

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

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

Pastor David Lee, Sawnee Ridge Church, provided the invocation after which the Pledge of Allegiance was recited in unison.

COUNCIL ANNOUNCEMENTS:

Council Member Dunagan

Wished everyone a Merry Christmas.

Mayor Couvillon

Congratulated City Manager Bryan Lackey for his recognition by the Georgia Mountain Regional Commission as “Appointed Official of the Year” during their annual dinner meeting.

CONSENT AGENDA:

Appointments: Cemetery Advisory Committee – Reappoint Bill Coates and Ben Mason

Appointment: Gainesville-Hall County Land Bank Authority – Appoint Richard “Rick” Boyd

Appointments: Gainesville Non-Profit Development Foundation – Reappoint Pamela Hayes, Theresa Puryear, Ruth Bruner and Carlyle Cox

Appointments: Parks & Recreation Board – Reappoint Kingsley Peeples and Jerry Castleberry and Appoint Blythe Hammons

Motion to reappoint Bill Coates and Ben Mason to the Cemetery Advisory Committee; appoint Richard “Rick” Boyd to Gainesville-Hall County Land Bank Authority; reappoint Pamela Hayes, Theresa Puryear, Ruth Bruner and Carlyle Cox to Gainesville Non-Profit Development Foundation; reappoint Kingsley Peeples, Jerry Castleberry and appoint Blythe Hammons to Parks & Recreation Board as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Dunagan

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

Minutes: November 14, 2024 Work Session

Minutes: November 19, 2024 Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Hayes

Motion seconded by Council Member Guzman

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

Resolutions

A. BR-2024-46 2025 Governing Body Meeting Calendar

- B. BR-2024-47 Adoption of Amended Active Employees/Elected Officials Benefits and Retirees Insurance Guidelines
- C. BR-2024-48 Amendment to Personnel Policies and Procedures Manual
- D. BR-2024-49 Approval of Agreement Regarding Term of Municipal Court Judge
- E. BR-2024-50 Authorization to Accept a Drinking Water State Revolving Fund (DWSRF) Loan with 25% Principal Forgiveness
- F. BR-2024-51 Cooperative Technical Assistance Intergovernmental Cost Sharing Agreement
- G. BR-2024-52 First Amended Tax Allocation District (TAD) Development Agreement Regarding The National
- H. BR-2024-53 Quit Claim Easement Release to Brandon and Cindy Dyer
- I. BR-2024-54 WaterFirst Renewal Application
- J. GR-2024-13 FY2025 Local Maintenance and Improvement Grant (LMIG)

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

Motion to adopt the resolutions as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Brooks

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

GENERAL LEGISLATION / ORDINANCE:

Ordinance 2024-30

Amend Chapter 1-6 Entitled Personnel

City Manager Bryan Lackey stated this is specifically related to sections 1-6-3(b) and 1-6-4 for Council compensation noting it changes the salary from a per diem to a base pay system which mirrors Hall County.

Motion to approve Ordinance 2024-30, AN ORDINANCE TO AMEND SECTIONS 1-6-3(b) AND 1-6-4 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Brooks

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

Ordinance 2024-31

Amend Chapter 4-1 As it Pertains to Animal Control

City Attorney Abb Hayes stated this amends the ordinance to coincide with Hall County for a unified animal control code.

Motion to approve Ordinance 2024-31, AN ORDINANCE TO AMEND CHAPTER 4-1 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA BY AMENDING SECTIONS 4-1-2(a), 4-1-5, 4-1-6, 4-1-7, 4-1-35, 4-1-37, 4-1-56(b), 4-1-58, AND 4-1-80 AND BY ADDING SECTIONS 4-1-13 AND 4-1-14; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Hayes

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

Ordinance 2024-32

Amend Title 6 As It Pertains to Coin Operated Amusement Machines

City Attorney Abb Hayes stated this is similar to the Georgia Municipal Association's model and regulates these machines pursuant to state law.

