and invest the capital to start our operations.

GaPower's local engineer verbally made claims back in January of 2024 that the subject site would be able to provide the power needed without any additional upgrades required. In June of 2024, GaPower provided HadjPadj Technologies a service contract along with a substantial cost of construction for upgrades needed to be paid by HadjPadj upfront that dramatically changed the economics of this project. Due to this lack of transparency from GaPower, HadjPadj is now seeking to amend the Zoning Condition limiting the site to the two 10'x18' data huts to six 10'x40' data huts, or a total of 2400 sq ft of data center space. This increase in the total number of huts will allow for HadjPadj Technologies to be able to consume more power, thus bringing the financial feasibility back within range to continue moving the project forward.

The additional number of huts are being oversized to 10'x40' from the original 10'x18' to allow for more airflow to be pulled into the huts, which in turn helps keep the servers cooler and operate quieter. In addition to the oversized data huts, the landscape buffering is designed to further dampen the noise from surrounding properties and screen our operations from the view of any pedestrian that will be using the future segment of the trail along Palmour Drive. This also is a benefit for HadjPadj Technologies as it allows us to securely operate in an out of sight out of mind manner.

Each hut will consume approximately 750kW of power, bringing the total power consumption to approximately 4,500kW, which should maximize the power capacity on this site. The City of Gainesville will collect revenue from the municipality fee from GaPower along with an increase in property taxes, and Hall County will collect sales tax revenue from the power bill, which HadjPadj Technologies' estimates to be approximately \$72,900 per year.

-Viral Chhadua
678-622-3112

LEGEND

NTS = NOT TO SCALE
 IPS = 1/2" REBAR PIN SET
 LL = LAND LOT
 LLL = LAND LOT LINE
 P.L. = PROPERTY LINE
 C.L. = CENTERLINE
 B.L. = BUILDING LINE
 R/W = RIGHT-OF-WAY
 SSE = SANITARY SEWER EASEMENT
 DE = DRAINAGE EASEMENT
 MH = MANHOLE
 CB = CATCH BASIN
 JB = JUNCTION BOX
 HW = HEADWALL
 DI = DROP INLET
 PP = POWER/UTILITY POLE
 FH = FIRE HYDRANT
 IE = INVERT ELEVATION
 FFE = FIRST FLOOR ELEVATION
 BFE = BASEMENT FLOOR ELEVATION
 GFE = GARAGE FLOOR ELEVATION
 UTP = UNDERGROUND TELE. PED.
 S = SANITARY SEWER LINE/PIPE
 SS = STORM SEWER LINE/PIPE
 F = FENCE LINE
 N/F = NOW OR FORMERLY
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT

A LEICA TOPP 1205 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

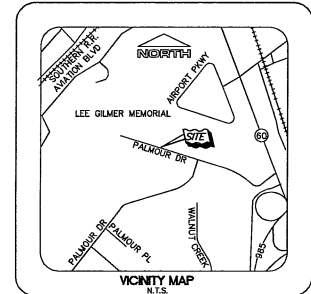
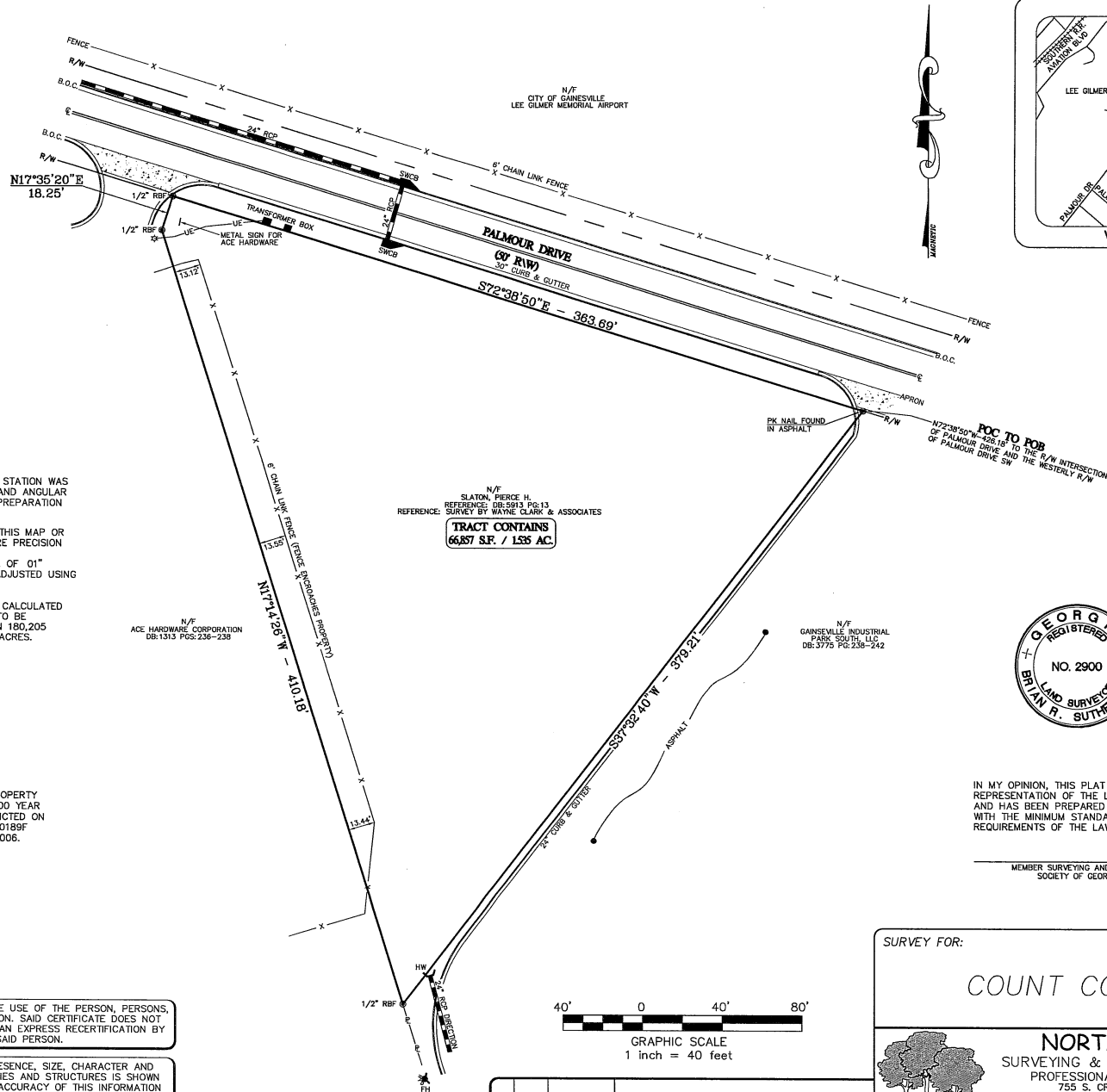
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN +10,000 FEET AND AN ANGULAR ERROR OF 01" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 180,205 FEET AND CONTAINS 1.535 ACRES.

NO PORTION OF SUBJECT PROPERTY LIES WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD AREA AS DEPICTED ON F.I.R.M. PANEL NO. 13139C0189F DATED SEPTEMBER 29, 2006.

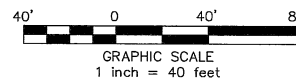
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



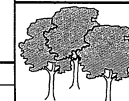
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA



SURVEY FOR:

COUNT COOLEY



NORTHWOODS
 SURVEYING & ENGINEERING, INC.
 PROFESSIONAL LAND SERVICES
 755 S. CROSSLANE ROAD
 MONROE, GA. 30656
 (404) 925-4219 FAX (770) 967-2989

Date: 4/25/07 District: GAINESVILLE G.M.D. 411 Sheet No.
 County: HALL COUNTY, CITY OF GAINESVILLE Scale: 1"=40'
 Project: 07035 Drawn By: RWB 1 OF 1

No. By Date Revision

ACAD FILE: Airport Boundary\07035.dwg



