

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

Mayor Dunagan called the meeting to order.

Council Member Figueras delivered the invocation after which the Pledge of Allegiance was recited in unison.

CITIZEN'S ISSUES:

Anwanne Hill, 401 Forest Avenue, expressed a desire for the Police Department to be reflective of the community in regards to racial composition. He commented on Police Officers spending what he felt was a lot of time at the QuickTrip. He wondered if this was occurring on city time and/or while doing city business. Mayor Dunagan stated this matter would be handled through the formal complaint that was filed.

CONSENT AGENDA:

Alcoholic Beverage License Applications:

- A. Citgo Food Mart, 545 Dawsonville Highway
New application for package sale of beer and wine.
- B. Racetrac #627, 1294 West Ridge Road
New application for package sale of beer and wine.

Motion to approve the applications as presented.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

Minutes:

- A. March 6, 2012 Council Meeting
- B. March 13, 2012 Council Meeting
- C. March 20, 2012 Council Meeting

Motion to adopt the minutes accepting edits as presented.

Motion made by Council Member Wangemann

Motion seconded by Council Member Figueras

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

Resolutions:

- A. BR-2012-27 Adopt Section 3 Plan to Comply with 24 CFR Part 135 of the HUD Section 3 Plan
- B. BR-2012-28 Down Payment Assistance Program Policies and Procedures
- C. BR-2012-29 Housing Rehabilitation Assistance Program Policies and Procedures
- D. CR-2012-___ Art in the Square

- E. PR-2012-34 Riverside Drive Water Treatment Plant Chemical Systems Evaluation
- F. PR-2012-35 FY2012 Full Depth Reclamation Project Award of Contract
- G. PR-2012-36 FY2011 Road Paving Project Adding Howard Road Intersection Improvements

Mayor Dunagan asked that item D be removed for further discussion.

Motion to remove item D for further discussion.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

Motion to adopt the resolutions as presented excluding Item D.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

CR-2012-01

Art in the Square

(Listed on the Agenda as Resolution D)

Main Street Manager Regina Mansfield indicated the resolution had been modified to include alcohol for public consumption and a free concert on September 14th from 5:00 PM to 10:00 PM in addition to the plans as discussed for September 15th and 16th.

Motion to adopt the resolution as presented.

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

Votes favoring the motion: Dunagan, Hamrick, Figueras, Bruner

Oppose: Wangemann

PUBLIC HEARING:

Annexation/Zoning Items

Request from Jonathan Pope to rezone a 0.25± acre parcel located on the south side of North Avenue, west of its intersection with Green Street (a/k/a 135 North Avenue NW) from Neighborhood Conservation (N-C) to Residential and Office (R-O). Ward Number: Four. Tax Parcel Number(s): 01-040-004-001. Request: Law office.

Mayor Dunagan stated there was a request from Jonathan Pope to withdraw the application.

Motion to accept the request to withdraw the rezoning application.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

City Attorney Palmer reviewed and conducted the public hearing process.

Request from America's Home Place, Inc. to rezone a 4.711± acres tract located on the east side of Dawsonville Highway, across from Beechwood Boulevard (a/k/a 0, 1122, 1138, 1162 and 1198 Dawsonville Highway) from Residential-II (R-II), Office and Institutional (O-I) and General Business (G-B) to General Business (G-B). Ward Number: One. Tax Parcel Number(s): 01-115-001-003A, 004, 005, 006 (Part) and 055 (Part) Request: Retail business, restaurant and vehicle services.

Community Development Director Rusty Ligon reviewed the application with assistance from a power point presentation. The Planning and Appeals Board voted to approve the request with the following six conditions:

1. An automotive paint and body repair shop or auto sales facility is not an approved use for the subject property.
2. There shall be no junk vehicles or vehicles used for parts stored on the subject property.
3. All service bay doors shall face towards the southeastern and northwestern property line as to not be directly visible from Dawsonville Highway.
4. A uniform sign plan shall be provided for the entire development as described in Section 9-18-2-7 of the Gainesville Unified Land Development Code.
5. The applicant shall re-evaluate with the Georgia Department of Transportation (GDOT) and the City of Gainesville Public Works Director the need for a traffic signal at the median break on Dawsonville Highway in front of the subject property and the private road serving the Olive Garden and Cheddar's restaurants. Any new road improvements required by the Gainesville Public Works Director and GDOT for the development of this property shall be the financial responsibility of the applicant/developer.
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 future professional office use.

