



CITY OF GAINESVILLE

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

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MEMORANDUM

TO: Gainesville Planning and Appeals Board
FROM: Rusty Ligon, Community Development Director
DATE: February 9, 2010
APPLICANT: City of Gainesville
SUBJECT: Amend an existing Planned Unit Development (P-U-D) zoning.
LOCATION: Mundy Mill Development located along Mundy Mill Road, Meeks Drive, Mountain View Road and Old Oakwood Road

The Gainesville Community Development Department has filed a zoning amendment application for the 605± acre Planned Unit Development (P-U-D) known as the Mundy Mill Development. Due to the fact the Mundy Mill Development is partially occupied and now contains as many as 57 individual property owners, it has become logistically impossible to gain owner authorization from all of the property owners in a timely manner; therefore, the City of Gainesville is the applicant.

The purpose of this request is to update the existing zoning conditions placed on the subject property in order to better address current market conditions. Specifically, the application is to amend conditions 1, 2, 4, 5, 11, 16, 17, 22, 23, 25, 28 and 29 of Ordinance No. 2007-64. The proposed amended conditions are intended to maintain a high quality of development standards while better clarifying and removing certain development restraints that have kept the overall development from thriving due to market conditions.

Background

During October of 2004, REL Development, Inc. annexed and rezoned the subject property with a zoning of Planned Unit Development (P-U-D) with a total of 31 zoning conditions for a mixed-use development to include 1,148 single-family detached homes, 578 condominiums/townhomes, 460 apartments, 806,000 square feet of office/warehouse space, 585,000 square feet of commercial space, and an elementary school site.

Later in June of 2006, Mundy Mill Development, LLC amended Condition #28 of the Planned Unit Development (P-U-D) which removed the phasing of development restriction for the apartment component and placed it on the condominiums/townhomes component of the development.

Most recently during December of 2007, Mundy Mill Development, LLC amended the same Planned Unit Development (P-U-D) which modified the existing site plan and three existing conditions of zoning (Conditions 17, 20 and 29). Specifically, the applicant relocated the school to a more interior 17.0± acres site where a component of office/warehouse and commercial was to be developed. The prior school site within Pod "E" was amended to allow for an additional 197 residential townhome or condominium units which brought the total number of townhome/condominium units



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within the development to 775 units. In addition, the applicant was approved for an additional 300,000 square feet of commercial space within Pod "I", which increased the commercial space to 750,000 square feet. In turn, this increased the overall commercial space to a total of 885,000 square feet. Lastly, the applicant realigned the westerly entrance off of Mountain View Road in order to preserve a Champion Tree.

Existing Conditions

Below is a summary of what has currently been developed within the Mundy Mill Development.

Amenities

The Mundy Mill development contains two amenity sites. The largest amenity site is located within Pod "A" and is in poor condition. Currently, the site contains the old Bagwell estate home which was to be renovated as a club house, a partially constructed pool house, pool, and 4 tennis courts, as well as a playground area which has not been constructed.

As well, constructed within Pod "M" (Creekside Subdivision) is an amenity site containing a pool, pool house, parking area and playground. These facilities have not been maintained and are in poor condition.

Commercial/retail/office/warehouse

No construction plans have been submitted or permits have been issued for any commercial, retail, office or warehouse use. However, the commercial Pods "G" and "I" on both the southwest and northeast sides of Mundy Mill Road have been graded for future development.

Multi-family

No construction plans have been submitted or permits have been issued for any multi-family apartments, townhomes or condominium units.

Roads

No roads have been accepted by the City of Gainesville at this time. According to the Public Works Department, no roads have received a one inch top surface course coat and some are in need of base repair. In addition, existing silt in front of the catch basins need to be cleaned, weeds need to be removed between curbing and asphalt, signage and road striping need to be provided and sidewalks need to be completed.

The main parkways (A & B) and some of the interior residential roads accessing the Creekside, Magnolia Park and Maple Park residential pods have been constructed. Sidewalks have been installed only in front of the finished single-family homes and along a portion of parkway A.

According to a Traffic Signal Authorization letter from the Georgia Department of Transportation (GDOT) dated October 31, 2006, a stop and go traffic signal has been approved at the intersection of the new Mundy Mill Parkway and Mundy Mill Road. The developer is responsible for the installation of the traffic signal including fiber optic interconnection with the existing signal located at S.R. 53 and Old Oakwood Road. The signal will be installed contingent upon 50% build out of the retail development.



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Signs/Street Lights

Street signs and street lights are only partially completed within the existing Creekside, Magnolia Park and Maple Park residential pods. Monument signs have been installed at the entrance to each subdivision along the north and south entrance along Meeks Road, Mountain View Road and the main parkway. In addition, a decorative wall with no sign face has been installed at the entrance along Mundy Mill Road.

