



**HALL COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA**

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

**Streamed Live on Hall County Government's Website - www.hallcounty.org
Monday, December 05, 2022 - 03:00 PM**

Call to Order

Administration

- 1 Approve the Intergovernmental Agreement for Temporary Resurfacing Access between Hall County and the Hall County Board of Education and establish a project budget in the amount of \$65,000.00.
- 2 Approve the addendum to the Intergovernmental Agreement between Hall County and the City of Gainesville, Georgia regarding the Highlands to Island Trail Improvements in and around Roosevelt Square.
- 3 Approve the Lease Agreement between 117 Bradford, LLC and Hall County for the Public Defender's Office to lease 117 Bradford Street, SE, Gainesville, GA in the annual amount of \$53,580.00.

Community Services and Parks

- 4 Approve the purchase of two (2) new 2022 Ford Explorers for the Animal Shelter from Akins Ford Dodge Chrysler Jeep of Winder, GA, in the amount of \$88,133.00.
- 5 Approve the purchase of one (1) Ford F250 truck for Parks & Leisure Services from Allan Vigil Ford Lincoln of Morrow, GA, in the amount of \$59,427.00.

Corrections and Maintenance

- 6 Approve the award of IFB #038-43 Energy Upgrade to HVAC Units for Public Works and Utilities to Debalski Heating and Cooling of Athens, GA, in the amount of \$58,250.00.
- 7 Approve the award of IFB #039-43 Replacement Chiller at Emergency Services Complex for Building Maintenance Department to Trane of Atlanta, GA, in the amount of \$137,931.00.

County Attorney

- 8 Approval and authorization for the Chairman to execute any and all documents necessary to convey title from Hall County to bSide Oakwood, LLC with regard to approximately 0.223 acres of land located on Thurmon Tanner Parkway near its intersection with Frontage Road for the sum of \$35,000, subject to review and approval by the County Attorney.

- 9 Approval and authorization for the Chairman to execute any and all closing documents necessary to acquire a tract of land consisting of approximately 0.11 acres located on the Atlanta Highway near its intersection with Thurmon Tanner Parkway, being a portion of parcel 08027 000004 owned by Glamour Art House, Inc. and CRE8 Asset Co., LLC, for a purchase price of \$50,000.00, subject to review and approval by County Attorney.
- 10 Approve the Letter of Intent with the Georgia Public Defender Council for the lease of four (4) offices and five (5) rooms of shared space at the former Department of Agriculture Building at 1195 Jesse Jewell Parkway, Gainesville, and authorize the Chairman to sign the Letter of Intent and any other documents necessary to effectuate the lease consistent with the Letter of Intent, subject to the approval of the County Attorney.

Emergency Management

- 11 Approve the application of the 2022 Emergency Management Performance Grant (EMPG) for the Hall County Emergency Management Agency in the amount of \$50,000.00 and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A cash match of \$50,000.00 will be required.
- 12 Approve the award of IFB #037-43 Replacement of Communication Remote Site Generators for Emergency Management to Power & Energy Services, Inc., of Lithia Springs, GA, in the amount of \$518,737.00.

Financial Services

- 13 Approve the conversion of the County's account structure to follow and be in compliance with the Georgia Department of Community Affairs (DCA) Uniform Chart of Accounts.
- 14 Approve the FY 2022 allocation application of the Local Assistance and Tribal Consistency Fund from the U.S. Department of the Treasury for the general revenue enhancement program to Provide additional assistance to eligible revenue sharing counties and eligible Tribal governments in the amount of \$78,157.80, 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.
- 15 Approve the presentation of the Hall County FY 2022 Annual Audit Report.

Fire Rescue

- 16 Approve the award of Task Order 2023-009 Floor Installation for the Emergency Services Complex to DCO Commercial Floors of Lawrenceville, GA. The estimated cost is \$226,800.00.
- 17 Approve the sole source purchase of a mobile unit training prop for Fire Rescue from FireVent, LLC of Carson City, NV, in the amount of \$86,528.00.

Human Resources

- 18 Approve the Resolution for the Hall County Wage and Compensation Study and authorize the Chairman to execute all related documents, subject to the review and approval of the County Attorney.
- 19 Approve the Employment Agreement appointing the position of County Attorney, and authorize the Chairman to execute all related documents.
- 20 Approve the Employment Agreement for the position of Assistant County Administrator (I).
- 21 Approve the Employment Agreement for the position of Assistant County Administrator (II).
- 22 Approve the Employment Agreement for the Director of Emergency Management.

Planning and Development

- 23 Public Hearing to consider variance from Hall County lot frontage requirements on a collector road, Section 16.50.040, to allow a six (6) lot subdivision with a minimum lot frontage of 50FT, located on a 45.54± acre tract on the south side of Cash Road approximately 80 feet from its intersection with Union Church Road; a.k.a. 5084 Cash Road; Zoned AR-III; Tax Parcel 15043 000028A. Commission District 1.
- 24 6580 Cleveland Highway | Amend Conditions | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.
- 25 6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.
- 26 3461 Thompson Bridge Road | Rezone | from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.
- 27 2866 Lanier Tech Drive | Rezone | from Light-Industrial (I-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive | Zoned I-I; Tax Parcel 15021 000085 | Proposed use: 370-unit multi-family complex | ** Commission District 3 | Capstone Acquisitions, LLC, applicant.
- 28 2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.

- 29 4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.
- 30 0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.)| Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.
- 31 5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.

Public Defender

- 32 Approve the 2023 Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.

Public Works and Utilities

- 33 Approve the single source purchase of Permit Modifications and Cell Construction Design Documents at the Candler Road Landfill for Public Works & Utilities from Burns & McDonnell of Atlanta, GA, in the amount of \$347,000.00.
- 34 Approve the ratification of the Improving Neighborhood Outcomes in Disproportionally Impacted Communities application for the Public Works & Utilities to improve sidewalks, trails and other Butler Park amenities (dog park, bridge and additional lighting) in the amount of \$2,000,000.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. \$400,000.00 match funds will be provided.
- 35 Approve the process to initiate the abandonment of a +/- 573' of public road on Old Cornelia Highway. Commission District 3.
- 36 Approve the process to initiate the abandonment of a section of public road between the cul-de-sac at the end of Kubota Way and the intersection of Kubota Way and Gateway Centre Parkway. Commission District 3.
- 37 Approve the purchase of one (1) 2023 Ford Transit Cargo Van for Construction Management from Billy Cain Ford of Commerce, GA in the amount of \$54,074.00.
- 38 Approve the collection of \$465,218.00 Guaranty Agreement/Maintenance and acceptance of streets for Lancaster Subdivision Phase 2. Commission District 1.

- 39 Approve the Release of \$128,344.00 Guaranty Performance/Maintenance Agreement and acceptance of streets in Trinity Falls Phase 1 Subdivision. Commission District 1.

Sheriff's Office

- 40 Approve the purchase of six (6) new 2022 Ford Explorers for the Sheriff's Office from Brannen Motor Company of Unadilla, GA, in the amount of \$226,400.00.
- 41 Approve the purchase of three (3) used vehicles for the Sheriff's Office from Hardy Chevrolet of Gainesville, GA, in the amount of \$89,000.00.
- 42 Approve the purchase of two (2) new Ford Interceptors for the Sheriff's Office from Brannen Motor Company of Unadilla, GA in the amount of \$82,000.00.
- 43 Approve the renewal of the Records Management System and Jail Management System's yearly maintenance and support for the Sheriff's Office to CentralSquare Technologies of Lake Mary, FL, in the amount of \$93,887.06.
- 44 Approve the ratification of the Public Safety and Violent Crime Reduction Strategies Grant application for the Sheriff's Office for the Cloud Base Crime Center in the amount of \$500,000.00, 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.

County Administrator

Public Comments (PUBLIC HEARING ITEMS (i.e. ZONINGS, ORDINANCE CHANGES, ETC.) WILL ONLY BE RECEIVED AT THE REGULAR SCHEDULED VOTING MEETINGS IN WHICH THE ITEM IS TO BE HEARD) 2 minutes per speaker/20 minutes

Commission Time

Adjourn

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.



AGENDA ITEM

Administration

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 647/2022

SUBJECT: Approve the Intergovernmental Agreement for Temporary Resurfacing Access between Hall County and the Hall County Board of Education and establish a project budget in the amount of \$65,000.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WD

Recommendation:
Approve

Purpose of Request:

Approve the Intergovernmental Agreement for Temporary Resurfacing Access between Hall County, Georgia and the Hall County Board of Education and establish a project budget in the amount of \$65,000.00.

History:

This access road has been in need of resurfacing/paving. This road is used by many Hall County residents to access governmental services, including the compactor site and library. Additionally, this road provides the main ingress/egress for the Hall County School System Bus Shop.

Facts and Issues:

Options:

Hall County BOE agrees to allow Hall County and its employees and contractors temporary access to certain of its real property located at 2915 Atlanta Highway, Gainesville, Georgia 30507 for the sole purpose of completing the road resurfacing/paving. This section of road is located on Hall County BOE property; however, this road allows for public access to the Blackshear Place Library and Blackshear Place Compactor Site which are both Hall County, Georgia properties. The Hall County BOE will provide such access for sixty days beginning on the day that this Agreement is fully executed by both parties. The portion of the road as to which access will be granted by the Hall County BOE is the portion of the access road identified as "road project" in the aerial photograph attached hereto as Exhibit A, and immediately adjacent to the property marked as "HCSS Bus Shop." Please see the attached IGA for additional details. Additionally, a project budget of \$65,000.00 needs to be established in SPLOST VIII - Road Resurfacing.

Funding Requested	\$ 65,000.00
Are funds within current budget?	No
Source of Funds	SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2022-12-08

Approvals:

Approve	Budget	Finance	Attorney
ZP	TS	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:

Financial Supplement
IGA for Temporary Resurfacing Access



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 647/2022

Funds Requested: \$ 65,000.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VIII

Yes

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1820 - SP-VIII - RESURFACING	5009 - INFRASTRUCTURE	\$65,000.00

Budget Transfer Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1820 - SP-VIII - RESURFACING	5009 - INFRASTRUCTURE	\$65,000.00
2023	028 - SPLOST VIII	N/A	3225 - S.P.L.O.S.T.	\$65,000.00

Additional Information/Comments:

Adequate funding is available in the SPLOST VIII Fund due to the realization of surplus revenue related to internet sales taxes collected to date.

Contact for Questions: WD

Phone:

770-718-2370

STATE OF GEORGIA

COUNTY OF HALL

**INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY RESURFACING
ACCESS**

**THIS INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY
RESURFACING ACCESS** (the “Agreement”) is made and entered into this ____ day of _____, 2022 by and between Hall County, Georgia (hereinafter “Hall County”), whose address is 2875 Browns Bridge Road, Gainesville, Georgia 30504, and the Hall County Board of Education a/k/a Hall County Schools (hereinafter “Hall County BOE”), a public school system within the State of Georgia whose address is 711 Green Street, Gainesville, Georgia 30501, collectively referred to herein as the “Parties.”

WITNESSETH:

WHEREAS, Hall County provides public services, including public works, utilities, and street maintenance, within Hall County, Georgia; and

WHEREAS, the Hall County BOE has fee simple possession of real property located at 2915 Atlanta Highway, Gainesville, Georgia 30507 on which an access road exists, a portion of which requires resurfacing or paving; and

WHEREAS, Hall County has the capability and the desire to resurface the portion of the access road in question but requires temporary access to the Hall County BOE’s real property in order to pave the access road at issue; and

WHEREAS, the Hall County BOE wishes to provide temporary access to the real property in question to Hall County and its employees and contractors under the terms expressed herein in order to allow Hall County to perform the access road resurfacing at issue; and

WHEREAS, the parties hereto have determined that the terms of this Agreement are in the best interests of the citizens of Hall County, Georgia, and promote the health, safety, and welfare of those citizens.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, Hall County and the Hall County BOE hereby agree as follows:

1. Hall County BOE's Access Obligations

For and in consideration of the mutual promises and covenants set forth herein, and other valuable consideration, the Hall County BOE agrees to allow Hall County and its employees and contractors temporary access to certain of its real property located at 2915 Atlanta Highway, Gainesville, Georgia 30507 for the sole purpose of completing the road resurfacing/paving herein described under the terms expressed herein. The Hall County BOE will provide such access for sixty days beginning on the day that this Agreement is fully executed by both parties. The portion of the road as to which access will be granted by the Hall County BOE is the portion of the access road identified as "road project" in the aerial photograph attached hereto as Exhibit A, and immediately adjacent to the property marked as "HCSS Bus Shop."

2. Obligations of Hall County

For and in consideration of the mutual promises and covenants set forth herein, and other valuable consideration, Hall County agrees to resurface the portion of the access road at issue on the property of the Hall County BOE in question as identified in Exhibit A. Hall County specifically agrees to keep one lane of the access road at issue open at all times during the resurfacing process so as to allow access to the property through the access road. Hall County agrees to perform the resurfacing during the temporary access period granted herein, or any

extensions thereof. The portion of the road to be paved by Hall County is the portion of the access road identified as “road project” in the aerial photograph attached hereto as Exhibit A, and immediately adjacent to the property marked as “HCSS Bus Shop.”

3. Term

The term of this Agreement shall be from the date that this Agreement is fully executed by both parties until sixty days thereafter, unless extended by the parties by written amendment.

4. Term Extension

The parties may extend the term of the temporary access provided under this Agreement, but only by written amendment to this Agreement signed by the parties hereto.

5. No Joint Venture

In performing the agreed upon services pursuant to this Agreement, Hall County shall act as an independent contractor, and this Agreement shall not be deemed to create a partnership or any form of joint venture between the parties.

6. Termination

This Agreement will expire upon the end of the temporary access term described herein. Should the Hall County BOE desire to terminate the temporary access granted by this Agreement prior to the end of the stated temporary access term, it shall notify Hall County and provide the County with five business days to remove any resurfacing equipment being utilized on the property. If this Agreement is terminated by the Hall County BOE prior to the expiration of the temporary access term and prior to the completion of the contemplated resurfacing, neither party will have any right of action against the other for damages incurred due to any unfinished resurfacing work.

7. Assignment

This Agreement shall not be assigned or modified without the written consent of each party.

8. Successors

This Agreement shall be binding upon the parties hereto and their successors.

9. Third Parties

This Agreement shall create no rights or remedies for any third party or third parties against either party hereto, and it is intended that there are no third party beneficiaries to this Agreement.

IN WITNESS WHEREOF, the Parties hereby execute this Agreement on the date(s) herein recorded.

HALL COUNTY, GEORGIA

By: _____
Richard Higgins, Chairman

Date

Attest:

Abril Olivas, Deputy County Clerk

Approved as to form:

William J. Linkous III
Deputy County Attorney

[Signatures continued on following page.]

HALL COUNTY BOARD OF EDUCATION

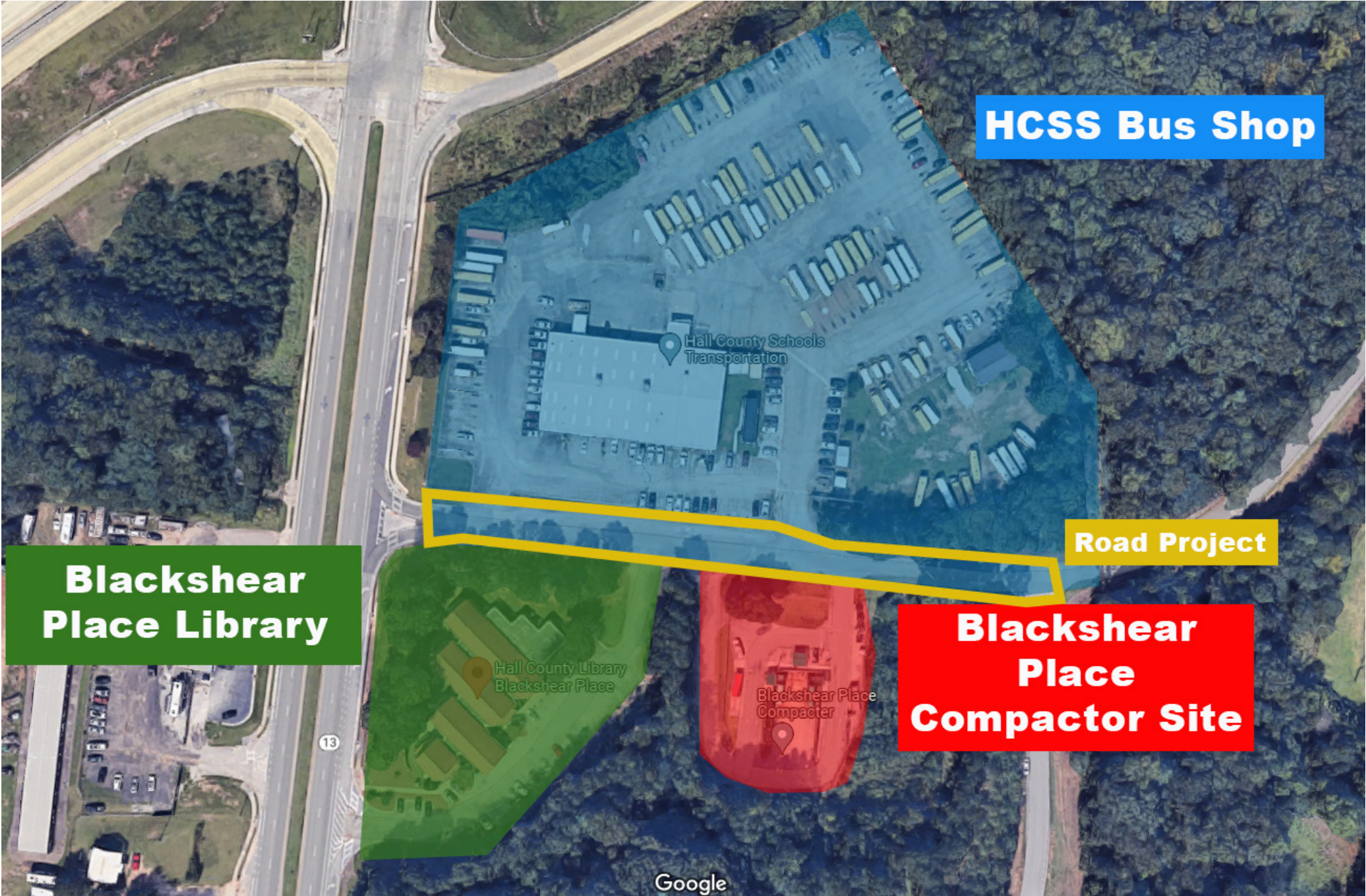
By: _____
Authorized Representative

Date

Printed

Attest:

Exhibit A



HCSS Bus Shop

Hall County Schools
Transportation

Road Project

**Blackshear
Place Library**

Hall County Library
Blackshear Place

**Blackshear
Place
Compactor Site**

Blackshear Place
Compactor

13

Google



AGENDA ITEM

Administration

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 656/2022

SUBJECT: Approve the addendum to the Intergovernmental Agreement between Hall County and the City of Gainesville, Georgia regarding the Highlands to Island Trail Improvements in and around Roosevelt Square.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: ZP

Recommendation:

Approve

Purpose of Request:

Approve the addendum to the Intergovernmental Agreement between Hall County, Georgia and the Municipality of Gainesville, Georgia regarding the Highlands to Island Trail Improvements in and around Roosevelt Square. This addendum expands the agreements between the County and City dated December 9, 2021, without making any changes to the original Agreement.

History:

The County and City agree mutually to maintain the consideration of the mutual promises and covenants of the original agreement dated December 9, 2021 and add the new agreements as outlined in the "Fact's and Issues" section of this agenda summary through this addendum.

Facts and Issues:

Options:

The County and City agree through this addendum the following: 1) The City of Gainesville will make improvements to its area of Roosevelt Square as it determines to be beneficial. 2) The City of Gainesville will take over the maintenance of the grassed area of Roosevelt Square that is owned by Hall County, and which is both behind the Historic Courthouse building and between the Historic Courthouse building and the Highlands to Islands Trail project area, up to the sidewalk on both sides as the grassed area to be maintained by the City of Gainesville going forward as delineated in the attached Exhibit A. 3) Hall County will provide the City of Gainesville with a temporary construction easement/right of entry over a portion of its same property surrounding the Historic Courthouse for purposes of construction and maintenance during the construction of the upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The temporary construction easement/right of entry will remain in place until substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The property subject to the temporary construction easement/right of entry is depicted in the attached Exhibit A. Upon the substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square, the temporary construction easement/right of entry will expire, and Gainesville shall have access to the triangular property for purposes of maintenance only. 4. All provisions of the original December 9, 2021 Intergovernmental Agreement between the parties shall remain as they are with no changes thereto except as necessary to effect this Addendum.

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	N/A
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2022-12-08

Approvals:

Approve	Budget	Finance	Attorney
ZP	EW	WG	WLI
Administration		Clerk	
ZP		AO	

Attachments:

Addendum to Intergovernmental Agreement - Roosevelt Square
Temporary Construction Easement - Gainesville Roosevelt Square Highlands to Islands Tr.
Addendum to Intergovernmental Agreement - Roosevelt Square



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 656/2022

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

N/A

No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: ZP

Phone: 770-536-3275

STATE OF GEORGIA

COUNTY OF HALL

**ADDENDUM TO INTERGOVERNMENTAL AGREEMENT BETWEEN HALL
COUNTY, GEORGIA AND THE MUNICIPALITY OF GAINESVILLE, GEORGIA
REGARDING THE HIGHLANDS TO ISLANDS TRAIL IMPROVEMENTS
IN AND AROUND ROOSEVELT SQUARE**

This Addendum to the December 9, 2021 Intergovernmental Agreement by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia, (hereinafter referred to as "Hall County"), and the CITY OF GAINESVILLE, a municipal corporation by and through its duly authorized governing body, the Mayor and City Council of Gainesville, Georgia (hereinafter referred to as "Gainesville"), is entered into this ____ day of _____, 2022 for the purpose of setting forth additional responsibilities of each party concerning the Highlands To Islands Trail improvements in and around Roosevelt Square.

WITNESSETH

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards the successful upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City is a Georgia municipality located within Hall County, Georgia; and

WHEREAS, the City owns a public area known as Roosevelt Square; and

WHEREAS, the City and County signed an Intergovernmental Agreement on December 9, 2021 providing for the maintenance of Roosevelt Square; and

WHEREAS, the City and County wish to provide for additional agreements between them that better facilitate both the maintenance of Roosevelt Square and the construction of upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City and County wish to add these new agreements between them to the original Intergovernmental Agreement dated December 9, 2021 by Addendum without making any changes to the original Agreement; and

WHEREAS, the existence and maintenance of Roosevelt Square as a public park is of great benefit to Hall County and the City in that said public park promotes business and public recreation in the City with resulting increases in commercial activity and the collection of revenues to benefit the citizens of Hall County and the City; and

NOW THEREFORE, for and in consideration of the mutual promises and covenants as herein contained and as contained in the original Agreement between the parties dated December 9, 2021, it is further agreed by and between the parties hereto that:

The City of Gainesville will make improvements to its area of Roosevelt Square as it determines to be beneficial. The City of Gainesville will take over the maintenance of the grassed area of Roosevelt Square that is owned by Hall County, and which is both behind of the Historic Courthouse building and between the Historic Courthouse building and the Highlands to Islands Trail project area, up to the sidewalk on both sides. The grassed area to be maintained by the City of Gainesville going forward is delineated on the attached aerial photograph in yellow and designated as “Gainesville Maintains”. The term of this maintenance agreement shall be fifty (50) years unless either party terminates the maintenance portion of this agreement by providing the other party with sixty (60) days written notice as provided herein.

Hall County will provide the City of Gainesville with a temporary construction easement/right of entry over a portion of its same property surrounding the Historic Courthouse for purposes of construction and maintenance during the construction of the upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The temporary construction

easement/right of entry will remain in place until substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The property subject to the temporary construction easement/right of entry is depicted in the attached Exhibit A as a triangular shaped piece of property which is colored red and designated as “Gainesville Project” but which crosses over onto Hall County Property by being within the Hall County Property line designated in Exhibit A by a blue property line. Upon the substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square, the temporary construction easement/right of entry will expire, and Gainesville shall have access to the triangular property for purposes of maintenance only.

All provisions of the original December 9, 2021 Intergovernmental Agreement between the parties shall remain as they are with no changes thereto except as necessary to effect this Addendum.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Agreement the date and year above.

CITY OF GAINESVILLE, GEORGIA

HALL COUNTY, GEORGIA

By: _____
Sam Couvillon, Mayor

By: _____
Richard Higgins, Chairman

Attest: _____
Denise Jordan, City Clerk

Attest: _____
Jennifer Rivera, County Clerk

Date: _____

Date: _____

Approved as to Form:

City Attorney

Approved as to Form:

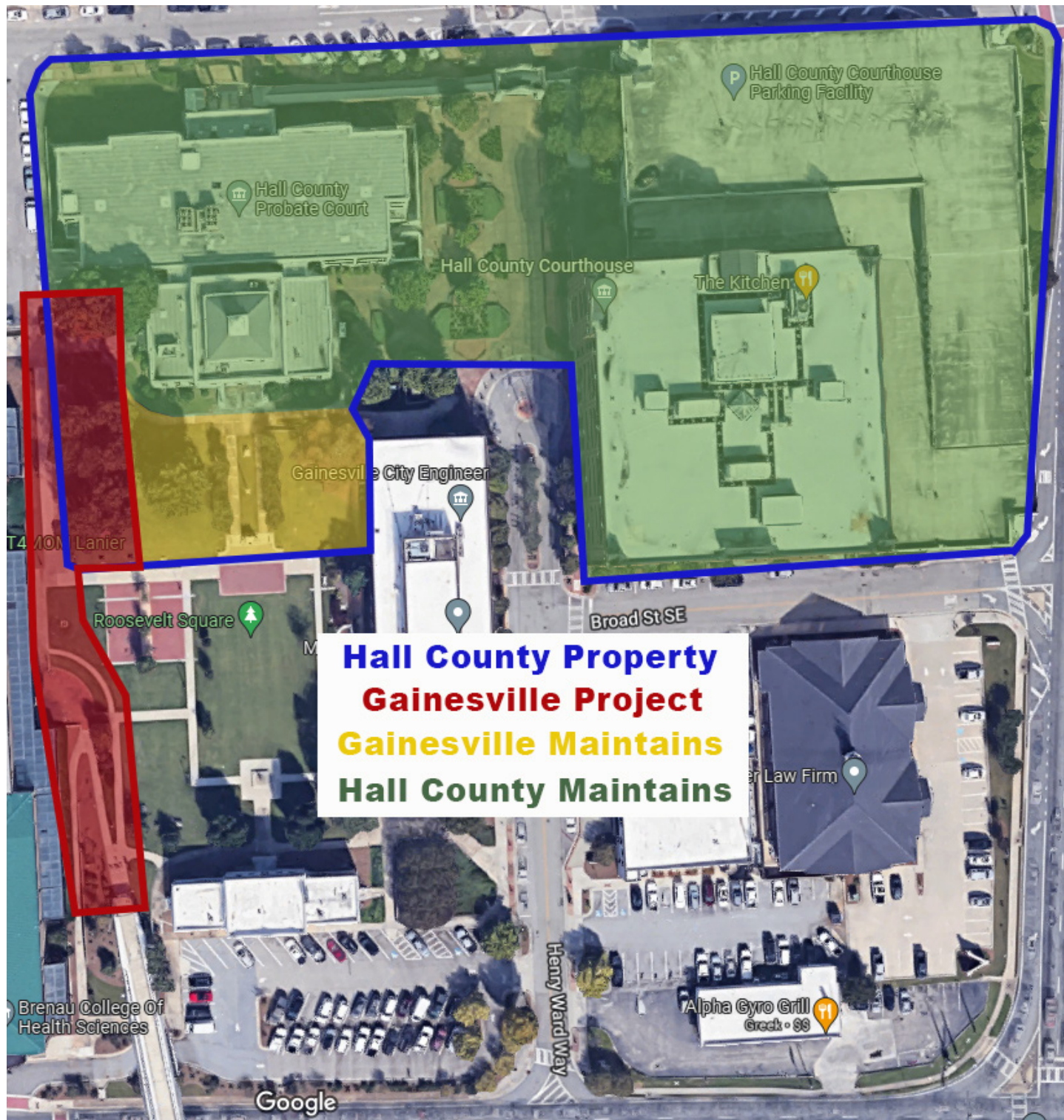
County Attorney

Exhibit A

Aerial Photograph and Diagram of

Roosevelt Square Area Ownership

And Maintenance



Hall County Property
Gainesville Project
Gainesville Maintains
Hall County Maintains

STATE OF GEORGIA
COUNTY OF HALL

HIGHLANDS TO ISLANDS TRAIL PROJECT

HALL COUNTY

TEMPORARY CONSTRUCTION EASEMENT

THIS CONVEYANCE made and executed this _____ day of _____, 2022.

WHEREAS, the City of Gainesville, Georgia desires to construct a Multi-Use Trail for pedestrian and non-motorized vehicle use known as the Highlands to Islands Trail Project near Roosevelt Square in downtown Gainesville, Georgia and also known as Project Number _____; and

WHEREAS, in order to construct said Multi-Use Trail for pedestrian and non-motorized vehicle use, the City of Gainesville requires a temporary construction easement for work associated with the trail project.

NOW, THEREFORE, for value received or considerations given, **HALL COUNTY, GEORGIA** ("Grantor") hereby grants to **THE CITY OF GAINESVILLE, GEORGIA** ("Grantee") the right to execute construction and maintenance as the City may deem proper to support or accommodate the construction of upgrades to the Highlands to Islands Trail project in and around Roosevelt Square over and upon a portion of Grantor's land abutting the Historic Courthouse building in central Gainesville during the construction of such upgrades. The property subject to this Temporary Construction Easement is depicted in the attached Exhibit A as a triangular shaped piece of property which is colored red and designated as "Gainesville Project" but which crosses over onto Hall County property by being within the Hall County property line designated in Exhibit A hereto by a blue property line. Exhibit A hereto is incorporated herein by reference.

This easement becomes effective at the beginning of construction of the above-referenced and numbered project and the construction easement granted herein will expire upon substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square in downtown Gainesville or two years after it is executed, whichever comes first.

Grantor hereby warrants that it has the right to sell and convey said land and bind itself, its heirs, executors, and administrators forever and defend by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day above written.

Grantor: **HALL COUNTY, GEORGIA**

By: _____

Name: _____

Title: _____

Attest: _____

Name: _____

Title: _____

Signed, Sealed, and Delivered This
_____ day of _____, 2022,
in the presence of:

Witness

Notary Public

Exhibit A

STATE OF GEORGIA

COUNTY OF HALL

**ADDENDUM TO INTERGOVERNMENTAL AGREEMENT BETWEEN HALL
COUNTY, GEORGIA AND THE MUNICIPALITY OF GAINESVILLE, GEORGIA
REGARDING THE HIGHLANDS TO ISLANDS TRAIL IMPROVEMENTS
IN AND AROUND ROOSEVELT SQUARE**

This Addendum to the December 9, 2021 Intergovernmental Agreement by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia, (hereinafter referred to as "Hall County"), and the CITY OF GAINESVILLE, a municipal corporation by and through its duly authorized governing body, the Mayor and City Council of Gainesville, Georgia (hereinafter referred to as "Gainesville"), is entered into this ____ day of _____, 2022 for the purpose of setting forth additional responsibilities of each party concerning the Highlands To Islands Trail improvements in and around Roosevelt Square.

WITNESSETH

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards the successful upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City is a Georgia municipality located within Hall County, Georgia; and

WHEREAS, the City owns a public area known as Roosevelt Square; and

WHEREAS, the City and County signed an Intergovernmental Agreement on December 9, 2021 providing for the maintenance of Roosevelt Square; and

WHEREAS, the City and County wish to provide for additional agreements between them that better facilitate both the maintenance of Roosevelt Square and the construction of upgrades to the Highlands to Islands Trail in and around Roosevelt Square; and

WHEREAS, the City and County wish to add these new agreements between them to the original Intergovernmental Agreement dated December 9, 2021 by Addendum without making any changes to the original Agreement; and

WHEREAS, the existence and maintenance of Roosevelt Square as a public park is of great benefit to Hall County and the City in that said public park promotes business and public recreation in the City with resulting increases in commercial activity and the collection of revenues to benefit the citizens of Hall County and the City; and

NOW THEREFORE, for and in consideration of the mutual promises and covenants as herein contained and as contained in the original Agreement between the parties dated December 9, 2021, it is further agreed by and between the parties hereto that:

The City of Gainesville will make improvements to its area of Roosevelt Square as it determines to be beneficial. The City of Gainesville will take over the maintenance of the grassed area of Roosevelt Square that is owned by Hall County, and which is both behind of the Historic Courthouse building and between the Historic Courthouse building and the Highlands to Islands Trail project area, up to the sidewalk on both sides. The grassed area to be maintained by the City of Gainesville going forward is delineated on the attached aerial photograph in yellow and designated as “Gainesville Maintains”. The term of this maintenance agreement shall be fifty (50) years unless either party terminates the maintenance portion of this agreement by providing the other party with sixty (60) days written notice as provided herein.

Hall County will provide the City of Gainesville with a temporary construction easement/right of entry over a portion of its same property surrounding the Historic Courthouse for purposes of construction and maintenance during the construction of the upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The temporary construction

easement/right of entry will remain in place until substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square. The property subject to the temporary construction easement/right of entry is depicted in the attached Exhibit A as a triangular shaped piece of property which is colored red and designated as “Gainesville Project” but which crosses over onto Hall County Property by being within the Hall County Property line designated in Exhibit A by a blue property line. Upon the substantial completion of the planned upgrades to the Highlands to Islands Trail in and around Roosevelt Square, the temporary construction easement/right of entry will expire, and Gainesville shall have access to the triangular property for purposes of maintenance only.

All provisions of the original December 9, 2021 Intergovernmental Agreement between the parties shall remain as they are with no changes thereto except as necessary to effect this Addendum.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Agreement the date and year above.

CITY OF GAINESVILLE, GEORGIA

HALL COUNTY, GEORGIA

By: _____
Sam Couvillon, Mayor

By: _____
Richard Higgins, Chairman

Attest: _____
Denise Jordan, City Clerk

Attest: _____
Jennifer Rivera, County Clerk

Date: _____

Date: _____

Approved as to Form:

City Attorney

Approved as to Form:

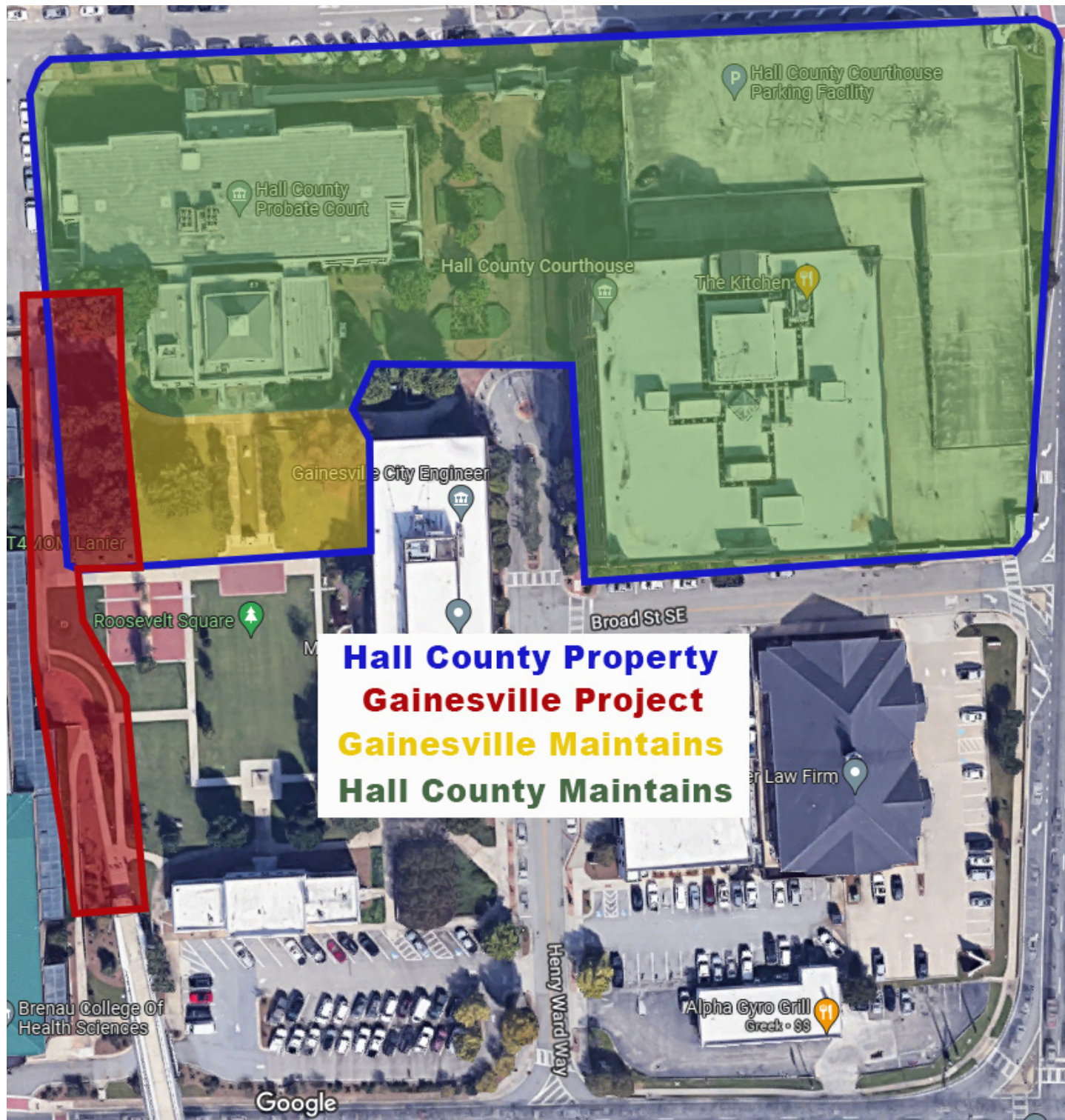
County Attorney

Exhibit A

Aerial Photograph and Diagram of

Roosevelt Square Area Ownership

And Maintenance





AGENDA ITEM

Administration

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 650/2022

SUBJECT: Approve the Lease Agreement between 117 Bradford, LLC and Hall County for the Public Defender's Office to lease 117 Bradford Street, SE, Gainesville, GA in the annual amount of \$53,580.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: ZP

Recommendation: Approve

Purpose of Request:

Approve the Lease Agreement between 117 Bradford, LLC and Hall County, Georgia for the Public Defender's Office to lease 117 Bradford Street, SE, Gainesville, GA in the annual amount of \$53,580.00.

History:

Hall County, Georgia has leased this facility for the operations of the Public Defender's Office since FY 2019.

Facts and Issues:

This is a lease agreement for Hall County, Georgia, to lease for the operations of the Public Defender's Office, the Old Whatley Pharmacy Building consisting of approximately 4,729 square feet of office space located at 117 Bradford Street SE, Gainesville, Georgia. The term of this lease agreement shall be for twelve (12) months, with options to automatically renew the term for two additional and consecutive years. The renewal terms will include a five (5) percent annual increase.

Options:

N/A

Funding Requested

\$ 53,580.00

Are funds within current budget?

Yes

Source of Funds

General Fund

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-12-08

Approvals:

Approve	Budget	Finance	Attorney
ZP	TS	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:

Financial Supplement

Lease Agreement - 117 Bradford LLC



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 650/2022

Funds Requested: \$ 53,580.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	001 - GENERAL	161 - PUBLIC DEFENDER/INDG DEF	4492 - BUILDING RENTAL	\$53,580.00

Budget Transfer Items:

Additional Information/Comments:

The renewal terms will include a five (5) percent annual increase.

Contact for Questions: ZP

Phone:

770-536-3275

STATE OF GEORGIA
COUNTY OF HALL

LEASE AGREEMENT

This Lease Agreement, hereinafter referred to as "Agreement," made and entered into this _____ day of _____, 2022, by and between 117 BRADFORD, LLC, the business address of which is 4211 Misty Morning Way, Apt. 2212, Gainesville, Georgia, 30506, Party of the First Part, hereinafter referred to as Landlord and HALL COUNTY, GEORGIA, BY AND THROUGH THE BOARD OF COMMISSIONERS OF HALL COUNTY, a political subdivision of the State Government of Georgia, whose complete business address is: P.O. Drawer 1435, Gainesville, Georgia, 30503, Party of the Second Part, hereinafter referred to as Tenant.

WITNESSETH THAT:

ARTICLE I

PREMISES LEASED AND USE OF THE PREMISES BY TENANT

The Landlord, in consideration of the rents agreed to be paid by the Tenant and in consideration of the covenants, agreements, provisions, terms, conditions, and stipulations (hereinafter sometimes referred to as "provisions") herein agreed to be mutually kept and performed by both of the parties hereto, does hereby this day grant, demise, and rent, upon the covenants, agreements, provisions, terms, conditions, and stipulations herein stated, unto the Tenant those certain premises situated in Hall County, Georgia, and being more particularly described as follows, to wit:

The Old Whatley Pharmacy Building consisting of
approximately 4729 square feet of office space located at
117 Bradford Street SE in Gainesville, Georgia

Also included as a part of the above-described premises are all the fixtures, improvements, tenements, and appurtenances thereunto belonging or in anywise appertaining including, but not limited to, the right of ingress and egress thereto and therefrom at all times the Tenant does hereby this day rent and take from the Landlord, upon the said covenants, agreements, provisions, terms, conditions, and stipulations herein stated, to be used for office space. This agreement is inclusive of both floors of the subject premises.