Motion to approve Ordinance 2024-32, AN ORDINANCE TO AMEND TITLE 6 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA BY AMENDING SECTION 6-4-84(a) AND BY ADDING A NEW CHAPTER 6-22; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; 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

PUBLIC HEARINGS:

Request from Grand Communities, LLC to annex a 2.559± acres tract located on the east side of Crystal Drive, between Mountain View Drive and Springview Drive (a/k/a 1936 Crystal Drive) and to establish a zoning of Planned Unit Development (P-U-D). Ward Number: One. Tax Parcel Number(s): 00-090-002-001. Request: 53 single-family detached homes and 88 single-family attached townhomes.

- ***Proposed Annexation Ordinance 2024-33***
- ***Proposed Zoning Ordinance 2024-34***

Request from Grand Communities, LLC to rezone a 33.82± acres tract located on the west side of Thompson Bridge Road, between Mountain View Drive and Springview Drive (a/k/a 0, 1799, 1805, 1825, 1829 and 1981 Thompson Bridge Road, NW) from Residential-I (R-I) to Planned Unit Development (P-U-D). Ward Number: One. Tax Parcel Number(s): 00-090-002-021, 022, 023, 024 and 032; 01-090-002-021. Request: 53 single-family detached homes and 88 single-family attached townhomes.

- ***Proposed Rezoning Ordinance 2024-35***

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 noting some amendments were made based upon comments received since the Planning and Appeals Board meeting. The Planning and Appeals Board and staff recommended approval with 17 proposed conditions. Two slight changes were made to conditions 6 and 14 since the PAB meeting. The conditions were noted as follows:

1. The development standards within the applicant's narrative, site plans, and architectural renderings shall be made part of the zoning ordinance, and shall be subject to the Community and Economic Development Director approval. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative,

concept plan and architectural renderings shall take precedence over the applicant's development standards.

2. The total number of residential units shall not exceed 141 units. The maximum number of single-family attached townhomes shall be 88. Apartments are not an approved use for the property.
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. Any proposed single-family detached lots and attached townhome lots encroaching within the State 25-foot undisturbed stream buffer must first receive approval from the Environmental Protection Division (EPD) prior to the issuance of a land development permit for those lots.
5. Prior to permits being issued for the residential uses, each contractor/developer shall provide architectural renderings of the proposed single-family detached homes and attached townhomes for the review and approval of the Community and Economic Development Department Director.
6. All exterior wall front, sides, and rear of the single-family detached homes, townhomes, and multi-family units shall consist of a variety of building materials consistent with architectural themes and styles determined by the applicant. Foundation water tables of matching brick or stone material, that also covers all exposed foundation walls, will be used where architecturally compatible. Vinyl siding shall only be permitted on soffit areas.

Other architectural requirements will include:

- Carriage style garage doors with decorative hardware or other embellishments shall be used on all single-family detached homes and townhomes;
- The roofing material used on all single-family detached homes and townhomes shall be 3-tab architectural/dimensional style asphalt shingles or metal as appropriate to the architectural style of each home as determined by the builder.
- Roofs and gables on at least 60% of the homes in the development shall be of a pitch no less than 8/12 (exclusive of dormers, porches, bay windows, and third floor retreats). In no event shall any roofs or gables on homes in the development be of a pitch less than 6/12 (exclusive of dormers, porches, bay windows, and third floor retreats);
- If dormers are included, they will not be taller than the main roof;
- All roof vents, pipes, and other roof equipment (except chimneys) shall be located on the rear elevations and shall be painted to match the color of the roof;
- The developer shall use a variety of techniques to avoid the monotonous appearance of identical single-family detached homes and attached townhome buildings. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, and other similar techniques so that no single-family detached house or townhome building is the same as any house or townhome building directly in front or on either adjacent side of the structure;

- The exterior materials for all homes shall consist of a mixture of brick, stone, fiber cement siding, cedar shake or wood siding to include at minimum a 3 foot architectural water table of brick or stone materials on the front and sides of the single-family detached homes and townhome buildings;
- No above-ground swimming pools shall be permitted;
- No window air conditioning unit may be installed;
- No exterior blank, windowless walls will be constructed;
- All single-family detached house plans will have front or side loaded two-car garages;
- All townhomes will have front or rear entry and a mixture of one and two garages;
- Street lighting will be provided throughout the development;
- All front porches of single-family detached homes shall have a minimum depth of 5';
- Windows are restricted to single hung or double hung windows.

