



**HALL COUNTY BOARD OF COMMISSIONERS  
VOTING MEETING MINUTES**

**Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road  
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Thursday, March 09, 2023 - 06:00 PM**

**Call to Order**

*Chairman Higgins at 6:02 p.m.*

*Present:*

*Chairman Richard Higgins, Vice-Chairman Billy Powell, and Commissioners Kathy Cooper, and Jeff Stowe*

*Also present were County Administrators Zach Propes and Jock Connell, Assistant County Administrator Casey Ramsey, Commission Clerk Jennifer Rivera, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon*

**Approve Agenda**

*Commissioner Powell/Commissioner Stowe — approve with the addition of an item 28 to follow the public hearings regarding new licenses for short term rental business licenses for properties located within subdivisions — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

**Invocation**

1 Chairman Richard Higgins

**Pledge**

2 Commissioner Kathy Cooper

## **Public Comments**

*There were no comments from the public.*

## **Proclamation/s**

- 3 Approve the Proclamation recognizing Paul Clendennin's retirement after 28 years of service to Hall County, Georgia.

*Commissioner Stowe/Commissioner Powell — approve— Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

- 4 Approve the Joint Proclamation with The City of Gainesville recognizing the Girl Scouts of Historic Georgia "Gainesville 2023 Woman of Distinction".

*Commissioner Powell/Commissioner Stowe — approve — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

## **Consent Agenda**

*Commissioner Powell/Commissioner Stowe — approve — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

- 5 Approve the March 6, 2023 Work Session Minutes.
- 6 Approve the February 23, 2023 Voting Meeting Minutes.
- 7 Approve the February 23, 2023 Executive Session Minutes.
- 8 Approve the February 23, 2023 Meeting Minutes.
- 9 Approve the appointment of William Bagwell to the Gainesville-Hall Development Authority to serve a term from April 1, 2023 to March 31, 2027. Commission Districts 1, 2, 3, and 4.
- 10 Approve the re-appointment of Emily Bagwell to the Chicopee Woods Area Park Commission to serve a term from March 27, 2023 to March 26, 2026. Commission District 2.
- 11 Approve the award of IFB #042-43 Glamping at River Forks Park for Parks & Leisure Services to Timberline Glamping Company, LLC of Cumming, GA. The estimated annual revenue for Hall County is \$58,650.00 in the first year.
- 12 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the DUI Treatment Court to fund staff, increase surveillance, transportation, counseling, drug testing, supplies, and training in the amount of \$176,202.74, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$24,027.65 is required.
- 13 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for the Drug Court for staffing, technical and professional services, supplies, and training in the amount of \$711,531.86, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$85,383.82 is required.
- 14 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding for the HELP Program to fund HELP staff, provide surveillance, counseling, drug testing, transportation and emergency housing in the amount of \$413,544.90, and if awarded, appoint the Grants Manager as Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$56,392.49 is required.
- 15 Approve the application of the Criminal Justice Coordinating Council for FY 2024 Accountability Court Funding Program for Family Treatment Court for staffing, technical and professional services, supplies, and training in the amount of \$270,592.81, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of \$36,899.02 is required.
- 16 Approve the award of RFP #41-009 Construction Manager at Risk and Guaranteed Maximum Price for Construction of Fire Station 17 for Fire Rescue to Sunbelt Builders, Inc. of Covington, GA. The estimated cost not to exceed is \$6,349,094.00.
- 17 Approve the Employment Agreement for the Director of Community Development and Infrastructure.

- 18 Approve the Employment Agreement for the Director of Public Works & Utilities.
- 19 Approve the sole source purchase of two (2) self-contained compactors for Resource Recovery to FleetGenius of NC, Inc., of Lenoir, NC, in the amount of \$54,843.00.
- 20 Approve the Extension of a \$501,017.00 Guaranty Performance/Maintenance Agreement for The Retreat at Chicopee Subdivision. Commission District 2.

**Public Hearing to amend Hall County's Zoning Map as follows:**

*Randi Doveton, Director of Planning and Development, addressed the Board.*

- 21 **3435 Springdale Forrest Boulevard | Rezone** | from Agricultural-Residential-III (AR-III) & Residential-I (R-I) to Residential-I (R-I) on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.

