

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
APRIL 8, 2025**

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

Members Present: Chairman Doug Carter, Board Members Eddie Martin, Kelvin Simmons and Rick Young

Members Absent: Vice Chair Ryan Thompson and Board Members Jane Fleming and Ellen DeFoor

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

Others Present: City Manager Bryan Lackey and Council Member Barbara Brooks

MINUTES OF MARCH 11, 2025

There was a motion to approve the minutes as presented.

Motion made by Board Member Martin
Motion seconded by Board Member Young
Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

OLD BUSINESS

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

Motion made by Board Member Simmons
Motion seconded by Board Member Young
Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

A. Rezoning Request

- 1) Request from **Gainesville Housing Authority** to rezone a 2.6± acres tract located on the southwest side of the intersection of Jesse Jewell Parkway and Downey Boulevard and the southeast side of the intersection of Jesse Jewell Parkway and Summit Street (a/k/a **1120 Jesse Jewell Parkway, SE**) from Residential-II (R-II) to Planned Unit Development (P-U-D).
Ward Number: Three
Tax Parcel Number(s): 01-035-002-004
Request: Multi-family housing

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

The applicant is proposing to rezone a 2.6± acres tract from Residential-II (R-II) to Planned Unit Development (P-U-D) for 65 multi-family housing units consisting of market rate housing and affordable housing units for families, relying heavily on the Low-Income Housing Tax Credit (LIHTC) program through the Department of Community Affairs.

The property has road frontage on Jesse Jewell Pkwy, Summit Street and Downey Blvd. The adjacent uses include the Northeast Georgia Medical Center Campus, Northeast Georgia Health Systems Storage/Maintenance Lot, Lanier Terrace Apartments (110-Units) and Wee Willy's Retail/Gas Station.

The proposed 65-unit development consists of a 4-story apartment building with 1-, 2- and 3-bedroom units that will serve a variety of income levels but primarily is with an income of around 60% of the area's median income.

A total of 65 parking spaces are proposed with access from Downey Boulevard and Summit Street. It is anticipated that the community will include a leasing office, community center, fitness center, and on-site laundry for interior amenities. Exterior amenities include an outdoor gathering space consisting of a covered porch, gazebo and playground.

The Gainesville Comprehensive Plan places the property within the *Commercial* Future land use category and within the *Traditional Neighborhoods* Character Area which includes areas with focused retail, office, or other commercial service activities such as a grocery store, banks, restaurant and hotel. The *Traditional Neighborhoods* Character Area also supports single-family and multi-family residential, limited general mixed-use, commercial (retail and office), and public and institutional uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request **with P-U-D zoning**, based on the Comprehensive Plan and the adjacent and nearby mixture of residential uses.

Applicant Presentation: Beth Brown, Gainesville Housing Authority Executive Director, 750 Pearl Nix Parkway, stated the purpose of the project was for the redevelopment of Jesse Jewell apartments. She explained there are currently 25 old public housing units which have never been updated and requesting to rezone for PUD to build 65 units on the corner by transforming into a vibrant mixed-income community serving low-income families as well as work-force housing. The project would be a coordinated effort with hospital and discussions regarding their needs for workforce housing located directly across the street. She mentioned with the redevelopment of the apartments would be a community that supports diverse income levels, fosters a sense of belonging and integration of all the residents. Mrs. Brown stated the approval of the project is critical to the low-income housing tax credit application submission due in May and is contingent upon receiving the award of the tax credits. She mentioned the staff's recommendation of reducing of number of units would render the project impractical for a 40-unit development, with the main factor being the number of units and rent needed to collect to cover any debt associated with the project.

Board Member Young inquired with the development being a mixed-income and mixed-use asked about the amount of monthly rent expected. Mrs. Brown answered that 25 units would be income based with a portion of low-income tax credit rents and market rate units around 80 percent median income but would be less than market rate and less than Solis.