ARTICLE II

TERM

This Agreement shall be for a term of 12 months, commencing on the ____ day of _____, 2022, and ending at 12:00 o'clock midnight on the ____ day of _____, 2023, unless this Agreement shall be renewed or sooner terminated as hereinafter provided.

ARTICLE III

FIXED RENTAL

For the use of the above-described premises, the Tenant agrees to pay the Landlord, the total fixed equal monthly rental of \$4,465.00 dollars, beginning on the ____ day of _____, 2022, and payable thereafter on the 1st day of each and every calendar month during the said term, being at the rate of \$53,580.00 dollars per annum. Rent for any portion of a month at the beginning or end of a term of this Lease shall be prorated on a daily basis, and shall be payable at the beginning of the short period.

ARTICLE IV

TENANT'S OPTION TO RENEW OR EXTEND THIS AGREEMENT

The Landlord, inconsideration of the premises and of the covenants, agreements, provisions, terms, conditions, and stipulations herein agreed to be mutually kept and performed by both of the parties to this Agreement, does hereby give and grant unto the Tenant the exclusive right, privilege and option of automatically renewing or extending the term of this Agreement, at the expiration of the aforementioned term, on a year to year basis for two consecutive years. Said renewal or extension shall be upon the same covenants, agreements, provisions, terms, conditions, and stipulations as herein set forth and with a 5% annual increase rate of rental herein stipulated; provided, however, that notice of Tenant's desire not to exercise such right, privilege and option shall be given to the Landlord at least forty-five days prior to the expiration date of the original term of this Agreement or of any renewal or extension term thereof. It is further provided that this right, privilege, and option may be exercised by the Tenant only in the event all rents have been fully paid and all covenants, agreements, provisions, terms, conditions, and stipulations of this Agreement on the part of the Tenant to be performed, kept, and observed, have been fully and faithfully performed, kept, and observed by the Tenant.

ARTICLE V

COVENANTS, AGREEMENTS, PROVISIONS, TERMS, CONDITIONS, AND STIPULATIONS OF THIS AGREEMENT

1. Purpose of Article Headings and Paragraph Identification

The brief captioned Article headings and Paragraph Identification references are for the purpose of convenience only and shall be completely disregarded in construing this Agreement.

2. Identification References

The word "Landlord" as used in this Agreement shall be construed to mean Landlord in all cases where there is more than one Landlord, and the necessary grammatical changes required to make the provisions hereof apply either to male or female, corporation, partnership, association, or individuals shall in all cases be assumed as though in each case fully expressed.

3. Definitions

The word "Premises" as used in this Agreement shall include not only the

particularly above described property but also all the fixtures, improvements, tenements, and appurtenances thereunto belonging or in anywise appertaining thereto, including, but not limited to, the right of ingress and egress thereto and therefrom at all times.

Any and all references to the word "Term" of this Agreement shall include not only the original term of this Agreement but also any renew of or extension of the original term.

4. Time is of the Essence

All time limits stated in this Agreement are of the essence of this Agreement.

5. Notices

All notices, statements, demands, requests, consents, approvals, and authorizations hereunder given by either party to the other shall be in writing and sent by United States Registered or Certified Mail, postage prepaid, and addressed to the party to be notified at such party's address as shown in this Agreement. Either party to this Agreement may from time to time by notice to the other party designate a different address to which notices shall be sent. The day upon which the notice is placed in the mail shall be treated as the date of service of said notice.

6. Covenant of Title and Quiet Enjoyment

Landlord covenants that it is seized of the premises in fee simple absolute. Landlord agrees that the Tenant, paying the rent and keeping the provisions herein contained, shall have lawful, quiet and peaceful enjoyment of the premises, and hold, use, possess, enjoy and occupy the premises with all the fixtures, improvements, tenements, appurtenances, and each and every part and parcel thereof, for and during the term hereby granted, without any suit, hindrance, interruption, inconvenience, eviction, ejection, or molestation by the Landlord or by any other person or persons whatsoever.

7. Notice of Appointment of an Agent

Tenant shall be under no obligation to recognize any agent for the collection of rent accrued or to accrue hereunder, or otherwise authorized to act with respect to the premises, until notice of the appointment of said agent and of the extent of the authority of such agent is first given to the Tenant by the Landlord or other party appointing such agent.

8. Change in the Ownership of the Premises

No change or division in the ownership of the premises or of the rents payable hereunder, however accomplished, shall operate to enlarge the obligations or diminish the rights of the Tenant. Further, no change or division in the ownership of the premise shall be binding on the Tenant for any purpose until the Tenant shall have first been furnished with a certified copy of the recorded instrument, or other legally authenticated written instrument, evidencing such change or division in the ownership of the premises.

9. Binding Effect on Heirs and Assigns

Each of the provisions contained in this Agreement shall apply, extend to, and be binding upon and inure to the benefit or detriment of not only the parties hereto but to each and every one of the heirs, legal representative(s), devisees, legatees, next of kin, successors, and assignees of the parties hereto, and shall be deemed and treated as covenants real running with the premises during the term of this Agreement. Whenever

a reference to the parties hereto is made, such reference shall be deemed to include the heirs, legal representative(s), devisees, legatees, next of kin, successors, and assignees of said party, the same as if it were in each such case explicitly expressed.

10. Landlord's Failure to Deliver the Premises at the Commencement of the Term

Should the Landlord, for any reason whatsoever, be unable to deliver possession of the premises and a certificate of occupancy to the Tenant at the commencement of the term, this Agreement may be immediately canceled, terminated, and declared null and void at the option of the Tenant by giving the Landlord notice thereof. Should the Tenant elect not to exercise the immediately preceding option then it is agreed by the parties hereto that there shall be a total abatement of rent during the period between the commencement of the term and the time that the Landlord ultimately delivers possession of the premises to the Tenant.

11. Destruction of or Damage to the Premises

In the event the premises, either prior to the commencement date of the term of this Agreement or during the term hereof, shall be so damaged, by any cause whatever, as to be rendered unfit for occupancy by the Tenant, and the premises shall not thereafter be repaired by the Landlord at its cost and expense with reasonable promptness and dispatch, then this Agreement may be immediately canceled and terminated at the option of the Tenant by giving the Landlord notice thereof and rent (if any is due) shall be payable only to the date of such damage. Should the premises either prior to the commencement date of the term of this Agreement or during the term hereof, be partially destroyed, by any cause whatever, but not rendered unfit for occupancy by Tenant, then the Landlord agrees that the premises, at the Landlord's cost and expense and with reasonable promptness and dispatch, shall be repaired and restored to substantially the same condition as before the damage. In the event of the partial destruction of the premises there shall be fair abatement in the rent payable during the time such repairs and restoration are being made. Such proportionate deduction of rent to be based upon the extent to which the making of such repairs and restoration shall interfere with the business carried on by the Tenant on the premises. Full rental shall again commence after completion of the repairs and restoration of the premises by the Landlord. In connection with the foregoing, it is agreed by the parties hereto that the Tenant's decision shall be controlling as to whether or not the premises are fit or unfit for occupancy by the Tenant, as to the extent that such repairs and restoration interfere with the business of the Tenant carried on by the Tenant on the premises, and as to whether the repairs and restoration are being made by the Landlord with reasonable promptness and dispatch.

12. Insurance

Landlord shall and will, at its own cost and expense, during the term of this Agreement, keep the premises insured against loss or damage by fire and other casualties or catastrophes for not less than the amount the premises were last assessed for the purpose of property taxation. Said insurance shall be placed with solvent insurance companies licensed and authorized to do business in the State of Georgia. Landlord shall furnish Tenant with Certificates or other acceptable evidence that such insurance is in effect.

13. Use of Premises and Insurance Requirements

Tenant shall not use the premises for any purpose other than that stated in Article I hereof. No use shall be made of the premises, nor acts done on the premises, which will

cause a cancellation of or an increase in the existing rate of fire, casualty, and/or other extended coverage insurance insuring the premises. The Tenant further agrees not to sell, or permit to be kept for use on the premises, any article or articles which may be prohibited by the standard form of fire insurance policies.

14. Cancellation of this Rental Agreement by the Landlord

Should the Tenant at any time be in default in the payment of rent, or in the performance of any of the provisions of this Agreement and fail to remedy such default within twenty days after written notice thereof from the Landlord, Landlord may enter and repossess the premises, and expel and remove the Tenant and Tenant's effects therefrom.

15. Holding Over

Any holding over, or continued use and/or occupancy by the Tenant of the premises after the expiration or termination of this Agreement shall operate and be construed as a tenancy-at-will at the same monthly rate of rental set out in Articles III and IV above, and under the same provisions in force at the expiration or termination of this Agreement.

16. Condemnation

In the event that during the term of this Agreement the whole or any part of the premises shall be taken by any municipal corporation, county, state government, or federal government, or any other public authority for any public or quasi-public use through the exercise of the power of eminent domain or condemnation proceeding, or sold to the possessor of such power under the threat of its exercise, or if by reason of law, contract, ordinance, or by court decree, whether by consent or otherwise, the use of the premises by the Tenant for the purpose stated in Article I hereof shall be prohibited, the Tenant shall have the right to immediately terminate this Agreement upon notice to the Landlord and the rent shall be paid only up to the time when the Tenant surrenders possession of the premises. When only a portion of the premises are taken for public or quasi-public use through the exercise of or under the threat of eminent domain or condemnation proceeding, the Tenant shall have an election as to whether it will terminate and cancel this Agreement at the time the taken portion of the premises must be surrendered or whether it will remain on the premises with the remaining monthly rental payments reduced by an amount determined by the ratio of square feet thus taken to the total square feet originally contained in the premises. To exercise this election, the Tenant must notify the Landlord within twenty-five days after it is ultimately determined what portion of the premises will be taken under such proceeding, in the event the Tenant elects to remain on the premises under the conditions set forth above, the Landlord agrees to promptly make all necessary alterations and repairs which shall be required because of such partial taking. The rights of the Landlord shall in no way prejudice or interfere with any claim which the Tenant may have against the corporation, government, or authority exercising the power of eminent domain or condemnation for damages, or for destruction of or interference with the business of the Tenant on the premises.

17. Rubbish

Tenant shall keep the premises clean, both inside and outside, at its own cost and expense.

18. Repairs by Landlord

During the term of this Agreement Landlord shall, at his own cost and expense, service, replace, keep, and maintain in good order and repair each and every part and portion of the premises together with any improvements or additions the Landlord might install or place on the premises in the course of the term of this Agreement. Landlord agrees that any services, replacement, repairs, or maintenance done by the Tenant to the existing premises or to any improvements or additions made to the premises by the Landlord, shall not be construed as a waiver by the Tenant of this provision. In the event that Tenant constructs or erects any additions and/or improvements on the premises, Landlord shall have no obligation whatsoever to service, replace, keep, or maintain the same in good order and repair.

19. Entry for Inspection and Repairs, Alterations, or Additions

Tenant shall permit Landlord, his agents, or his employees, to enter onto the premises at all reasonable times for the purpose of inspecting the same or for the purpose of maintaining or making repairs, alterations or additions to any portion of the premises.

20. Janitorial Services

Janitorial services will not be provided by the Landlord.

21. Utilities

Tenant shall pay for all telephone, water, electricity, gas, fuel, oil, coal, light, heat and power or any other utility used by the Tenant while occupying the premises. No deduction shall be made from the amount due to stoppage in the service of water, electricity, gas, fuel, oil, coal, light, heat and power or any other utility unless caused (directly or indirectly) by an act of the Landlord. In the event of the interruption in water, electricity, gas, fuel, oil, coal, light, heat, and/or power by act of the Landlord, Landlord will proceed with all due diligence to restore same. The heating and air conditioning system for the premises will be replaced if a qualified heating and air technician deems it necessary in the future to do so.

22. Notice to the Landlord of Damage(s) or Defect(s)

Tenant shall give to the Landlord prompt notice of any damage(s) to or any defect(s) in the premises and said damage(s) or defect(s) shall be remedied with due diligence by the Landlord at his own cost and expense, unless such damage(s) or defect(s) are the result of actions or inactions caused by the Tenant. Any said damage(s) or defect(s) caused by the Tenant shall be remedied to its prior condition at Tenant's own cost and expense.

23. Taxes and Assessments

Landlord, during the term of this Agreement, agrees and covenants to payoff, satisfy, and discharge, as they become due all assessments, taxes, levies, and other charges, general or special, of whatever name, nature, and kind, which are or may be levied, assessed, imposed and/or charged upon the premises.

24. Termites, Rodents, and Pests

Landlord shall, at its own expense, initially treat and maintain annual treatments to keep the premises free from infestation by termites, rodents, and other pests and shall repair all damage caused to the premises by the same during the term of this Agreement.

25. Removal of Tenant's Improvements, Erections, Additions, and Alterations

The tenant may make, at its own cost and expense with Landlord's approval, such improvements, erections, additions, and alterations as are necessary to adapt the premises for conducting the Tenant's business. All improvements, erections, additions, and alterations installed or placed on the premises by the Tenant, whether permanently affixed thereto or otherwise, shall continue as and remain the property of the Tenant and may be removed by the Tenant, in whole or in part, at any time before the expiration or termination of this Agreement. If the Tenant removes any or all of the improvements, erections, additions, and/or alterations it has installed or placed on the premises, the Tenant agrees to repair any specific damage directly resulting to the premises from such removal.

26. Removal of Fixtures and Equipment by Tenant

At any time before the expiration or termination of this Agreement, Tenant shall have the right and privilege to remove all equipment, appliances, movable furniture, and personal property which it has placed on the premises.

27. Waiver of Right

The waiver by Landlord, or by Tenant, of any breach of any provision contained in this Agreement shall not be deemed to be a waiver of such provision on any subsequent breach of the same or any other provision contained in this Agreement.

28. Entry for Carding of Premises

In the event that Tenant does not exercise the renewal or extension option provided in Article IV above, then it is agreed that the Landlord may, within forty-five days next preceding the expiration of the term of this Agreement, card the premises thereby advertising the same "For Sale" "For Rent" or "For Lease". Landlord, after first securing from the Tenant a date and time, may enter on the premises to exhibit the same to prospective purchasers, tenants, or leases.

29. Abandonment of Premises by Tenant

During the term of this Agreement, Tenant agrees not to abandon or vacate the premises without cause.

30. Waste and Nuisance

Tenant shall not commit, or suffer to be committed, any waste upon the premises or any nuisance or other act or thing which may disturb the enjoyment of any other Tenant, if there be any, in the building in which the premises may be located.

31. Assignment and Subletting

Except to another agency, department, commission, board, or bureau within the Executive Branch of the State Government of Georgia, to another branch of the State

Government of Georgia, or to a State Authority, Tenant shall not assign this Agreement, or any interest therein, and shall not sublet the premises or any part thereof, or any right or privilege appurtenant thereto, or suffer any other person to occupy or use the premises, or any portion thereof, without the consent of Landlord first having been had and obtained. However, it is agreed by the parties hereto that Landlord shall not unreasonably withhold such consent. Any such assignment or subletting without such consent shall be void, and shall, at the option of Landlord, on twenty days' notice to Tenant, terminate this Agreement. Consent to one assignment and/or subletting shall not destroy this provision and all later assignments and/or subletting shall likewise be made only with the prior consent of the Landlord, which consent shall not unreasonably be withheld.

32. Surrender of the Premises

Tenant shall at the expiration of this Agreement surrender up the premises in good order and condition, reasonable use and ordinary wear and tear thereof, damage by fire, acts of God, the elements, other casualties or catastrophes, condemnation, and damage or defects arising from the negligence or default of the Landlord excepted.

33. Invalidity of Provisions

Should any provision or portion of any provision of this Agreement be held invalid by a Court of competent jurisdiction, the remainder of this agreement or the remainder of such provision shall not be affected thereby.

34. Special Provisions

- a. Insofar as the following special provision(s), conflict(s) with any of the foregoing provisions, the following provision(s) shall control.
- b. Landlord shall be responsible for compliance with all applicable permitting and zoning ordinances and requirements of local and state building codes, life safety codes, handicap accessibility codes, The Americans with Disabilities Act (ADA-1990), and the securing of a certificate of occupancy for the modification or construction of the premises.
- c. Landlord and Tenant hereby certify that the provision of law contained in an act prohibiting full-time and part-time public officials and employees of the State of Georgia from engaging in certain transactions affecting the State as set forth in O.C.G.A. Ch. 45-10, Art. 2, Part I (Ga. Laws 1983, p. 1326, as amended) have not been and will not be violated in any respect by this Agreement.
- d. This agreement shall terminate absolutely and without further obligation on the part of the Tenant at the close of the calendar year or fiscal year in which it was executed and at the close of each succeeding calendar or fiscal year for which it may be renewed subject to the provision for automatic renewal contained in Article IV hereof.
- e. This agreement will terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of the Tenant under the agreement.
- f. This agreement, upon execution by the parties, shall act to immediately supersede and terminate the previous Lease Agreement between Landlord and Hall County by and through the Hall County Board of Commissioners.

35. Entire Agreement

This Agreement embodies and sets forth all the provisions and understandings between the parties relative to the premises. There are no provisions, understandings,

representations or inducements, either oral or written, between the parties other than those herein above set forth. It is further understood and agreed that no subsequent alteration, amendment, modification, change, or addition to this Agreement shall be binding upon the parties hereto unless the same is reduced to writing and signed, sealed and delivered by the parties to this Agreement.

IN WITNESS WHEREOF, the Landlord and Tenant have hereunto signed, sealed, and delivered this Agreement in duplicate original on the day, month, and year first above written, each of the parties keeping one of the duplicate originals.

LANDLORD:

117 BRADFORD, LLC

By: Lavinia W. Head
Authorized Member

Lavinia W. Head
(Print)

By: Linda W. Carter
Authorized Member

Linda W. Carter
(Print)

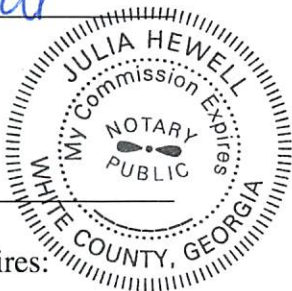
Signed, sealed, and delivered in
the presence of:

Julia Hewell
Witness

Notary Public:

10-22-26

My Commission expires:



TENANT:

HALL COUNTY, GEORGIA

By: _____
Chairman Richard Higgins

Attested by:

County Clerk

Notary Public:

My Commission expires:

[Signatures continued from previous page.]

Approved as to form:

County Attorney



AGENDA ITEM

Community Services and Parks

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 631/2022

SUBJECT: Approve the purchase of two (2) new 2022 Ford Explorers for the Animal Shelter from Akins Ford Dodge Chrysler Jeep of Winder, GA, in the amount of \$88,133.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: TG

Recommendation:
Akins Ford, Winder, GA

Purpose of Request:

To approve the purchase of two (2) new 2022 Ford Explorers for Hall County Animal Shelter thru Akins Ford, Winder, GA. The total cost of the purchase is \$88,133.00.

History:

The two (2) vehicles currently being driven by the Animal Shelter personnel each have 295,000+ miles on them.

Facts and Issues:

The two (2) new vehicles will be used for transporting animals to off site events. The current inventory of vehicles is very old and the vehicles have excessive mileage on each one.

Options:

Funding Requested

\$ 88,133.00

Are funds within current budget?

Yes

Source of Funds

Restricted Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	BH	BH	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
Akins_Ford_-_Animal_Shelter.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 631/2022

Funds Requested: \$ 88,133.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Restricted Funds

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	024 - RESTRICTED PROGRAMS	211 - FUNDRAISING TRANSPORT	6006 - MOTOR VEHICLES	\$88,133.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone: 678-997-5823



BUYER'S ORDER / INVOICE / BILL OF SALE



P.O. Box 280 • Winder, GA 30680 • 770-867-9136 • 800-282-7872 • www.akinsford.com • sales @ akinsford.net

CUSTOMER INFORMATION FOR TITLE PURPOSES						SALES PERSON		QUOTE		PROSPECT #	
NAME(S) FIRST, MIDDLE, LAST OR FIRM NAME HALL COUNTY BOARD OF COMMISSIONERS						STOCK NUMBER NGC02765		DATE 11/17/22			
STREET ADDRESS			CITY		COUNTY		STATE		ZIP CODE		
MAILING ADDRESS			CITY		COUNTY		STATE		ZIP CODE		
HOME PHONE		CELL OR PAGER #		OFFICE OR WORK PHONE		E-MAIL ADDRESS					
PRIMARY PURCHASER INFORMATION											
SOCIAL SECURITY		DRIVER'S LICENSE #		DATE OF BIRTH		MAD #					
VEHICLE PURCHASED											
TYPE	NEW	YEAR	2022	MAKE	FORD	MODEL	EXPLORER	BODY			
CYLINDERS	2.3 L	TRANSMISSION	AUTO	FUEL	UNL	COLOR	SILVER SLATE	VIN		1FMSK7DH4NGC02765	
KEY CODE		OTHER				ODOMETER					
TRADE-IN #1											
YEAR		MAKE		VIN							
MODEL		STOCK NUMBER		ODOMETER		TRADE ALLOWANCE \$					
PAYOFF AMOUNT		GOOD UNTIL		ACCOUNT NUMBER							
PAYOFF OWED TO		PHONE NUMBER		QUOTED BY							
ADDRESS		CITY		STATE		ZIP CODE					
TRADE-IN #2											
YEAR		MAKE		VIN							
MODEL		STOCK NUMBER		ODOMETER		TRADE ALLOWANCE \$					
PAYOFF AMOUNT		GOOD UNTIL		ACCOUNT NUMBER							
PAYOFF OWED TO		PHONE NUMBER		QUOTED BY							
ADDRESS		CITY		STATE		ZIP CODE					
LIEN HOLDER											
PURCHASED VEHICLE LIEN HOLDER				LIEN HOLDER CODE							
ADDRESS		CITY		STATE		ZIP CODE					
INSURANCE											
COMPANY				POLICY NUMBER							
AGENT				PHONE							
ADDRESS		CITY		STATE		ZIP CODE					
<p>Purchaser agrees that this Order, including all the terms on BOTH THE FACE AND REVERSE SIDE HEREOF, and any retail installment sales contract reflecting the above transaction cancel and supercede any prior agreement or contract and compromise the complete and exclusive statement of the terms. Purchaser agrees that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE, AND FURTHERMORE IN THE EVENT OF A TIME SALE, THIS ORDER SHALL NOT BE BINDING UNTIL THE RETAIL INSTALLMENT SALES CONTRACT IS SIGNED BY PURCHASER AND HAS BEEN APPROVED BY A BANK OR FINANCE COMPANY WILLING TO PURCHASE SAID CONTRACT ON SUCH TERMS. This agreement cannot be modified except by express agreement of the parties. Purchaser by his executing of the Agreement acknowledges that he has read the terms and conditions and has received a true copy of the agreement.</p>											
PURCHASER'S SIGNATURE				DATE		ACCEPTED BY:		DEALER OR HIS AUTHORIZED REPRESENTATIVE			
CO-PURCHASER'S SIGNATURE				DATE							
						UNPAID BALANCE					
						NET DUE UPON DEL CASH/CHECK CONTRACT		\$43,865.00			

To-Recorder call 770/831-3600 APS Form 4005

CHI-007706

GA

9-NORMAN, NB, 107706, NH161

2399

120220827 4788

UTC	U	R	CA
CERT	CERT	CERT	TRD
RAMP	BUMP	CAMP	BOOK
EXFL	ROTA		

007702

1FMSK7DH4

NGC02765 NB



Go Further
ford.com

VEHICLE DESCRIPTION

EXPLORER

2022 EXPLORER XLT RWD
119" WHEELBASE
2.3L ECOBOOST I-4 ENGINE
10-SPEED AUTO TRANSMISSION

EXTERIOR
ICONIC SILVER METALLIC
INTERIOR
EBONY/LT SLATE ACTIVE SEAT

NG C02765

STANDARD EQUIPMENT INCLUDED AT NO EXTRA CHARGE

EXTERIOR

• DOOR HANDLES - BODY COLOR
• EASY FUEL & CAPLESS FILLER
• HEADLAMPS - AUTO LED
• LED SIGNATURE LIGHTING
• MIRRORS - MAN-FOLD DUAL PWR
• HEATED WITH APPROACH LAMPS
• POWER LIFTGATE
• PRIVACY GLASS - REAR DOORS
• REAR INT WIPER/WASH/DEFROST
• REAR SPOILER - BODY COLOR
• ROOF-RACK SIDE RAILS - BLACK
• TAILLAMPS - LED
• TRAILER SWAY CONTROL
• VARIABLE INTERVAL WIPERS

INTERIOR

• 1 TOUCH UP/DOWN DR/PASS WIN
• STD ROW - 50/50 FOLD FLAT
• DUAL ILLUM V/S VANITY MIRR
• FRONT ROW HEATED SEATS
• IP CLUSTER 6.5" LCD SCREEN
• LTHR WRAPPED STEERING WHL
• W/MOUNTED CTRLS, TILT/TELE
• POWER DRIVER SEAT - 10 WAY
• POWERPOINTS - 12V
• ROTARY GEAR SHIFT DIAL
• TRI-ZONE ELECTRONIC TEMP CTRL
• USB AT/VCU (1-1ST/2ND ROWS)

FUNCTIONAL

• 4-DR INTELL ACCESS LOCK/
• UNLOCK W/PUSH-BUTTON START
• AM/FM/MP3, 6 SPEAKERS
• BRAKES - 4-WHEEL DISCABS
• FORD CO-PILOT360™
• FORDPASS™ CONNECT
• HILL START ASSIST
• REAR PARKING SENSORS
• REAR VIEW CAMERA
• REFRESHES
• SIDE-WIND STABILIZATION
• SYNC3 BT SCRN W/APPLINKS

SAFETY/SECURITY

• ADVANCETRAQ™ WITH RSC®
• AIRBAG - DRIVER/PASS KNEE
• AIRBAGS - DUAL STAGE FRONT
• AIRBAGS - FRONT SEAT
• MOUNTED SIDE IMPACT
• AIRBAGS - SAFETY CANOPY®
• INDIV TIRE PRESS MONIT SYS
• LATCH CHILD SAFETY SYSTEM
• PERIMETER ALARM
• PERSONAL SAFETY SYSTEM™
• SOS POST-CRASH ALERT SYS™

WARRANTY

• 5YR/60,000 BUMPER / BUMPER
• 5YR/60,000 POWERTRAIN
• 5YR/60,000 ROADSIDE ASSIST

INCLUDED ON THIS VEHICLE

EQUIPMENT GROUP 202A
• REMOTE START SYSTEM
• HEATED STEERING WHEEL
• 8-WAY POWER PASSENGER SEAT

(MSRP)

3,540.00

OPTIONAL EQUIPMENT/OTHER

CARGO AREA MANAGEMENT SYSTEM
50 STATE EMISSIONS
AUTO START-STOP REMOVAL
XLT SPORT APPEARANCE PACKAGE
P265/65R20 A/S BSW TIRES
20" GRN GRAY-PTD 10-SPK WHLS
REAR AUXILIARY CHTLS CREDIT
FRONT LICENSE PLATE BRACKET

(MSRP)

165.00

NO CHARGE

50.00

1,795.00

50.00

NO CHARGE

PRICE INFORMATION

BASE PRICE

(MSRP)

338,570.00

TOTAL OPTIONS/OTHER

6,400.00

TOTAL VEHICLE & OPTIONS/OTHER

43,970.00

DESTINATION & DELIVERY

1,485.00

RAMP ORL	CH02	CONVOY	ITEM #	21-3334 Q/T 2	TOTAL MSRP \$45,465.00
RAMP TWO					
Whether you decide to lease or finance your vehicle, you'll find the choices that are right for you. See your dealer for details or visit www.ford.com/finance					
NH161 N/RB 2X 270 007705 0816 22					

This label is affixed pursuant to the Federal Automobile Information Disclosure Act. Gasoline, License, and Title Fees, State and Local taxes are not included. Dealer installed options or accessories are not included unless listed above.

EPA DOT Fuel Economy and Environment

Gasoline Vehicle

Fuel Economy

23 MPG

combined city/hwy

20 city

28 highway

4.3 gallons per 100 miles

Standard SUVs range from 14 to 102 MPG. The best vehicle rates 142 MPG.

You spend
\$1,250
more in fuel costs
over 5 years
compared to the
average new vehicle.

Annual fuel cost

\$1,550

Fuel Economy & Greenhouse Gas Rating (tailpipe only)

1 2 3 4 5 6 7 8 9 10 Best

Smog Rating (tailpipe only)

1 2 3 4 5 6 7 8 9 10 Best

Actual results will vary for many reasons, including driving conditions and how you drive and maintain your vehicle. The average new vehicle gets 27 MPG and costs \$6,500 to fuel over 5 years. Cost estimates are based on 15,000 miles per year at \$2.35 per gallon. EPA City & highway miles per gallon (tailpipe only). Producing and distributing fuel also create emissions; learn more at fuelconomy.gov.

fuelconomygov

Calculate personalized estimates and compare vehicles

GOVERNMENT 5-STAR SAFETY RATINGS

Overall Vehicle Score Not Rated
Based on the combined ratings of frontal, side and rollover. Should ONLY be compared to other vehicles of similar size and weight.

Frontal Crash	Driver Passenger	Not Rated
★★★★★	★★★★★	Not Rated

Based on the risk of injury in a frontal impact. Should ONLY be compared to other vehicles of similar size and weight.

Side Crash	Front seat	Rear seat	★★★★★	★★★★★
------------	------------	-----------	-------	-------

Based on the risk of injury in a side impact.

Rollover	★★★★★
----------	-------

Based on the risk of rollover in a single-vehicle crash.

Star ratings range from 1 to 5 stars (★★★★★), with 5 being the highest.

Source: National Highway Traffic Safety Administration (NHTSA).

www.safercar.gov or 1-888-327-4236

1FMSK7DH4NGC02765



WARNING: Operating, servicing and maintaining a passenger vehicle, pickup truck, van, or off-road vehicle can expose you to chemicals including engine exhaust, carbon monoxide, phthalates, and lead, which are known to the State of California to cause cancer and birth defects or other reproductive harm. To minimize exposure, avoid breathing exhaust, do not idle the engine except as necessary, service your vehicle in a well-ventilated area and wear gloves or wash your hands frequently when servicing your vehicle. For more information go to www.P65Warnings.ca.gov/passenger-vehicle.

Scan QR Text 1FMSK7DH4NGC02765 to 481234

11/17/2022

1202208274788

Demo



BUYER'S ORDER / INVOICE / BILL OF SALE

P.O. Box 280 • Winder, GA 30680 • 770-867-9136 • 800-282-7872 • www.akinsford.com • sales @ akinsford.net

CUSTOMER INFORMATION FOR TITLE PURPOSES						SALES PERSON		PROSPECT #	
NAME(S) FIRST, MIDDLE, LAST OR BUSINESS NAME HALL COUNTY BOARD OF COMMISSIONERS						STOCK NUMBER NGB79968		DATE 11/17/22	
						TYPE - R.F.W.T.L. F		FLEET#	
STREET ADDRESS			CITY		COUNTY	STATE		ZIP CODE	
MAILING ADDRESS			CITY		COUNTY	STATE		ZIP CODE	
HOME PHONE		CELL OR PAGER #		OFFICE OR WORK PHONE		E-MAIL ADDRESS			
PRIMARY PURCHASER INFORMATION						BASE PRICE		\$44,268.00	
SOCIAL SECURITY		DRIVER'S LICENSE #		DATE OF BIRTH		MAD #			
VEHICLE PURCHASED									
TYPE	NEW	YEAR	2022	MAKE	FORD	MODEL	EXPLORER	BODY	
CYLINDERS	2.3 L	TRANSMISSION	AUTO	FUEL	UNL	COLOR	WHITE	EBONY	1FMSK7DH0NGB79968
KEY CODE			OTHER			ODOMETER			
TRADE-IN #1						TOTAL PRICE INCLUDING DEALER OPTIONS		\$44,268.00	
YEAR			MAKE			VIN			
MODEL			STOCK NUMBER			ODOMETER		TRADE ALLOWANCE \$	
PAYOFF AMOUNT			GOOD UNTIL			ACCOUNT NUMBER			
PAYOFF OWED TO			PHONE NUMBER		QUOTED BY				
ADDRESS			CITY		STATE	ZIP CODE			
TRADE-IN #2						ADJUSTED PRICE INCL DISCOUNT(S)		\$44,268.00	
YEAR			MAKE			VIN			
MODEL			STOCK NUMBER			ODOMETER		TRADE ALLOWANCE \$	
PAYOFF AMOUNT			GOOD UNTIL			ACCOUNT NUMBER			
PAYOFF OWED TO			PHONE NUMBER		QUOTED BY				
ADDRESS			CITY		STATE	ZIP CODE			
LIEN HOLDER						GROSS TRADE-IN ALLOWANCE		\$0.00	
PURCHASED VEHICLE LIEN HOLDER				LIEN HOLDER CODE		TRADE DIFFERENCE		\$44,268.00	
ADDRESS				CITY		STATE	ZIP CODE		
INSURANCE						SERVICE & DOCUMENTATION FEE		\$0.00	
COMPANY				POLICY NUMBER		TAXABLE AMOUNT		\$44,268.00	
AGENT				PHONE		SALES TAX 0%		\$0.00	
ADDRESS				CITY		STATE	ZIP CODE		
Purchaser agrees that this Order, including all the terms on BOTH THE FACE AND REVERSE SIDE HEREOF, and any retail installment sales contract reflecting the above transaction cancel and supercede any prior agreement or contract and compromise the complete and exclusive statement of the terms. Purchaser agrees that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE, AND FURTHERMORE IN THE EVENT OF A TIME SALE, THIS ORDER SHALL NOT BE BINDING UNTIL THE RETAIL INSTALLMENT SALES CONTRACT IS SIGNED BY PURCHASER AND HAS BEEN APPROVED BY A BANK OR FINANCE COMPANY WILLING TO PURCHASE SAID CONTRACT ON SUCH TERMS. This agreement cannot be modified except by express agreement of the parties. Purchaser by his executing of the Agreement acknowledges that he has read the terms and conditions and has received a true copy of the agreement.						TAG & TITLE FEE		\$0.00	
						GA WARRANTY RIGHTS FEE (NEW ONLY)		\$0.00	
						PRICE INCLUDING TAX & FEES		\$44,268.00	
						BALANCE OWED ON TRADE(S)		\$0.00	
PURCHASER'S SIGNATURE _____						TOTAL PURCHASE PRICE W/TRADES		\$44,268.00	
DATE _____						REBATE(S) ASSIGNED TO DEALER		\$0.00	
CO-PURCHASER'S SIGNATURE _____						DEPOSIT RECEIPT \$		\$0.00	
DATE _____						CASH DOWN RECEIPT \$		\$0.00	
						SERVICE CONTRACT		\$0.00	
						GAP			
						UNPAID BALANCE			
						NET DUE UPON DEL CASH/CHECK CONTRACT		\$44,268.00	

11/17/2022



AGENDA ITEM

Community Services and Parks

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 592/2022

SUBJECT: Approve the purchase of one (1) Ford F250 truck for Parks & Leisure Services from Allan Vigil Ford Lincoln of Morrow, GA, in the amount of \$59,427.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: BH

Recommendation:
Allan Vigil Ford Lincoln, Morrow, GA

Purpose of Request:

Approve the purchase of one (1) Ford F250 truck for Hall County Parks Maintenance Department from Allan Vigil Ford Lincoln, Morrow, GA, in the amount of \$59,427.00. Finance has approved account 517-6006 for the funding.

History:

Allan Vigil Ford Lincoln in Morrow, GA, holds the state contract for vehicles.

Facts and Issues:

Allan Vigil Ford Lincoln in Morrow, GA is a part of the state contract for vehicles. The contract number is SWC #99999-SPD-ES40199373-002.

Options:

Funding Requested

\$ 59,427.00

Are funds within current budget?

Yes

Source of Funds

General

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	BH	BH	AP
Budget	Finance	Attorney	Administration
TS	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
Allan_Vigil_Ford_Lincoln_-_Parks.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 592/2022

Funds Requested: \$ 59,427.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
FY23	002 - PARKS & LEISURE	517 - PARKS/LEISURE	6006 - MOTOR VEHICLES	\$59,427.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone: 678-997-5823

Reg# 25241

ALLAN VIGIL FORD-LINCOLN GOVERNMENT SALES

2023 Ford F250 Regular Cab
V8 Long Bed 4X2 (3/4 ton)

Base Price \$41,350.00

SWC #99999-SPD-ES40199373-002

Equipment included in
Base price

6.8L V8 Gasoline/E85 Engine
10 Speed Automatic Transmission
Factory Installed A/C
9800# GVWR
AM-FM RadioMP3
8" screen, bluetooth
Power windows, locks, mirrors
Remote keyless entry
40/20/40 Vinyl Bench Seat
Rubber Floor Covering
Full Size Spare Tire
Rear Step Bumper
Solar Tinted Glass
Trailer brake controller
2.5" Receiver Hitch (12.5k)
Tilt Steering Wheel
Rear View Camera
Electric Shift (4X4 only)
Cruise control

Colors Available

M7	Exterior	Interior
PQ	Carbonized Gray	Gray
HX	Race Red	Gray
JS	Iconic Silver	Gray
D1	Stone Gray	Gray
UM	Agate Black	Gray
Z1	Oxford White	Gray x

FOB Allan Vigil Ford
Delivery \$1.50 per mile, \$75 minimum

ALLAN VIGIL FORD GOV'T SALES
6790 Mt. Zion Blvd
Morrow, GA 30260

770-968-0680 Phone
800-821-5151 Toll Free
678-364-3910 Fax

Options	Price		Code
6.7L V8 Diesel Engine	9,495.00	x	99T
6.7L V8 Diesel Eng. Hi output	11,570.00		99M
7.3L Gas Engine	1,655.00		99N
4X4 Option	2,935.00	x	F2B
LT245 All-terrain tires	160.00	x	TBM
Super Cab Long Bed	2,830.00		X20I
Super Cab Short Bed	2,475.00		X20s
Crew Cab Long Bed	4,242.00		W20I
Crew Cab Short Bed	3,888.00	x	W20s
Electronic locking axle	435.00		X3H
Roof Clearance Lights	89.00	x	592
Chrome package	215.00	x	96V
Cab Steps (running boards)	425.00		18B
Retractable Bed Side-Step	315.00		87S
Engine block heater	95.00		41H
PTO Transmission -diesel only	270.00		62R
Interior work surface	135.00		52S
110 AC outlet	165.00	x	43C
XL Off-road package-4X4 only includes skid plates	940.00		17Z
R.window defrost-privacy glass	100.00		435/924
Cloth 40/20/40 Bench Seat	295.00		1S
HD Alternator	80.00	x	67D
Upfitter Switches	160.00	x	66S
Spray-in Bedliner	450.00	x	ATK
XLT Pkg Upgrade	6,411.00		XLT
The XLTs are 4X4, 2 wheel drive is not available			
Tailgate Step	345.00		85G
Snow plow prep	235.00		473
Gooseneck hitch(long bed & 4X4 required)	815.00		53W/15J
Dual battery(gas engines)	199.00		86M
2KW Pro Power Onboard- Requires Dual Battery	945.00		43K
Wheel well liners	315.00	x	61N
Exterior Backup Alarm	140.00		76C

Option total 17,952.00

Other vendor added equipment

Delivery **125.00**

Total **\$59,427.00**

Contact person

OK R. Burtner

Department

Allan Vigil Ford

10/31/2022

Phone Number

Fax number

10/28/22

Reg#
25241

517-6006



AGENDA ITEM

Corrections and Maintenance

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 633/2022

SUBJECT: Approve the award of IFB #038-43 Energy Upgrade to HVAC Units for Public Works and Utilities to Debalski Heating and Cooling of Athens, GA, in the amount of \$58,250.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WD

Recommendation:
Debalski Heating and Cooling, Athens, GA

Purpose of Request:

To approve the award of IFB #038-43, Energy Upgrade to HVAC Units at 1670 Barber Road, to Debalski Heating and Cooling, Athens, GA, in the amount of \$58,250.00.

History:

There are six (6) existing heat pump systems that need to be replaced with new units at the Public Works Department, 1670 Barber Road. These units are aged and in need of replacement before winter arrives. This will be a turn-key project.

Facts and Issues:

This bid is a furnish & install turn-key project. Only 3 vendors submitted bids and the evaluation committee has chosen Debalski, Athens, GA.

Options:

Funding Requested

\$ 58,250.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VIII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Purchasing	Budget
DH	WD	AP	TS
Finance	Attorney	Administration	Clerk
WG	WLI	LJ	AO

Attachments:

Financial Supplement

038-43_Debalski_cost_proposal.pdf

038-43_Bidders_List.pdf

038-43_Bid_Tab.pdf

038-43_-_Bid_opening_information.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 633/2022

Funds Requested: \$ 58,250.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VIII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1860 - SP-VIII HVAC UPGRADE	5002 - BUILDING/CONSTRUCTION	\$58,250.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions:

Phone:

None

Bidders Response

I. Bid (This section to be completed by the bidder)

IFB #038-43

The undersigned agrees, if this bid is accepted within thirty (30) calendar days after date of opening, to furnish all supplies or services in strict accordance with provisions of this Invitation for Bid at the price in the Bid Schedule.

Time discounts allowed for prompt payment as follows: discounts of less than fifteen (15) days will not be used in determining the award of a bid but may be used when paying invoices.