*Commissioner Powell/Commissioner Stowe — approve removing item 21 from the table— Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Mr. Lawhon introduced items 21 and 22, which were heard together. Ms. Doveton discussed the item. Mr. Lawhon conducted the Public Hearing.*

*The following people addressed the Board regarding items 21 and 22:*

*Favor:*

- *Bryceson Mercer*

*Opposition:*

- *Kimberlee Handl, 3427 Springdale Forrest Circle, Gainesville*
- *Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville*

*Commissioner Powell/Commissioner Stowe — approve with the ten (10) conditions listed below— Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

- 1. The development shall generally occur as depicted on the conceptual site plan dated November 17, 2022 and submitted to the Hall County Planning staff on January 3, 2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:
  - a. Increase the number of lots;*
  - b. Decrease required greenspace, amenity areas, or buffers;*
  - c. Change the design or materials of the dwellings;*
  - d. Decrease the minimum building setbacks;*
  - e. Reduce required landscaping**
- 2. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*
- 3. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
- 4. All conditions of zoning shall be made part of any plats created for the property.*
- 5. Standard Hall County plat review process shall be followed.*
- 6. Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
- 7. Development is subject to Hall County Stormwater Management regulations.*
- 8. The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75 foot impervious stream buffer.*
- 9. No variances in Hall County Development standards are granted.*
- 10. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

22

**3435 Springdale Forrest Boulevard | Use Subject to County Commission Approval** | on a 35.71± acre tract located on the north side of Springdale Forrest Boulevard approximately 195 feet from its intersection with Springdale Forrest Circle | Zoned AR-III & R-I; Tax Parcel 10062 000001A | **Proposed use: 29 single-family detached homes** | Commission District 2 | **SrisadanOne LLC, applicant.** NOTE: Tabled at the February 9, 2023 Voting Meeting until the March 9, 2023 Voting Meeting.

*Commissioner Powell/Commissioner Stowe — approve removing item 22 from the table — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Items 21 and 22 were heard together. See item 21 for public hearing details.*

*Commissioner Powell/Commissioner Cooper — approve with the ten (10) conditions listed below — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

- 1. The development shall generally occur as depicted on the conceptual site plan dated November 17, 2022 and submitted to the Hall County Planning staff on January 3, 2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:
  - a. Increase the number of lots;*
  - b. Decrease required greenspace, amenity areas, or buffers;*
  - c. Change the design or materials of the dwellings;*
  - d. Decrease the minimum building setbacks;*
  - e. Reduce required landscaping**

2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*
3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
4. *All conditions of zoning shall be made part of any plats created for the property.*
5. *Standard Hall County plat review process shall be followed.*
6. *Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
7. *Development is subject to Hall County Stormwater Management regulations.*
8. *The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75 foot impervious stream buffer.*
9. *No variances in Hall County Development standards are granted.*
10. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

23      **4654 Shirley Road | Variance |** road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision |** Commission District 3 | **Rochester|DCCM, applicant.**

*Mr. Lawhon introduced items 23 and 24, which were heard together. Ms. Doveton discussed the item. Mr. Lawhon conducted the Public Hearing.*

*The following people addressed the Board regarding items 23 and 24:*

*Favor:*

- Bradley Dunkel, 425 Oak Street, Gainesville*

*Commissioner Stowe/Commissioner Powell — approve with the three (3) conditions listed below— Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

- 1. The development shall be limited to a maximum of six (6) lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.*
- 2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated January 30, 2023 and the enlarged driveway detail plan dated January 19, 2023, and developed in accordance with common access driveways; minimum standards, (12.40.220), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.*
- 3. All zoning conditions shall be part of any plat or site plans prepared.*

24 **4654 Shirley Road | Use Subject to County Commission Approval |** on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | **Proposed use: 6-lot subdivision |** Commission District 3 | **Rochester|DCCM, applicant.**



*Items 23 and 24 were heard together. See item 21 for public hearing details.*

*Commissioner Stowe/Commissioner Powell — approve with the six (6) conditions listed below — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

- 1. The development shall be limited to a maximum of six (6) lots. No further subdivision of any lot shall be permitted without additional action by the Hall County Board of Commissioners and the completion of a stormwater management report.*
- 2. Lots 1-5 shall be accessed through a common access drive per the amended site plan dated January 30, 2023 and the enlarged driveway detail plan dated January 19, 2023, and developed in accordance with common access driveways; minimum standards, (12.40.220), subject to the review and approval of Hall County Engineering. Lot 6 shall be served by an individual driveway connecting directly to Shirley Road.*
- 3. All zoning conditions shall be part of any plat or site plans prepared.*
- 4. Plat shall show the buffer and impervious setback from rested vegetation, not centerline of creek and shall show Hall County studied floodplain and FEMA floodplain.*
- 5. Development shall follow the standard Hall County Plat Review process.*
- 6. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

25 **1600 Athens Highway, Building C | Rezone |** from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outdoor storage |** Commission District 3 | **Gerardo Vargas, applicant.**

*Mr. Lawhon introduced items 25 and 26, which were heard together. Ms. Doveton discussed the item. Mr. Lawhon conducted the Public Hearing.*

*The following people addressed the Board regarding items 25 and 26:*

*Favor:*

- Gerardo Vargas, 5016 Arthur Avenue, Oakwood*

*Opposition:*

- Jennifer Knight-Boyd, 2719 Water View Circle, Gainesville*

*Commissioner Stowe/Commissioner Powell — approve with the four (4) conditions listed below — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

