

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
MARCH 10, 2015**

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

Members Present: Chairman Doyle Johnson, Vice-Chair Jane Fleming and Board Members Connie Rucker, John Snyder, Eddie Martin, Sr. and Zack Thompson

Members Absent: Board Member George Hokayem

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

Others Present: Council Member Myrtle Figueras

MINUTES OF FEBRUARY 10, 2015

There was a motion to approve the minutes as presented.

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

NEW BUSINESS

A. Variance Request

- 1) Request from **BGW Dental Group, Dr. Richard Bennett** to vary the sign illumination requirements to allow an electronic message board sign on a 2.32± acres parcel located on the northeast side of the intersection of Downey Boulevard and Vine Street (a/k/a **1215 and 1221 Vine Street NE**) having a zoning classification of Office and Institutional (O-I).

Ward Number: Three
Tax Parcel Number(s): 01-064-002-002
Request: Electronic message board sign

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

The applicant is proposing to vary the sign illumination requirements within the Office and Institutional (O-I) zoning district to allow an electronic message board (EMB) sign. The subject property is 2.32± acres in size and is located on the northeast side of the intersection of Downey Boulevard and Vine Street and is within the Limestone Corridor Overlay Zone. Adjacent uses include single-family homes to the northeast and southeast, medical offices to the north and west, previous Hall County Detention Center to the east and North East Georgia Medical Center to the south. The subject property is currently being redeveloped for an 11,900± square foot dental office building, which will include a future 7,800 square foot office building as well. The proposed monument sign is to be located near the corner of Downey Boulevard and Vine Street slightly above street grade. According to the applicant, the proposed sign will be 8-feet tall by 10-feet wide and will include a 20 square foot EMB sign inserted onto the lower part of the sign. The EMB sign will have amber lighting which would meet the requirements of the ULDC. The applicant is basing the hardship on the sloping topography and site visibility due to the property being located on a curve.

The Planning Division staff is recommending **conditional approval** of this variance request based on the shape of the subject property and its proximity to the curvature of Downey Boulevard and other nonresidential properties.

Condition

The subject property shall be limited to one electronic message board sign. The electronic message board sign may be two sided not to exceed 20 square feet per side with amber colored lighting.

Applicant Presentation: Dr. Richard Bennett, 1200 Sherwood Park Drive, stated that he will be relocating to his new office on the subject property in two weeks. He is asking for the variance to have better exposure for his business at the new location as well as for the future tenant in the proposed office building. He stated the proposed sign would be of amber lighting only and non-flashing. In response to objections that have been made to the distractive nature of electronic message board (EMB) signs, he stated that a lot of things could be distracting like a Brenau coed walking down the street or an ambulance. He stated the sign will rotate every ten to fifteen seconds and can display the temperature, date and a message. He stated that the first time he saw a high-definition billboard he thought it was distracting but they are now becoming more of the norm. He stated that one of his neighbors plans to propose an EMB which would have more coloration than what he has proposed. He stated that he is available to answer any questions and would like to reserve time for rebuttal if needed.

FAVOR: None

OPPOSE: Dr. Robert Bruner, 1201 Sherwood Park Drive, stated that his dentist office is directly across the street from Dr. Bennett's current location and noted he didn't want to oppose the request but he did have some concerns. He was concerned about the traffic flow in the area, noting that after traveling on Downey Boulevard and S. Enota for twenty years he still notices confusion from drivers because, in front of the subject property, the left lane merges into the right lane instead of the normal right lane merging into the left lane. He stated that no sooner than drivers have negotiated the lane merger, then they must negotiate a sharp curve and he felt a sign with a message board in that area would serve as a distraction. Dr. Bruner stated that with a conventional sign, you look at it momentarily, but with an EMB sign, you tend to look at it longer, noting it doesn't take much to cause an accident. Dr. Bruner stated that Dr. Bennett has constructed a beautiful building and felt that no one would miss it. He stated that the proposed sign without the EMB would identify his business so it already has great exposure. He stated that the only other internally lit sign in the area was at the eye clinic and he was concerned about setting a precedent for others who may come next with a hardship, noting his office building sits down low and doesn't have great exposure from S. Enota Drive, so he could have a hardship. He felt that when variances are always granted, the Ordinance has no weight and he felt that EMB signs would make the street unattractive. In conclusion, Dr. Bruner stated that the professional office area has conventional signs and an EMB sign would be out of character for the area and asked the Board to deny the variance.

REBUTTAL: Dr. Bennett stated that he had two points to make in rebuttal to Dr. Bruner's comments. First, he stated that the subject property was not located in Sherwood Park, but was in the Limestone Overlay District, and noted that a

preponderance of signs along Limestone Parkway are EMB signs. Secondly, he has made a big investment in an effort to improve the area, noting the retaining wall was completed with stacked stone in order to make a more attractive product and he felt the proposed sign would also enhance the area.

