

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

Mayor Dunagan called the meeting to order and served as the presiding officer.

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

### **PRESENTATION:**

#### **You're the Reason Scholarship Award**

Communications & Tourism Director Catiel Felts provided a brief overview about the annual scholarship noting funds are raised by City of Gainesville employees. Mrs. Felts introduced the *You're the Reason Scholarship* winners indicating they were children of City employees. Megan Horning received a \$1,000 scholarship and Ashley Hogan received a \$250 scholarship.

### **PROCLAMATION:**

#### **Lupus Awareness Month**

Mayor Dunagan read a portion of the proclamation declaring May 2014 to be *Lupus Awareness Month*.

### **SPECIAL RECOGNITION:**

#### **Post Employment Recognition**

Mitchell Aiken, Margielean Mack-Watson and John David Hicks were recognized as retired employees with a total accumulated service of 80 years, 24 days. Mayor Dunagan read a testimonial expressing the Council's gratefulness for a long and honorable record of service. He presented Mr. Aiken and Ms. Watson with testimonials and watches to commemorate their retirement. Fire Chief Yarbrough and Community Service Center Director Phillippa Lewis Moss expressed their appreciation. Mr. Hicks was unable to attend the meeting.

### **PUBLIC COMMENTS:**

**Linda Roseberry, 565 Honeysuckle Road**, read a prepared statement about the fast track process for the proposed request. She shared her dislike for the proposed development on Thompson Bridge Road. She felt the community was not being heard after expressing a resounding "no thanks" to Wal-Mart. She felt the fast track process removed the slow, deliberate, public scrutiny of a development project. Mrs. Roseberry asked the elected officials to take a pause and listen to the community. She felt the development was a bad business partner for this area. She also felt it was disingenuous and an insult to the intelligence of the community to state the proposed development was only about rezoning.

Council Member Couvillon felt it was disrespectful to say the Council was disingenuous. Council does not regulate commerce and does not choose who will buy a lot. The new owner was not asking for anything different from the current owner and it is not Council's job to dictate who buys the lot. Mr. Couvillon stated he had discussions with people who supported and opposed

the project. He commented on traffic concerns then mentioned the projected population growth in Gainesville.

**Frank Patten, 1474 Burns Drive**, felt a decision had already been made but wanted to share some concerns. He asked if anyone talked to a realtor about the highest and best use of the property. He also asked if the property could be developed without incorporating the back piece of the property. Mr. Patton stated it appeared the original developer was leaving a buffer. He felt the process had not been thought out and should be tabled.

**Brenda Coursey, 493 Mountain View Drive**, expressed a concern about children getting off the school bus on Thompson Bridge Road. She asked that the City work with the developer and the school to protect the safety of the children if this project moves forward.

**Bill Brookshire, 974 Virginia Avenue**, indicated he had already shared information supporting tabling this matter. He felt the process left the Council in need of repairing its image because it gives the impression that the decision had been made in advance. He commented on the presentation from the Community Development Department implying he did not realize it was a staff presentation. He asked why there was a rush. He felt the proposed project did not match the Comprehensive Development Plan and there was an opportunity to rezone to a more suitable plan. The City doesn't have any obligation to help the developer. Mr. Brookshire suggested obtaining an opinion from the consultant. He asked that the request be declined to allow more time to address the concerns.

**Johnny Sullivan, 724 Honeysuckle Road**, spoke about the strategic plan. He did not feel the proposal was a good fit based upon the Comprehensive Plan. He commented on the proposal being an incompatible infill development because it was bigger than any other imprint at this location. It was not a small scale development when you consider all elements of the project. The project is so big that it changes the character of the street. Mr. Sullivan felt there was a need to make this area bike and pedestrian friendly. He also commented on the wait time that would be imposed by the installation of a traffic signal.

### **CONSENT AGENDA:**

#### **Resolutions:**

- A. PR-2014-23 Byrne Justice Assistance Grant Application 2014
- B. PR-2014-24 FY2013 Water Main Improvements Award of Contract

City Manager Kip Padgett provided a brief overview of each resolution.

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

Motion made by Council Member Bruner

Motion seconded by Council Member Wangemann

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

#### **Minutes: May 6, 2014 Council Meeting**

#### **Motion to approve the minutes accepting the edits as presented.**

Motion made by Council Member Wangemann

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

**RESOLUTION:**

**BR-2014-17 Authorization to Enter into Agreement(s) with Hall County for City of Gainesville Staff to Administer Hall County's 2011 & 2012 CHIP Grants**

**Motion to adopt the Resolution BR-2014-17 as presented.**

Motion made by Council Member Couvillon  
Motion seconded by Council Member Hamrick

**DISCUSSION:**

Council Member Figueras inquired about discussions with Hall County. She wanted to know what would be done to ensure the County would adhere to this and future agreements.

Council Member Couvillon felt comfortable that staff had completed due diligence in bringing this matter forward. He felt the partnership will benefit both entities.

Council Member Wangemann asked if any other agreements were tied to this agreement.

Mayor Dunagan stated there was an agreement on land banks and tax allocation districts.

Mr. Wangemann felt each agreement should stand on its own merit.

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

**ANNEXATION / ZONING**

**Second Reading: Ordinance No. 2014-06**

**Rezone 2.2± Acres at 620 and 628 Gordon Avenue; 0, 602 and 612 Longstreet Avenue; 627 Queen City Parkway; 504, 512, 514, 520 and 528 Banks Street**

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 2.2± ACRES TRACT LOCATED BETWEEN QUEEN CITY PARKWAY, BANKS STREET, GORDON AVENUE AND LONGSTREET AVENUE (A/K/A 620 AND 628 GORDON AVENUE SW; 0, 602 AND 612 LONGSTREET AVENUE SW; 627 QUEEN CITY PARKWAY SW; 504, 512, 514, 520 AND 528 BANKS STREET SW) FROM RESIDENTIAL-II (R-II), OFFICE AND INSTITUTIONAL (O-I), GENERAL BUSINESS (G-B) AND HEAVY INDUSTRIAL (H-I) TO PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(Amendment to Zoning Map) **with conditions.**

Community Development Director Rusty Ligon stated staff received notice that the applicant had decided to withdraw the application. They were unable to reach an agreement on the sale of the property.

**Motion to allow the application to be withdrawn.**

Motion made by Council Member Figueras  
Motion seconded by Council Member Wangemann  
**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

**Second Reading: Ordinance No. 2014-07**  
**Rezone 1.74± Acres at 1435 Thompson Bridge Road**

**Motion to hold second reading on Ordinance 2014-07**, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 1.741± ACRES TRACT LOCATED ON THE WEST SIDE OF THOMPSON BRIDGE ROAD BETWEEN BRANDON PLACE AND VIRGINIA CIRCLE (**A/K/A 1435 THOMPSON BRIDGE ROAD**) FROM RESIDENTIAL-II (R-II) TO REGIONAL BUSINESS, WITH CONDITIONS (R-B-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 Figueras  
Motion seconded by Council Member Bruner

**DISCUSSION:**

Council Member Bruner commented on the need for architectural restrictions and requirements on future projects for the gateway corridors, entryways and downtown.

Council Member Wangemann asked the developer to be extra sensitive to the needs and desires of the neighborhood.

Council Member Hamrick stated this project would be in his ward. He heard from many people and no one in his ward was in favor of the proposal.

Council Member Wangemann hoped the property would be cared for appropriately and that all conditions would be honored if the request was approved.

**Votes favoring the motion: Figueras, Bruner, Wangemann, Couvillon**  
**Votes opposing the motion: Hamrick**

**REPORT:**

**Community Development, Planning Division**

*Action taken by the Gainesville Planning and Appeals Board on May 13, 2014 and new items to be referred to the Planning and Appeals Board.*

Community Development Director Rusty Ligon presented the report noting there were five items to be referred to the June 3<sup>rd</sup> Council Meeting including two annexations, one rezoning, one road action, and one special use request. There were two items to be referred to the June 10<sup>th</sup> Planning and Appeals Board Meeting including one rezoning and one zoning amendment request. The report was noted as follows:

This report contains **(A)** action taken by the Planning and Appeals Board during their public hearing held on **May 13, 2014**, and **(B)** all new items, including variance requests, received by

Planning Division staff to be referred by City Council to the Planning and Appeals Board for consideration during the public hearing to be held on **June 10, 2014**.

**A. Planning and Appeals Board Actions for 05/13/14:**

- 1) **Approved** the request from **Baltazar Contreras** to vary the left side yard setback and front yard setback requirement along Downey Boulevard on a 0.10± acre property located between Wall Street and Downey Boulevard, northwest of its intersection with Myrtle Street (a/k/a **498 Wall Street**), having a zoning classification of Residential-II (R-II).  
Ward Number: Three  
Tax Parcel Number(s): 01-035-002-037  
Request: Bedroom addition
- 2) **Recommended approval** of the request from **Ben F. Castleberry** to annex a 0.19± acre tract located on the southeast corner of the intersection of Hazel Street and Ralston Street (a/k/a **1322 Hazel Street**) and to establish zoning as Residential-II (R-II).  
Ward Number: Four  
Tax Parcel Number(s): 00-130-001-006  
Request: Sewer for existing home
- 3) **Recommended conditional approval** of the request from **Swann Drive Villas, LLC** to annex a 1.63± acres tract located west of Swann Drive at its terminus and on the south side of Pearl Nix Parkway (a/k/a **1297 Swann Drive**) and to establish zoning as Residential-II (R-II).  
Ward Number: Four  
Tax Parcel Number(s): 00-129-001-017  
Request: Multi-family apartments
- 4) **Recommended conditional approval** of the request from **Swann Drive Villas, LLC** to rezone a 1.78± acres tract located on the south side of Pearl Nix Parkway, east of Atlanta Highway (a/k/a **620 Pearl Nix Parkway**) from Light Industrial (L-I) to Residential-II (R-II).  
Ward Number: Four  
Tax Parcel Number(s): 00-129-001-035  
Request: Multi-family apartments
- 5) **Tabled until June 10, 2014**, the request from **Beehive Homes of Gainesville** to rezone a 2.0± acres tract located on the west side of South Enota Drive across from its intersection with Enota Circle (a/k/a **1351 Park Hill Drive**) from Residential-I (R-I) to Residential-II (R-II).  
Ward Number: Two  
Tax Parcel Number(s): 01-077-001-027 (Part)  
Request: Assisted living facility
- 6) **Recommended conditional approval** of the request from **Gerald Darby and Bobby Norris** for a Special Use on a 0.611± acre tract located on the east side of Green Street, south of its intersection with Glenwood Drive (a/k/a **756 Green Street NE**), having a zoning classification of Residential and Office (R-O).  
Ward Number: Two  
Tax Parcel Number(s): 01-039-001-001  
Request: Antique gallery and residence

- 7) **Recommended conditional approval** of the request from **Swann Drive Villas, LLC** to abandon a 0.08± acre portion of the cul-de-sac of Swann Drive having a zoning of Residential-II (R-II).  
Ward Number: Four  
Request: Multi-family apartments

**B. New items to be referred to the Planning and Appeals Board for 06/10/14:**

- 1) Request from **Beehive Homes of Gainesville** to rezone, with a special use, a 2.0± acres tract located on the west side of South Enota Drive across from its intersection with Enota Circle (a/k/a **1351 Park Hill Drive**) from Residential-I (R-I) to Residential-II (R-II).  
Ward Number: Two  
Tax Parcel Number(s): 01-077-001-027 (Part)  
Request: Assisted living facility
- 2) Request from **Alcovy-20, Inc.** to amend the existing Planned Unit Development (P-U-D) zoning on a 26.10± acres tract located on the east and west sides of Wilson Drive, northeast of its intersection with Athens Highway (a/k/a **2108 and 2125 Wilson Drive**).  
Ward Number: Three  
Tax Parcel Number(s): 15-022D-000-001 (Part) and 003  
Proposed Use: 55-lot single-family subdivision

**Motion to accept the report as presented and to refer the new items to the Planning and Appeals Board.**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

**CITY MANAGER'S ISSUES:**

**Business Resolution: To Authorize the Execution of a Health Services Agreement with HealthWell Solutions, LLC to Provide an Employee Clinic**

City Manager Kip Padgett stated the City was in the process of changing the management at the employee health clinic. The proposed resolution allowed the City to enter into an agreement with HealthWell Solutions, LLC.

**Motion to adopt the Resolution BR-2014-18 as presented.**

Motion made by Council Member Figueras

Motion seconded by Council Member Bruner

**Votes favoring the motion: Hamrick, Figueras, Bruner, Wangemann, Couvillon**

**State Road Tow Away Authority**

City Manager Kip Padgett stated a notice of a grant award had been received. The State Road and Tow Away Authority announced that award recipients will appear before the Governor on May 28<sup>th</sup> at 9:45 AM at the Capitol. A maximum of five city representatives could attend.

**OTHER ISSUES:**

**Ribbon Cutting for a House**

Council Member Figueras shared information about a ribbon cutting for a new home earlier today.

**Sidewalks**

Council Member Hamrick commented on the construction of and upgrades to sidewalks throughout the City. He specifically mentioned Park Hill Drive and Downey Boulevard.

**Citizens Government Academy**

Council Member Figueras thanked the Communications and Tourism staff for all their devotion to offering another successful Citizen's Government Academy.

**ADJOURNMENT: 6:22 PM**

**DJ/ag**

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C. Danny Dunagan, Jr., Mayor

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Denise O. Jordan, City Clerk