Single-family

Out of 1,148 single-family detached homes approved through zoning, only a total of 67 homes (6%) have been constructed within the entire Mundy Mill Development. This consists of 29 homes (21 occupied) within Pod “M” (Creekside); 19 homes (13 occupied) within Pod “L” (Magnolia Park); and 19 homes (18 occupied) within Pod “A” (Maple Park).

School site

The 17.0 acres tract designated for an elementary school site is undeveloped. The Gainesville Board of Education has until December 31, 2012 to secure a building permit and must begin development for a new elementary school which must be completed by December 31, 2013. If this is not accomplished, the 17.0 acres tract is to be conveyed back to the developer/owner (Mundy Mill Development, LLC) and a 3 acres tract of land shall then be conveyed to the City of Gainesville for a public safety use.

Future Land Use

The subject property is located within four different land use categories of the Future Land Use Map. These include the “Suburban Medium Density”, “Suburban High Density”, “Industrial”, and the “Mixed-Use” land use categories. The majority of the subject property appears to be located within “Suburban Medium Density” and the “Mixed-Use” land use categories. The proposed zoning amendment proposes to modify certain design standards and does not change the overall use of the property.

Summary of Proposed Zoning Conditions

Below is a summary of the proposed amendments to the current zoning conditions. The amended conditions in their entirety are located within the attached draft zoning ordinance.

Zoning Condition	Summary of Current Zoning Condition(s)	Summary of Proposed Zoning Condition(s)
1, 2, 4, & 5	Requires that all road improvements within the scope of the proposed development be at the full expense of the applicant/developer.	<i>Clarifies that the necessary road improvements be prorated between the developers based on the property values due to the fact that there are now multiple developers involved with the Mundy Mill project.</i>
11	Requires that access to all service areas including dumpster pads be limited to the hours of between 9:00 a.m. and 6:00 p.m.	<i>Clarifies that access to all service areas including dumpster pads be limited to the hours of between 9:00 a.m. and 6:00 p.m. only when adjacent to single-family detached homes.</i>
16 & 29	Requires a minimum of 1,600 square feet of heated space for no more than 20% of the detached homes built; a minimum of 1,800 square feet for no	<i>Requires a minimum of 1,500 square feet of heated square footage for all other single-family detached homes and a minimum of 1,800 square feet for single-family homes within</i>