There was a motion to recommend conditional approval to rezone the subject property for multi-family housing from Residential-II (R-II) to Planned Unit Development (P-U-D) with the following conditions:

Conditions

- 1. The subject property shall be limited to a maximum of 40 residential units.**

2. **The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance and shall be subject to the approval of the Director of the Community and Economic Development Department.**
3. **The owner/developer shall plant a minimum 10-foot-wide landscape buffer along Summit Street, Jesse Jewell Parkway and Downey Boulevard. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.**
4. **The owner/developer shall construct an internal, minimum 5-foot-wide sidewalk to connect to the existing sidewalks on Summit Street, Downey Boulevard and Jesse Jewell Parkway.**
5. **Any proposed dumpster shall be enclosed and screened from view from the adjoining properties, roads and parking areas.**
6. **All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. 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 survey/plat of the subject property, indicating all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the use.**

Motion made by Board Member Martin

Motion seconded by Board Member Simmons

Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

NEW BUSINESS

A. Variance Requests

- 1) Request from **Capstone Acquisitions, LLC** to vary the front yard setback requirement, frontage landscape strip requirement and minimum number of parking spaces required on a 1.475± acres tract located on the east side of White Sulphur Road, north of the intersection of White Sulphur Road and Huntington Drive (a/k/a **622 White Sulphur Road**), having a zoning of General Business (G-B).

Ward Number: Two

Tax Parcel Number(s): 09-123-000-031

Request: Residence Inn extended stay hotel

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

The applicant is proposing to vary three standards within the Unified Land Development Code to construct a Residence Inn by Marriott extended stay hotel. Specifically, the variances include the following:

- Front yard setback from 30 feet to 0 feet.
- Frontage landscape strip from 10 feet to 0 feet.
- Minimum number of parking spaces from 148 spaces to 100 spaces (90 onsite and 10 offsite).

The property is 1.47± acres and size and is located within the Limestone Corridor Overlay Zone.

The adjacent uses include the Southern Railroad, Xtreme Clean Auto Spa, New Haven Church and New Holland Market.

The proposed extended stay hotel is 5-stories, 99 rooms and will total 76,098± square feet in size. Access is proposed from an existing internal driveway with shared access to White Sulphur Road.

In January of 2024, the applicant received special use approval for the subject property to construct a larger 6-story, 112 room, 98,178 square foot in size Residence Inn by Marriott extended-stay hotel.

Four development standards were approved at that time as well which are listed in the staff report.

- Minimum lot size requirements from 2.0 acres to 1.47 acres.
- Building height requirements from 5 stories to 6 stories.
- Maximum impervious surface area from 60% to 85%.
- Minimum number of parking spaces from 134 spaces to 115 spaces.

The applicant is basing the hardship on the irregular shape of the lot and the steep topography on the western side of the property which slopes down to the adjacent railroad right-of-way. In addition, the applicant states the right-of-way grassed median along White Sulphur Road is very wide (60± feet) which limits the area to build the extended stay hotel.

The Planning Division staff is recommending **conditional approval** of this variance request based on the shape of the property, adjacent railroad right-of-way and width of White Sulphur Rd.

Applicant Presentation: Dr. Jeff Payne, Capstone Acquisitions LLC, 340 Jesse Jewell Parkway, Suite 400, came before the board approximately one year ago with a larger project with underground parking but advised engineering cost prohibited the project. He explained the plan has been reduced to 99 rooms with the hotel closer to the street away from the railroad track with parking behind the building along with landscaping the front area. Dr. Payne stated it was designed to support hospital, rowing venue, new baseball fields and inland port in the area. He explained the reason for 100 parking spaces for the 99 rooms and believes it's adequate based on the parking needs at the downtown Courtyard by Marriott hotel.

FAVOR: None

OPPOSE: None

There was a motion to conditionally approve the request to vary the front yard setback requirement, frontage landscape strip requirement and minimum number of parking spaces for a Residence Inn extended stay hotel with the following conditions:

Conditions

- 1. The proposed use shall be limited to the operation of a Residence Inn by Marriott extended stay hotel. No other use on the subject property for "Extended Stay**

Lodging Services,” as that term is defined in Section 9-10-6-16 of the Gainesville Unified Land Development Code, shall be permitted.

