

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
JANUARY 12, 2021**

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

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

Members Absent: Vice-Chair Jane Fleming

Staff Present: Community & Economic Development Deputy Director Matt Tate and Recording Secretary Gwen Fleming

Others Present: Council Member George Wangemann

MINUTES OF DECEMBER 8, 2020

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

NEW BUSINESS

A. Variance Request

- 1) Request from **Cornel Potra** to vary the front yard setback requirement within the Midtown Overlay Zone on a 0.57± acre tract located on the southwest side of the intersection of Gordon Avenue and Saint Thomas Drive, having road frontage on the northside of Queen City Parkway (a/k/a **535 Queen City Parkway, SW**), having a zoning classification of General Business (G-B).

Ward Number: Three
Tax Parcel Number(s): 01-029-007-003
Request: Office building addition

Staff Presentation: Deputy Director Matt Tate gave the following staff presentation:

The applicant is requesting to vary the front yard setback from 15-feet to 1-foot along Saint Thomas Drive. The property is located within the Midtown Overlay Zone which requires a 15-foot front yard. The existing building is currently setback 12-feet from Saint Thomas Drive. The surrounding uses include a QT fueling station/convenience store, The Guest Lodge Motel, previous massage therapy spa, vacant land, metal building and a residential rental home. The subject property contains a 4,200 square foot multi-tenant office building originally constructed in 2006 that was purchased by the applicant in 2019. The building is occupied by the Potra Law Firm and part of the building is subleased by the original owner, J. Lawson & Associates, LLC.

The property and building have since been renovated with interior and exterior additions including fencing, parking, landscaping, lighting, signage, dumpster pad enclosure and common outdoor gathering space for employees and family. The purpose of the request is to construct a 15' x 70' office addition, and two outdoor pergola additions 10' x 10' and 15' x 30' in size. The proposed additions are to be located within an existing landscaped area

between the existing building and decorative fence. The applicant is basing the hardship on the narrow shape of the property.

The Planning Division staff is recommending **conditional approval** of this variance request based on the width of the lot and the existing road frontages with one condition.

Applicant Presentation: **Greg Loyd**, 421 Ridgewood Avenue, stated he is representing Mr. Potra as general contractor. He said the applicant has made improvements to the location and is needing additional office space which is the purpose of the addition to the side of the building. Mr. Loyd advised the reason for the variance is due to the narrow lot and three road frontages and ask the Board to consider the variance so Mr. Potra is able expand the office.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to conditionally approve the request to vary the front yard setback requirement along Saint Thomas Drive for an office building addition having a zoning of General Business (G-B) with the following condition:

Condition

The proposed 10' x 10' outdoor pergola addition fronting Queen City Parkway shall not be permitted. The area shall remain as landscape/green space.

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

B. Annexation Request

1) Request from **Damon Santimauro** to annex a 7.01± acres tract located on the southwest side of Mabry Road, between Old Flowery Branch Road and Centennial Drive (a/k/a **3521 Mabry Road**) and to establish zoning as Light Industrial (L-I).

Ward Number: Four
Tax Parcel Number(s): 08-024-002-047
Request: Office/Metal fabrication plant

Staff Presentation: Deputy Director Matt Tate gave the following staff presentation:

The applicant is proposing to annex the 7.01± acres subject property with Light Industrial (L-I) zoning for sewer for the proposed Titan Steel Door metal fabrication plant which involves robotic welding, laser cutting, roll forming, tamping and machining. The property is currently zoned Light Industrial (I-I) within unincorporated Hall County and is adjacent to the city limits located on the east side of Mabry Road. The adjacent uses include single-family homes, Avita Community Partners, Energy Assurance laboratory and Centennial Industrial Park.

The applicant intends to construct 61,200 square feet of office/warehouse and manufacturing space that will be developed in two phases. Employee hours are 7:00 A.M. to

3:30 P.M. A portion of Mabry Road is proposed to be improved by constructing a cul-de-sac at the driveway entrance to address truck turning movements while still allowing for vehicular traffic to pass through.

The Future Development Map for the City of Gainesville places the property within the *Low-Medium Density Residential* land use category, which includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from two to four dwelling units per acre. According to the Character Area map for the City of Gainesville, the subject property is located within the *Suburban Residential* Character Area which includes low-density residential, medium-density residential, multi-family residential, public / institutional, commercial, and parks / recreation / conservation, mixed-use.

