

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
MARCH 14, 2017**

CALL TO ORDER Chairman Carter at 5:30 p.m.

Members Present: Chairman Doug Carter, Vice-Chair Jane Fleming, Board Members Connie Rucker, Carmen Delgado, Eddie Martin, Sr., Lemuel Betancourt and Ryan Thompson

Members Absent: None

Staff Present: Community Development Director Rusty Ligon, Planning Manager Matt Tate and Recording Secretary Judy Foster

Others Present: Council Member George Wangemann

MINUTES OF JANUARY 17, 2017

There was a motion to approve the minutes as presented.

Motion made by Vice-Chair Fleming
Motion seconded by Board Member Delgado
Vote – 7 favor

NEW BUSINESS

Chairman Carter amended the agenda by moving the following items to the beginning of New Business and asked for a motion to table the three Oak Hall Companies, LLC requests until the May 9, 2017, Planning and Appeals Board meeting. This was in response to staff's memorandum stating the need for additional information from the applicant, particularly related to the traffic study, before a recommendation could be rendered to the Board.

B. Annexation Requests

2) Request from **Oak Hall Companies, LLC** to annex a 26.16± acres tract located east of Dawsonville Highway and on the north side of the intersection of Strickland Drive and Sportsman Club Road, with road frontage on Karen Lane (a/k/a **0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; and 2049 Strickland Drive**) and to establish zoning as Planned Unit Development (P-U-D).

Ward Number: One

Tax Parcel Number(s): 00-109-003-001, 004, 005; 00-109B-000-001, 002A and 036

Request: Active adult community

3) Request from **Oak Hall Companies, LLC** to annex a 50.81± acres tract located on the east side of Dawsonville Highway (S.R. 53), having road frontage on Dawsonville Highway, Ahaluna Drive, Skyview Drive and Strickland Drive (a/k/a **0 and 1758 Ahaluna Drive; 1508, 1550, 1740, 1746, 1758, 1760, 1934 and 1982 Dawsonville Highway; 300 and 301 Skyview Drive; 0, 2008 and 2016 Strickland Drive**) and to establish zoning as Planned Unit Development (P-U-D) and General Business (G-B).

Ward Number: One
Tax Parcel Number(s): 00-110-000-005 (part), 028, 032 (part) and 039;
00-110A-004-001 (part), 002A, 004 (part), 005 (part), 007 (part),
007A (part), 007X, 014 (part), 016 (part), 017 (part) and 018
Request: Mixed-use development

C. Rezoning Request

- 1) Request from **Oak Hall Companies, LLC** to rezone a 157.98± acres tract located on the east side of Dawsonville Highway (S.R. 53), having road frontage on Ahaluna Drive, Skyview Drive, Strickland Drive, Lakeshore Circle, West Lake Drive and Karen Lane (a/k/a **0, 1264 and 1817 Ahaluna Drive; 1876 Dawsonville Highway; 2208 Karen Lane; 0 and 2029 Strickland Drive; 0 and 1489 West Lake Drive**) from Residential-I-A (R-I-A), Residential-I (R-I), Planned Unit Development (P-U-D) and Regional Business (R-B) to Planned Unit Development (P-U-D) and General Business (G-B).

Ward Number: One
Tax Parcel Number(s): 00-109B-000-003A;
00-110-000-001, 006, 030, 031, 034, 035, 036, 037 and 038;
01-110-001-006; 01-110A-004-022;
01-114-001-001, 026, 145 and 161
Request: Mixed-use development

There was a motion to table all three Oak Hall Companies, LLC requests until the May 9, 2017, Planning and Appeals Board meeting.

Motion made by Board Member Thompson
Motion seconded by Board Member Martin
Vote – 7 favor

NOTE: Board Member Delgado recused herself from the meeting at 5:35 p.m.

A. Special Use Request

- 1) Request from **Hanh My Thi Doan** for a Special Use on a 0.52± acre tract located on the east side of South Enota Drive, north of its intersection with Sherwood Park Drive (a/k/a **502 South Enota Drive NE**), having a zoning classification of Office and Institutional (O-I).

Ward Number: Three
Tax Parcel Number(s): 01-064-002-030
Request: Nail Salon

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

The applicant is proposing a special use within the Office and Institutional (O-I) zoning district to establish a nail salon. The subject property contains a vacant, 2,344 square foot building that was previously occupied as a medical equipment office. Adjacent uses include Walgreens Pharmacy, Wendy's Restaurant, Georgia Poultry Federation, Inc. and a single-family home. The applicant's business, known as Royale' Nails, is currently located across the street within the Sherwood Plaza retail center. There are eight employees and the business hours are from 9:30 A.M. to 8:00 P.M. Monday thru Sunday. Minimal changes are

proposed for the exterior of the building which will include new signage. There are currently 18 parking spaces provided on site of which no changes are proposed for parking or access.