- 1. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:
  - a. No upgrades to the existing building shall be required.*
  - b. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.*
  - c. An opaque fence shall be required to parallel US-129.*
  - d. The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed.*
  - e. No storage of material shall be allowed outside of the fenced area.*
  - f. Gravel storage and parking is allowed for the area in the rear of the existing building.**
- 2. The development shall follow all Hall County Development Review processes and stormwater requirements.*
- 3. If the existing driveway is modified, a permit may be required by GDOT.*
- 4. The following uses are not allowed: automobile repair garage, drive-in theaters, hotels, motels, tourist courts, junk yards, planned-unit developments on a minimum of ten acres, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.*

**1600 Athens Highway, Building C | Use Subject to County Commission Approval** | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | **Proposed use: countertop manufacturing with outside storage** | Commission District 3 | **Gerardo Vargas, applicant.**

*Items 25 and 26 were heard together. See item 25 for public hearing details.*

*Commissioner Stowe/Commissioner Powell — approve with the four (4) conditions listed below — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

1. *The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:*
  - a. *No upgrades to the existing building shall be required.*
  - b. *Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.*
  - c. *An opaque fence shall be required to parallel US-129.*
  - d. *The new 816 sq. ft. building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed.*
  - e. *No storage of material shall be allowed outside of the fenced area.*
  - f. *Gravel storage and parking is allowed for the area in the rear of the existing building.*
2. *The development shall follow all Hall County Development Review processes and stormwater requirements.*
3. *If the existing driveway is modified, a permit may be required by GDOT.*
4. *The following uses are not allowed: automobile repair garage, drive-in theaters, hotels, motels, tourist courts, junk yards, planned-unit developments on a minimum of ten acres, service stations, family day care home, group day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.*

**3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone** | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | **Proposed use: mixed use office-institutional park** | Commission District 2 | **Northeast Georgia Health Systems, Inc, applicant.**

*Mr. Lawhon introduced the item. Ms. Doveton discussed the item. Mr. Lawhon conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Brian Rochester, 425 Oak Street, Gainesville*
- *John Rogers, 3711 Happy Valley Drive, Gainesville*
- *Rudy Lonergan, 2165 Ashton Ridge Drive, Dacula*
- *Dewayne Strong, 4601 Charlotte Park Drive, Charlotte, NC*

*Opposition:*

- *Margaret McGlaun, 3801 Village View Drive, Gainesville*
- *Susan Johnson, 4011 Sundown Drive, Gainesville*

*Commissioner Powell/Commissioner Stowe — approve with the nine (9) conditions listed below — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

*Conditions:*

1. *The site shall be developed in accordance with the conceptual master plan dated December 15, 2022 and narrative dated February 6, 2023 submitted as part of this application. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards.*
2. *The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply to the development. No variances to these standards are granted, except those expressly granted by the Planning Commission and listed herein.*

3. *The development shall follow all Hall County development review processes and stormwater requirements as established by the Official Code of Hall County and any other applicable agency.*
4. *The applicant shall obtain a commercial driveway permit for construction of the entrance at SR 60 from the Georgia Department of Transportation prior to issuance of a Certificate of Occupancy (CO) for buildings on lots 2 & 3. The applicant shall obtain a commercial driveway permit for construction of the entrance at SR 136 from the Georgia Department of Transportation prior to issuance of the final Certificate of Occupancy (CO) for the last building on the campus.*
5. *The zoning conditions shall be placed on any plat or site plan prepared for the property.*
6. *Prior to issuance of a land disturbance permit for the individual parcels, a landscape and lighting plan shall be submitted to the Planning Director for approval.*
7. *Signage shall be as shown on the "Proposed Signage Plan" revised on February 6, 2023 and shall require building permits. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of the sign types.*
8. *Allow basic architectural theme and materials as shown on attached renderings including phenolic siding.*
9. *TPO roof systems shall be allowed as an approved roofing material.*
10. *Applicant shall be required to comply with all DOT intersection improvements at Southers Road and SR 60, as a direct result of the development.*

### **Other Business - Planning and Development**

#### 28 Short Term Rental Business Licenses

*Commissioner Powell/Commissioner Stowe — approve suspending the issuance of new short term rental business licenses for properties located within subdivisions for a period up to 90 days. This will not affect renewals of existing short term rental business licenses — Vote: 4 to 0*

*Commissioner Cooper — aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*

### **County Administrator**

*Mr. Propes did not have any items to report.*

## **Commission Time**

*The Commissioners did not have any items to report.*

## **Adjourn**

*Commissioner Powell/Commissioner Cooper — adjourn at 6:58 p.m. — Vote: 4 to 0*

*Commissioner Cooper —aye*

*Commissioner Powell — aye*

*Chairman Higgins — aye*

*Commissioner Poole — absent*

*Commissioner Stowe — aye*

*Motion passed.*