- 2. The proposed development shall be generally consistent with the concept plan and architectural renderings provided with this application. The exterior wall materials shall include a mixture of brick or stone and EFIS per the approval of the Community & Economic Development Director.**
- 3. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 4. The frontage landscape areas and right-of-way areas along White Sulphur Road shall be sodded with grass. Additional landscaping shall be allowed within the right-of-way area subject to the approval of the Public Works Director. The landscape islands within the parking lot shall contain minimum 3-inch caliper size hardwood trees subject to the Community & Economic Development Director approval.**
- 5. All service areas, dumpster enclosures, loading areas, ground or roof top HVAC equipment shall be screened from view from all adjacent uses and roads.**
- 6. The subject property shall be limited to one (1) monument sign not to exceed 10-feet in height, 80 square feet of sign face area, 120 square feet of total sign structure area with internal or external lighting. Building signage shall be permitted as regulated within the Gainesville Unified Land Development Code. An electronic message board sign or electronic changeable copy sign shall not be permitted for the subject property.**
- 7. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director. The 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 owner/developer.**

Motion made by Board Member Martin

Motion seconded by Board Member Simmons

Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

- 2) Request from **Brown Haven Homes** to vary the stream buffer requirement on a 1.35± acres tract located on the west side of Chattahoochee Trace, north of Laurel Springs Drive (a/k/a **3089 Chattahoochee Trace, NW**), having a zoning classification of Residential-I-A (R-I-A).
Ward Number: One
Tax Parcel Number(s): 01-107-001-043
Request: Single-family home

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

The applicant is requesting to vary the stream buffer standards to construct a 1 1/2 story home consisting of 2,053 square feet of heated floor space and an attached two-car garage.

The property is located within the Chattahoochee Estates West subdivision, is heavily wooded, steeply sloped and contains two creeks that intersect on the property.

The adjacent uses include single-family homes.

The applicant is asking to allow approximately 682± square feet of disturbed area within the 50' undisturbed buffer which includes a small portion of the home. In addition, the applicant is asking to allow 1,393± square feet of impervious area within the 75' non-impervious buffer which includes a portion of the home.

No land disturbance or impervious area is proposed within the State 25' undisturbed buffer except for the driveway accessing Chattahoochee Trace which is permitted.

The applicant is basing their hardship on the intersecting streams and sloping topography on the lot which limits the developable area to construct a home and septic system.

The Planning Division staff is recommending **conditional approval** of the proposed stream buffer variance request based on the topography and location of the streams within the property.

Applicant Presentation: Jonathan White, 1055 Mt. Zion Church Road, Murrayville, advised the project would need approval or the owner would need to sell. He spoke about having discussions with Davis Engineering regarding all options available to build the home.

FAVOR: None

OPPOSE: None

There was a motion to conditionally approve the request to vary the stream buffer requirement for a single-family home with the following conditions:

Conditions

- 1. The applicant shall be required to adhere to the concept plan and mitigation standards as proposed by the applicant.**
- 2. Prior to a permit being issued, all proposed soil and erosion measures must be reviewed and approved by the Gainesville Community and Economic Development Department and the Gainesville Department of Water Resources.**

Motion made by Board Member Young

Motion seconded by Board Member Martin

Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

B. Annexation Request

- 1) Request from **GWAR Gainesville Landfill, LLC** to annex a 105.076± acres tract located on the south side of the intersection of Athens Highway, Old County Dump Road and Athens Street, including all of Old County Dump Road (a/k/a **0 Athens Highway; 0, 2033 and 2045 Old County Dump Road**) and to establish a zoning of Heavy Industrial (H-I), with a special use.

Ward Number: Three

Tax Parcel Number(s): 15-032-000-038, 070, 071 and 081
Request: Landfill (Construction & Demolition) and composting facility

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

The applicant is proposing to annex a 105.076± acres tract with a zoning of Heavy Industrial (H-I) with a special use for an existing construction & demolition landfill and composting facility. The adjacent uses include Copart -Atlanta North Auto Salvage; Flores Diesel Service & Trailer Repair; Family Dollar, Go Pull-It Junkyard, BDC Gainesville, LLC; (Future Bioenergy site), Gainesville 85 Business Park and Vacant Land.