1.5 % Discount 15 Calendar Days

Prices to remain firm for thirty (30) calendar days or _____ calendar days after date of opening. Vendor must initial here if he changes the thirty (30) day requirement _____.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same supplies or services and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

Bidder Information

(Type or Print)

Debalski Heating & Cooling

Name of Company
170 Carpenters Circle

Address
Athens, GA 30601

City, State Zip Code
(706) 612-4014

Phone Number
austindebalski@debalski.com

Email Address

18 61 - 134 030 31
Tax ID Number

Name and Title of Person authorized to sign
Austin Debalski

Name: _____

Title: President

Signature: Austin Debalski

Name and Mailing Address or where to send payments

Debalski Heating & Cooling

Name of Company
170 Carpenters Circle

Address Athens, GA 30601

City, State Zip Code
(706) 612-4014

Phone Number
()

Fax Number

1 1 1 1 - 1 1 1 1 1 1
Social Security Number

Acknowledge receipt of all issued addenda
by listing their numbers and date of issuance
below

VII. BASIC REQUIREMENTS FOR UPGRADE TO HVAC UNITS:

<u>Description</u>	<u>Bidders Response</u>
1. (1) Replace existing heat pump systems with new units - Turnkey project Indicate delivery lead time <i>Time to complete project (3) days.</i>	\$ <u>46,800.00</u> <i>Trane units (in stock) Bard Unit 30-34 weeks</i>
2. (1) Alternate price to replace existing make up new air unit. <i>Time to complete project (2) days.</i> Indicate delivery lead time	\$ <u>67,280.00</u> <u>12 weeks</u>
AHU	
Mfg. # <u>Commercial Aire Products</u>	
Model # <u>MXDA</u>	
Outdoor Unit (heat pumps shall have a hail guard)	
Mfg. # <u>Hitachi</u>	
Model # <u>HVAHP</u>	

All questions that pertain to the specifications or are of a technical nature are to be directed to Lamar Jones, (678) 617-4518, ljones@hallcounty.org.

All questions that pertain to the proper method of submitting your proposal should be directed to Debra Howington, Buyer, (770) 535-8263, dhowington@hallcounty.org.

F.O.B. Delivery Address for HVAC Units:

Hall County Public Works
1670 Barber Road
Gainesville, GA 30507



Energy Upgrade to HVAC Units at 1670 Barber Road (Bid #038-43)

Debalski Heating & Cooling is pleased to submit a bid for the project listed above. This document is to describe in detail how we plan to remove and install the units.

1. We will pump down the R22 into the heat pumps and recover any residual R22 into an approved cylinder (not to exceed 80% capacity per cylinder).
2. We will remove all the worn Armaflex off the outdoor refrigerant lines and replace it.
3. We will install sight glasses and bi-flow filter driers for each system.
4. We will perform a nitrogen purge on each line-set prior to brazing.
5. We will replace the flexible electrical whips to the outdoor units.
6. We will replace the indoor drain pans.
7. We will tape and mastic the supply and return connections.
8. We will install a union for each primary drain.
9. We will install stands for each indoor unit.
10. We will install new Wi-Fi thermostats as specified (Honeywell 8000) and return old thermostats to Hall County Building Maintenance.
11. We will install a filter rack for each unit.
12. We will supply a case of filters (12) for each unit replaced.
13. We will label each unit with a weatherproof tag.
14. We will schedule a 6 month visit to record temperatures and pressures for each system installed.
15. We will provide a start-up sheet that will show the heating and cooling cycles, pressures and temperatures (to include sub-cooling measurements).
16. This proposal includes a one-year parts and labor warranty.

We (Debalski Heating & Cooling) will provide an optional 5-year comprehensive (parts and labor) warranty for the (6) Trane systems and the (1) Bard unit for \$ 11,450.00.

We (Debalski Heating & Cooling) will also provide an optional 5-year comprehensive (parts and labor) warranty for the MAU for \$ 6,540.00.

**IFB #038-43 - Energy Upgrade to
HVAC Units at 1670 Barber Road
vcc: 031, 906, 910, 914**

COMPANY NAME	MAILING ADDRESS 1	MAILING ADDRESS 2	CITY	STATE	ZIP
ACE COMFORT MECHANICAL	2445 HILTON DR	SUITE 130	GAINESVILLE	GA	30501
A.R.SIMS HEATING & AIR CONDITIONING, INC	1790 BROOKS POINTE CT		LAWRENCEVILLE	GA	30045
ARS MECHANICAL			LITHONIA	GA	30058
B&W MECHANICAL CONTRACTORS INC	1940 RIVERSIDE PKWY		LAWRENCEVILLE	GA	30043
CC DICKSON COMPANY / UNITED REFRIGERATION INC.	511 MAIN ST, SW		GAINESVILLE	GA	30501
CIS AIR CONDITIONING & HEATING INC.	1477 HADAWAY TRAIL		LAWRENCEVILLE	GA	30043
CLIMATIC COMFORT PRODUCTS	6280 BEST FRIEND RD, STE 100		NORCROSS	GA	30071
CONDITIONED AIR SYSTEMS	2410 HILTON WAY SW		GAINESVILLE	GA	30501
CONSTANTINE ENGINEERING	1988 LEWIS TURNER BLVD	UNIT 3	FORT WALTON BEACH	FL	32547
DAIKIN APPLIED AMERICAS	1765 WEST OAK PKWY	SUITE 500	MARIETTA	GA	30062
DEBALSKI HEATING & COOLING	170 CARPENTERS CIR		ATHENS	GA	30601
DODGE CONSTRUCTION NETWORK	300 AMERICAN BLVD	STE #185	HAMILTON	NJ	08501
DODGE	300 AMERICAN BLVD			NJ	08619
EMCOR SERVICES AIRCOND	400 LAKE RIDGE DR SE		SMYRNA	GA	30082
ECS SOUTHEAST, LLC	4984 BU BOWMAN DR	SUITE 201	BUFORD	GA	30518
FRAZIER SERVICE COMPANY, INC.	3286 BUCKEYE RD	SUITE 101	ATLANTA	GA	30341
GAINESVILLE MECHANICAL, INC.	2519 MONROE DR		GAINESVILLE	GA	30507
GAINESVILLE MECHANICAL, INC.	2519 MONROE DR		GAINESVILLE	GA	30507
GEE HEATING AND AIR, INC.	445 WEST HIGHLAND DR.	P.O. BOX 7525	GAINESVILLE	GA	30501
GEORGIA MECHANICAL, INC.	5148 CARSON COURT		BUFORD	GA	30518
GREENLEE MECHANICAL SYSTEMS, INC	158 SALEM RIDGE DR		MCDONOUTH	GA	30253
JOHNSON CONTROLS, INC	1350 NORTHMEADOW PKW	STE 100	ROSWELL	GA	30076
LANIER HVAC SERVICES	1560 MONROE DR		GAINESVILLE	GA	30507
LAWSON AIR CONDITIONING & PLUMBING, INC.	865 DORSEY ST	PO BOX 711	GAINESVILLE	GA	30503
MAXAIR MECHANICAL	814 LIVINGSTON CT		MARIETTA	GA	30067
MAXAIR MECHANICAL	814 LIVINGSTON CT		MARIETTA	GA	30067
PADGETT GROUP	140 MOUNTAIN BROOK DR	SUITE 100	CANTON	GA	30115
JOHN F PENNEBAKER CO, INC	1840 S LEE CT		BUFORD	GA	30518
PRIME VENDOR INC	4322 CEDAR AVE		WILMINGTON	NC	28403
PWXPRESS	1900 COFFEEPORT RD		JACKSONVILLE	FL	32208
QT CONTRACTING INC dba POWER HEATING & AIR	200 TIGER WAY		PEACHTREE CITY	GA	30269
ROGERS MECHANICAL	220 TURNER BLVD		BALL GROUND	GA	30107
TRANE	400 DEKALB TECHNOLOGY PKWY	BLDG 100	ATLANTA	GA	30340
TRANE	400 DEKALB TECHNOLOGY PKWY	BLDG 100	ATLANTA	GA	30340

BIDS SENT	34
HALL CO BIDS SENT	8
NO BIDS RCVD	

IFB #038-43

Energy Upgrade to HVAC Units at 1670 Barber Road

Debalski Athens, GA	Gainesville Mechanical Gainesville, GA	Greenlee Mechanical McDonough, GA
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Item # Description

1	Replace existing heat pump systems with new units - Turnkey project	\$46,800.00	\$85,275.00	\$58,380.00
	Lead time	in stock	0	7-10 weeks
		Bard	Bard	
		30-34 weeks	4-21 weeks	14-21 weeks

2	Alternate price to replace existing make up new air unit	\$67,280.00	\$93,485.00	\$87,434.00
	Lead time	12 weeks	13 weeks	25 weeks

3	Additional 5 year comprehensive and labor warranty	\$11,450.00	\$3,125.00	nothing on quote response
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AHU

Mfg. #	Commercial		
Model #	Aire Products	Aaon	Addison
	MXXDA	V3-BRB-80-162C-5T4	MAOA-120

Outdoor Unit

Mfg. #	Hitachi	AAON	Addison
		AARE-HAH-000-0H0-LOAOAU-00-DA0000000	
Model #	HVAHP	DA0000000	MAOA-120

Total Cost of Project - Items #1 & #3 only

\$58,250.00	\$88,400.00	\$58,380.00
-------------	-------------	-------------

Bids sent out: 34 (Hall Co.) 8
No bids: 0

Recommended Vendor:
Debalski

COMPETITIVE BID TABULATION

PAGE 1 of 1

PURCHASING DEPARTMENT

Energy Upgrade at
Baynes Rd

Bid Name

DATE 11/15/2022

BID # 038-43

SUPPLIER	#1 Debalstki	#2 Gainesville Mechanical	#3 Greenleaf Mechanical
PHONE	()	()	()
QUOTER		Joe Aurora	Thomas Greenleaf
TERMS	Athens, GA	Gainesville	
DELIVERY	Austin Debalstki	GA	McDonough
FREIGHT COST			

ITEM	QTY.		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1.		Replace	\$46,800		93,485.00	\$58,380.00		
2.		Lead time 30-34 weeks			\$85,275.00	7-10 weeks		
3.		Set Price	\$67,280		\$93,485.00	14-21 weeks		
4.			12 weeks		13 weeks	25 weeks		
5.								
6.								
7.								
8.								
9.								
0.								
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
0.								

BUDGETED AMOUNT

GRAND TOTAL

GRAND TOTAL

GRAND TOTAL

TOTAL AWARD

AWARD TOTAL

AWARD TOTAL

AWARD TOTAL

BIDS MAILED (H)

ITEMS
AWARDEDITEMS
AWARDEDITEMS
AWARDED

BIDS RECEIVED

P.O. NUMBER

P.O. NUMBER

P.O. NUMBER

REMARK



SIGNATURE



AGENDA ITEM

Corrections and Maintenance

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 632/2022

SUBJECT: Approve the award of IFB #039-43 Replacement Chiller at Emergency Services Complex for Building Maintenance Department to Trane of Atlanta, GA, in the amount of \$137,931.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WD

Recommendation: Trane, Atlanta, GA

Purpose of Request:

To approve the award of IFB #039-43, Replacement Chiller at Emergency Services Complex, for Hall County Building Maintenance Department to Trane, Atlanta, GA, in the amount of \$137,931.00.

History:

We currently use Trane at the Emergency Services Complex and are well pleased with their service.

Facts and Issues:

Trane is not the least expensive for this bid. Currently, we have Trane product at the Emergency Services Complex. Due to this building being a critical function facility (911, EMA, MIS, Fire), Building Maintenance and EMA has chosen Trane.

Options:

Funding Requested	\$ 137,931.00
Are funds within current budget?	Yes
Source of Funds	SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Purchasing	Budget
DH	WD	AP	TS
Finance	Attorney	Administration	Clerk
WG	WLI	LJ	AO

Attachments:

Financial Supplement

039-43_Trane_cost_proposal.pdf

039-43_Bidders_list.pdf

039-43 Bid Tab

039-43_-_Pre-bid_sign_in_sheet.pdf

039-43_-_Bid_opening_information.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 632/2022

Funds Requested: \$ 137,931.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VIII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1860 - SP-VIII HVAC UPGRADE	5002 - BUILDING/CONSTRUCTION	\$137,931.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions:

Phone:

None

Bidders Response

I. Bid (This section to be completed by the bidder)

IFB #039-43

The undersigned agrees, if this bid is accepted within thirty (30) calendar days after date of opening, to furnish all supplies or services in strict accordance with provisions of this Invitation for Bid at the price in the Bid Schedule.

Time discounts allowed for prompt payment as follows: discounts of less than fifteen (15) days will not be used in determining the award of a bid but may be used when paying invoices.

N/A % Discount N/A Calendar Days

Prices to remain firm for thirty (30) calendar days or _____ calendar days after date of opening. Vendor must initial here if he changes the thirty (30) day requirement _____.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same supplies or services and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

Bidder Information (Type or Print)

Trane
Name of Company
4000 Dekalb Technology Parkway Bldg 100
Address
Atlanta, GA 30340
City, State Zip Code
(678) 775-4100
Phone Number
Jferina@trane.com
Email Address

12 15 1-10 19 10 10 14 16 15 1
Tax ID Number

Name and Title of Person authorized to sign

Name: Janice Ferina
Title: Contract Analyst

Name and Mailing Address or where to send payments

Trane
Name of Company
4000 Dekalb Technology Parkway Bldg 100
Address
Atlanta, GA 30340
City, State Zip Code
(678) 775-4100
Phone Number
(404) 636-5204
Fax Number

Or

1 1 1 1-1 1 1-1 1 1 1 1
Social Security Number

Acknowledge receipt of all issued addenda
by listing their numbers and date of issuance
below

VI. REPLACEMENT OF CHILLER:

<u>Description</u>	<u>Bidders Response</u>
1. (1) Replace existing chiller with new Trane Chiller - Turnkey project	\$ <u>128,439.00</u>
Indicate delivery lead time	<u>38 weeks</u>
2. (2) Optional price to replace existing chilled water pumps with new pumps – turnkey project.	\$ <u>67,876.52</u>
Indicate delivery lead time	<u>20 weeks</u>
3. Optional five (5) year parts and labor warranty	\$ <u>9,492</u>

All questions that pertain to the specifications or are of a technical nature are to be directed to Lamar Jones, (678) 617-4518, ljones@hallcounty.org.

All questions that pertain to the proper method of submitting your proposal should be directed to Debra Howington, Buyer, (770) 535-8263, dhowington@hallcounty.org.

F.O.B. Delivery Address for Trane Chiller:

Hall County Emergency Services Complex
470 Crescent Drive
Gainesville, GA 30501

**IFB #039-43 - Replacement of
Chiller at ESC
vcc: 031, 906, 910, 914**

COMPANY NAME	MAILING ADDRESS 1	MAILING ADDRESS 2	CITY	STATE	ZIP
ACE COMFORT MECHANICAL	2445 HILTON DR	SUITE 130	GAINESVILLE	GA	30501
A.R.SIMS HEATING & AIR CONDITIONING, INC	1790 BROOKS POINTE CT		LAWRENCEVILLE	GA	30045
ARS MECHANICAL			LITHONIA	GA	30058
B&W MECHANICAL CONTRACTORS INC	1940 RIVERSIDE PKWY		LAWRENCEVILLE	GA	30043
CC DICKSON COMPANY / UNITED REFRIGERATION INC.	511 MAIN ST, SW		GAINESVILLE	GA	30501
CIS AIR CONDITIONING & HEATING INC.	1477 HADAWAY TRAIL		LAWRENCEVILLE	GA	30043
CLIMATIC COMFORT PRODUCTS	6280 BEST FRIEND RD, STE 100		NORCROSS	GA	30071
CONDITIONED AIR SYSTEMS	2410 HILTON WAY SW		GAINESVILLE	GA	30501
CONSTANTINE ENGINEERING	1988 LEWIS TURNER BLVD	UNIT 3	FORT WALTON BEACH	FL	32547
DAIKIN APPLIED AMERICAS	1765 WEST OAK PKWY	SUITE 500	MARIETTA	GA	30062
DEBALSKI HEATING AND COOLINT	179 CARPENTER'S CIRCLE		ATHENS	GA	30601
DODGE CONSTRUCTION NETWORK	300 AMERICAN M ETRO BLVD	STE #185	HAMILTON	NJ	08501
EMCOR SERVICES AIRCOND	400 LAKE RIDGE DR SE		SMYRNA	GA	30082
ECS SOUTHEAST, LLC	4984 BU BOWMAN DR	SUITE 201	BUFORD	GA	30518
FRAZIER SERVICE COMPANY, INC.	3286 BUCKEYE RD	SUITE 101	ATLANTA	GA	30341
GAINESVILLE MECHANICAL, INC.	2519 MONROE DR		GAINESVILLE	GA	30507
GAINESVILLE MECHANICAL, INC.	2519 MONROE DR		GAINESVILLE	GA	30507
GEE HEATING AND AIR, INC.	445 WEST HIGHLAND DR.	P.O. BOX 7525	GAINESVILLE	GA	30501
GEORGIA MECHANICAL, INC.	5148 CARSON COURT		BUFORD	GA	30518
LANIER HVAC SERVICES	1560 MONROE DR		GAINESVILLE	GA	30507
LAWSON AIR CONDITIONING & PLUMBING, INC.	865 DORSEY ST	PO BOX 711	GAINESVILLE	GA	30503
MAXAIR MECHANICAL	814 LIVINGSTON CT		MARIETTA	GA	30067
MAXAIR MECHANICAL	814 LIVINGSTON CT		MARIETTA	GA	30067
PADGETT GROUP	140 MOUNTAIN BROOK DR	SUITE 100	CANTON	GA	30115
JOHN F PENNEBAKER CO, INC	1840 S LEE CT		BUFORD	GA	30518
RPRIME VENDOR INC	4322 CEDAR AVE		WILMINGTON	NC	28403
ROGERS MECHANICAL	220 TURNER BLVD		BALL GROUND	GA	30107
TRANE	400 DEKALB TECHNOLOGY PKWY	BLDG 100	ATLANTA	GA	30340
			BIDS SENT	28	
			HALL CO BIDS SENT	8	
			NO BIDS RCVD		

IFB #039-43

Replacement of Chiller at ESC

		Debalski Athen, GA	Trane Atlanta, GA	Rogers Ball Ground, GA
Item #	Description			
1	Replace existing chiller with new Trane Chiller - Turnkey project Lead time	\$121,950.00 38 weeks	\$128,439.00 38 weeks	\$166,873.00 43 weeks
2	Optional price to replace existing chilled water pumpls with new pumps - Turnkey Project Lead time	\$44,265.00 4 weeks	\$67,876.52 20 weeks	\$29,720.00 10 weeks
3	Optional five (5) year parts and labor warranty	\$10,915.00	\$9,492.00	\$11,285.00
Total Cost of Project - only items #1 & #3		\$132,865.00	\$137,931.00	\$178,158.00
Bids sent out: 28 (Hall Co.) 8 No bids:				



Hall County Board of Commissioners
Purchasing Department
Pre-Bid Conference, Tuesday, November 8, 2022 @ 10am
IFB #039-43 Replacement of Chiller at Emergency Services Complex

NOTE: If you are representing a business consortium or alternate business group,
you must also provide that business interest's name; Ex: 'ABC Corp. for XYZ Group'
Only those vendors listed below will be eligible for bid submission acceptance. All others will be rejected.

PLEASE PRINT				
Company Name	Contact Name	Address	Email Address	Phone
BW Mechanical	Chris Martin	1940 Riverside Parkway	Chris.martin@bwmech.com	770-845-2324
Trane	Ben Davis	4000 Dekalb Tech Pkwy	Ben.Davis@trane.com	404-772/3267
Apex Facility Services	Sameer Sheikh	36 Macon St, Albany, GA	Sameer@apex-fac.com	404 316 2810



Hall County Board of Commissioners
Purchasing Department
Pre-Bid Conference, Tuesday, November 8, 2022 @ 10am
IFB #039-43 Replacement of Chiller at Emergency Services Complex

NOTE: If you are representing a business consortium or alternate business group,
you must also provide that business interest's name; Ex: 'ABC Corp. for XYZ Group'
Only those vendors listed below will be eligible for bid submission acceptance. All others will be rejected.

PLEASE PRINT

Company Name	Contact Name	Address	Email Address	Phone
Rogers Mechanical	TED Smith	220 Turner Blvd Doraville GA	T.Smith@RMCIG-PA.com	404-533-7598
DEBALSKI HEATING & COOLING	STEVE DEBALSKI		STEPHENDEBALSKI@DEBALSKI.COM	706-338-2539
Debaliski Heating & Cooling	Austin Debaliski	170 Carpenters Circle Athens GA	austindebaliski@debaliski.com	706-617-4014
Ace Contract	Ben Mullins		ACECONTRACT@GMAIL.COM	678-943-5836

COMPETITIVE BID TABULATION

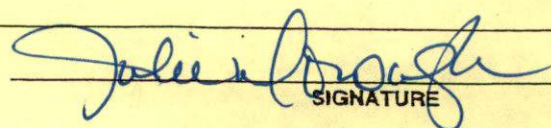
PAGE 1 of

PURCHASING DEPARTMENT

Replace Chiller at
Bid Name ESCDATE 11/15/2022BID # 039-43

SUPPLIER	#1 <u>Debalski</u>	#2 <u>Trane</u>	#3 <u>Rogers</u>
PHONE	()	()	()
QUOTER	<u>Austin Debalski</u>	<u>James Furber</u>	<u>Ted Smith</u>
TERMS			
DELIVERY	<u>Athens, GA</u>	<u>Atlanta, Ga</u>	<u>Ball Ground Ga</u>
FREIGHT COST			

ITEM	QTY.		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1.		<u>Replace</u>	<u>\$121,950.00</u>		<u>\$128,439</u>		<u>\$166,873.00</u>	
2.			<u>38 weeks</u>		<u>38 weeks</u>		<u>43 weeks</u>	
3.		<u>Optional</u>	<u>\$44,265</u>		<u>\$67,876.52</u>		<u>\$29,720.00</u>	
4.		<u>w/water</u>	<u>4 weeks</u>		<u>20 weeks</u>		<u>10 weeks</u>	
5.		<u>pumps</u>						
6.								
7.		<u>Optional 5 year</u>	<u>\$10,915.00</u>		<u>\$9,492.00</u>		<u>\$11,285.00</u>	
8.		<u>parts warranty</u>						
9.								
0.								
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
0.								
BUDGETED AMOUNT			GRAND TOTAL		GRAND TOTAL		GRAND TOTAL	
TOTAL AWARD			AWARD TOTAL		AWARD TOTAL		AWARD TOTAL	
BIDS MAILED			ITEMS AWARDED		ITEMS AWARDED		ITEMS AWARDED	
BIDS RECEIVED			P.O. NUMBER		P.O. NUMBER		P.O. NUMBER	

REMARK


SIGNATURE



AGENDA ITEM

County Attorney

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 658/2022

SUBJECT: Approval and authorization for the Chairman to execute any and all documents necessary to convey title from Hall County to bSide Oakwood, LLC with regard to approximately 0.223 acres of land located on Thurmon Tanner Parkway near its intersection with Frontage Road for the sum of \$35,000, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: VS

Recommendation:

Approve

Purpose of Request:

Approval and authorization for the Chairman to execute any and all documents necessary to convey title from Hall County to bSide Oakwood, LLC with regard to approximately 0.223 acres of land located on Thurmon Tanner Parkway near its intersection with Frontage Road for the sum of \$35,000, subject to review and approval by the Law Department.

History:

bSide Oakwood, LLC is developing property surrounding the subject tract and is seeking to purchase the subject tract in order to facilitate development of the property.

Facts and Issues:

The subject parcel is previously abandoned right-of-way and is not being used for County purposes.

Options:

Absent this sale, the County has no foreseeable use of the subject property.

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Budget	Finance	Attorney
BC	NB	WG	WLI
Administration		Clerk	
ZP		AO	

Attachments:

Legal Description of Property



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 658/2022

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: VS

Phone: 678-943-4270

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN LAND LOT 28 OF THE 8TH DISTRICT, CITY OF OAKWOOD, IN HALL COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE NORTH-WESTERN RIGHT-OF-WAY (R/W) OF FRONTAGE ROAD (VARIABLE PUBLIC R/W) AND THE NORTHERN R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W); THENCE ALONG THE NORTHERN R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W) WITH A BEARING OF N 83°29'30" W A DISTANCE OF 98.46 FEET TO CONCRETE MONUMENT FOUND; THENCE ALONG THE PROPOSED R/W OF SAID THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W) WITH A BEARING OF N 83°34'28" W A DISTANCE OF 153.54 FEET TO A CONCRETE MONUMENT FOUND; THENCE ALONG THE R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W) WITH A BEARING OF N 83°20'32" W A DISTANCE OF 85.14 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH A BEARING OF N 78°44'19" W A DISTANCE OF 77.21 FEET TO A POINT; WHICH IS THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; THENCE ALONG THE PROPOSED NORTHERN R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W) WITH A BEARING OF N 78°37'37" W A DISTANCE OF 40.16 FEET TO A POINT ALONG THE NORTHERN R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W); THENCE ALONG THE NORTHERN R/W OF THURMAN TANNER PARKWAY (VARIABLE PUBLIC R/W) THE FOLLOWS BEARINGS AND DISTANCES WITH A BEARING OF N 16°29'18" E A DISTANCE OF 61.13 FEET TO A POINT; THENCE WITH A BEARING OF N 16°29'18" E A DISTANCE OF 195.48 FEET TO A POINT; THENCE WITH A BEARING OF S 43°15'15" E A DISTANCE OF 46.30 FEET TO A POINT; THENCE WITH A BEARING OF S 16°29'18" W A DISTANCE OF 180.36 FEET TO A POINT; THENCE WITH A BEARING OF S 16°28'50" W A DISTANCE OF 49.33 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.223 ACRES MORE OR LESS. AS SHOWN AS ON A CONCEPTUAL RIGHT-OF-WAY ACQUISITION DRAWING PREPARED BY SOUTHLAND ENGINEERING, INC. FOR BSIDE PARTNERS.



AGENDA ITEM

County Attorney

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 649/2022

SUBJECT: Approval and authorization for the Chairman to execute any and all closing documents necessary to acquire a tract of land consisting of approximately 0.11 acres located on the Atlanta Highway near its intersection with Thurmon Tanner Parkway, being a portion of parcel 08027 000004 owned by Glamour Art House, Inc. and CRE8 Asset Co., LLC, for a purchase price of \$50,000.00, subject to review and approval by County Attorney.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: VS

Recommendation:
Approval

Purpose of Request:

Approval and authorization for the Chairman to execute any and all closing documents necessary to acquire a tract of land consisting of approximately 0.11 acres located on the Atlanta Highway near its intersection with Thurmon Tanner Parkway, being a portion of parcel 08027 000004 owned by Glamour Art House, Inc. and CRE8 Asset Co., LLC, for a purchase price of \$50,000.00, subject to review and approval by the County Attorney.

History:

The property owner and Hall County have negotiated the terms of the acquisition of approximately 0.11 acres which will provide convenient access to the Tumbling Creek Multi-Use Trail from the park and ride located on the Atlanta Highway near I-985.

Facts and Issues:

The purchase price for the 0.11-acre tract is \$50,000.00, and the property will be acquired in fee simple.

Options:

The location of this property provides a safe and convenient means of accessing the Trail.

Funding Requested

\$ 50,000.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VIII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-12-31

Approvals:

Submit	Budget	Finance	Attorney
VS	EW	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:

Financial Supplement



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 649/2022

Funds Requested: \$ 50,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VIII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1801 - SP-VIII TRAILS & GREENSPACE	5001 - LAND	\$50,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions:

Phone:



AGENDA ITEM

County Attorney

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 652/2022

SUBJECT: Approve the Letter of Intent with the Georgia Public Defender Council for the lease of four (4) offices and five (5) rooms of shared space at the former Department of Agriculture Building at 1195 Jesse Jewell Parkway, Gainesville, and authorize the Chairman to sign the Letter of Intent and any other documents necessary to effectuate the lease consistent with the Letter of Intent, subject to the approval of the County Attorney.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WJLIDCA

Recommendation:
Approval.

Purpose of Request:

To approve the Letter of Intent with the Georgia Public Defender Council for the lease of four (4) offices and five (5) rooms of shared space at the former Department of Agriculture Building at 1195 Jesse Jewell Parkway, Gainesville, Ga. 30501 and authorize the Chairman to sign the Letter of Intent and any other documents necessary to effectuate the lease consistent with the Letter of Intent, subject to the approval of the County Attorney.

History:

On or about August 19, 2022 Hall County purchased the former Georgia Department of Agriculture Building in Gainesville from the State of Georgia. The Georgia Public Defender Council immediately expressed interest in leasing a portion of the building from Hall County. The State Properties Commission then proposed a Letter of Intent for the lease, and we have negotiated favorable terms of that lease, which are expressed in the Letter of Intent.

Facts and Issues:

Options:

The Georgia Public Defender Council proposes to lease 1,364 feet within the building consisting of the exclusive use of four (4) offices and shared space of five (5) additional rooms. The State will pay initial rent of \$1,534.50 per month which will increase by 3% per year for five additional years, and will be responsible for its own telephone and data/internet. The LOI contains standard State terms. Hall County will retain exclusive use of seven (7) rooms in the building.

Approve or deny the Letter of Intent.

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	N/A
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2022-12-31

Approvals:

Submit	Budget	Finance	Attorney
WLI	TS	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:

Letter of Intent for Lease of 1195 Jesse Jewell Parkway, Gainesville, Ga.



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 652/2022

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

N/A

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$9,207.00
2024	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$18,414.00
2025	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$18,966.36
2026	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$19,535.40
2027	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$20,121.48
2028	001 - GENERAL	113 - BUILDINGS	3820 - RENTAL INCOME	\$20,725.08

Budget Transfer Items:

Additional Information/Comments:

This will be a revenue item for Hall County for the term of this Lease Agreement beginning in FY 2023.

Contact for Questions: WLDCA

Phone: 770-297-2686

October 25, 2022

William Linkous
Hall County Board of Commissioners
PO Drawer 1435
Gainesville, Georgia 30503
770-297-2686
wlinkous@hallcounty.org

RE: Letter of Intent – Georgia Public Defender Council
Lease #9253 – 1195 Jesse Jewell Pkwy, Rooms 101-109, Gainesville, GA 30501

Dear Mr. Linkous:

Thank you for your efforts to date in proposing and providing information to State Properties Commission ("Tenant") and Georgia Public Defender Council ("Occupying Agency") regarding the potential continued lease of the space at the above-referenced address. Please review the following terms and conditions and fill in all required information. Once fully executed, this letter will signal agreement to terms and conditions for a new lease agreement. This is a non-binding offer. **We request your response within ten (10) business days of the date of this letter.**

PROPOSED PREMISES INFORMATION

LANDLORD NAME AND MAILING ADDRESS	Landlord Legal Name: Hall County Board of Commissioners Name of Landlord parent / controlling entity and / or partners (if applicable): Landlord contact name: William Linkous Mailing address of Landlord: PO Drawer 1435 Gainesville, Georgia 30503 Rent payment address, if different from above:
PREMISES ADDRESS / SUITE:	1195 Jesse Jewell Pkwy, Rooms 101-109 Gainesville, GA 30501 The Premises are shown in the plan attached as Exhibit A
PREMISES SIZE:	1,364 Rentable Square Feet (RSF)

PROPOSED LEASE TERMS

COMMENCEMENT DATE:	The Commencement Date for the Premises shall be the earlier of the first day Tenant occupies the Premises for its business purposes, or five (5) business days after substantial completion of the build-out of the Premises as evidenced by written notice of Landlord's receipt of a permanent certificate of occupancy for the Building and Premises from the State Fire Marshal's office.
---------------------------	---

TERM:	The Term shall be the period beginning on the Commencement Date through June 30, 2023 .																											
RENEWAL OPTIONS:	Tenant shall have Five (5) options to renew the Term of the Lease, each option being for a period of One (1) year.																											
RENTAL RATE:	The following Rental Rate schedule outlines the Full Gross rate that the Landlord is proposing to Tenant for the Term. <table><tr><td>FISCAL YEAR</td><td>PERIOD</td><td>MONTHLY RENT</td><td>ANNUAL RENT</td></tr><tr><td>2023</td><td>CD – 6/30/23</td><td>\$1,534.50</td><td>N/A</td></tr></table>				FISCAL YEAR	PERIOD	MONTHLY RENT	ANNUAL RENT	2023	CD – 6/30/23	\$1,534.50	N/A																
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2028	7/1/27 – 6/30/28	\$1,727.09	\$20,725.08																									
OPERATING EXPENSES:	Landlord shall be responsible for all building and property operating expenses for the Term including any renewals.																											
UTILITIES:	With the sole exception of telephone and data/internet, Landlord shall furnish and pay for electricity, gas, water, sewer, and any other utility used by Tenant while occupying the Premises.																											
JANITORIAL:	Landlord shall pay for and be responsible for daily janitorial services and supplies for general cleaning of the Premises, including restrooms within the Premises.																											
PARKING:	Tenant’s parking allocation shall not be less than 5 spaces per 1,000 RSF (5 spaces). All parking spaces shall be free of charge throughout the Term and any renewal options exercised by the Tenant.																											

OTHER BUSINESS TERMS

OBLIGATION TO OPERATE, REPAIR & MAINTAIN:	Landlord will be responsible for all building and property operations, interior and exterior repairs, and maintenance of the Premises at no additional charge to Tenant. Such obligations shall include but not be limited to landscaping, removal of trash and refuse, parking lot sweeping and maintenance, common areas maintenance, replacement of lights and bulbs, and compliance with laws including fire, life safety, environmental, and fire extinguisher inspection requirements, except for damage or disrepair caused by the gross negligence or willful misconduct of Tenant, its employees, agents or contractors.
SIGNAGE RIGHTS:	Landlord, at its sole cost and expense, shall install and place Tenant's name or Tenant's trade name in, on, and around the building on monument(s)/pylon(s) and at the point of ingress to the development in the same manner as is done for all other occupants of the building, including Landlord itself. Landlord shall install such signage at locations and on devices of its own choosing, and shall install such signage in the style of other matching

	signage used by Landlord in its other locations. Tenant's rights to such signage shall be for the entire initial lease term as well as all renewal periods. All signage shall be subject to local ordinances and all government or association approvals.
--	---

OTHER LEGAL TERMS

COMPLIANCE WITH LAWS:	Landlord, at Landlord's sole cost and expense, will be responsible for making the Premises fully compliant with all required local, state and federal regulations and guidelines, including those governing American with Disabilities Act, fire, life safety, environmental and OSHA codes.
AUTHORITY:	Landlord represents to Tenant that it is the owner of the Building, and that Landlord has full authority to enter into this LOI and a lease agreement.
LEASE DOCUMENT:	Tenant is required to utilize the standard State of Georgia lease template, as approved by the Georgia Attorney General's office. Tenant and Landlord reserve the right to address modifications in the lease document prior to finalizing this contemplated transaction.
CONFIDENTIALITY:	This proposal and all discussion related thereto shall be held in confidence by Landlord and will not be discussed with third parties except on an "as needed" basis.
CONFLICT OF INTEREST DISCLOSURE:	The project subject to this Letter of Intent is a public procurement, and SPC is a public agency. Pursuant to the laws, rules and Executive Orders of the State of Georgia, SPC shall make every effort to avoid even the appearance of a conflict of interest or any impropriety in both the selection process for this project and the negotiation and performance of any resulting lease. If a conflict of interest exists for Landlord, a Conflict of Interest Disclosure must be completed and submitted to SPC and if appropriate, Landlord may be required to agree to certain measures to safeguard against conflicts or the Project may be discontinued altogether. Landlord's responsibility to disclose any conflict of interest is ongoing.

If the foregoing offer is acceptable to Landlord and Landlord agrees to undertake good faith negotiations with Tenant in order to finalize a Lease Document embodying the terms set forth above, please execute this letter where indicated below and return a copy to our office (via email) by the time and date referenced in the opening paragraph. If you have any questions or would like to discuss, please call.

Leslie S. Davis
Leasing Specialist 2
 270 Washington Street SW, Suite 2-129
 Atlanta, Georgia 30334
 Office: (404) 652-1601
 Email: leslie.davis@spc.ga.gov

AGREED AND ACCEPTED THIS ____ DAY OF _____, 202____.

Landlord: [Hall County Board of Commissioners]

By: _____

Name: _____

(print name)

Its: _____

AGREED AND ACCEPTED THIS ____ DAY OF _____, 202__.

Occupying Agency: [Georgia Public Defender Council]

By: _____

Name: _____

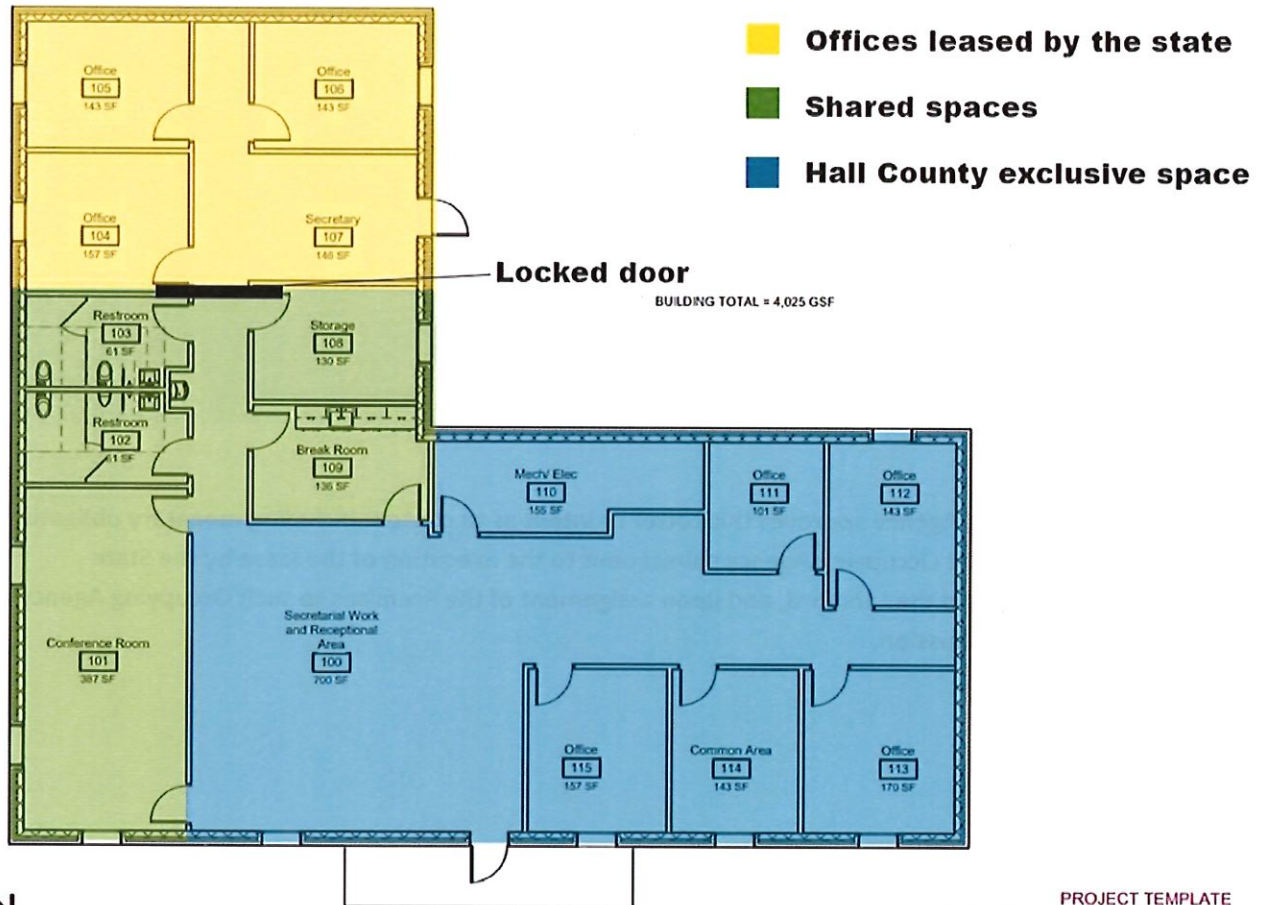
(print name)

Its: _____

By signing, the Occupying Agency approves this Letter of Intent as to content including monetary obligations that will be incurred by the Occupying Agency subsequent to the execution of the lease by the State Properties Commission and the Landlord, and upon assignment of the Premises to such Occupying Agency by the State Properties Commission.

Exhibit A

Floor plan / description of Premises



DN

PROJECT TEMPLATE

Existing Floor Plan

SCALE: 1/8" = 1'-0"

A20-047

06/02/22



AGENDA ITEM

Emergency Management

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 615/2022

SUBJECT: Approve the application of the 2022 Emergency Management Performance Grant (EMPG) for the Hall County Emergency Management Agency in the amount of \$50,000.00 and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A cash match of \$50,000.00 will be required.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: CR
Recommendation: Approval

Purpose of Request:

Approve the application of the 2022 Emergency Management Performance Grant (EMPG) for the Hall County Emergency Management Agency in the amount of \$50,000.00 and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A cash match of \$50,000.00 will be required.

History:

Hall County has received the EMPG grant since 2010. Last BOC approval was agenda item 571/2021 on 11/10/2021.

Facts and Issues:

Funding will supplement the salary of an existing emergency management employee, who will be assisting with the completion of the objectives of this grant.

Options:

Funding Requested

\$ 50,000.00

Are funds within current budget?

Yes

Source of Funds

Grants / Emergency Services

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Grants Staff	Submit	Approve	Grants
JW	CR	CR	JW
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

Lobbying Document

Copy of draft Application



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 615/2022

Funds Requested: \$ 50,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Grants / Emergency Services

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4104 - SALARIES	\$50,000.00
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4199 - IN-KIND PERSONNEL	\$50,000.00
2023	017 - GRANTS	827 - FEEMA/PPE	3718 - GEMA/FEMA	\$-50,000.00

Budget Transfer Items:

Additional Information/Comments:

The EMPG program requires a 50/50 match, which means that in order to be awarded the full allocated amount, the cost for this project must be no less than \$100,000.00.

Contact for Questions: CR

Phone:

770 530-3215

Certifications Regarding Lobbying; Debarment, Suspension And Other Responsibility Matters; And Drug-Free Workplace Requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.

Check ☐ if there are workplaces on file that are not identified here.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT		PR/AWARD NUMBER AND / OR PROJECT NAME	
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE			
SIGNATURE		DATE	

Application - Hall County- EMPG FY2022


Draft

<div>Application Summary</div> <div><p>This form outlines all project details, including Scope of Work, all costs, and location worksheets.</p><div><div>Title:</div><div>Hall County- EMPG FY2022</div></div><div><div>Total Project Cost:</div><div>\$100,000.00</div></div><div><div>Eligible Amount:</div><div>\$100,000.00</div></div><div><div>Federal Allocated Amount:</div><div>\$50,000.00</div></div><div><div>Funding Sources:</div><div>Federal - \$50,000.00 State - \$50,000.00 Local - \$0.00</div></div><div><div>FEMA Obligation Data:</div><div>Federal Number - < no value ></div></div></div>	<div>Grant</div> <div><div>2022 Emergency Management Performance Grant</div><div>Emergency Management Performance Grant</div><div>Start Date: October 1, 2021</div><div>End Date: September 30, 2024</div><div>CFDA Number: 97.042</div></div>
<div>Workflow Summary</div> <div><div><div>Current Step:</div><div>1) Application Creation</div><div>Description: State creates Application</div><div>Draft</div></div></div>	<div>Applicant</div> <div><div>Hall County EMA</div><div>Name (Legal): Hall County</div><div>Emergency Management Agency Hall County</div><div>UEI:</div><div>FIPS:</div><div>FEIN #: 58-6000836</div><div>Vendor # (Applicant): 0000014610</div><div>DUNS #: 78124617 Type: EMERGENCY MANAGEMENT AGENCY</div><div>Physical: Post Office Box 907730</div><div>Gainesville, GA, 30501</div><div>Mailing: Post Office Box 907730 Gainesville, GA 30501</div><div>Gainesville, GA, 30501</div></div>

Introduction

Summary Information

Grant:	2022 Emergency Management Performance Grant
Project Type:	EMPG Base Award
Title:	<div>Hall County- EMPG FY2022</div> <div>Used to help identify the Project. Ex: "Jurisdiction - Project Name".</div>

This application contains Work Activity and Costs in the following areas: Program Participants:	<div>Personnel</div> <div>Hold Ctrl key to select multiple areas. More Info </div>
	<div>Hall County Gainesville Oakwood Flowery Branch Lula Clermont Gillsville Braselton Buford</div> <div>List all jurisdictions that are participants in your emergency management program. Identify any jurisdictions that have joined or withdrawn from your program in the last year.</div>

Local Goals / Objectives for this EMPG Grant:	<div>EMPG Funds will be used to supplement the local EMA budget for EMA staff salaries Completion of the annual work plan. Continual improvement and development of county-wide all hazards plans. Conduct and participate in required exercises. Continue to support local school districts with their preparedness plans.</div> <div>For example: enhance warning systems, direction & control, etc.</div>
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Primary Contact:	<div>Casey Ramsey - Director of Emergency Management/Homeland Security</div> <div>Edit</div> <div>Email Address: cramsey@hallcounty.org Phone: 770-519-2418</div>
------------------	---

Alternate Contact:

Joy Walker - Grants Administrator

[Edit](#)

Email Address: joywalker@hallcounty.org

Phone: 770-535-8274

Authorized Contact:

Casey Ramsey - Director of Emergency Management/Homeland Security

[Edit](#)

Email Address: cramsey@hallcounty.org

Phone: 770-519-2418

Emergency Management
Director:

Casey Ramsey - Director of Emergency Management/Homeland Security

[Edit](#)

Email Address: cramsey@hallcounty.org

Phone: 770-519-2418

Grant Financial Officer:

Wesley Geddings - Financial Services Director

[Edit](#)

Email Address: wgeddings@hallcounty.org

Phone: 770-718-5724

Project Details

Do you anticipate using
EMPG Funds towards
projects that involve new
construction or installation of
equipment, E.g. generators,
alarm systems, etc?

No

Do you anticipate using
EMPG Funds towards
projects that effect or involve
modification of buildings or
structures 50 years old or
older?

No

Do you anticipate using EMPG Funds towards projects for the installation of new communication towers, or the replacement of existing communications towers?

No

Project Description:

Funding will supplement the salary of an existing emergency management employee. This employee will assist in the completion of the objectives mentioned previously in this application.

Provide a complete project description. The project description should contain a summary of what specific action is proposed, where it is proposed, how it will be implemented. Include a brief description of the objectives the project is designed to accomplish (the purpose), and the reason the project is needed. If multiple sites are involved, provide the summary for each site.

Project Location

Address Line 1:

Address Line 2:

City:

State:

GA - Georgia

Zip Code:

Latitude:

Longitude:

Base Award Payment Request

☒ Under penalty of perjury, I certify that to the best of my knowledge and belief that all requirements of the 2021 Performance Partnership Agreement (PPA) with the Georgia Emergency Management & Homeland Security Agency have been satisfied. I hereby request payment of the 2022 EMPG Base Award to cover expenses for the period of Oct 1, 2021 through Sep 30, 2024.

Signed by Casey Ramsey on Nov, 9, 2022 ([clear signature](#))

Mailing Address

Address Line 1:	PO Box 907730
Address Line 2:	
City:	Gainesville
State:	GA - Georgia
Zip Code:	30501

Federal Funding Accountability and Transparency Act Certification (FFATA)

You shall report the names and total compensation of each of the five most highly compensated executives for the preceding completed fiscal year, if:

- a. in the sub-grantee's preceding fiscal year, the sub-grantee received
 - i. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Are all of the above statements true?	No
---------------------------------------	----

Risk Assessment

Agency Tax Status? Other

Please specify: Local County Government

Agency Fiscal Year: July- June

For example: July-June or Jan-Dec

Legal name of the entity to which the FTIN was assigned: Hall County, GA

Does the Physical Address on file match your address as listed on SAM.gov? Yes

Post Office Box 907730 Gainesville Georgia 30501

Is the Mailing Address on file correct? Yes

Post Office Box 907730 Gainesville, GA 30501 Gainesville Georgia 30501

Has your organization been audited in the past 12 months? Yes, by an outside audit firm

Is your organization required to have a single audit conducted in accordance with the Single Audit Act (sub recipient expends \$750,000 or more in federal assistance during its fiscal year)? Yes

Has the A-133 single audit been submitted to primary pass through Party?

Yes

Who was the audit sent to?

Georgia Department of Audits

What date was the audit sent?

Dec 30, 2021

Did the organization have significant audit findings from your last single audit regarding program non-compliance?

No

If the single audit has not yet been conducted, when will this be completed?

Sep 22, 2022

What type of accounting system do you use?

Automated

Does your organization have written policies and procedures for checks and balances of all fiscal transactions?

Yes

Does your organization maintain for inspection all the books, documents, payroll papers, accounting records and grant files pertaining to sub grant agreements and contracts for a period of three years after the close of the sub-grant?

Yes

Is the DUNS number on file for your organization correct?

Yes

DUNS Number: 78124617

Has the DUNS number been registered with the System for Award Management (SAM) at SAM.gov?

Yes

Expiration Date:

Jul 15, 2023

Costs

Fund Allocation

Federal Allocated Amount: \$50,000.00

The EMPG program requires a 50/50 match, which means that in order to be awarded the full allocated amount, the cost for this project must be no less than \$100,000.00. If your total project cost is less than this amount, you will only be awarded up to 50% of your total project cost.

Total Project Cost: \$100,000.00

Balance: \$0.00

Cost Line Items

Classification	Description	Qty	Price	Total
Area				
Personnel				
Type				
Personnel	100HF-01-GASB - Grant Administration Staff Salary and Benefits (direct costs)	1	\$ 50,000.00	\$50,000.00
AEL Code (List)				
100HF-01-GASB-Grant Administration Staff Salary and Benefits (direct costs)				
Area				
Personnel				
Type				
Personnel	100HF-01-GASB - Grant Administration Staff Salary and Benefits (direct costs)	1	\$ 50,000.00	\$50,000.00
AEL Code (List)				
100HF-01-GASB-Grant Administration Staff Salary and Benefits (direct costs)				
Application Total				\$100,000.00
Grand Total				\$100,000.00

Federal Allocation: \$50,000.00

Submitted to Date: \$0.00

Available Balance: \$50,000.00

Funding Sources

Method:	<input checked="" type="radio"/> By Percent	<input type="radio"/> By Amount	Funding Source / Other Agency
Estimated Federal Share:	<input type="text" value="50"/>	% \$50,000.00	
Estimated State Share:	<input type="text" value="50"/>	% \$50,000.00	
Estimated Local Share:	<input type="text" value="0"/>	% \$0.00	<input type="text" value="Local Non-Federal Funds"/>
Total Allocated:	<input type="text" value="100"/>	% \$100,000.00	

Documentation

Document Name:

Actions:

Certification re: Lobbying, Debarment, Suspension, and
Drug Free Workplace



AGENDA ITEM

Emergency Management

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 634/2022

SUBJECT: Approve the award of IFB #037-43 Replacement of Communication Remote Site Generators for Emergency Management to Power & Energy Services, Inc., of Lithia Springs, GA, in the amount of \$518,737.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: CR

Recommendation:
Power & Energy Services, Inc., Lithia Springs, GA.

Purpose of Request:

To approve the award of IFB #037-43 Replacement of Communication Remote Site Generators to Power & Energy Services, Inc., Lithia Springs, GA, in the amount of \$518,737.

History:

These remote site generators are vital to the operation of the cell towers that support our critical essential areas of work. ARPA funds are being used for this replacements of generators.

Facts and Issues:

ARPA funds have been allocated for the replacements of five (5) generators at five (5) critical remote sites and 2 portable/mobile generators that service Hall County for essential areas of work.

Options:

Funding Requested

\$ 518,737.00

Are funds within current budget?

Yes

Source of Funds

American Rescue Plan

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	CR	CR	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

037-43_Pre-bid_sign_in_sheets.pdf

037-43_Power__Energy_proposal.pdf

037-43_Bidders_list.pdf

037-43 Bid Tab

037-43_Bid_opening_information.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 634/2022

Funds Requested: \$ 518,737.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

American Rescue Plan

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	018 - American Rescue Plan Act	830 - AMERICAN RESCUE PLAN ACT	6007 - OTHER EQUIPMENT	\$518,737.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CR

Phone: 770-503-3215



Hall County Board of Commissioners
Purchasing Department
Pre-Bid Conference, Tuesday, October 25, 2022 @ 8:30 am
IFB #037-43 Replacement of Communication Remote Site Generators

NOTE: If you are representing a business consortium or alternate business group,
you must also provide that business interest's name; Ex: 'ABC Corp. for XYZ Group'
Only those vendors listed below will be eligible for bid submission acceptance. All others will be rejected.

PLEASE PRINT				
Company Name	Contact Name	Address	Email Address	Phone
Capital City Electrical ^{Serves}	Kevin Petree	1346 Oakbrook Dr. Ste 170A Norcross, GA 30093	Kevin.petree@CCElect.com	470.997.6773 ✓
ENERGY SYSTEMS SOUTHEAST	JOEY BENSCOTER	2490 WEAVER WAY ATLANTA GA 30340	joe.benscoter@essellc.com	760-968-7741



Hall County Board of Commissioners
Purchasing Department
 Pre-Bid Conference, Tuesday, October 25, 2022 @ 8:30 am
 IFB #037-43 Replacement of Communication Remote Site Generators

**NOTE: If you are representing a business consortium or alternate business group,
 you must also provide that business interest's name; Ex: 'ABC Corp. for XYZ Group'**
Only those vendors listed below will be eligible for bid submission acceptance. All others will be rejected.

PLEASE PRINT				
Company Name	Contact Name	Address	Email Address	Phone
Current Edge Solutions	magdanz Dave Magdanz	2700 Gregory Street, Savannah, GA	dave@currentedgesolutions.com	(256) 443-9192 ✓
DPS	Tim Kent	11187 Bob Williams Pkwy, Cow Ga	tkent@datapowersource.com	404 317 8930 ✓
Gen-Tech Inc.	Darren Queen	3521 Gillsville Hwy Gillsville	dqueen@gen-tech.net	770 530 8091 ✓
Contrail Group	Shawn Atkins	5036 B.O. Baumel Dr Buford Ga Jonesboro, Ga.	Shawnatkins@contrailgroup.com	678 283 3669 ✓
Power & Energy	Casey Harris	9625 S Main St.	casey@dunaldsonelectricco.com ✓ brandon@pandeservices.com ✓	770 543 8253 ✓

Bidders Response

I. Bid (This section to be completed by the bidder)

IFB #037-43

The undersigned agrees, if this bid is accepted within thirty (30) calendar days after date of opening, to furnish all supplies or services in strict accordance with provisions of this Invitation for Bid at the price in the Bid Schedule.

Time discounts allowed for prompt payment as follows: discounts of less than fifteen (15) days will not be used in determining the award of a bid but may be used when paying invoices.

_____ 0 _____ % Discount _____ Calendar Days

Prices to remain firm for thirty (30) calendar days or _____ 30 _____ calendar days after date of opening. Vendor must initial here if he changes the thirty (30) day requirement _____.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same supplies or services and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

Bidder Information

(Type or Print)

Power And Energy Services, Inc.

Name of Company

PO BOX 637

Address

Powder Springs, GA 30127

City, State Zip Code

(770) 739-9112

Phone Number

brandonc@pandeservices.com

Email Address

20-3203782

| | | - | | | | | | |

Tax ID Number

Name and Title of Person authorized to sign

Name: Brandon Cummings

Title: COO

Signature: *Brandon Cummings*

Name and Mailing Address or where

to send payments

Same

Name of Company

Address

City, State Zip Code

()

Phone Number

()

Fax Number

Or

| | | - | | - | | | |

Social Security Number

Acknowledge receipt of all issued addenda by listing their numbers and date of issuance below

1, 10/25

Bids not signed must be declared as "Non-Responsive" and not considered for award

V. BASIC REQUIREMENTS FOR UPGRADE TO HVAC UNITS:

<u>Description</u>	<u>Bidders Response</u>
1. (1) Replace existing generators with new Generator, transfer switch and all related Equipment, labor and materials at: Friendship Remote Communications Site Turnkey project	\$ <u>49,150.00</u>
Trade-in amount, if applicable, for existing unit	\$ <u>500.00</u>
Indicate delivery lead time	<u>40 weeks estimated</u>
2. (1) Replace existing generators with new Generator, transfer switch and all related Equipment, labor and materials at: Hog Mountain Remote Communications Site Turnkey project	\$ <u>49,150.00</u>
Trade-in amount, if applicable, for existing unit	\$ <u>500.00</u>
Indicate delivery lead time	<u>40 weeks estimated</u>
3. (1) Replace existing generators with new Generator, transfer switch and all related Equipment, labor and materials at: Skyview Remote Communications Site Turnkey project	\$ <u>49,150.00</u>
Trade-in amount, if applicable, for existing unit	\$ <u>500.00</u>
Indicate delivery lead time	<u>40 weeks estimated</u>
4. (1) Replace existing generators with new Generator, transfer switch and all related Equipment, labor and materials at: Skitts Mountain Remote Communications Site Turnkey project	\$ <u>49,150.00</u>
Trade-in amount, if applicable, for existing unit	\$ <u>500.00</u>
Indicate delivery lead time	<u>40 weeks estimated</u>

5. (1) Replace existing generators with new Generator, transfer switch and all related Equipment, labor and materials at: Lula Remote Communications Site Turnkey project	49,150.00 \$ _____
Trade-in amount, if applicable, for existing unit	500.00 \$ _____
Indicate delivery lead time	40 weeks estimated _____
Optional Mobile Units:	
125kva / 100kw	\$95,385.00
334kva / 267kw (250kw)	\$153,102.00
Optional Maintenance:	
5 Years of Maintenance as specified	\$3500.00 per unit

All questions that pertain to the specifications or are of a technical nature are to be directed to Lamar Jones, (678) 617-4518, ljones@hallcounty.org.

All questions that pertain to the proper method of submitting your proposal should be directed to Debra Howington, Buyer, (770) 535-8263, dhowington@hallcounty.org.

**IFB #037-43 - Replacement of
Communication Remote Site
Generators**

MCC: 936-39

COMPANY NAME	MAILING ADDRESS 1	MAILING ADDRESS 2	CITY	STATE	ZIP
ATS ELECTRICAL ENTERPRISES, INC.	1008 PINE VALLEY ROAD		GAINESVILLE	GA	30501
ATS ELECTRICAL ENTERPRISES, INC.	1008 PINE VALLEY ROAD		GAINESVILLE	GA	30501
CAIN ELECTRIC	1743 CLEVELAND HWY		GAINESVILLE	GA	30501
CAPITAL CITY ELECTRICAL	1346 OAKBROOK DR.		NORCROSS	GA	30093
CAPITAL CITY ELECTRICAL	1346 OAKBROOK DR.		NORCROSS	GA	30093
COCHRAN BROTHERS ELECTRIC	2334 CENTENNIAL CIRCLE		GAINESVILLE	GA	30504
CRITICAL COMPONENTS	120 INTERSTATE N PKWY. E SE	BLDG. 300, SUITE 305	ATLANTA	GA	30339
CRITICAL POWER RESILIENCY, LLC	P.O. BOX 207		BROOKS	GA	30205
CUMMINS POWER SOUTH	5125 HWY 85		ATLANTA	GA	30349
CURRENT EDGE SOLUTIONS, LLC	1 DIAMOND CAUSEWAY	#21-225	SAVANNAH	GA	31406
CURRENT EDGE SOLUTIONS, LLC	1 DIAMOND CAUSEWAY	#21-225	SAVANNAH	GA	31406
DATA POWER RESOURCE	1187 BOB WILLIAMS PARKWAY		COVINGTON	GA	30014
DATA POWER RESOURCE	1187 BOB WILLIAMS PARKWAY		COVINGTON	GA	30014
DC GROUP	1977 W RIVER RD., N		MINNEAPOLIS	MN	55411
DEHART HILL ELECTRIC	455 TOLBERT ST.		CUMMING	GA	30040
DEHART HILL ELECTRIC	455 TOLBERT ST.		CUMMING	GA	30040
DODGE	300 AMERICAN METRO		HAMILTON TOWNSHIP	NK	08619
DONALDSON ELECTRIC CO	9625 S. MAIN STREET		GAINESVILLE	GA	30501
EMERALD ELECTRICAL CONSULTANTS	2575 JASON INDUSTRIAL PKWY.	SUITE C	WINSTON	GA	30187
ENERGY SYSTEMS SOUTHEAST, LLC	2490 WEAVER WAY		ATLANTA	GA	30340
ENERGY SYSTEMS SOUTHEAST, LLC	2490 WEAVER WAY		ATLANTA	GA	30340
ENERGY SYSTEMS SOUTHEAST, LLC	2490 WEAVER WAY		ATLANTA	GA	30340
GEN-TECH, INC.	2451 HILTON COURT, SUITE B		GAINESVILLE	GA	30501
KRAFT POWER CORP	1000 B NORTHBROOK PKWY		SUWANEE	GA	30024
MATERIAL HANDLING, INC.	2318 MURPHY BLVD		GAINESVILLE	GA	30504
MCARTHUR ELECTRIC, INC	3661 BROWNS BRIDGE RD		GAINESVILLE	GA	30504
MENARD ELECTRIC	1360 UNION HILL ROAD	SUITE 4C	ALPHARETTA	GA	30004
NIXON POWER SERVICES CO.	1440 LAKES PARKWAY	SUITE 600	LAWRENCEVILLE	GA	30043
NIXON POWER SERVICES CO.	1440 LAKES PARKWAY	SUITE 600	LAWRENCEVILLE	GA	30043
NORTH GEORGIA GENERATORS	3434 HOLCOMB ROAD		GAINESVILLE	GA	30504
POWER & ENERGY SERVICES	PO BOX 637		POWDER SPRINGS	GA	30127
POWER & ENERGY SERVICES	7081 WESTFORK RD.		LITHIA SPRINGS	GA	30122
POWER SERVICES	2437 HILTON WAY	SUITE 405	GAINESVILLE	GA	30501
PRO POWER SOLUTIONS	1785 CORPORATE DR	SUITE 650	NORCROSS	GA	30093
PWXPRESS	1900 COFFEEPORT ROAD		JACKSONVILLE	FL	32208
PWXPRESS	1900 COFFEEPORT ROAD		JACKSONVILLE	FL	32208
ROBROY ENERGY SYSTEMS, INC.	1340 W MAIN ST		ROCK HILL	SC	29732
SABOOR CONSTRUCTION, LLC	714 CHICKADEE CT.		ATLANTA	GA	30311
SAYERS CONSTRUCTION	104 W. MLK DRIVE		SAN MARCOS	TX	78666
S-D SOLUTIONS, LLC	5355 YONAL HOMER ROAD	P.O. BOX 262	ALTO	GA	30510
SIGNAL POINT SYSTEMS, INC.	1270 SHILOH ROAD	SUITE 100	KENNESAW	GA	30144
SIGNAL POINT SYSTEMS, INC.	1270 SHILOH ROAD	SUITE 100	KENNESAW	GA	30144
SYNERGY INDUSTRIAL SERVICES, LLC	836 JOSEPH E LOWERY BLVD, NE		ATLANTA	GA	30318
THE COMTRAN GROUP	50368.U. BOWMAN DR.		BUFORD	GA	30518
TRANE	4000 DEKALB TECHNOLOGY PKWY	BLDG 100	ATLANTA	GA	30340
YANCEY POWER	259 LEE INDUSTRIAL BLVD.		AUSTELL	GA	30168

IFB #037-43

Replacement of Communication
Remote Site Generators

		Current Edge Solutions Savannah, GA	Power & Energy Lithia Springs, GA	Capital City Norcross, GA
Item #	Description			
1	Replace existing heat pump systems with new units - Friendship site - Turnkey project Trade-in of old unit Lead time	\$76,877.00 \$0.00 24 weeks	\$49,150.00 \$500.00 40 weeks est.	\$64,060.00 N/A 30-36 weeks
2	Replace existing heat pump systems with new units - Hog Mountain site - Turnkey project Trade-in of old unit Lead time	\$76,877.00 \$0.00 24 weeks	\$49,150.00 \$500.00 40 weeks est.	\$64,060.00 N/A 30-36 weeks
3	Replace existing heat pump systems with new units - Sky View site - Turnkey project Trade-in of old unit Lead time	\$76,877.00 \$0.00 24 weeks	\$49,150.00 \$500.00 40 weeks est.	\$64,060.00 N/A 30-36 weeks
4	Replace existing heat pump systems with new units - Skitts Mountain site - Turnkey project Trade-in of old unit Lead time	\$76,877.00 \$0.00 24 weeks	\$49,150.00 \$500.00 40 weeks est.	\$64,060.00 N/A 30-36 weeks
5	Replace existing heat pump systems with new units - Lula site - Turnkey project Trade-in of old unit Lead time	\$76,877.00 \$0.00 24 weeks	\$49,150.00 \$500.00 40 weeks est.	\$64,060.00 N/A 30-36 weeks

6	Optional AKSA 100kw portable w/trailer, tank, level 3 sound attenuated enclosure 4 position voltage selector switch	\$84,182.00		
7	Optional Bluestar 250kw portable w/trailer, tank, level 3 sound attenuated enclosure 4 position voltage selector switch	\$173,066.00		
8	Optional Mobile Units: 125kva / 100kw 334kva / 267kw (250kw)		\$95,385.00 \$153,102.00	\$150,150.00 \$176,100.00
9	Optional Maintenance: 5 years of Maintenance as specified		\$3500 per unit	
10	Optional Service / Maintenance contract			\$8840 per generator per year

**Total Cost of Project (Items
1-5 only)**

\$384,385.00 \$245,750.00 \$320,300.00

(Items 1-10 total)

\$641,633.00 \$518,737.00 \$708,430.00

Bids sent out: 46 (Hall Co.) 10

No bids: 1 - DeHart & Hill

Recommended Vendor:

COMPETITIVE BID TABULATION

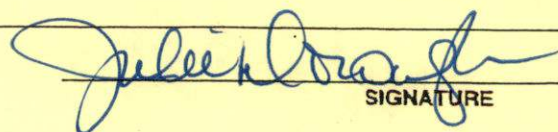
PAGE 1 of 1

PURCHASING DEPARTMENT

Remote Site Generators
Bid NameDATE 11/1/2022BID # 037-43

SUPPLIER	#1 <u>Capital City Electrical Svs.</u>	#2 <u>Power & Energy</u>	#3 <u>Current Edge Solutions</u>
PHONE	()	()	()
QUOTER	<u>Kevin Polce</u>	<u>Brandon Cummings</u>	<u>Katie Pyner</u>
TERMS			
DELIVERY	<u>Norcross, Ga</u>	<u>Lithia Spgs, Ga</u>	<u>Savannah, Ga</u>
FREIGHT COST			

ITEM	QTY.		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1.		<u>Generator</u>	<u>\$164,060.00</u>		<u>\$49,150.00</u>		<u>\$76,877</u>	
2.		<u>Trade In</u>	<u>N/A</u>		<u>\$500</u>		<u>N/A</u>	
3.		<u>Lead Time</u>	<u>30-36 weeks</u>		<u>40 weeks</u>		<u>24 weeks</u>	
4.		<u>Generator</u>						
5.		<u>X 5</u>			<u>X 5</u>			
6.								
7.		<u>Optional</u>	<u>\$6840/yr</u>		<u>\$3,520/unit</u>			
8.		<u>Service</u>	<u>/generator</u>					
9.								
0.								
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
0.								
BUDGETED AMOUNT			GRAND TOTAL		GRAND TOTAL		GRAND TOTAL	
TOTAL AWARD			AWARD TOTAL		AWARD TOTAL		AWARD TOTAL	
BIDS MAILED _____ (H) _____			ITEMS AWARDED		ITEMS AWARDED		ITEMS AWARDED	
BIDS RECEIVED			P.O. NUMBER		P.O. NUMBER		P.O. NUMBER	

REMARK No Bid: Detached & Hill


SIGNATURE



AGENDA ITEM

Financial Services

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 610/2022

SUBJECT: Approve the conversion of the County's account structure to follow and be in compliance with the Georgia Department of Community Affairs (DCA) Uniform Chart of Accounts.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WG

Recommendation:
Department recommends approval.

Purpose of Request:

Approve the conversion of the County's account structure to be in compliance and follow the Georgia Department of Community Affairs (DCA) uniform chart of accounts.

History:

In 1997, the Georgia General Assembly passed the Local Government Uniform Chart of Accounts and Reporting Act (HB491). This Act called for the Georgia Department of Community Affairs (DCA) to develop a uniform chart of accounts to be used by local governments in the state. All of Georgia's county and municipal governments, and organizations controlled by them, are required to comply with the provisions set forth in the uniform chart of accounts. Although DCA references the uniform chart of accounts numbering system when requesting information (such as in the annual Report of Local Government Finances), local governments are not required to use it in their accounting systems. As local governments develop new accounting systems, however, they are encouraged to adopt this numbering system. Since DCA will use these account numbers and descriptions to format its requests for financial data and information, using this chart of accounts for accounting purposes will facilitate local governments' financial reporting.

Facts and Issues:

Options:

Hall County has not historically followed the DCA uniform chart of accounts because the Financial Software has not had the capacity to. However, with the conversion to a new account software, approved by the BOC on 03/25/2021, we are seeking approval to convert to the DCA uniform chart of accounts. Converting to the recommended DCA chart of accounts will allow the County to account for and report on the use of financial resources in a consistent and uniform format. With this conversion, certain financial data will be grouped differently than originally approved by BOC as part of the budget process on 06/22/2022. Some overall fund totals will shift; however, the overall adopted budget total approved by the BOC will remain the same.

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item? 2022-12-08

Approvals:

Submit	Budget	Finance	Attorney
NB	TS	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:



AGENDA ITEM

Financial Services

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 637/2022

SUBJECT: Approve the FY 2022 allocation application of the Local Assistance and Tribal Consistency Fund from the U.S. Department of the Treasury for the general revenue enhancement program to Provide additional assistance to eligible revenue sharing counties and eligible Tribal governments in the amount of \$78,157.80, 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.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WG
Recommendation:
Approval

Purpose of Request:

Approve the FY 2022 allocation application of the Local Assistance and Tribal Consistency Fund from the U.S. Department of the Treasury for the general revenue enhancement program to Provide additional assistance to eligible revenue sharing counties and eligible Tribal governments in the amount of \$78,157.80, 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.

History:

This is Hall County's first application for the Local Assistance and Tribal Consistency Fund.

Facts and Issues:

Options:

The American Rescue Plan appropriated \$2 billion to Treasury across FY 2022 and FY 2023 to provide payments to eligible revenue sharing counties and eligible Tribal Governments for use on any governmental purpose except for a lobbying activity. Specifically, the American Rescue Plan reserves \$250 million to allocate and pay to eligible Tribal Governments for FY 2022 and FY 2023, and reserves \$750 million to allocate and pay to eligible revenue sharing counties for FY 2022 and FY 2023. Under this program, recipients have broad discretion on uses of funds, similar to the ways in which they may use funds generated from their own revenue sources. The Local Assistance and Tribal Consistency Fund provides flexible support for eligible revenue sharing counties and eligible Tribal Governments to meet their jurisdiction's needs. Specifically, the statute directs that recipients may use funds for any governmental purpose other than a lobbying activity. As a general matter, recipients may treat these funds in a similar manner to how they treat funds generated from their own revenue. Programs, services, and capital expenditures that are traditionally undertaken by a government are considered to fulfill a "governmental purpose." For Tribal Governments, investing in activities undertaken by Tribal enterprises, such as operating or capital expenditures for businesses that are owned or controlled by a Tribal Government, are considered a governmental purposes.

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Grants Staff	Submit	Grants	Budget
JW	WG	JW	EW
Finance	Attorney	Administration	Clerk
WG	WLI	LJ	AO

Attachments:



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 637/2022

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	017 - GRANTS	TBD		\$78,157.80
2024	017 - GRANTS	TBD	3703 - US Dept of Treasury	\$-78,157.80

Budget Transfer Items:

Additional Information/Comments:

The project has not been identified for this funding.

Contact for Questions:

Phone:



AGENDA ITEM

Financial Services

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 609/2022

SUBJECT: Approve the presentation of the Hall County FY 2022 Annual Audit Report.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: WGaBC&CL

Recommendation:
Action not required.

Purpose of Request:

Presentation of the Hall County FY 2022 Annual Audit Report to the Board of Commissioners.

History:

Bates, Carter and Company, LLP provides a presentation to the Board of Commissioners at the December work session summarizing the annual audit results.

Facts and Issues:

The annual audit report is due to the State on or before December 31 of each year. Therefore, it is best practice for the audit and draft financial statements presentation to take place in December.

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Budget	Finance	Attorney
NB	TS	WG	WLI
Administration		Clerk	
LJ		AO	

Attachments:



AGENDA ITEM

Fire Rescue

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 628/2022

SUBJECT: Approve the award of Task Order 2023-009 Floor Installation for the Emergency Services Complex to DCO Commercial Floors of Lawrenceville, GA. The estimated cost is \$226,800.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: CA

Recommendation:

DOC Commercial Floors is one of the On-Demand / On-Call Flooring contractors that was awarded from bid #39-007A.

Purpose of Request:

To replace the flooring at the Hall County Emergency Services Complex throughout the building.

History:

Facts and Issues:

This task order excludes the moving of furniture, pulling/setting toilets and partitions in restrooms, but added and additional quote #JE352014-001 to replace flooring in the stairwell.

Options:

Funding Requested

\$ 226,800.00

Are funds within current budget?

Yes

Source of Funds

Capital Projects

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	submit	approve	Purchasing
JD	CA	CA	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

DCO Commercial Floors estimate

DCO_Commercial_Floors_Estimate_JE352014-001.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 628/2022

Funds Requested: \$ 226,800.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Capital Projects

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	524 - E.M.S.	4488 - REMODEL/RENOVATIONS	\$22,680.85
2023	005 - CAPITAL PROJECTS	527 - FIRE DIST CAPITAL PROJECT	4488 - REMODEL/RENOVATIONS	\$52,921.99
2023	005 - CAPITAL PROJECTS	505 - M.I.S.	4488 - REMODEL/RENOVATIONS	\$49,918.36
2023	005 - CAPITAL PROJECTS	526 - EMA	4488 - REMODEL/RENOVATIONS	\$37,349.17
2023	005 - CAPITAL PROJECTS	522 - ENHANCED 911 CAPITAL	4488 - REMODEL/RENOVATIONS	\$63,292.63

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: JS

Phone: 404-597-0084

Price Proposal

The below signed Contractor agrees to provide all services outlined in this Task Order for the lump sum cost of ~~\$~~ \$ 223,500 at the Emergency Services Complex.

This is to be considered a turnkey project

Company Name: DCO COMMERCIAL FLOORS

Signed: J. Pryor

Typed Name: JOE PRYOR

Job Title: SENIOR ACCOUNT EXECUTIVE

Date: 10/19/2022

* EXCLUDES MOVING FURNITURE

EXCLUDES PULLING & RESETTING TOILETS/PARTITIONS (IF REQUIRED)

EXCLUDES FLOORING IN ELEVATORS & STAIRWELLS

5% ATTIC STOCK INCLUDED (DEDUCT \$4,500 IF NOT NEEDED)

PRODUCT MUST BE PURCHASED BY 12/15/2022 IN ORDER TO RECEIVE CURRENT PRICING

ALTERNATE PRICE TO USE INTERFACE 4.5mm LVT (DEDUCT \$22,000)

Task Order #2023-009

4. **APPROVAL SIGNATURES:**

This Task Order is valid upon signature of the Owner (Hall County) and DCO COMMERCIAL FLOORS which together shall constitute a completed executed Task Order. A copy of a signed Task Order in PDF or facsimile format shall be considered as valid and binding as an original.

AGREED TO:

By: _____
Richard Higgins, Chairman
Hall County Board of Commissioners

Attestment: _____
County Clerk

Sworn to and subscribed before me this

_____ Day of _____, 2022

Notary Public: _____

Notary commission expires: _____

[Locus Sigilli]

J. Pryor 10/19/2022
Owner/Authorized Agent Date

JOE PRYOR SENIOR ACCT. EXECUTIVE
Print Name / Title

APPROVED AS TO FORM:

Van Stephens, County Attorney
William Linkous, Deputy County Attorney

ESTIMATE Date 10/19/22

JE351906-001

CLIENT	PROJECT
HALL COUNTY COMMISSIONERS 2875 BROWNS BRIDGE ROAD. 4TH FLOOR GAINESVILLE, GA 30504	HALL CO EMERGENCY SERVICES 470 CRESCENT DR GAINESVILLE, GA. GOVERNMENT/CONTRACT, GA

Tele #1	MODEL	Salesperson 1	Job Phone
770-535-8271	COMMERCIAL	PRYOR, JOE	

Area	Style/Item	Qty
FLOOR PREP	DEMO - TURBO RENTAL	1.00 EA
FLOOR PREP	DEMO - COVE BASE	5,585.00 LF
FLOOR PREP	DEMO - GLUE DOWN CPT	19,455.00 SF
FLOOR PREP	DEMO - VCT	1,565.00 SF
FLOOR PREP	FLOOR PREP MATERIAL	200.00 EA
FLOOR PREP	INSTALL FLOOR PREP	2,000.00 LB
FLOOR PREP Sub Total:		28,265.52
GENERAL CONDITIONS	TRANSITIONS	5.00 EA
GENERAL CONDITIONS	PICK UP & DELIVERY	1.00 EA
GENERAL CONDITIONS	DUMPSTER CHARGES	1.00 EA
GENERAL CONDITIONS Sub Total:		13,919.78
LVT	SMARTCORE PRO GLENDALE PINE LVT	20,691.54 SF
LVT	LVT ATTIC STOCK	992.40 SF
LVT	SMARTCORE SOFT & SOUND UNDERLAYMENT	207.00 EA
LVT	UNDERLAYMENT TAPE	36.00 SF
LVT	INSTALL LVT UNDERLAYMENT	19,700.00 SF
LVT	INSTALL LVT	19,700.00 SF
LVT Sub Total:		166,432.34
RUBBER BASE	4" RUBBER COVE BASE	5,760.00 LF
RUBBER BASE	COVE BASE ADHESIVE	6.00 EA

ESTIMATE Date 10/19/22

JE351906-001

CLIENT	PROJECT
HALL COUNTY COMMISSIONERS 2875 BROWNS BRIDGE ROAD. 4TH FLOOR GAINESVILLE, GA 30504	HALL CO EMERGENCY SERVICES 470 CRESCENT DR GAINESVILLE, GA. GOVERNMENT/CONTRACT, GA

Tele #1	MODEL	Salesperson 1	Job Phone
770-535-8271	COMMERCIAL	PRYOR, JOE	

Area	Style/Item	Qty	
RUBBER BASE	INSTALL RUBBER BASE	5,600.00 LF	
			RUBBER BASE Sub Total: 10,948.36
VCT	STANDARD VCT	32.00 CT	
VCT	VCT ADHESIVE	2.00 EA	
VCT	INSTALL VCT	1,375.00 SF	
			VCT Sub Total: 3,934.00

JE351906-001

ESTIMATE Date 11/08/22

JE352014-001

CLIENT	PROJECT
HALL COUNTY COMMISSIONERS 2875 BROWNS BRIDGE ROAD, 4TH FLOOR GAINESVILLE, GA 30504	HALL CO EMERGENCY SERVICES 470 CRESCENT DR GAINESVILLE, GA. GOVERNMENT/CONTRACT, GA

Tele #1	MODEL	Salesperson 1	Job Phone
770-535-8271	STAIRWELLS	PRYOR, JOE	

Style/Item	Qty	Price	Total
DEMO - TURBO RENTAL	1.00 EA	554.18	554.18
DEMO - COVE BASE	220.00 LF	0.22	48.40
DEMO - VCT	450.00 SF	0.74	333.00
FLOOR PREP MATERIAL	6.00 EA	20.31	121.86
INSTALL FLOOR PREP	60.00 LB	2.21	132.60
FLOOR PREP Sub Total:			1,190.04
DELIVERY	1.00 EA	195.00	195.00
GENERAL CONDITIONS Sub Total:			195.00
4" RUBBER COVE BASE	240.00 LF	1.10	264.00
COVE BASE ADHESIVE	1.00 EA	78.06	78.06
INSTALL RUBBER BASE	240.00 LF	0.74	177.60
RUBBER BASE Sub Total:			519.66
STANDARD VCT	11.00 CT	71.99	791.89
VCT ADHESIVE	1.00 EA	58.91	58.91
INSTALL VCT	495.00 SF	1.10	544.50
VCT Sub Total:			1,395.30

JE352014-001



AGENDA ITEM

Fire Rescue

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 599/2022

SUBJECT: Approve the sole source purchase of a mobile unit training prop for Fire Rescue from FireVent, LLC of Carson City, NV, in the amount of \$86,528.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: CCA

Recommendation: FireVent LLC, Carson City, NV

Purpose of Request:

To approve the sole source purchase of a mobile unit training prop for Fire Rescue Training Center from FireVent LLC, Carson City, NV, in the amount of \$86,528.00.

History:

This prop is realistic, mobile and versatile ventilation. This will allow the emergency apparatus to stay in their district and in service to respond to calls. This prop not only allows the specialty apparatus to have hands on training; but, the engine companies as well. This prop provides a safe platform to stand on with the stainless steel perimeter safety chains and hardware.

Facts and Issues:

FireVent's portable units are designed to be easy to set up and take down. This allows an organization to relocate the training prop. Using a hydraulic system, these units can go from a flat position to a 12/12 pitch. It is portable and can be used outside or inside a structure during rainy, hot or freezing days. This unit is more than a ventilation prop; an attic ceiling system, a forcible entry door module and an overhead door cutting system have been added. There can be multiple disciplines training units in this one prop.

Options:

Funding Requested	\$ 86,528.00
Are funds within current budget?	Yes
Source of Funds	Capital Projects
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	submit	approve	Purchasing
DH	CA	CA	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
FireVent_sole_source_letter.pdf
FireVent_quote.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 599/2022

Funds Requested: \$ 86,528.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Capital Projects

No

Funding Source Items:

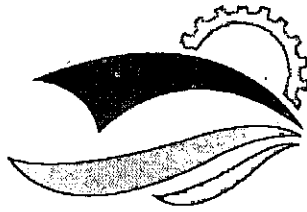
Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	528 - FIRE TRAINING CAP PROJS	6007 - OTHER EQUIPMENT	\$86,528.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CCA

Phone: 470-623-7129



HALL COUNTY G E O R G I A

Sole-Source/Brand Justification

Request Submitted By

Name:	Krystal Wilson-Britt
Job Title:	Division Chief Training
Department:	Hall County Fire Rescue
E-Mail Address:	kbritt@hallcounty.org
Date of Request:	10/11/2022

Request Details

Sole-Source: Any contract entered into without a competitive solicitation process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements of the County.

Sole-Brand: A purchasing situation in which only one brand of equipment/supply, etc. will meet the requirements of the County.

Identify efforts made to locate other possible sources.

Hall County Fire Rescue training division is looking for a realistic, mobile, and versatile ventilation prop. We need to be able to move the prop from station to station and/or battalion to battalion. This will allow our emergency apparatus to stay in their district and in service to respond to calls. This ventilation prop not only allows our specialty apparatus to have hands on training, but our engine companies as well. This provides a safer platform to stand on with the stainless steel perimeter safety chains and hardware. We can also utilize the attic and ceiling system, forcible entry module, and overhead door cutting station.

Desired Supplier Name: FireVent

Desired Supplier Email: rod@Firevent.us

Desired Supplier Phone Number: 775-230-9953

Scope of Work

Provide a detailed description of commodities/services to be provided. Also, include the following details: exact or estimated quantity, per unit price, and the total estimated cost.

1 FireVent mobile unit, Compact Model (16ft x 12ft platform)	\$75,500.00
1 Upgrade to Standard Model (20ft x 12ft platform) Discount	\$4,000.00 Included
1 Equipment orientation / training on location	Included
1 Complete Blue Ox load distribution hitch system	Included
1 Attic / Ceiling System	\$3,200.00 Included
1 Forcible Entry Door Module (with re-bar cutting station)	\$4,900.00
1 Overhead Door Cutting Station	\$1,028.00
1 Stainless Steel Perimeter Safety Chains & Hardware	\$1,200.00
1 Lumber Package – set of rafters, ceiling joists and sheeting	\$500.00
	Subtotal: \$83,428.00
	Shipping: \$3,400.00
	Total: \$86,528.00

Exclusive Capability: Justifying a Sole Source/Sole Brand

Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).

Firevent's portable units are designed to be easy to set up and take down. This allows us as an organization to relocate the training prop. Using a hydraulic system, these units can go from a flat position to a 12/12 pitch. It is portable and can be used outside or inside a structure during rainy, hot, or freezing days. This unit is more than a ventilation prop; an attic ceiling system, a forcible entry door module, and an overhead door cutting system have been added. We can have multiple disciplines training units in this one prop.

Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.

Ventilation training:

- Basic orientation and in-service training is provided and included in the base price of each unit. The ventilation training is an option in addition to the inservice training.

- See description below

VENTILATION TRAINING

Our ventilation training is comprised of highly trained firefighter instructors from across the United States. Each instructor has many years in the fire service and a vast amount of knowledge and experience. Their experience comes from the areas they work, amount of fire duty, training background, professional attitude and work ethic. There are no egos within our instructors and we pride ourselves with that attitude. When we teach, the approach we use is not yelling at students or intimidating them, it is with strict confidence building and answering or addressing every question. We take the time to help each student. We strive to deliver the best, top quality ventilation training available.

Letter from Original Equipment Manufacturer (required):



Attached

Purchasing Use Only	
Buyer:	Debra Howington
Buyer E-Mail Address:	dhowington@hallicounty.org
Buyer Telephone:	770-535-8263
Contract #:	
Contract Name:	
If publicly solicited, number of protests:	
Outcome:	Choose One
Bid # (If competitively bid):	
Purchase Order #:	



Price Quote For:
Hall County Fire
Services
(Mobile Unit)

FireVent, LLC.
5998 Morgan Mill Rd.
Carson City, NV 89701
Phone: 775-230-9953 Fax: 775-883-2387

Date: 11 / 02 / 22

Billing Information		Shipping Address	
Agency:	Hall County Fire Services	Agency:	
Contact:	Kristal-Wilson Britt	Contact:	
Address:	470 Crescent Dr.	Address:	
City/state/zip:	Gainesville, GA. 30501	City/State/Zip:	
Phone:	770 -531-6838	Phone:	

Email: kbritt@hallcounty.org

Shipping
Method:

Towed to destination

Order Information:

Qty	Product Description	Amount Each	Amount
1	FireVent mobile unit, Compact Model (16ft x 12ft platform)		\$75,500.00
1	Upgrade to Standard Model (20ft x 12ft platform) Discount	\$4,000.00	Included
1	Equipment orientation / training on location		Included
1	Complete Blue Ox load distribution hitch system		Included
1	Attic / Ceiling System	\$3,200.00	Included
1	Forcible Entry Door Module (with re-bar cutting station)		\$4,900.00
1	Overhead Door Cutting Station		\$1,028.00
1	Stainless Steel Perimeter Safety Chains & Hardware		\$1,200.00
1	Lumber Package – set of rafters, ceiling joists and sheeting		\$500.00
		Subtotal:	\$83,128.00
		Tax:	See note below
		Shipping:	\$3,400.00
		Total:	\$86,528.00

Notes:

- 1) FireVent, LLC will not charge or collect any out of state sales tax. Sales and/or Use tax must be settled by the buyer with their state. (If not tax exempt)
- 2) Shipping and delivery cost is approximate and is based on \$1.70 per mile from Carson City, NV. Shipping cost at time of delivery will be applied.
- 3) Due to fluctuating steel prices, quote is valid for 3 months.



AGENDA ITEM

Human Resources

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 651/2022

SUBJECT: Approve the Resolution for the Hall County Wage and Compensation Study and authorize the Chairman to execute all related documents, subject to the review and approval of the County Attorney.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: DLJ

Recommendation:

Department recommends the approval of the Resolution for the Hall County Wage and Compensation Study.

Purpose of Request:

The purpose of this request is to approve a resolution for approval of the Hall County Wage and Compensation Study and a three (3%) percent cost-of-living-adjustment (COLA) for all eligible employees effective January 1, 2023 and to be paid on the January 20, 2023 pay date. And provides for further authorization of the County Administrator and Director of Financial Services to make necessary and material adjustment to appropriately implement the Wage and Compensation Study and three (3%) percent COLA.

History:

Hall County engaged the Carl Vinson Institute on September 19, 2019, to conduct a Wage and Compensation Study. Study was suspended due to COVID, and restarted on May 24, 2021.

Facts and Issues:

Options:

Hall County engaged in a Wage and Compensation Study with Carl Vinson on September 12, 2019. Due to the COVID pandemic, the study was suspended until further notice. In 2021, the project was restarted with the same purpose and objectives. The Wage and Compensation Study appropriately places the County in a competitive compensation structure to employ high quality individuals and retain its existing employees along with their knowledge and experience. This resolution will also provide a three (3) percent cost-of-living-adjustment (COLA) for all eligible employees. Both the Wage and Compensation Study and three (3%) COLA will be effective January 1, 2023 and paid on the January 20, 2023 pay date.

Funding Requested	\$ 4,575,509.00
Are funds within current budget?	Yes
Source of Funds	Various
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	EW	WG
Attorney	Administration	Clerk	
WLI	ZP	AO	

Attachments:

Financial Supplement
Resolution to Approve Hall County Wage and Compensation Study
Summary FY 2023 Comp Study & COLA



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 651/2022

Funds Requested: \$ 4,575,509.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Various

Yes

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	0			\$4,575,509.00

Budget Transfer Items:

Additional Information/Comments:

Cost above represents remaining 6 months of FY 2023. Annualized cost is estimated at \$9.15 million. \$6.5 million assigned fund balance available for implementation in January 2023.

Contact for Questions: DLJ

Phone: 770-531-6712

STATE OF GEORGIA

COUNTY OF HALL

RESOLUTION TO APPROVE HALL COUNTY WAGE AND COMPENSATION

STUDY

WHEREAS, on September 12, 2019 the Hall County Board of Commissioners first engaged the Carl Vinson Institute at the University of Georgia to conduct a comprehensive Wage and Compensation Study (the “Study”) with the purpose of assessing the County’s jobs and compensation in totality in order to properly place the County’s compensation and wage structure in the competitive employment market; and

WHEREAS, the Study was thereafter suspended due to the COVID pandemic; and

WHEREAS, on May 24, 2021 the County and the Carl Vinson Institute re-started the Study with the same purposes and objectives; and

WHEREAS, the Carl Vinson Institute and the County’s Human Resources Department have diligently pursued the Study, and the Study has recently been completed such that the results have been presented to the Hall County Board of Commissioners, which approves of the said Study results; and

WHEREAS, the Hall County Board of Commissioners values the contributions of its employees, who work long hours in service to the taxpayers of Hall County; and

WHEREAS, the Hall County Board of Commissioners strongly supports the purpose of the Study in that it wishes to properly and competitively place the County’s compensation and wage structure in the current employment market; and

WHEREAS, the Hall County Board of Commissioners recognizes that inflation has eroded the purchasing power of its employees’ paychecks during 2022; and

WHEREAS, by properly and competitively placing the Hall County compensation structure in the current employment market, the Hall County Board of Commissioners wishes to demonstrate its commitment to employ high quality individuals in its work force and to retain its existing employees along with their knowledge and experience; and

WHEREAS, the Hall County Board of Commissioners also wishes to support these same purposes and commitments by providing eligible employees with a Cost of Living Adjustment to their compensation effective January 1, 2023; and

WHEREAS, the Hall County Board of Commissioners wishes to fully implement the Study, and to authorize the County Administrator and the Finance Director to make the necessary and material transactions to accomplish the full implementation of the Study within the County's departmental wage and compensation structure.

NOW THEREFORE, THE HALL COUNTY BOARD OF COMMISSIONERS DOES HEREBY RESOLVE AS FOLLOWS: The Hall County Board of Commissioners hereby adopts the Wage and Compensation Study conducted by the Carl Vinson Institute in its totality and authorizes the County Administrator to make any necessary and material adjustments to fully implement the said Study. The Hall County Board of Commissioners further approves the allocation of the assigned General Fund balance for the Wage and Compensation Study so as to appropriately implement the results of the Study in each County department for budget purposes. The Hall County Board of Commissioners further directs and authorizes the County's Financial Services Director, in accordance with generally accepted accounting principles and the standards of the Governmental Accounting Standards Board, to assign fund balance in the General Fund for future investments in certain compensation and benefits endeavors, including, but not limited to, the results of the Hall County Wage and Compensation Study and the potential establishment of

the Other Post-Employment Benefits (OPEB) Trust Fund. Finally, the Hall County Board of Commissioners approves a 3% Cost of Living Adjustment (COLA) for all eligible employees effective January 1, 2023.

SO RESOLVED this the _____ day of December, 2022.

**HALL COUNTY BOARD OF
COMMISSIONERS**

Chairman, Richard Higgins

ATTEST:

Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

Van Stephens, County Attorney

FY2023 Budget Development
Salary Projection - COLA with Compensation Study Implementation
FY2023 Budget Development
Summary Total by Fund
Hall County, Georgia

Full-Year Implementation Cost - FY2023					
Fund	1% COLA	2% COLA	3% COLA		
001	\$ 675,861	\$ 1,351,723	\$ 2,042,463	\$	2,042,463
002	21,030	42,060	63,090		
003	182,810	365,621	548,431		
006	51,284	102,569	153,853		
007	30,907	61,814	92,721		
009	75,738	151,475	227,213		
010	35,692	71,385	107,077		
011	1,218	2,436	3,654		
012	1,313	2,627	3,940		
013	8,170	16,339	24,509		
014	4,274	8,547	12,821		
017	23,638	37,160	50,682		
018	19,718	39,436	59,154		
022	3,017	6,034	9,050		
024	16,493	32,986	49,479		
Total:	\$ 1,151,164	\$ 2,292,212	\$ 3,448,139		
	5,702,878	5,702,878	5,702,878	Compensation Study (Plan B)	
Grand Total:	\$ 6,854,042	\$ 7,995,090	\$ 9,151,017	Total Annual Financial Impact	

6-Month Implementation Cost - FY2023					
Fund	1% COLA	2% COLA	3% COLA		
001	\$ 337,931	\$ 675,861	\$ 1,021,232		
002	10,515	21,030	31,545		
003	91,405	182,810	274,216		
006	25,642	51,284	76,927		
007	15,453	30,907	46,360		
009	37,869	75,738	113,606		
010	17,846	35,692	53,539		
011	609	1,218	1,827		
012	657	1,313	1,970		
013	4,085	8,170	12,255		
014	2,137	4,274	6,411		
017	11,819	18,580	25,341		
018	9,859	19,718	29,577		
022	1,508	3,017	4,525		
024	8,247	16,493	24,740		
Total:	\$ 575,582	\$ 1,146,106	\$ 1,724,070		
	2,851,439	2,851,439	2,851,439	Compensation Study (Plan B) - 6 Months	
Grand Total:	\$ 3,427,021	\$ 3,997,545	\$ 4,575,509	Total Financial Impact - 6 Months	

Notes:

This is a projected cost summary of an implementation of a county-wide COLA in FY2023 showing 3 different scenarios, plus the Plan B scenario of the compensation study adjustment. The COLA is summarized by fund for each scenario, and the compensation study adjustment is being realized in the general fund, but once / if implemented, we will move funds out the general fund and into the appropriate cost centers via an operating transfer as appropriate and / or needed.



AGENDA ITEM

Human Resources

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 648/2022

SUBJECT: Approve the Employment Agreement appointing the position of County Attorney, and authorize the Chairman to execute all related documents.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: VS

Recommendation: Approval

Purpose of Request:

Approval and authorization for the Chairman to execute an employment agreement naming William J. Linkous, III as the County Attorney effective January 29, 2023.

History:

Van Stephens presently serves as the County Attorney for Hall County, and he plans to retire on January 28, 2023. William J. Linkous, III has served as Deputy County Attorney since October 2021 and is familiar with Hall County legal matters.

Facts and Issues:

The County Attorney is one of two positions directly appointed by the Board of Commissioners, and the County Attorney serves at the pleasure of the Board of Commissioners.

Options:

This item is being presented to the Board in December in order to facilitate an orderly transition in management of the various cases and legal matters which the Law Department is presently handling.

Funding Requested

\$ 267,537.00

Are funds within current budget?

Yes

Source of Funds

General Fund

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2023-01-26

Approvals:

Submit	Budget	Finance	Attorney
VS	NB	WG	WLI
Administration		Clerk	
ZP		AO	

Attachments:

Financial Supplement

County Attorney Employment Agreement - W.Linkous

Position Cost Worksheet - County Attorney



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 648/2022

Funds Requested: \$ 267,537.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2022	001 - GENERAL	120 - LEGAL SERVICES	4104 - SALARIES	\$90,125.00
2022	001 - GENERAL	120 - LEGAL SERVICES	4131 - RETIREMENT	\$21,167.50
2022	001 - GENERAL	120 - LEGAL SERVICES	4110 - F.I.C.A.	\$6,895.00
2022	001 - GENERAL	120 - LEGAL SERVICES	4121 - HEALTH INSURANCE	\$14,498.50
2022	001 - GENERAL	120 - LEGAL SERVICES	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2022	001 - GENERAL	120 - LEGAL SERVICES	4122 - LIFE INSURANCE	\$299.00
2022	001 - GENERAL	120 - LEGAL SERVICES	4421A - CELL PHONE/DATA CHARGES	\$750.00
2023	001 - GENERAL	120 - LEGAL SERVICES	4104 - SALARIES	\$90,125.00
2023	001 - GENERAL	120 - LEGAL SERVICES	4131 - RETIREMENT	\$21,167.50
2023	001 - GENERAL	120 - LEGAL SERVICES	4110 - F.I.C.A.	\$6,895.00
2023	001 - GENERAL	120 - LEGAL SERVICES	4121 - HEALTH INSURANCE	\$14,498.50
2023	001 - GENERAL	120 - LEGAL SERVICES	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2023	001 - GENERAL	120 - LEGAL SERVICES	4122 - LIFE INSURANCE	\$299.00
2023	001 - GENERAL	120 - LEGAL SERVICES	4421A - CELL PHONE/DATA CHARGES	\$750.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions:

Phone:

EMPLOYMENT AGREEMENT

County Attorney

THIS AGREEMENT made and entered into this 8th day of December 2022, by and between **HALL COUNTY, GEORGIA**, hereinafter called "the County", as party of the first part, and **William J. Linkous, III**, herein called "Employee", as part of the second part, both of whom agree as follows:

WITNESSETH

WHEREAS, the County desires to, and does hereby, appoint **William J. Linkous, III** as **County Attorney for Hall County** effective January 29, 2023, and thus employ the services of William J. Linkous, III as the legal representative of Hall County, the Chief Legal Officer of the Hall County government, and the principal advisor to the Board of Commissioners, the Constitutional Officers of Hall County, the County Administrator, the Assistant County Administrators, and the Department Directors of Hall County; and

WHEREAS, it is the desire of the Board of Commissioners, hereafter called "Commission" to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him or her to remain in such employment, and to make possible full work productivity by assuring said Employee's morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee's services at such a time as desired by the Board of Commissioners, or its designee; and

WHEREAS, the Employee desires to accept his appointment and employment as **County Attorney** for Hall County;

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. Appointment and Employment as County Attorney

The County hereby appoints, and agrees to employ, **William J. Linkous, III** as **County Attorney for Hall County** effective January 29, 2023. As County Attorney, the Board of

EMPLOYMENT AGREEMENT

County Attorney

Commissioners hereby authorizes William J. Linkous, III to act to the fullest extent allowed by law as the legal representative of Hall County, the Chief Legal Officer of the Hall County government, and the principal legal advisor to the Board of Commissioners, the Constitutional Officers of Hall County, the County Administrator, the Assistant County Administrators, and the Department Directors of Hall County. The County Attorney shall exercise independent professional judgment in the exercise of his duties on behalf of Hall County pursuant to this agreement.

SECTION 2. Term

A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Board of Commissioners to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he or she serves at the pleasure of the Board of Commissioners.

B. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

SECTION 3. Termination and Severance Pay

A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to three (3) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental, and vision insurance benefits during the three (3) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental and vision insurance continuation aside from COBRA.

B. In the event the Employer at any point during the term of this agreement reduces the

EMPLOYMENT AGREEMENT

County Attorney

salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the Board of Commissioners or the County Administrator that he or she resign, then, in that event, Employee may, at his or her option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

C. In the event the Employee voluntarily resigns his or her position with the County as County Attorney then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

SECTION 4. Termination Due to Disability

If the Employee is unable to perform his or her duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

SECTION 5. Salary

The County agrees to pay the Employee for his or her services rendered pursuant hereto an annual base salary of **\$180,250**, payable in installments at the same time as other employees of the County are paid, except that the County may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The annual base salary and benefits may be reviewed annually by the Board of Commissioners or County Administrator and consideration for increases may be determined based upon the performance of the Employee or consideration of providing a Cost of Living Adjustment (COLA).

SECTION 6. Performance Evaluation

The Board of Commissioners or County Administrator, or its designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this

EMPLOYMENT AGREEMENT

County Attorney

agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

SECTION 7. Hours of Work

It is generally recognized that the position of County Attorney involves the devotion of a great deal of time beyond typically recognized business hours.

SECTION 8. Outside Activities

The Employee shall devote his or her full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting or other non-employer related activities as long as he or she does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

SECTION 9. Political Activity

If the Employee announces as a candidate for any elective office during the duration of this contract, he or she will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.

B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.

C. Use, or promise to use, directly or indirectly, any official authority or influence, whether

EMPLOYMENT AGREEMENT

County Attorney

possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

SECTION 10. Vehicle and Phone

When the Employee's duties require the use of an automobile during his or her term of employment, one will be provided by the Employer. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$50 per month.

SECTION 11. Insurance Benefits

The County agrees to put in force and make premium payments for medical, dental, vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his or her dependents.

SECTION 12. Retirement Benefits

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute eight percent (8%) of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. In addition, upon employment with the County, you were credited with five (5) years of service, which allows you to be vested to 50% of contributions; at six (6) years, you were vested to 75% of contributions; and at seven (7) years, you will be fully vested to 100% of contributions. The County shall pay the sum equal to fifty percent of the maximum allowed by law in the calendar year on behalf of the Employee into the Employee's Deferred Compensation Plan, payable in installments at the same time as other employees of the County are paid, except that the County may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

EMPLOYMENT AGREEMENT

County Attorney

SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the County Attorney. Accrued PTO or vacation leave, whichever is applicable, shall be paid to Employee upon termination of employment. Employee shall be credited with an additional eighty (80) hours of Paid Time Off (PTO) on January 29, 2023.

SECTION 14. Dues, Subscriptions and Professional Development

A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

SECTION 15. Indemnification

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as County Attorney. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee.

SECTION 16. General Provisions

A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.

EMPLOYMENT AGREEMENT

County Attorney

B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.

C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

D. This agreement will become effective on the 29th day of January 2023, and shall continue thereafter unless or until the agreement is terminated by either party set forth herein.

E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS _____ DAY OF _____ 2022.

HALL COUNTY, GEORGIA

By: Richard Higgins, Chairman
Board of Commissioners of Hall County

ATTEST:

By: Jennifer Rivera
County Commission Clerk

(SEAL)

EMPLOYEE:

APPROVAL AS TO FORM:

William J. Linkous, III

By: Van Stephens, County Attorney



REQUEST TYPE: FULL-TIME POSITION

120	Legal Services
Department #	Department Name
County Attorney	
Position Title	Priority #

ADDITIONAL PERSONNEL COST CALCULATION

<i>New Position</i>		Account	FY 2022	FY 2023	
\$180,250.00	Salary	4104	\$ 90,125.00	\$ 90,125.00	
\$15,000.00	457 Contribution	4131	7,500.00	7,500.00	21,167.50
13,790.00	Taxes	4110	6,895.00	6,895.00	
27,335.00	Retirement	4131	13,667.50	13,667.50	
28,300.00	Health	4121	14,150.00	14,150.00	14,498.50
1,567.00	Dental & Vision	4123	783.50	783.50	
468.00	Life	4122	234.00	234.00	
130.00	AD&D	4122	65.00	65.00	299.00
697.00	Short Term Disability	4121	348.50	348.50	
\$267,537.00	Total Additional Personnel Costs		\$ 133,768.50	\$ 133,768.50	\$ 267,537.00

JUSTIFICATION (please provide a short explanation of your request on the lines below):

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)

****Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST		
Cell phone allowance - 4421A	\$ 1,500.00	750.00	750.00
	\$ -		
	\$ -		



AGENDA ITEM

Human Resources

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 653/2022

SUBJECT: Approve the Employment Agreement for the position of Assistant County Administrator (I).

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: DLJ

Recommendation:

Department recommends approval of the Employment Agreement for the position of Assistant County Administrator (I).

Purpose of Request:

The purpose of this request is to approve the Employment Agreement for the position of Assistant County Administrator (I).

History:

The County has two Assistant County Administrator positions, and this request is to approve the Employment Agreement of one of two positions.

Facts and Issues:

Options:

Funding Requested

\$ 291,772.00

Are funds within current budget?

Yes

Source of Funds

General Fund

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	NB	WG
Attorney	Administration	Clerk	
WLI	ZP	AO	

Attachments:

Financial Supplement

Assistant County Administrator Employment Agreement - K.Crumley

Position Cost Worksheet - Assistant County Administrator



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 653/2022

Funds Requested: \$ 291,772.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2022	001 - GENERAL	101 - ADMINISTRATION	4104 - SALARIES	\$95,275.00
2022	001 - GENERAL	101 - ADMINISTRATION	4433 - CAR USE ALLOWANCE	\$4,800.00
2022	001 - GENERAL	101 - ADMINISTRATION	4131 - RETIREMENT	\$22,537.00
2022	001 - GENERAL	101 - ADMINISTRATION	4110 - F.I.C.A.	\$7,656.00
2022	001 - GENERAL	101 - ADMINISTRATION	4121 - HEALTH INSURANCE	\$14,518.50
2022	001 - GENERAL	101 - ADMINISTRATION	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2022	001 - GENERAL	101 - ADMINISTRATION	4122 - LIFE INSURANCE	\$316.00
2023	001 - GENERAL	101 - ADMINISTRATION	4104 - SALARIES	\$95,275.00
2023	001 - GENERAL	101 - ADMINISTRATION	4433 - CAR USE ALLOWANCE	\$4,800.00
2023	001 - GENERAL	101 - ADMINISTRATION	4131 - RETIREMENT	\$22,537.00
2023	001 - GENERAL	101 - ADMINISTRATION	4110 - F.I.C.A.	\$7,656.00
2023	001 - GENERAL	101 - ADMINISTRATION	4121 - HEALTH INSURANCE	\$14,518.50
2023	001 - GENERAL	101 - ADMINISTRATION	4122 - LIFE INSURANCE	\$316.00
2023	001 - GENERAL	101 - ADMINISTRATION	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2022	001 - GENERAL	101 - ADMINISTRATION	4421A - CELL PHONE/DATA CHARGES	\$750.00
2023	001 - GENERAL	101 - ADMINISTRATION	4421A - CELL PHONE/DATA CHARGES	\$750.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: DLJ

Phone:

77-531-6712

EMPLOYMENT AGREEMENT

Assistant County Administrator

THIS AGREEMENT made and entered into this 8th day of December 2022, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Katie Crumley**, herein called "Employee", as part of the second part, both of whom agree as follows:

WITNESSETH

WHEREAS, the County desires to employ the services of said **Katie Crumley** as the **Assistant County Administrator** of Hall County; and

WHEREAS, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him or her to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

WHEREAS, the Employee desires to accept employment as **Assistant County Administrator** for Hall County;

NOW THEREFORE; in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. Duties

The County hereby agrees to employ **Katie Crumley** as **Assistant County Administrator**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 2. Term

- A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he or she serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

SECTION 3. Termination and Severance Pay

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to six (6) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental and vision insurance benefits during the six (6) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he or she resign, then, in that event, Employee may, at his or her option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

EMPLOYMENT AGREEMENT

Assistant County Administrator

C. In the event the Employee voluntarily resigns his or her position with the County as **Assistant County Administrator** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

SECTION 4. Termination Due to Disability

If the Employee is unable to perform his or her duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

SECTION 5. Salary

The County agrees to pay the Employee for his or her services rendered, pursuant hereto, an annual base salary of **\$190,550.00**, payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

SECTION 6. Performance Evaluation

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 7. Hours of Work

It is generally recognized that the position of **Assistant County Administrator** involves the devotion of a great deal of time beyond typically recognized business hours.

SECTION 8. Outside Activities

The Employee shall devote his or her full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting or other non-employer related activities as long as he or she does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

SECTION 9. Political Activity

If the Employee announces as a candidate for any elective office during the duration, of this contract, he or she will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 10. Vehicle and Phone

Employee's duties require the substantial use of their personal automobile during the term of employment. The County shall pay to the Employee in addition to salary a monthly vehicle allowance of \$800.00. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$125 per month.

SECTION 11. Insurance Benefits

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his/her dependents.

SECTION 12. Retirement Benefits

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 10% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. The County shall pay a sum equal to fifty percent of the maximum allowed by law in a calendar year on behalf of the Employee into the Employee's Deferred Compensation Plan, payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Assistant County Administrator**. Accrued PTO or vacation leave, whichever is

EMPLOYMENT AGREEMENT

Assistant County Administrator

applicable, shall be paid to Employee upon termination of employment.

SECTION 14. Dues, Subscriptions and Professional Development

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

SECTION 15. Indemnification

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Assistant County Administrator**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee.

SECTION 16. General Provisions

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

EMPLOYMENT AGREEMENT

Assistant County Administrator

- D. This agreement will become effective on the 1st day of January 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS _____ DAY OF _____ 2022.

HALL COUNTY, GEORGIA

County Administrator

ATTEST:

County Commission Clerk

(Seal)

Employee

APPROVAL AS TO FORM

County Attorney



REQUEST TYPE: FULL-TIME POSITION

101	Administration
Department #	Department Name
Assistant County Administrator	
Position Title	Priority #

ADDITIONAL PERSONNEL COST CALCULATION

<i>New Position</i>		Account	FY 2022	FY 2023	
\$190,550.00	Salary	4104	\$ 95,275.00	\$ 95,275.00	
\$9,600.00	Car Allowance	4433	4,800.00	4,800.00	
\$11,250.00	457 Contribution	4131	5,625.00	5,625.00	22,537.00
15,312.00	Taxes	4110	7,656.00	7,656.00	
33,824.00	Retirement	4131	16,912.00	16,912.00	
28,300.00	Health	4121	14,150.00	14,150.00	14,518.50
1,567.00	Dental & Vision	4123	783.50	783.50	
494.00	Life	4122	247.00	247.00	
138.00	AD&D	4122	69.00	69.00	316.00
737.00	Short Term Disability	4121	368.50	368.50	
\$291,772.00	Total Additional Personnel Costs		\$ 145,886.00	\$ 145,886.00	\$ 291,772.00

JUSTIFICATION (please provide a short explanation of your request on the lines below):

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)

****Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST		
Cell phone allowance - 4421A	\$ 1,500.00	750.00	750.00
	\$ -		
	\$ -		



AGENDA ITEM

Human Resources

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 654/2022

SUBJECT: Approve the Employment Agreement for the position of Assistant County Administrator (II).

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: DLJ

Recommendation:

Department recommends approval of the Employment Agreement for the position of Assistant County Administrator (II).

Purpose of Request:

The purpose of this request is to approve the Employment Agreement for the position of Assistant County Administrator (II).

History:

The County has two Assistant County Administrator positions, and this request is to approve one of the two positions.

Facts and Issues:

Options:

Funding Requested

\$ 291,772.00

Are funds within current budget?

Yes

Source of Funds

General Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	NB	WG
Attorney	Administration	Clerk	
WLI	ZP	AO	

Attachments:

Financial Supplement

Assistant County Administrator Employment Agreement - C.Ramsey

Position Cost Worksheet - Assistant County Administrator



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 654/2022

Funds Requested: \$ 291,772.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General Funds

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2022	001 - GENERAL	101 - ADMINISTRATION	4104 - SALARIES	\$95,275.00
2022	001 - GENERAL	101 - ADMINISTRATION	4433 - CAR USE ALLOWANCE	\$4,800.00
2022	001 - GENERAL	101 - ADMINISTRATION	4131 - RETIREMENT	\$22,537.00
2022	001 - GENERAL	101 - ADMINISTRATION	4110 - F.I.C.A.	\$7,656.00
2022	001 - GENERAL	101 - ADMINISTRATION	4121 - HEALTH INSURANCE	\$14,518.50
2022	001 - GENERAL	101 - ADMINISTRATION	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2022	001 - GENERAL	101 - ADMINISTRATION	4122 - LIFE INSURANCE	\$316.00
2022	001 - GENERAL	101 - ADMINISTRATION	4421A - CELL PHONE/DATA CHARGES	\$750.00
2023	001 - GENERAL	101 - ADMINISTRATION	4104 - SALARIES	\$95,275.00
2023	001 - GENERAL	101 - ADMINISTRATION	4433 - CAR USE ALLOWANCE	\$4,800.00
2023	001 - GENERAL	101 - ADMINISTRATION	4131 - RETIREMENT	\$22,537.00
2023	001 - GENERAL	101 - ADMINISTRATION	4110 - F.I.C.A.	\$7,656.00
2023	001 - GENERAL	101 - ADMINISTRATION	4121 - HEALTH INSURANCE	\$14,518.50
2023	001 - GENERAL	101 - ADMINISTRATION	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2023	001 - GENERAL	101 - ADMINISTRATION	4122 - LIFE INSURANCE	\$316.00
2023	001 - GENERAL	101 - ADMINISTRATION	4421A - CELL PHONE/DATA CHARGES	\$750.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: DLJ

Phone: 770-531-6712

EMPLOYMENT AGREEMENT

Assistant County Administrator

THIS AGREEMENT made and entered into this 8th day of December 2022, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Casey Ramsey**, herein called "Employee", as part of the second part, both of whom agree as follows:

WITNESSETH

WHEREAS, the County desires to employ the services of said **Casey Ramsey** as the **Assistant County Administrator** of Hall County; and

WHEREAS, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him or her to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

WHEREAS, the Employee desires to accept employment as **Assistant County Administrator** for Hall County;

NOW THEREFORE; in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. Duties

The County hereby agrees to employ **Casey Ramsey** as **Assistant County Administrator**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 2. Term

- A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he or she serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

SECTION 3. Termination and Severance Pay

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to six (6) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental and vision insurance benefits during the six (6) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he or she resign, then, in that event, Employee may, at his or her option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

EMPLOYMENT AGREEMENT

Assistant County Administrator

C. In the event the Employee voluntarily resigns his or her position with the County as **Assistant County Administrator** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

SECTION 4. Termination Due to Disability

If the Employee is unable to perform his or her duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

SECTION 5. Salary

The County agrees to pay the Employee for his or her services rendered, pursuant hereto, an annual base salary of **\$190,550.00**, payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

SECTION 6. Performance Evaluation

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 7. Hours of Work

It is generally recognized that the position of **Assistant County Administrator** involves the devotion of a great deal of time beyond typically recognized business hours.

SECTION 8. Outside Activities

The Employee shall devote his or her full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting or other non-employer related activities as long as he or she does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

SECTION 9. Political Activity

If the Employee announces as a candidate for any elective office during the duration, of this contract, he or she will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

EMPLOYMENT AGREEMENT

Assistant County Administrator

SECTION 10. Vehicle and Phone

Employee's duties require the substantial use of their personal automobile during the term of employment. The County shall pay to the Employee in addition to salary a monthly vehicle allowance of \$800.00. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$125 per month.

SECTION 11. Insurance Benefits

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his/her dependents.

SECTION 12. Retirement Benefits

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 10% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. The County shall pay a sum equal to fifty percent of the maximum allowed by law in a calendar year on behalf of the Employee into the Employee's Deferred Compensation Plan, payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Assistant County Administrator**. Accrued PTO or vacation leave, whichever is

EMPLOYMENT AGREEMENT

Assistant County Administrator

applicable, shall be paid to Employee upon termination of employment.

SECTION 14. Dues, Subscriptions and Professional Development

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

SECTION 15. Indemnification

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Assistant County Administrator**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee.

SECTION 16. General Provisions

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

EMPLOYMENT AGREEMENT

Assistant County Administrator

- D. This agreement will become effective on the 1st day of January 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS _____ DAY OF _____ 2022.

HALL COUNTY, GEORGIA

County Administrator

ATTEST:

County Commission Clerk

(Seal)

Employee

APPROVAL AS TO FORM

County Attorney



REQUEST TYPE: FULL-TIME POSITION

101	Administration
Department #	Department Name
Assistant County Administrator	
Position Title	Priority #

ADDITIONAL PERSONNEL COST CALCULATION

<i>New Position</i>		Account	FY 2022	FY 2023	
\$190,550.00	Salary	4104	\$ 95,275.00	\$ 95,275.00	
\$9,600.00	Car Allowance	4433	4,800.00	4,800.00	
\$11,250.00	457 Contribution	4131	5,625.00	5,625.00	22,537.00
15,312.00	Taxes	4110	7,656.00	7,656.00	
33,824.00	Retirement	4131	16,912.00	16,912.00	
28,300.00	Health	4121	14,150.00	14,150.00	14,518.50
1,567.00	Dental & Vision	4123	783.50	783.50	
494.00	Life	4122	247.00	247.00	
138.00	AD&D	4122	69.00	69.00	316.00
737.00	Short Term Disability	4121	368.50	368.50	
\$291,772.00	Total Additional Personnel Costs		\$ 145,886.00	\$ 145,886.00	\$ 291,772.00

JUSTIFICATION (please provide a short explanation of your request on the lines below):

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)

****Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST		
Cell phone allowance - 4421A	\$ 1,500.00	750.00	750.00
	\$ -		
	\$ -		



AGENDA ITEM

Human Resources

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 655/2022

SUBJECT: Approve the Employment Agreement for the Director of Emergency Management.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: DLJ

Recommendation:

Department Recommends approval of the Employment Agreement for the Director of Emergency Management.

Purpose of Request:

The purpose of this request is to approve the Employment Agreement for the Director of Emergency Management.

History:

Facts and Issues:

Options:

Funding Requested

\$ 195,539.44

Are funds within current budget?

Yes

Source of Funds

Emergency Services Fund

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	NB	WG
Attorney	Administration	Clerk	
WLI	ZP	AO	

Attachments:

Financial Supplement

Director of Emergency Management Employment Agreement - Z.Brackett

Position Cost Worksheet - EMA Director



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 655/2022

Funds Requested: \$ 195,539.44

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Emergency Services Fund

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4104 - SALARIES	\$67,693.22
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4110 - F.I.C.A.	\$5,179.00
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4131 - RETIREMENT	\$9,477.50
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4121 - HEALTH INSURANCE	\$14,412.00
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4122 - LIFE INSURANCE	\$224.50
2022	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4421A - CELL PHONE/DATA CHARGES	\$300.00
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4104 - SALARIES	\$67,693.22
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4110 - F.I.C.A.	\$5,179.00
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4131 - RETIREMENT	\$9,477.50
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4121 - HEALTH INSURANCE	\$14,412.00
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4123 - OTHER CNTY-PD INSURANCE	\$783.50
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4122 - LIFE INSURANCE	\$224.50
2023	009 - EMERGENCY SERVICES	1126 - E.M.A SVS DIST	4421A - CELL PHONE/DATA CHARGES	\$300.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: DLJ

Phone:

770-531-6712

EMPLOYMENT AGREEMENT
Director of Emergency Management

THIS AGREEMENT made and entered into this 8th day of December 2022, by and between **HALL COUNTY, STATE OF GEORGIA**, hereinafter called “the County”, as party of the first part, and **Zach Brackett**, herein called "Employee", as part of the second part, both of whom agree as follows:

WITNESSETH

WHEREAS, the County desires to employ the services of said **Zach Brackett** as the **Director of Emergency Management** of Hall County; and

WHEREAS, it is the desire of the governing board, hereafter called “Commission” to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, it is the desire of Hall County to secure and retain the services of said Employee and provide inducement for him or her to remain in such employment, and to make possible full work productivity by assuring said Employee’s morale and peace of mind with respect to future security, and to provide a just means of terminating the Employee’s services at such a time as desired by the County Administrator, or his or her designee; and

WHEREAS, the Employee desires to accept employment as **Director of Emergency Management** for Hall County;

NOW THEREFORE; in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. Duties

The County hereby agrees to employ **Zach Brackett** as **Director of Emergency Management**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

EMPLOYMENT AGREEMENT
Director of Emergency Management

SECTION 2. Term

- A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the County Administrator to terminate the services of this Employee at any time, subject only to the provisions set forth in SECTION 3 of this agreement. The Employee understands that he or she serves at the pleasure of the County Administrator.
- B. Nothing in the agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his or her position with the County, subject to the provisions set forth in SECTION 3, Paragraphs B and C of this agreement.

SECTION 3. Termination and Severance Pay

- A. In the event the Employee is terminated pursuant to Paragraph B hereof and the Employee is willing and able to perform the duties of the position under this agreement, upon execution of a Separation Agreement and General Release, the Employer agrees to pay the Employee a lump sum cash payment equal to three (3) months aggregate annual salary, exclusive of other forms of compensation, less standard withholdings, in addition to the continuation of medical, dental and vision insurance benefits during the three (3) month period immediately following the date of termination. However, in the event the Employee is terminated because the Employee has been convicted of a misdemeanor or a felony, or if the County determines that the Employee has engaged in unprofessional and improper practice, other than negligence, and breach of public trust, including but not limited to illegal acts involving personal gain, or moral turpitude, the County shall be entitled to terminate the Employee immediately without any severance pay, or medical, dental and vision insurance continuation aside from COBRA.
- B. In the event the Employer at any point during the term of this agreement reduces the salary or other financial benefits of the Employee in a greater percentage than reductions to all other employees of Employer, or if Employer refuses, following a written request to comply with any provision benefiting Employee herein; or the Employee resigns following a suggestion, whether formal or informal, by the County Administrator that he or she resign, then, in that event, Employee may, at his or her option, be deemed to be terminated at the date of such reduction or refusal to comply within the meaning and context of the herein severance pay provision.

EMPLOYMENT AGREEMENT
Director of Emergency Management

C. In the event the Employee voluntarily resigns his or her position with the County as **Director of Emergency Management** then the Employee shall give the County **thirty (30)** days written notice in advance, unless the parties otherwise agree. The provision for severance pay and continuation of employment benefits detailed in SECTION 3, Paragraph A shall not apply to a voluntary resignation.

SECTION 4. Termination Due to Disability

If the Employee is unable to perform his or her duties because of sickness, accident, injury, or mental incapacity, and no reasonable accommodations are available, the County shall have the option to terminate employment, subject to the severance pay requirements of SECTION 3, Paragraph A. However, the Employee shall be compensated for any accrued benefits, in accordance with current policies.

SECTION 5. Salary

The County agrees to pay the Employee for his or her services rendered, pursuant hereto, an annual base salary of **\$135,386.44**, payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

SECTION 6. Performance Evaluation

The County Administrator, or his or her designee, shall review and evaluate the performance of Employee at least annually on the anniversary day of this agreement. Said review and evaluation shall be in accordance with criteria developed by the County Administrator, or his or her designee, and Employee. Performance criteria may be added to or deleted from, as the County Administrator, or his or her designee may from time to time determine. Further, the County Administrator, or his or her designee, shall provide the Employee with a written summary statement of the findings of the evaluation.

EMPLOYMENT AGREEMENT
Director of Emergency Management

SECTION 7. Hours of Work

It is generally recognized that the position of **Director of Emergency Management** involves the devotion of a great deal of time beyond typically recognized business hours.

SECTION 8. Outside Activities

The Employee shall devote his or her full time to the position described in this agreement. With the approval of the County Administrator, or his or her designee, the Employee may engage in teaching, consulting or other non-employer related activities as long as he or she does not interfere with the execution of the duties of this position, or present a conflict of interest. Such consent must be obtained by advance approval, in writing, detailing the specifics of such activity.

SECTION 9. Political Activity

If the Employee announces as a candidate for any elective office during the duration, of this contract, he or she will resign from Hall County employment immediately upon declaring candidacy as defined by state law. During the term of this contract, the Employee may not:

- A. Be involved in any political activity that would constitute a conflict of interest; including participation in any aspect of any local political campaign on behalf of one's self if intending to seek elected office, or other individual or in opposition to any candidate for office within Hall County; including municipal and/or county government office. This restriction includes but is not limited to displaying or distributing information, materials, or paraphernalia in support of any political candidate, party or organization.
- B. Knowingly solicit, accept, or receive political contributions from any person, to be used in support of or in opposition to any political candidate for election within Hall County, including municipal and/or county government office.
- C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

EMPLOYMENT AGREEMENT
Director of Emergency Management

SECTION 10. Vehicle and Phone

When the Employee's duties require the use of an automobile during his or her term of employment, one will be provided by the Employer. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use their personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of \$50 per month.

SECTION 11. Insurance Benefits

The County agrees to put in force and make premium payments for Medical, Dental, Vision, Short-Term Disability and Life Insurance policies on behalf of the Employee and if so elected, eligible dependents, at a level of coverage available to other County employees. The Employee may choose not to cover his/her dependents.

SECTION 12. Retirement Benefits

Provided that contributions are being made by the County, if the Employee elects, Hall County agrees to contribute 8% of annual compensation as defined by the retirement plan in addition to Employer matching contributions made on contributions by the Employee as received by other County employees, into a defined contribution plan, except that the County may reduce or suspend this contribution at any time and for any duration as required due to a lack of financial resources. Retirement contributions shall not be made on any severance pay provided by the Employer, paid in accordance with Section 3.

SECTION 13. Paid Time Off (PTO) or Vacation and Sick Leave

As applicable, the County will provide for Paid Time Off (PTO) or vacation and sick leave in the same manner as the accruals currently received by other County Employees. In the event that the County changes or adopts a new program for all employees, such changes shall also apply to the **Director of Emergency Management**. Accrued PTO or vacation leave, whichever is applicable, shall be paid to Employee upon termination of employment.

EMPLOYMENT AGREEMENT
Director of Emergency Management

SECTION 14. Dues, Subscriptions and Professional Development

- A. The County agrees to pay the Employee's annual membership dues, subscriptions and conference expenses incurred by the Employee in conjunction with the Employee's duties, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.
- B. The County agrees to pay the travel and subsistence expenses of the Employee for expenses related to maintenance of professional certifications, professional and official travel, meetings and occasions adequate to continue the professional development of the Employee and to adequately pursue necessary official and other functions for the department, not to exceed the budget and subject to prior approval by the County Administrator or his or her designee.

SECTION 15. Indemnification

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Director of Emergency Management**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee.

SECTION 16. General Provisions

- A. The text herein shall constitute the entire agreement between the parties. Any amendment hereto shall be in writing and be executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

EMPLOYMENT AGREEMENT

Director of Emergency Management

- D. This agreement will become effective on the 1st day of January 2023, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.
- E. This agreement shall be executed in duplicate, each of which shall be deemed to be complete of itself and may be introduced into evidence or used for any purpose without the production of the other copy.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS _____ DAY OF _____ 2022.

HALL COUNTY, GEORGIA

County Administrator

ATTEST:

County Commission Clerk

(Seal)

Employee

APPROVAL AS TO FORM

County Attorney



REQUEST TYPE: FULL-TIME POSITION

1126	EMA
Department #	Department Name
Director of Emergency Management	
Position Title	Priority #

ADDITIONAL PERSONNEL COST CALCULATION

New Position	Account	FY 2022	FY 2023	
\$135,386.44 Salary	4104	\$ 67,693.22	\$ 67,693.22	
10,358.00 Taxes	4110	5,179.00	5,179.00	
18,955.00 Retirement	4131	9,477.50	9,477.50	
28,300.00 Health	4121	14,150.00	14,150.00	14,412.00
1,567.00 Dental & Vision	4123	783.50	783.50	
351.00 Life	4122	175.50	175.50	
98.00 AD&D	4122	49.00	49.00	224.50
524.00 Short Term Disability	4121	262.00	262.00	
\$195,539.44 Total Additional Personnel Costs		\$ 97,769.72	\$ 97,769.72	\$ 195,539.44

JUSTIFICATION (please provide a short explanation of your request on the lines below):

Please note taxes, retirement, and benefits are all estimates based on the maximum potential cost.

PERSONNEL EQUIPMENT REQUEST (list all equipment required and estimated cost)

****Do not add these estimated costs to your department's operating budget. It is calculated separately by OMB.**

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST		
Cell phone allowance - 4421A	\$ 600.00	300.00	300.00
	\$ -		
	\$ -		



AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 646/2022

SUBJECT: Public Hearing to consider variance from Hall County lot frontage requirements on a collector road, Section 16.50.040, to allow a six (6) lot subdivision with a minimum lot frontage of 50FT, located on a 45.54± acre tract on the south side of Cash Road approximately 80 feet from its intersection with Union Church Road; a.k.a. 5084 Cash Road; Zoned AR-III; Tax Parcel 15043 000028A. Commission District 1.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:
Approve.

Purpose of Request:

Public Hearing to consider variance from Hall County lot frontage requirements on a collector road, Section 16.50.040, to allow a six (6) lot subdivision with a minimum lot frontage of 50FT, located on a 45.54± acre tract on the south side of Cash Road approximately 80 feet from its intersection with Union Church Road; a.k.a. 5084 Cash Road; Zoned AR-III; Tax Parcel 15043 000028A. Commission District 1.

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo

Plats

Legal Ad

Notice Sign Photo



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 22, 2022

Subject: Public Hearing to consider variance from Hall County lot frontage requirements on a collector road, Section 16.50.040, to allow a six (6) lot subdivision with a minimum lot frontage of 50FT, located on a 45.54± acre tract on the south side of Cash Road approximately 80 feet from its intersection with Union Church Road; a.k.a. 5084 Cash Road; Zoned AR-III; Tax Parcel 15043 000028A. Commission District 1

When providing information to an applicant, staff referred to [Appendix B](#) which lists arterial and collector roads and [table 17.240.010](#) which provides the minimum lot frontage and setback requirements for lots. The minimum lot width in the AR-III district is 50FT unless it fronts an arterial or collector road.

Based on Appendix B, Cash Rd is not an arterial or collector road. However, per the definition of a collector street, [section 17.20.1120](#) and [section 16.20.090](#), it is a collector road and therefore, the minimum lot frontage is 150FT instead of 50FT ([16.50.040](#)). All six (6) lots exceed 100FT of frontage.

The discrepancy was discovered during plat review. The requirement is related to sight distance and distance between driveways on an arterial or Collector Street. A solution to this situation will be joint drives for the parcels.

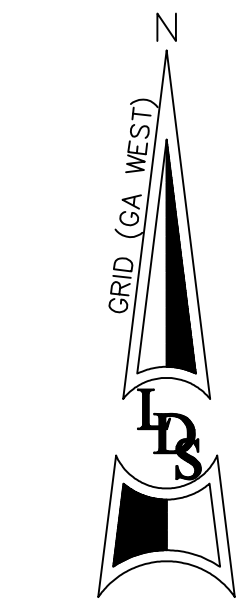
We have the same situation on Bark Camp Road and on Cash Road near the intersection of Coker Drive. Bark Camp Road is new but the other Cash road plat was begun in 2020. Staff will be proposing an amendment to remove the outdated Appendix B from the regulations.

If approved staff recommends the following conditions:

1. The plat will include an ingress /egress easements for joint driveways. The location of the access easement /drive location will be per the direction of the Hall County Traffic Engineer.
2. Board Action letter shall be added to the plat.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

- REFERENCES:
- 1) DEED BOOK 5576, PAGE 262.
 - 2) PLAT BOOK 24, PAGES 53.



HALL COUNTY ENGINEERING NOTES:

- ~ ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE 8.170.070)
- ~ IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 17.225.040)
- ~ THIS PROPERTY IS/IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0313F, HALL COUNTY, GEORGIA, DATED SEPTEMBER 29, 2006.
- ~ THIS PROPERTY IS/IS NOT LOCATED IN THE HALL COUNTY FUTURE FLOOD ZONE PER HALL COUNTY GIS.
- ~ IF RESIDENTIAL PROPERTY IS SUBDIVIDED INTO SEVEN LOTS OR MORE WITH ALL LOTS ACCESSING EXISTING HALL COUNTY, GEORGIA ROADS, THEN STORMWATER MANAGEMENT IS REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8.180.160)

- SITE NOTES:
- 1) BUILDING SETBACKS:
 - FRONT = 65' FROM CENTERLINE OR 40' FROM R/W (WHICHEVER IS GREATER)
 - SIDE = 15'
 - REAR = 25'
 - MINIMUM LOT AREA = 43,560 S.F. WITH PUBLIC WATER
 - MINIMUM LOT FRONTAGE = 50'
 - MINIMUM HEATED HOUSE SIZE = 1STORY 2,200SF, 2STORY 2,500SF
 - 2) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED.
 - 3) SITE ELEVATIONS BASED ON NAVD 88 OBTAINED BY MEANS OF LOCAL GPS NETWORK.
 - 4) ZONING INFORMATION TAKEN FROM HALL COUNTY ZONING MAPS.

LEGEND

IPF	=	IRON PIN FOUND	HW	=	HEADWALL
IPS	=	1/2" REBAR PIN SET	DI	=	DROP INLET
LL	=	LAND LOT	PP	=	POWER/UTILITY POLE
LLL	=	LAND LOT LINE	FH	=	FIRE HYDRANT
P	=	PROPERTY LINE	IE	=	INVERT ELEVATION
C	=	CENTERLINE	PFE	=	FINISHED FLOOR ELEVATION
B	=	BUILDING LINE	BOC	=	BACK OF CURB
R/W	=	RIGHT-OF-WAY	EP	=	EDGE OF PAVEMENT
SSE	=	SANITARY SEWER EASEMENT	S	=	SANITARY SEWER LINE/PIPE
DE	=	DRAINAGE EASEMENT	SS	=	STORM SEWER LINE/PIPE
MH	=	MANHOLE	F	=	FENCE LINE
CB	=	CATCH BASIN	***	=	FLOOD HAZARD ZONE LINE
JB	=	JUNCTION BOX	N/F	=	NOW OR FORMERLY

- GENERAL NOTES:
- 1) ZONING: AR-III
 - 2) LOTS SHOWN ARE FOR SINGLE FAMILY USE ONLY.
 - 3) WATER PROVIDED BY MEANS OF COUNTY WATER TO ALL LOTS.
 - 4) HALL COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED PLAN. HALL COUNTY DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE COUNTY RIGHT-OF-WAY.
 - 5) IRON PINS SHALL BE SET ON ALL LOT CORNERS (1/2" REBAR).

PARENT PARCEL# 15043 000028A
5084 UNION CHURCH ROAD
FLOWERY BRANCH, GA 30542
ZONED AR-111

OWNER / DEVELOPER:
ATLAS DEVELOPMENT, LLC
218 S. HILL STREET
BUFORD, GA 30518
PHONE: (678) 978-6782
CONTACT: CAMERON HENDERSON
EMAIL: CAMERON@atlaslanddev.com

LOT 1: 1.454 ACRES
LOT 2: 1.362 ACRES
LOT 3: 1.301 ACRES
LOT 4: 1.254 ACRES
LOT 5: 1.264 ACRES
LOT 6: 8.323 ACRES
TOTAL: 14.958 ACRES
INCLUDES ALL EASEMENTS WITHIN

- NOTES:
- ALL LOTS TO BE SERVED BY ON-SITE SEWAGE MANAGEMENT SYSTEMS TO BE PERMITTED BY THE HALL COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
 - ALL LOTS TO BE SERVED BY PUBLIC WATER THROUGH THE CITY OF GAINESVILLE
 - ALL LOTS MEET HALL COUNTY BOARD OF HEALTH LOT SIZE RESOLUTION REQUIREMENTS. NUMBER OF BEDROOMS PERMITTED WILL BE BASED ON THE NON-RESTRICTED LOT SIZE AND SUITABLE SOIL AREA FOR EACH LOT
 - MUST NOTIFY HALL COUNTY ENVIRONMENTAL HEALTH DEPARTMENT BEFORE BURIAL OF MULCH, ORGANIC DEBRIS, TRASH OR OTHER MATERIALS, AND WHEN SETTING UP BURN PITS.
 - MUST SUBMIT GRADING PLANS WITH SEPTIC TANK APPLICATION FOR ANY LOTS REQUIRING EXTENSIVE GRADE MODIFICATION. FURTHER SOIL STUDIES MAY BE REQUIRED PRIOR TO THE ISSUANCE OF A SEPTIC TANK PERMIT OR APPROVAL OF AN ON-SITE SEWAGE SYSTEM.
 - SLAB CONSTRUCTION IS PROHIBITED WITHOUT GRADING PLANS ON ALL LOTS AT TIME OF SEPTIC SYSTEM PERMIT APPLICATION.

OWNER'S CERTIFICATE

STATE OF GEORGIA
COUNTY OF HALL

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY.

OWNER'S NAME: _____

OWNER'S ADDRESS: _____

OWNER'S SIGNATURE: _____

HALL COUNTY PLANNING APPROVAL

PURSUANT TO THE HALL COUNTY SUBDIVISION REGULATIONS, THIS PLAT IS GIVEN FINAL APPROVAL BY THE HALL COUNTY PLANNING DIRECTOR. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED AND THIS APPROVAL GRANTED UNDER THE AUTHORITY OF SAID REGULATIONS.

NAME: _____

PLANNING DIRECTOR

DATE: _____

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS. HEREON, SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES, BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTERPRED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THE TERM "CERTIFICATION" OR TO "CERTIFY" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

ZONING NOTE:
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 OPERATIONS 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.

NOTE:
BEARINGS AND ELEVATIONS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS USING CARLSON/CHAMPION GNSS ROVER EQUIPMENT AND EGPS SOLUTIONS REAL TIME NETWORK ADJUSTMENT AT DATE OF FIELD WORK.

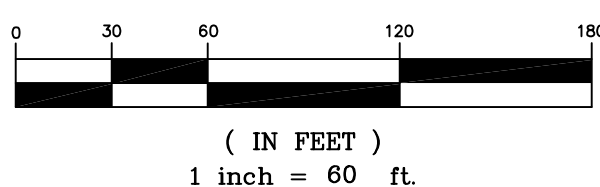
THIS SURVEY WAS PREPARED UTILIZING A DUAL FREQUENCY GPS RECEIVER. NETWORK RTK CORRECTIONS WERE RECEIVED VIA CELLULAR MODEM. THE BASE STATION NETWORK IS OPERATED AND MAINTAINED BY EGPS SOLUTIONS, INC.

THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3, NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT A 95% CONFIDENCE LEVEL.

THE FIELD SURVEY WAS COMPLETED ON 9/14/22.

PLAT CLOSURE STATEMENT:
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE & IS ACCURATE WITHIN ONE FOOT IN 440,970 FEET, AND CONTAINS A TOTAL OF 14.958 ACRES.

GRAPHIC SCALE



IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE," AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL RELEVANT REQUIREMENTS OF THE HALL COUNTY ZONING AND SUBDIVISION REGULATIONS HAVE BEEN MET.

By _____ Number 2846

1 OF 2

9/15/22

DATE

22161

JOB NUMBER

DATE NO DESCRIPTION

10/26/22 1 ADDED SOILS PG.2

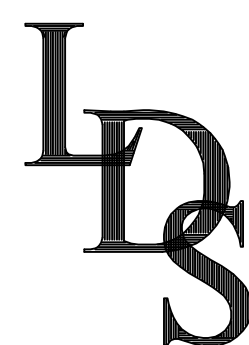
MINOR LOT
SUBDIVISION
FOR:

SHEET TITLE

FIELD DRAWN CHECKED
K,T,S MSF LJJ

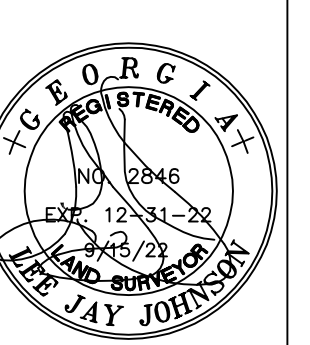
CAMERON HENDERSON
5084 UNION CHURCH ROAD

LOCATED IN GEORGIA MILITIA DISTRICT #392,
HALL COUNTY, GA
SCALE 1"=60'



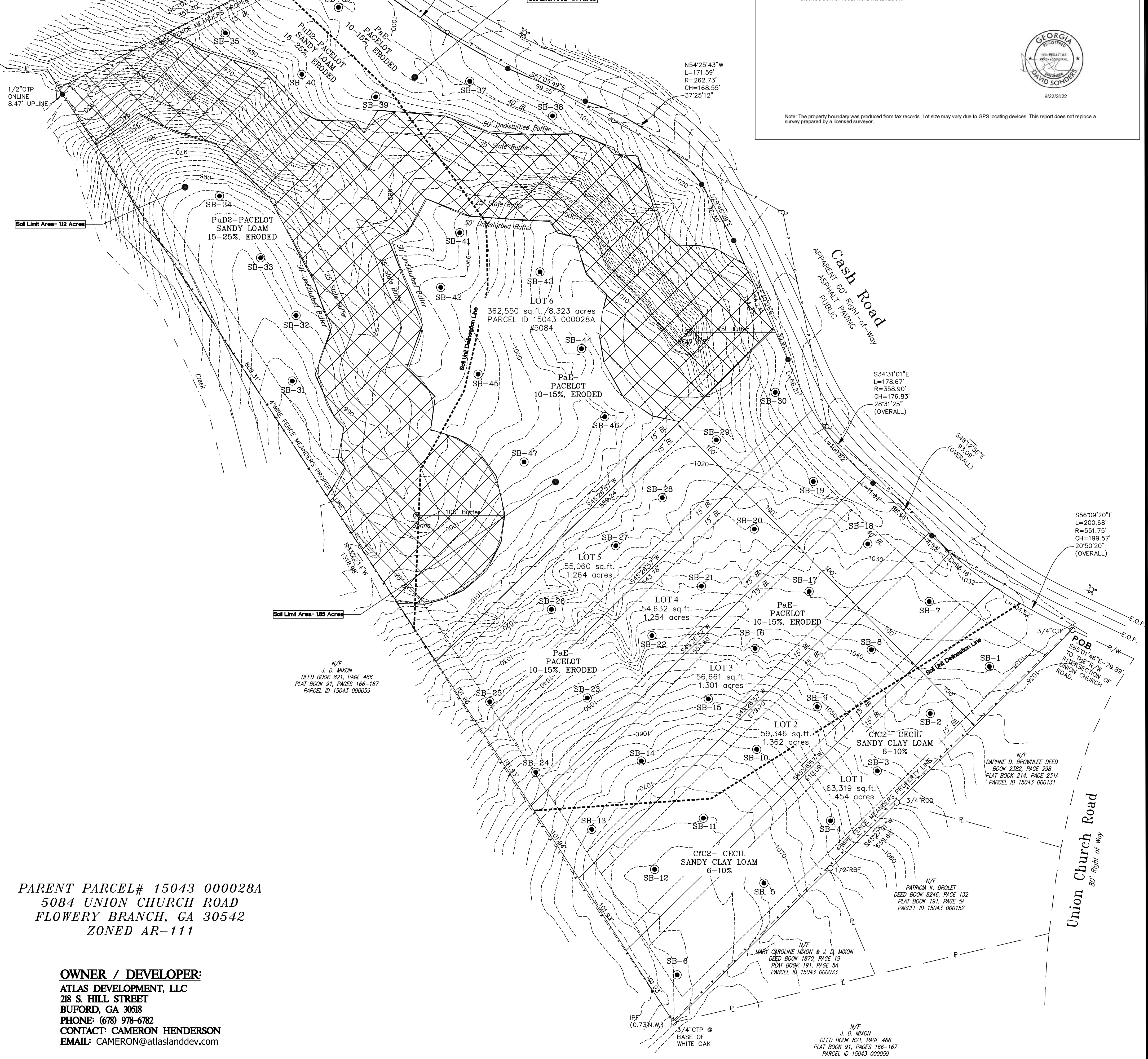
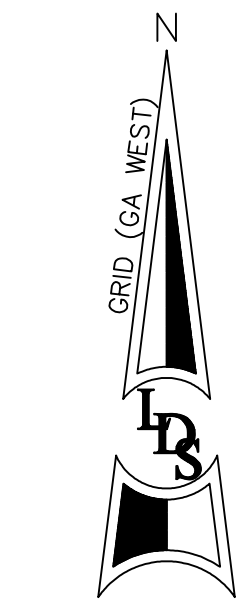
Land Development
Surveyors, Inc.

P.O. BOX 2050
DACULA, GA. 30019
(770) 682-8206
LDSURVEY@BELLSOUTH.NET
COA LSF#000832



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

REFERENCES:
1) DEED BOOK 5576, PAGE 262.
2) PLAT BOOK 24, PAGES 53.



PARENT PARCEL# 15043 000028A
5084 UNION CHURCH ROAD
FLOWERY BRANCH, GA 30542
ZONED AR-111

OWNER / DEVELOPER:
ATLAS DEVELOPMENT, LLC
218 S. HILL STREET
BUFORD, GA 30518
PHONE: (678) 978-6782
CONTACT: CAMERON HENDERSON
EMAIL: CAMERON@atlaslanddev.com

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INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

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2 OF 2	DATE	NO	DESCRIPTION
	10/26/22	1	ADDED SOILS PG.2
9/15/22	DATE		
	22161		
JOB NUMBER			

MINOR LOT
SUBDIVISION
FOR:
SHEET TITLE

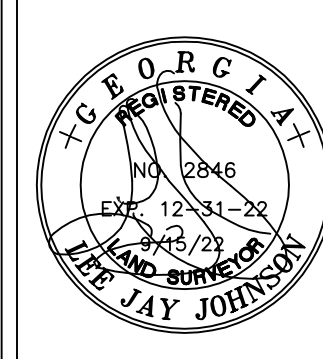
FIELD	DRAWN	CHECKED
K,T,S	MSF	LJJ

CAMERON HENDERSON
5084 UNION CHURCH ROAD

LOCATED IN GEORGIA MILITIA DISTRICT #392,
HALL COUNTY, GA
SCALE 1"=60'

Land Development
Surveyors, Inc.

P.O. BOX 2050
Dacula, GA. 30019
(770) 682-8206
LDSURVEY@BELL.SOUTH.NET
COA LSF#000832



K.E.S.
Key Engineering Solutions-US, Inc.
3282 Elmer Hill Lane, Buford, GA 30519
PH: 561-504-2224
gsponders@kes-us.com

Report Date: 9/22/2022, Field Investigation Date: 9/21-22/2022, Level of Study: III
Site: 5084 Union Church Road, Flowery Branch, GA 30542
County: Hall, Plat Book: 24, Plat Page: 53, Parcel Number: 15043 000028A
Certified by: David M. Sonders, P.E., Professional Engineer License #PE-47163

Estimated Soil Properties

Soil Unit	Slope %	Depth to Bedrock (in)	Depth to SHWT* (in)	Optimum Trench Depth (in)	Estimated Perc. Rate @ Trench Depth	Soil Suitability Code
Cecil	6-10	>60	>72	18-36	65	A
Pacolet	10-15	>60	>72	18-36	55	A
Pacolet	15-25	>60	>72	18-36	55	A

*Seasonal High-Water Table

The recommendations in this Level III Soils Report are based on the site/soil conditions at the time of this study and the professional judgement of the soil classifier. They are the merely professional opinions and imply no guarantee or warranty of performance of any particular system installed.

Soil Suitability Legend

A - These soils are suitable for installation of on-site systems with proper system design, installation, and maintenance. Position of the site or other soil and landscape considerations may require the drainfield area to be greater than the minimum and/or the drainfield design to require equal distribution or level field installation.



Note: The property boundary was produced from tax records. Lot size may vary due to GPS locating devices. This report does not replace a survey prepared by a licensed surveyor.

PUBLISH Wednesday, November 23, 2022

TO: Trent Sexton [tsexton@gainesvilletimes.com]
CLASSIFIEDS 770-535-6336
FAX: 770/532-8187

FROM: Ana Dominguez PO# ADominguez
HALL CO. PLANNING DEPT.
Customer # 4303 379217

PHONE: 770/531-6809 FAX: 770/531-3902

BILLING AND TEARSHEET for the following legal ad should be mailed to:

Hall County Planning Department

P.O. Box 1435

Gainesville, GA 30503

NOTICE is hereby given that the **Hall County Board of Commission** shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 6:00 p.m. on **Thursday, December 8, 2022** to consider the following:

1. Public Hearing to consider variance from Hall County lot frontage requirements on a collector road, Section 16.50.040, to allow a six (6) lot subdivision with a minimum lot frontage of 50FT, located on a 45.54± acre tract on the south side of Cash Road approximately 80 feet from its intersection with Union Church Road; a.k.a. 5084 Cash Road; Zoned AR-III; Tax Parcel 15043 000028A. Commission District 1.

NOTE: In accordance with Georgia law, anyone who

- (a) wishes to express opposition to the proposed rezoning and
- (b) has made, within two years immediately preceding the filing of the proposed rezoning, campaign contributions aggregating \$250 or more to a member of the County Commission shall file a disclosure of contributions with the Planning Department at least five (5) days prior to the first hearing of the proposed rezoning by the County Commission. (OCGA § 36-67A-3[C]).

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: CAM HENDERSON

REQUEST: VARY HALL COUNTY LOT FRONTAGE
REQUIREMENTS

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date:

Date: 12-8-2022

Time:

Time: 6:00PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 23, 2022 09:41:36
5253 Cash Road
Flowery Branch
Hall County
Georgia



AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 639/2022

SUBJECT: 6580 Cleveland Highway | Amend Conditions | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below: 1.1. The development shall occur as depicted on the site plan dated 9-9-2022 and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations. No variances are granted as part of this request. 1.2. The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards. 1.3. The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer. 1.4. The following uses are prohibited: auto repair garages, junk yard, truck terminal, or adult entertainment. 1.5. Any outdoor lighting on the premises shall be full cut-off down lighting to prevent spillage onto adjacent properties. Lighting specification sheets shall be submitted and approved by Planning Director prior to issuance of a permit. 1.6. The vehicle parking areas shall be paved with either asphalt or concrete. 1.7. A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050. 2. All conditions of zoning shall be made part of any plats created for the property.

Purpose of Request:

History:

6580 Cleveland Highway | Amend Conditions | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | Commission District 3 | Diane Schermerhorn, applicant.

Facts and Issues:

This item should appear before the conditional use on the agenda.

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site plan
Maps
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **6580 Cleveland Highway | Amend Conditions** | of a Light-Industrial (I-I) on a 8.67± acre tract located to allow self-storage and boat & RV storage | Diane Schermerhorn, applicant.

The request before you is the application of Diane Schermerhorn to amend the conditions of a previous rezoning to allow a self-storage and boat & RV storage within the Gateway Corridor Overlay District (GCOD). **It should be noted that a simultaneous conditional use request accompanies this request but has a separate report and memo.** This item is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with two (2) conditions **(5-0)**:

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. *The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:*
 - 1.1. *The development shall occur as depicted on the site plan dated 9-9-2022 and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations. No variances are granted as part of this request.*
 - 1.2. *The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.*
 - 1.3. *The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer.*

- 1.4. The following uses are prohibited: auto repair garages, junk yard, tuck terminal, or adult entertainment.*
- 1.5. Any outdoor lighting on the premises shall be full cut-off down lighting to prevent spillage onto adjacent properties. Lighting specification sheets shall be submitted and approved by Planning Director prior to issuance of a permit.*
- 1.6. The vehicle parking areas shall be paved with either asphalt or concrete.*
- 1.7. A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.*
- 2. All conditions of zoning shall be made part of any plats created for the property.*

Please note that denial of the amendment request is an automatic denial of the associated conditional use request but this will need to be stated by the chairman after the amendment vote.

Staff Recommended approval to the Planning Commission **based on the findings that the request is consistent with the Comprehensive Plan and that it meets the criteria of non-residential property development standards for outdoor storage ([17.420.050.D.4.d](#)).**

For your Consideration

These items support approval

1. The request to remove the prohibition of outdoor storage is consistent with the Comprehensive Plan and the zoning designation of I-I, Light Industrial.
2. The proposed use is consistent with the Future Land Use map which indicates the property to be within a mixed-use/revitalization corridor. Mixed-use corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses, [2022-Comprehensive-Plan, page 35](#).

These items support denial

1. Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The property is zoned I-I with multiple uses, it simply cannot have outdoor storage.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Diane Schermerhorn

Request Amend Conditions

Proposed Use Self-storage and boat & RV storage

Size 8.67± acres

Zoning I-I, Light Industrial

Location **6580 Cleveland Highway | Tax Parcel 12083
000003B.**

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Approval, based on the findings that the request
is consistent with the Comprehensive Plan and
that it meets the criteria of non-residential
property development standards for outdoor
storage ([17.420.050.D.4.d](#))**

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 5-0

1. *The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:*
 - 1.1. *The development shall occur as depicted on the site plan dated 9-9-2022 and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations. No variances are granted as part of this request.*
 - 1.2. *The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards.*
 - 1.3. *The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer.*
 - 1.4. *The following uses are prohibited: auto repair garages, junk yard, truck terminal, or adult entertainment.*

- 1.5. *Any outdoor lighting on the premises shall be full cut-off down lighting to prevent spillage onto adjacent properties. Lighting specification sheets shall be submitted and approved by Planning Director prior to issuance of a permit.*
- 1.6. *The vehicle parking areas shall be paved with either asphalt or concrete.*
- 1.7. *A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.*
2. *All conditions of zoning shall be made part of any plats created for the property.*

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting approval to amend conditions of zoning on an 8.67± Light Industrial (I-I, [17.160](#)) parcel for the purpose of developing a self-storage and boat & RV storage facility. The narrative submitted by the applicant states that the development will provide between 102-163 parking spaces and 20,000 square feet of climate controlled self-storage space.

The property was rezoned to Light Industrial (I-I) on May 11, 2006, with 7 conditions:

1. Development shall be as generally depicted on the proposed plan, modified for compliance with new development standards as necessary at time of plan approval.
2. The Corridor Development Standards shall apply to the development of this property. The façade for three sides (front and sides) of the building shall be something other than metal.
3. Driveway design and placement are submitted to approval by the Hall County Engineering Department and the Georgia Department of Transportation.
4. The following uses are prohibited: auto repair garages, junk yard, and storage yard (including outside storage or manufacturing), tuck terminal, or adult entertainment.
5. Any outdoor lighting on the premises shall be of a non-spill type.
6. The vehicle parking areas shall be paved with either asphalt or concrete.
7. A buffer consisting of Leyland Cypress shall be established at the rear of the building along the southern boundary lines of the property.

The applicants proposed use of boat & RV storage requires an amendment of condition four (4), which states that storage yards (including outside storage) are prohibited. Additionally, the property falls

within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which requires self-storage warehouse facilities and outdoor storage uses to receive conditional use approval ([17.420.050](#)).

The current request is only to amend the May 11 2006 rezoning condition prohibiting outdoor storage. A concurrent conditional use application has been submitted for boat & RV storage, and climate controlled self-storage. A separate staff report has been prepared for the conditional use.

- ***The Planning Commission can hear these items simultaneously but must vote on them separately.***
- ***Should the Planning Commission deny the amendment (revision) to the previous rezoning conditions, which prohibit outdoor storage, it will impact the concurrent application for the boat and RV storage. The climate controlled self-storage is use subject to Board of Commissioners, per [Section 17.420.050.B.1](#).***

The subject property is located in the northern most part of the county, on the east side of Cleveland Highway / US Route 129, just north of the Town of Clermont. The narrative states that access to the development will be provided through a commercial driveway with a deceleration and turning lane, to be approved and permitted by the Georgia Department of Transportation (GDOT).

Based on the future land-use plan, staff finds the requested amendment to conditions of zoning is consistent with the Future Land Use Map designation of a Mixed-Use Corridor. Mixed-use corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses.

Zoning Analysis

The proposed use of a boat & RV and self-storage facility is consistent with the Comprehensive Plan future land use designation of a mixed-used corridor. **Mixed-use corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses.** Therefore, the request to remove the prohibition of outdoor storage is consistent with the Comprehensive Plan and the zoning designation of I-I, Light Industrial.

17.380.050. - Submission requirements for a rezoning request

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section [17.380.060.C](#) of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in Section [17.380.060.C](#); however, since the applicant is seeking to amend the previous rezoning conditions and not a change in the zoning district this staff believes the intent has been satisfied by the applicant's narrative.**
2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement.**
3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This project proposes on-site septic and municipal water so this is not applicable.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **Proposal is a commercial development, and as such, this standard is not applicable.**

Development Support and Constraints

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states "Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan."

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

1. IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.
2. IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.

3. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.
4. Note: water will be supplied by Gainesville Water not Hall County.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

GDOT permit required.

Utilities:

Septic proposed, requires Environmental Health approval.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No comments were provided.

Georgia Department of Transportation

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, states: "GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments."

As noted in the application materials submitted by the applicant, GDOT recommends the gated entrance to be a minimum of 100 feet from the edge of travel lane.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Diane Schermerhorn, 6147 Grand Marina Circle, Gainesville, presented the request. The applicant stated that the façade of the buildings will be quality built. The applicant stated that the building will not have heavy traffic or noise. The buildings will have evergreen shrubs landscaped as well as decorative chain fencing along the highway frontage.

Planning Commission Comments:

Mr. Braswell questioned if the two parallel front buildings facing the road would be brick on the three sides and the remaining buildings behind it would be brick from the two sides only. The applicant

said yes. Mr. Hunt questioned if in between the bays it would be metal material. The applicant said yes. Mr. Braswell questioned hours of operation. The applicant stated that the hours of operation would be from 6 a.m. – 11 p.m.

Motion: *A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 5-0*

Conditions:

1. *The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:*
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 - 1.6. *The vehicle parking areas shall be paved with either asphalt or concrete.*
 - 1.7. *A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.*
2. *All conditions of zoning shall be made part of any plats created for the property.*

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Cir
Gainesville, GA 30506

Phone 706-265-5909

Email Address Schermerhorn6@hotmail

Proposed Use Boat + RV covered storage

Property Owner (Name & Mailing Address)

Vineyard Property & Development LLC
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-429-7011

Email Address jeffschermerhorn@gmail

Contact Person (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-265-5909 cell

Email Address Schermerhorn6@hotmail

Tax Parcel Number 12-83-3B

Location Address 6580 Cleveland Hwy

Status of Applicant

- ☐ Owner
☐ Option to Purchase
☐ Area Resident
☒ Other
authorized
representative

Requested Action

Permissive Use:

☐ HCPC ☒ HCC

Fee: \$ 550.00

Receipt #: 859044

Check #: 859044 1023

Acreage 8.97 A

I hereby certify that the above information and all attached information are true and correct.

Sign Diane Schermerhorn

Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: 11/7

Tentative County Commission Date: 12/8

County Commission District: 3

Revised December 2019

202022-00088

PLANNING AND DEVELOPMENT DEPARTMENT
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ZONING APPLICATION

Applicant (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-265-5909 cell

Email Address schmerhorn6@hotmail

Proposed Use enclosed covered Boat + RV storage

Property Owner (Name & Mailing Address)

Vineyard Property Development LLC
same as applicant

Phone 706-429-7011 Jeff Schermerhorn

Email Address jeffschermerhorn@gmail

Contact Person (Name & Mailing Address)

Diane Schermerhorn
same as applicant

Phone _____

Email Address schmerhorn6@hotmail.com

Tax Parcel Number 12-83-3B

Location Address 6580 Cleveland Hwy Gainesville/Clermont

Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☒ Other
authorized
representative

Requested Action

AMEND condition 4
Existing Zoning: I-I

Rezone to: I-I

Fee: \$ 550.00

Receipt #: 859044

Check #: 1023

Acreage 8.97

I hereby certify that the above information and all attached information are true and correct.

Sign Diane Schermerhorn Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: 11/7

Tentative County Commission Date: 12/8

County Commission District: 3

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Francis Sullivan

Address 8915 Merion Drive
Duluth, GA 30097

Phone Number 678-230-4206

Name of applicant(s) Diane L. Schermerhorn

Address 6147 Grand Marina Circle
Gainesville, Georgia 30506

Phone Number 706-265-5909

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Francis J Sullivan

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief

[Signature]
Notary Public

9/7/22
Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Jeffrey W. Schermerhorn
Address 6147 Grand Marina Circle
Gainesville, GA 30506
Phone Number 706-429-7011

Name of applicant(s) Diane L. Schermerhorn
Address 6147 Grand Marina Circle
Gainesville, Georgia 30506
Phone Number 706-265-5909

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)



Personally appeared before me

Teena Stinespring

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

8.25.22
Date



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Diane Schermerhorn Date: 8/18/2022

Applicant's/Owner's Name (Printed): Diane Schermerhorn

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____

I have not ☒ _____

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: _____

Applicant's/Owner's Name (Printed): _____

Francis J. Sullivan

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CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Jeffrey W. Schermerhorn Date: 8/24/2022

Applicant's/Owner's Name (Printed): Jeffrey W. Schermerhorn

Application to allow covered Boat and RV Storage at 6580 Cleveland Hwy

Company History:

Vineyard Properties and Development, LLC has been in existence since the late 1990s primarily investing in single family rental houses in Dahlonega, GA. We are a small corporation owning only three houses and two lots. With recent house price increases, we have decided to sell the houses and shift focus to storage facilities. One partner, Jeff Schermerhorn, is opening the first newly constructed traditional storage facility in Dahlonega in early 2023. It is the desire of the partners of Vineyard Properties, Jeff Schermerhorn and Frank Sullivan, to construct a high quality, high security, storage facility focused on Boat and RV storage in the Clermont area of Hall County.

Proposed Usage:

1 – Vineyard Properties plans to construct 102-163 (+/-) parking spaces (depending on width of final parking space) for boat or RV storage. The parking spaces will be in long buildings consisting of metal roofing and brick ends. The facility will have a keypad access bathroom and wash out space for boats and campers (which will require septic field lines). Water will be supplied by Hall County water services. A second phase of development is planned for the rear of the property which will include 20,000 sq feet of climate controlled self storage. The entire facility will have concrete driveways and concrete parking spaces, all of which will drain to a detention pond.

2 - Three sides of the boat/RV parking buildings fronting Highway 129 will have facades constructed of brick wainscot, stucco above the brick, with regularly spaced faux shutters to resemble windows. The center building will have a cupola to reflect the rural setting. Any painted surfaces will be earth tones. These buildings fronting Hwy 129, along with the landscaping, will screen the remaining facility from view from the street. No spill lighting will comply with regulations.

3 – The entryway to the facility will be gated with keypad access. The gate posts will be brick or stacked stone. The gate will be custom, black, vertical steel. The sign to the facility (approximately 32 sq ft) will be mounted on a brick or stone monument foundation with down lighting. Monitored security cameras will be in abundant use. Hours of access to the facility are proposed 5:00am til 11:00pm. Management will be primarily off site.

4 – Required buffers will be comprised of evergreen foliage shrubs and/or trees (tall hollies, cryptomeria, Leyland cypress, etc). A professionally installed landscape strip will extend the entire length of highway 129 frontage in front of the storage buildings. Interior buildings will have semicircular landscaped ends.

5 – Water will be supplied by Hall county. DOT has already been contacted to begin designing a commercial driveway with deceleration and turning lane off Hwy 129.

Zoning Considerations:

In 2006, the property was zoned Light Industrial. According to the notes of the zoning meeting, Mr Cottrell stated that “Light Industrial permitted use includes automotive repair garages, junk, yards, truck terminals, and adult establishments”. The rezoning application was unanimously approved with the *following condition* which affects Vineyard Property’s desired business plan: **Condition #4** – “The following uses are prohibited: auto repair garage, junk yard, storage yard (including *any outside storage* or manufacturing), truck terminal, or adult establishment”.

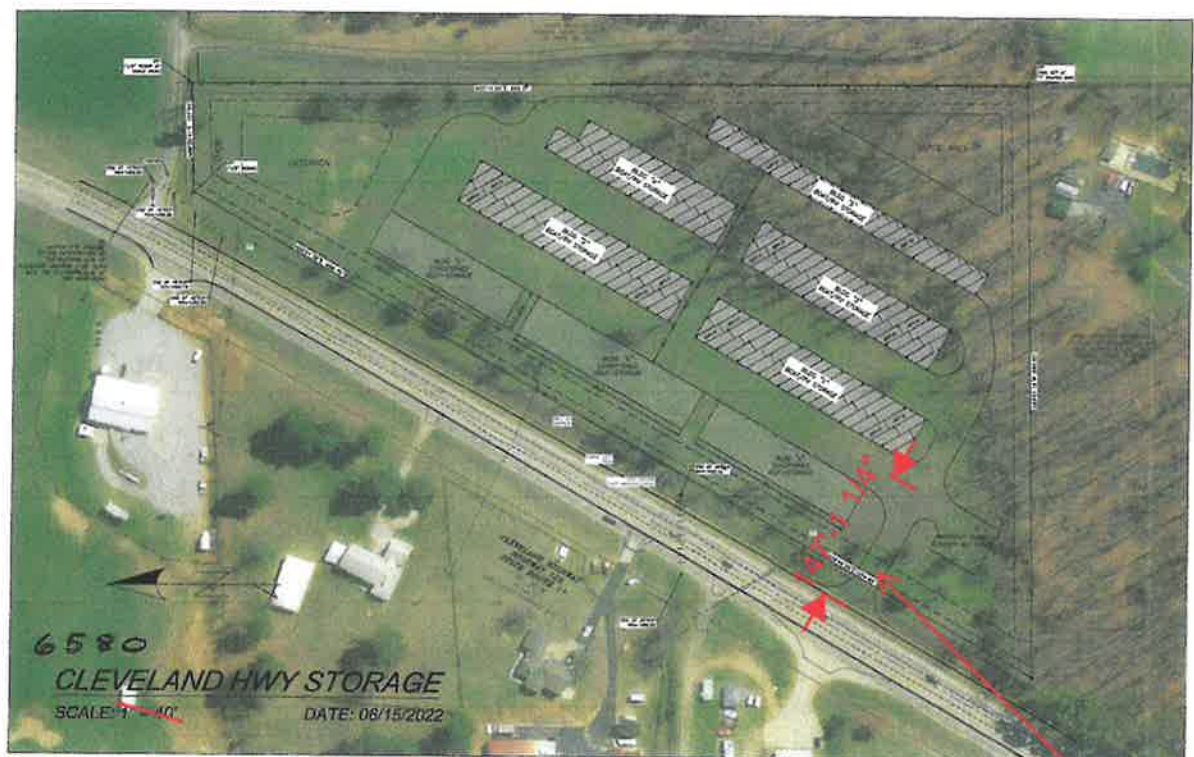
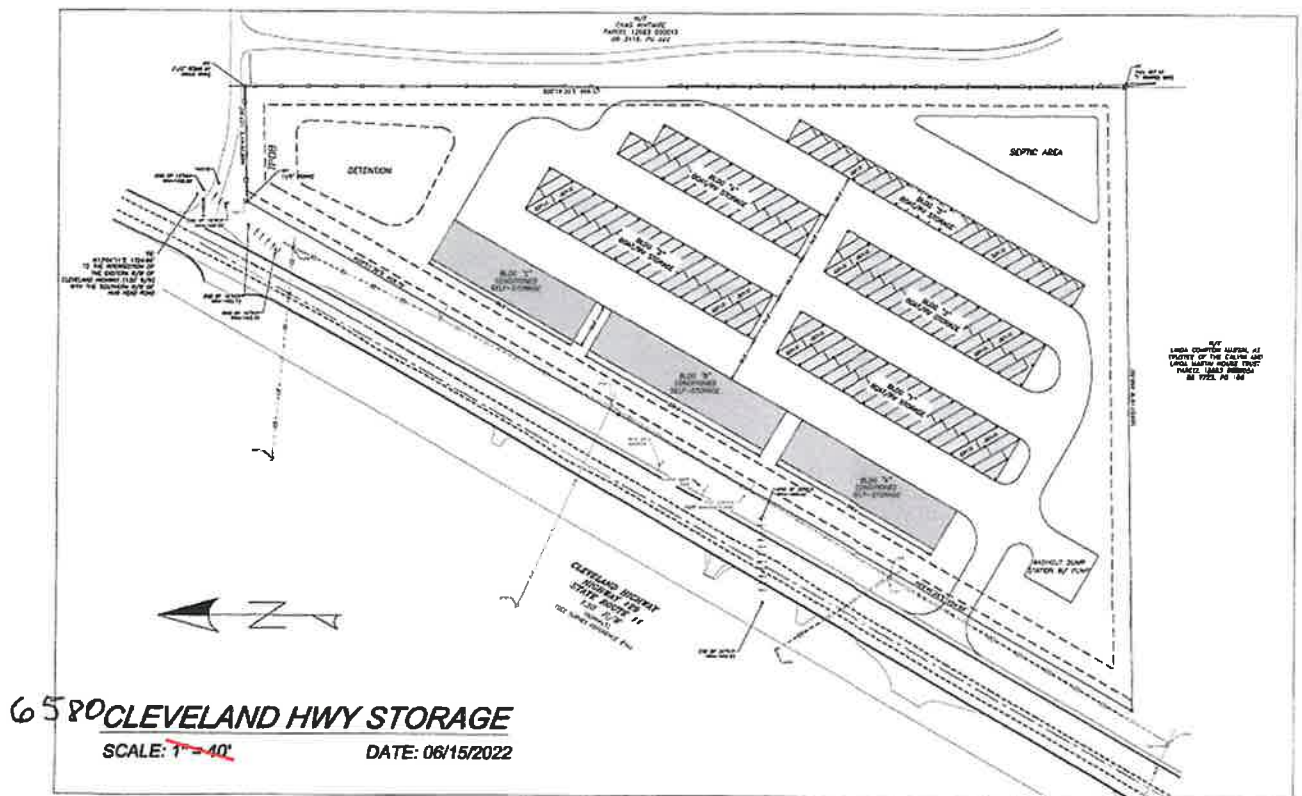
Vineyard Properties purchased the 8.97 Acres at 6580 Cleveland Highway with the understanding the property was already zoned for commercial business and would not require rezoning to construct a boat and RV storage facility. The business plan described above is in keeping with Light Industrial zoning and is almost in complete compliance with the specific Conditions established in 2006.

Vineyard Properties requests an **amendment** by the Planning Director concerning Condition #4 to allow outside storage, specifically, covered semi-enclosed parking spaces for boats and RVs. Said facility will be quality, attractive, and in keeping with all Hall County Gateway Corridor development standards.



(the image above lacks the bricked and landscaped end caps, but it does show how boats and RVs can be stored side by side)





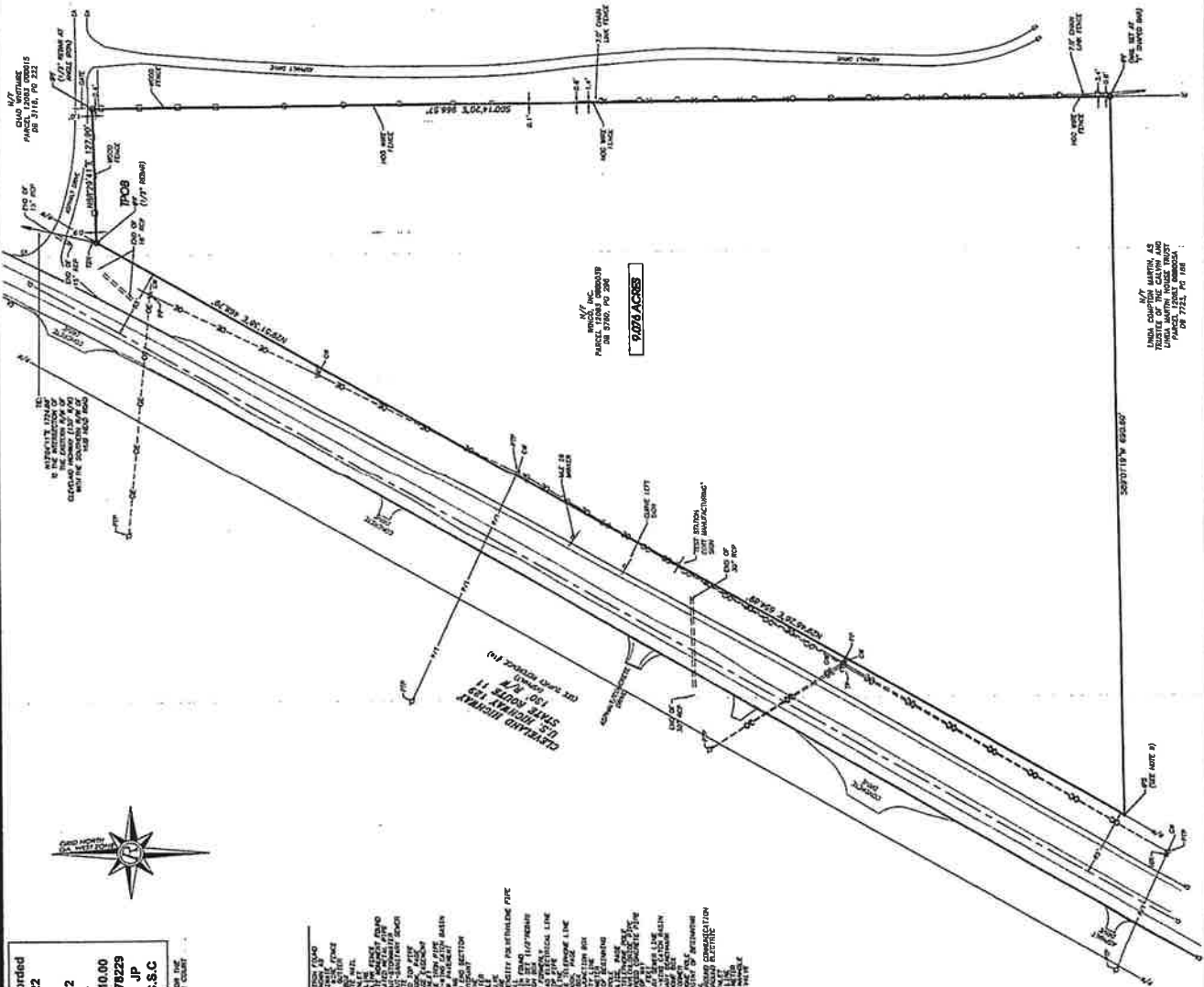
L/A: Unlikely
D/W Spacing: OK with Waiver
First Internal Movement: OK if no gate
D/W Alignment: Aligned across from Truitt
Median Break/Signal Spacing: N/A
Intersection Sight Distance: Provide
Certification
D/W Width: 26' OK, 24' preferred
D/W Radii: 35' Standard, Consider 50' for design vehicle
Angle of Intersection: ~90 OK
Curb and Gutter: None
Match Mainline Cross-slope, first 12' of D/W
D/W Grade should not exceed 6.25%
RTL: Required due to Merge Section
LTL: Existing TWL
Raised Islands: N/A
Access Type: Full Access
Other: At end of merge section
Comply with all requirements of the most recent version of GDOT's D/W and Encroachment Manual

Gate Proposed? Where?
Recommend minimum 100'
from edge of travel lane

eFiled and eRecorded
 DATE: 08/08/2022
 TIME: 8:09 AM
 PLAT BOOK: 682
 PAGE: 333 - 333
 FILING FEES: \$10.00
 PART ID: 0654778229
 RECORDED BY: JP
 Charles Baker, C.S.C.
 HALL COUNTY, GEORGIA



LEGEND
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HALL COUNTY ENGINEERING DEPARTMENT NOTES
 1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL STREAM BED EASEMENT. (HALL COUNTY CODE 8 & 16.030).
 2. IF PROPERTY IS LOCATED IN THE NORTH COASTAL WATERFORD DISTRICT, THE DISTRICT ENGINEER MUST BE NOTIFIED PRIOR TO ANY EXTRACTS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8 & 16.030).
 3. IF PROPERTY IS LOCATED IN THE NORTH COASTAL WATERFORD DISTRICT, THE DISTRICT ENGINEER MUST BE NOTIFIED PRIOR TO ANY EXTRACTS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8 & 16.030).
 4. IF PROPERTY IS LOCATED IN THE NORTH COASTAL WATERFORD DISTRICT, THE DISTRICT ENGINEER MUST BE NOTIFIED PRIOR TO ANY EXTRACTS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8 & 16.030).
 5. IF PROPERTY IS LOCATED IN THE NORTH COASTAL WATERFORD DISTRICT, THE DISTRICT ENGINEER MUST BE NOTIFIED PRIOR TO ANY EXTRACTS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE 8 & 16.030).

SURVEY NOTES
 1. THE FIELD DATA COLLECTED ON 11/17/21 & 11/17/21 WERE USED TO DETERMINE THE LOCATION OF THE PROPERTY AND THE LOCATION OF THE STREAM. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).
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 13. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).

REFERENCES
 1. HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).
 2. HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).
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 4. HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).
 5. HALL COUNTY ENGINEERING DEPARTMENT SURVEYING STANDARDS. (HALL COUNTY CODE 8 & 16.030).

RECORDING CERTIFICATION
 I, the undersigned, being a duly qualified and licensed Surveyor in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records, and that the same has been duly recorded in the public records of the County of Hall, Georgia.
 DATE: 11/17/21
 SIGNATURE: [Signature]
 SURVEYOR: [Name]
 HALL COUNTY ENGINEERING DEPARTMENT
 1000 CLEVELAND HIGHWAY, CLEVELAND, GEORGIA 30527

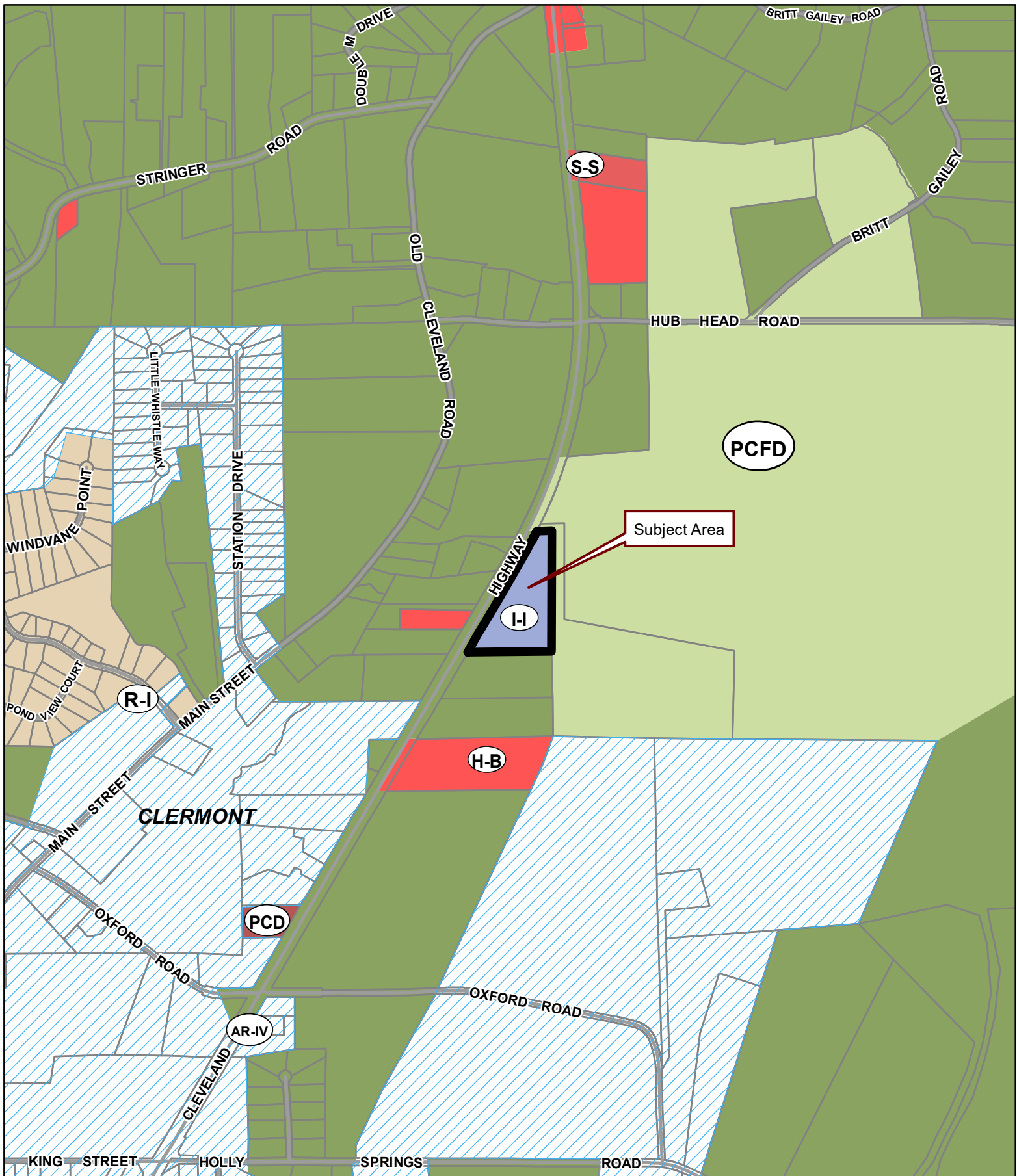
425 Oak Street • Canton, Georgia 30501
 (770) 718-0600 (770) 718-0600 fax • www.rochester-geo.com
Rochester & Associates, LLC

WINGO, INC.
 1000 CLEVELAND HIGHWAY, CLEVELAND, GEORGIA 30527
 (770) 718-0600 (770) 718-0600 fax • www.rochester-geo.com

NO.	DATE	DESCRIPTION
1	11/17/21	REVISIONS
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DATE: 11/17/21
 SIGNATURE: [Signature]
 SURVEYOR: [Name]
 HALL COUNTY ENGINEERING DEPARTMENT
 1000 CLEVELAND HIGHWAY, CLEVELAND, GEORGIA 30527



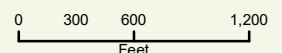
Applicant: DIANE SCHERMERHORN

Tax Parcel #: 12083 000003B

Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527

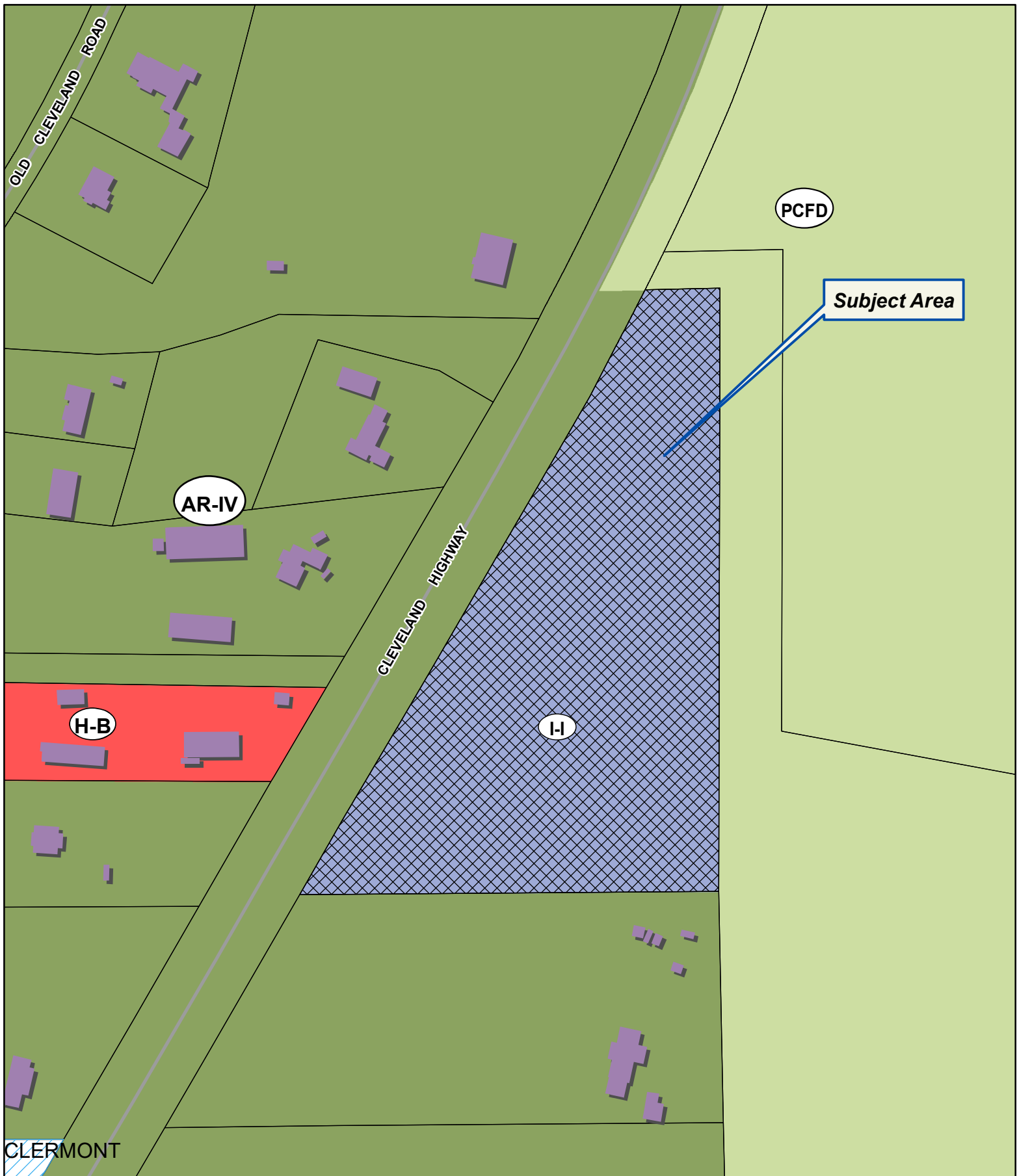
Commission District 3

PC Mtg. Date: 11/07/2022

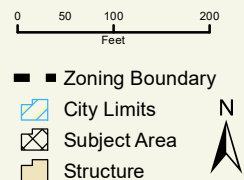


- Zoning Boundary
- ▨ City Limits
- Subject Area
- Structure





Applicant: DIANE SCHERMERHORN
Tax Parcel #: 12083 000003B
Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527
Commission District 3 **PC Mtg. Date:** 11/07/2022





Applicant: DIANE SCHERMERHORN

Tax Parcel #: 12083 000003B

Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527

Commission District 3

PC Mtg. Date: 11/07/2022

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Feet

— Zoning Boundary
— City Limits
— Subject Area



Return Recorded Document to:
Angela Grant Clark
65-A Turner Road, P.O. Box 611
Dahlonega, GA 30533

FILED & RECORDED 06/29/2022 11:55 AM
DEED BOOK 9153 PAGES 359 - 361
FILING FEES: \$25.00
PT61: 069-2022-005708 TRANSFER TAX: \$450.00
RECORDED BY: JP
CLERK: Charles Baker, C.S.C Hall County, GA

**LIMITED
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF HALL
22RE-477

FILE #:

THIS INDENTURE made this 24th day of June, 2022, between Wingo, Inc, of the State of Georgia, as party of the first part, hereinafter called Grantor, and Vineyard Property and Development, LLC, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

This Deed is given subject to all easements and restrictions of record.

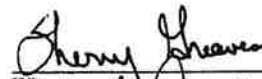
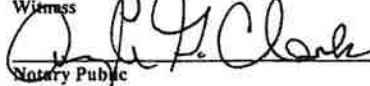
TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

WINGO, INC.


Witness

Notary Public
State of Georgia
My Commission Expires: August 5, 2023

By:  (SEAL)
Durwood F. Graham, III, CEO/CFO



EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 83, 12TH DISTRICT, HALL COUNTY, GEORGIA, AND BEING MORE FULLY DESCRIBED ON A PLAT PREPARED FOR FRANK C. STATON BY NEWTON-NEWTON & ASSOCIATES, GEORGIA REGISTERED LAND SURVEYOR, DATED MAY 26, 1962, SAID PROPERTY CONTAINS 8.82 ACRES AND IS DESCRIBED ACCORDING TO SAID PLAT AS FOLLOWS:

BEGINNING AT A STAKE ON THE SOUTH SIDE OF THE RIGHT OF WAY OF US HIGHWAY 129 WHERE SAID LAND CORNERS WITH LANDS NOW OR FORMERLY OWNED BY CALVIN P. MARTIN AND RUNNING ALONG SAID HIGHWAY RIGHT OF WAY, NORTH 30 DEGREES 27 MINUTES EAST 655 FEET TO A POINT; THENCE NORTH 29 DEGREES 38 MINUTES EAST 439 FEET TO A STAKE CORNER ON BOYD ROAD; THENCE ALONG BOYD ROAD, NORTH 83 DEGREES 00 MINUTES EAST 128 FEET TO A STAKE CORNER ON THE BOB R. WHITMIRE PROPERTY LINE; THENCE SOUTH 01 DEGREE 21 MINUTES EAST 947 FEET TO A STAKE CORNER; THENCE SOUTH 88 DEGREES 39 MINUTES WEST 695 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY RIGHT OF WAY DEEDS OR OTHER EASEMENTS OF RECORD.

ALSO SHOWN ON PLAT OF SURVEY ATTACHED HERETO AS EXHIBIT B.

22RE-477

A handwritten signature in dark ink, consisting of a large, stylized loop followed by a horizontal stroke and a small upward flick.

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



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Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [**4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [**6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [**6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [**4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.**](#)



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Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



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PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance](#) | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 (pt.) | **Proposed Use: new sign monument** | * Commission District 1 | **Brunson & Company, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval](#) | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | **Proposed use: office & warehouse** | * Commission District 1 | **Genuine Mapping and Design, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions](#) | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval](#) | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone](#) | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | **Proposed use: heavy industrial** | ** Commission District 3 | **Ridgeline Land Planning, Inc, applicant.**
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. 2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | **Proposed use: 305-unit multi-family complex** | ** Commission District 3 | **CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | **Proposed use: agricultural uses** | ** Commission District 1 | **Ben Baker, Baker & Summy, PC, applicant.****
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | **Proposed use: boat & RV storage** | ** Commission District 2 | **Torris J. Babbs, PE, applicant.****
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DIANE SCHERMERHORN**

REQUEST: **AMEND EXISTING CONDITIONS FOR SELF STORAGE & PORTABLE STORAGE**

DATE: 11-17-2022

TIME: 15:55 PM

FOR MORE INFORMATION CALL: (706) 531-5800

AND

DATE: 12-08-2022

TIME: 06:00 PM

COUNTY COMMISSIONER

ALL APPLICANTS MUST BE PRESENT FOR THE HEARING



0 N





AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 640/2022

SUBJECT: 6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below: 1.1. The development shall generally occur as substantially depicted on the site plan dated 9-9-2022 and described in the project narrative. 1.2. The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards other than those specifically approved in this motion. 1.3. The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer. 1.4. A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050. 2. Hours of operations shall be from 6 a.m. - 11 p.m., Monday — Sunday. There shall be no tenant entrance between 11 p.m. — 6 a.m. 3. Standing seam architectural panel shall be allowed on the building and canopy roofs with the color to be approved by the Director of Planning and Development. 4. All end walls of the open air storage shall be of approved material noted on Gateway Corridor Standard. Metal posts shall be allowed in between the storage bays. 5. All other gateway corridor requirements for fencing and buildings shall be adhered to. 6. This approval shall be effective for 12 months after Board of Commission approval unless the permitting process is initiated.

Purpose of Request:

History:

6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | Commission District 3 | Diane Schermerhorn, applicant.

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration		Clerk
WLI	LJ		AO

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site plan
Maps
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract to allow self-storage and boat & RV storage | Diane Schermerhorn, applicant.**

The request before you is the application of Diane Schermerhorn to allow a self-storage and boat & RV storage. The development will be constructed in two (2) phases, the first will include six (6) boat and RV storage buildings, while the second phase will consist of two (2) climate controlled storage buildings containing 20,000SF. **It should be noted that a simultaneous amendment request accompanies this request but has a separate report and memo.** This item is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with six (6) conditions **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:
 - 1.1. The development shall generally occur as substantially depicted on the site plan dated 9-9-2022 and described in the project narrative.
 - 1.2. The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards other than those specifically approved in this motion.
 - 1.3. The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as

part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer.

- 1.4. A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.
2. Hours of operations shall be from 6 a.m. - 11 p.m., Monday – Sunday. There shall be no tenant entrance between 11 p.m. – 6 a.m.
3. Standing seam architectural panel shall be allowed on the building and canopy roofs with the color to be approved by the Director of Planning and Development.
4. All end walls of the open air storage shall be of approved material noted on Gateway Corridor Standard. Metal posts shall be allowed in between the storage bays.
5. All other gateway corridor requirements for fencing and buildings shall be adhered to.
6. This approval shall be effective for 12 months after Board of Commission approval unless the permitting process is initiated.

Please note that denial of the amendment request is an automatic denial of the associated conditional use request but this will need to be stated by the chairman after the amendment vote.

Staff recommended approval to the Planning Commission, **based on the findings that the request is consistent with the Comprehensive Plan and that it meets the criteria of non-residential property development standards for outdoor storage ([17.420.050.D.4.d](#)).**

For your Consideration

These items support approval

1. The proposed use is consistent with the Future Land Use map which indicates the property to be within a mixed-use/revitalization corridor. Mixed-use corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses, [2022-Comprehensive-Plan, page 35](#).
2. The proposal is consistent with the mixed-use corridor characteristics and is compatible with the nearby boat storage facility, and creamery.
3. The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in the northern portion of the county.

These items support denial

1. Staff has not identified a hardship imposed on the property owner as the property is currently zoned. [Chapter 17.160](#) provides the standards and allowable uses for the Light Industrial Districts within Hall County.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Diane Schermerhorn

Request Conditional Use to allow self-storage and boat & RV storage

Proposed Use self-storage and boat & RV storage

Size 8.67± acres

Zoning Light Industrial

Location **6580 Cleveland Highway | Tax Parcel 12083 000003B.**

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Approval, based on the findings that the request is consistent with the Comprehensive Plan and that it meets the criteria of non-residential property development standards for outdoor storage ([17.420.050.D.4.d](#))**

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 5-0

1. *The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:*
 - 1.1. *The development shall generally occur as substantially depicted on the site plan dated 9-9-2022 and described in the project narrative.*
 - 1.2. *The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards other than those specifically approved in this motion.*
 - 1.3. *The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer.*
 - 1.4. *A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.*

2. *Hours of operations shall be from 6 a.m. - 11 p.m., Monday – Sunday. There shall be no tenant entrance between 11 p.m. – 6 a.m.*
 3. *Standing seam architectural panel shall be allowed on the building and canopy roofs with the color to be approved by the Director of Planning and Development.*
 4. *All end walls of the open air storage shall be of approved material noted on Gateway Corridor Standard. Metal posts shall be allowed in between the storage bays.*
 5. *All other gateway corridor requirements for fencing and buildings shall be adhered to.*
 6. *This approval shall be effective for 12 months after Board of Commission approval unless the permitting process is initiated.*
-

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting conditional use approval from the Hall County Board of Commissioners for boat & RV and self-storage facility on a 8.67± Light Industrial (I-I, [17.160](#)) parcel. The narrative submitted by the applicant states that the development will provide between 102-163 parking spaces and 20,000 square feet of climate controlled self-storage space.

The property was rezoned to Light Industrial (I-I) on May 11 2006, with 7 conditions:

1. Development shall be as generally depicted on the proposed plan, modified for compliance with new development standards as necessary at time of plan approval.
2. The Corridor Development Standards shall apply to the development of this property. The façade for three sides (front and sides) of the building shall be something other than metal.
3. Driveway design and placement are submitted to approval by the Hall County Engineering Department and the Georgia Department of Transportation.
4. The following uses are prohibited: auto repair garages, junk yard, storage yard (including outside storage or manufacturing), truck terminal, or adult entertainment.
5. Any outdoor lighting on the premises shall be of a non-spill type.
6. The vehicle parking areas shall be paved with either asphalt or concrete.
7. A buffer consisting of Leyland Cypress shall be established at the rear of the building along the southern boundary lines of the property.

The applicants proposed use of boat & RV storage requires an amendment of condition four (4), which states that storage yards (including outside storage) are prohibited. Additionally, the property falls within the

Gateway Corridors Overlay District (GCOD, [17.420](#)) which requires self-storage warehouse facilities and outdoor storage uses to receive conditional use approval ([17.420.050](#)). **It should be noted that the applicant has submitted a request to amend the conditions of the 2006 rezoning, running concurrent with this request. *The Planning Commission can hear these items simultaneously but must vote on them separately.***

The subject property is located in the northern most part of the county, on the east side of Cleveland Highway / US Route 129, just north of the Town of Clermont. The narrative states that access to the development will be provided through a commercial driveway with a deceleration and turning lane, to be approved and permitted by the Georgia Department of Transportation (GDOT).

The facility will be developed in two phases. The first phase will consist of six (6) boat & RV storage buildings, the buildings will be arranged in 3 rows, 2 buildings each. The narrative and site plan describe the boat and RV storage buildings as having standing-seam metal roofs. Buildings 1 & 2, the buildings closest to Cleveland Highway, will be enclosed on 3 sides with brick and stucco and have regularly spaced faux window shutters for visual variety. The narrative states that the center building's roof will have a cupola to reflect the rural setting. The second and third rows of boat & RV storage buildings will have brick endcaps; landscaped planting areas will be located on the outside ends of buildings 3 through 6 as shown on the site plan. The second phase will be comprised of two (2) climate controlled self-storage buildings with a maximum storage area of 20,000 square feet. **The narrative and site plan include a 10 foot landscape strip adjacent to Cleveland Highway and 25 foot vegetated buffer along all interior property lines. Note, the transitional buffer requirements within the GCOD ([17.420.050](#)) requires a 50 foot buffer where industrial property is adjacent to agricultural or residentially zoned property.** The regulations allow the transitional buffer to be reduced by 10 feet if an opaque 6FT fence is installed *unless*, the fence is required to screen outdoor storage ([17.420.050.D.4.d](#)). **Should the Planning Commission choose to approve the use and site plan as presented, a variance to [17.420.050.C.4.b](#) is required.**

The proposed development meets the requirements of the GCOD, non-residential property development standards for outdoor storage ([17.420.050.D.4.d](#)).

Zoning Analysis

When considering a conditional use certain criteria must be considered.

(a) The existing land use pattern. **The current land use pattern is a mixture of single family residential, undeveloped properties, agricultural property, and various commercial uses that include a creamery, and a boat storage facility.**

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed use is consistent with the Future Land Use map which indicates the property to be within a mixed-use/revitalization corridor. Mixed-use corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses, [2022-Comprehensive-Plan, page 35](#).**

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **The proposed development must follow the Development Review process to obtain**

a land disturbance permit (LDP) and will be required to meet all applicable life safety regulations prior to permit issuance.

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposal is consistent with the mixed-use corridor characteristics and is compatible with the nearby boat storage facility, and creamery.**

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The existing highway does not have sidewalks, so none should be required in front of the subject property. The internal drives should provide striped and marked crosswalks.**

(ii) The location and height of buildings, and other structures, and the crosswalks or pedestrian ways are nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The applicant shall submit architectural elevations, fence detail, and landscape plan for the Planning Director's approval prior to issuance of the LDP. At present it appears the applicant will require a variance in section 17.420.050.C.4.b to allow a 25FT buffer, and a variance in 17.420.050.H.2.c.**

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **The proposed development is not residential and thus will not increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; nor will the approval of the use encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.**

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **The proposed boat and RV storage with climate controlled storage should not cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. The access is subject to GDOT requirements and standard Hall County Development Review by Public Works, Planning, and Fire prior to issuance of any permits.**

(h) Whether the proposed change will adversely affect property values in adjacent areas. **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **The property lies within the GCOD and outside storage and self-storage facilities are uses subject to approval by the Board of Commissioners. There are other uses that do not require conditional use approval.**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)) the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The use, a boat & RV and self-storage facility, is proposed on previously zoned I-I property land, which is undeveloped. Adjacent properties to the north and east are zoned Planned Commercial Farm District (PCFD, [17.180.100](#)). Property to the south and across Cleveland Highway to the west are zoned Agricultural Residential IV (AR-IV, [17.120](#)). Directly across Cleveland Highway from the property is a Highway Business (H-B, [17.150](#)) zoned parcel (12083 000004B) developed with a boat sale, repair, and storage business, which was rezoned in 2005. Of the possible uses permitted in the I-I zoning district, the proposed use is suitable in view of the use and development of adjacent and nearby properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The site is currently undeveloped. If approved, the proposed boat & RV and self-storage facility would be required to meet all applicable local, state, and federal regulations. The site plan shows a 25 foot buffer along all interior property lines, where the property is adjacent to agricultural or residentially zoned properties. It is unlikely that the proposed development would adversely impact adjacent or nearby properties. If approved, the Planning Commission will need to specifically grant a variance allowing the 25FT buffer instead of the required 50FT buffer.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property is zoned I-I and as such has reasonable economic use as currently zoned; however, the 2006 condition prohibiting outside storage does limit the allowable uses within the district. The current request is for a conditional use permit to allow a boat and RV storage with climate controlled self-storage and is not a rezoning request; Section [17.420.050.B.1](#) and [17.420.050.B.6](#).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The proposed development should have minimal impact on of existing streets, transportation facilities, or utilities.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan for the physical development of the area; **The Comprehensive Plan's future land use designation for the subject parcel is rural and it is part of a mixed-use corridor. Mixed-use**

corridors are located along roadways which are intended to accommodate a variety of non-residential retail activities without encroaching upon or replacing adjacent residential uses.

6. The extent to which property values are diminished by the existing zoning restrictions; **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The current request is for a conditional use permit to allow a boat and RV storage with climate controlled self-storage and is not a rezoning request; Section 17.420.050.B.1 and 17.420.050.B.6.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property was rezoned to I-I in 2006 and has remained undeveloped since. No permits have been submitted to the county for development of the parcel.**
10. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning." **The property has already been rezoned to Light Industrial. As such, staff does find the conditional use request for a boat and RV storage with climate controlled self-storage to be an appropriate use for the subject property. The current request is for a conditional use permit to allow a boat and RV storage with climate controlled self-storage and is not a rezoning request; Section 17.420.050.B.1 and 17.420.050.B.6.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **The existing I-I zoning was established in 2006. A parcel zoned H-B is located across Cleveland Highway from the subject property. Other adjacent and nearby properties are a mixture of agricultural and residential uses.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in the northern portion of the county.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **This is a conditional use, not a rezoning or amendment to a previous rezoning, therefore this question is not applicable to the application. This question is relevant to the concurrent request to amend the conditions of the 2006 rezoning request.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The current request is for a conditional use permit to allow a boat and RV storage with climate controlled self-storage and is not a rezoning request; Section [17.420.050.B.1](#) and [17.420.050.B.6](#); therefore, the question is not applicable. Uses subject to Planning Commission or Board of Commissioners cannot be handled by a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The proposed boat & RV and self-storage facility would be required to meet all applicable local, state, and federal regulations during the development permitting process.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **The current request is for a conditional use permit to allow a boat and RV storage with climate controlled self-storage and is not a rezoning request; Section [17.420.050.B.1](#) and [17.420.050.B.6](#); therefore, the question is not applicable.**

[Chapter 17.160](#) provides the standards and allowable uses for the Light Industrial Districts within Hall County. Section [17.420.010](#) provides the purpose of the Gateway Corridors Overlay District (GCOD).

- A. To promote the general health, safety and welfare of the community.
- B. To improve the efficient operation of traffic around the county.
- C. To promote safe and efficient movement within the Overlay District for persons using all modes of travel - motorized vehicles, bicycles and walking.
- D. To create a sense of place that is aesthetically appealing and environmentally responsible.
- E. To encourage innovative development projects that set standards for landscaping, community design and aesthetics.
- F. To establish consistent and harmonious design standards for public improvements and private property development within the Overlay District so as to unify the distinctive visual quality of the Gateway Corridors.

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

1. IFC Section 507, all storage buildings must be within the 400’ hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.

2. IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.
3. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.
4. Note: water will be supplied by Gainesville Water not Hall County.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

GDOT permit required.

Utilities:

Septic proposed, requires Environmental Health approval.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No comments were provided.

Georgia Department of Transportation

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, states: "GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments."

As noted in the application materials submitted by the applicant, GDOT recommends the gated entrance to be a minimum of 100 feet from the edge of travel lane.

➤ Excerpts from the minutes of the November 7, 2022 meeting

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Diane Schermerhorn, 6147 Grand Marina Circle, Gainesville, presented the request. The applicant stated that the façade of the buildings will be quality built. The applicant stated that the building will not have heavy traffic or noise. The buildings will have evergreen shrubs landscaped as well as decorative chain fencing along the highway frontage.

Planning Commission Comments:

Mr. Braswell questioned if the two parallel front buildings facing the road would be brick on the three sides and the remaining buildings behind it would be brick from the two sides only. The applicant said yes. Mr. Hunt questioned if in between the bays it would be metal material. The applicant said yes. Mr. Braswell questioned hours of operation. The applicant stated that the hours of operation would be from 6 a.m. – 11 p.m.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 5-0

Conditions:

1. *The conditions of zoning from approved on May 11, 2006 shall apply, with modifications to meet current regulations, as stated below:*
 - 1.1. *The development shall generally occur as substantially depicted on the site plan dated 9-9-2022 and described in the project narrative.*
 - 1.2. *The development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances are granted from these standards other than those specifically approved in this motion.*
 - 1.3. *The applicant shall coordinate with the Georgia Department of Transportation (GDOT) to obtain a commercial driveway permit as part of the land development process. Any cost associated with these improvements shall be the responsibility of the developer.*
 - 1.4. *A 50 foot vegetated buffer shall be installed along all interior property lines per the requirements of 17.420.050.*
2. *Hours of operations shall be from 6 a.m. - 11 p.m., Monday – Sunday. There shall be no tenant entrance between 11 p.m. – 6 a.m.*
3. *Standing seam architectural panel shall be allowed on the building and canopy roofs with the color to be approved by the Director of Planning and Development.*
4. *All end walls of the open air storage shall be of approved material noted on Gateway Corridor Standard. Metal posts shall be allowed in between the storage bays.*
5. *All other gateway corridor requirements for fencing and buildings shall be adhered to.*
6. *This approval shall be effective for 12 months after Board of Commission approval unless the permitting process is initiated.*

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t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Cir
Gainesville, GA 30506

Phone 706-265-5909

Email Address Schermerhorn6@hotmail

Proposed Use Boat + RV covered storage

Property Owner (Name & Mailing Address)

Vineyard Property & Development LLC
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-429-7011

Email Address jeffschermerhorn@gmail

Contact Person (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-265-5909 cell

Email Address Schermerhorn6@hotmail

Tax Parcel Number 12-83-3B

Location Address 6580 Cleveland Hwy

Status of Applicant

- ☐ Owner
☐ Option to Purchase
☐ Area Resident
☒ Other
authorized
representative

Requested Action

Permissive Use:

☐ HCPC ☒ HCC

Fee: \$ 550.00

Receipt #: 859044

Check #: 859044 1023

Acreage 8.97 A

I hereby certify that the above information and all attached information are true and correct.

Sign Diane Schermerhorn

Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: 11/7

Tentative County Commission Date: 12/8

County Commission District: 3

Revised December 2019

202022-00088

PLANNING AND DEVELOPMENT DEPARTMENT
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ZONING APPLICATION

Applicant (Name & Mailing Address)

Diane Schermerhorn
6147 Grand Marina Circle
Gainesville, GA 30506

Phone 706-265-5909 cell

Email Address schmerhorn6@hotmail

Proposed Use enclosed covered Boat + RV storage

Property Owner (Name & Mailing Address)

Vineyard Property Development LLC
same as applicant

Phone 706-429-7011 Jeff Schermerhorn

Email Address jeffschermerhorn@gmail

Contact Person (Name & Mailing Address)

Diane Schermerhorn
same as applicant

Phone _____

Email Address schmerhorn6@hotmail.com

Tax Parcel Number 12-83-3B

Location Address 6580 Cleveland Hwy Gainesville/Clermont

Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☒ Other
authorized
representative

Requested Action

AMEND condition 4
Existing Zoning: I-I

Rezone to: I-I

Fee: \$ 550.00

Receipt #: 859044

Check #: 1023

Acreage 8.97

I hereby certify that the above information and all attached information are true and correct.

