



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

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

**Streamed Live on Hall County Government's Website - www.hallcounty.org
Thursday, January 25, 2024 - 06:00 PM**

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

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

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

Approve Agenda

Commissioner Stowe/Commissioner Poole — approve — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Jeff Stowe

Public Comments

There were no comments from the public.

Proclamation/s

- 3 Approve the Proclamation recognizing Christopher Boykin's retirement after 24 years of service to Hall County, GA.

Commissioner Stowe/Commissioner Powell — approve — unanimous

Consent

Commissioner Powell/Commissioner Poole — approve — unanimous

- 4 Approve the January 22, 2024 Work Session minutes.
- 5 Approve the January 22, 2024 Executive Session minutes.
- 6 Approve the January 22, 2024 Meeting minutes.
- 7 Approve the January 11, 2024 Voting Meeting minutes.
- 8 Approve the January 11, 2024 Executive Session minutes.
- 9 Approve the January 11, 2024 Meeting minutes.
- 10 Approve the award of RFQ/P #044-23 Courthouse Elevator Modernization Services for Facilities Management to Premier Elevator Company, Inc. of Stockbridge, GA, in the amount of \$2,356,000.00.
- 11 Approve the award of RFQ/P #44-014 Flowery Branch Downtown Parking and Mobility Study for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Stantec Consulting Services, Inc. of Atlanta, GA, in the amount of \$53,000.00.
- 12 Approve the annual contract renewal for Accela Records/Permit Management Software subscription and license agreements for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of \$359,920.66.
- 13 Approve the request from Chattahoochee River Keeper for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,500.00) for approximately 25 tons of trash to be collected during the Sweep the Hooch event scheduled for March 23, 2024.
- 14 Approve the award of IFB #024-44 Candler Road Landfill Cell Three (3) Construction for Public Works & Utilities to Morgan Corp. of Duncan, SC, in the amount of \$13,676,000.00.
- 15 Approval and authorization for the Chairman to execute a resolution relating to the removal of an at-grade road crossing of the Norfolk Southern Railroad at White Sulphur Road, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney. Commission District 3.

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

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

- 16 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and an office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.

Mr. Lawhon introduced items 16, 17 and 18, which were heard together. Public hearing was previously closed at the November 9, 2023 Voting Meeting.

Commissioner Poole/Commissioner Stowe — approve removing item 16 from the table — unanimous

Commissioner Poole/Commissioner Stowe — approve removing items 16, 17 and 18 from the table — unanimous

Ms. Doveton discussed the items.

Commissioner Poole/Commissioner Stowe — deny — unanimous

- 17 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.

Public hearing was previously closed at the November 9, 2023 Voting Meeting.

Commissioner Poole/Commissioner Stowe — deny — unanimous

- 18 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.

Public hearing was previously closed at the November 9, 2023 Voting Meeting.

Commissioner Poole/Commissioner Stowe — deny — unanimous

- 19 **2595 Gillsville Highway | Use Subject to County Commission Approval** | 17.110.040(M) for a commercial kennel | on a 10.14± acre parcel located on the north side of Gillsville Highway, approximately 1,300 feet west of its intersection with Jack Bryant Circle | Zoned AR-III & AR-IV; Tax Parcel 15023 000015 | **Proposed use: commercial kennel** | Commission District 3 | **Sue Ann Buchanan, applicant.**

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

The following people addressed the Board:

Favor:

- Sue Ann Buchanan, 2595 Gillsville Highway, Gainesville*

Commissioner Poole/Commissioner Stowe — approve with the eleven (11) conditions listed below — unanimous

Conditions:

- 1. Development shall be as generally depicted on the revised plan and narrative submitted, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. Hours of operation shall be limited to proposed business hours only. Monday to Wednesday closed to customers, Thursday through Saturday 9:00am - 5:00pm, Sunday 1:00pm - 5:00pm.*
- 3. Any site improvements related to the commercial kennel shall be subject to the Hall County Development Review process along with any applicable regulations at the time of development.*
- 4. The applicant shall obtain a retroactive building permit for all unpermitted structures associated with the commercial kennel.*
- 5. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.*
- 6. The existing vegetative buffer as described in the submitted narrative, shall be maintained.*
- 7. All conditions of zoning shall be made a part of any plat created for the property.*
- 8. 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."*
- 9. Pursuant to section 17.380.13 of the Official Code of Hall County, the approval of any application for a use subject to approval of the Board of Commissioners shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.*
- 10. The 36 foot by 60 foot building which encroaches on the western property line shall not be used for kennel business, including housing of dogs and/or supplies. Hall County personnel are required to inspect the building annually*

prior to the renewal of the business license.

- 11. Should the applicant receive three (3) notices of violations within a twelve month period of time, the business license shall be revoked.*

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6409 Lights Ferry Road | Use Subject to County Commission Approval | on a 19.18± acre tract located on the south west side of Lights Ferry Road, approximately 1,000 feet from its intersection with Ford Road | Zoned V-C, Tax Parcel 08120 000003 (pt.) | **Proposed Use: 22-lot subdivision |** Commission District 2 | **Bret Muetzelfeld, applicant.**

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

The following people addressed the Board:

Favor:

- Bret Muetzelfeld, 505 East Main Street, Buford*

Commissioner Powell/Commissioner Stowe — approve with the twelve (12) conditions listed below — unanimous

Conditions:

- 1. Development is approved as described in the concept plan dated December 10, 2023 and the project narrative dated December 18, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, including but not limited to water quality and hydrology study per Hall County Public Works requirements.*
- 2. The property shall be subdivided into a maximum of 21 building lots in accordance with the requirements of the Vacation Cottage (V-C,17.50) zoning district as detailed in 17.240, area and setback requirements.*
- 3. The development shall be connected to the City of Gainesville public water at the developer's expense. There shall be no cost to the county for this connection. Per the City of Gainesville's Department of Water Resources, the 2" PVC pipe along Rip Road shall be upgraded to a 6" DIP at the developer's expense, and service to the existing customer at the end of Rip Road shall remain uninterrupted.*
- 4. All residences shall have a minimum heated floor area (HFA) of 2,500 square feet and have a minimum of 4 bedrooms and 3 bathrooms. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.*
- 5. A fire hydrant shall be constructed to serve the 21-lot subdivision. This shall be reviewed and approved by the Hall County Fire Marshal.*
- 6. A cul-de-sac shall be constructed at the termination of Rip Road as depicted on the submitted site plan dated December 18, 2023. Improvements shall be made at the developer's expense.*
- 7. All roads shall be constructed with asphalt paving to county standards, with 20 foot wide pavement width and curb and gutter. All improvements to be made from Lights Ferry Road to the corner of Lot 21 and including a turnaround to be approved by Hall County Engineering.*
- 8. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*

9. *Those lots which do not front Lights Ferry Road shall access either Rip Road or Ford Road. Those lots which front Lights Ferry Road shall access via common access driveways per 12.40 Driveway Construction at a minimum of 2 access driveway per 3 lots. Only Lots 5-7 and 15-17 may front Lights Ferry Road, as shown on the site plan.*
10. *A 5 foot perpetual utility easement shall be included on all lots, to be located adjacent to the right-of-way.*
11. *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."*
12. *During roadway construction, at no time shall access to existing residences be impeded. All utilities shall remain uninterrupted during development.*

County Administrator

Mr. Propes did not have any items to report.

Commission Time

Commissioner Jeff Stowe, District 4, expressed his condolences to the family of former City of Gainesville Councilman George Wangemann who lost his battle with cancer last week.

Adjourn

Commissioner Stowe/Commissioner Poole — adjourn at 6:16 p.m. — unanimous