The property is currently zoned Planned Industrial Development (P-I-D) in Hall County and was approved in 2012 as a construction and demolition solid waste inert landfill and composting facility. The Property has been continuously operated since then as a Construction and Demolition Landfill and composting operation in accordance with zoning requirements established by Hall County and the EPD Permit. Previous to this, the property served as the Hall County landfill.

The existing facility operates Monday through Friday, from 7:00 a.m. to 4:00 p.m. with 14 full-time employees. The facility also conducts operations outside of the business hours open to the public to include placing “cover” and composting. Access will remain from Old County Dump Road. Waste Eliminator is not proposing to change operations on the property.

According to the applicant, the request will provide the City a greater degree of oversight with respect to Waste Eliminator’s operations and an additional source of revenue, both in the form of ad valorem property taxes and the “hosting” fee now being paid to Hall County.

The Comprehensive Plan for the City of Gainesville places the property in the *Industrial Future Land Use* category and the *Economic Development Gateways* Character Area which includes a wide range of office, business, industrial, manufacturing, warehousing research & development uses.

The Planning Division staff is recommending **conditional approval** of this annexation request with Heavy Industrial (H-I) zoning with a special use based on the Comprehensive Plan, the existing use of the property and the adjacent industrial properties.

Applicant Presentation: Carey Miller, 514 Main Street, representative of GWAR Gainesville Landfill LLC, gave a background regarding the process for the current operations with the existing old county dump, waste management process shifting to a current modernized MSW facility, creating new space to be used for a CNB operation and current composting operations. Mr. Miller advised they are not asking approval to expand the landfill but zoning approval so at a future date have EPD to amend the D & O Plan (Design and Operations Plan). He also spoke about odor monitoring with the composting operations, EPD requirements and actions regarding complaints so operations are compliant with the D & O Plan. He mentioned amendments to strengthen the odor monitoring process allowing the City of Gainesville insight/oversight and are in agreement with the conditions. Also commented, if not approved, GWAR will continue to operate the same composting operation on the existing site but the city will not collect a siting fee, monitor and insure compliance and potential ability of a new fire station, operations for a waste transfer facilities.

Board Member Young asked if there had been problems from the community or complaints of odor and advised there have been but all have been investigated and then gave an example

that was before the current odor monitoring plan due to using an insufficient amount of a bulking agent that is mixed with the wood chips. The amount was adjusted and resolved the issue. Mr. Miller advised the City will have insight for ground and surface water monitoring at the site, pointed out locations of settlement ponds on the D & O plan with ground and surface water monitoring on site and the perimeter of the site. He stated the present odor management plan in place, and it seems concerns have decreased in the last 0 years.

Board Member Simmons asked Mr. Miller if the odor had improved and how he gets the information since he has been told by community members that it has not improved. Mr. Miller replied, the odor management and monitoring have improved and is based upon the level of complaints received and EPD investigations. Mr. Miller stated without the annexation complaints at a local level, there is limited ability to address the matter further but the annexation and zoning conditions will provide the City additional insight and ability to police the issue.

Board Member Young asked for an estimation of time it would take to fill the land at the rate of receiving 350 tons per day at the facility. He stated that it depends upon the success of excavation and explained the process of excavation and advised the county dump closed in 1984 and excavating historical waste since that time will have odor which is the reason the D & O plan requires covering each evening with sufficient amount of dirt and material.

FAVOR: None

OPPOSE: George Rucker, 5933 Raintree Trace, Oakwood, questions involved the name of the company and was it a private company. It was his understanding there would not be any odor since it was originally was to be building materials only. He owns property across the street and noticed a truck from another county which an odor was noticed in Lenox Park. One question he asked was if Old County Dump Road would be the only entrance used and was concerned with Heavy Industrial zoning near the 35 acres owned by him, future monitoring of the dump being 105 acres, type of materials, and other counties using it. He was also concerned with the value of his property, mentioned a sewage line for Family Dollar on his property. His next concern was the landfill being located on the south side, with sick people living in Newtown. No one wants the landfill on Thompson Bridge Road or Dawsonville Highway or close to anyone on the Board. Mr. Rucker's other concern was traffic coming and going on Old County Dump Road. He asked for the request to be tabled for 90 days, to be better notified of the decision and mentioned the zoning of Heavy Industrial affecting his 35 acres on Highway 129.