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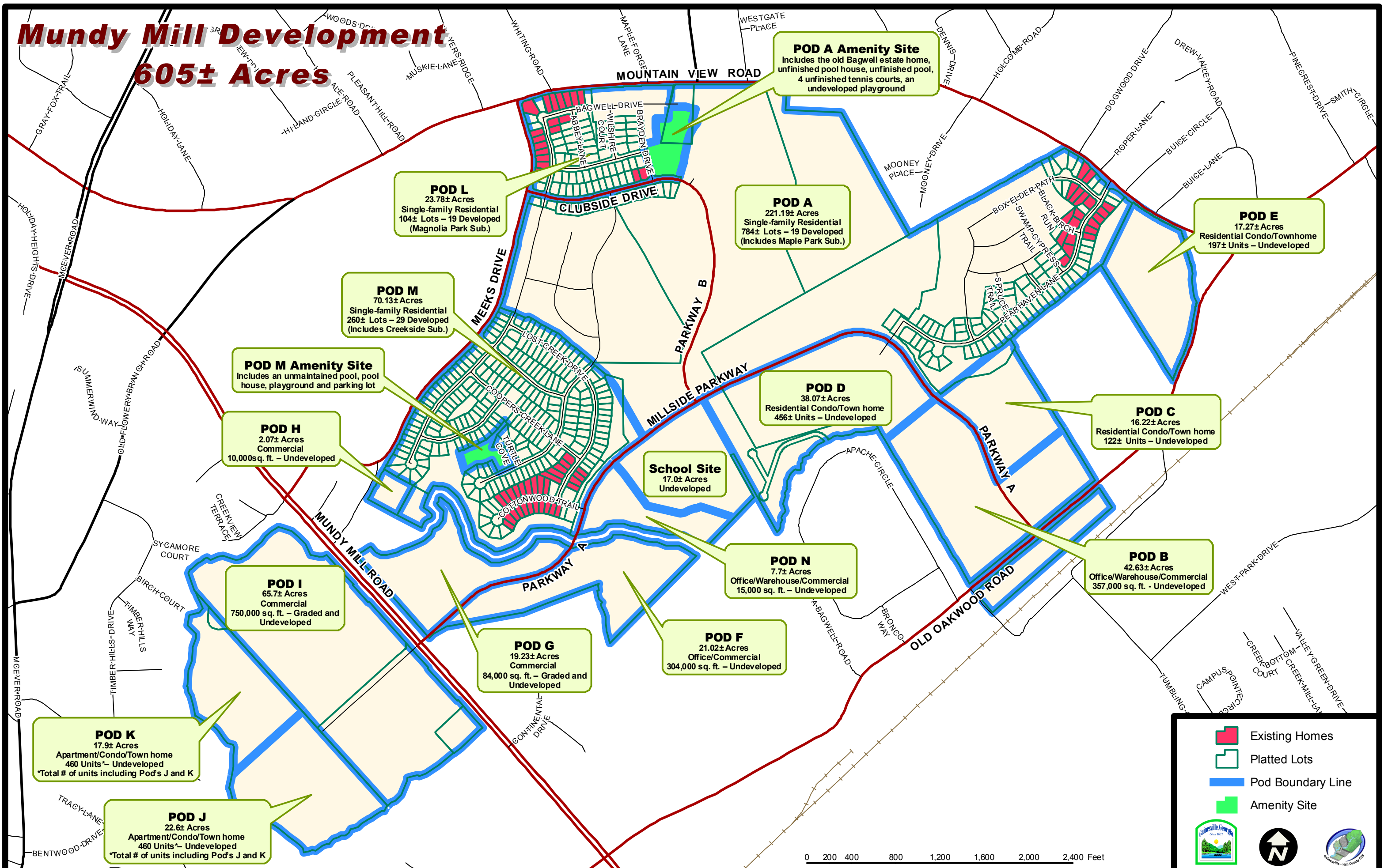
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	more than 20% of the detached homes built; and a minimum of 2,000 square feet for all other detached residences and those located within Magnolia Park (Pod "L").	<i>Magnolia Park (Pod "L").</i>
16, 17 & 29	No vinyl siding is allowed. Every single-family home shall contain tiled baths. Uniform mailboxes and street signs are required.	<i>Allows vinyl siding to be used as an architectural treatment on no more than 20% of each exterior wall. Every single-family home shall contain ceramic tiled bathroom floors. Uniform mailboxes are required for each detached single-family residential pod and uniform street signs will be provided throughout the development.</i>
23	Requires a Mandatory Property Owners Association be created for the community as a whole.	<i>Requires a Mandatory Property Owners Association be created for each single-family attached and detached community.</i>
25	Requires a "mill feature" to be constructed next to Balus Creek.	<i>Removes the requirement to construct a landscaped "mill feature" adjacent to the stream.</i>
28	Requires a building permit be issued to construct a minimum of 350,000 square feet of commercial/retail or office space prior to the first apartment complex being constructed. Requires a building permit be issued for a minimum of 500,000 square feet of commercial/retail or office space prior to the second apartment complex being constructed.	<i>Deletes the development phasing condition in its entirety.</i>
22 & 29	Amenities package is to contain a minimum of one pool, two tennis courts and one playground. Existing Bagwell residence will be retained and converted to a clubhouse. The developer is required to place gazebo, grills and picnic tables in the larger green space areas.	<i>Clarifies that a minimum of two amenity locations be provided for the entire development to include a pool, pool house, swimming pool and playground. Removes the requirement to convert the old Bagwell residence into a clubhouse and to construct two tennis courts. Removes the requirement of gazebo, grills and picnic tables within the green space areas.</i>

Mundy Mill Development

605± Acres



POD A Amenity Site
Includes the old Bagwell estate home, unfinished pool house, unfinished pool, 4 unfinished tennis courts, an undeveloped playground

POD L
23.78± Acres
Single-family Residential
104± Lots - 19 Developed
(Magnolia Park Sub.)

POD A
221.19± Acres
Single-family Residential
784± Lots - 19 Developed
(Includes Maple Park Sub.)

POD E
17.27± Acres
Residential Condo/Townhome
197± Units - Undeveloped

POD M
70.13± Acres
Single-family Residential
260± Lots - 29 Developed
(Includes Creekside Sub.)

POD M Amenity Site
Includes an unmaintained pool, pool house, playground and parking lot

POD D
38.07± Acres
Residential Condo/Town home
456± Units - Undeveloped

POD C
16.22± Acres
Residential Condo/Town home
122± Units - Undeveloped

POD H
2.07± Acres
Commercial
10,000sq. ft. - Undeveloped

School Site
17.0± Acres
Undeveloped

POD N
7.7± Acres
Office/Warehouse/Commercial
15,000 sq. ft. - Undeveloped

POD B
42.63± Acres
Office/Warehouse/Commercial
357,000 sq. ft. - Undeveloped

POD I
65.7± Acres
Commercial
750,000 sq. ft. - Graded and Undeveloped

POD G
19.23± Acres
Commercial
84,000 sq. ft. - Graded and Undeveloped

POD F
21.02± Acres
Office/Commercial
304,000 sq. ft. - Undeveloped

POD K
17.9± Acres
Apartment/Condo/Town home
460 Units* - Undeveloped
*Total # of units including Pod's J and K

POD J
22.6± Acres
Apartment/Condo/Town home
460 Units* - Undeveloped
*Total # of units including Pod's J and K

0 200 400 800 1,200 1,600 2,000 2,400 Feet