

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
MAY 8, 2012**

CALL TO ORDER Chairman @ 5:30 p.m.

Members Present: Chairman Dean Dadisman, Vice Chairman Doyle Johnson and Board Members Dexter Stanley, Connie Rucker, George Hokayem and John Snyder

Members Absent: Board Member Jane Fleming

Staff Present: Community Development Director Rusty Ligon and Planning Manager Matt Tate

Others Present: Council Member Myrtle Figueras, Fire Marshall Chad Payne, Public Utilities Engineer Nick Swafford and Public Works Engineer Stan Aiken

MINUTES OF MARCH 13, 2012

There was a motion to approve the Minutes as presented.

Motion made by Board Member Snyder
Motion seconded by Vice-Chairman Johnson
Vote – 6 favor, 1 absent (Fleming)

NEW BUSINESS

There was a motion to move the Road Action Request to the first item under New Business.

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

B. Road Action Request

- 1) Request from **Eddie Martin Sr.** to abandon a 0.39± acre (465± linear feet) unopened portion of Walker Street right-of-way located north of its intersection with Virginia Avenue having a zoning classification of Residential-I (R-I).

Ward Number: One

Request: Abandonment of right-of-way

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to abandon a 0.39± acre or (465± linear foot) portion of Walker Street right-of-way. The purpose of the request is to prevent future nonresidential vehicular traffic from accessing Walker Street. If approved, the abandoned right-of-way would be combined with eight adjacent properties so that it may be maintained by private property owners. Presently, the unused, unpaved right-of-way area is zoned Residential-I (R-I), is partially vegetated and contains part of a water and sewer line easement that is to remain. The adjacent properties contain single-family homes and a small church zoned Residential-I (R-I) and Residential and Office (R-O).

The Planning Division staff is recommending approval of this request to abandon the subject right-of-way with the following condition:

Condition

The existing 18-inch and 8-inch sanitary sewer mains and 6-inch water main located within the portion of right-of-way to be abandoned shall be maintained. A combined water and sanitary sewer perpetual easement encompassing the total area to be abandoned shall be recorded by plat and referenced to within the deed provided by the applicant or property owners.

Applicant Presentation: **Eddie Martin, Sr.**, 1735 Riverside Drive, stated that the property owners are requesting the City abandon the dead-end portion of Walker Street to insure there will be no further traffic on their street.

FAVOR: None

OPPOSED: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the request to abandon a 0.39± acre (465± linear feet) unopened portion of Walker Street right-of-way having a zoning classification of Residential-I (R-I) with the following condition:

Condition

The existing 18-inch and 8-inch sanitary sewer mains and 6-inch water main located within the portion of right-of-way to be abandoned shall be maintained. A combined water and sanitary sewer perpetual easement encompassing the total area to be abandoned shall be recorded by plat and referenced to within the deed provided by the applicant or property owners.

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

A. Annexation Requests

- 1) Request from the **City of Gainesville Public Utilities Department** to annex a 2.3± acres tract located on the southwestern corner of the intersection of Marler Street and Hancock Avenue (a/k/a **1198 Marler Street**) and to establish zoning as Heavy Industrial (H-I).
Ward: Three
Tax Parcel Number: 01-031-004-002 (Part)
Request: Public Utilities shop/office

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The Gainesville Public Utilities Department is proposing to annex the subject 2.3± acres property into the city limits of Gainesville with a zoning of Heavy Industrial (H-I) in order

to bring the City owned property into the city limits of Gainesville and to use the existing shop, office, utility storage and parking area for utility operations.

The subject property is zoned Heavy Industrial (I-II), Highway Business (H-B) and Residential-II (R-II) within unincorporated Hall County and the city limits boundary is located to the north of the subject property across Marler Street. The adjacent and nearby uses consist of various industrial uses to the north, east and west. The property located to the south consists of residential homes.

The Future Land Use Map of the Comprehensive Plan places the subject property within the *Industrial* Land Use Category which is consistent with the request as it includes a wide range of office, business, light industrial, manufacturing, and research and development uses and supports commercial uses.

Therefore, based of the City of Gainesville Comprehensive Plan, and the surrounding land uses, staff is recommending **approval** of this annexation with a zoning of Heavy Industrial (H-I).

Applicant Presentation: **Joey Leverette**, with Gainesville Public Utilities Department, stated that they were asking for favorable consideration of the request which was basically a housekeeping issue since the City acquired the property about 2 years ago and desires it to be in the city limits.

FAVOR: None

OPPOSED: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the request to annex the subject property and establish zoning as Heavy Industrial (H-I) for a Public Utilities shop/office.

Motion made by Board Member Stanley
Motion seconded by Vice-Chairman Johnson
Vote – 6 favor, 1 absent (Fleming)

- 2) Request from **WAG Properties, Inc.** to annex a 0.68± acre tract located on the east side of Thompson Bridge Road, south of its intersection with Sandridge Court (a/k/a **1868 Thompson Bridge Road**) and to establish zoning as General Business (G-B).

Ward: One
Tax Parcel Number: 00-097-001-020
Request: Transportation logistics brokerage

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to annex a 0.68± acres portion of property with a zoning of General Business (G-B) for sewer services for the Connect Logistics, Inc. truck brokerage office.

