

**GAINESVILLE PLANNING AND APPEALS BOARD  
MINUTES OF MEETING  
JULY 9, 2013**

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

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

**Members Absent:** None

**Staff Present:** Planning Manager Matt Tate and Recording Secretary Judy Foster

**Others Present:** Council Members George Wangemann and Myrtle Figueras, and Public Utilities Engineer Nick Swafford

**MINUTES OF JUNE 11, 2013**

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

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

**NEW BUSINESS**

***NOTE:** Vice-Chairman Johnson arrived for the meeting at 5:33 PM. Also, Board Member Snyder recused himself from the meeting during the OK Lake Lanier, LLLP request since he lives in the Cresswind subdivision.*

**A. Annexation Requests**

- 1) Request from **OK Lake Lanier, LLLP** to annex a 76.05± acres tract located on the southwest and southeast corner of the intersection of Browns Bridge Road and Montgomery Drive (a/k/a **3121 Browns Bridge Road and 3110 Montgomery Drive**) and to establish zoning as Planned Unit Development (P-U-D).

Ward Number: Four  
Tax Parcel Number(s): 08-021-002-007 and 008  
Request: Single-family residential subdivision

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

The applicant is proposing to annex the subject 76.05 acres property with a zoning of PUD in order to expand the existing Cresswind at Lake Lanier Subdivision with an additional 151 lots which would increase the total number of lots from 799 to 950. The subject property is currently zoned Agricultural Residential-III (AR-III) and Residential-I (R-I) within unincorporated Hall County and is adjacent to the city limits along its northerly and westerly boundary lines which is the location of the Cresswind at Lake Lanier subdivision. The property is mostly undeveloped with the exception of a vacant single-family home and contains heavily wooded, sloping terrain with two streams.

The development is an active adult, age restricted community for ages 55 and up. The proposed homes are to be of the same architectural style and similar size as what is

currently being constructed within the northern pods. No homes are proposed to be developed on the small tract of land located on the east side of Montgomery Drive. As well, a minimum of 10 acres of the subject property will contain passive open space and possibly an amenity area such as a pool or cabana as determined by the developer and Homeowners Association. Access to the property is to be provided from Montgomery Drive as well as from a future tunnel under Browns Bridge Road which will connect both the northern and southern pods. Roads are to be private and built to City standards. According to the Public Utilities Department there is sufficient water and sewer to serve the development pending the construction of an off-site sanitary sewer extension.

The Future Development Map for the City of Gainesville places the subject property within the *Low-Medium Density Residential* land use category, 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 development proposes a density of 2.02 du/ac. According to the Character Area map for the City of Gainesville, the subject property is located within the *Suburban Residential* Character Area which allows for low-density residential, medium-density residential, multifamily residential, public / institutional, commercial, and parks / recreation / conservation, mixed-use. As well, the housing choices should continue to be diversified to support a range of household incomes, sizes, types, but consist mostly of traditional single family detached lots.

It is staff's opinion that the proposed annexation request is consistent with the Comprehensive Plan and in harmony with the original vision of the Cresswind at Lake Lanier master planned community. As well, the proposed homes and subdivision design are in character and scale with the existing development.

The Planning Division staff is recommending **conditional approval** of this annexation request with Planned Unit Development (P-U-D) zoning, based on the Comprehensive Land Use Plan and the adjacent residential uses. The proposed 12 zoning conditions are intended to be the same as those placed on the parent tract with the exception of a few modifications to conditions 4, 6 and 8.

### **Conditions**

- 1. The applicant's revised narrative, revised concept plan, revised survey, revised Architectural/Sign renderings, trail plan, landscape plan, and traffic impact study listing the detailed design standards and infrastructure improvements, subject to Georgia Department of Transportation (GDOT) approval or alternative requirements, shall be made a part of the zoning ordinance and listed as Exhibits "A" through "G".**
- 2. An emergency access plan shall be prepared by the owner/developer for the proposed development addressing the location and accessibility of limited access points along Browns Bridge Road for public safety vehicles. The plan must be approved by the Georgia Department of Transportation (GDOT), Gainesville Public Works Department, and the City of Gainesville Fire and Police Departments.**
- 3. The developer shall have the option of providing access to the property located on the south side of State Route 369 with either a bridge or tunnel connecting the north side of the highway, or as an at-grade intersection with the highway. The developer selected option shall be subject to the final approval of location and design by joint agreement of the Georgia Department of Transportation (GDOT) and the City of Gainesville Public Works Director. If an at-grade intersection is proposed, the owner/developer shall perform a new Traffic Impact Study and install a traffic signal if warranted by GDOT.**