The Planning Division staff is recommending **conditional approval** of this annexation request with a zoning of **Light Industrial (L-I)** based on the Comprehensive Plan and the adjacent industrial uses with six conditions.

Applicant Presentation: **Damon Santimauro**, 2314 Centennial Circle stated he has no problems with the conditions and agrees to working with staff on the 50 foot buffer in condition three. Mr. Santimauro said they have another facility nearby within the Centennial Industrial park with similar items so they have knowledge of the traffic flow. He asked the Board to consider their request to be annexed into city for sewer.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: None

There was a motion to recommend conditional approval of the annexation request and establish zoning as Light Industrial (L-I) with the following conditions:

Conditions

- 1. The approved uses for the property shall be limited to light industrial uses to include the proposed use, office, warehouse, storage, distribution, further processing, assembly and fabrication.**
- 2. The proposed development shall be generally consistent with the standards depicted on the architectural elevation provided with the annexation application. Any zoning conditions adopted as part of this zoning ordinance that conflict with the applicant's narrative, concept plan and architectural renderings shall take precedence over the applicant's development standards.**
- 3. The development shall require a minimum 50-foot wide evergreen planted buffer adjacent to all single-family properties located to the south and west. The trees shall be a minimum installation height of 8 feet and shall consist of a mixture of Arborvitae Green Giant, Japanese Cryptomeria, Eastern Red Cedar, and Holly. The location, number, spacing, size and type of trees planted shall be subject to Community and Economic Development Department Director approval in order to effectively screen the adjacent residential properties.**
- 4. All access point design for the subject property shall require approval by the Gainesville Public Works Director and Hall County Public Works Department. All required access / traffic / sidewalk and improvements to Mabry Road associated**

with the proposed development shall be at the full expense of the developer/property owner.

5. **An electronic message board sign shall not be permitted for the subject property.**
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 White

Motion seconded by Board Member Martin

Vote – 6 favor, 1 absent (Fleming)

C. Zoning Amendment Request

- 1) Request from **Scott Stringer** to amend a portion of an existing Planned Unit Development (P-U-D) zoning totaling 57.29± acres located on the southwest side of the intersection of Mundy Mill Road and Millside Parkway and west of the intersection of Mountain View Road and Old Oakwood Road (a/k/a **0 Mundy Mill Road, SW and 0 Old Oakwood Road, SW**).

Ward Number: Four

Tax Parcel Number(s): 08-043-000-078 and 08-024-005-363

Request: Multi-family apartments and industrial / office / warehouse uses

Staff Presentation: Deputy Director Matt Tate gave the following staff presentation:

The proposed zoning amendment includes a 57.29± acres portion of the 605.0± acres Mundy Mill mixed-use development originally approved in 2004. The entire development is currently approved for 1,148 single-family homes, 1,235 condominiums, townhomes or apartments, 806,000 square feet of office/warehouse space and 885,000 square feet of commercial/retail space. There have been 4 previous zoning amendments and currently there are multiple phases of single-family homes and apartments built or under construction as well as the existing Mundy Mill Learning Academy elementary school.

Specifically, the first part of the amendment includes relocating the 300 multi-family apartment units within Pod “E” to part of Pod “I” next to the approved outparcel commercial uses. The second part of the request involves relocating/changing some of the previously approved office/commercial/retail square footage from Pod “I” to Pod “E” for up to 170,000 square feet of industrial/office/warehouse uses. There are no immediate development plans for this parcel and preliminary access is shown from Old Oakwood Road and Mountain View Drive. The total residential units and non-residential square footage will remain the same.

The Gainesville 2030 Future Development Map places the Pod “E” portion of the subject property within the *Mixed-Use General* land use category and the Pod “I” portion of the subject property within the *Retail/Commercial* land use category. As well, the subject property is located within the *Suburban Residential* Character Area which includes low-density residential, medium-density residential, multi-family residential, public / institutional, commercial, and parks / recreation / conservation and mixed-use.

The Planning Division staff is recommending **conditional approval** of this zoning amendment request based on the comprehensive plan and the adjacent uses. The existing zoning conditions are recommended with highlighted amendments to zoning conditions 17, 18 and 20 and the addition of zoning conditions 31 and 32.