The subject property is currently zoned Suburban Shopping (S-S) within Hall County and is part of an existing unincorporated county island surrounded by the city limits of Gainesville. As well, the subject property is located within the Gateway Corridor Overlay

Zone and contains an existing 5,500± square foot commercial building that was previously occupied by Lanier Paint & Decorating. The building is currently under renovation for the proposed use which will be relocating from its current office located at the corner of Thompson Bridge Road and Nancy Creek Road. The applicant states that the existing building within the subject property will provide for future growth and that exterior and interior improvements are being made to improve the functionality and appearance of the site.

The Future Land Use Map of the Comprehensive Plan places the subject property in the *Mixed-Use* land use category which is consistent with the request and includes residential, office and neighborhood retail uses.

The Public Utilities Department states that there is sufficient water and sewer capacity to serve the proposed use; however, a private service line easement will be required to access the existing sewer main from the adjacent property to the northeast which is also owned by the applicant. Connection to the existing sanitary sewer main will be allowed for up to one year from the date of approval.

Staff believes the proposed use is cohesive with other uses within the general vicinity and the reuse and improvement of the existing commercial building promotes a balance between adjoining nonresidential and residential uses. Therefore, the Planning Division staff is recommending **approval** of this annexation request with G-B zoning.

Mr. Tate stated that staff recommended a condition regarding the existing freestanding sign in the staff report; however, the sign has since been removed and the condition is no longer needed.

Applicant Presentation: **Sabrina Cape**, CFO for WAG Properties, stated they are requesting the island annexation for sewer use. She stated they are currently leasing space on Thompson Bridge Road and have simply outgrown the space.

FAVOR: None

OPPOSED: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the request to annex the subject property and establish zoning as General Business (G-B) for a transportation logistics brokerage.

Motion made by Vice-Chairman Johnson
Motion seconded by Board Member Hokayem
Vote – 6 favor, 1 absent (Fleming)

- 3) Request from **Pacolet Milliken Enterprises, Inc.** to annex a 68.223± acres tract located on the north and south side of Jesse Jewell Parkway, between and across from its intersection with Limestone Parkway and White Sulphur Road (a/k/a **601 White Sulphur Road**) and to establish zoning as Planned Unit Development (P-U-D).

Ward: Two and Three

Tax Parcel Number: 09-123-000-008 (Part)

Request: Commercial / office / multi-family development

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to annex the subject 68.223± acres tract with a zoning of Planned Unit Development (P-U-D) for commercial, office and multi-family purposes. Specifically the development is to include an approximate 123,000 square foot grocery anchor tenant with fuel center to be constructed and operational by early 2014. Overall, the development is to include up to 400,000 square feet of commercial space with junior retail anchors and associated parking, small retail shop space, up to 200,000 square feet of adjacent office and/or up to 300 multi-family residential units, along with several outparcel opportunities suitable for small commercial or restaurant uses along Jesse Jewell Parkway.

The subject property includes two undeveloped parcels of land totaling 68.223± acres which are located on both sides of Jesse Jewell Parkway, positioned between Limestone Parkway and White Sulphur Road. The northern tract is 56.392± acres in size and the southern tract is 11.831± acres in size. The property is currently zoned Highway Business (H-B) and Agricultural Residential-III (AR-III) within unincorporated Hall County and is adjacent to the city limits to its north and east. As well, the property is located within Limestone Corridor Overlay Zone.

Access is proposed from Jesse Jewell Parkway, Limestone Parkway, and White Sulphur Road. As well, a new public street is proposed on the southern tract to provide rear access to the outparcel lots. A Traffic Impact Study (TIS) was performed for the proposed development and a total of nine intersections were analyzed. The proposed development is expected to generate an average of 21,617 weekday daily trips, with 1,061 trips occurring during the AM peak hour and 1,979 trips occurring during the PM peak hour. In order to allow traffic to perform at acceptable levels, suggested improvements include: 1) The construction of a dedicated southbound through lane at the intersection of Jesse Jewell Parkway/Limestone Parkway; 2) The installation of a traffic signal at the Limestone Parkway/North site access drive upon the opening of the first anchor tenant; and 3) To provide left and right turn lanes at all site access driveways along Jesse Jewell Parkway and Limestone Parkway.

The Georgia Mountains Regional Commission completed a statement of public finding of the proposed development and found that the project is in the best interest of the State.

The Georgia Department of Transportation (GDOT) commented that Access Management has been in contact with developer and is currently working on access issues and should continue to coordinate with GDOT. The Gainesville Public Utilities Department states that there is sufficient water and sewer capacity to serve the development; however, a developer constructed, off-site sanitary sewer main extension of approximately 1,000 linear feet will be required to access sewer at the intersection of Jesse Jewell Parkway and Old Cornelia Highway.

The Future Land Use Map for the City of Gainesville places the subject property within the *Retail Commercial* and *Residential* land use categories which support the request. It is staffs opinion that if approved the development will serve as a cornerstone development along what has become one of Gainesville's more attractive gateway corridors and the development should be of high quality with architectural features consistent with the nearby historic New Holland Milliken Mill. In addition, the development should protect the adjacent and nearby historic housing.

