

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
OCTOBER 8, 2013**

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: None

MINUTES OF SEPTEMBER 10, 2013

There was a motion to approve the Minutes as presented.

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

NEW BUSINESS

A. Special Use Request

- 1) Request from **B & L Bowling Center, LLC** for a Special Use on an 2.442± acres parcel located on the southwest side of the intersection of Browns Bridge Road and Green Crest Drive (a/k/a **2317 Browns Bridge Road**), having a zoning classification of Light Industrial (L-I).
Ward Number: Five
Tax Parcel Number(s): 08-007-003-020
Request: Outdoor electric go-kart track

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

The applicant is requesting special use approval within the Light Industrial (L-I) zoning district for the addition of an electric go-kart track. The subject property is 2.442± acres in size and is located at the southwest side of the intersection of Browns Bridge Road and Green Crest Drive. The property is located within the Gateway Corridor Overlay Zone and contains the Gainesville Bowling Center which includes bowling, arcade and laser tag. The surrounding uses include a vocational school, various commercial and auto related uses and single-family homes.

The Gainesville Future Development Map for the City of Gainesville places the subject property within the *Commercial* land use category, and the Character Area map for the City of Gainesville places the property within the *Browns Bridge Corridor* Character Area which are both consistent with the request.

Specifically, the proposed location of the go-kart track addition is within an unused portion of the front parking lot area and is adjacent to and below the street elevation of Browns Bridge Road. All access driveways are to remain unchanged. The proposed track will include a building for patrons to access the go-karts as well as to secure them and additional lighting will be provided to light the track. Depending on the weather, the anticipated hours of operation are to be similar to the existing bowling center which are Monday, Tuesday and Thursday from 11 AM to 10 PM; Wednesday from 9 AM to 11 PM; Friday and Saturday from 11 AM to 1 AM; Sunday from 1 PM to 10 PM.

Therefore, based on the Comprehensive Land Use Plan and the adjacent non-residential uses, staff is recommending **approval** of this Special Use request with the following 5 conditions:

Conditions

- 1. The special use approval shall be limited to an electric go-kart track. A gas powered go-kart track is not an approved use for the property.**
- 2. All outdoor amplification devices are limited to what is installed on the individual go-kart. The sound emitted from the amplification device must not be heard from the adjacent properties.**
- 3. All proposed structures shall meet the Gateway Corridor Overlay Zone standards including exterior facade materials which shall include fifty (50) percent brick, stone, or split face block.**
- 4. The applicant/property owners shall be required to plant evergreen buffer trees within the existing grass frontage landscape strip located along Green Crest Drive as to provide for a buffer against the neighboring residential properties. The number, type, size and location of the trees must be approved by the Community Development Department Director.**
- 5. The operation of the electric go-kart track shall be limited to the hours of 9 AM to 11 PM.**

The hours proposed in condition 5 meet the requirements of the City's Noise Ordinance.

Applicant Presentation: Debbie Love, 2317 Browns Bridge Road, part owner of the Gainesville Bowling Center, stated that it is a family owned business which is interested in providing safe, family fun entertainment and at the top of their customer's wish list is go-karts. She stated that they recently attended a 3-day seminar in Chattanooga, TN at the Thundervolt Speedway, where the cars are from, and got to drive them and hear the volume of the cars and speakers. She stated that the purpose of speakers in the cars is to enhance the driver's entertainment experience since the motorized sound of the go-kart is not the same with an electric go-kart as with a gas powered go-kart. She stated that she could not hear the speakers as the go-karts passed by while she was watching. Since the go-karts are electric and not gas powered, there are no environmental implications. She noted that the go-carts can be adjusted for speed if needed, depending on the age of the driver. Also, they provide a DUI Experience for high school students to participate in by using specialized goggles. She stated that the maximum output of noise on the electric go-karts is less than 50 decibels. In comparison, a subdivision at night averages 40 decibels; a car traveling at 45 mph (which is the speed limit on Browns Bridge Road in front of the bowling center) averages 70-80 decibels; and a weed eater averages 90 decibels. Mrs. Love stated that the minimal amount of

noise emitting from the electric go-karts would be drowned out by the normal existing noise from the area. She stated that all lighting will have shading to go down on the area like in the parking lot, and noted that the proposed location would not make lighting an issue for any residences as they are located farther down Green Crest Drive.