Applicant Presentation: **Billy Powell**, 329 Oak Street stated he is speaking on behalf of the applicant and owner. Mr. Powell said the main point is there will be no additional units as they are simply relocating the product along with retail space. He stated the reason for relocating the 300 multi-family units to Mundy Mill Road is to increase marketability. Mr. Powell stated Atlanta builder Carter USA which is a six-decade old firm and builds a high quality product. Mr. Powell then reviewed the slides on the PowerPoint and said they intend to build 10 buildings.

FAVOR: None

OPPOSE: **Fiona Thorpe**, 4142 Pear Haven Lane, stated she is speaking on behalf of her mother Winnifred Thorpe that lives next to the proposed industrial warehouse use. Ms. Thorpe stated there are concerns about the warehouse portion of the new plan. She said her mother would like to know the type of industrial plant, any barriers installed to keep the noise and commercial traffic out. The other concern was if a traffic light would be installed at Millside Parkway on Mundy Mill which is a divided highway and would need a traffic light between the apartments, warehouses and the homes. The last concern mentioned by Ms. Thorpe was water runoff and absorption when it rains because there is an issue now and does not want any additional water problems.

Maclesha Bourne, 4233 Weeping Willow Drive, stated she is with the HOA representing Winnifred Thorpe. She said they wanted to know what provisions will be in place to prevent any possible industrial pollution that might affect the health of the surrounding community. She mentioned there are a lot of senior citizens that reside on Pear Haven Lane and wants everyone to be mindful of those citizens.

Planning and Appeals Board Comments: Chairman Carter stated they will get answers regarding the five issues mentioned. He also said to his knowledge from speaking with Mr. Tate there are no definite plans for the industrial pod and they would be required to come back before the Board for approval.

Mr. Tate showed the location in question on the map where Pear Haven Lane backs up to the industrial part. He said there is a natural buffer within the residential portion and with no specific plans staff has added two extra conditions to the thirty conditions. Mr. Tate read the new conditions and stated since there is no specific use for the industrial pod, the developers would need to come back before the Board for approval and public notification would be sent out allowing citizens to attend and there is no timetable for the industrial pod. Mr. Tate stated the last condition, depending on the use/size of it, may require further traffic study. Mr. Tate said any run-off issues are thoroughly studied during the plan review process which would be required once it has come back to this Board and approved. The stormwater engineer would review the plans during that process that could impact the adjacent properties. He said that it would be reviewed again and there are noise control measures, and buffer requirements in place to address the issue.

Rebuttal: Mr. Powell stated they will comply with any setback requirements and stormwater runoffs by working with the staff and the Community and Economic Development Department. The traffic signal at Mundy Mill and Millside Parkway has been approved. Mr. Powell said he is not aware of the time frame for it but the property owner has gotten approval for it.

There was a motion to recommend conditional approval of the zoning amendment request to allow for multi-family apartments and industrial / office / warehouse uses to be relocated within the Planned Unit Development (P-U-D) with the following conditions:

Changes to existing zoning conditions 17, 18 and 20 and new zoning conditions 31 and 32 are highlighted below.

