

**GAINESVILLE PLANNING AND APPEALS BOARD  
MINUTES OF MEETING  
OCTOBER 9, 2012**

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

**Members Present:** Chairman Dean Dadisman, Vice Chairman Doyle Johnson and Board Members Jane Fleming, Connie Rucker. George Hokayem and John Snyder

**Members Absent:** Board Member Dexter Stanley

**Staff Present:** Community Development Director Rusty Ligon, Planning Manager Matt Tate and Recording Secretary Judy Foster

**Others Present:** Council Member George Wangemann, Public Utilities Engineer Nick Swafford and Public Works Engineer Stan Aiken

**MINUTES OF SEPTEMBER 11, 2012**

**There was a motion to approve the Minutes as presented.**

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

**NEW BUSINESS**

**NOTE:** *Board Member Hokayem recused himself from the public hearing for this request.*

**A. Annexation Request**

- 1) Request from **Grelove, LLC** to annex a 2.36± acres tract located at the southeast side of the intersection of Athens Highway and Old County Dump Road, across from its intersection with Athens Street (a/k/a **1800 Athens Highway**) and to establish zoning as General Business (G-B).

Ward Number: Three  
Tax Parcel Number(s): 15-032-000-035  
Request: Retail and restaurant use

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

The applicant is proposing to annex the subject property and establish a zoning of General Business (G-B) for a Family Dollar retail store and a future restaurant use. Sewer and water utilities are to be utilized and access is proposed from both Athens Highway as well as Old County Dump Road (private road). The subject property is 2.36± acres in size and is zoned Highway Business (H-B) within unincorporated Hall County and is located within the Gateway Corridor Overlay Zone. The property is adjacent to the city limits to the north along Athens Highway (US 129) and contains a 5,600± square foot industrial building to be demolished, which is the current site of the Andy Strange Grading and Site Development Corporation. The adjacent uses include the Flores Diesel Service, Gainesville Waste and Recycling landfill, Kenworth Truck

Sales/Service, Capital Material Drywall, an auto salvage yard and the Chevron gas station.

The Georgia Department of Transportation (GDOT) states that access to the property shall be in accordance with GDOT requirements. Any work within state R/W will require a permit from GDOT.

The Gainesville Public Utilities Department states there are nearby water mains that can serve the site; however, the closest sewer main that can serve the site is approximately 1,375 linear feet east of the property at Wilson Drive. A developer-constructed offsite sanitary sewer main extension would be required and connection to the existing water and sewer mains will be allowed for up to one year from the date of approval. The developer is requesting the City participate in the cost of the sanitary sewer extension in exchange for annexation.

The updated Gainesville 2030 Future Development Map for the City of Gainesville places the subject property within the *Industrial* land use category, which generally includes a wide range of office, business, light industrial, manufacturing, research, and development uses; and commercial uses that directly support or are otherwise linked to the dominant business use.

According to the Character Area map for the City of Gainesville, the subject property is located within the Economic Development Gateways character area which includes commercial, industrial, mixed-use, residential (existing uses only), public / institutional, transportation / communications / utilities, and parks / recreation / conservation uses.

Therefore, the Planning Division staff is recommending approval of this annexation request with General Business (G-B) zoning, based on the Comprehensive Land Use Plan and the surrounding nonresidential land uses, with the following two conditions:

**Conditions**

- 1. Any new road improvements required by the Gainesville Public Works Director and Georgia Department of Transportation (GDOT) for the development of this property shall be the financial responsibility of the applicant/developer.**
- 2. An updated as-built boundary survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.**

**Applicant Presentation:** **Ab Hayes**, 200 E. E. Butler Parkway, stated he was representing Mr. John Lovell, owner of Grelove, LLC, who could not be present as he was out of town on business. He stated that the applicant is in agreement with the two conditions as proposed by staff. Mr. Hayes stated that Council Member Myrtle Figueras spoke with the applicant and noted that she was in favor of this request as it is in her district and will bring retail to that area with a Family Dollar store, a restaurant and possibly another business.

**FAVOR:** None

**OPPOSED:** None

**Planning and Appeals Board Comments:** None

**There was a motion to recommend conditional approval of the request to annex the subject property and establish zoning as General Business, with conditions (G-B-c) with the following conditions:**

**Conditions**

- 1. Any new road improvements required by the Gainesville Public Works Director and Georgia Department of Transportation (GDOT) for the development of this property shall be the financial responsibility of the applicant/developer.**
- 2. An updated as-built boundary survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.**

Motion made by Vice Chairman Johnson  
Motion seconded by Board Member Fleming  
**Vote – 5 favor, 2 absent (Stanley, Hokayem)**

**NOTE: Board Member Hokayem returned to the public hearing.**

**B. Road Action Request**

- 1) Request from the **Harold R. Westbrook** to abandon a 0.115± acre unopened cul-de-sac portion of Longstreet Circle south of its intersection with Longstreet Trail having a zoning classification of Residential-I (R-I).  
Ward Number: Two  
Request: Abandonment of right-of-way

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

The applicant is proposing to abandon a 0.115± acre (5,027 square foot) portion of Longstreet Circle right-of-way. Specifically, the subject area includes the entire cul-de-sac that is currently unopened and undeveloped of which the applicant has maintained a portion of the right-of-way for years and desires to take ownership of it to better maintain it. The subject right-of-way is unimproved except for an 8-inch sanitary sewer main and a segment of the applicant's concrete driveway. The right-of-way and surrounding properties are zoned Residential-I (R-I) which include the applicant's single-family residence, a rental home, as well as property owned by the Gainesville City School System (Bobby Gruhn Field).

According to the applicant's documentation the Gainesville City School System has no interest in obtaining a portion of the abandoned right-of-way. As well, there has been no objection to the request from the owner of the adjacent rental home at this time.

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

**Condition**

**The existing 8-inch sanitary sewer main located within the portion of right-of-way to be abandoned shall be maintained. A 30-foot wide perpetual sanitary sewer easement for the operation of maintenance of the existing main shall be recorded**

**by plat and referenced to within the deed provided by the applicant or property owner.**

**Applicant Presentation:** **Harold R. Westbrook**, 876 Longstreet Circle, stated that he has lived in the neighborhood nearly all his life. Mr. Westbrook shared some history of the unopened cul-de-sac, noting he bought two lots in 1989 and has maintained the unopened cul-de-sac ever since. He stated that they would like to make some improvements on the subject property while complying with the sanitary sewer easements.

**FAVOR:** None

**OPPOSED:** None

**Planning and Appeals Board Comments:** Upon inquiry by Board Member Snyder, Planning Manager Matt Tate confirmed that the City would maintain the active sewer line easement.

**There was a motion to recommend conditional approval of the request to abandon the 0.115± acre unopened cul-de-sac portion of Longstreet Circle right-of-way with the following condition:**

**Condition**

**The existing 8-inch sanitary sewer main located within the portion of right-of-way to be abandoned shall be maintained. A 30-foot wide perpetual sanitary sewer easement for the operation of maintenance of the existing main shall be recorded by plat and referenced to within the deed provided by the applicant or property owner.**

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

**ADJOURNMENT**

**There was a motion to adjourn the meeting at 5:50 PM.**

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

Respectfully submitted,

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Dean Dadisman, Chairman

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Judy Foster, Recording Secretary