REBUTTAL: Chairman Carter asked Mr. Miller to address the monitoring and upgrades/improvements to County Dump Road.

Mr. Miller advised the monitoring of materials coming in is kept by EPD and GVAR keeps records of the materials, where the truck loads originated from along with reporting periodically to EPD. The only materials currently being accepted into the landfill operations are construction, demolition, wood and concrete but no household waste. He also spoke about the improvements as agreed in the conditions of the entrance being paved/re-striping and the new parcel being a separate process and a series of hearings before going to EPD for approval.

Chairman Carter asked about a time frame and was advised possibly 3 years or more which would be at the end of the excavation process. Mr. Miller also spoke about working currently in Cell 4 out of 9 cells and the permit process will take 1 year before going to EPD for review.

Tiffanie Goodridge, 1391 Brown Street, concerns were about the smell, odor with the summer being worse, agreed with Mr. Rucker's comments of it not being located in other areas such as Thompson Bridge Road or Green Street. She asked for the request to be reconsidered.

There was a motion to recommend conditional approval of the annexation request for a landfill (Construction & Demolition) and composting facility and establish zoning as Heavy Industrial (H-I) with a special use with the following conditions:

Conditions

- 1. The development standards within the narrative and approved site plan submitted with the applicant's annexation application shall be made part of the zoning ordinance and shall be subject to the approval of the Community and Economic Development Director.**
- 2. The use of the subject property shall be restricted to the Landfill (Construction & Demolition) and composting facility. A metal recycling facility is not an approved use for the property.**
- 3. The size of the Landfill (Construction & Demolition) and composting facility shall be in substantial conformance with the Design and Operation Plan submitted with this annexation application.**
- 4. Landfill activity height shall not exceed 100 feet above existing grade.**
- 5. A detailed odor control plan and ground and surface water monitoring plan shall be required per the review and approval of the Environmental Protection Division (EPD) and the Gainesville Department of Water Resources.**
- 6. A minimum 200-foot wide natural buffer shall be maintained around the perimeter of the property as depicted on the site plan in accordance with Environmental Protection Division approval.**
- 7. Access to any landfill or composting facility shall be limited to Old County Dump Road.**
- 8. Within one year from the annexation date, the property owner shall repave and stripe Old County Dump Road for a distance 300 linear feet as measured from the Athens Highway right-of-way, per the review and approval of the Gainesville Public Works Director.**

Motion made by Young

Motion seconded by Martin

Vote – 3 favor, 1 oppose (Simmons), 3 absent (Thompson, Fleming, DeFoor)

C. Rezoning Requests

- 1) Request from the **City of Gainesville** to rezone a 134.0± acres tract located on the east side of Monroe Drive, north of Allen Creek Road (a/k/a **1701 Fulenwider Road, SW**) from Residential-I-A (R-I-A) and Planned Unit Development (P-U-D) to Heavy Industrial (H-I), with a special use.

Ward Number: Three

Tax Parcel Number(s): 15-023-000-167 (Part)

Request: Landfill (Construction & Demolition) and composting facility

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

The City of Gainesville is proposing to rezone a 134.0± acres tract from Residential-I-A (R-I-A) and Planned Unit Development (P-U-D) to Heavy Industrial (H-I) with a special use so that a portion of the property may be used as a landfill (construction and demolition) and composting facility.

The adjacent uses include GWAR Gainesville Landfill, LLC (Waste Eliminator); BDC Gainesville, LLC; (Future Bioenergy site), RTS Landfill (Closed); Chicago Tube & Iron, Gainesville Mechanical, Inc, Sam Cochran Electric, Pace Roof & Restorations, Allen Creek Soccer Complex and Gainesville 85 Business Park.

