

COUNCIL PRESENT: Dunagan, Wangemann, Hamrick, Figueras, Bruner  
STAFF PRESENT: Padgett, Sheppard, Palmour, Felts, Ligon, Jordan, Grayson

Mayor Dunagan called the meeting to order.

Jeff Froebe, Church of Jesus Christ Latter Day Saints, delivered the invocation after which the Pledge of Allegiance was recited in unison.

Council Member Wangemann recognized John Odegard who was in attendance as a result of an invitation to the meeting.

**CONSENT AGENDA:**

**Minutes:**

A. December 20, 2011 Council Meeting

**Motion to adopt the minutes accepting the edits as presented.**

Motion made by Council Member Figueras  
Motion seconded by Council Member Wangemann  
**Vote – 5 favor**

**Resolutions:**

- A. BR-2012-02 Donation of Fire Hose to Eagle Scout Troop #16 Of Gainesville, GA
- B. PR-2012-03 SR 284 Clarks Bridge Utility Relocation
- C. PR-2012-04 Authorization to Accept Additional GDOT TE Funds – Midtown Trail

**Motion to adopt the resolutions as presented.**

Motion made by Council Member Bruner  
Motion seconded by Council Member Figueras  
**Vote – 5 favor**

**GENERAL LEGISLATION:**

**Second Reading: Ordinance No. 2012-02**  
**Prohibit Parking on Gordon Avenue and Banks Street**

**Motion to hold second reading on Ordinance 2012-02, AN ORDINANCE TO AMEND TITLE 4 ENTITLED "MOTOR VEHICLES AND TRAFFIC" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, GEORGIA BY AMENDING SECTION 3-4-174 TO PROHIBIT PARKING ON BOTH SIDES OF GORDON AVENUE BEGINNING AT BANKS STREET AND ENDING 420 FEET SOUTH OF BANKS STREET; TO AMEND SECTION 3-4-175 TO PROHIBIT PARKING ON THE SOUTH SIDE OF BANKS STREET BEGINNING AT QUEEN CITY PARKWAY AND ENDING AT GORDON AVENUE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Motion made by Council Member Wangemann  
Motion seconded by Council Member Hamrick  
**Vote – 5 favor**

**PUBLIC HEARING:**

**Annexation / Zoning Items:**

City Attorney Palmour reviewed the public hearing process and confirmed the items had been properly advertised.

***Request from Dennis and Jill Momper to rezone a 0.51± acre tract located on the east side of Prior Street, northeast of its intersection with Park Street (a/k/a 430 Prior Street NE) from Residential-II (R-II) to Residential and Office (R-O). Ward Number: Two. Tax Parcel Number(s): 01-038-004-013. Request: Single-family residential and professional office.***

Community Development Director Rusty Ligon reviewed the application noting the request was to allow the subject property to be marketed for a future professional office use. He discussed existing buildings and the current zoning district. The Planning and Appeals Board voted to approve the request with the following conditions:

1. Any new or replacement structure(s), exterior facade change(s), and/or future development at this location shall be of a single-family residential appearance and be characteristic of the surrounding historic properties, and shall be subject to the Community Development Director approval.
2. Any proposed new parking areas shall be adequately screened from the adjacent residential uses located along the south and east property lines. The buffer may consist of an opaque fence or a solid vegetated buffer. The final installation, placement, and maintenance of the buffer shall be subject to the Community Development Director approval.
3. The subject property shall be limited to one (1) monument sign for a future office use not to exceed five (5) feet in height and twenty (20) square feet in size.
4. 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 professional office use.

Mr. Ligon offered another condition for the Council's consideration as a result of discussion from the Work Session. The proposed language was noted as follows: the subject property shall be limited to no more than two business establishments in operation at any given time.

Council Member Figueras questioned the need for limiting the number of businesses if people don't have a place to park.

FAVOR:

**Will White, 425 Spring Street**, stated the property owners were in attendance. They were in agreement with the conditions as presented at the Planning and Appeals Board Meeting.

There being no further comments, the hearing was closed and the matter was returned to Council for a decision.

**Motion to hold first reading on Ordinance 2012-03**, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.51± ACRE TRACT LOCATED ON THE EAST SIDE OF PRIOR STREET, NORTHEAST OF ITS INTERSECTION WITH PARK STREET (A/K/A 430 PRIOR STREET NE) FROM RESIDENTIAL-II (R-II) TO RESIDENTIAL AND OFFICE, WITH CONDITIONS (R-O-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (Amendment to the Zoning Map) **with conditions**.

