



CALL TO ORDER

MINUTES

A. Minutes of January 14, 2025

OLD BUSINESS

NEW BUSINESS

A. Rezoning

- 1) Request from **Kelley Intown Properties** to rezone a 1.09± acres tract located on the northwest side of the intersection of Oak Tree Drive and Riverside Drive and the northeast side of the intersection of Oak Tree Drive and Riverside Terrace (a/k/a **1038 Riverside Terrace, NE; 1037, 1045 and 1053 Riverside Drive, NE**) from Residential-I (R-I) to Residential-II (R-II).

Ward Number: Two
Tax Parcel Number(s): 01-075-001-005, 006, 007 and 026
Request: 8 residential condominiums

- 2) Request from **Phil Devries** to rezone a 2.39± acres tract located southwest of the intersection of Atlanta Highway and Ray Street, having road frontage south of Wood Avenue at its terminus (a/k/a **0 Atlanta Highway, SW**) from Light Industrial (L-I) to Residential-II (R-II).

Ward Number: Four
Tax Parcel Number(s): 08-008-000-136
Request: 15 rental cottages

MISCELLANEOUS

ADJOURNMENT



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 24, 2025
Date Submitted: January 24, 2025
Final Approval Date: January 24, 2025
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Minutes of January 14, 2025
Meeting Date: February 11, 2025

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. Minutes

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
JANUARY 14, 2025**

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

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

Members Absent: Board Member Jane Fleming

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

Others Present: City Manager Bryan Lackey, Council Members Zack Thompson and Abigail Guzman

RECOGNITION

Chairman Carter welcomed Board Member Ellen DeFoor to the Planning and Appeals Board.

MINUTES OF NOVEMBER 12, 2024

There was a motion to approve the minutes as presented.

Motion made by Vice Chair Thompson
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Fleming)

OLD BUSINESS

NEW BUSINESS

A. Rezoning Request

- 1) Request from **Branch Lakeshore Associates, LP** to rezone a 48.86± acres tract located on the southwest side of the intersection of Dawsonville Highway and Pearl Nix Parkway, having road frontage on east side of Shallowford Road and at the terminus of Plaza Drive and Arthur Lane (a/k/a **150 Pearl Nix Parkway, SW**) from Regional Business (R-B) to Planned Unit Development (P-U-D).

Ward Number: Five
Tax Parcel Number(s): 01-119-003-041A
Request: Mixed-use development

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

The applicant is proposing to rezone a 48.86± acres property from R-B to PUD for a mixed-use development known as “Lakeshore”. The property has been the location of Lakeshore Mall for approximately 55 years and is located within the Gateway Corridor Overlay Zone and is within the Westside TAD.

Some of the adjacent uses include Firestone Auto Service, Little-Davenport Funeral Home, Walmart, Lowe's, Washington Square retail center, Lancaster Music, Masonic Lodge, Lakeshore Heights and Tower Heights Neighborhoods.

The proposed redevelopment of the property will feature 303,444± square feet of commercial space (211,944± sf retail, 73,500± sf restaurant, 18,000± sf office), including entertainment space green spaces and associated parking. As part of the overall square footage, the existing Belk woman's department store will remain and will be improved and a new Dick's Sporting Goods store will be located closer to Pearl Nix Parkway. In addition, a 95-room hotel and 652 multi-family apartments and 80 townhomes are proposed.

The entire development is anticipated to be built out over a period of 7 years to include 3 phases. Demolition and infrastructure improvements are anticipated to begin during the third quarter of 2026. The applicant will provide more detail regarding the phasing of the development. Access will remain from Pearl Nix Parkway, Dawsonville Highway and Shallowford Road with an addition of a third access drive off proposed off of Pearl Nix Parkway.

A Traffic Impact Study was conducted by Kimley Horn which is summarized in the staff report. The study recommended intersection improvements to include the addition/extension of turning lanes at the intersection on Dawsonville Highway (signalized), Pearl Nix Parkway (signalized and unsignalized) and Shallowford Road (signalized). Further coordination will be required from the Gainesville Public Works Department and the Georgia Department of Transportation (GDOT) regarding access improvements to the site.

Due to the size of the proposed development a Development of Regional Impact Study (DRI) was required for this request. Georgia Mountains Regional Commission provided a regional review of the proposal and has determined the proposed action *does not* present any potential adverse inter-jurisdictional impacts.

The Comprehensive Plan places the subject property within the *General Mixed-Use future land use* category and the *West Side Character area* which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, commercial, higher density residential. The Comprehensive Plan specifically identified the Lakeshore Mall property as a potential redevelopment area to include a mixed-use town center designed to attract Gainesville residents and visitors with connection to other cultural and community resources in the city.

Due to the Comprehensive Plan and the adjacent mixture of uses, the Planning staff is recommending **conditional approval** of this rezoning request with **13** conditions.

Applicant Presentation: Attorney Bo Weber, 303 Jesse Jewell Parkway, Suite 310, representing the applicant introduced Branch Associates Principal & Chairman Nick Telesca and Principal Jack Haylett as the Development Director and serving as the Project Executor for the project. Mr. Weber stated the project being presented follows and checks all the boxes for the 2040 Comprehensive Plan for the Lakeshore Mall area. He stated Nick would speak about the history of Branch and Jack regarding the specifics of the project. He thanked Rusty and Matt for all their hard work for the past several months and would appreciate the Board giving approval to City Council.

Nick Telesca, 3340 Peachtree Road, NE, Atlanta, stated they are excited to present the project to staff and board members and developing a high-quality project for the community.

He advised Branch has been in existence since 1973 located in Atlanta and operating in the southeastern United States which have developed/acquired over 180 shopping centers. Mr. Telesca stated Branch owns two projects in Gainesville including the recently completed development of the Limestone Publix and own the Villages Shops of Gainesville on Dawsonville Highway. Mr. Telesca stated the mall property was acquired two to three years ago working through tenant issues and was apparent working with Bryan, Rusty and Matt that the project was “ripe” for redevelopment. He stated Lakeshore has a special place in the heart of the community but many of the old malls have seen better days and it’s time to look forward into the future. He stated the renderings and site plan are a model Avalon type project and plan to bring a number of restaurant and entertainment type tenants to support Dick’s and Belk.

Jack Haylett, 7095 Shadow Lane, Cumming, stated there were two constraints for the site being Dick’s and Belk with long-term leases which negotiations have been completed. He said Dick’s would be relocated and “de-malling” Belk along with building a new front façade to it. Mr. Haylett explained the PowerPoint presentation site plan stating the center would be a retail district with “eatertainments” to include almost one acre of greenspace divided into three distinct separate areas with the bottom center having a stage for entertainment and two other active greens separated by a restaurant/food & beverage. He mentioned the multifamily areas with 600+ class-A units which spill out into the active greens, the four-sided glass jewel boxes in the center would be for small shopping such as an ice-cream store or taco stand. He then spoke about the phasing with the full design taking about a year with construction to begin third and fourth quarter of 2026. He mentioned the existing Dicks will stay open with the construction of the Dicks and the back entrance will be open to the public which is expected to take eighteen months to complete. He stated during that time, the mall will be demolished, de-mall the Belk and install the utilities and roads including water and sewer which will be relocated through the middle of the site. Mr. Haylett stated once the Dicks is built within the next eighteen months for a total of three years, the entire retail will be built. He stated the second multi-family phase and will be built once the first phase is complete and will be a parking lot or grassed area until then. He spoke about the elevations were chosen with architects taking pictures of different buildings in Gainesville and the consultants chose the best of window details along with brick details and colors which took months. He said the elevations have arches, black metal and black windows, and red brick along with tan brick and will look harmoniously with the Boot Barn and new buildings in Gainesville. Mr. Haylett mentioned the traffic study studied sixteen intersections surrounding the development. Most of the intersections were doing well and mentioned a few suggestions such as decel lanes and turn lanes which will be completed as suggested in the study.

FAVOR: None

OPPOSE: **Pat Horgan**, 1004 Lakemont Drive, stated most of the neighbors he spoke with are generally favorable for the mall to be redeveloped but there some serious concerns he wanted to mentioned. Chairman Carter stated the Board received a copy of the email he had sent to Mr. Tate. The first concern he mentioned was the zoning and did not want commercial development to expand across the street into the residential area. The second concern was the traffic on Dawsonville Highway which has been at capacity for five years. He stated it was learned not much could be done about the traffic with GDOT not doing the McEver Bypass. The Alahuna development with over 900 units to be developed will add thousands of daily trips that will cause serious problems. He mentioned the content of the development should be looked at closely and the residential development should be downsized to fit the existing infrastructure. Mr. Horgan stated any infrastructure development should be done prior to or during development instead of waiting to the end to find out it’s too late. The third concern

was Lake Lanier speaking about a past incident regarding silt getting into the cove and suggested protections be in place and enforced along with knowing which party would be responsible for covering the cost if future cleanup is required.

Mandy Harris, 1459 Douglas Drive, stated she agreed with Mr. Horgan and believes traffic on Dawsonville Highway is a huge issue. She questioned if the traffic study considered the new development or would like to be considered with the Alahuna development traffic from the 900 homes. Mrs. Harris requested the apartment density be reduced with the new apartments being added on Shallowford/Pearl Nix and did not want a situation with empty or unrented apartments. She stated with high dollar housing will not meet the need of affordable housing.

Anthie Sutterfield, 3188 Venue Drive, stated she received all her information from reading the newspaper articles. She believes the applicant should make repairs to the parking lot immediately for the community instead of waiting since the applicant has owned the property already for two years. Another concern was traffic with the new development on Shallowford Road coming in and asked it be considered in the traffic study since it will be completed before the mall project is done. Mrs. Sutterfield mentioned owning a large electrical contracting business in Memphis before moving to the area and would like to know more information about a DRI form which was mentioned in the paper and is not explained. The next concern was the TAD and comments about it being the largest Gainesville has ever had. She asked questions such as what would Gainesville be giving up, the amount of it and would it be for the apartments or just the hotel, and would they get the tax advantage up front. She wanted to know about a DRI and the reason the state would be involved. Mrs. Sutterfield also asked the percentage of apartments in the city are occupied at this time.

Chairman Carter stated tax dollars would come in on retail sales along with the Special Purpose Local Option Sales Tax for the school system and infrastructure improvements. He explained the TAD is approved by a different committee involving local educators, school superintendent and others in the community being a completely different issue and not under the Planning and Appeals Board authority. Chairman Carter explained a DRI is needed when a development surpasses a certain size. He stated he was unsure of the current percentage of apartments being occupied but there is a housing need for workers such as the NEGA Health System which has 12,000 employees of which are in need of housing.

Rebuttal:

Chairman Carter asked Attorney Weber, Mr. Telesca and Mr. Haylett to address questions and concerns from citizens with the first one regarding expanding the development into Lakeshore Heights. The next concern was run-off into Lake Lanier and the cove at Longwood Park including requirements from local and state.

Attorney Weber answered there were no plans to expand the project to the other side of Dawsonville Highway. He stated there would be onsite green infrastructure to include permeable pavers, retention ponds, swells, stormwater planters, underground infiltration and best management practices regarding run-off issues. Mr. Haylett stated the site currently is 95% impervious with suspended solids including brake dust are going into the lake currently but once the project is complete, the water leaving the site will be 100% cleaner. It will go through proper water quality and meet all requirements.

Board Member Young commented since the project was from the 1970's and operating under those conditions but everything will be current with water quality and environmental concerns/impact will be brought up to 2025 standards. Mr. Haylett agreed and currently all

water is running off and zero water quality at present. Mr. Telesca agreed and stated all water will be captured and treated.

Chairman Carter stated the next concern was infrastructure on the project along with acceleration and deceleration lanes and waiting until later verses making the necessary improvements first to ensure it is done and current shopping center pot-holes on the site. They answered by stating part of the agreement with Dick's and Belk was all intersections will be improved per the parking study in the first phase. Mr. Telesca stated with a massive demolition planned for the project and trying to balance the cost benefit but a number of repairs have been made to roofs and the parking lot and after 12 months will look at what needs to be done. They wanted to be careful as to the amount of money invested in a project that will be torn down within eighteen months.

Chairman Carter mentioned the timeframe of six to seven years of phasing and concerns about the apartments and townhomes being phased similar to the Solis project. Mr. Haylett stated it would be phased since 652 units would be too much at once, the first phase will be 326 apartments built and hope to lease 20 units a month. While those are filling up, then second phase will begin which will take two years to build. Attorney Weber commented the site would accommodate up to 1,000 units but the developer chose to maintain quality to reduce to two-thirds the site could actually support.

Vice Chair Thompson stated from his understanding it would be four years before any apartments would be on the market. Mr. Haylett replied it would be 36 months from start time with the parking deck and first building and with the tearing down the mall with steel and glass will be nine months. Attorney Weber stated the utility relocation specific to the site will be very time consuming.

Board Member Young asked about the target rent for the apartments and if the townhomes would it be fee simple or all rentals. Mr. Haylett stated all townhomes would be fee simple but unsure of range but possibly 400,000 to 600,000 but a developer had not been chosen. He mentioned apartments in Gainesville are around \$221 a square foot and hopefully in a few years a little more. He said the average square footage will be 900 along with some having 600/700 square foot. The majority or sixty percent will be one bedroom, thirty-five percent two bedroom and five percent three bedroom for couples and individuals with very few families. Chairman Carter stated the concept of live/work/play developments is to live on site, enjoy restaurants and shop without getting in a vehicle.