Council asked questions in regards to (1) what is allowed under the current conditions, (2) the standard limitations for service hours and (3) the buffer between the neighborhood and the property in question.

City Attorney Palmour opened the floor for comments.

FAVOR:

Jim Walters, 311 Green Street, stated he represented America's Home Place. He commented on the proposal noting the lots would vary in size and the uses would vary as well. He felt this development would create jobs. He felt there were numerous regulations to protect the area from any detrimental changes. He felt this project was economically beneficial and it was important to create a useful development. He asked Council to consider approving the request.

Tim Evans, Greater Hall Chamber of Commerce and resident of Hall County, shared information about the project thus far. Olive Gardens, Cheddars and the Buffalo Wild Wings have been part of retail development that has been under discussion. He commented on the annualized sales at Olive Garden and Cheddars then commented on the sales tax generated for the community. The quality of retail has been what they had hoped for noting they don't always support every retail establishment.

OPPOSE:

Mike Proulx, Lakeshore Circle, stated he represented the residents of this area. He commented on environmental issues and the residential quality of life issue. He felt environmental issues could never be emphasized enough considering the proximity of this development to the lake. This should be considered more so than normal. He commented on the impact of rainfall on moving debris downstream. He commented on the wildlife in the area. From the residential standpoint, he commented on living in the backyard of a restaurant. Mr. Proulx commented on the cost and the value of quality of life in this community as well as noise pollution and changes to the lifestyle of properties in close proximity.

Linda Hawkins, 1445 Lakeshore Circle, stated she believed in economic development but there comes a point when there must be a balance between development and neighborhoods. She commented on the original part of the property being close to the highway and felt everyone knew it would be developed over time. She commented on the neighborhood being old and in dire need of street improvements. She shared the following concerns: salvaging the neighborhood, buffers, noise and security. She expressed the need for the installation of a traffic signal.

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

Upon inquiry from Council Member Figueras, Community Development Director Rusty Ligon confirmed there had been some preliminary discussion with Department of Transportation (DOT) regarding a traffic signal. There currently are no plans for a signal but it is being strongly recommended by staff noting the developer would bear the cost of said installation.

Council Member Wangemann expressed a desire for Public Works to visit the area to address the roads.

Motion to hold first reading on Ordinance 2012-25, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 4.711± ACRES TRACT LOCATED ON THE EAST SIDE OF DAWSONVILLE HIGHWAY, ACROSS FROM BEECHWOOD BOULEVARD (A/K/A 0, 1122, 1138, 1162 AND 1198 DAWSONVILLE HIGHWAY) FROM RESIDENTIAL-II (R-II), OFFICE AND INSTITUTIONAL (O-I) AND GENERAL BUSINESS (G-B) TO GENERAL BUSINESS, WITH CONDITIONS (G-B-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (Amendment to Zoning Map) with six conditions.

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

DISCUSSION:

Council Members Wangemann and Hamrick felt the six conditions strengthened and protected the neighborhood.

Votes favoring the motion: Dunagan, Wangemann, Hamrick, Figueras, Bruner

Mayor Dunagan commented on the roads having had lower priority due to economic conditions. This should change with the current budget.

OTHER BUSINESS:

Figueras

Council Member Figueras announced the Public Safety Graduation would be held tonight at 7:00 PM.

Wangemann

Council Member Wangemann commented on a hole in the sidewalk on Grove Street. He requested that staff check this location and make a repair if appropriate.

ADJOURNMENT: 6:15 PM

DJ:ag

C. Danny Dunagan, Mayor

Denise O. Jordan, City Clerk