

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
OCTOBER 9, 2018**

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

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

Members Absent: None

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

Others Present: Council Members Barbara Brooks and George Wangemann

MINUTES OF SEPTEMBER 11, 2018

There was a motion to approve the minutes as presented.

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

NEW BUSINESS

A. Annexation Requests

- 1) Request from **David Gijon** to annex a 0.12± acre tract located southeast of the intersection of Ralston Street and Hazel Street (a/k/a **1509 Ralston Street**) and to establish zoning as Residential-I (R-I).
Ward Number: Four
Tax Parcel Number(s): 00-130-001-020
Request: Single-family home

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

The applicant is proposing to annex a 0.12 acre parcel into the City of Gainesville with Residential-I (R-I) zoning in order to utilize City sewer services to construct a single-family home. The subject property is zoned Residential-II (R-II) within Hall County and is part of a larger unincorporated County island. The adjacent city limits are located to the north, east and west. Adjacent uses include single-family homes both in the city and county and an auto repair shop and retail strip center. The property is currently undeveloped but previously contained a single-family home that was demolished approximately 15 years ago. The proposed home is approximately 1,300 square feet with one access driveway from Ralston Street.

The Future Development Map for the City of Gainesville places the subject property within the *Medium-High Density Residential* land use category and the Character Area map for the City of Gainesville places the subject property within the *West Side* character area, which are supportive of the request.

The Planning Division staff is recommending approval of this annexation request with Residential-I (R-I) zoning, based on the Comprehensive Land Use Plan and the adjacent residential land use.

Applicant Presentation: David Gijon, 1509 Ralston Street, stated he would like to construct a single-family home so he could utilize the City sewer services. The new construction home would be a 3 bedroom, 2 bath home that would help the area and him personally.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the request to annex the subject property and to establish zoning as Residential-I (R-I).

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

NOTE: The following two items were presented together although the motions were made separately.

2) Request from **Hydro Extruder, LLC** to annex a 10.98± acres tract located northeast of the intersection of Old Oakwood Road and Mountain View Road (a/k/a **2829 Mountain View Road**) and to establish zoning as Light Industrial (L-I).

Ward Number: Four
Tax Parcel Number(s): 08-012-008-002
Request: Future industrial expansion

3) Request from **Hydro Extruder, LLC** to annex a 11.29± acres tract located southeast of the intersection of Old Oakwood Road and Mountain View Road (a/k/a **2949 Old Oakwood Road**) and to establish zoning as Light Industrial (L-I).

Ward Number: Four
Tax Parcel Number(s): 08-012-008-004
Request: Future industrial expansion

NOTE: Board Member Delgado recused herself from the meeting due to a conflict of interest with these requests.

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

The applicant is proposing to annex two properties totaling 22.27± acres in size with a zoning of Light Industrial (L-I). The northern property is 10.98± acres and has road frontage on Mountain View Drive. The southern property is 11.29± acres in size with road frontage on Old Oakwood Road. Surrounding uses include single-family homes mostly within unincorporated Hall County, hair salon, Family Dollar store under construction, various industrial uses; Mundy Mill mixed use development and the railroad. The purpose of the request is to someday utilize City sewer services for the future expansion of the Hydro

Extruder industrial use (previously Sapa), which is currently located within the city limits and is located between the two subject parcels. The current operations involve the further manufacturing, fabrication and finishing of aluminum products. The existing industrial use was constructed in 1986 in Hall County and was later annexed into the city limits in 1990 for sewer with a zoning of L-I.

The Development Map for the City of Gainesville places the subject properties within the *Low-Medium Density Residential* land use category and within the Gainesville Character Area Map places the properties within the Economic Development Gateways character area

The Planning Division staff is recommending conditional approval of the annexation requests based on the Comprehensive Plan and the adjacent industrial uses with four conditions.

Applicant Presentation: Donnie Hunt, 1001 Riverside Drive, attorney with Hunt & Taylor Law Firm representing the applicant, stated the land the applicant has been interested in has been tied up in a trust for a number of years and the property has now become available on the market. The applicant is not yet ready to expand but have goals to expand in the next three to five years. Mr. Hunt stated the plant is very well run and one of the cleanest plants he has ever seen. He shared some history of the plant and explained the manufacturing process for the aluminum products they produce which leaves very little waste and reduces the noise level. Transporting products and/or materials would have minimal impact to roads due to the extremely light materials used. As shown on the location maps, the parcels to be annexed are on either side of the existing plant which is already within the city limits of Gainesville. The existing plant currently has approximately 400 employees and the future expansion would create more jobs for Hall County and Gainesville residents. Mr. Hunt stated the applicant was agreeable to the four conditions as proposed by staff.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the request to annex the subject property located at 2829 Mountain View Road and to establish zoning as Light Industrial (L-I) with the following conditions:

Conditions

- 1. Prior to a land development permit application being submitted for the subject properties, the property owner shall be required to submit a site plan review application for a public hearing before the Planning and Appeals Board.**
- 2. A minimum fifty foot (50') wide vegetated buffer consisting of existing vegetation and additional evergreens trees shall be required along the perimeter of the subject properties adjacent to any single-family use along Old Oakwood Road and Mountain View Road. Driveways and powerline easements are exempt from this requirement. 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.**

3. **A Traffic Impact Study shall be required with the submittal of the site plan review application if determined necessary by the Gainesville Public Works Department Director.**
4. **All access point design for the subject property shall require review and approval by Hall County and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposal or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the property owner.**

Motion made by Board Member Thompson
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 recusal (Delgado)

There was a motion to recommend conditional approval of the request to annex the subject property located at 2949 Old Oakwood Road and to establish zoning as Light Industrial (L-I) with the following conditions:

Conditions

1. **Prior to a land development permit application being submitted for the subject properties, the property owner shall be required to submit a site plan review application for a public hearing before the Planning and Appeals Board.**
2. **A minimum fifty foot (50') wide vegetated buffer consisting of existing vegetation and additional evergreens trees shall be required along the perimeter of the subject properties adjacent to any single-family use along Old Oakwood Road and Mountain View Road. Driveways and powerline easements are exempt from this requirement. 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.**
3. **A Traffic Impact Study shall be required with the submittal of the site plan review application if determined necessary by the Gainesville Public Works Department Director.**
4. **All access point design for the subject property shall require review and approval by Hall County and the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposal or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the property owner.**

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

B. Code Amendment Request

- 1) Request from the **City of Gainesville** to amend Chapter 9-8-7 entitled "Midtown Overlay Zone" of the Unified Land Development Code for the City of Gainesville, Georgia to include additional prohibited and permitted uses and to provide for minimum front yard setback requirements within the Midtown Overlay Zone.

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

The proposed ordinance is to amend Chapter 9-8-7 entitled “Midtown Overlay Zone” to include additional prohibited and permitted uses and to provide for minimum front yard setback requirements within the Midtown Overlay Zone.

The Midtown Overlay is roughly a 350 acres area located south of the CBD and borders E. E. Butler Parkway, Jesse Jewell Parkway, Queen City Parkway and the Norfolk Southern Rail Line also including a 200-foot wide buffer. Significant public investment has occurred within Midtown including Public Safety facilities, Midtown greenway/park, connectivity to the Highlands to Islands trail network, regional storm water pond and the recent demolition of the jail site. Private Investment is now happening.

Specifically, Section 9-8-7-6 entitled “Permitted Uses is to be changed to “Permitted and Prohibited Uses” in order to prohibit additional uses that have been found to be in conflict with the purpose and intent of the overlay vision which is to set higher standards for the appearance and functionality of the land uses.

Some of the additional prohibited uses include gas stations, group homes, rooming houses, homeless shelters, jails, pawn shops, kennels, massage parlors, tattoo parlors, salvage yards and industrial uses causing the emission of noise, vibration, smoke, dust, gas, fumes, odors and outdoor storage which conflict with the redevelopment efforts in Midtown. Apartments are also included in this list of prohibited uses; however, loft dwellings, townhomes, single-family homes and condominiums are now residential uses allowed by right regardless of the underlying zoning district.

In addition, Section 9-8-7-7 entitled “Property Design Standards” is proposed to be amended by adding a subsection (e) in order to provide for a minimum front yard setback of 15-feet within the Midtown Overlay Zone. Many of the existing buildings within the overlay are already located close to the road including some with 0-foot front yard setbacks.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: Board Member Martin asked about the status of the existing prohibited businesses. Community Development Director Rusty Ligon stated that existing businesses would be grandfathered in; however, if they went out of business or the use changed, no new businesses listed on the prohibited list could be established. Mr. Ligon stated the City has opted not to rezone the industrial properties in Midtown but to prohibit specific uses instead.

There was a motion to recommend approval to amend Chapter 9-8-7 entitled “Midtown Overlay Zone” of the Unified Land Development Code to include additional prohibited and permitted uses and to provide for minimum front yard setback requirements within the Midtown Overlay Zone.

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

ADJOURNMENT

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

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

Respectfully submitted,

Doug Carter, Chairman

Brandy Palmero, Recording Secretary