Conditions

Transportation/Traffic

- 1. All road improvements associated within the scope of the proposed development shall be at the full expense of the developer(s). The scope of the development shall be defined as those roads/intersections directly within, adjacent to, and within 1,500 feet of the subject property as studied within the Traffic Impact Study (TIS) submitted with this application. These road improvements are to include additional signalization, turn lanes, widening of roads, striping, and signage as stated in the TIS. This may include all or portions of Mundy Mill Road, Meeks Road, Fairbanks Drive, Old Oakwood Road, Old Flowery Branch Road, and Mountain View Road. The cost of the required road improvements shall be prorated based on developed property values of the residential, commercial, retail, office and industrial properties.**
- 2. The developer(s) shall work with the Georgia Department of Transportation, Hall County Traffic Engineering, the City of Oakwood, and the City of Gainesville Public Works Department to ensure that these improvements are performed in a timely manner so as to not conflict with any of the existing or planned road projects that are scheduled to take place outside the scope of the proposed development.**
- 3. All sign locations, access point (new and existing) designations for *new* roads, sight distances, and sight triangles shall be reviewed and clarified, in the beginning stages of plans and submittals with GDOT and the Public Works Director so as to limit the number of access points in that area.**
- 4. A signal warrant study will be required for the major intersections of internal streets within the development. If a signal light is warranted at a specific intersection, such installation shall be completed at the expense of the developer(s) and shall meet all specifications as determined by the Public Works Department. A signal light shall not be installed until traffic volumes actually meet the levels as determined by the warrant study.**
- 5. The developer(s) shall meet with Public Works prior to initiating the final civil design to discuss a traffic calming plan. A traffic calming plan consisting of tools such as landscaped traffic circles at intersections, raised crosswalks, landscaped center medians, chicanes, or other measures that aid in keeping the average speed on residential streets approximately 25 mph or below shall be prepared and approved by Public Works. Specific measures in the approved plan shall be constructed at the same time the streets are constructed.**
- 6. All roads dedicated to the City of Gainesville shall meet City specifications, and all private roads shall be constructed with materials that meet City specifications.**
- 7. All interpretations relating to transportation and/or traffic improvement conditions shall be subject to approval of the Gainesville Public Works Director.**

8. **The new four lane parkway as reflected on the site plan shall be constructed and designed so as to allow a connection to the Tumbling Creek Connector across Old Oakwood Road.**

Development Standards

9. **Sidewalks shall be required along both sides of the streets within the development and shall be a minimum of four feet (4') wide along streets classified as residential streets and six feet (6') wide along collector streets and streets in the commercial zones. Alternatively, sidewalks shall be permitted along one side of the street in parkway areas at a minimum width of eight feet (8') and a minimum of five feet (5') along roads classified as residential streets.**
10. **All proposed single-family lots within the development shall only be allowed to access new interior roads within the subdivision. Direct access shall not be allowed onto roads that existed prior to this development.**
11. **Access to all service areas adjacent to single-family detached homes, including dumpster pads, shall be limited to the hours of between 9:00 a.m. and 6:00 p.m., unless an emergency situation warrants access to these areas.**
12. **Upon completion of the development, no outside storage of any materials shall be allowed. No storage of hazardous chemicals, as listed in the Standard Fire Code, shall be permitted.**
13. **Outdoor lighting used in this development; be it for recreational, security or general purposes, shall be of non-spill design and placed in a manner so as to minimize direct visibility by adjoining or adjacent properties.**
14. **The proposed residential, office, commercial, and accessory structures shall be similar in scale and architecture to the elevation drawings and pictures as submitted with the application.**
15. **The subject property shall be developed substantially in accordance with the site plan with minor engineering deviations excepted. All site plan, architectural renderings, pedestrian/trail access plan, and traffic impact studies shall become a part of the annexation, zoning and rezoning ordinances.**
16. **The number of *single-family detached homes* shall not exceed 1208 units and shall contain a minimum of 1,500 square feet of heated space. Front facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The remaining three facades shall consist of these materials or cementeous siding such as hardiplank. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line and minimum lot width at right-of-way line of 20 feet, with the exception of Pod M of the concept plan which shall have a minimum lot width at the building setback line reduced to 50-feet.**

Pod L of the concept plan dated 10/06/04 shall be the highest-end product proposed by the developer and shall contain a minimum of 1,800 square feet of heated space. Single-family lots shall be no less than 6,000 square feet in size, with 60 feet of lot width at the building setback line, and minimum lot width at right-of-way line of 20 feet. Front and side facades shall consist of masonry, stacked stone, cedar shake or stucco, architectural accents excluded. The rear facade may consist of these materials or cementeous siding such as hardiplank.

Each home within all single-family residential detached pods will have an attached garage for at least two cars. The front yard of each lot shall be sodded and planted with at least one hardwood tree. Monument signage shall be used for the

entrance to any detached single-family residential pod as per the attached site plan, and each entrance shall have plantings or other architectural accents.