These requirements shall be included in the Covenants to be recorded against the property.

7. All trash receptacles shall be screened from view from the road and adjacent properties.
8. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties per Unified Land Development Code standards.
9. The proposed erosion control and water quality measures for the development shall at minimum meet the Georgia Storm Water Management Manual requirements. The developer shall also construct additional bioretention facilities within the development to help further remove contaminants and sedimentation from Lake Lanier, per the approval of the Gainesville Department of Water Resources.
10. A Uniform Sign Plan as identified within the Gainesville Unified Land Development Code shall be required from the developer and is subject to approval by the Gainesville Community and Economic Development Director. All signs shall be limited to indirect lighting. All signs shall be located outside of utility areas and shall not block visibility of vehicular traffic.
11. The development shall include a minimum fifty foot (50') wide perimeter buffer fronting Thompson Bridge Road consisting of 25' natural/undisturbed buffer and a 25' wide planted buffer. In addition, a minimum forty foot (40') wide perimeter buffer consisting of a 20' natural/undisturbed buffer and a 20' wide planted buffer shall be required adjacent to all of the existing single-family communities and Crystal Drive. The planted portion of the buffers shall include at minimum a staggered row of evergreen trees consisting of a mixture of Cryptomeria, Arborvitae and Eastern Red Cedar trees at a minimum height of 10 feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Community and Economic Development Department Director.
12. The front yard of each lot shall be sodded and planted with at least one 3" caliper in size hardwood tree.
13. All proposed detention ponds shall be fenced and landscaped in order to mitigate the view from all roads and adjacent properties. All fencing and landscaping materials shall be approved by the Community and Economic Development Department Director.
14. Access to the development shall be limited to Thompson Bridge Road except for a gated, emergency-only access road off of Crystal Drive. The proposed Thompson

Bridge Road access shall be located more central to the development frontage upon Georgia Department of Transportation (GDOT) approving the intersection sight distance standards as shown on the revised site plan dated 12-04-24 submitted with this application. All access point design for the subject property shall be submitted for review and approval by the Gainesville Public Works Director and GDOT.

15. Other than the development of the emergency-only access road at Crystal Drive, construction access shall be limited to Thompson Bridge Road.
16. All new streets shall meet the standards within the current Gainesville Unified Land Development Code, unless varied herein and approved by the Gainesville Public Works Department. All costs associated with the improvements shall be at the full expense of the developer.
17. Covenants shall be put in place by the developer restricting against the parking of boats, trailers, and campers within driveways or streets. In addition, no on street parking shall be permitted for vehicles.

Upon inquiry, Mr. Tate commented on the size of the units. He also confirmed they were in clusters of four.

Attorney Hayes opened the floor for public comments.

FAVOR:

Attorney Ethan Underwood with Miles Hansford, LLC represented the applicant. They were pleased to bring forward a project that complies with the comprehensive plan. He briefly shared information about the plan, home sizes and price points, and the neighbors' concerns surrounding density/zoning classification, erosion control, light spillage, access design, and use of adequate growth rate for the design. An adequate growth rate recommended by GDOT was used for the study which did not warrant a traffic signal. He shared information on the archeological history. He commented on the land use plan and the open space preserved for future buyers. In conclusion, they felt this is a good plan and provides a needed housing option. He reserved the remaining time for rebuttal.

OPPOSITION:

Nicholas Schardl, 286 Oakland Drive, commented on his opposition to the project citing density, character, and traffic management concerns. He also requested rejection to the PUD change.

Scotty Ball, 2713 High Vista Point, expressed appreciation for the Council's willingness to listen to both sides and praised Mr. Underwood for bringing this project. He liked the concept but would like to see it dialed back. His primary concern was the single access point which has been addressed and the density of the townhomes with the single-garage concept. The double-garage concept would help with sales.