Motion made by Council Member Hamrick

Motion seconded by Council Member Wangemann

**Vote – 5 favor**

***Request from Medical Arts Properties 2.0, L.P. to rezone a 3.54± acres tract located on the east side of Fairbanks Drive, southeast of its intersection with Meeks Drive (a/k/a 0 Fairbanks Drive SW) from Planned Unit Development with conditions (P-U-D-c) to Office and Institutional (O-I). Ward Number: Four. Tax Parcel Number(s): 08-031A-004-083. Request: Medical office.***

Community Development Director Rusty Ligon reviewed the application and the departmental comments. The Planning and Appeals Board approved the request with the following six conditions:

1. The exterior of all proposed buildings shall be architecturally compatible with the neighboring Medical Arts facility which includes pitched roofs and a mixture of brick, rock or stone and cementitious siding materials.
2. The owner/applicant shall provide a vegetative buffer between the subject property and the neighboring three undeveloped residential lots located within the Creekside of Mundy Mill subdivision along the northerly property line. The buffer shall consist of a mixture of evergreen trees at a minimum planted height of 5 to 7 feet located within the 12.5-foot wide buffer as depicted on the applicant's concept plan. The final installation, placement, and maintenance of the buffer shall be subject to the Community Development Director approval.
3. There shall be a minimum 75-foot wide buffer maintained from the top of the stream bank along Balus Creek. The first 50-feet of the buffer shall be undisturbed and the last 25-feet of the buffer farthest from the stream may be disturbed but shall contain no impervious cover.
4. The subject property shall be limited to one monument sign fronting along Fairbanks Drive that shall not exceed 10-feet in height and 96 square feet in size. Directional signage located within the interior of the site and building signage shall be allowed as

well per the Gainesville Unified Land Development Code standards for the Office and Institutional (O-I) zoning district.

5. Along Balus Creek, the property owner/developer shall reserve for the City, by way of easement, a ten foot strip of land for use as part of the Central Hall Multi-Use Trail. At such time as the City or County constructs an element of said Multi-Use Trail to which this easement might connect, the City and/or County, at its/their expense, may pave this strip. No development shall occur on the property which would interfere with the eventual construction of the Multi-Use Trail by the appropriate governmental entity.
6. 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 medical office use.

FAVOR:

**Frank Norton, Jr., 434 Green Street**, representing Medical Arts 2.0., stated they own two campuses within the Gainesville city limits. They'd been watching the property in question for expansion purposes. He felt the request was more of a technical clarification that would allow the two tracts of property to be put together for the creation of a master plan. They agreed with the six conditions from the Planning and Appeals Board.

There being no further comments, the hearing was closed and the matter was returned to Council for a decision.

**Motion to hold first reading on Ordinance 2012-04, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 3.54± ACRES TRACT LOCATED ON THE EAST SIDE OF FAIRBANKS DRIVE, SOUTHEAST OF ITS INTERSECTION WITH MEEKS DRIVE (A/K/A 0 FAIRBANKS DRIVE SW) FROM PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c) TO OFFICE AND INSTITUTIONAL, WITH CONDITIONS (O-I-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amendment to Zoning Map) with conditions.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Hamrick

**Vote – 5 favor**

#### **CITY MANAGER'S ISSUES:**

##### **Project Resolution 2012-05**

##### **Authorization to Accept Additional Energy Efficiency and Conservation Block Grant (EECBG) from GEFA**

Special Projects Manager Jessica Tullar reported the City received confirmation of additional funding in the amount of \$86,220 from the Georgia Environmental Finance Authority (GEFA). The proposed resolution authorized acceptance of the funds and execution of the amended agreement. It also allowed staff to move forward with the additional work and rebates as outlined in the resolution. The total for the two grants was \$386,220.

**Motion to adopt the Resolution PR-2012-05 as presented.**

Motion made by Council Member Bruner  
Motion seconded by Council Member Figueras  
**Vote – 5 favor**

**OTHER ISSUES:**

**Georgia's New Trustees**

Council Member Figueras commented on an article in Georgia Trend and accolades extended to Andrew Young and Tom Cousins on becoming Georgia's new Trustees.

**Joint Chiefs of Staff**

Council Member Figueras commended General Lloyd Austin for his selection as Vice Chair of the Joint Chiefs of Staff.

**EXECUTIVE SESSION:**

City Manager Kip Padgett requested an executive session to discuss personnel, litigation and real estate matters.

**Motion to close the Council Meeting to enter an Executive Session to discuss personnel, litigation and real estate at 5:55 PM.**

Motion made by Council Member Wangemann  
Motion seconded by Council Member Council Member Figueras  
**Council Members voting in favor of the motion were Dunagan, Wangemann, Hamrick, Figueras and Bruner**

COUNCIL PRESENT: Dunagan, Wangemann, Hamrick, Figueras, Bruner  
STAFF PRESENT: Padgett, Sheppard, Palmour, Jordan

**Motion to close the Executive Session and to continue the Council Meeting at 6:39 PM.**

Motion made by Council Member Bruner  
Motion seconded by Council Member Figueras  
**Council Members voting in favor of the motion were Dunagan, Wangemann, Hamrick, Figueras and Bruner**

**OTHER ISSUES:**

**Second Saturday Meeting**

Council Member Figueras invited everyone to the Second Saturday meeting on Saturday at 9:30 AM at the Fair Street Neighborhood Center.

**ADJOURNMENT:** 6:39 PM

DJ:ag

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C. Danny Dunagan, Mayor

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Denise O. Jordan, City Clerk