The City is contemplating execution of an Intergovernmental Agreement (“IGA”) with the Gainesville Redevelopment Authority (“Authority”) such that the Subject Property can be utilized to aid the City in the provision of a long-term waste management strategy for its citizens, as well as in the construction of a fire station to better serve the citizens of Gainesville. A copy of the IGA was provided as part of the documentation.

The subject property is part of a larger tract of land owned by the City of Gainesville. The property is undeveloped, heavily wooded with sloping terrain and multiple streams.

The Comprehensive Plan for the City of Gainesville places the property in the *Industrial Future Land Use* category and the *Economic Development Gateways* Character Area which includes a wide range of office, business, industrial, manufacturing, warehousing research & development uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request with a special use based on the Comprehensive Plan and the adjacent industrial properties.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval to rezone the subject property for a landfill (Construction & Demolition) and composting facility from Residential-I-A (R-I-A) and Planned Unit Development (P-U-D) to Heavy Industrial (H-I) with a special use with the following conditions:

Conditions

- 1. The size and location of any future construction & demolition landfill and composting facility shall be in substantial conformance with the site plan submitted with this rezoning application.**
- 2. The subject property shall be limited to the Landfill (Construction & Demolition) and composting facility and those uses permitted within the Light Industrial (L-I) zoning district, excluding a metal recycling facility, wrecked motor vehicle compound, truck stop or truck lot.**
- 3. A detailed odor control plan and ground and surface water monitoring plan shall be required per the review and approval of the Environmental Protection Division (EPD)**

and the Gainesville Department of Water Resources.

- 4. A minimum 200-foot wide natural buffer shall be maintained around the perimeter of the property as depicted on the site plan in accordance with Environmental Protection Division approval.**
- 5. Landfill activity height shall not exceed 100 feet above existing grade.**
- 6. Access to any landfill or composting facility shall be limited to Old County Dump Road.**

Motion made by Board Member Martin

Motion seconded by Board Member Young

Vote – 3 favor, 1 oppose (Simmons), 3 absent (Thompson, Fleming, DeFoor)

- 2) Request from **Gainesville Housing Authority** to rezone a 4.13± acres tract located on the northwest side of the intersection of Myrtle Street and Osborne Street and the northeast side of the intersection of Myrtle Street and Wall Street, south of Jesse Jewell Parkway (a/k/a **1197 and 1235 Myrtle Street, SE; 452, 474 and 492 Osborne Street, SE; 465, 471 and 481 Wall Street, SE**) from Residential-II (R-II) to Planned Unit Development (P-U-D).

Ward Number: Three

Tax Parcel Number(s): 01-035-001-005, 007, 008, 013, 013A, 017, 019 and 020

Request: Multi-family housing

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

The applicant is proposing to rezone a 4.13± acres tract from Residential-II (R-II) to Planned Unit Development (P-U-D) for 64 multi-family housing units consisting of market rate housing and affordable housing for families that will serve a variety of income levels but primarily is with an income of around 60% of the area's median income, relying heavily on the Low-Income Housing Tax Credit (LIHTC) program through the Department of Community Affairs.

The subject property consists of eight parcels with road frontage on Osborne Street, Wall Street and Myrtle Street. The parcels are partially wooded and contain no structures. Adjacent uses include a single-family-homes; duplex; triplex, Pleasant Union Baptist Church, Guilford Medical Clinic, Myrtle Place Townhomes (Apartments); and the Georgia Power Sub Station.

The community will be built over 2 phases. The first phase consists of a 4-story apartment building and a maximum of 64 units. The second phase has not been determined and will require a future zoning amendment. Access is proposed from Osborne Street with 89 onsite parking spaces. Amenities include a 3,500 square foot amenity building, covered porch and outdoor space to include a gazebo or playground.

The Gainesville Comprehensive Plan places the property within the *Single-Family Residential Future Land Use* category and the *Traditional Neighborhoods Character Area* which includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from two to four dwelling units per acre. The Traditional Neighborhoods Character area also supports multi-family residential, limited general mixed-use, commercial (retail and office), and public and institutional uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request **with P-U-D zoning**, based on the Comprehensive Plan and the adjacent and nearby mixture of residential uses.