Board Member Simmons questioned the amount of 652 apartments verses 80 townhomes. Mr. Telesca stated in terms of lifestyle centers being developed around the country and to have the look/feel/density, it requires multifamily. This gives a human scale with three to four stories allowing to build the main streets, build the jewel boxes and to provide the number of residents necessary to support the project. He stated the city and developer wanted a for sale component and the site laid out for 80 townhomes but the townhome density could not support the village/lifestyle part of the center which is the heart and soul of the project. The lifestyle centers actually brings to the communities a project with amenities that people want including active programs for a community center for all of Gainesville.

Board Member Young stated he had reviewed the resume of Branch and wondered how many other shopping malls Branch had rescued in the past. Mr. Telesca mentioned two projects with the largest project in Belview, Tennessee that included Sears and JC Penney as anchors, lease negotiations with both tenants, a TAD in the project, demolished the entire center, built over 600,000 square feet of retail space, had a big box component including a lifestyle

component and added 350 apartments. He also mentioned another development in Atlanta called West Village Project which won an award with the Atlanta Regional Commission fifteen years ago, developed 4 phases, 900 apartments, 118 townhomes, 120 stacked flats, 68,000 square feet of retail plus a medical office building and not including other retail and multi-family projects developed across the southeastern United States.

Board Member DeFoor mentioned with the small percentage of two and three bedrooms in the apartments that there would not be many children and minimal impact on the city school system. Attorney Weber stated less than five percent of the occupants in those units would have school age children.

There was a motion to recommend conditional approval to rezone the subject property for a mixed-use development from Regional Business (R-B) to Planned Unit Development (P-U-D) with the following conditions:

Conditions

- 1. The development standards within the applicant's narrative, concept plans and architectural renderings shall be made part of the zoning ordinance, and shall be consistent with the concept plans and architectural renderings submitted with this application, subject to the approval of the Community & Economic Development Director. Any zoning conditions adopted as part of this zoning ordinance that conflict with these documents shall take precedence over the applicant's development standards.**
- 2. The total number of residential units shall not exceed 732 units. The maximum number of single-family attached townhomes shall not exceed 80 units. The maximum number of multi-family apartments shall not exceed 652 units.**
- 3. Prohibited uses within the development shall include Extended stay hotels; Motels/hotels with rooms accessed from the exterior of the building; Adult novelty stores; Adult bookstore and adult entertainment centers; Group homes; Crisis centers; Advertising display manufacturing and billboard advertisement; Pawn shops; Dollar-type stores; Thrift, consignment or re-sale stores; Massage parlors (provided this shall not be construed as excluding businesses where massage therapy or services are offered as part of a spa-like experience, including franchised concepts such as Hand and Stone, Massage Envy, or Woodhouse) Tobacco or vaping stores; Tire stores; Auto parts stores; Auto body shops; Automobile sales establishments (provided one boutique auto sales showroom not to exceed 10,000 square feet shall be permitted and outside car storage display shall be limited to three vehicles; Marine sales or repair stores; Automated or non-automated car washes; Truck stops; Tattoo or piercing parlors; Psychics, fortune tellers, clairvoyants and the like; Concrete plant; Coin-laundry facilities; Dry cleaning plant (pick-up and delivery stations without drive-thru and facilities which use ecologically safe cleaning methods such as GreenEarth® technology are not prohibited); Laundry (industrial); Dumping, disposal, incineration or transfer station for refuse; Industrial or manufacturing facility; Junk yard or salvage yard; Kennel (pet shops are not prohibited); Lockers for frozen food or cold storage (provided grocery stores and cold storage within restaurants are not prohibited); Machine shop; Mausoleum; Mini-warehouse; Prison, detention or correction facility; Refining of petroleum or its products.**

4. The contractor/developer shall provide architectural renderings of the residential townhomes for the review and approval of the Community and Economic Development Department Director prior to submitting for permits.
5. All exterior wall front, sides, and rear of the townhomes shall consist of a variety of building materials consistent with architectural themes and styles determined by the applicant.

Other architectural requirements will include:

- The exterior materials for all townhomes 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 townhome buildings;
 - 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.
 - Carriage style garage doors with decorative hardware or other embellishments shall be used on all townhomes;
 - The roofing material used on all 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.
 - All townhome roofs and gables shall be of a pitch no less than 8/12. This condition shall not apply to dormers, porches, bay windows, and third floor retreats;
 - All overhangs including gables and side gables will have a minimum of a 12-inch overhang on all sides;
 - If dormers are included, they will not be taller than the main roof;
 - The developer shall use a variety of techniques to avoid the monotonous appearance of identical 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 townhome building is the same as any townhome building directly in front or on either adjacent side of the structure;
 - All townhomes shall have front or rear entry and a mixture of one and two garages;
6. All exterior retaining walls visible from Dawsonville Highway, Pearl Nix Parkway and Shallowford Road shall consist of, or be faced with stacked stone or masonry rock materials not to include split faced block materials.
 7. All frontage landscape areas shall be sodded with grass and contain minimum 3-inch caliper size hardwood trees.
 8. 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 bioretention (if allowed by soil conditions) or similar facilities within the development to help further remove contaminants and sedimentation from Lake Lanier, per the approval of the Gainesville Department of Water Resources.
 9. All access point design for the subject property shall require review and approval

by the Gainesville Public Works Department Director and the Georgia Department of Transportation (GDOT). All required access/traffic/sidewalk improvements associated with the proposed development or any access improvements that border the subject property as identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.

10. All proposed roads shall meet City standards. Sidewalks shall be provided on both sides of all proposed roads and drive aisles/parking areas at a minimum width of 5-feet, with the exception of the entry drives from Shallowford Road and Dawsonville Highway and townhomes, which may be single-sided. The sidewalks shall extend and connect to the existing sidewalk network on Dawsonville Highway and Shallowford Road and any new sidewalks along Pearl Nix Parkway.
11. All service areas, loading areas, ground or roof top HVAC equipment for the commercial uses shall be screened from view from all adjacent uses and roads; on-grade landscaping shall be considered acceptable as a means of screening.
12. 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.
13. A uniform sign plan shall be required for the proposed development subject to the approval of the Community and Economic Development Department Director. Signage exhibits submitted with the application or of substantially similar design shall be considered acceptable.

Motion made by Board Member Young
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Fleming)

Chairman Carter told Attorney Weber that he had been asked three questions by members of the community that had read the newspaper regarding the project: 1) would there be a movie theater in the complex; 2) potential to bring back Dipper Dan; and 3) find the carrousel that is supposedly housed in Florida somewhere. He thanked everyone for attending the meeting.

ADJOURNMENT

There was a motion to adjourn the meeting at 6:21 p.m.

Motion made by Board Member Martin
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Fleming)

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary



CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 24, 2025
Date Submitted: January 24, 2025
Final Approval Date: January 27, 2025
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Kelley Intown Properties** to rezone a 1.09± acres tract located on the northwest side of the intersection of Oak Tree Drive and Riverside Drive and the northeast side of the intersection of Oak Tree Drive and Riverside Terrace (a/k/a **1038 Riverside Terrace, NE; 1037, 1045 and 1053 Riverside Drive, NE**) from Residential-I (R-I) to Residential-II (R-II).
Meeting Date: February 11, 2025

Purpose of Request:

The applicant is proposing to rezone the subject tract from R-I to R-II to construct a total of 8 condominium units that will be for sale. The condominiums are designed as paired villas (duplex units) and each unit will have a rear entry two car garage. Above the garage will be two living levels at a minimum of 2,100 square feet of heated space with three or four bedrooms. The first floor above the garage will be at street grade facing Riverside Drive. A single access driveway is proposed from Riverside Terrace and 8 parallel guest parking spaces will be provided at the rear of the condominium units. Water, sewer and onsite stormwater/water quality measures will be provided. The property consists of four parcels and is currently vacant of structures. The property located at 1038 Riverside Terrace previously contained a single-family home at was destroyed by fire and was later demolished in 2012. Adjacent uses include single-family homes, duplex home, Longstreet Café, Causey Orthodontics and Casei & Kennedy Hair Studio.

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. Plat
5. Site plan
6. Building 1 Exterior Elevation
7. Building 1 Floor plan
8. Building 2 & 3 Elevation & Floor plan
9. Building 4 Elevation
10. Architectural renderings

Applicant	Kelley Intown Properties (Kim Kelley)
Property Owner	Southernwood Homes, Inc.
Location	1038 Riverside Terrace, NE 1037, 1045 and 1053 Riverside Drive, NE
Request	Rezone from R-I to R-II
Total Acres	1.09± acres tract
Ward	Two
Proposed Use	8 residential condominiums
Planning Division Staff Recommendation	Approval, with conditions
Date	February 11, 2025

▪ **Zoning History**

2023 - A request by Bradley Dunckel to amend the zoning conditions on a 1.38[±] acres tract located at 1180 Riverside Terrace, NE zoned Residential-II (R-II) was approved with conditions for seven residential condominiums.

2023 - A request by Bradley Dunckel to rezone a 0.48[±] acre tract located at 1113 and 1117 Green Street Circle from Residential-I (R-I) to Office and Institutional (O-I) was approved with conditions for office uses.

2017 - A request by The 5 MCS, LLC to rezone a 5.24[±] acres tract located at 1012 Enota Avenue from Residential-I (R-I) and Planned Unit Development (P-U-D) to Planned Unit Development (P-U-D) was approved with conditions for an assisted living facility, townhome cottages and a single-family home.

2015 - A request by JHME Properties, L.P. for a special use for a Dunkin Donuts restaurant within the Neighborhood Business (N-B) zoning district located at 1191 Thompson Bridge Road was approved with conditions.

▪ **Staff Analysis**

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

The subject tract is located within an area consisting of residential, office and commercial uses. Specially the property is located within an established single-family residential district that is adjacent to a neighborhood commercial node. The proposed duplex condominiums appear appropriate given the mixture of uses and zoning districts within the immediate area which consist of Residential-I (R-I), Residential-II (R-II), Residential and Office (R-O), Neighborhood Business (N-B) and Planned Unit Development (P-U-D).

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

The proposed use should have minimal affects to the surrounding and nearby properties due to only eight residential units being proposed. Sufficient parking, storm water detention and landscaping will be provided that will improve the function and aesthetics of the property. While access is limited, there appears to be sufficient sight distance for the proposed shared driveway. Any traffic generated should be minimal given the scale of the project. However, there are currently significant delays at the intersections of Riverside Drive, Riverside Terrace and Oak Tree Drive during the A.M. and P.M. peak hours. This is due to patrons eating at Longstreet Café and Oak Tree Drive serving as a cut-thru between Riverside Drive and Thompson Bridge Road.

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

The Future Development Map for the City of Gainesville places the subject properties within the *General Mixed Use* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and detached or attached residential. The need for quality housing walkable to other services is also encouraged.

According to the Character Area map for the City of Gainesville, the subject properties is located within the Traditional Neighborhoods Character Area. This character area includes Parks and

recreation, single-family residential, multi-family residential, limited general mixed-use, commercial (retail and office), and public and institutional uses. Although the area is mostly built-out, opportunities for infill development should be promoted as they arise and neighborhood-serving businesses are encouraged.

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

The property is zoned Residential-I (R-I) which is intended for detached single family residential uses at a density up to 4.35 dwelling units per acre. The proposed paired condominium units require the property to be rezoned to a zoning of Residential-II (R-II). The subject tract is located within the General Mixed-Use land use category which supports detached and attached housing. The proposed residential density of the project is 7.34 dwelling units per acre.

The subject tract previously contained a single-family home that was demolished approximately 13 years ago and has remained undeveloped. The applicant specifically chose the subject property due to its walkability to nearby City Park, shopping and restaurants. Given the property fronts Riverside Drive, which is considered an arterial road, a nonresidential use could be considered. However, the sloping topography (below street grade) is more conducive for the proposed residential development as designed with basement level parking. The proposed residential development appears to be a logical transition between the existing single-family homes along Riverside Drive and the adjacent neighborhood commercial uses.

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

City water, sewer and public safety services are currently provided to the property. Gainesville Fire Station #2 is located off of Cleveland Highway and is approximately 1.6± miles from the subject property.

The proposal will slightly increase ingress and egress traffic movements on Riverside Terrace and the nearby Riverside Drive/Oak Tree Drive intersection. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the duplex condominiums on average could generate 46± new trips per day, 4± A.M./P.M. peak hour trips. Worth noting, the Park Hill Corridor Plan identifies the need for intersection improvements including the addition of a round-a-bout at the intersection of Riverside Drive and Morningside Drive. As well, a dedicated southbound right turn lane on Oak Tree Drive at its intersection with Riverside Drive and improved pedestrian crossings. The proposed development would not impede these future improvements.

The proposed use will have minimal impact on the Gainesville City School System given there are only 8 residential units proposed. There are currently residential properties along Riverside Terrace and Riverside Drive with school age children that have access to school bus services.

(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?

New development has been limited within the immediate area due to the availability of developable land. Remodeling or redevelopment of older structures/properties such as Causey Orthodontics, Mountain Valley Community Bank, and City Park Pizza and the Liberty Longstreet rental cottages have occurred within the last 5 years which is anticipated to continue.