17. The number of attached *single-family condominiums*, fee simple townhomes or apartments shall not exceed 1,235 total units to include a total of 775 units for Pod's C and **I** and 460 units for Pod's J and K. The minimum unit/lot width for each condominium or fee simple townhome unit shall be 16 feet, and each unit shall contain a minimum of 1,200 feet of heated space. Building separations shall be as reflected on the site plan, and private drives built to City specs will be used within these communities. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. No fewer than three or more than ten condominium or fee simple townhome units shall exist within one continuous structure, and front facades will be staggered. All single-family condominiums shall contain one car garages. Monument signage shall be used for the entrance to any attached single-family residential pod as per the sign plan.
18. The height of an apartment building shall not exceed three stories, although $\frac{3}{4}$ splits will be allowed. Each apartment unit will contain a minimum of 650 square feet for Pod's C, **I**, J and K. Each unit shall have at least 1.75 parking spaces. Front, side and rear facades shall consist of masonry, stacked stone, cedar shake, stucco, cementeous siding or a mixture thereof. No vinyl siding shall be allowed excluding soffit areas. Minimum building separations shall be as depicted on the site plan. Signage shall be as per the attached sign plan.
19. The subject property may be developed for up to 806,000 square feet of traditional office, mid-rise office, and office warehouse space. Within the 806,000 square foot maximum, commercial and retail uses may be allowed within Pods B and N. At no such time shall the maximum allowed square footage within those pods exceed what is specified on the approved concept plan. This space may be developed for these uses but sold in a condominium format. Height of such structures shall be limited to 3 stories from average finished grade. Parking spaces will be provided at a minimum ratio of 3.5 spaces per 1000 square feet of useable office space. Monument signage shall be required in any office pod as per Exhibit B, and lights shall be shielded and angled so as to minimize glare onto adjacent properties. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required.
20. **The subject property may be developed for up to 170,000 square feet of industrial/office/warehouse space within Pod E and 580,000 square feet of commercial space within Pod I.** The maximum height of any structure, excluding architectural accents; such as clocks, cupolas and bell towers; shall be 50 feet. Use of pitched roofs shall be encouraged. Minimum setbacks shall be as per the site plan, but there shall be no minimum lot, lot width or lot frontage required. Parking shall be provided at a minimum of four spaces per 1,000 square feet of space. Lights shall be shielded and angled so as to minimize glare onto adjacent properties, and dumpsters shall be screened. Under no circumstances shall the following uses be allowed: Pawn shops, adult entertainment, adult bookstores, extended-stay hotel, rooming house, or boarding house. Signage shall be as per the attached sign plan.
21. Architectural treatment shall be of consistent design throughout the community and as per the renderings.

22. A minimum of 100 acres shall be maintained as green space, with passive recreation and trails as per the plan. Sidewalks shall connect the residential and non-residential components of this community.
23. A Mandatory Property Owners Association will be created for the single-family detached community to insure that these conditions are observed during development and in terms of architectural consistency thereafter. Separate mandatory associations will be set up for the single-family detached and single-family attached products to own and manage open space, common areas, and architectural controls. Open space elsewhere in the project shall be maintained as common area by the overall Property Owner's Association, or by a separate Association within whose boundaries the common area is located. Maintenance of the amenities package set forth on the site plan shall be the responsibility of the owners of single-family detached homes. However, at the option of those residents, memberships may be extended to other Mundy Mill residents for a fee to cover maintenance. Amenities packages also may be established in the individual townhome or apartment pods, but shall be the responsibility of the owners of land therein.

Buffers

24. A 100 foot wide buffer shall be provided against Balus Creek and all other blue-line streams. The first 50 feet of the buffer shall be measured from the top of the creek bank and shall be undisturbed. The remaining 50 feet of the buffer, if disturbed, shall be stabilized and replanted with vegetation subject to Planning Department approval.
25. A 25 foot minimum perimeter buffer will be created and infilled as necessary with plant material. However, this buffer will not be required along any Mundy Mill Road frontages. Landscaped buffers of at least 25 feet are also required along any road frontages.
26. Landscaped buffers of at least 25 feet also shall separate any non-residential pod or existing non-residential use from a residential pod. The buffer shall be subject to Planning Department approval.
27. All proposed detention ponds shall be sufficiently fenced and buffered from view from all roads and adjacent properties. All buffer materials shall be approved by the Planning Department.