FAVOR: None

OPPOSED: **Sydney Wofford**, 2008 Dixie Drive, stated that she has owned her house for 68 years and noted the following concerns: 1) There are a lot of dogs in the neighborhood and she was concerned that the noise emitting from the go-karts would cause them to bark/howl; 2) Traffic and safety concerns on Green Crest Drive; 3) There is constant police coverage in the area because of problems like graffiti, throwing rocks at houses and egging cars. She felt the increased traffic from the go-kart course would make this matter worse; and 4) The size of the lot is not adequate for a go-kart track and does not meet the minimum standards. Ms. Wofford asked the Board not to allow something in their small neighborhood which would make it unlivable. She stated that she understands the property is zoned for commercial, but felt a go-kart track was not a light industrial use. She demanded answers to her questions.

Helen Shockley, who lives at the end of Green Crest Drive, stated that on Thursday, Friday and Saturday nights, you can't get down the road because of people parked on both sides of the road where families are having cookouts. She stated that she lives on the corner of Green Crest Drive and Dixie Drive and people go through her yard making the turn and she is afraid someone is going to plow through her house. She asked the Board not to add more traffic to their neighborhood.

Planning and Appeals Board Comments: Chairman Dadisman asked Debbie Love if she would like to address some of the concerns. Mrs. Love stated that they too have had problems with graffiti and they remove it quickly as they have been instructed. She stated that the parking along Green Crest Drive is not from their business, it is from family gatherings in residences along the road. Mrs. Love also stated that they can't control the speed of which anyone drives, noting that the faster a car goes, the higher the decibels are from traffic in the area and subsequently would drown out any noise from the go-karts. She stated that even if their business did not exist, there would still be a traffic problem on Green Crest Drive because people cut through to Atlanta Highway and there are a lot of houses in the area. In conclusion, she stated that the minimal sound emitting from the go-karts is not a high pitched sound which would make dogs bark/howl. Mrs. Love did not believe the concerns noted by those in opposition were caused by her business.

Vice Chairman Johnson stated that he has heard electric go-karts before and compared them to a golf cart. He asked Mrs. Love about the size of the race track. She stated that it was only 500 linear feet, and noted that the regulations refer to the size of the parcel or tract, not the size of the go-kart track.

Planning Manager Matt Tate confirmed that the Code stipulates that the minimum lot size has to be at least 2 acres to allow an outdoor recreation center like a race track within the Light Industrial zoning classification and they meet that requirement. Mr. Tate stated that even with the proposed go-kart track, the bowling center would still meet their parking requirements. He also noted that the proposed conditions of zoning would address any potential issues with light or noise.

Upon inquiry by Board Member Snyder, Mr. Tate stated that the Noise Ordinance does not refer to maximum decibel levels but does not permit noise from a speaker machine that is plainly audible within a distance of 100 feet between the hours of 11 PM and 7 AM.

Board Member Snyder stated that Condition 5 would not permit her to operate the go-kart track for the same hours as the bowling center on Fridays and Saturdays and asked if that would be a problem. Mrs. Love stated that they had originally asked for the same hours as the bowling center, but once it was explained to her she did not have a problem with closing the go-kart track at 11 PM.

Chairman Dadisman asked if Mrs. Love had a problem with any of the other conditions and she stated that she did not.

There was a motion to recommend conditional approval of the request for a Special Use to allow an outdoor electric go-kart track within Light Industrial (L-I) zoning at 2317 Browns Bridge Road with the following conditions:

Conditions

- 1. The special use approval shall be limited to an electric go-kart track. A gas powered go-kart track is not an approved use for the property.**
- 2. All outdoor amplification devices are limited to what is installed on the individual go-kart. The sound emitted from the amplification device must not be heard from the adjacent properties.**
- 3. All proposed structures shall meet the Gateway Corridor Overlay Zone standards including exterior facade materials which shall include fifty (50) percent brick, stone, or split face block.**
- 4. The applicant/property owners shall be required to plant evergreen buffer trees within the existing grass frontage landscape strip located along Green Crest Drive as to provide for a buffer against the neighboring residential properties. The number, type, size and location of the trees must be approved by the Community Development Department Director.**
- 5. The operation of the electric go-kart track shall be limited to the hours of 9 AM to 11 PM.**

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

ADJOURNMENT

There was a motion to adjourn the meeting at 6:02 PM.

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

Respectfully submitted,

Dean Dadisman, Chairman

Judy Foster, Recording Secretary