Staff is recommending approval of the proposed annexation request with a zoning of P-U-D with the following 6 conditions:

Conditions

1. The applicant's narrative and exhibits A thru E of the Planned Unit Development (P-U-D) application shall be part of the zoning ordinance.
2. The proposed design of the commercial and office buildings and free standing signage within the development shall be architecturally consistent throughout and shall conform to the existing building architecture of the nearby New Holland Mill.
3. Any loading dock and dumpster pad areas shall be sufficiently screened from all public roads and all properties adjacent to the subject property. In addition, all above ground detention pond areas shall be screened or constructed in a manner as a landscaped feature.
4. The proposed development shall be buffered from the adjacent residentially zoned properties located south of the subject property off of East Main Street, and the adjacent New Haven Congregational Holiness Church property located to the north of the subject property. The buffer shall consist of an opaque fence or evergreen trees. The final installation, placement, maintenance and type of the buffer shall be subject to the Community Development Director approval.
5. There shall be no vehicular access from the development to the adjacent residential homes located off of East Main Street.
6. All access point design shall be approved by the Gainesville Public Works Department, in conjunction with the needs and requirements of the Hall County Traffic Engineer and the Georgia Department of Transportation (GDOT).

Applicant Presentation: **Mike McNicholas**, Carolina Holdings, Greenville, SC, stated that they represented Pacolet Milliken Enterprises, noting that Milliken has been in Gainesville for over 100 years. He stated that they completed a due diligence study and comprehensive plan which resulted in the application before the Board, and what will transpire over the next several years as the property is developed. Mr. McNicholas made the following comments during his presentation:

- They plan to begin construction of a major national retailer anchor in September and open with associated shops, other retail, and restaurants in February 2014.
- The initial investment in the first phase of development is approximately 30 million dollars and will employ 140 people.
- The style and design of the development will have architectural features throughout that are comparable with elements at the New Holland plant. The overall design will continue with signage and landscaping.
- Pictures of existing Carolina Holding developments were shown as examples for possible retail, garden apartments and professional offices which could come into the development; however, the market will drive the composition of the development.
- Reviewed the unified sign package, including the prospect of working with the City to install a gateway icon sign and landscaping at the intersection of White Sulphur Road and Jesse Jewell Parkway.
- Reviewed the landscape plan for the gateway corridor.
- They held a meeting at the Frances Meadows Center to present their plans to the neighbors and had 9 people attend the meeting (8 from East Main Street, 1 from adjoining OB-GYN), all of which appeared to be satisfied with the plans as presented.
- They had no concerns with the conditions as presented by staff.

Attorney Emily Bagwell, 9018 Bill Savage Road, Lula, stated that they would like to make one minor clarification to Condition #1. Since all plans are conceptual and some of the shapes and configurations may change, they are requesting the following language be added to the end of Condition #1: ***and development shall be generally consistent with the narrative and exhibits.*** Staff was agreeable to this addition.

FAVOR: None

OPPOSED: None

Planning and Appeals Board Comments: Chairman Dadisman, Vice-Chairman Johnson and Board Member Stanley all expressed their excitement for the development of this property which is needed in this area of the City.

There was a motion to recommend conditional approval of the request to annex the subject property and establish zoning as Planned Unit Development, with conditions (P-U-D-c) for a commercial / office / multi-family development, with the following conditions:

Conditions

- 1. The Applicant's narrative and exhibits A thru E of the Planned Unit Development (P-U-D) application shall be part of the zoning ordinance, and development shall be generally consistent with the narrative and exhibits.**
- 2. The proposed design of the commercial and office buildings and free standing signage within the development shall be architecturally consistent throughout and shall conform to the existing building architecture of the nearby New Holland Mill.**
- 3. Any loading dock and dumpster pad areas shall be sufficiently screened from all public roads and all properties adjacent to the subject property. In addition, all above ground detention pond areas shall be screened or constructed in a manner as a landscaped feature.**
- 4. The proposed development shall be buffered from the adjacent residentially zoned properties located south of the subject property off of East Main Street, and the adjacent New Haven Congregational Holiness Church property located to the north of the subject property. The buffer shall consist of an opaque fence or evergreen trees. The final installation, placement, maintenance and type of the buffer shall be subject to the Community Development Director approval.**
- 5. There shall be no vehicular access from the development to the adjacent residential homes located off of East Main Street.**
- 6. All access point design shall be approved by the Gainesville Public Works Department, in conjunction with the needs and requirements of the Hall County Traffic Engineer and the Georgia Department of Transportation (GDOT).**

Motion made by Vice-Chairman Johnson
Motion seconded by Board Member Snyder
Vote – 6 favor, 1 absent (Fleming)

ADJOURNMENT

There was a motion to adjourn the meeting at 6:05 PM.

Motion made by Board Member Snyder
Motion seconded by Vice-Chairman Johnson
Vote – 6 favor, 1 absent (Fleming)

Respectfully submitted,

Dean Dadisman, Chairman

Judy Foster, Recording Secretary