4. **Prior to a development permit being issued for the subject property, the applicant/developer shall be required to perform an updated Traffic Impact Study for the project. The applicant shall coordinate with the Gainesville Traffic Engineer to determine the scope of the intersections that need to be studied. Any road or signalization improvements required by either the Georgia Department of Transportation (GDOT) and/or the City of Gainesville Public Works Department shall be the financial responsibility of the owner/developer.**
5. **The owner/developer shall work with the Planning Department to ensure that the aesthetics of the proposed overpass bridges, tunnel or at-grade intersection with State Route 369 are architecturally compatible with the proposed development.**
6. **The subject property shall have a minimum perimeter buffer area of 35 feet on its overall boundary lines to include those residential lots along Montgomery Drive. The minimum perimeter buffer area may be reduced administratively to 25-feet if the property boundary is bermed and replanted or an opaque fence or wall is erected, subject to Planning Department approval. Along Browns Bridge Road, a wall or berm shall be erected/planted between any houses/lots which adjoin Browns Bridge Road and its right-of-way. Internal to the property, a minimum 25-foot buffer is required along Ivy and Mill Roads. In addition, a 50-foot perimeter buffer shall be maintained along the boundaries of the subject property abutting and adjacent to Lake Lanier and Élan Holdings, Inc., located on the east side of the property, north of Browns Bridge Road and where pod F adjoins properties on Mill Lane, except where adjacent to the community amenity. This area is non single family in nature and does not warrant single family type buffering.**

**To the extent the buffer is disturbed by construction, these areas shall be replanted to the buffer standards as illustrated by the applicant's schematic Landscape Plan, (Exhibit "E") subject to Planning Department approval.**

**The revised Concept Plan, (Exhibit "B") shall supersede the Landscape Plan, (Exhibit "E") in determining the buffer areas. The Landscape Plan shall only represent the typical landscaping/buffer materials used within the development.**

7. **The owner/developer shall disclose the existence of industrial activities from Elan Holdings, Inc. as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices by Elan Holdings, Inc. which may take place on nearby property. Therefore, owner, occupants and users of the property should be prepared to expect the effects of such practices."**
8. **A reduced house size of 1,250 square feet of heated floor space may be constructed on 237 lots within the development. These 237 lots may be located on any lot with the development with the exception of the lots fronting directly on Ivey Road. All remaining lots shall have a minimum heated floor space of 1,500 square feet.**
9. **The clubhouse may be built in phases and shall consist of a minimum of 25,000 square feet of heated interior space at build-out.**

- 10. The 25,000 square foot clubhouse must be completed prior to the issuance of a land development permit for Phase III, the southern component of the development.**
- 11. The existing partially completed bridge on Ivey Road must be completed prior component of the development. Specifically, the developer shall have 60 days from the zoning approval date to begin landscaping on both sides of the existing partially completed bridge.**
- 12. The landscaping and buffers shall be maintained to the satisfaction of staff. Specifically, the grassed areas located along both sides of Ivey Road and Mill Road to the road edge and adjacent to the development shall be consistent with the buffer schematic plan approved with the original development. The buffer areas for the phase in which the buffer is located must be completed prior to the issuance of a Certificate of Occupancy for a single-family structure.**

**Applicant Presentation: Kedrick Scott**, with Rochester & Associates, stated that they represented the applicant for this request. Mr. Scott stated that they are asking for a continuation of the development they started, noting the overall development would be just under 470 acres including this request. He stated that although they are adding 150 lots, the density is going down to slightly over 2 units per acre. They plan to continue the same level of quality which is currently displayed with landscaping, construction of homes and the quality of work. Mr. Scott stated that they have reviewed the staff report and are in agreement with all conditions except #4. They are requesting to amend that condition to delay the completion of the traffic impact study until prior to the first certificate of occupancy to be issued for this expansion, reason being to wait until school is back in session in order to get accurate traffic flow counts. He stated that they have been working with GDOT on the bridge construction and the same traffic engineer who performed the last traffic impact study would complete this study which would basically be an addition. He stated that they are proud of the development which has won numerous awards, and most recently was named as the best 50+ housing community in Greater Atlanta.

