

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
AUGUST 14, 2018**

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

Members Present: Chairman Doug Carter and Board Members Eddie Martin, Sr., Ryan Thompson, Carmen Delgado, Rich White and Kelvin Simmons

Members Absent: Vice-Chair Jane Fleming

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

Others Present: Council Members Barbara Brooks and George Wangemann

MINUTES OF JULY 10, 2018

There was a motion to approve the minutes as presented.

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

NEW BUSINESS

NOTE: *In the absence of the Vice-Chair, Chairman Carter appointed Board Member White as Chairman Pro-Tem during his absence as he recused himself from the meeting at 5:34 p.m.*

A. Rezoning Request

- 1) Request from **LLJ Development, LLC** to rezone a 6.854± acres tract located on the east side of Dawsonville Highway, southeast of Beechwood Boulevard (a/k/a **0 and 1010 Dawsonville Highway**) from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B).
Ward Number: One
Tax Parcel Number(s): 01-115-001-002 and 061
Request: Fitness center, retail and restaurant

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

The applicant is proposing to rezone the subject 6.854± acres property from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for a fitness center, retail and restaurant uses. Adjacent uses include Northlake Square shopping center, Guilford Clinic, Gateway Thrift Store, Jackson EMC office, Trinity Baptist Church, McEver Corners shopping center and the Lakeshore Heights subdivision. The property is located within the Gateway Corridor Overlay Zone and contains two lots. The larger tract is zoned Office and Institutional (O-I) and General Business (G-B) which was previously the location of the New Horizons West Nursing Home demolished in 2013. The smaller tract is already zoned General Business (G-B) and contains a detention pond. The proposed fitness center building is 22,000± square feet in size and the retail/restaurant building is 6,800 square feet. The anticipated hours for the fitness center are from 5 a.m. to 12 a.m. Access to the site is proposed from an existing shared driveway on Dawsonville Highway

which currently serves the adjacent Jackson EMC gated employee parking lot. The applicant is proposing to maintain the existing right in/right out and a left in access.

A Traffic Impact Study (TIS) was completed for the proposed development. Pending Georgia Department of Transportation (GDOT) approval, the proposed improvements include a 300-foot long, northbound right turn lane on Dawsonville Highway at the proposed site driveway. As well, the existing intersection would be converted to an RCUT median which will allow for right turns into and out of the site driveway and left turns into the site driveway. As a result, left turning movements would no longer be permitted from the site driveway or from the driveway located on the opposite side of Dawsonville Highway in front of Leslie's Pool Supplies, Danny's Donuts and Batteries + Bulbs.

The subject property is located within two land use categories based on the Future Development Map for the City of Gainesville. The front portion of the subject property is within the *Public/Institutional/Transportation/Communication/Utilities* land use category and within the *Retail/Commercial* land use category. The subject property is also located within the *Suburban Commercial* Character Area which includes commercial, public / institutional, multi-family residential and mixed uses.

The Planning Division staff is recommending approval of this rezoning request with General Business (G-B) zoning, based on the Comprehensive Plan and the adjacent residential and non-residential land uses with six zoning conditions.

Applicant Presentation: **Skylar Long**, 1220 East 16th Street, Cordele, stated he was the Project Manager for the applicant which is a family owned development company now in its fifth generation in almost 100 years. They have worked heavily throughout Georgia as well as other markets in the southeast, totaling between 500,000 to 600,000 square feet of retail development over the past five years. He stated they have already completed two other fitness centers for this nationally known company which has a great product and maintains their space nicely. Mr. Long stated the site was originally a nursing home which has been vacant for a number of years now. They plan to have the fitness center to the rear of the subject property with possible retail and restaurant located in the front. The detention area is already in place which also serves the Northlake Square development, and utilities are on site for the proposed development as well.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval to rezone the subject property from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for a fitness center, retail and restaurant uses with the following conditions:

Conditions

- 1. The proposed buildings shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application including exterior materials, roof and wall signs.**

2. **Prohibited uses for the subject property shall include motels or hotels, group homes, crisis centers, adult novelty stores, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, tobacco or vaping stores, tire stores, auto parts stores, gas station/convenience store, auto body shops, automobile sales establishments, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
3. **The existing vegetated buffer areas adjacent to the Lakeshore Heights Subdivision shall remain undisturbed. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the existing detention pond at the top of the slope where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.**
4. **Prior to a permit being issued, the developer/property owner shall exhaust all reasonable measures to provide for inter-parcel vehicular access with the adjacent properties located to the north and south as determined by the Gainesville Public Works Director. Documentation shall be provided to the City of Gainesville in this regard.**
5. **All access point design for the subject property shall be submitted for review by the Georgia Department of Transportation in conjunction with the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
6. **An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.**

Motion made by Board Member Martin

Motion seconded by Board Member Thompson

Vote – 5 favor, 1 recusal (Carter), 1 absent (Fleming)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:42 p.m.

Motion made by Board Member Martin

Motion seconded by Board Member Simmons

Vote – 5 favor, 2 absent (Carter, Fleming)

Respectfully submitted,

Doug Carter, Chairman

Judy Foster, Recording Secretary