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

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

▪ **Staff Recommendation**

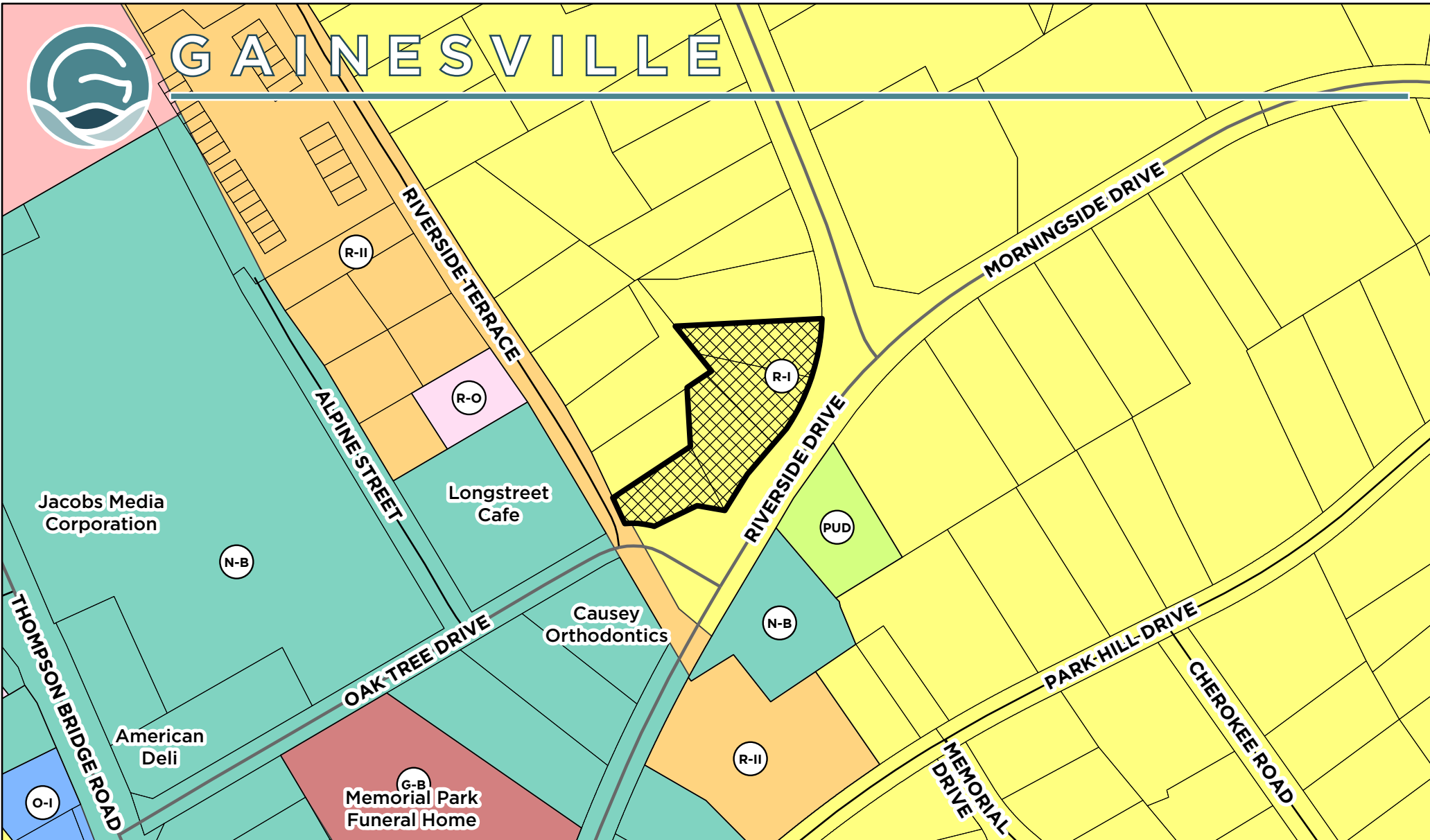
The Planning Division staff is recommending **conditional approval** of this rezoning request with **Residential-II (R-II) zoning** based on the Comprehensive Land Use Plan and the adjacent mixture of uses.

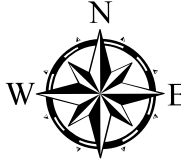
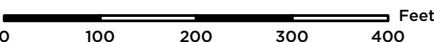
Conditions

1. The development shall be generally consistent with the site plan and the architectural style of the architectural elevations and drawings submitted with this rezoning application to include a mixture of brick masonry and cementitious siding material. In addition, the roof materials shall consist of architectural shingles and accent metal roof materials as depicted on the architectural drawing.
2. The use of the property shall be limited to a maximum of 8 residential condominium units.
3. The owner/developer shall plant a mixture of evergreen trees along the northerly and easterly property lines adjacent to the single-family properties. The minimum install 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 and Economic Development Department Director.
4. The frontage landscape areas and right-of-way areas fronting Riverside Drive, Riverside Terrace and Oak Tree Drive shall be maintained and sodded with grass. Minimum 3-inch caliper size hardwood trees shall be required within all frontage landscape areas subject to the approval of the Community and Economic Development Director.
5. Individual garbage containers shall be stored at the rear of each condominium unit and screened in a manner so as not to be visible from the adjacent roads and residential properties. A trash dumpster shall not be allowed on the property.
6. Vehicular access shall be limited to Riverside Terrace. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director and the Georgia Department of Transportation if determined necessary. 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. 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.



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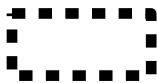
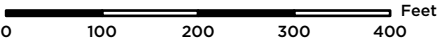


Applicant: KELLEY INTOWN PROPERTIES		Request: Rezone +/- 1.09 AC currently zoned Residential-I (R-I) to Residential-II (R-II) for 8 residential condominiums.	
REZONING REQUEST			
Subject Property Address: 1038 Riverside Terrace; 1037, 1045 & 1053 Riverside Dr.	Tax Parcel: 01-075-001-005, 01-075-001-006, 01-075-001-007, 01-075-001-026	 Subject Property	 Page 17 of 47
Meeting Date: 02/11/2025 Map Prepared: 01/21/2025		 Scale: 1" = 200'	



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Applicant: KELLEY INTOWN PROPERTIES		Request: Rezone +/- 1.09 AC currently zoned Residential-I (R-I) to Residential-II (R-II) for 8 residential condominiums.	
REZONING REQUEST			
Subject Property Address: 1038 Riverside Terrace; 1037, 1045 & 1053 Riverside Dr.	Tax Parcel: 01-075-001-005, 01-075-001-006, 01-075-001-007, 01-075-001-026	 Subject Property	Aerial from 2023
Meeting Date: 02/11/2025	Map Prepared: 01/21/2025		
			Scale: 1" = 200'



Project Narrative – Re-Zoning Amendment

LOCATION – 1037, 1038, 1045 & 1053 Riverside Parkway

ACREAGE – 1.09 acres +/-

APPLICANT – Kelley Intown Properties

Summary

The accompanying application seeks a re-zoning from R-I to R-II for four lots located on Riverside Drive. The intent is to construct up to 8 paired villas fronting on Riverside Drive and with rear or side entry garages. The resulting density will be 7.34 units per acre and consistent with the allowable density of 12 units per acre in R-II. The units will be marketed as “For Sale Condominiums”. The proposed use is consistent with the City’s 2040 Comprehensive Plan for the “Traditional Neighborhoods” Character Area with a Future Land Use designated as “General Mixed Use”. General Mixed use includes detached and attached residential uses.

Site Description

The site consists of four platted lots at the intersections of Riverside Terrace, Oak Tree Drive and Riverside Drive.



Adjacencies

Property to the north and east are primarily single-family homes zoned as R-1. Property to the south and west are zoned N-B and PUD. This area should be considered as a transitional parcel from lower density detached homes north along Riverside Drive and Riverside Terrace to more intensive Neighborhood Business uses to the south.

Product

The units are designed as “paired villas” with drive under, rear entry garages. Above the garage will be two living levels with three or four bedrooms. Heated floor area will be 2100 SF, minimum. The first floor elevations will relate to the existing grade along Riverside Drive and will include sidewalk access to the existing Riverside Drive sidewalk. The units will be sold as condominiums with a Homeowner’s Association for common area maintenance.

Utilities

Water & Sewer services will be provided by the City of Gainesville and are located within the property. All other utilities are located in close proximity or available for extension to the property.

Access

Access is proposed from Riverside Terrace and Riverside Drive, pending City or GDOT approvals.



Current Zoning - R-I
Proposed Zoning R-II

Dimensional Standards

Parcel Size	1.09 ac
Units	8
Allowable Density	12 units/ac.
Proposed Density	7.34 units/ac
Minimum Lot Size (condo)	N/A
Front Setback	30'
Side Setback	10'
Rear Setback	20'

Applicant
Kelley Intown Properties
4947 Ponderosa Dr.
Gainesville, GA 30504
Kim Kelley
404-277-2156
kimkellev1@outlook.com



Property Owner
Southern Wood Homes, Inc.
4595 Winder Hwy
Flowery Branch, GA 30542
Nathan Whitmire
nathan.whitmire@southernwoodhomes.com

IT- OPTION A



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A NEW DUPLEX DEVELOPMENT PROJECT
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Title: SITE
TEST
FIT
Scale: 1" = 30'-0"

Sheet:
A100

BUILDING 1



1 FRONT ELEVATION- BUILDING 1
A103 1/4"=1'-0"

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Drawn:
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Date:
Job No.:

Revisions:

No. Date

RIVERSIDE DRIVE DEVELOPMENT
A NEW DUPLEX DEVELOPMENT PROJECT
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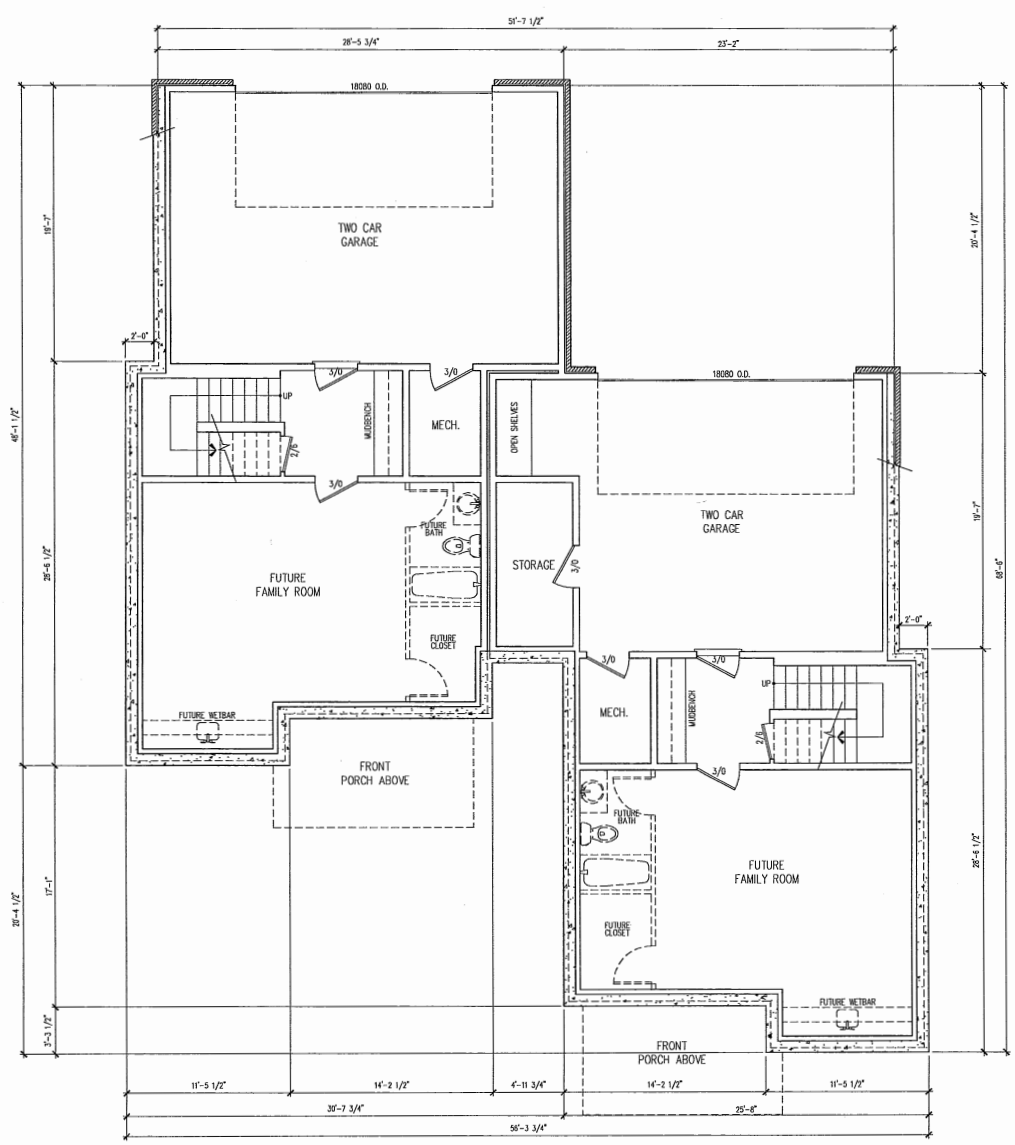
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Title:
BUILDING 1
EXTERIOR
ELEVATION
Scale:
1/4"=1'-0"

Sheet:
A103

alt

BUILDING 1



1 BASEMENT LEVEL FLOOR PLAN
A100 1/4"=1'-0"

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Date:	
Job No.:	
Revisions:	
No.	Date

RIVERSIDE DRIVE DEVELOPMENT
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Title:
BUILDING 1
FLOOR
PLAN