**FAVOR:**

**Bert Emma**, 3224 Black Gum Lane in Cresswind, stated that he is very much in favor of the project but was concerned about the amenities for the expansion. He referred to page 2 of the staff report, quoting "a minimum of 10 acres of the subject property will contain passive open space and possibly an amenity area such as a pool or cabana as determined by the developer and Homeowners Association." He stated that the developer has made it very clear that the expense of any amenities in this area would be at the expense of the homeowners and he felt this should be clarified in the report. Mr. Emma suggested that since the amenities would be so expensive that a condition should be added that the amenities for this expansion would be completed at the developer's expense instead of the homeowners. He stated that the amenities were a major issue which needed to be resolved.

**OPPOSED:**

**Ken Stanford**, 3223 Montgomery Drive, stated that they are not really opposed to the development, but are concerned about the traffic on Montgomery Drive. He stated that Montgomery Drive is not a typical residential street, but a shortcut between Browns Bridge Road and McEver Road which has a constant flow of traffic. Mr. Stanford stated

he was glad that they want to wait until school is back in session to continue the traffic study, but noted that rush hour is also a heavily traveled time. He stated that his basic concern is that the plans for a gated entrance on Montgomery Drive be denied because of the nature of the street. He stated that he would also like to see an undisturbed buffer along Montgomery Drive of at least 35-feet.

**REBUTTAL:**

**Kendrick Scott** stated he would address traffic concerns and his client, Bob Rademacher could discuss the amenities. Mr. Scott stated that the safety of their residents is a big concern for the developer, noting they have gone to great extents to interconnect the development around local roads such as Ivey Road and the proposed tunnel under Browns Bridge Road. The developer has spent a lot of money and gone to great lengths to make amenities accessible to the residents without getting on public roadways. He reiterated that the traffic impact study was in the works and they will work with the City to implement the findings of that study. Mr. Scott stated that as far as the concern for buffers along Montgomery Drive, anyone who travels down Browns Bridge Road can see the level of detail with landscaping and berms along the road which will continue with the proposed expansion along Montgomery Drive.

**Bob Rademacher**, 6835 Bucks Road, Cumming, stated that he represents OK Lake Lanier and Kolter Homes. He stated that the residents along Ivey Road were also concerned about buffers along the road, but have been pleasantly surprised by the level of quality with the fencing and landscaping which was installed and have worked with them through any challenges they faced, noting they want a first class development. Mr. Rademacher stated that whatever the traffic study says is the safest way for getting in and out of the back entrance would be exactly what they are committed to do. He stated that by having the study delayed, it would make it more accurate and if it is determined that turn lanes are required, they are committed to implementing those as well. He stated that the inclusion of this parcel is a great safety factor to the overall planning of the development because in emergency situations, half of the traffic can use the back entrance and the other half can use the main entrance, noting it can also help with turning left onto Browns Bridge Road from the main entrance. With regard to amenities, Mr. Rademacher stated that they have over 9 million dollars worth of amenities. The industry standard in a similar resort clubhouse is 22 sq. ft. per rooftop and they currently have 49 sq. ft. per rooftop which is over double the industry standard. Even with the additional 151 homes, they will still be at 38 sq. ft. per rooftop which is still close to double the industry standard. He stated that with the current dues, they will raise \$384,000 per year for residents allowing them the freedom to use those funds for amenities in the future, noting it is not known at this time what their needs may be 6 or 8 years down the road and what amenities they may want.

**Planning and Appeals Board Comments:** Upon inquiry by Board Member Fleming, Chairman Dadisman stated that the Board has the authority to recommend changes to any of the conditions.

Vice-Chairman Johnson asked for clarification about the gated entrance on Montgomery Drive as was Mr. Stanford's concern. Planning Manager Matt Tate clarified that the existing Cresswind development does not have access onto Montgomery Drive. However, with this request, they have proposed a back entrance on Montgomery Drive. Mr. Tate stated that Mr. Stanford's concern was the additional traffic load on Montgomery Drive since it is used as a cut through from Browns Bridge Road over to McEver Road and Free Chapel. In regards to traffic loads, he stated that in the previous

traffic study it was noted that age restricted developments are usually 55% lower than a traditional neighborhood. He stated that residents would still have access through the proposed tunnel under Browns Bridge Road. However, the Montgomery Drive entrance would most likely be a point of primary access for residents on the south side of Browns Bridge Road.

Upon inquiry by Board Member Fleming, Mr. Tate stated that Browns Bridge Road would be elevated and a bridge constructed in order for the traffic to go under the road from Phase II to Phase III of the development. He noted that the tunnel and the Montgomery Drive entrance would be used as a secondary access as well as for emergency purposes.

Regarding the delay of the traffic impact study, Mr. Tate cautioned the Board that staff needs time to review the study and address any issues while still in the development stage, not after homes are being constructed. There was some discussion regarding the timing of the completion of the traffic impact study and whether there could be a compromise. Mr. Tate stated that a time specific date could be included in the condition.

Vice-Chairman Johnson stated that he was still concerned about traffic on Montgomery Drive for residents who are not a part of the Cresswind subdivision. Mr. Tate stated that the proposed entrance on Montgomery Drive would be considered in the traffic impact study amendment. He believed that a secondary entrance is critical and the previous traffic impact study did address the need for improvements on Montgomery Drive and Browns Bridge Road even before an entrance on Montgomery Drive was proposed, noting a traffic signal at that intersection was also recommended previously.

Bob Rademacher stated that they have sold 88 houses this year in Cresswind and if they continue at the same pace, they will not have lots for sale or any inventory in 6 to 8 months if they don't get Phase III under construction. He stated that they commit to doing whatever the traffic impact study dictates. He stated that the City could require them to comply with the traffic impact study before a certificate of occupancy is issued and they will have every reason to comply in order to close the homes and make money.

Mr. Tate stated that this request would not have final approval from City Council until August 20<sup>th</sup> anyway which is after school starts back. He stated that there should be sufficient time to complete the study and not delay the development.

**There was a motion to recommend approval of the request to annex 3121 Browns Bridge Road and 3110 Montgomery Drive and to establish zoning as Planned Unit Development, with conditions (P-U-D-c) with the following conditions:**

**Conditions**

- 1. The applicant's revised narrative, revised concept plan, revised survey, revised Architectural/Sign renderings, trail plan, landscape plan, and traffic impact study listing the detailed design standards and infrastructure improvements, subject to Georgia Department of Transportation (GDOT) approval or alternative requirements, shall be made a part of the zoning ordinance and listed as Exhibits "A" through "G".**

- 2. An emergency access plan shall be prepared by the owner/developer for the proposed development addressing the location and accessibility of limited access points along Browns Bridge Road for public safety vehicles. The plan must be approved by the Georgia Department of Transportation (GDOT), Gainesville Public Works Department, and the City of Gainesville Fire and Police Departments.**
- 3. The developer shall have the option of providing access to the property located on the south side of State Route 369 with either a bridge or tunnel connecting the north side of the highway, or as an at-grade intersection with the highway. The developer selected option shall be subject to the final approval of location and design by joint agreement of the Georgia Department of Transportation (GDOT) and the City of Gainesville Public Works Director. If an at-grade intersection is proposed, the owner/developer shall perform a new Traffic Impact Study and install a traffic signal if warranted by GDOT.**
- 4. Prior to a development permit being issued for the subject property, the applicant/developer shall be required to perform an updated Traffic Impact Study for the project. The applicant shall coordinate with the Gainesville Traffic Engineer to determine the scope of the intersections that need to be studied. Any road or signalization improvements required by either the Georgia Department of Transportation (GDOT) and/or the City of Gainesville Public Works Department shall be the financial responsibility of the owner/developer.**
- 5. The owner/developer shall work with the Planning Department to ensure that the aesthetics of the proposed overpass bridges, tunnel or at-grade intersection with State Route 369 are architecturally compatible with the proposed development.**
- 6. The subject property shall have a minimum perimeter buffer area of 35 feet on its overall boundary lines to include those residential lots along Montgomery Drive. The minimum perimeter buffer area may be reduced administratively to 25-feet if the property boundary is bermed and replanted or an opaque fence or wall is erected, subject to Planning Department approval. Along Browns Bridge Road, a wall or berm shall be erected/planted between any houses/lots which adjoin Browns Bridge Road and its right-of-way. Internal to the property, a minimum 25-foot buffer is required along Ivy and Mill Roads. In addition, a 50-foot perimeter buffer shall be maintained along the boundaries of the subject property abutting and adjacent to Lake Lanier and Élan Holdings, Inc., located on the east side of the property, north of Browns Bridge Road and where pod F adjoins properties on Mill Lane, except where adjacent to the community amenity. This area is non single family in nature and does not warrant single family type buffering.**

**To the extent the buffer is disturbed by construction, these areas shall be replanted to the buffer standards as illustrated by the applicant's schematic Landscape Plan, (Exhibit "E") subject to Planning Department approval.**

**The revised Concept Plan, (Exhibit "B") shall supersede the Landscape Plan, (Exhibit "E") in determining the buffer areas. The Landscape Plan**

shall only represent the typical landscaping/buffer materials used within the development.

7. The owner/developer shall disclose the existence of industrial activities from Elan Holdings, Inc. as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices by Elan Holdings, Inc. which may take place on nearby property. Therefore, owner, occupants and users of the property should be prepared to expect the effects of such practices."
8. A reduced house size of 1,250 square feet of heated floor space may be constructed on 237 lots within the development. These 237 lots may be located on any lot with the development with the exception of the lots fronting directly on Ivey Road. All remaining lots shall have a minimum heated floor space of 1,500 square feet.
9. The clubhouse may be built in phases and shall consist of a minimum of 25,000 square feet of heated interior space at build-out.
10. The 25,000 square foot clubhouse must be completed prior to the issuance of a land development permit for Phase III, the southern component of the development.
11. The existing partially completed bridge on Ivey Road must be completed prior to the issuance of a land development permit for Phase III, the southern component of the development. Specifically, the developer shall have 60 days from the zoning approval date to begin landscaping on both sides of the existing partially completed bridge.
12. The landscaping and buffers shall be maintained to the satisfaction of staff. Specifically, the grassed areas located along both sides of Ivey Road and Mill Road to the road edge and adjacent to the development shall be consistent with the buffer schematic plan approved with the original development. The buffer areas for the phase in which the buffer is located must be completed prior to the issuance of a Certificate of Occupancy for a single-family structure.

Motion made by Board Member Fleming

Motion seconded by Board Member Hokayem

**Vote – 5 favor, 1 abstained (Johnson), 1 recusal (Snyder)**

**NOTE:** Board Member Snyder returned to the meeting at 6:13 PM.

- 2) Request from **Robert Dimo** to annex a 0.246± acre tract located northeast of the intersection of Browns Bridge Road and West End Avenue (a/k/a **489 and 507 West End Avenue, NW**) and to establish zoning as General Business (G-B).  
Ward Number: Five  
Tax Parcel Number(s): 00-124-002-001 (part) and 002 (part)  
Request: Retail jewelry store

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

The applicant is proposing to annex the subject property for a two-story jewelry store. The subject property is currently zoned Highway Business (H-B) within Hall County and

is part of an unincorporated county island. Property was recently cleared of vegetation and is located along West End Avenue directly across from the Zaxby's restaurant. The applicant intends to combine the property with the adjacent jewelry store property which will be demolished in order to construct a new two-story (90' x 80' footprint) building. When combined, the property will be within the Gateway Corridor Overlay Zone and will be subject to meeting the overlay standards.

Access to the property will remain from Browns Bridge Road and West End Avenue by utilizing the two existing driveways. The proposed jewelry store will utilize both city water and sanitary sewer services. The City of Gainesville Public Utilities Department states the city currently serves the subject property with potable water and sanitary sewer services.

The Gainesville Future Development Map for the City of Gainesville places the subject property within the *Commercial* land use category, which generally includes areas containing or planned for focused retail or commercial service activities such as grocery stores, banks, restaurants, theaters, hotels, and automotive-related businesses. Commercial uses may be located as a single use in one building or grouped together in a shopping center. According to the Character Area map for the City of Gainesville, the subject property is located within the *West Side* character area which allows for medium-density residential, multifamily residential, mixed-use, commercial, public / institutional, and parks / recreation / conservation.

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 use.

**Applicant Presentation:** **Ed Myers**, 752 Chattahoochee Place, stated that he represented the applicant and this request is simply a formality to combine the properties in order to have a larger building and better parking. He stated that this request was a backup plan in case the island annexations did not go through.

**FAVOR: None**

**OPPOSED: None**

**Planning and Appeals Board Comments: None**

**There was a motion to recommend approval of the request to annex 489 and 507 West End Avenue and to establish zoning as General Business (G-B).**

Motion made by Vice-Chairman Johnson  
Motion seconded by Board Member Stanley  
**Vote – 7 favor**

**NOTE:** *Board Member Fleming recused herself from the meeting at 6:18 PM and did not return to the meeting.*

## **B. Zoning Amendment Request**

- 1) Request from **Curtis McGill** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.422± acres tract located south of the intersection of Enota Avenue and

Yonah Avenue, and across from the intersection of Enota Avenue and Walker Street (a/k/a **1006 and 1012 Enota Avenue NE** and **1271, 1285 and 1299 Yonah Avenue NE**).

Ward Number: Two

Tax Parcel Number(s): 01-075-001-021, 021A, 022, 023 and 024

Request: Assisted living facility

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

The applicant is proposing to amend the subject 3.422± acres property which is zoned Planned Unit Development with conditions (P-U-D-c) for the purpose of developing a 54-suite assisted living facility for independent, assisted and memory care living. During January of 2006, the subject property was conditionally rezoned from (R-I) and (R-II) to (P-U-D) for 29 residential townhomes. Later in September of 2008, a request to amend the P-U-D zoning for 40 multi-family apartments and 13-single-family lots was tabled and later withdrawn. The property has remained undeveloped for six years.

The proposed two-story facility is to be approximately 32,000 square feet in size and orientated towards Enota Avenue, with driveway access from both Enota Avenue and Yonah Avenue. The applicant states the architectural style will be Greek Revival and very upscale. The property is to be gated including a wrought iron fence bordering Yonah Avenue and Enota Avenue. Signage is to include a stone type monument sign at each entrance along Enota Avenue and Yonah Avenue.

The Future Development Map for the City of Gainesville places the subject property within the *Medium-High Density Residential* land use category and includes areas containing or planned for single-family attached or multifamily housing at densities ranging from four to twelve dwelling units per acre. Limited light office uses such as a home occupation or other similar light office uses are acceptable as well. According to the Character Area map for the City of Gainesville, the subject property is located within the *Traditional Neighborhoods* Character Area specifically within the *Northern Neighborhoods subarea* which allows for low-density and medium-density residential, mixed-use / commercial, public / institutional, and parks / recreation / conservation. The vision for this area anticipates minimal change and primary issues include incompatible infill development and the threat of encroaching urban sprawl. Commercial encroachment should be minimized and should respect and mirror the scale of the surrounding neighborhoods, while the purity of the landscape and quality of housing should be preserved. The area is not a primary destination for business; however neighborhood serving business development is encouraged.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request, based on the Comprehensive Land Use Plan and the adjacent residential and non-residential uses with the following 6 conditions:

**Conditions**

- 1. The proposed development shall meet the development standards as stated within the applicant's narrative with the exception that the exterior building materials shall include a mixture of brick, rock, stone or other cementitious siding materials subject to Community Development Department approval.**
- 2. All vegetative and structural buffers as proposed along the perimeter of the subject property for the proposed development are subject to Community Development Department approval.**

3. **A minimum 4-foot wide sidewalk shall be provided along the south side of the right-of-way of Enota Avenue and Yonah Avenue in order to provide pedestrian access from the property to the nearby Riverside Park.**
4. **Access point design and sidewalk location and design along Enota Avenue and Yonah Avenue must be reviewed and approved by the Gainesville Public Works Department. All road and sidewalk improvements associated with access to the subject property shall be at the full expense of the developer.**
5. **The two proposed monument signs shall be limited to a height of six (6) feet in height and thirty-two (32) square feet in size with indirect lighting.**
6. **An updated as-built boundary survey/plat of the subject property shall be recorded for the proposed use prior to obtaining a Certificate of Occupancy.**

**Applicant Presentation: Curtis McGill**, 2461 Temple Johnson Road, Snellville, stated that he was the owner of Ashton Senior Living in Lawrenceville and wants to build a similar assisted living facility at the corner of Enota and Yonah Avenue. He described the surrounding property uses and felt that an assisted living facility would be a great transition development for the neighborhood. Mr. McGill stated that they are proposing a very upscale facility and the only traffic impact will be from staff and family members visiting. He showed pictures to the Board of their existing facility in Lawrenceville which will be similar to the proposed building. He stated that the rooms will each be 400 sq. ft. and will be divided with a sitting room and bedroom. They will receive some light services and have a Memory Care Unit on the second floor in which there is a need for these type facilities. He stated there are new laws for assisted living facilities which require a minimum of 25 rooms and they must be constructed with non-combustible materials. He stated that they will have to cut 2-feet of clearance from the trees to fit in the sidewalks. He also commented on the circular driveway, how the cost to stay in the facility would be under market of other facilities in Gainesville, and they will be using doctors and nurses who specialize in the care of Alzheimer and dementia patients.

**FAVOR:**

**Steve Gilliam**, 1450 Heritage Road, stated that they had a meeting last night with 15 to 20 people from the neighborhood and passed a resolution in support of the development. He stated that he has been providing information to the neighborhood and has not received any negative comments about the project, noting it was a better use than how the property is currently zoned.

**Curt McGill**, 310 Peachtree Avenue, Atlanta, stated that he was the applicant's son and wanted to add that this is a family owned and operated business and they all have a part in the day to day operations, noting they do not subcontract out to another company. He stated that they have a good relationship with the residents, families and community in their Lawrenceville facility.

**Jean Cornett**, 1011 Enota Avenue, stated that she lives across the street from the development. She obtained clarification that the total square footage of the proposed building is 32,000 sq. ft. with 54 suites proposed. She stated that her main concern was traffic and suggested a traffic light be installed or a study be conducted regarding the traffic pattern, noting it is a dangerous intersection without this development.

**Ben Parker**, 4873 Destitute Way, stated that he owns adjacent property and has been impacted by the vacant property for 6 years and believed it would be an improvement to

the current condition. He suggested that an idea to help with Ms. Cornett's traffic concern would be to turn the drive up toward Yonah Avenue.

**OPPOSED: None**

**Planning and Appeals Board Comments: None**

**There was a motion to recommend approval of the request to amend the existing Planned Unit Development, with conditions (P-U-D-c) with conditions as follows:**

**Conditions**

- 1. The proposed development shall meet the development standards as stated within the applicant's narrative with the exception that the exterior building materials shall include a mixture of brick, rock, stone or other cementitious siding materials subject to Community Development Department approval.**
- 2. All vegetative and structural buffers as proposed along the perimeter of the subject property for the proposed development are subject to Community Development Department approval.**
- 3. A minimum 4-foot wide sidewalk shall be provided along the south side of the right-of-way of Enota Avenue and Yonah Avenue in order to provide pedestrian access from the property to the nearby Riverside Park.**
- 4. Access point design and sidewalk location and design along Enota Avenue and Yonah Avenue must be reviewed and approved by the Gainesville Public Works Department. All road and sidewalk improvements associated with access to the subject property shall be at the full expense of the developer.**
- 5. The two proposed monument signs shall be limited to a height of six (6) feet in height and thirty-two (32) square feet in size with indirect lighting.**
- 6. An updated as-built boundary survey/plat of the subject property shall be recorded for the proposed use prior to obtaining a Certificate of Occupancy.**

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

**C. Road Name Change Request**

- 1) Request from the **City of Gainesville** to rename a 1.3174± acres right-of-way known as Kids Way to Gabriel Drive.  
Ward Number: Two  
Request: Road name change

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

The City of Gainesville received a petition from the neighboring Windcliff Apartments community to request the City rename Kids Way to Gabriel Drive. The right-of-way area in question is approximately 1.31± acres in size (798 feet long) and it intersects the south side of Clarks Bridge Road, just east of Limestone Parkway.

In 2005, the owner of the adjacent Kids Quest childcare facility proposed to rename the subject right-of-way from Winn Dixie Drive to Kids Way which was approved. The daycare is no longer open for business and is the only property that contains a building with an address from Kids Way. There are three undeveloped properties with a Kids Way address as well. Other adjacent uses include the Windcliff Apartments and J&J Foods grocery center. At this time, the Community Development Department has received no objections to the proposed road name change.

The Planning Division staff is recommending **approval** of this request.

**FAVOR: None**

**OPPOSED: None**

**Planning and Appeals Board Comments: None**

**There was a motion to recommend approval of the request to rename the right-of-way known as Kids Way to Gabriel Drive.**

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

## **ADJOURNMENT**

**There was a motion to adjourn the meeting at 6:38 PM.**

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

Respectfully submitted,

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Dean Dadisman, Chairman

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Judy Foster, Recording Secretary