Applicant Presentation: Beth Brown, Gainesville Housing Authority Executive Director, 750 Pearl Nix Parkway spoke about the Osborne Street being basically the same as the Jesse Jewell Parkway site with one less unit (64 units). The Housing Authority is in negotiations working on due diligent items such as appraisals to purchase the property and expect to be complete in approximately two weeks. She mentioned the application due date being the middle of May and was the reason for both projects otherwise there might not be a project. Mr. Brown stated there were incentives to get the application in May and the second site (Osborne Street) is preferred since it is better for residential development. The hope was for both to be approved with the option to withdraw one of applications prior to the City Council meeting.

Board Member Young asked if both projects would receive the tax credit program and was confirmed but in a different location. Mrs. Brown stated the developer was also available to answer any specific questions.

FAVOR: None

OPPOSE: Jennifer Gibbs, 1240 Jesse Jewell Parkway, representative for Guilford Clinic Condominium Association was not against the project but had safety concerns with the current site plan for the second project item (C2) on the agenda. The concern was the ingress/egress being directly across the street from the Guilford Clinic's parking lot. Mrs. Gibbs stated Osborne Street is very narrow and with additional vehicles making it a huge concern for elderly patients, staff and hundreds of people in and out of the parking lots each day. The other concern was the amount of parking spaces provided to accommodate the number of units and vehicles parking in the Guilford parking lot. She asked for modifications to the site plan by moving the ingress/egress over to Wall Street which is wider and less traffic than Osborne. The other suggestion was to put a fence on the backside of the property to deter visitors and residents from parking in the Guilford parking lot. The other safety concern was there not being a traffic light at the intersection of Jesse Jewell Parkway and Osborne Street, and vehicles would drive through the parking lot to access the traffic signal at Barn Street.

Chairman Carter asked Deputy Tate to address the reason for the number of parking spaces for the proposed project. Deputy Tate advised based on code requirements and number of one, two and three bedrooms being proposed, the proposal would meet the number of parking spaces.

Chairman Carter asked Mrs. Brown and the developer since the Osborne project is in the early stages without full engineering, there was a need to work with the City of Gainesville Public Works as to the exact location of ingress/egress and other details of the project as was agreed by Mrs. Brown.

Jenny Wilkinson, Regent Partners, 4775 Cherrywood Lane, Atlanta, stated until being awarded tax credits, they did not want to spend a substantial amount of money on civil engineering and architectural renderings. If awarded, they would come back to work the city and community to address the appropriate ingress/egress. She stated the parking ratio is approximately the same as Walton Summit and Harbor which has been very marketable with no issues.

Chairman Carter assured Mrs. Gibbs the project has many steps prior to final approval. **Board Member Young** asked the developer if there might be any difficulty with reorienting the ingress/egress even as requested by Mrs. Gibbs. The developer stated there have been multiple iterations of having it on Wall Street but more of how to keep the community safe, gated and are open to options.

There was a motion to recommend conditional approval to rezone the subject property for multi-family housing from Residential-II (R-II) to Planned Unit Development (P-U-D) with an amendment to condition five.

Conditions

1. The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance and shall be subject to the approval of the Director of the Community and Economic Development Department.
2. The owner/developer shall plant a minimum 10-foot-wide evergreen buffer adjacent to the single-family home and church property that front Wall Street. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
3. The owner/developer shall construct a minimum 5-foot-wide sidewalk on the western side of Osborne Street and the northern side of Myrtle Street, to connect to the existing sidewalk network.
4. Any proposed dumpster shall be enclosed and screened from view from the adjoining properties, roads and parking areas.
5. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner. **The developer/property owner shall coordinate with the Gainesville Public Works Director to explore an alternate driveway plan that limits vehicular access to Wall Street as opposed to Osborne Street.**
6. An updated as-built survey/plat of the subject property, indicating all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the use.

Motion made by Board Member Young

Motion seconded by Board Member Martin

Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

ADJOURNMENT

There was a motion to adjourn the meeting at 6:42 p.m.

Motion made by Board Member Young

Motion seconded by Board Member Simmons

Vote – 4 favor, 3 absent (Thompson, Fleming, DeFoor)

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary