



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, September 23, 2021 - 06:00 PM

Call to Order

Chairman Higgins at 6:05 p.m.

Present:

Chairman Richard Higgins, Vice Chairman Jeff Stowe and Commissioners Kathy Cooper, Billy Powell, and Shelly Echols

Also present were County Administrator Jock Connell, Assistant County Administrators Marty Nix and Zach Propes, Commission Clerk Lisa Ritchie, and County Attorney Van Stephens

Approve Agenda

Commissioner Cooper/Commissioner Stowe — approve with the following amendments:

- move item 27 prior to item 19 (from the last item under Public Hearings to amend Hall County's Zoning Map to the first item)*

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Jeff Stowe

Public Comments

There were no comments from the public.

Consent Agenda

Commissioner Stowe /Commissioner Powell — approve — unanimous

- 3 Approve the September 20, 2021 Work Session Minutes.

- 4 Approve the September 9, 2021 Voting Meeting Minutes.
- 5 Approve the September 9, 2021 Executive Session Minutes.
- 6 Approve the September 9, 2021 Special Called Meeting Minutes.
- 7 Approve the renewal of annual contract for IFB #036-41-1 Concrete Pipe Annual Contract for the Hall County Road Maintenance Division to Ferguson Waterworks of Norcross, GA in the amount of \$130,000.00.
- 8 Approve the application, award and any supplemental funding of the FY 2022 Victims of Crime Act (VOCA) Grant for the District Attorney's Office to provide direct support to crime victims in the amount of \$115,885.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No match is required.
- 9 Approve the purchase of five (5) 2021 Ford F150 Responder Trucks for Fire and Emergency Services to Brannen Motor Company of Unadilla, GA in the amount of \$181,000.00.
- 10 Approve the request from Lake Lanier Association, for a waiver of Hall County Landfill tipping fees for an approximate 35 tons of trash to be collected (the estimated tipping fees are \$1,600.00) during the Shore Sweep, scheduled for September 25, 2021.
- 11 Approve the renewal of annual contract for RFP #39-018 Demand Services for On-Call Public Works Contractors for various County departments to E.R. Snell Contractor, Inc. of Snellville, GA, Griffin Bros., Inc. of Maysville, GA, Lanier Contracting Co. of Suwanee, GA, and Simpson's Trucking and Grading, Inc. of Gainesville, GA.
- 12 Approve the renewal of annual contract for RFP #37-004 Operation Services for the Hall County Sewer System for the Public Works and Utilities Department to Clearwater Solutions, LLC of Auburn, AL. The estimated annual cost is \$320,000.00.
- 13 Approve the purchase of two (2) 2022 Ford Explorers for the Hall County Engineering Division to Allan Vigil Ford Lincoln of Morrow, GA in the amount of \$61,916.00.
- 14 Approve the purchase of two (2) 2021 Ford F150 Responder Trucks and ten (10) 2021 Ford Interceptors for the Hall County Sheriff's Office to Brannen Motor Company of Unadilla, GA in the amount of \$406,800.00.
- 15 Approve the purchase of a 2016 Chevrolet Suburban for the Hall County Sheriff's Office to The Armored Group, LLC of Phoenix, AZ in the amount of \$125,000.00.
- 16 Approve the application, award and any supplemental funding of the FY 2022 Victims of Crime Act (VOCA) Grant for the Solicitor's Office to provide direct support to crime victims in the amount of \$158,844.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No match is required.

Other Business - County Attorney

Mr. Stephens addressed the Board.

- 17 Public Hearing for approval and authorization for the Chairman to execute a Resolution abandoning the entirety of Hillcrest Lane and a portion of Hillcrest Drive from its intersection with Hillcrest Lane to its intersection with White Sulfur Road and any and all documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

Mr. Stephens conducted the Public Hearing.

There were no comments from the public.

Commissioner Echols/Commissioner Stowe — approve — unanimous

- 18 Public Hearing for approval and authorization for the Chairman to execute a Resolution abandoning a portion of a public road between Point View Circle and Fork Road located within Land Lot 87 of the 10th District Hall County and any and all documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

Mr. Stephens conducted the Public Hearing.

There were no comments from the public.

Commissioner Powell/Commissioner Stowe — approve — unanimous

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

i. Sarah McQuade, Director of Planning and Development, addressed the Board.

- 27 Application of Pulte Group to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 54.03± acre tract located on the west side of Spout Springs Road at its intersection with Williams Road; a.k.a. 7095, 7099, & 7103 Spout Springs Road; Zoned AR-IV; Tax Parcels 15042 000015, 000015A & 15041 000010. Proposed Use: 144 lot single family subdivision. Commission District 1.

This item was moved to this location during the adoption of the agenda.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Brian Rochester, Rochester & Associates, 425 Oak Street*

Opposition:

- *Judy Whitehead, 6419 Sycamore Drive*
- *Tom McDermott, 7250 Grand Reunion*
- *Gary Hodges, 7316 Grant Reunion Drive*
- *Sandra Norris, 5158 Peacock Lane*

Mr. Rochester addressed the Board to rebut the oppositional comments. He

recommended that the Commission never get into zoning Home Owner's Association issues.

Commissioner Cooper/Commissioner Powell — approve with the thirteen (13) conditions listed below — unanimous

Conditions:

- 1. The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations.*
- 2. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards with the exception of those items specifically addressed in the project narrative.*
- 3. There shall be no more than 140 total units in the development.*
- 4. The following standards shall apply to the development:*
 - a. Setbacks:*
 - 1. Front: 15 feet from property line*
 - 2. Side: 5 feet from property line*
 - 3. Rear: 20 feet from property line*
 - b. Open Space: minimum of 14.3 acres (25%)*
 - c. Buffers: A planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened. The Buffers shall be established as follows:*
 - i. A minimum of 50 foot planted buffer shall be established along the exterior property lines beginning at the right-of-way of Spout Springs Road and extending into the property 175 feet.*
 - ii. A minimum of 50 foot planted buffer shall be established along the exterior property line abutting the existing residential lots within Reunion.*
 - iii. The buffer shall not be required adjoining the golf course, Reunion open space, nor the electric substation.*
 - iv. All other property lines shall have a minimum 25 foot planted buffer. The planted buffers shall conform to the requirements as described in section 17.260.020 titled Vegetation Buffers and Vision Clearance.*
 - d. 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.*
- 5. The proposed development shall not connect to Reunion Subdivision via an entrance onto Grand Reunion Drive and there will be no golf cart path connected otherwise.*
- 6. The applicant shall coordinate with Hall County Engineering regarding to Phase 2 of the Spout Springs Road widening project and additional improvements/requirements may be necessary.*
- 7. All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
- 8. The proposed development driveway must be reviewed, approved and permitted by the Georgia Department of Transportation and/or Hall County Traffic Engineering.*

9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *Developer shall construct an amenity consisting of a Cabana, swimming pool, and two pickleball courts. The proposed pocket park shall contain a tot-lot.*
11. *The minimum house size shall be 2,000 square feet of heated floor space.*
12. *A limit of 10% of the 140 homes, within the development, may be rented at any one time. The applicant is agreeable to this condition.*
13. *No government subsidies for housing shall be allowed within the development.*

- 19 Application of FIDES Development to rezone from Agricultural Residential-III (AR-III) and Vacation Cottage (V-C) to Planned Residential Development (PRD) on a 16.28 acre tract located at the terminus of North Waterworks Road, Seymour Circle, and Seymour Drive; a.k.a. 3450 North Waterworks Road; Zoned AR-III and V-C; Tax Parcel 08167 005002. Proposed Use: mixed use residential development. Commission District 1. NOTE: Tabled at the September 9, 2021 Voting Meeting until the September 23, 2021 Voting Meeting.

Commissioner Cooper/Commissioner Stowe — approve removing item 19 from the table — unanimous

Mr. Stephens introduced the item. Ms. McQuade stated that the applicant asked to have the item tabled, further, to October 28, 2021 Voting Meeting.

Commissioner Cooper/Commissioner Powell — approve tabling item 19 until the October 28, 2021 Voting Meeting — unanimous

Commissioner Powell/Commissioner Stowe - approve moving item 26 up to follow this item - unanimous

- 26 Application of Lanier Luxe Self Storage to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050 003002. Proposed Use: self-storage warehouse. Commission District 2.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Kent Henderson, 6071 Mount Vernon Road*

Opposition:

- *Eric Quiros, 4117 Greyfield Bluff Drive,*
- *Ken Specht, 4174 Cumberland Point Drive*
- *Ron Petty, 4269 Cherokee Trail*
- *Frank Davis, 4268 Park Englett Drive*

Mr. Henderson addressed the Board to rebut the oppositional comments.

Commissioner Powell asked Mr. Myers, Developer's Engineer, to address to the

Board to answer questions.

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

Vote: 3 to 2

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — nay

Commissioner Echols — nay

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.*
- 3. The entrance for the proposed development shall be from Browns Bridge Road, no entrance shall be permitted on Cherokee Trail.*
- 4. The caretaker residence shall meet all conditions as provided in section 17.350.120. of the Official Code of Hall County.*
- 5. All conditions of zoning shall be made part of any plat created for the property.*
- 6. The development shall have decorative metal fencing with stone or brick columns along Browns Bridge Road and Cherokee Trail. There shall be a 6 foot high black vinyl chain link fence along all other property lines.*
- 7. All buildings facing Cherokee Trail, Browns Bridge Road, and Cumberland on Lanier residents shall adhere to Gateway Corridor Standards and all building materials and colors shall be approved by the Planning Director.*
- 8. The hours of operation shall be 7:00am to 10:00pm.*
- 9. There shall be a 50 foot, heavily planted buffer, including existing trees, on Cherokee Trail and Greyfield Bluff Drive subject to the Planning Director's direction.*
- 10. All lighting shall be non-spill with motion sensors adjacent to all residential lots with minimal security lighting where necessary.*
- 11. Unit D shall be reduced in length by 50% with the 50% removed being the closest part to Browns Bridge Road.*

- 20 Application of James G. Major for a Use Subject to County Commission approval on a 31.15± acre tract located on the east side of Hog Mountain Road approximately 1,236 feet from its intersection with Blackjack Road; a.k.a. 5692 Hog Mountain Road; Zoned AR-III; Tax Parcel 08136 000002. Proposed Use: 3 lot subdivision. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Ronnie Rodriguez, 3010 Hamilton Mill Road, Buford*

Commissioner Cooper/Commissioner Echols — approve with the three (3) conditions listed below — unanimous

Conditions:

- 1. Prior to the issuance of any building permits on any tract, a recorded plat shall be required.*
- 2. 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."*
- 3. All conditions of zoning shall be made part of any plat created for the subdivision.*

- 21 Application of James and Stacey Thompson for a Use Subject to County Commission approval on a 0.28± acre tract located on the south side of Samoa Way approximately 226 feet from its intersection with Paradise Point Road; a.k.a. 6416 Samoa Way; Zoned R-I; Tax Parcel 08141 001010. Proposed Use: accessory structures with no primary residence. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *James Thompson, 6420 Samoa Way*

Commissioner Cooper/Commissioner Powell — approve with the four (4) conditions listed below — unanimous

Conditions:

- 1. The applicant shall combine via a recorded plat the vacant lot with parcel 08141 001009, where the applicant's primary residence is located.*
- 2. The 12 foot by 28 foot storage building shall receive a retroactive building permit.*
- 3. The applicant shall choose to have a vegetative buffer or construct or a wood fence buffer between this lot and the neighboring parcel, 08141 001011.*
- 4. Applicant shall have the combination survey recorded and property brought into compliance within 120 days after Board of Commission meeting or shall be subject to citations.*

- 22 *Appeal of the Planning Commission's approval of Mark Skelton for a right side yard setback variance from 15 feet to 7 feet on a 6.41± acre tract located on the north side of L J Martin Road approximately 1,235 feet from its intersection with Strickland Road; a.k.a. 5301 L J Martin Drive; Zoned AR-III; Tax Parcel 15037 000031. Proposed Use: 3-lot subdivision. Commission District 1.*

Mr. Stephens introduced the item. Ms. McQuade stated that Mr. Skelton requested to withdraw the appeal.

Commissioner Cooper/Commissioner Stowe — approve withdrawing the appeal — unanimous

- 23 *Application of Mark Skelton to rezone from Agricultural Residential-III (AR-III) to Residential-I (R-I) on a 6.41± acre tract located on the north side of L J Martin Road approximately 1,235 feet from its intersection with Strickland Road; a.k.a. 5301 L J Martin Road; Zoned AR-III; Tax Parcel 15037 000031. Proposed Use: 3-lot subdivision. Commission District 1. NOTE: Tabled at the August 26, 2021 Voting Meeting to the September 23, 2021 Voting Meeting.*

Commissioner Stowe/Commissioner Echols — approve removing item 23 from the table — unanimous

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Jane Range, 200 EE Butler Parkway, Gainesville*

Opposition:

- Gary Newsome, 5265 LJ Martin Drive, Gainesville

Mr. Skelton, 5301 LJ Martin Drive, addressed the Board to rebut the oppositional comment.

Ms. Range addressed the Board to rebut the oppositional comment.

Commissioner Cooper/Commissioner Echols — approve with the eleven (11) conditions listed below — unanimous

Conditions:

- 1. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. The document titled Restrictive Land Use Covenants for the L. J. Martin Development Project shall be recognized as part of the zoning conditions for the development.*
- 3. The subdivision shall be limited to 3 residential lots.*
- 4. Minimum lot size shall be 35,000 square feet.*
- 5. The minimum heated area shall be 2,500 square feet for a one-story home, 3,000 square feet for a two-story home including those with a basement or terrace level.*
- 6. All homes shall include a two-car garage or carport with side entry.*
- 7. Exterior finishes of the homes shall be brick, stone, or Hardie siding/panel or similar. Stucco and vinyl siding are prohibited.*
- 8. All conditions of zoning shall be made a part of any plat of the property.*
- 9. 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."*
- 10. The structure located on lot 1 and identified as "wood frame building" shall demolished or the applicant shall be approved for a variance for the structure prior to the recording of any plats for the 3 lot subdivision.*
- 11. There shall be a 25-foot buffer established on the exterior side property lines for lots 2 and lot 3, from LJ Martin Road to the rear property line.*

- 24 Application of McKinley Homes US, LLC to rezone from Planned Commercial Farm District (PCFD) to Planned Commercial Development (PCD) on a 4.19± acre tract located on the west side of Spout Springs Road at its intersection with Lancaster Crossing; a.k.a. 6803 Spout Springs Road; Zoned PCFD; Tax Parcel 15042 000009(pt.). Proposed Use: retail development. Commission District 1.

Mr. Stephens introduced items 24 and 25. Ms. McQuade discussed items, 24 and 25. Mr. Stephens conducted the Public Hearings.

The following people addressed the Board regarding items 24 and 25:

Favor:

- *Steve Gilliam of Smith, Gilliam, Williams & Miles, P.A., 301 Green Street, Gainesville*

Commissioner Cooper/Commissioner Powell — approve item 24 with the six (6) conditions listed below — unanimous

Conditions:

- 1. The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. Development shall conform to the standards set forth by the Gateway Corridors Overlay District.*
- 3. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
- 4. Building height shall be limited to 3-stories.*
- 5. All building materials and colors shall be approved by the Planning Director prior to any construction.*
- 6. All conditions of zoning shall be made part of any plat created for the property.*

- 25 *Application of McKinley Homes US, LLC to rezone from Agricultural Residential-III (AR-III) and Planned Commercial Farm District (PCFD) to Planned Residential Development (PRD) on a 162.36± acre tract located on the west side of Spout Springs Road at its intersection with Lancaster Crossing; a.k.a. 6863 and 6803 Spout Springs Road; Zoned AR-IV & PCFD; Tax Parcel 15042 000009(pt.) and 000010. Proposed Use: 393 lot single family attached and detached development. Commission District 1.*

Commissioner Cooper/Commissioner Powell — approve item 25 with the eight (8) conditions listed below — unanimous

Conditions:

- 1. The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions, Hall County regulations, and any other regulatory agencies at time of development.*
- 2. The development shall not exceed an overall site density of 2.41 units per acre.*
- 3. The following standards shall apply to the development:*
 - a. There shall be a maximum of 100 single-family attached (townhome)units for the development.*
 - b. Single-Family Attached units, rear entry:*
 - i. Minimum lot size — 20' x 100' (2,000 square feet)*
 - ii. Setbacks:*
 - 1. Front — 10 feet from property line*

- 2. Side — 10 feet from property line
- 3. Rear — 25 feet from the portion of the sidewalk closest to the residence
- iii. Minimum heated floor area — 1,600 square feet
- c. Single-Family Attached units, front entry:
 - i. Minimum lot size — 24' x 83.33' (2,000 square feet)
 - ii. Setbacks:
 - 1. Front — 25 feet from property line
 - 2. Side — 10 feet from property line
 - 3. Rear — 25 feet from the portion of the sidewalk closest to the residence
 - iii. Minimum heated floor area — 1,600 square feet
 - iv. Garage door width of each unit may not exceed 67% of the overall front elevation
- d. Single-Family Detached:
 - i. 265 total units
 - ii. Minimum lot size — 50' x 160' (8,000 square feet)
 - iii. Setbacks:
 - 1. Front — 25 feet from property line
 - 2. Side — 5 feet from property line or 10-foot building separation
 - 3. Rear — 20 feet from property line
 - iv. Minimum heated floor area — 2,000 square feet
 - v. Garage doors to be recessed a minimum of 2 feet behind the front roof plane
- 4. The architectural renderings submitted as part of the request shall be used as a style guide for the development.
- 5. The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of traffic study or are determined as part of the development review process.
- 6. The single-family attached units shall be offset by two (2) feet, every two (2) units.
- 7. Applicant shall have a total of four sales offices; two for the single-family attached residences and two for the single-family detached residences.
- 8. All conditions of zoning shall be made part of any plats created for the development.

26 ~~Application of Lanier Luxe Self Storage to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050-003002. Proposed Use: self-storage warehouse. Commission District 2.~~

Item 26 was moved up and heard after item 19.

27 ~~Application of Pulte Group to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 54.03± acre tract located on the west side of Spout Springs Road at its intersection with Williams Road; a.k.a. 7095, 7099, & 7103 Spout Springs Road; Zoned AR-IV; Tax Parcels 15042 000015, 000015A & 15041 000010. Proposed Use: 144 lot single family subdivision. Commission District 1.~~

Item 27 was moved prior to item 19 during the adoption of the agenda.

County Administrator

Mr. Connell addressed the Board and stated the following:

- *The Elections Department received the Phoenix Award*
- *Due to constructions, all Board of Commissioner and Planning Commission Meetings, through the end of the year (October, November, and December) will be held at the Gainesville Civic Center.*

Commission Time

The Commissioners did not have any items to report.

Adjourn

Commissioner Powell/Commissioner Stowe — adjourn at 8:21 p.m. — unanimous

Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.