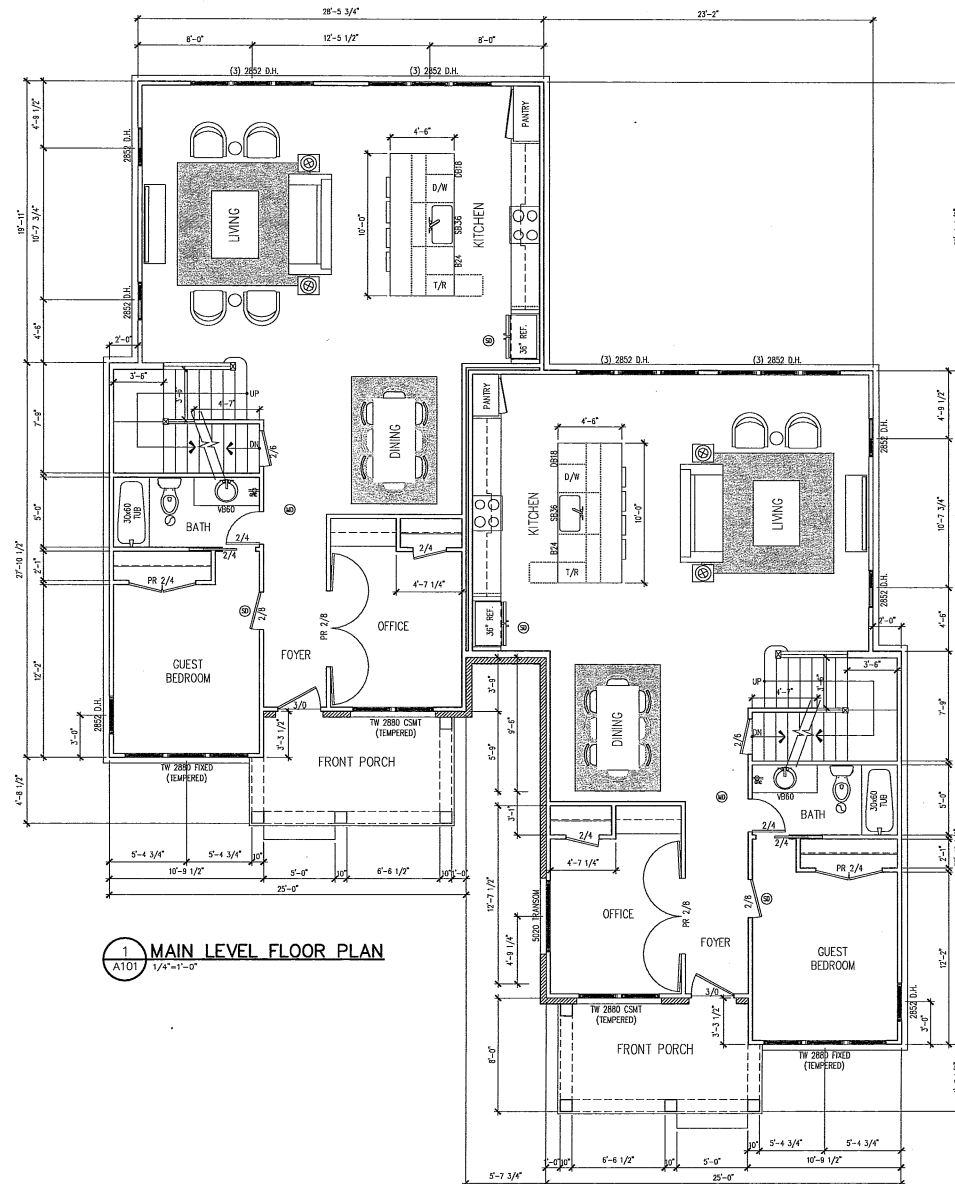
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BUILDING 1



UNIT A:	
MAIN LEVEL:	1,190 SF
UPPER LEVEL:	1,190 SF
TOTAL:	2,380 SF
UNIT B:	
MAIN LEVEL:	1,190 SF
UPPER LEVEL:	1,190 SF
TOTAL:	2,380 SF

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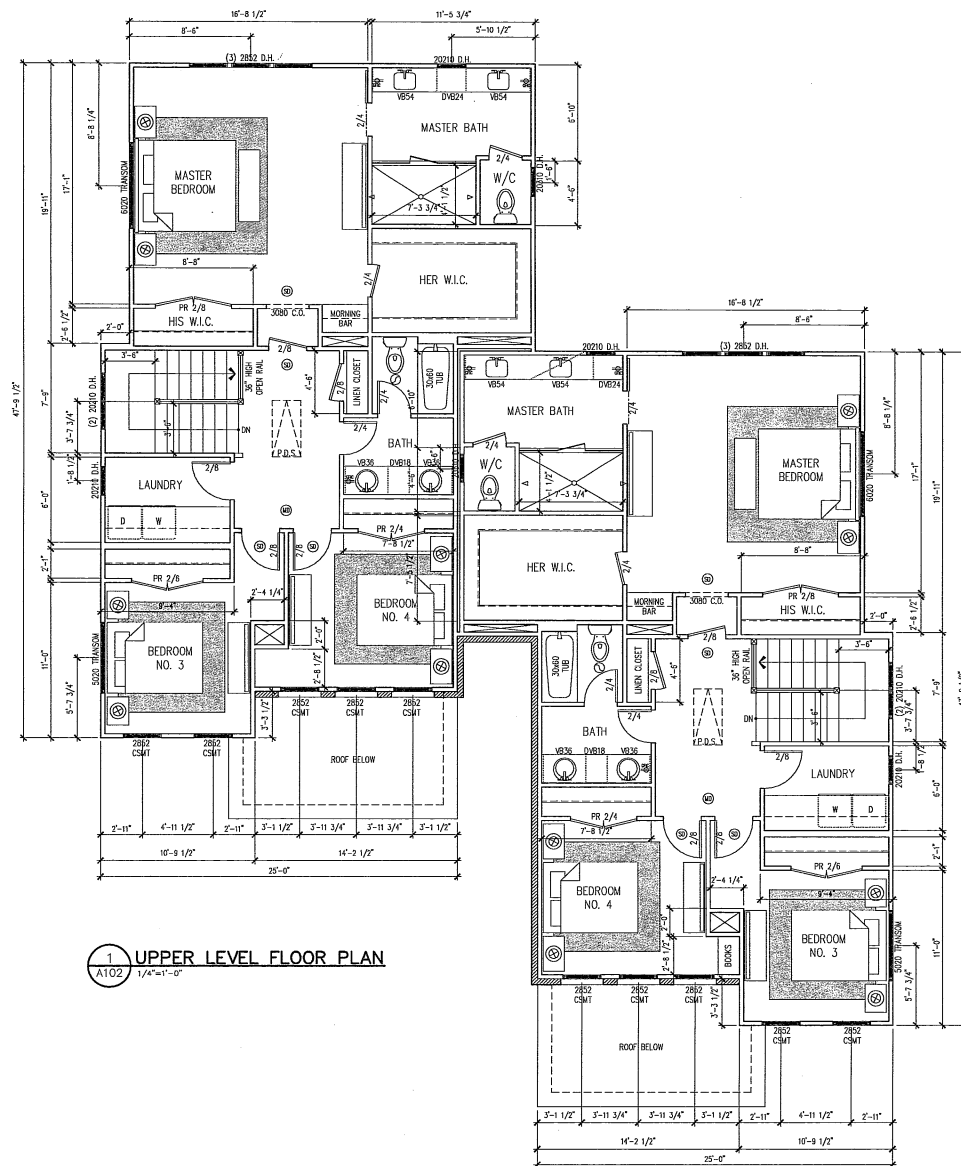
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Job No.:	
Revisions:	
No.	Date

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Title: **BUILDING 1 FLOOR PLAN**
Scale: 1/4"=1'-0"
Sheet: **A101**

BUILDING 1



1 UPPER LEVEL FLOOR PLAN
1/4"=1'-0"

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Date:	
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Revisions:	
No.	Date

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ALBUQUERQUE, NEW MEXICO 87102
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Title: BUILDING 1
FLOOR
PLAN
Scale: 1/4"=1'-0"
Sheet: A102

BUILDING 2-3

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CONSTRUCTION

Drawn:
Checked:
Date:
Job No.:

Revisions:

No. Date

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Title:
BLDG 2-3
EXTERIOR
ELEVATION

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1/4"=1'-0"

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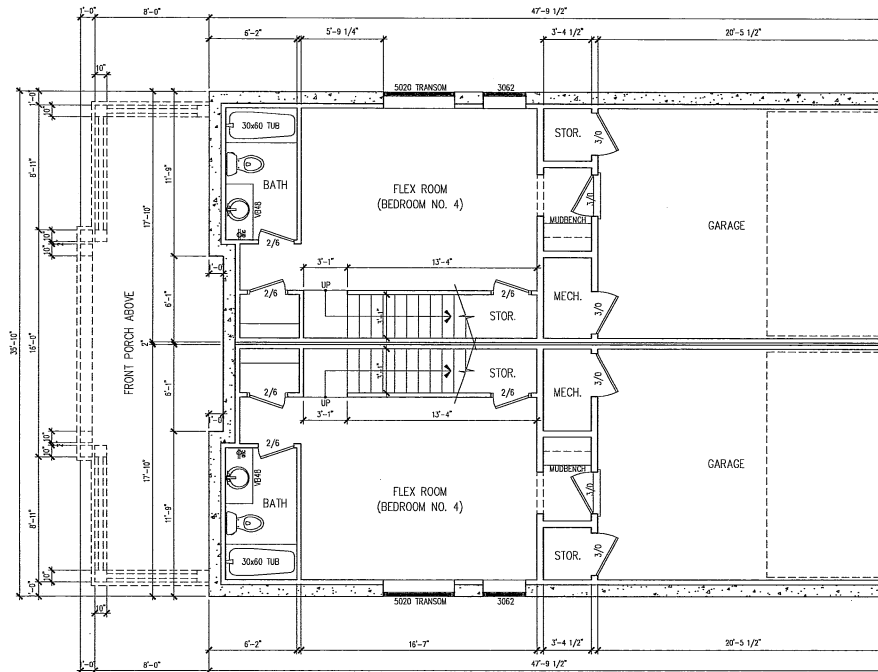
A203

of:



1 FRONT ELEVATION- BUILDING 2-3
A203 1/4"=1'-0"

BUILDING 2-3



1 BASEMENT LEVEL FLOOR PLAN
A200 1/4"=1'-0"

NOT FOR
CONSTRUCTION

Drawn:
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Date:
Job No.:

Revisions:

No. Date

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File:
BLDG 2-3
FLOOR
PLAN

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

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A200

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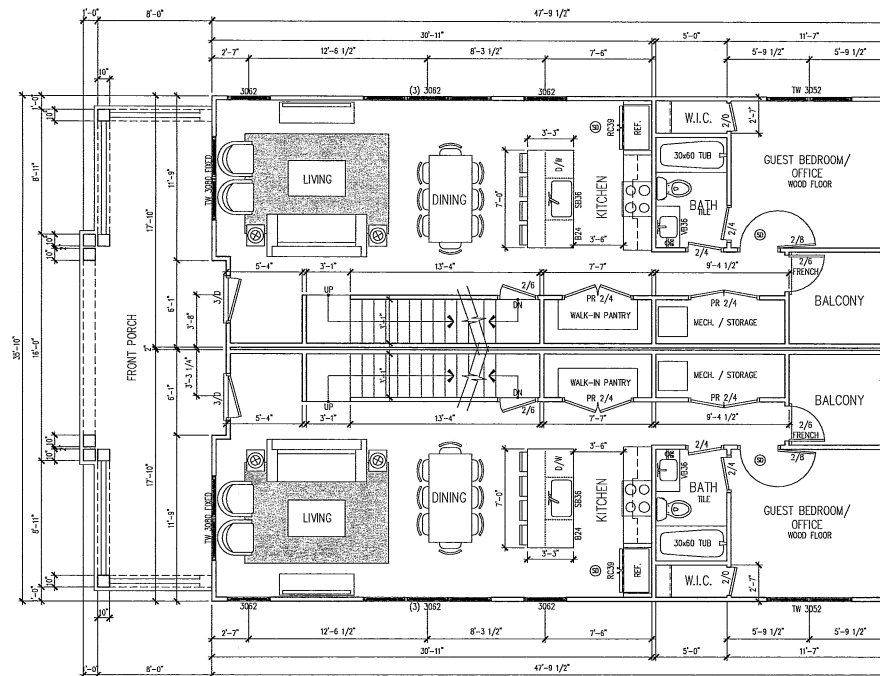
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BLDG 2-3
FLOOR
PLAN

A201

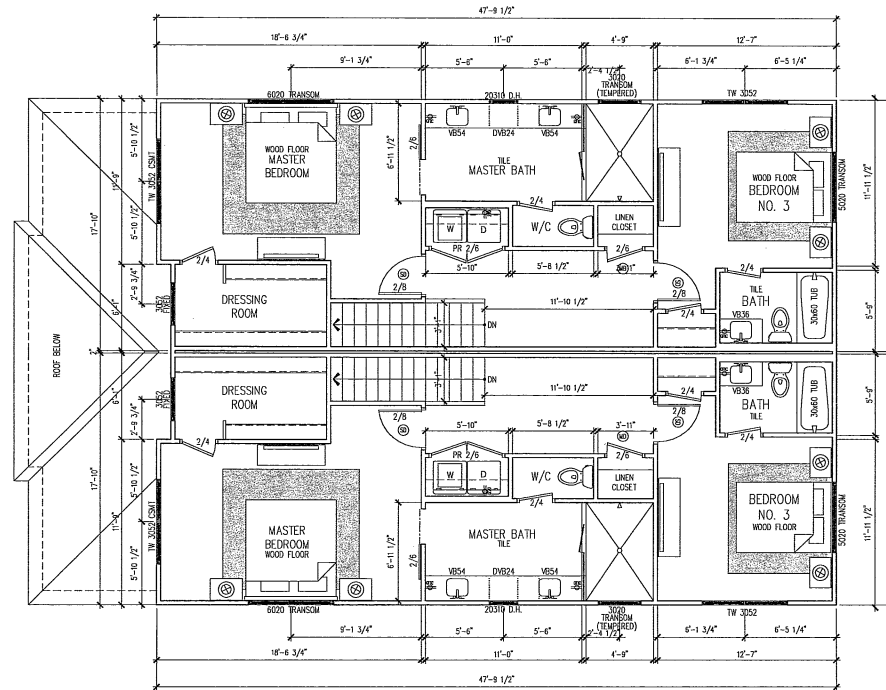


1 MAIN LEVEL FLOOR PLAN
A201 1/4"=1'-0"

UNIT B:

BASEMENT LEVEL:	481 SF
MAIN LEVEL:	797 SF
UPPER LEVEL:	846 SF
TOTAL:	2,124 SF

BUILDING 2-3



1 UPPER LEVEL FLOOR PLAN
A202 1/4"=1'-0"

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CONSTRUCTION

Drawn:
Checked:
Date:

Job No.:

Revisions:

No. Date

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Title:
BLDG 2-3
FLOOR
PLAN

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

Sheet:

A202

et:



1 FRONT ELEVATION— BUILDING 4
A303 1/4"=1'-0"

NOT FOR
CONSTRUCTION

Drawn:
Checked:
Date:
Job No.:

Revisions:

No. Date

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Title:
BUILDING 3
EXTERIOR
ELEVATION
Scale:
1/4"=1'-0"

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A303

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CITY OF GAINESVILLE

Planning and Appeals Board Agenda Request

Item Created: January 24, 2025
Date Submitted: January 24, 2025
Final Approval Date: January 28, 2025
Presenter: Matt Tate, Community & Economic Development Dept Deputy Director
Item of Business: Request from **Phil Devries** to rezone a 2.39± acres tract located southwest of the intersection of Atlanta Highway and Ray Street, having road frontage south of Wood Avenue at its terminus (a/k/a **0 Atlanta Highway, SW**) from Light Industrial (L-I) to Residential-II (R-II).
Meeting Date: February 11, 2025

Purpose of Request:

The applicant is proposing to rezone the subject property from L-I to R-II to construct 15 rental cottages. The rental cottages are two-story detached units, each consisting of 1,250 square feet of heated floor space with three bedrooms and two bathrooms. Surface level parking spaces are proposed and access is planned from Wood Avenue which is a county road that will need to be improved. A secondary driveway may also be provide through the adjacent La Villita retail strip center property (same owner) to provide direct access to the retail center. The development intends to access adjacent water and sewer services, and onsite stormwater/water quality measures will be provided. The property is undeveloped and has frontage at the terminus of Wood Avenue. Adjacent uses include the La Villita strip retail center, Adams Corporate Storage (previous Beaulieu Carpet Mill) and single-family homes located within Hall County.

Facts & Issues / History & Background:

Department Recommendation:

Planning staff recommended approval with six 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. Owner Letter
4. Narrative
5. Survey

6. Site Plan - Cottage Elevation

**GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION**

Applicant.....Phil Devries
Property Owner.....Grace Torres
Location.....0 Atlanta Highway, SW
Request.....Rezone from L-I to R-II
Total Acres2.39± acres
Ward.....Four
Proposed Use.....15 rental cottages
Planning Division Staff Recommendation.....**Approval, with conditions**
DateFebruary 11, 2025

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

The applicant is proposing to rezone the subject property from Light Industrial (L-I) to Residential-II (R-II) to construct 14 to 15 rental cottages. The property is an undeveloped, heavily wooded tract and has frontage at the terminus of Wood Avenue.

The proposed rental cottages are two-story detached units, each consisting of 1,250 square feet of heated floor space with three bedrooms and two bathrooms. Surface level parking spaces are proposed and access is planned from Wood Avenue which is a county road that will need to be improved. A secondary driveway may also be constructed to provide direct access to the adjacent La Villita retail strip center property which is under the same ownership. The development intends to utilize adjacent water and sewer services, and onsite stormwater/water quality measures will be provided. Common green space will be provided for dog walking, rear patios and grilling. The property will be managed by the owner which also manages other residential properties and the adjacent La-Villita retail center.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Ventura Subdivision; Single-Family Homes	Planned Residential Development (PRD) -County Residential-I (R-I) -County
South	Commercial Strip Center	General Business (G-B)
East	La Villita Center/Market	Highway Business (H-B) -County
West	Adams Corporate Storage	Light Industrial (L-I)

Other significant uses in the nearby area include the Southern Railroad and the Lee Gilmer Memorial Airport east of Atlanta Highway.

▪ **Other Departmental Comments**

Coordination with the Georgia Department of Transportation is required for this site. For access to SR 13 / Atlanta Highway or work within the right-of-way, permitting will need to be approved.

There were no other departmental comments regarding this request.

▪ **Zoning History**

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

2023 – A request by Jose Carrillo to rezone a 1.42± acres tract located at 805 Hospital Drive, SW from General Business (G-B) to Planned Unit Development (P-U-D) for mixed-use development (existing grocery/retail center and four new apartment units) was approved with conditions.

2022 – A request by Jaime Torres to annex a 0.35± acre tract located at 1930 and 1942 Mountain View Road with Residential-II (R-II) zoning for sewer for four townhomes was approved with conditions.

2022 – A request by Arturo Maruri to annex a 0.32± acre tract located at 1511 and 1514 Ralston Street with Residential-I (R-I) zoning for sewer for two single-family homes was approved.

2018 – A request by David Gijon to annex a 0.12± acre tract located at 1509 Ralston Street with Residential-I (R-I) zoning for sewer for a new single-family home was approved.

2015 – A request by Armando Castaneda to annex a 0.20± acre tract located at 1321 Hazel Street with Residential-II (R-II) zoning for sewer for an existing single-family home was approved.

Analysis

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

The subject property is located between the Atlanta Highway commercial corridor and a single-family residential district. The adjacent properties consist of a mixture of single-family detached residential, commercial, retail, light industrial uses within the city and county. The proposed detached cottage apartments are more consistent with the adjacent residential uses than what could be developed on the property under the current zoning of Light Industrial (L-I).

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

The subject property is somewhat isolated from the adjacent single-family homes which are located within unincorporated Hall County. Wood Avenue is currently a gravel road that will be required to be improved to County standards, which in turn will improve emergency access and the general aesthetics of the area. Given there are only 14 to 15 detached units proposed, traffic will increase but should be minimal. Appropriate buffers will be required to effectively screen the development from the adjacent vacant single-family property and stormwater will be better managed onsite.

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

The Future Development Map for the City of Gainesville places the subject property within the *Single-Family Residential* land use category which includes areas containing or planned for single-family detached or semi-detached housing at densities up to six dwelling units per acre. The proposal includes a maximum of 15 detached rental cottages at a density of 6.3 dwelling units per acre.

The Character Area map for the City of Gainesville places the subject property within the *West Side* character area. Land uses allowed in the West Side include higher density residential, mixed-use, commercial, light industrial, public and institutional and parks and recreation. Increasing the quality of existing and new housing, as well as housing affordability should be prioritized. General

mixed-use, multi-family residential and higher density single-family residential are appropriate land uses.

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

The property is zoned L-I which could be developed for commercial or light industrial purposes regardless of the rezoning. The applicant proposes to rezone the property to R-II which allows for single-family homes, duplex homes, fee-simple townhomes, condominiums and apartments. The proposal appears reasonable given its small scale and the need for quality affordable housing.

(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 proposal should not cause an excessive or burdensome to public facilities or services. The 14 to 15 residential units should have limited additional impact on existing roads over and above what currently exists from surrounding residential and commercial properties. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the rental cottages on average could generate 99± new trips per day, 9± A.M. and 10 P.M. peak hour trips.

Water and sewer services are accessible and capacity is sufficient to serve the property. The Gainesville Fire and Police Departments currently respond to adjacent and nearby properties and the nearest City of Gainesville Fire Station #4 is approximately 1.1 miles from the subject property off of Memorial Park Drive. Given the scale of the request, some impacts to the City school system are anticipated given the cottages will be designed for families. According to the Gainesville School System, children riding the school bus will be required to assemble at the intersection of Wood Avenue and Ray Street for bus services.

(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 surrounding area is a blend of residential and nonresidential uses both within the City and County. There are substantial opportunities for new infill development due to the number of older, distressed residential and commercial properties. It is staff's opinion the proposal is consistent with existing and expected uses for the area and will provide for a different housing opportunity that is more affordable.

(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 proximity to other residential properties, the proposal with the recommended conditions appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

Recommendation

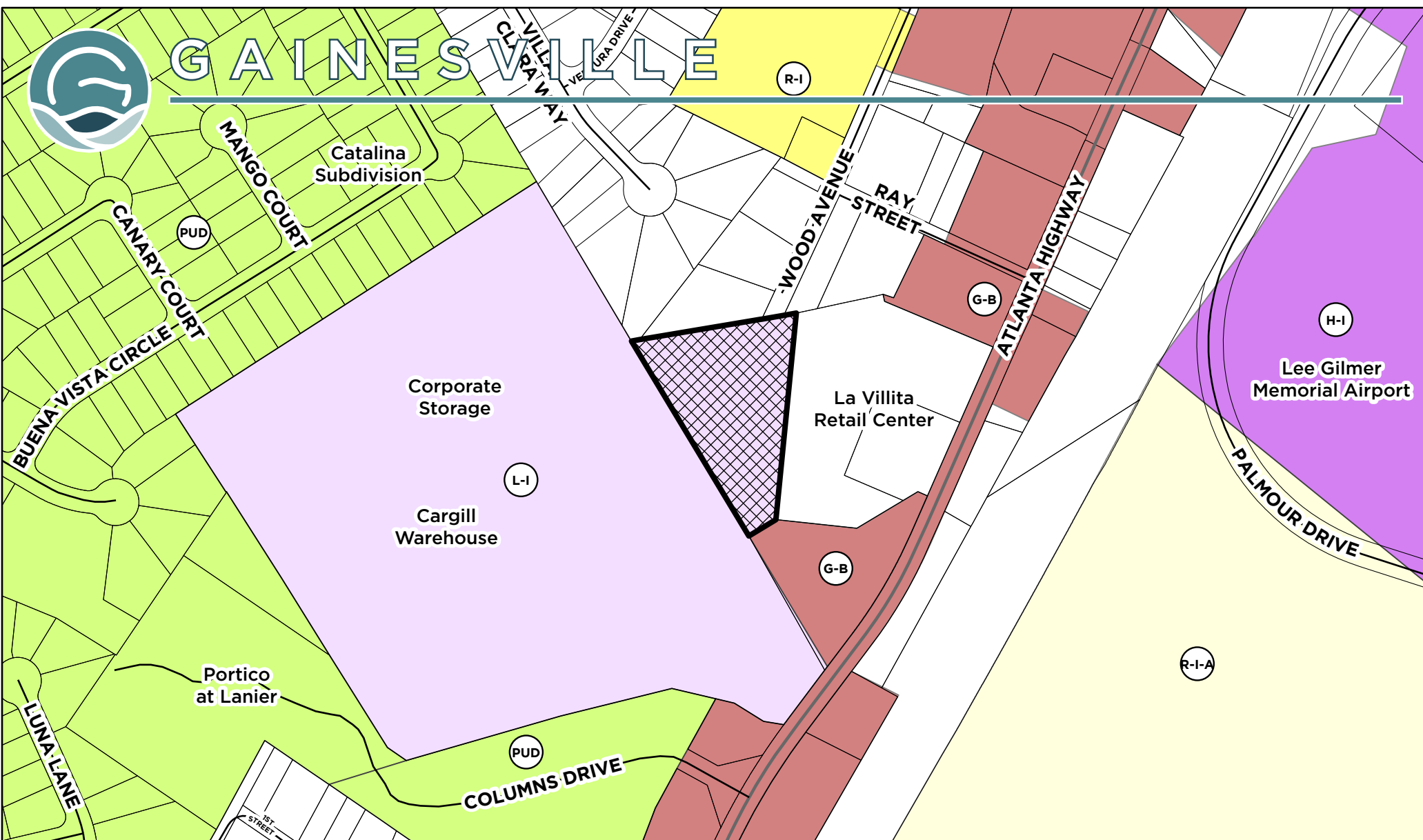
The Planning Division staff is recommending **conditional approval** of this rezoning request with **Residential-II (R-II) zoning**, based on the Comprehensive Land Use Plan and the adjacent mixture of uses.

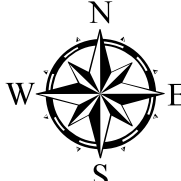
Conditions

- 1. The proposal shall be consistent with the concept plan and architectural renderings provided with this application per the review and approval of the Community and Economic Development Director.**
- 2. The use of the property shall be limited to a maximum of 14 residential units.**
- 3. Where an existing natural evergreen buffer is not provided, a mixture of evergreen trees shall be planted between the proposed development and the adjacent single-family zoned property to the north. The minimum install 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 and Economic Development Director.**
- 4. Any proposed dumpster shall be enclosed and screened from view from the proposed residential units, adjoining properties, roads and parking areas. All individual garbage containers shall be stored at the rear of each unit and screened in a manner so as not to be visible from the parking areas.**
- 5. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director and Hall County Traffic Engineering. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner, which shall include the necessary improvements to Wood Avenue per Hall County standards.**
- 6. Outdoor lighting shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.**



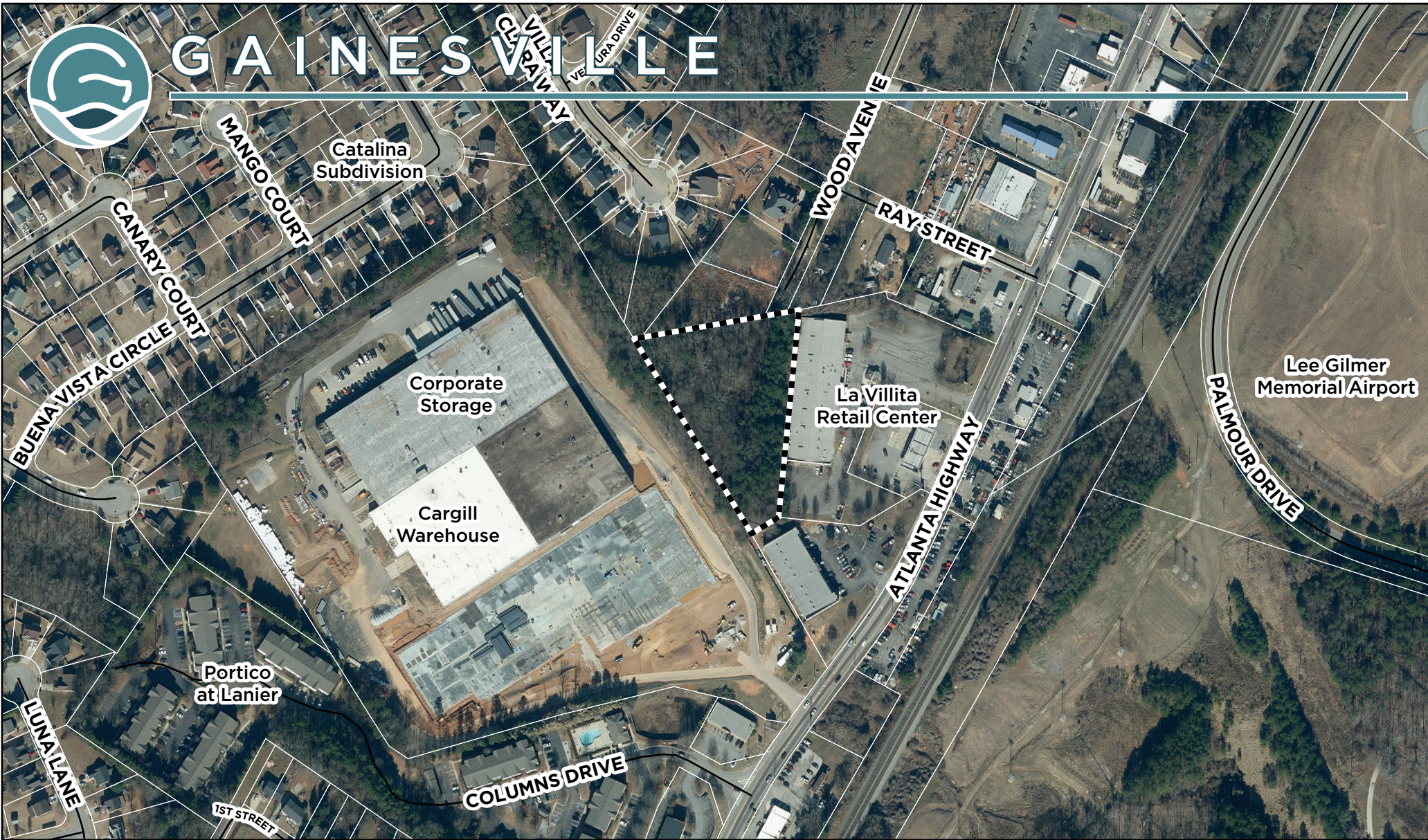
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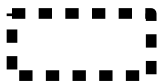
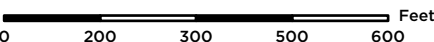
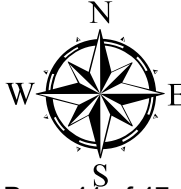


Applicant: PHIL DEVRIES		Request: Rezone +/- 2.39 AC currently zoned Light Industrial (L-I) to Residential-II (R-II) for 15 rental cottages.	
REZONING REQUEST			
Subject Property Address: 0 Atlanta Highway	Tax Parcel: 08-008-000-136	 Subject Property	
Meeting Date: 02/11/2025	Map Prepared: 01/21/2025		



GAINESVILLE



Applicant:		PHIL DEVRIES		Request:		Rezone +/- 2.39 AC currently zoned Light Industrial (L-I) to Residential-II (R-II) for 15 rental cottages.	
REZONING REQUEST							
Subject Property Address:		Tax Parcel:		 Subject Property		Aerial from 2023	
0 Atlanta Highway		08-008-000-136					
Meeting Date: 02/11/2025		Map Prepared: 01/21/2025				Scale: 1" = 300'	
							

Dear Zoning Department,

I, Grace Torres, owner of parcel #08008-000136 (2.391 acres) is submitting this letter in support of an application submitted to rezone from light industrial to residential to develop a project being proposed for this parcel that borders commercial, light industrial and residential.

I have been a proud resident of Gainesville, Georgia for over 30 years, along with my family. We have devoted our lives to building and enhancing our community. We've built, own and operate multiple properties in Hall County and are committed to supporting our town by renting affordable and well-maintained properties.

We moved to Gainesville in 1995 and immediately felt connected to this community. Our business endeavors began with building the first commercial strip on Atlanta Highway, which includes three store fronts. At the time we used one of the suites for a business of ours (Jazmin Jewelry) and rented out the other two. This development sparked a wave of improvements in the area as other property owners were inspired to renovate and build.

Our commitment extends beyond construction; we are always maintaining our properties, both interior and exterior. We strive to improve our neighborhood by installing security lights to keep the area well lit. We also perform regular inspections and repairs to guarantee the safety and satisfaction of our tenants.

Currently, we manage several properties including:

1714 Atlanta Hwy, a 32,500 sq ft building that houses event centers, ice cream company, two restaurants, tax office, a barber shop and a beauty salon.

1503 Atlanta Hwy, a three suite building. (approximately 4,000 sq ft)

3388 Apache Circle, a residential property.

3016 Baker are, a residential property.

Additional properties we built:

2223 Pine Grove Rd, residential property.

1724 Cove Pt, residential property.

We are proud that our commercial and residential rentals are consistently maintained under market price, ensuring affordability for our tenants.

Phil DeVries Rezoning Request
0 Atlanta Highway

We are asking to rezone our 2.391 acres property from Light Industrial (L-I) to Residential-II (R-II) to develop up to 14 - 15 unit rental cottages to be known as the "La-Villita Cottages".

The intent is to provide affordable quality housing for our community that is below market rate. Each cottage will be a detached, two-story unit consisting of a minimum of 1,250 square feet of heated floor space, and will contain 3 bedrooms and 2 bathrooms. A minimum of 2 parking spaces will be provided for each unit plus additional guest parking. A walkway from each cottage will connect to a sidewalk to provide safe access to parking. Access is proposed from Wood Avenue which is a gravel road located within Hall County that will need to be improved. The option of secondary access drive from the adjacent La-Vallita commercial retail center (same owner) may be proposed as well to provide direct connectivity for residents within the community.

Connection to adjacent water and sewer utilities will be required and on-site stormwater detention will be provided. There will be ample common green space on the site for dog walking, rear patios and grilling. The property will be managed by our in-house family run business which also manages other residential properties and the La-Villita retail center.

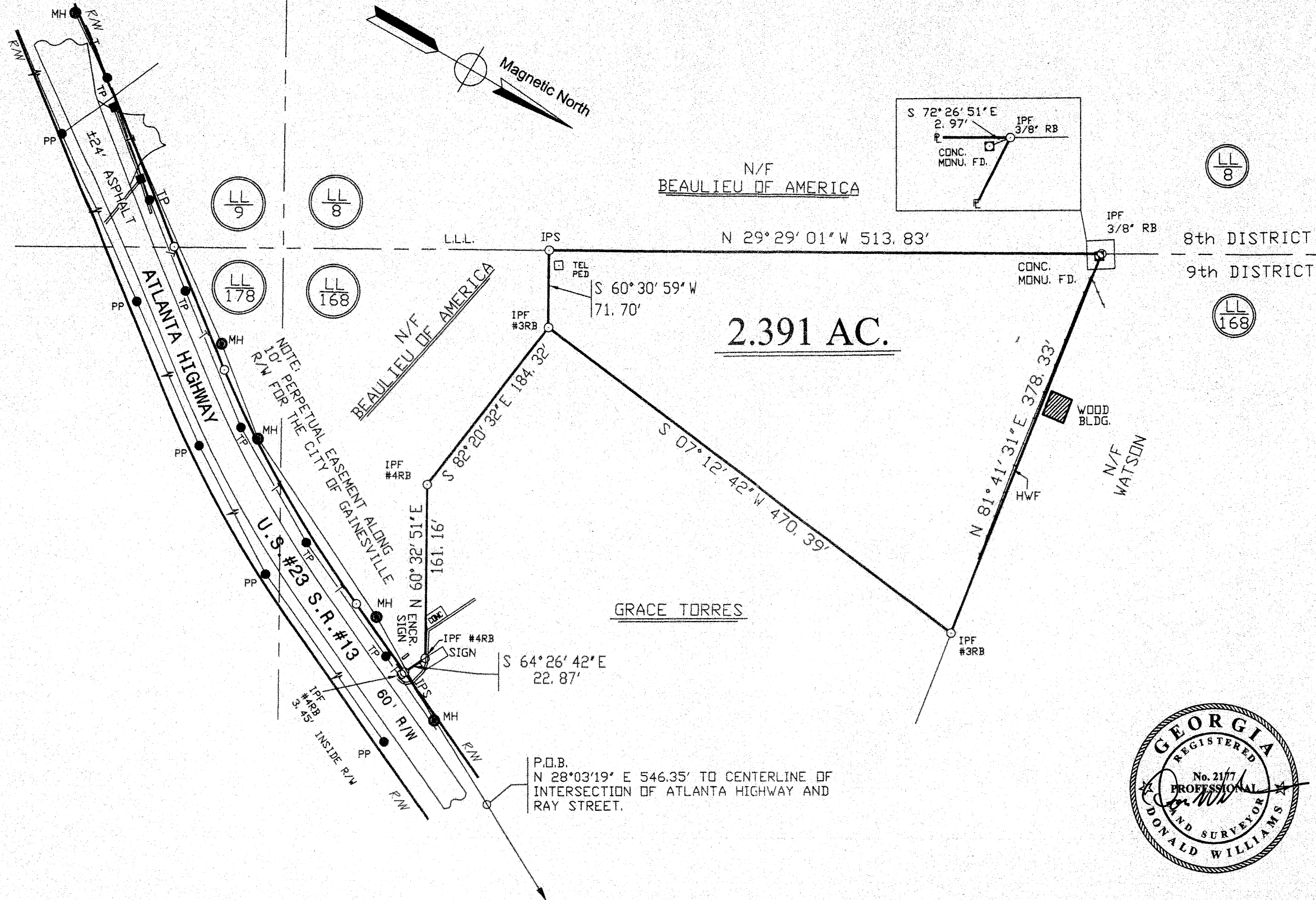
Phil DeVries is our general contractor and representative who will present on our behalf.

Sincerely,

Grace Torres

404.314.0391

Torressgrace01@yahoo.com



TO WHOM IT MAY CONCERN:
According to firm map no. 130466-0070C.
Hall County, Georgia.
Subject property is not located in Zone - A
(100 Year Flood)
FEMA effective date April 17, 1995.

NOTE:
THIS PLAT WAS PREPARED WITHOUT
THE BENEFIT OF A TITLE SEARCH AND IS
SUBJECT TO ANY AND ALL DISCLOSURES
THAT A TITLE SEARCH MAY PRODUCE.

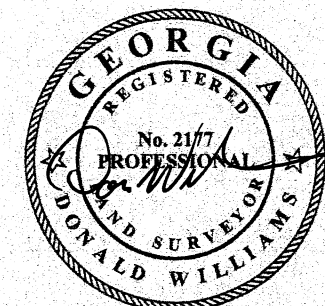
REFERENCE:
1. Plat for Beaulieu of America, Prepared by
Don Williams & Associates, Dated March
30, 2000.

LEGEND
IPS = IRON PIN SET
IPF = IRON PIN FOUND
C = CENTERLINE
R/W = RIGHT-OF-WAY
P.P. = POWER POLE
T.P. = TELEPHONE POLE
-P- = POWER LINE
-T- = TELEPHONE LINE
-W- = WATER LINE
-G- = GAS LINE
-S- = SEWER LINE
-D- = STORM DRAIN LINE
-X- = FENCE LINE
L.L.L. = LAND LOT LINE
M.H. = MANHOLE
P.O.B. = POINT OF BEGINNING
= TREE LINE

NOTE:
The field data upon which this map or
plat is based has a closure precision of
one foot in 11,883 feet and an
angular error of 00° 00' 05" per angle
point and was adjusted using the
compass rule.

Equipment used for measurement,
angular : TOPCON (GTS-3C)
Linear : E.D.M. (Total Station)

This plat has been calculated for closure
precision and was found to be accurate
within one foot in 395,870 feet.

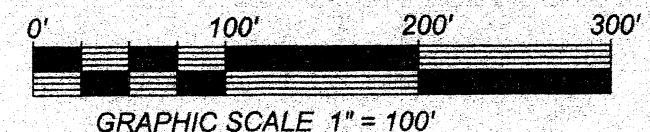


DON WILLIAMS & ASSOCIATES
LAND SURVEYORS, INC.
4323 MUNDY MILL ROAD, SUITE 101
OAKWOOD, GEORGIA 30566
(770) 536-0416 FAX (770) 536-0291

BOUNDARY SURVEY FOR:

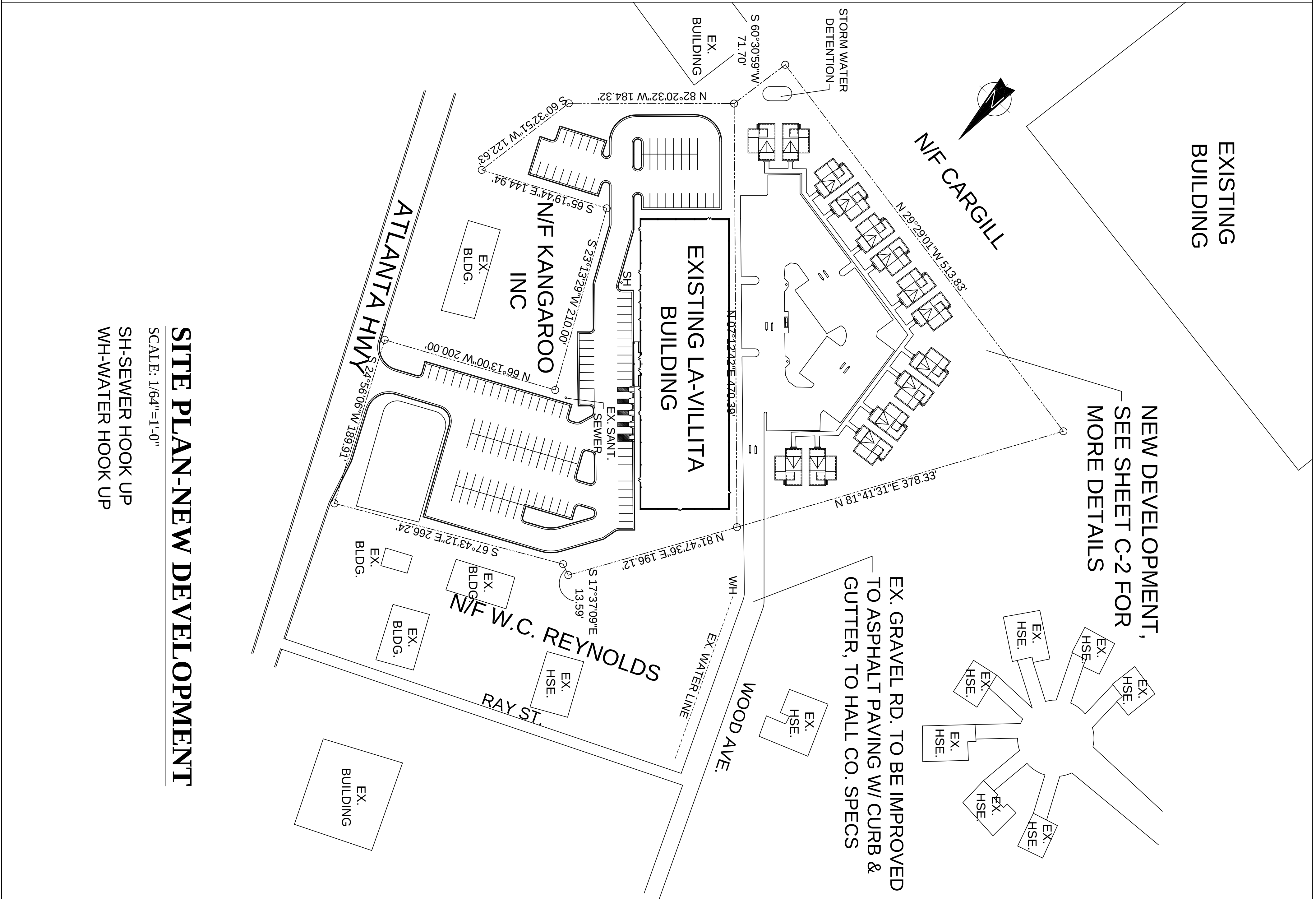
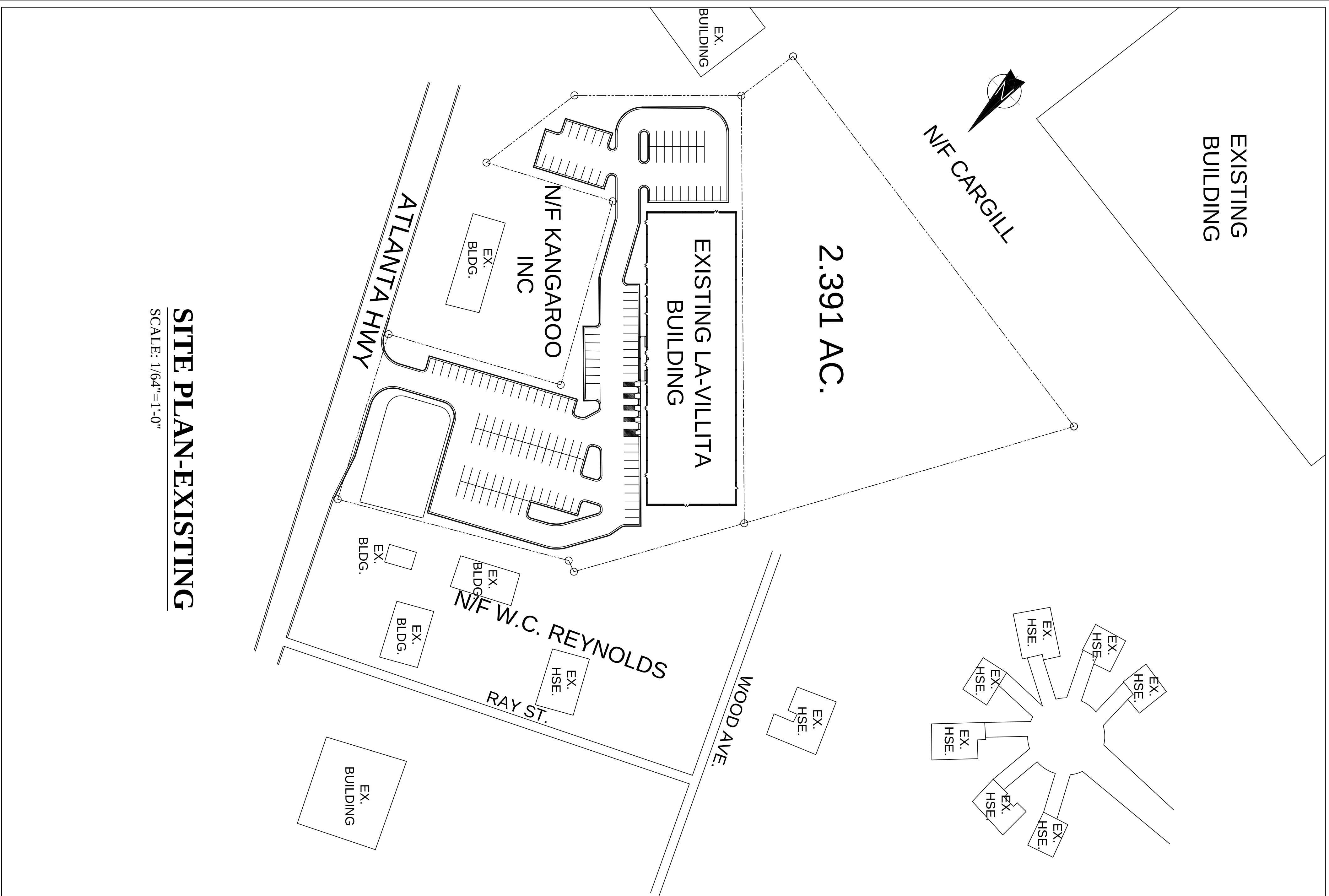
GRACE TORRES

LAND LOT - 168, 9th - DIST., CITY OF GAINESVILLE, HALL COUNTY, GEORGIA



DATE: DECEMBER 11, 2001 FILE NO: 20010-1A

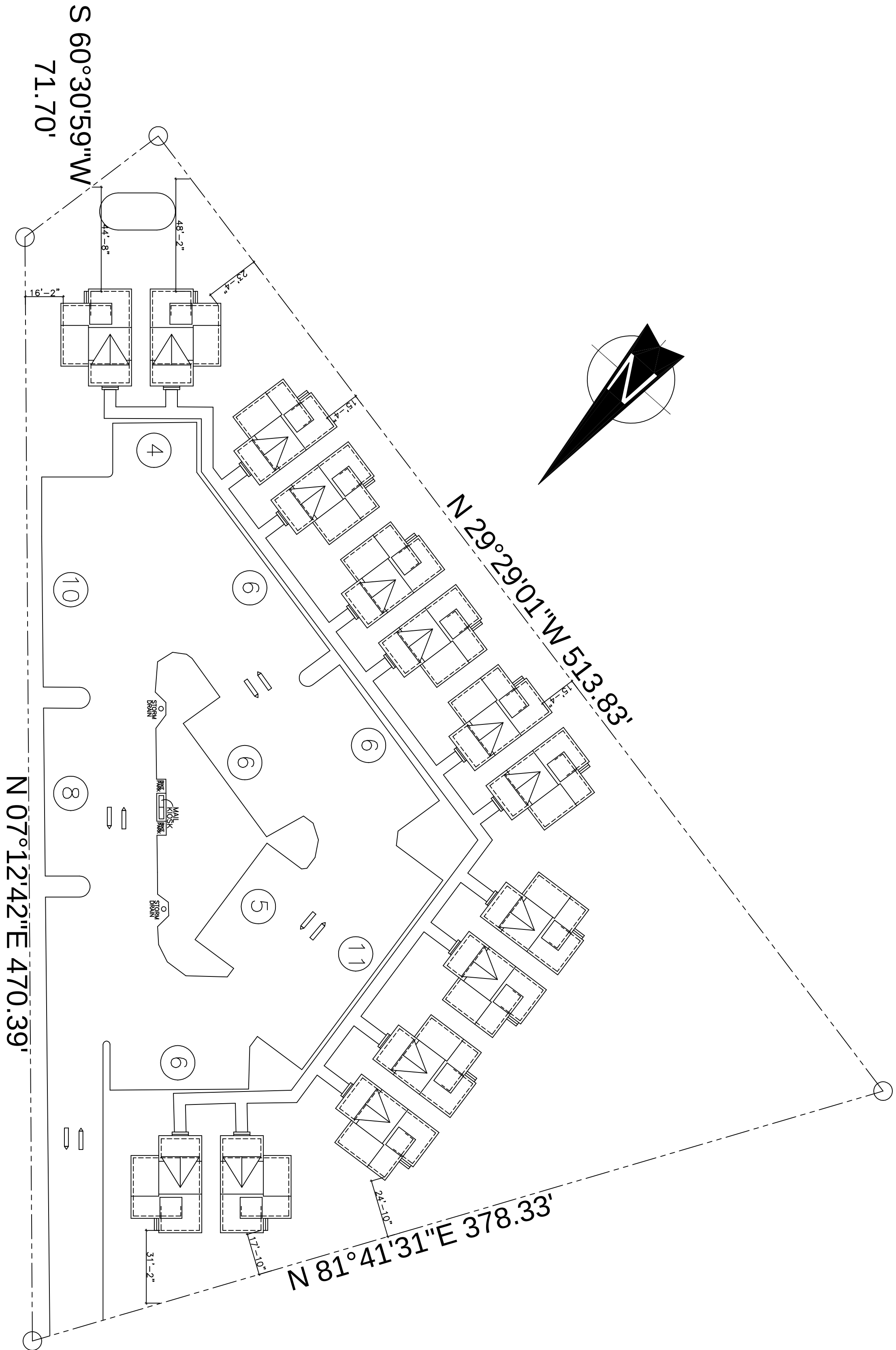
Surveyed by:
SCOTT M.
Drawn by:
DON W.
Checked by:
DON W.



Revisions:	

The logo features the letters "CDS" in a bold, sans-serif font, centered within a circle. This circle is enclosed within a square frame with a double border. Below the logo, the company name "CAUDELL DESIGN SERVICES" is written in a large, bold, sans-serif font. Underneath the company name is a thick horizontal line, followed by the text "COMMERCIAL & RESIDENTIAL DESIGN" in a smaller, bold, sans-serif font.

LA-VILLITA 1714 ATL. HWY GAINESVILLE, GA. 30504	
Date:	01-29-25
Scale:	AS NOTED
Drawn By:	KDC
Checked By:	GT
SITE PLANS	
Sheet Number:	C-1



NEW DEVELOPMENT-SITE PLAN

SCALE: 1/32"=1'-0"

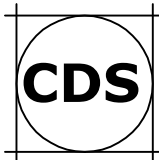
SPECS:

2.391 AC.

14- 3 BEDROOM-2 BATH COTTAGES

1,250 Sq. Ft.-Heated

62 PARKING SPACES



CAUDELL DESIGN SERVICES
COMMERCIAL & RESIDENTIAL DESIGN

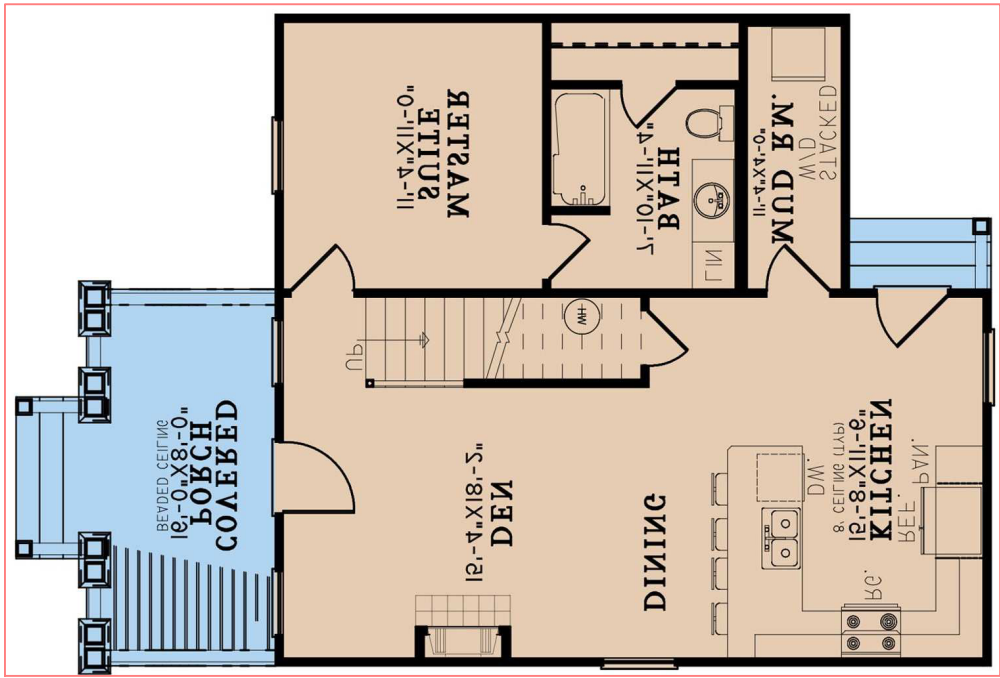
Cell: (706) 201-4351 206 Cook Street
Email: kennycaudell@yahoo.com Alto, GA 30510

Revisions:

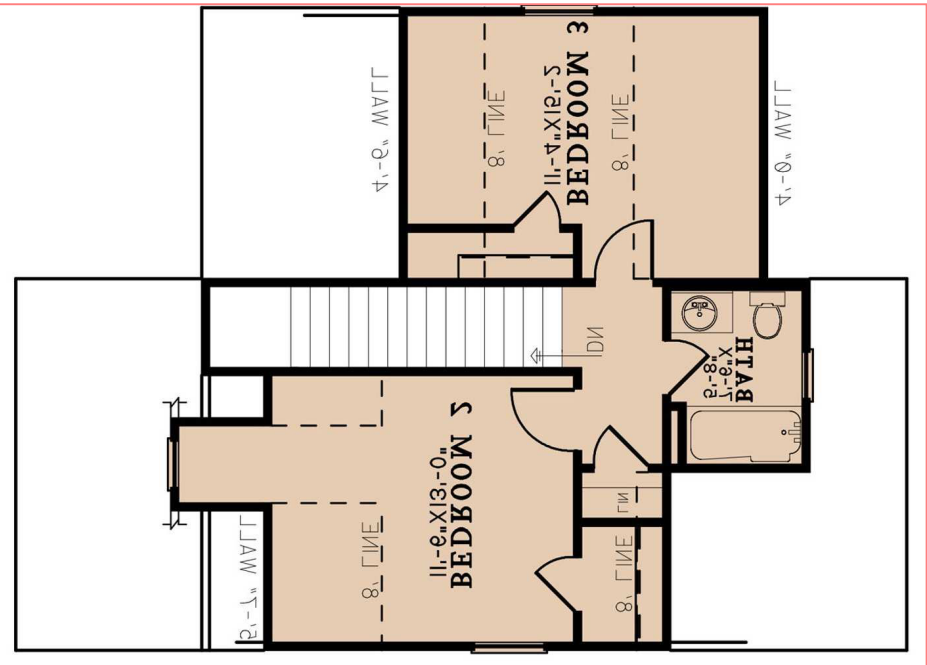
LA-VILLITA
1714 ATL. HWY
GAINESVILLE, GA. 30504

Date:	01-29-25
Scale:	AS NOTED
Drawn By:	KDC
Checked By:	GT
NEW DEVELOPMENT SITE PLAN	
Sheet Number:	

C-2



MAIN FLOOR
COTTAGE-A



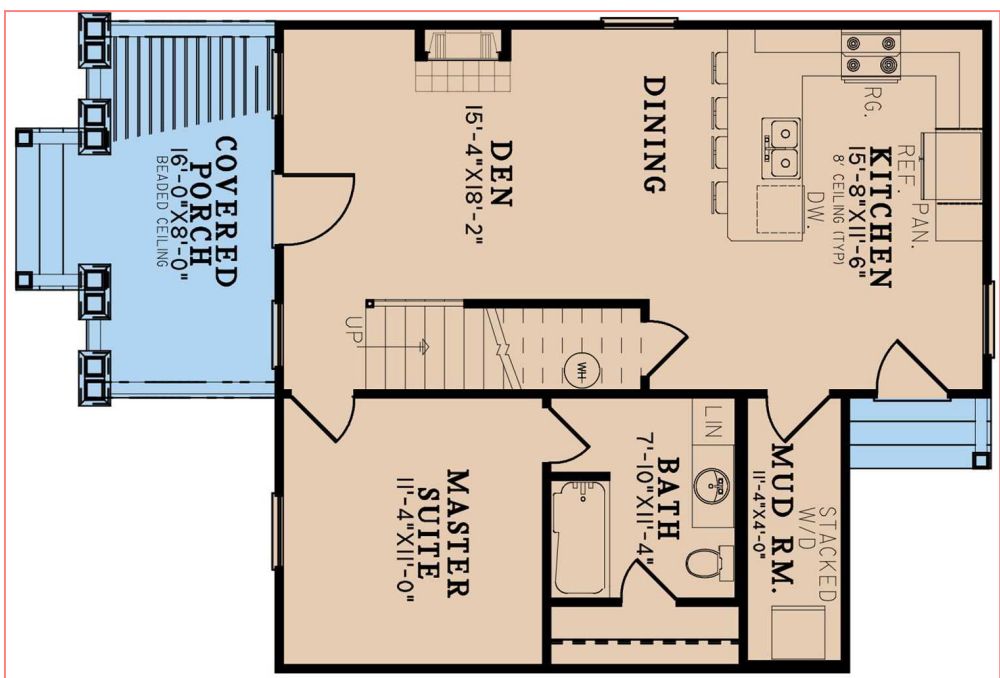
UPPER FLOOR
COTTAGE-A



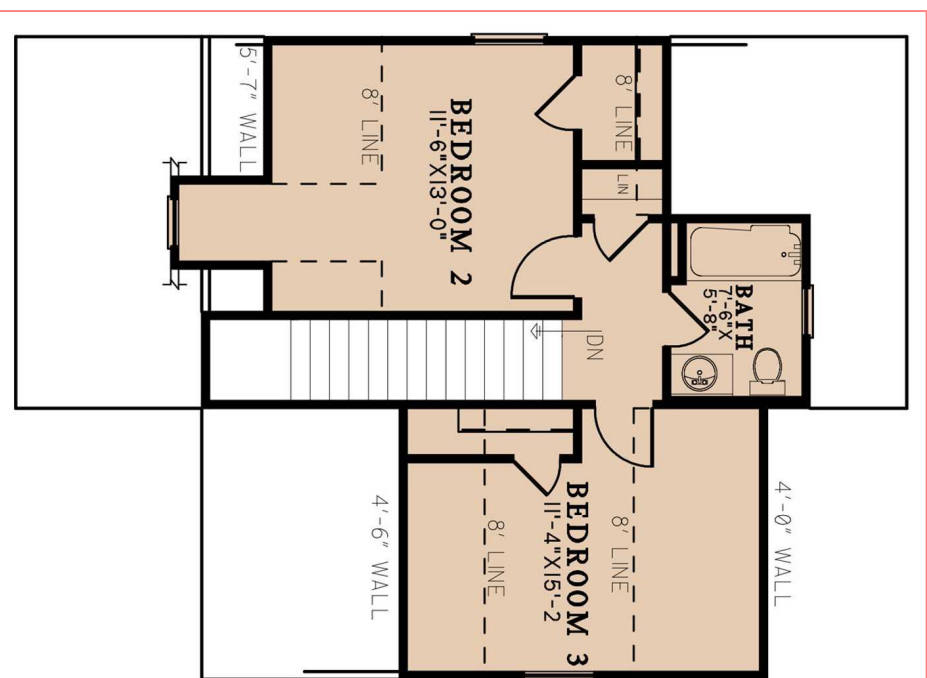
FRONT ELEVATION



REAR ELEVATION



MAIN FLOOR
COTTAGE-B



UPPER FLOOR
COTTAGE-B

Basic Features:

Bedrooms : 3

Baths : 2

Stories: 2

Dimension:

Depth : 38’ 4”

Height : 22’ 8”

Width : 27’ 8”

Area Total: 1250 sq/ft

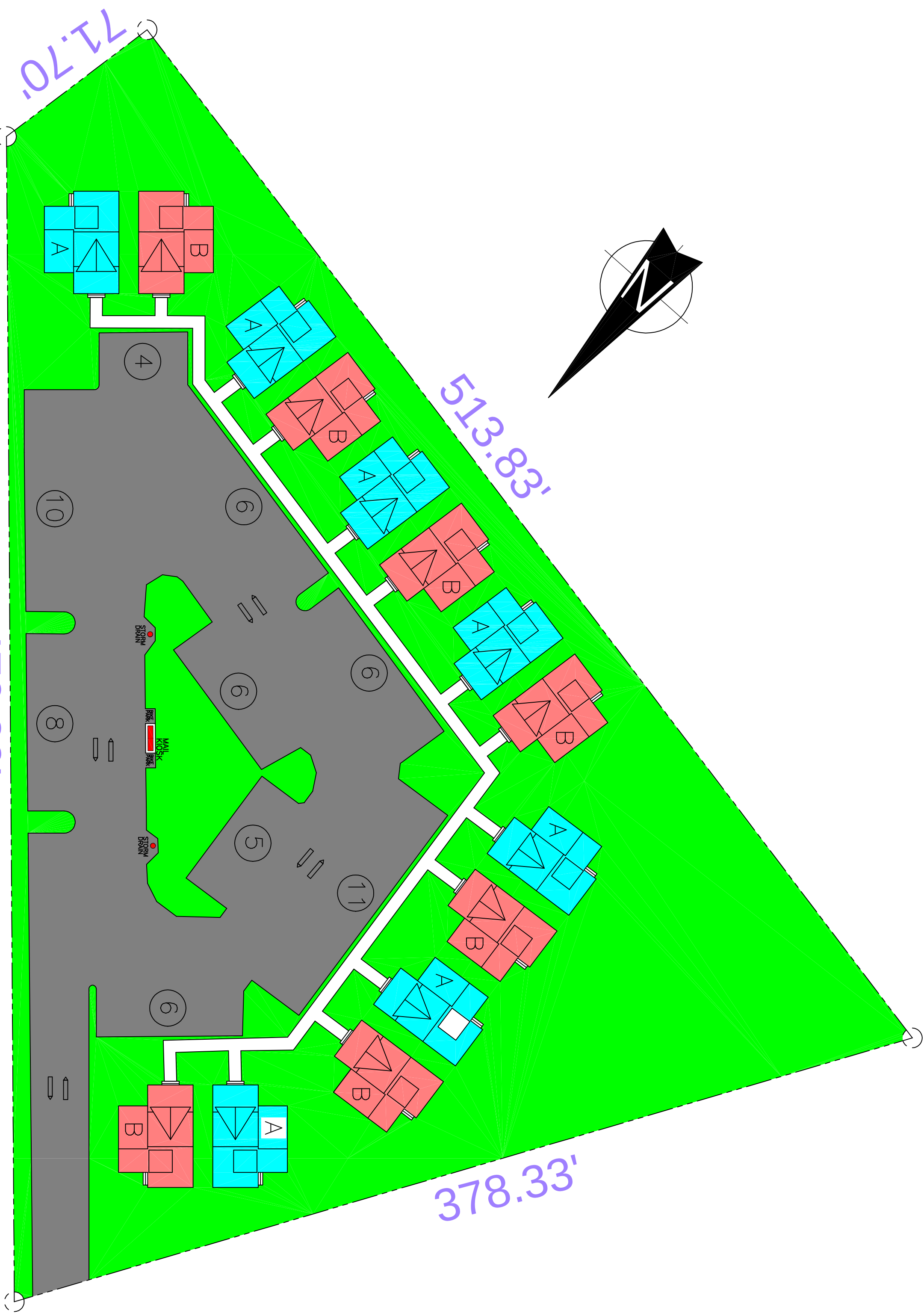
Main Floor : 769 sq/ft

Upper Floor : 481 sq/ft

Ceiling:

Main Ceiling : 8’

Upper Ceiling: 8’



NOTE: 470.39'

-SEE SHEET C-1 FOR WATER AND SEWER LOCATIONS.

-SEE SHEET C-2 FOR COTTAGE SETBACKS.

Roof Framing: 2x6

Roof Type:

Metal of Shingle

Exterior Wall Framing: 2x4

Exterior Wall Finish:

Board & Batten, Wood, Shake,

and Stone or Brick

Bedroom Features:

Main Floor Master Bedroom

Split Bedrooms

Walk In Closet

Kitchen Features:

Eating Bar

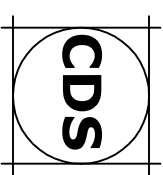
SPECS:

2.391 AC.

14- 3 BEDROOM-2 BATH

62 PARKING SPACES

LA-VILLITA
COTTAGES



CAUDEL DESIGN SERVICES

COMMERCIAL & RESIDENTIAL DESIGN