

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
APRIL 9, 2019**

CALL TO ORDER Chairman Carter at 5:32 p.m.

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

Members Absent: Board Member Carmen Delgado

Staff Present: Community & Economic Development Deputy Director Matt Tate and Recording Secretary Brandy Palmero

Others Present: Council Member George Wangemann

MINUTES OF FEBRUARY 12, 2019

Motion made by Board Member Thompson

Motion seconded by Board Member White

Vote – 6 favor, 1 absent (Delgado)

NEW BUSINESS

A. Annexation Request

- 1) Request from **Cindy Ford** to annex a 0.62± acres tract located on the north side of Meadowlark Lane, east of Cleveland Highway (a/k/a **1659 Meadowlark Lane**) and to establish zoning as Residential-I (R-I).

Ward Number: Two

Tax Parcel Number(s): 00-084-001-014

Request: Sewer for existing single-family home

Staff Presentation: Community & Economic Development Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to annex the subject 0.62± acre property with a zoning of Residential-I (R-I) for sewer. The general location of the property is situated south of Clarks Bridge Road, between Cleveland Highway and Limestone Parkway. The property has a zoning classification of Agricultural Residential-III (AR-III) within unincorporated Hall County and is contiguous to the city limits to the east. Surrounding uses include single-family homes, Clarks Bridge Corners Condominiums and Oaks at Limestone Nursing Home located to the east/south-east in the city and a mini-warehouse facility to the west in the county. The property contains a single-family rental home that is currently utilizing municipal sewer services but was never annexed into the city limits. There are no proposed changes to the property. Upon annexation, the property will be located within the Limestone Corridor Overlay Zone. The Comprehensive Land Use Plan places the property is located within the *Low-Medium Residential future land use category* and the *Limestone Medical Corridor Character Area*, which allows for single-family residences.

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: **Cindy Ford**, 5711 Fir Lane, Flowery Branch, stated she recently inherited the property after her mother's passing and needed to annex into the city for sewer purposes since it was not previously done.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the annexation request with a zoning of Residential-I (R-I) for utilizing the sewer for existing single-family home.

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

B. Rezoning Requests

- 1) Request from **Gainesville Housing Authority** to rezone a 6.822± acres tract located on the northeast side of the intersection of Pearl Nix Parkway and Jones Street, having road frontage on the east and west sides of Tower Height Road (a/k/a **320 Tower Heights Road**) from Residential-II (R-II) to Planned Unit Development (P-U-D).

Ward Number: Five

Tax Parcel Number(s): 01-119-003-032 and 01-119-006-010

Request: Multi-family apartments

Staff Presentation: Community & Economic Development Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to rezone the subject 6.822± acres property from R-II to P-U-D for a maximum of 180 multi-family apartments and amenity space. The subject property is located within the Gateway Corridor Overlay Zone and is surrounded by Alta Vista Cemetery on two sides, Tower Heights Commons Condos, Single-Family Homes, Real-estate office, Walgreens, Lakeshore Point and Lakeshore Village Shopping Centers. Presently, the property contains the Tower Heights Apartments which consist of 32-units within 16 structures including one community center which will be demolished for the project. The proposed apartment development is to be called "Walton Harbor" and will be built in two phases which will include apartments for families and for seniors. Similar to the exiting Walton Summit development located off of E. E. Butler Parkway, the project will use public and private financing, relying heavily on the Low Income Housing Tax Credit Program through the Department of Community Affairs (DCA). Phase 1 will include 90 family units within three apartment buildings and a clubhouse on a 3.94± acres tract located on the southwest side of Tower Heights Road. Phase 2 will include one apartment building consisting of 90 senior living units on 2.882± acres located on the northwest side of Tower Heights Road. All total, the project will have a density of 26.39 du/ac. Approximately 227 residential parking spaces will be provided and access is proposed from Tower Heights

Road. Tower Heights Road will remain an open public road but will be improved and widened to provide for on-street parallel parking.

The Comprehensive Land Use Plan places the property is located within the *Medium-High Density Residential land use category* and the *Longwood Cove Character Area* which supports multi-family residential uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request with **P-U-D zoning**, based on the Comprehensive Plan and the adjacent residential, nonresidential uses.

Applicant Presentation: Matthew Teague, 1857 Bolder Street, Atlanta, from Walton Communities stated he is excited for the opportunity to add Walton Harbor Apartments and collaborate once again with the Gainesville Housing Authority. He referenced the success that their similar property Walton Summit apartments added to Gainesville. Walton Harbor will face Tower Heights Road providing access to the main entrance and to the public. All of the main facilities will face Tower Heights Road. In addition, it will provide more parking, sidewalks and trees along the street. The 1st phase will be a family community with three separate three-story buildings; they also plan to add a playground. The 2nd phase will be a senior community with four-stories with an accessible elevator for the residents.

FAVOR: Beth Brown, 750 Pearl Nix Parkway, stated the reason why this project is so important is that they have over 1400 people on the waiting list and the list has been closed for two years. She expressed the overwhelming need for affordable housing in the community would help so many families and seniors. She stated they have an aging housing stock that was considered obsolete when evaluated for physical needs assessment. She stated that the success from Walton Summit has really pushed them forward to improve living standards for the area.

OPPOSE: Jack Waldrip, 1520 Berkeley Court, stated he would like the board to either deny the request or table it until two conditions are met. The first condition he would like addressed is for no traffic to be allowed on Jones Street and Pearl Nix Parkway. He then provided several photographs showing traffic and lack of stoplights deeming these unsafe conditions. His second condition is for the safety of the pedestrians. He provided several photographs of pedestrians waiting to cross the intersection and walking on the side of the road. He stated there were no crosswalks for them to use or a stop light to control the traffic. Mr. Waldrip stated adding the extra development of Walton Harbor would become a death trap for pedestrians. He is also concerned with the amount of foot traffic he receives in his office parking lot trying to walk to Wal-Mart and Burger King. Pedestrians try to avoid the intersection because no sidewalks for them to use. He expressed concern for his employees and himself that they could easily hit someone by accident.

Bruce Cash, 1545 Park Hill Drive, stated his reasons are different from Mr. Waldrip's. He described Gainesville, as the City of destruction. He does not want any more of the trees and vegetation in the area to be removed. He also added that traffic is already a problem and that approving the project will only make things worse.

Open Discussion: Chairman Carter invited Mr. Teague back up to answer any questions. Mr. Teague stated he would certainly follow all of the Boards guidelines and an independent traffic engineer will be hired to conduct the study.

Planning and Appeals Board Comments:

Board Member Kelvin Simmons asked Community & Economic Development Deputy Director Matt Tate how long an independent study would take. Board Member Simmons added that he does not have a problem with the proposed plan but he does have a problem with the traffic in the area and that we need an Independent traffic study not a traffic study done by the City. Matt Tate stated that an independent traffic engineer would provide the traffic study. He explained they would study the Pearl Nix and Jones Street intersection. He believes there will be significant time to conduct the impact traffic study before the plan is put into play. Board Member Ryan Thompson asked what would happen if the traffic study shows a problem with the intersection. Mr. Tate replied that they would have to fully evaluate it, concluding this is why the conditions were recommended. Mr. Tate asked Mr. Teague what his timeline on building and planning would be. Mr. Teague stated fall of next year. He explained that a normal traffic study usually takes between 60-90 days. Mr. Tate stated they needed to take the school calendar schedule into effect for the accuracy of the traffic study.

There was a motion to recommend conditional approval to rezone the subject property from Residential-I (R-I) to Planned Unit Development (P-U-D) for multi-family apartments with the following conditions:

- 1. The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 2. The owner/developer shall plant an evergreen buffer along the northerly property lines adjacent to the single-family homes and Tower Heights Commons condominiums. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 3. The owner/developer shall construct a minimum 5-foot wide sidewalk on both sides of Tower Heights Road adjacent to the development. In addition, a 5-foot wide sidewalk shall be constructed on one side of Jones Street and Pearl Nix Parkway adjacent to the development in order to provide connection to the neighboring Lakeshore Village Shopping Center.**
- 4. Prior to a permit being issued for the proposed use, a Traffic Impact Study (TIS) shall be required by the developer/property. The scope of the study shall be determined by the Gainesville Public Works Department Director.**
- 5. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development or any additional improvements identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.**
- 6. An updated as-built survey/plat of the subject property, indicating all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.**

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

- 2) Request from **Christopher Wimberly** to rezone a 0.31± acre tract located on the west side of Summit Street, between E. E. Butler Parkway and Chestnut Street (a/k/a **315 Summit Street SE**) from Residential-II (R-II) to General Business (G-B).

Ward Number: Three

Tax Parcel Number(s): 01-020-004-006

Request: Expansion of neighboring funeral home

Staff Presentation: Community & Economic Development Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to rezone the subject 0.31± acre property from Residential-II (R-II) to General Business (G-B) for the purpose of expanding the neighboring Wimberly and Jackson Funeral Home. The surrounding uses include the Wimberly & Jackson Funeral Home, vacant homes, City Plumbing & Electric and the Walton Summit Apartments. The property is located within the Midtown Overlay Zone and contains a 2,100 square foot single-family home built in 1940, which is unoccupied. The applicant intends to demolish the home in order to provide for additional chapel space and parking to expand. The addition will connect to the existing funeral home and will include approximately 3,200 square feet of new building space and seating for approximately 160± seats within the new chapel. A one-way circular drive is proposed from Summit Street. The Comprehensive Land Use Plan places the property is located within the *Mixed-Use Midtown land use category* and the *Central Core Character Area specifically within the Downtown/Midtown subarea* which allows for a mixture of residential, office and commercial uses.

The Planning Division staff is recommending **conditional approval** of this rezoning request with **G-B zoning**, based on the Comprehensive Plan and the surrounding mixture of uses.

Applicant Presentation: **Felicia Wimberly**, 325 Summit Street, stated the purpose of their request is to build a new chapel and provide appropriate parking for the community they serve. She added the property is in need of beautification and expanding would add so much for those families during their time of need. She provided letters from local churches to help support the need for an expansion to the facility.

FAVOR: **Belinda Dickey**, 2165 Sunrise Drive, agrees the property needs more space to accommodate several family viewings at one time and to help provide safe adequate parking.

Quinn Sean, 5046 Daylily Drive, also agrees that the property needs more parking to help better serve the families and expansion would help serve the community better.

Rev. Charles Dickey, 2165 Sunrise Drive, agrees with the improvements to help better serve the community with expanding the property and providing additional parking for families.

OPPOSE: None

Planning and Appeals Board Comments: **Board Member Simmons**, questioned how many additional parking places the enhancement to the property would provide. Felicia Wimberly stated 30 extra parking places. Mr. Tate clarified that it would provide 40 additional spaces.

There was a motion to recommend conditional approval to rezone the subject property from Residential-II (R-II) to General Business (G-B) for expansion of neighboring funeral home with the following conditions:

- 1. The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance, and shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 2. The owner/developer shall provide for an evergreen buffer along southerly and westerly property lines adjacent to the single-family home and the Walton Summit Apartments which may include a solid row of hedges or trees. The location, spacing, size and type of vegetation planted shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 3. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access / traffic / sidewalk improvements associated with the proposed development or any additional improvements identified within the Traffic Impact Study shall be at the full expense of the developer/property owner.**
- 4. An updated as-built survey/plat of the subject property, indicating existing conditions and all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the future use.**

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

ADJOURNMENT

There was a motion to adjourn the meeting at 6:23 p.m.

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

Respectfully submitted,

Doug Carter, Chairman

Brandy Palmero, Recording Secretary