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

Motion to approve Ordinance 2024-33, AN ORDINANCE ANNEXING A 2.559± ACRES TRACT LOCATED ON THE EAST SIDE OF CRYSTAL DRIVE, BETWEEN MOUNTAIN VIEW DRIVE AND SPRINGVIEW DRIVE (A/K/A 1936 CRYSTAL DRIVE) AND TO

ESTABLISH A ZONING OF PLANNED UNIT DEVELOPMENT (P-U-D); 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 2024-34, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON A 2.559± ACRES TRACT LOCATED ON THE EAST SIDE OF CRYSTAL DRIVE, BETWEEN MOUNTAIN VIEW DRIVE AND SPRINGVIEW DRIVE (A/K/A 1936 CRYSTAL DRIVE) AND TO ESTABLISH A ZONING OF PLANNED UNIT DEVELOPMENT (P-U-D); 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 Dunagan

Council Member Thompson commented on this being a long process and expressed appreciation for everyone coming out, the Planning and Appeals Board and staff. Everyone, collectively, did a great job.

Motion seconded by Council Member Thompson

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

Motion to approve Ordinance 2024-35, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 33.82± ACRES TRACT LOCATED ON THE WEST SIDE OF THOMPSON BRIDGE ROAD, BETWEEN MOUNTAIN VIEW DRIVE AND SPRINGVIEW DRIVE (A/K/A 0, 1799, 1805, 1825, 1829 AND 1981 THOMPSON BRIDGE ROAD, NW) FROM RESIDENTIAL-I (R-I) TO PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-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 Dunagan

Motion seconded by Council Member Thompson

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

Request from the City of Gainesville to amend Chapter 9-21-1, entitled “Planning and Appeals Board, to include amendments to Section 9-21-1-1 entitled “Establishment and Continuation” and Section 9-21-1-2 entitled “Appointments, Terms of Office and Vacancies” of the Unified Land Development Code for the City of Gainesville, Georgia.

- ***Proposed Amendment Ordinance 2024-36***

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

City Attorney Abb Hayes summarized the request noting it changes how the seats are delineated, numbers them from 1 through 7 and staggers the terms. This along with the following two items provides for some restructuring of the board.

Attorney Hayes opened the floor for public comments. There being none, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to approve Ordinance 2024-36, AN ORDINANCE TO AMEND SECTIONS 9-21-1-1 AND 9-21-1-2 OF THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **as presented**.

Motion made by Council Member Hayes

Motion seconded by Council Member Brooks

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

CITY ATTORNEY ISSUES:

Ordinance 2024-37

Amend Chapter 1-5 As it Pertains to Planning and Appeals Board - Compensation

City Attorney Abb Hayes stated this transitions the board to a per diem compensation similar to the Hall County Planning and Appeals Board.

Motion to approve Ordinance 2024-37, AN ORDINANCE TO AMEND ARTICLE 1 OF CHAPTER 1-5 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE BY ADDING SECTION 1-5-7; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES **as presented**.

Motion made by Council Member Brooks

Motion seconded by Council Member Hayes

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

Business Resolution 2024-55

Appointment of Members of the Gainesville Planning and Appeals Board

City Attorney Abb Hayes stated this resolution names the individuals to fill the seven (7) seats.

Motion to approve Resolution BR-2024-55 as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Guzman

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

Business Resolution 2024-56

Authorization of Participation in Amicus Brief in Appeal of Chang V. City of Milton

City Attorney Abb Hayes briefly summarized the purpose of the resolution noting this matter is of great concern to the city as it may subject resources to huge verdicts. The City of Milton and the Georgia Municipal Association solicited the city to join 40 plus other cities, Georgia Power and other entities for participation in the amicus brief and hope for a successful appeal.

Motion to approve Resolution BR-2024-56 as presented.

Motion made by Council Member Thompson

Motion seconded by Council Member Hayes

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

ADJOURNMENT: 6:12 PM

/ag

W. Samuel Couvillon, Mayor

Denise O. Jordan, City Clerk