Dr. Bruner stated that he didn't mean to imply the subject property was in Sherwood Park, but the same general office area.

Planning and Appeals Board Comments: Board Member Thompson asked if Staff received any comments from the Street Department about the proposed sign location. Planning Manager Matt Tate stated that he did not receive any comments from Public Works or GDOT regarding this request.

Vice-Chair Fleming asked if the proposed sign was only for the dental group and if its size was in compliance with the Code. Mr. Tate stated that it would be a multi-purpose sign for the dental group and the future office building tenant, and the sign was in compliance with the Code except for internal lighting within O-I zoning which is required for EMB signs.

There was a motion to conditionally approve the request to vary the sign illumination requirements to allow an electronic message board sign within Office and Institutional (O-I) zoning located at 1215 and 1221 Vine Street NE with the following condition:

Condition

The subject property shall be limited to one electronic message board sign. The electronic message board sign may be two sided not to exceed 20 square feet per side with amber colored lighting.

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

B. Special Use Request

- 1) Request from **Nilanjan Datta** for a Special Use on a 39.7± acres tract located on the northwest side of the intersection of Atlanta Highway and Chicopee Mill Road (a/k/a **2100 Atlanta Highway SW, Building 3, Suite A**) having a zoning classification of Light Industrial (L-I).
Ward Number: Four
Tax Parcel Number(s): 08-011-000-003 (Part)
Request: Micro-brewery

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

In October of 2014, the applicant was approved for a micro-brewery at a location within Midtown Gainesville but was unable to come to terms with the property owner to lease the building. The applicant has recently identified a building within the Chicopee Mill property that will fit their needs. The property is zoned Light Industrial (L-I) and is located within the Gateway Overlay Zone which requires Special Use approval for the proposed micro-brewery. Specifically, the use is to be located within an existing 21,600± square foot building located within the Chicopee Mill, originally known as the Johnson &

Johnson administration building constructed in 1927. The micro-brewery is to be called the Left Nut Brewing Company, Incorporated and proposes to occupy the entire 20,000± square feet of the main floor of the building. The basement level consists of 1,600± square feet of office space and will remain occupied by Atlanta Gas. Exterior improvements are to include handicapped access, loading dock, front patio/deck area and a spent grain storage silo.

Proposed Hours of Operation:

Monday thru Friday

At full capacity- 24 hours (three (3), eight (8) hour shifts)

Public tours and tastings: Weekdays 5-8 PM; Saturday 12-7 PM

4 months to begin operation

The Gainesville Future Development Map for the City of Gainesville places the subject property within the *Industrial* land use category. This category includes a wide range of office, business, light industrial, manufacturing, research, and development uses; and commercial uses that directly support or are otherwise linked to the dominant business use. As well, the subject property is located within the *West Side* Character Area which vision embraces the cultural richness of Atlanta Highway and adjoining neighborhoods by upgrading and branding the road corridor to an "International District" with coordinated pedestrian and road improvements, new landscaping, and a community-based public art program. Land uses allowed in the West Side are medium-density residential, multi-family residential, mixed-use, commercial, public / institutional, and parks / recreation / conservation.

The Planning Division staff is recommending **conditional approval** of this Special Use request within Light Industrial (L-I) zoning, based on the Comprehensive Plan and the adjacent industrial land uses.

Condition

The development standards within the narrative, concept plan and architectural renderings submitted with the applicant's Special Use application shall be made part of the resolution, and shall be subject to the Community Development Director approval.

Applicant Presentation: Nilanjan (Pap) Datta, 2320 South Clement Road, Cumming, stated that he is making this request because the prior Midtown location did not work out. He believed the Chicopee Mill was a great location for the micro-brewery and he had even talked with the original tenant, Johnson & Johnson, about his efforts to bring it back to life and they were very pleased. He is making a major investment in the property and would like to keep the integrity of the historic structure as much as possible. Mr. Datta sees this as an opportunity to create a cultural bridge to Midtown and a way to help improve the corridor by providing jobs as other micro-breweries are doing throughout the country. He asked the Board to approve the request and stated he was available for any questions.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to conditionally approve the Special Use request for a micro-brewery within Light Industrial (L-I) zoning to be located at 2100 Atlanta Highway, Building 3, Suite A, with the following condition:

Condition

The development standards within the narrative, concept plan and architectural renderings submitted with the applicant's Special Use application shall be made part of the resolution, and shall be subject to the Community Development Director approval.

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

ADJOURNMENT

There was a motion to adjourn the meeting at 5:58 PM.

Motion made by Vice-Chair Fleming
Motion seconded by Board Member Rucker
Vote – 6 favor, 1 absent (Hokayem)

Respectfully submitted,

Doyle Johnson, Chairman

Judy Foster, Recording Secretary