The Future Development Map for the City of Gainesville places the subject property within the *Mixed-Use General* land use category which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential. As well, the subject property is located within the *Traditional Neighborhoods* character area, specifically within the *Northern Neighborhoods subarea* which consists of low-density and medium-density residential, and mixed-use / commercial.

The Planning Division staff is recommending conditional approval of this Special Use request within Office and Institutional (O-I) zoning, based on the Comprehensive Plan and the surrounding residential and non-residential land uses with one condition.

Applicant Presentation: Pat Burke, 540 Holly Drive, stated he is a real estate agent for Keller Williams and has worked with the applicant on this project for the last three or four months. He stated the applicant and his wife have operated Royale' Nails for 11 years, noting it is a classy business and they will be the same kind of citizen at the new location and will follow the guidelines for the architectural and sign requirements. He stated they reviewed the documents provided by staff and had no issues with the requirements or the proposed condition.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the special use as presented with the following condition:

Condition

The existing monument sign or any replacement monument sign shall not be increased in size or height above the current monument sign dimensions so as to remain residential in scale.

Motion made by Board Member Martin
Motion seconded by Vice-Chair Fleming
Vote – 6 favor, 1 recusal (Delgado)

NOTE: Board Member Delgado returned to the meeting at 5:41 p.m.

B. Annexation Requests

- 1) Request from **Masy Seng** to annex a 0.19± acre tract located on the northwest side of the intersection of Shallowford Road and Albert Street (a/k/a **593 and 597 Shallowford Road**) and to establish zoning as General Business (G-B).
Ward Number: Five
Tax Parcel Number(s): 00-119A-001-012 and 013
Request: Donut shop

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

The applicant is proposing to annex two undeveloped parcels into the city limits of Gainesville. The parcels are currently part of a larger unincorporated island and are currently zoned Highway Business (H-B) which is a comparable zoning to General Business (G-B) in the City. The adjacent uses include a single-family home, Regions Bank branch, vacant land, dry cleaner and the US Army Reserve facility. The applicant intends to utilize City water and sewer services in order to develop a 1,200 square foot donut shop, a small parking area and dumpster pad. A two-way access driveway is proposed along Shallowford Road and an exit only driveway is proposed along Albert Street. Anticipated store hours are Monday thru Sunday from 5 A.M. to 5 P.M.

The subject property is located within the *Mixed Use General* land use category which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential. The subject property is also located within the *Longwood Cove* character area which is identified as a potential infill area that could be redeveloped in the long term as a mixed-use "town center." One of the quality community objectives includes redeveloping underutilized land and buildings to enable both commercial and residential growth. Land uses allowed within this character area include 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 annexation request with General Business (G-B) zoning based on the Comprehensive Plan and adjacent commercial uses with three conditions.

Applicant Presentation: Kelly Moore, 4017 Sargent Circle, stated he is a local realtor who helped the applicant with Danny's Donut Shop, noting Mr. Seng has more shops located in other cities, all of which are successful businesses and good for their respective communities. He stated they had no issues with the proposed conditions.

QUESTIONS: Becky Brechter, 3229 Springdale Forrest Circle, stated she was speaking on behalf of Ms. Moss, the owner of the adjacent property to the rear of the proposed business. She asked if the privacy fence buffer would be placed in front of, or behind the existing fence. Planning Manager Matt Tate stated that most likely the old fence would be removed and a new fence would be placed three-feet from the property line as required by Code. Mr. Tate confirmed that Ms. Moss would not have to remove any of the structures located on her property. Ms. Brechter asked if Ms. Moss would have to remove the existing fence. Mr. Tate stated no, according to the survey plat, the existing wooden fence is located on the subject property. Mr. Tate also confirmed that the new fence would extend all the way across the width of Ms. Moss' property line to provide an opaque buffer for her. Ms. Brechter commented on the dumpster pad then stated that answered all of her questions.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the annexation as presented with the following conditions:

Conditions

1. **The developer shall provide a minimum 8-foot tall two sided, opaque fence against the adjacent residential property to the north.**
2. **There shall be no signs allowed along Albert Street.**
3. **Access along Albert Street shall be limited to an exit only upon review and approval by the Public Works Director.**

Motion made by Board Member Thompson
Motion seconded by Board Member Delgado
Vote – 7 favor

ADJOURNMENT

There was a motion to adjourn the meeting at 5:49 p.m.

Motion made by Vice-Chair Fleming
Motion seconded by Board Member Rucker
Vote – 7 favor

Respectfully submitted,

Doug Carter, Chairman

Judy Foster, Recording Secretary