Gainesville City Board of Education

28. As agreed to by the owner/developer, the 17.0 acre tract of land identified on the plat/site plan attached as Exhibit A shall be reserved for use as an elementary school site. At that time (or earlier at the owner/developer's discretion), and presupposing the School Board still wants the property for an elementary school, the owner/developer shall promptly convey to it, without charge. In the event the School Board does not secure a building permit and begin construction of an elementary school before December 31, 2012, then the developer shall retain all rights to development of the entire 17.0 acres tract as per the original terms of zoning approval except for this condition, and the School Board shall promptly convey marketable title to the property back to the owner/developer at no charge. Additionally, if no elementary school is actually constructed on this site by December 31, 2013, then the School Board shall return marketable title to the property to the developer without charge. The conveyance documents executed by the owner/developer to the School Board will contain these terms and requirements. This agreement to reserve the 17.0 acres tract shall not prohibit the

owner/developer from including it in any plat it may prepare for its development of a single-family residential pod and also will allow the owner/developer to put on it any necessary utility or other storm water easements which may be required for the development as a whole, provided such improvements do not materially affect the Board's ability to use the site for a school. This agreement also shall not prohibit the owner/developer from earlier transferring the 17.0 acres site to the City to be held for the School Board, subject to the requirements of this paragraph. Finally, but for utility/drainage easements or right-of-way dedicated as part of the road system in or along the frontages of the Mundy Mill development, the owner/developer shall not be required to dedicate or give to the City of Gainesville any additional property incidental to this development. However, if the School Board fails to acquire this property, then the owner/developer shall convey three acres of land to the City for a public safety use.

Notwithstanding any of the foregoing, if at such time as the School Board has acquired the 17.0 acres site and is ready to begin feasibility assessments, and if the State Board of Education should determine that the site is not then suitable for use as a school under the applicable state standards, then the Board of Education may sell the 17.0 acres tract and retain the proceeds for use in purchasing an alternative site. Provided, however, that once an arms length transaction for a fair market value purchase of the site has been secured by the School Board, the owner/developer shall have a right of first refusal to repurchase the tract at the exact same purchase price. Provided further, that the proceeds from such sale must be expended on a new school site within 60 days of closing, otherwise it shall be remitted instantly to the owner/developer.

The City notes that this condition may be imposed only because the owner/developer has agreed to it.

Quality Enhancement

- 29. In order to further enhance and assure the quality of development, the City expects the developer shall perform/provide the following:**
- Detailed landscape plan for parkway, subject to approval by the Department of Planning and Development.**
 - Reconstruction of Mundy Mill as focal point for community, subject to approval of the Georgia Department of Transportation.**
 - A minimum of two amenity locations shall be provided for the entire development of the detached single-family residential pods. At minimum the amenity sites shall include a pool house, swimming pool and playground.**
 - Sidewalks and streetlights throughout community.**
 - All products within the development shall contain exterior construction materials limitation; must use brick, masonry stucco, stacked stone, cedar shake, or hardiplank.**
 - Open space - 18%.**
 - Pedestrian trail plan (3.5± miles) connecting entire community.**
 - Parkway plan sidewalk width sufficient to create a bicycle lane.**
 - Every single-family home built on the subject property shall contain ceramic tiled bathroom floors.**

- Every single-family home shall be built to accommodate at least one fireplace.
 - No vinyl siding on any product within development excluding soffit areas.
 - Each pod of townhouses and apartments will have its own amenities package.
 - All underground utilities.
 - Uniform mailboxes will be provided for each detached single-family residential pod.
 - Uniform street signs will be provided throughout the development.
30. Along Balus Creek, the developer shall reserve for the City, by way of easement, a ten-foot strip of land for use as a bicycle path. At such time as the City or County constructs an element of its bike path system to which this easement might connect, the City and/or County, at its/their expense, may pave this strip. No development shall occur on the property which would interfere with the eventual construction of this path by the appropriate governmental entity, except for the boulevard which will cross the creek.
31. Prior to a land development permit application being submitted for the proposed Industrial/office/warehouse uses within Pod "E", the property owner shall be required to submit a site plan review application for a public hearing before the Planning and Appeals Board.
32. A Traffic Impact Study shall be required with the submittal of the site plan review application for Pod "E" if determined necessary by the Gainesville Public Works Department Director. 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 Martin
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Fleming)

ADJOURNMENT

There was a motion to adjourn the meeting at 6:04 p.m.

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

Respectfully submitted,

Doug Carter, Chairman

Gwen Fleming, Recording Secretary