Sign Diane Schermerhorn Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: 11/7

Tentative County Commission Date: 12/8

County Commission District: 3

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Francis Sullivan

Address 8915 Merion Drive

Duluth, GA 30097

Phone Number 678-230-4206

Name of applicant(s) Diane L. Schermerhorn

Address 6147 Grand Marina Circle

Gainesville, Georgia 30506

Phone Number 706-265-5909

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Francis J Sullivan

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief

[Signature]
Notary Public

9/7/22
Date



PLANNING AND DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Jeffrey W. Schermerhorn
Address 6147 Grand Marina Circle
Gainesville, GA 30506
Phone Number 706-429-7011

Name of applicant(s) Diane L. Schermerhorn
Address 6147 Grand Marina Circle
Gainesville, Georgia 30506
Phone Number 706-265-5909

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)



Personally appeared before me

Teena Stinespring

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public



8.25.22
Date

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Diane Schermerhorn Date: 8/18/2022

Applicant's/Owner's Name (Printed): Diane Schermerhorn

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____

I have not ☒ _____

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Francis J. Sullivan Date: 9/7/2022

Applicant's/Owner's Name (Printed): Francis J. Sullivan

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CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not ☒

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Jeffrey W. Schermerhorn Date: 8/24/2022

Applicant's/Owner's Name (Printed): Jeffrey W. Schermerhorn

Application to allow covered Boat and RV Storage at 6580 Cleveland Hwy

Company History:

Vineyard Properties and Development, LLC has been in existence since the late 1990s primarily investing in single family rental houses in Dahlonega, GA. We are a small corporation owning only three houses and two lots. With recent house price increases, we have decided to sell the houses and shift focus to storage facilities. One partner, Jeff Schermerhorn, is opening the first newly constructed traditional storage facility in Dahlonega in early 2023. It is the desire of the partners of Vineyard Properties, Jeff Schermerhorn and Frank Sullivan, to construct a high quality, high security, storage facility focused on Boat and RV storage in the Clermont area of Hall County.

Proposed Usage:

1 – Vineyard Properties plans to construct 102-163 (+/-) parking spaces (depending on width of final parking space) for boat or RV storage. The parking spaces will be in long buildings consisting of metal roofing and brick ends. The facility will have a keypad access bathroom and wash out space for boats and campers (which will require septic field lines). Water will be supplied by Hall County water services. A second phase of development is planned for the rear of the property which will include 20,000 sq feet of climate controlled self storage. The entire facility will have concrete driveways and concrete parking spaces, all of which will drain to a detention pond.

2 - Three sides of the boat/RV parking buildings fronting Highway 129 will have facades constructed of brick wainscot, stucco above the brick, with regularly spaced faux shutters to resemble windows. The center building will have a cupola to reflect the rural setting. Any painted surfaces will be earth tones. These buildings fronting Hwy 129, along with the landscaping, will screen the remaining facility from view from the street. No spill lighting will comply with regulations.

3 – The entryway to the facility will be gated with keypad access. The gate posts will be brick or stacked stone. The gate will be custom, black, vertical steel. The sign to the facility (approximately 32 sq ft) will be mounted on a brick or stone monument foundation with down lighting. Monitored security cameras will be in abundant use. Hours of access to the facility are proposed 5:00am til 11:00pm. Management will be primarily off site.

4 – Required buffers will be comprised of evergreen foliage shrubs and/or trees (tall hollies, cryptomeria, Leyland cypress, etc). A professionally installed landscape strip will extend the entire length of highway 129 frontage in front of the storage buildings. Interior buildings will have semicircular landscaped ends.

5 – Water will be supplied by Hall county. DOT has already been contacted to begin designing a commercial driveway with deceleration and turning lane off Hwy 129.

Zoning Considerations:

In 2006, the property was zoned Light Industrial. According to the notes of the zoning meeting, Mr Cottrell stated that “Light Industrial permitted use includes automotive repair garages, junk, yards, truck terminals, and adult establishments”. The rezoning application was unanimously approved with the *following condition* which affects Vineyard Property’s desired business plan: **Condition #4** – “The following uses are prohibited: auto repair garage, junk yard, storage yard (including *any outside storage* or manufacturing), truck terminal, or adult establishment”.

Vineyard Properties purchased the 8.97 Acres at 6580 Cleveland Highway with the understanding the property was already zoned for commercial business and would not require rezoning to construct a boat and RV storage facility. The business plan described above is in keeping with Light Industrial zoning and is almost in complete compliance with the specific Conditions established in 2006.

Vineyard Properties requests an **amendment** by the Planning Director concerning Condition #4 to allow outside storage, specifically, covered semi-enclosed parking spaces for boats and RVs. Said facility will be quality, attractive, and in keeping with all Hall County Gateway Corridor development standards.



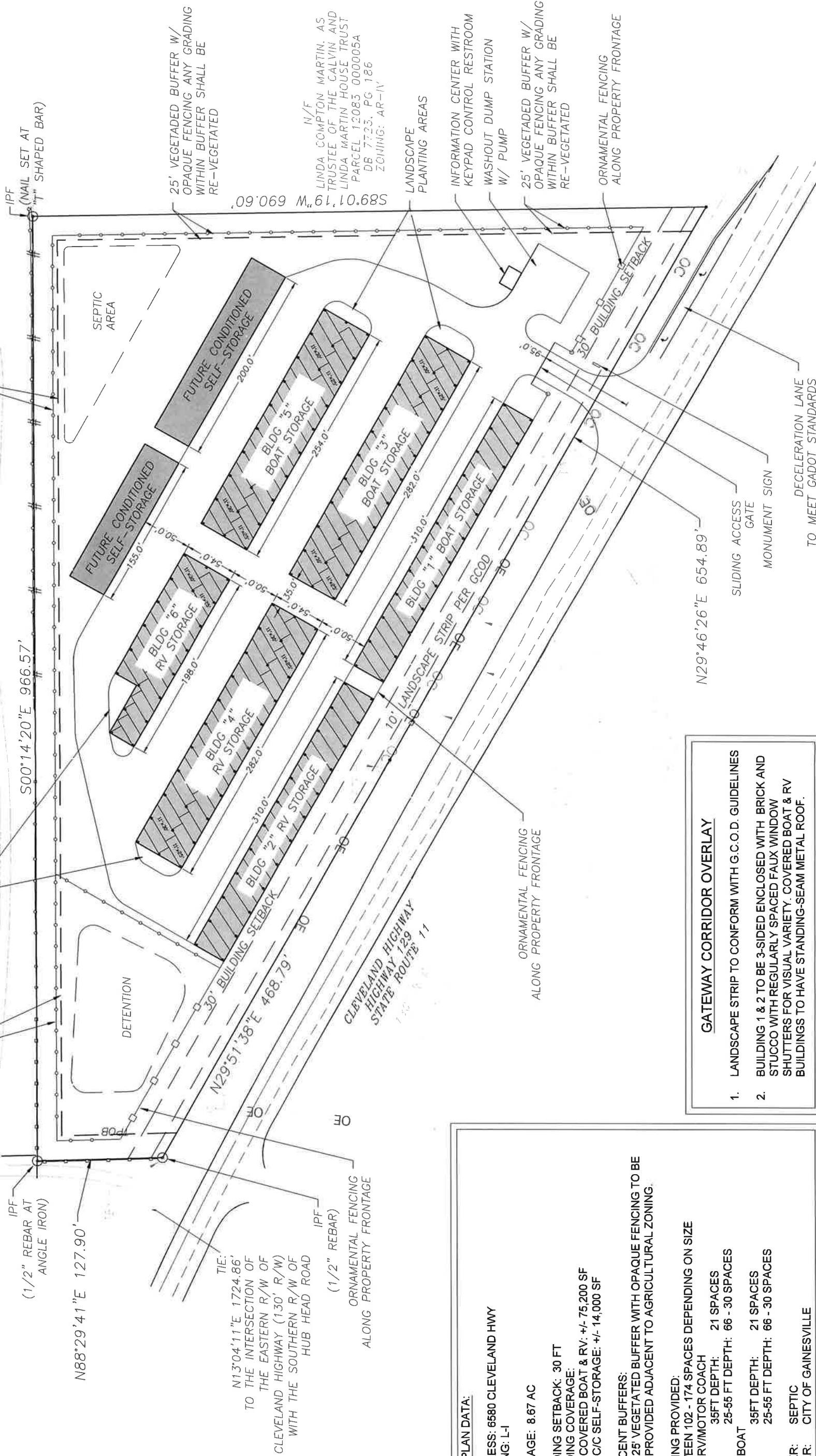
(the image above lacks the bricked and landscaped end caps, but it does show how boats and RVs can be stored side by side)



25' VEGETATED BUFFER W/ OPAQUE FENCING.
ANY GRADING WITHIN BUFFER SHALL BE RE-VEGETATED

N/F
CHAD WHITMIRE
PARCEL 12083 000015
DB 3118, PG 222
ZONING: PCFD

25' VEGETATED BUFFER W/ OPAQUE FENCING.
ANY GRADING WITHIN BUFFER SHALL BE RE-VEGETATED



SITE PLAN DATA:

ADDRESS: 6580 CLEVELAND HWY
ZONING: L-1

ACREAGE: 8.67 AC

BUILDING SETBACK: 30 FT
BUILDING COVERAGE:
COVERED BOAT & RV: +/- 75,200 SF
C/C SELF-STORAGE: +/- 14,000 SF

ADJACENT BUFFERS:
25' VEGETATED BUFFER WITH OPAQUE FENCING TO BE
PROVIDED ADJACENT TO AGRICULTURAL ZONING.

PARKING PROVIDED:
BETWEEN 102 - 174 SPACES DEPENDING ON SIZE
RV/MOTOR COACH
35FT DEPTH: 21 SPACES
25-55 FT DEPTH: 66 - 30 SPACES
BOAT
35FT DEPTH: 21 SPACES
25-55 FT DEPTH: 66 - 30 SPACES

SEWER: SEPTIC
WATER: CITY OF GAINESVILLE

GATEWAY CORRIDOR OVERLAY

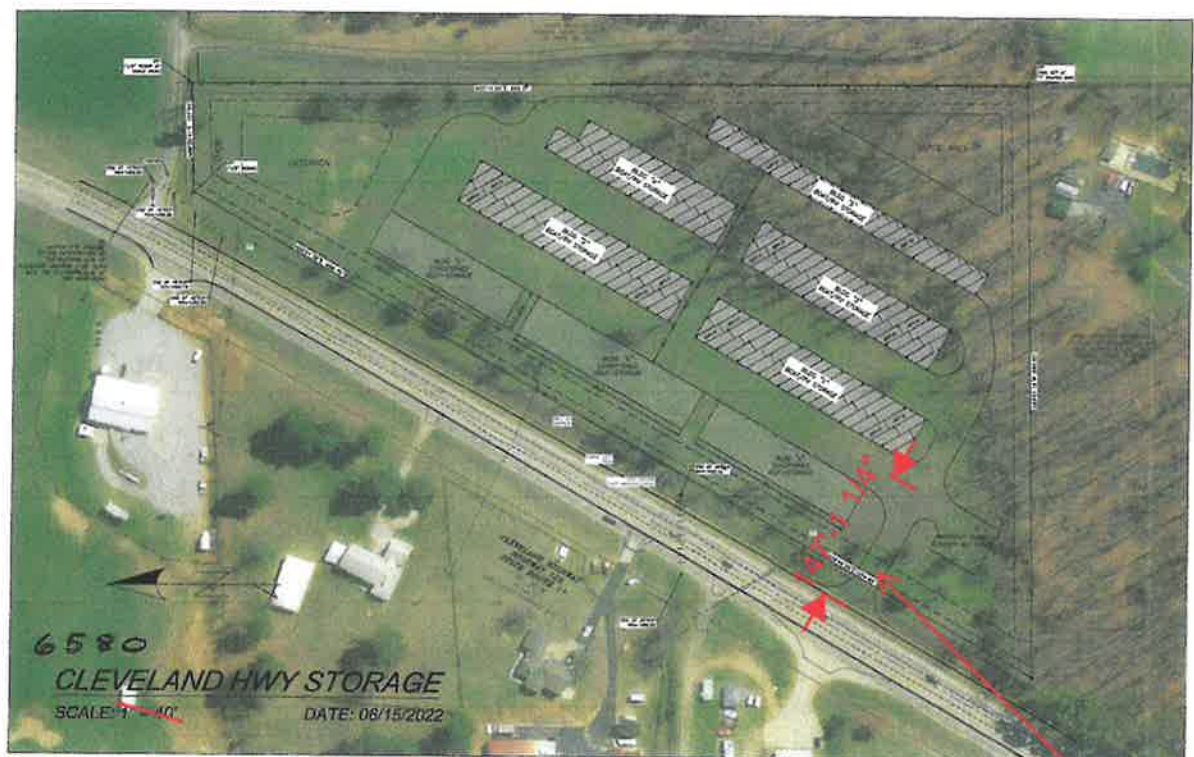
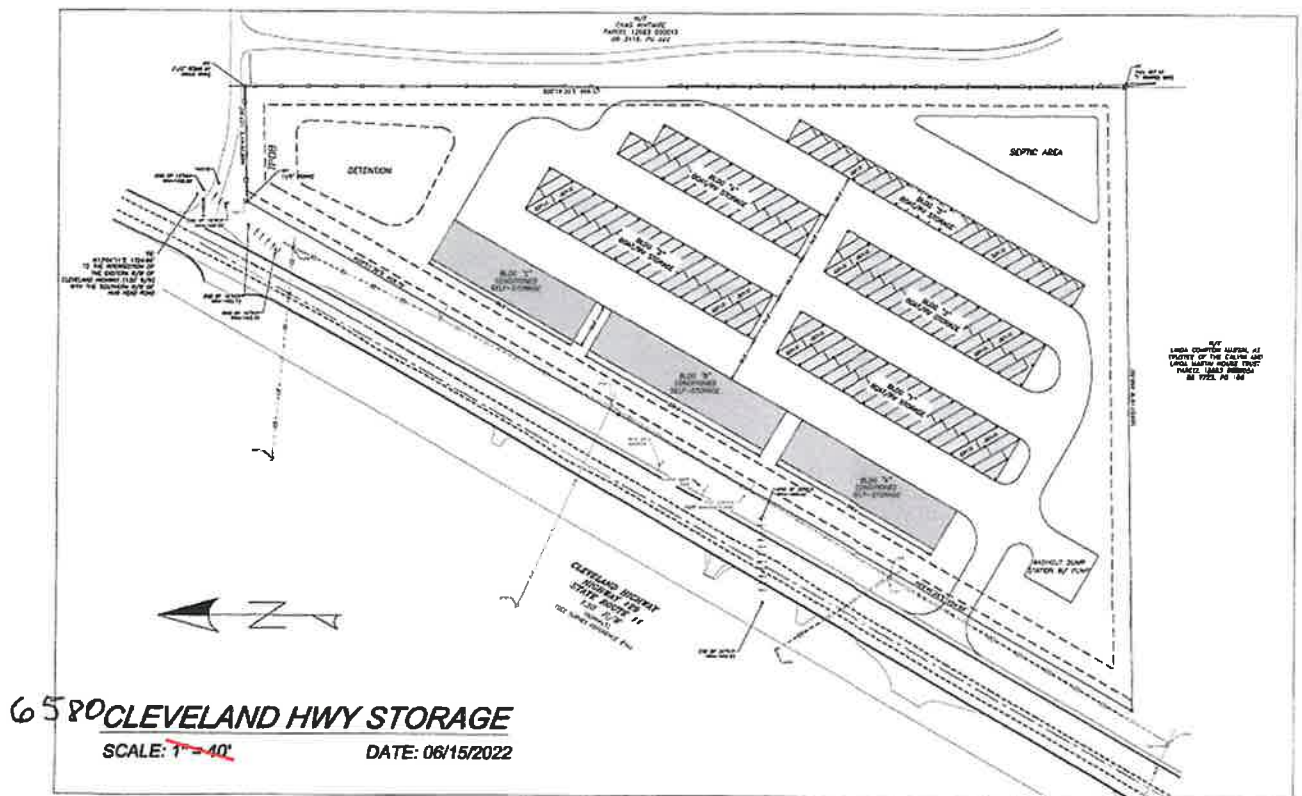
1. LANDSCAPE STRIP TO CONFORM WITH G.C.O.D. GUIDELINES
2. BUILDING 1 & 2 TO BE 3-SIDED ENCLOSED WITH BRICK AND STUCCO WITH REGULARLY SPACED FAUX WINDOW SHUTTERS FOR VISUAL VARIETY. COVERED BOAT & RV BUILDINGS TO HAVE STANDING-SEAM METAL ROOF.

CLEVELAND HWY STORAGE

SCALE: 1" = 100'

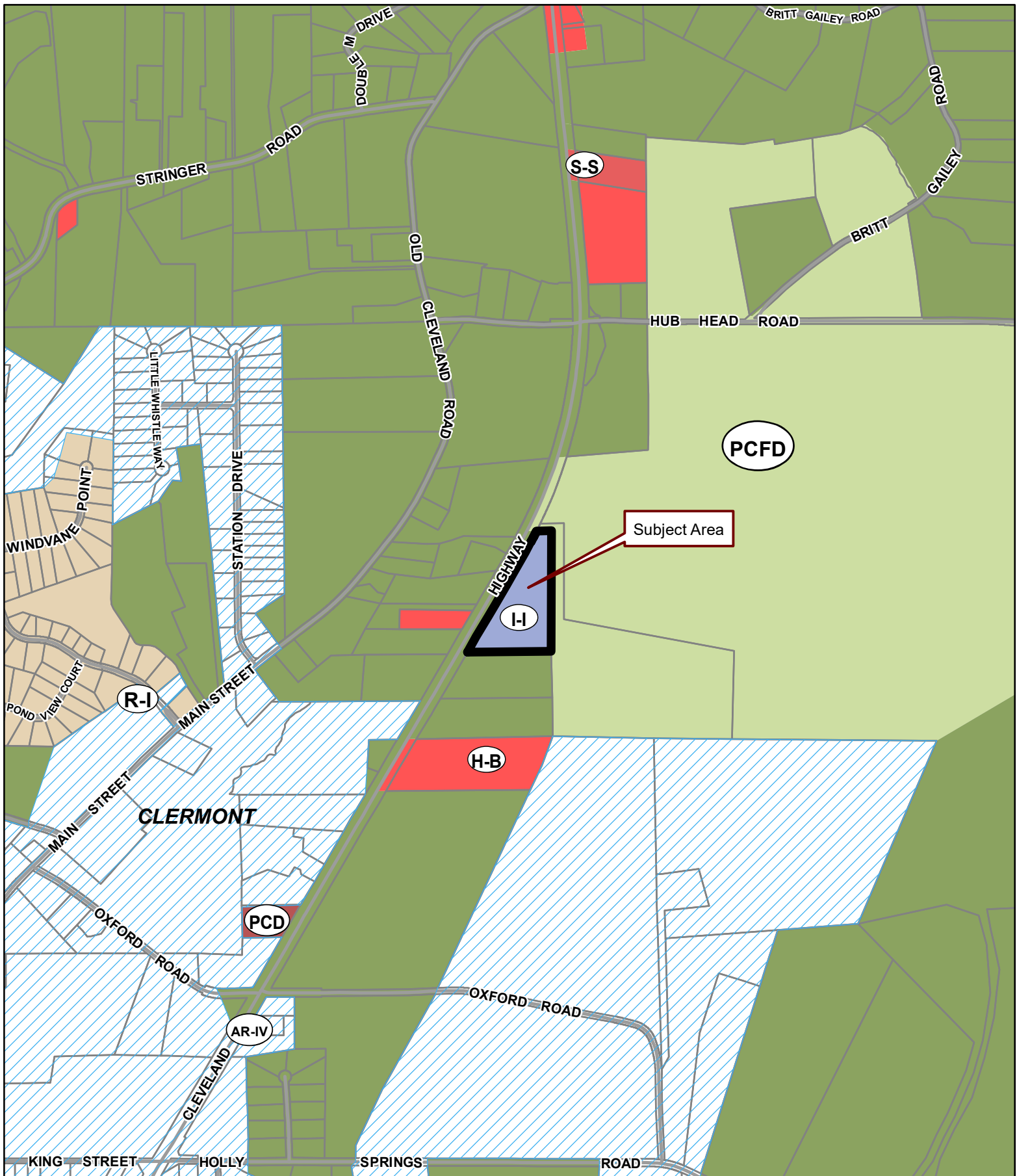
DATE: 09/09/2022





L/A: Unlikely	Other: At end of merge section
D/W Spacing: OK with Waiver	Comply with all requirements of the most recent version of GDOT's D/W and Encroachment Manual
First Internal Movement: OK if no gate	
D/W Alignment: Aligned across from Truitt Marine	
Median Break/Signal Spacing: N/A	
Intersection Sight Distance: Provide Certification	
D/W Width: 26' OK, 24' preferred design vehicle	
D/W Radii: 35' Standard, Consider 50' for angle of intersection: -90 OK	
Curb and Gutter: None	
Match Mainline Cross-slope, first 12' of D/W	
D/W Grade should not exceed 6.25%	
RTL: Required due to Merge Section	
LTL: Existing TWL	
Raised Islands: N/A	
Access Type: Full Access	

Gate Proposed? Where?
Recommend minimum 100' from edge of travel lane



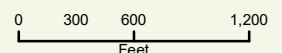
Applicant: DIANE SCHERMERHORN

Tax Parcel #: 12083 000003B

Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527

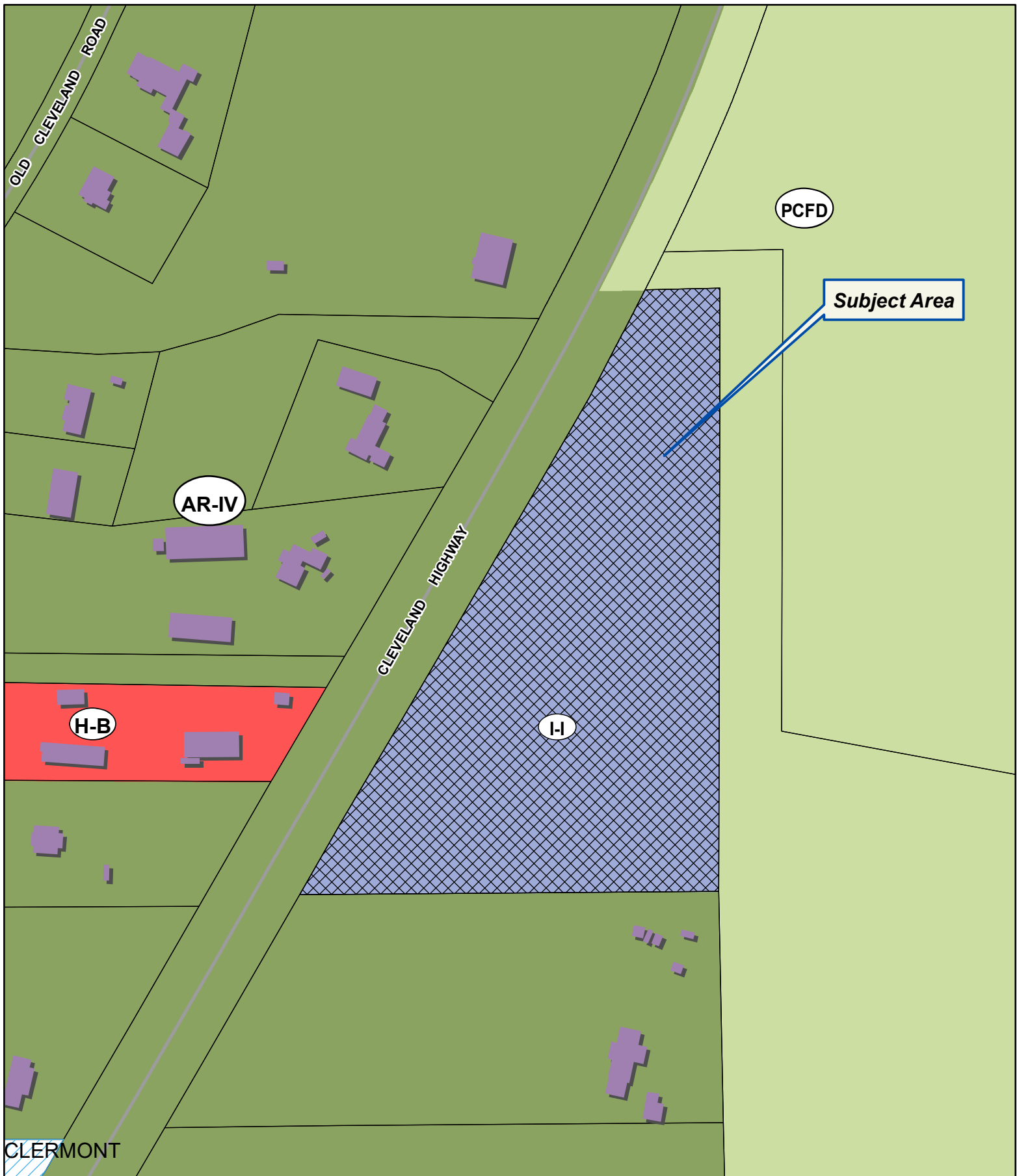
Commission District 3

PC Mtg. Date: 11/07/2022



- Zoning Boundary
- ▨ City Limits
- Subject Area
- Structure





Applicant: DIANE SCHERMERHORN

Tax Parcel #: 12083 000003B

Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527

Commission District 3

PC Mtg. Date: 11/07/2022

0 50 100 200
Feet

- Zoning Boundary
- ▨ City Limits
- ▨ Subject Area
- ▨ Structure





Applicant: DIANE SCHERMERHORN

Tax Parcel #: 12083 000003B

Location: 6580 CLEVELAND HIGHWAY, CLERMONT, GA 30527

Commission District 3

PC Mtg. Date: 11/07/2022

0 50 100 200
Feet

— Zoning Boundary
— City Limits
— Subject Area



Return Recorded Document to:
Angela Grant Clark
65-A Turner Road, P.O. Box 611
Dahlonega, GA 30533

FILED & RECORDED 06/29/2022 11:55 AM
DEED BOOK 9153 PAGES 359 - 361
FILING FEES: \$25.00
PT61: 069-2022-005708 TRANSFER TAX: \$450.00
RECORDED BY: JP
CLERK: Charles Baker, C.S.C. Hall County, GA

**LIMITED
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF HALL
22RE-477

FILE #:

THIS INDENTURE made this 24th day of June, 2022, between Wingo, Inc, of the State of Georgia, as party of the first part, hereinafter called Grantor, and Vineyard Property and Development, LLC, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

This Deed is given subject to all easements and restrictions of record.

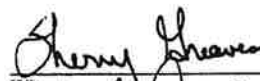
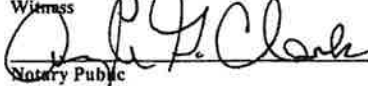
TO HAVE AND TO HOLD the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

WINGO, INC.


Witness

Notary Public
State of Georgia
My Commission Expires: August 5, 2023

By:  (SEAL)
Durwood F. Graham, III, CEO/CFO



EXHIBIT A

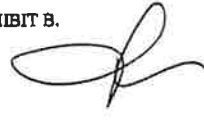
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 83, 12TH DISTRICT, HALL COUNTY, GEORGIA, AND BEING MORE FULLY DESCRIBED ON A PLAT PREPARED FOR FRANK C. STATON BY NEWTON-NEWTON & ASSOCIATES, GEORGIA REGISTERED LAND SURVEYOR, DATED MAY 26, 1962, SAID PROPERTY CONTAINS 8.82 ACRES AND IS DESCRIBED ACCORDING TO SAID PLAT AS FOLLOWS:

BEGINNING AT A STAKE ON THE SOUTH SIDE OF THE RIGHT OF WAY OF US HIGHWAY 129 WHERE SAID LAND CORNERS WITH LANDS NOW OR FORMERLY OWNED BY CALVIN P. MARTIN AND RUNNING ALONG SAID HIGHWAY RIGHT OF WAY, NORTH 30 DEGREES 27 MINUTES EAST 655 FEET TO A POINT; THENCE NORTH 29 DEGREES 38 MINUTES EAST 439 FEET TO A STAKE CORNER ON BOYD ROAD; THENCE ALONG BOYD ROAD, NORTH 83 DEGREES 00 MINUTES EAST 128 FEET TO A STAKE CORNER ON THE BOB R. WHITMIRE PROPERTY LINE; THENCE SOUTH 01 DEGREE 21 MINUTES EAST 947 FEET TO A STAKE CORNER; THENCE SOUTH 88 DEGREES 39 MINUTES WEST 695 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY RIGHT OF WAY DEEDS OR OTHER EASEMENTS OF RECORD.

ALSO SHOWN ON PLAT OF SURVEY ATTACHED HERETO AS EXHIBIT B.

22RE-477

A handwritten signature in dark ink, consisting of a large, stylized 'R' followed by a horizontal line and a small upward stroke.

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [**4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [**6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [**6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [**4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.**](#)



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org





ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DIANE SCHERMERHORN**

REQUEST: **AMEND EXISTING CONDITIONS FOR SELF STORAGE & PORTABLE STORAGE**

DATE: 11-17-2022

TIME: 15:55 PM

FOR MORE INFORMATION CALL: (706) 531-5800

AND

DATE: 12-08-2022

TIME: 06:00 PM

COUNTY COMMISSIONER

ALL APPLICANTS MUST BE PRESENT FOR THE HEARING



0 N





AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 638/2022

SUBJECT: 3461 Thompson Bridge Road | Rezone | from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The development shall conform with the proposed narrative and site plan, and the following conditions. 2. The development shall be consistent with the standards of Gateway Corridors Overlay District (GCOD, 17.420), of the Official Code of Hall County with the exception of allowing gravel parking noted on the site plan. 3. The current driveway access on Tommy Aaron Road shall be closed and there shall be no future access to Tommy Aaron Road from any part of the subject property. The applicant shall block the driveway onto Tommy Aaron Road by means of placing a fence that meets Gateway Corridor Standards or by utilizing a landscape buffer to block the road. This condition shall be added to the site plan before the application is heard by the Hall County Board of Commissioners. 4. Interparcel access between the subject property and 3461 Thompson Bridge Road shall be required, per Gateway Corridors Overlay District (GCOD, 17.420). The use of the existing gravel interparcel access road from 3461 Thompson Bridge Road shall be the only access approved to the subject property. 5. No outdoor storage is allowed. 6. No additional signage shall be allowed along Tommy Aaron Drive or Thompson Bridge Road. 7. The subject property is restricted to office use only all other inherent uses that may be permitted by right are not allowed. 8. The applicant shall have an easement recorded for interparcel access. 9. Any future improvements to the subject property must be brought to the Hall County Planning Commission and approved by the Board of Commission. 10. All company vehicles must be parked on 3461 Thompson Bridge Road.

Purpose of Request:

History:

3461 Thompson Bridge Road | Rezone | from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | Commission District 2 | Michael James Remodeling, applicant.

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
 Recommendation Report
 Application
 11-28 Updated Narrative
 Updated Narrative
 Original Narrative
 11-28 Updated Site Plan
 Updated Site Plan
 Original Site Plan
 Maps
 Renderings
 Environmental Health Comments
 GDOT Comments
 Public Works Comments
 Fire Comments
 Public Comments
 Notice sign Photos
 Public Comment - Stacy Reece



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **3461 Thompson Bridge Road | Rezone** | from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract to allow office space | Michael James Remodeling, applicant.

The request before you is the application of Michael James Remodeling to rezone approximately 6.85 acres to allow expansion of his business by utilizing an existing structure as an office. The item is located within Commission District 2.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with ten (10) conditions **(3-2, Bell & Pilcher opposed)**.

There were twenty-four (24) written comments in opposition submitted in advance of the Planning Commission meeting and six (6) people spoke in opposition during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The development shall conform with the proposed narrative and site plan, and the following conditions.
2. The development shall be consistent with the standards of Gateway Corridors Overlay District (GCOD, [17.420](#)), of the Official Code of Hall County with the exception of allowing gravel parking noted on the site plan.
3. The current driveway access on Tommy Aaron Road shall be closed and there shall be no future access onto Tommy Aaron from any part of the subject property. The applicant shall block the driveway onto Tommy Aaron Road by means of placing a fence that meets Gateway Corridor Standards across the driveway or the applicant can install a landscape strip to prevent access to Tommy Aaron Dr. This condition shall be

added to the site plan before the application is heard by the Hall County Board of Commissioners.

4. Interparcel access between the subject property and 3461 Thompson Bridge Road shall be required, per Gateway Corridors Overlay District (GCOD, [17.420](#)). The use of the existing gravel interparcel access road from 3461 Thompson Bridge Road shall be the only access approved to the subject property.
5. No outdoor storage is allowed.
6. No additional signage shall be allowed along Tommy Aaron Drive or Thompson Bridge Road.
7. The subject property is restricted to office use only all other inherent uses that may be permitted by right are not allowed.
8. The applicant shall have an easement recorded for interparcel access.
9. Any future improvements to the subject property must be brought to the Hall County Planning Commission and approved by the Board of Commission.
10. All company vehicles must be parked on 3461 Thompson Bridge Road.

Staff recommended approval to the Planning Commission **with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#) and is consistent with the previous approval at 3473 Thomson Bridge Rd in 2020.**

For your Consideration

These items support approval

1. The proposed zoning classification of Office Institutional (O-I, 17.130) is suitable in view of the use and development of adjacent and nearby property.
2. The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The property abuts a divided 5-lane state route (Hwy 60), and the nearest residential structure from the proposed office building is located at 3473 Mill Creek Rd.
3. The proposed zoning classification of Office Institutional (O-I, [17.130](#)) is suitable in view of the use and development of adjacent and nearby property, one of which is also zoned O-I.
4. The proposal meets the purpose of the O-I district. "The purpose of the Office and Institutional District (O-I, [17.130.010.A](#)) is to establish and maintain areas which are generally in corridors along major limited access highways and which are adjacent to residentially zoned or residentially developed areas and which are so situated as to lend themselves to land uses and activities which may generate traffic and which may particularly benefit from proximity, accessibility or visibility from a major limited access highway but which are the least incompatible of non-residential uses with adjacent residentially zoned or developed areas. To this end development is limited to light business and institutional uses and certain residential types and public facilities. The restrictions set forth herein are designed to protect the district and adjacent or surrounding residential areas, to present an appearance of openness and uncluttered, orderly development and to establish such standards for intensity of use and character of development as are compatible with the purpose of the district."

These items support denial

1. Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The property contains a single-family residential structure which could continue to be used as such under the existing zoning designation.
2. The subject parcel has reasonable economic use as currently zoned. The property is developed with a single-family residence and can continue to be utilized as such.
3. There is no evidence that the present zoning district boundaries are illogically drawn.
4. There are other sites in the county that would permit such a use and already appropriately zoned. The applicant is requesting this zoning change so he may expand his existing business which is located on the adjacent parcel.
5. There is no evidence indicating a mistake was made in the original zoning of the property.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Michael James Remodeling

Request Rezone from Residential I (R-I) to Office
Institutional (O-I)

Proposed Use Office

Size 6.85± acres

Zoning Current Residential I (R-I) | Proposed Office
Institutional (O-I)

Location **3461 Thompson Bridge Road** | Tax Parcel 10114
000039A.

Commission District Two

Planning Commission Date November 7, 2022

Staff Recommendation **Approval with conditions based on the findings
that this request is consistent with the
Comprehensive Plan and that it meets the
criteria outlined in [17.380.060](#) and is consistent
with the previous approval at 3473 Thomson
Bridge Rd in 2020.**

Planning Commission Recommendation.....Approval, with conditions

Vote: 3-2 (Bell & Pilcher opposed)

1. The development shall conform with the proposed narrative and site plan, and the following conditions.
2. The development shall be consistent with the standards of Gateway Corridors Overlay District (GCOD, [17.420](#)), of the Official Code of Hall County with the exception of allowing gravel parking noted on the site plan.
3. The current driveway access on Tommy Aaron Road shall be closed and there shall be no future access onto Tommy Aaron from any part of the subject property. The applicant shall block the driveway onto Tommy Aaron Road by means of placing a fence that meets Gateway Corridor Standards across the driveway or the applicant can install a landscape strip to prevent access to Tommy Aaron Dr. This condition shall be added to the site plan before the application is heard by the Hall County Board of Commissioners.

4. Interparcel access between the subject property and 3461 Thompson Bridge Road shall be required, per Gateway Corridors Overlay District (GCOD, [17.420](#)). The use of the existing gravel interparcel access road from 3461 Thompson Bridge Road shall be the only access approved to the subject property.
5. No outdoor storage is allowed.
6. No additional signage shall be allowed along Tommy Aaron Drive or Thompson Bridge Road.
7. The subject property is restricted to office use only all other inherent uses that may be permitted by right are not allowed.
8. The applicant shall have an easement recorded for interparcel access.
9. Any future improvements to the subject property must be brought to the Hall County Planning Commission and approved by the Board of Commission.
10. All company vehicles must be parked on 3461 Thompson Bridge Road.

Public Forum:

Stacey Reece, 761 Chattahoochee Place, Gainesville, spoke in opposition. Concerns were acreage size, buffers, storage, signage location, and road safety.

Michael Casper, 3570 Greystone Road, Gainesville, spoke in opposition. Concerns were acreage size, uses, and property value.

Larry Long, 679 Tommy Aaron Drive, Gainesville, spoke in opposition. Concerns were acreage size, zoning inconsistency, entryway, signage, and parking.

Larry Pritchett, 3473 Mill Creek Road, Gainesville, spoke in opposition. Concerns were uses and no communication with surrounding property owners.

Ken Johnston, 712 Chattahoochee Place, Gainesville, spoke in opposition. Concerns were uses, site plan, and signage.

Jack Carey, 3530 Greystone Road, Gainesville, spoke in opposition. Concerns were use and surrounding home values.

Summary Analysis

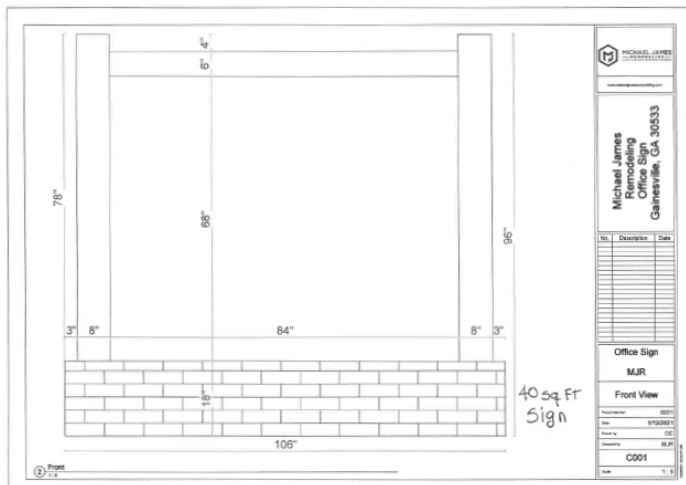
The applicant is requesting to rezone 6.85± acre tract currently zoned Residential I (R-I, [17.60](#)) to Office Institutional (O-I, [17.130](#)) for the purpose of utilizing the existing residence as office space for a remodeling business. The narrative states that the business will continue to utilize their current office space, 3473 Thompsons Bridge Road, which adjoins the property to the north. The proposed rezoning will accommodate

an expansion of the business. The residence has been remodeled and the applicant intends to finish the existing carport and use it as a second suite on the property.

The applicant's narrative states that the proposed operating hours will be Monday – Friday between 8:00am and 6:00pm. The space will be used by the business's project management and architectural design teams, 6 individuals, with potentially more staff/teams being added in the future.

The narrative continues that to accommodate the parking needs, the applicant intends to add additional parking on the right side of the existing home, in addition to using the existing parking. **However, the site plan dated September 12, 2022 depicts all parking as existing. The Commission should seek clarity on this from the applicant at the hearing. Some parking is shown as existing gravel which would require a variance in the parking standards for the GCOD (17.420.050.E.3).**

The applicant submitted two diagrams of a proposed signage. One appears to have a brick base, overall height of 8FT and a sign panel area of 40SF. The other diagram does not have dimensions but depicts a freestanding sign made of wood or resin. The latter is similar to the two existing signs on the adjacent tract. The original application indicated that the applicant wished to place signs fronting both Tommy Aaron Dr. and Thompson Bridge Rd. The location and materials of the signage should be addressed during the hearing. The property is located within the GCOD which has design standards for signage (17.420.060). **Based on the definition of a sign, pole (17.420.080) a variance in the standards of 17.420.060.2 will be required before a permit could be issued for the freestanding sign depicted in the diagram.**



Various outbuildings were also identified to be used for storage of equipment and materials. It is unknown if those structures are existing or proposed. **This should be clarified during the hearing.**

No variances from the Official Code of Hall County were included as part of this request; **however, several are possibly necessary, depending upon applicant's responses at hearing:**

- Variance in GCOD parking area material to allow gravel.
- Variance in GCOD sign requirements to allow the freestanding sign instead of a monument sign.

If the Planning Commission wishes to grant these variances, the motion and conditions of approval shall need to specifically address them.

Based on the future land-use plan, staff finds the requested zoning designation is inconsistent with the future land use map designation though the adjacent property to the north was rezoned to Office Institutional (O-I, [17.130](#)) in 2020.

Zoning Analysis

Based on the future land-use plan, staff finds the requested zoning designation is inconsistent with the future land use map designation though the adjacent property to the north was rezoned to Office Institutional (O-I, [17.130](#)) in 2020.

When considering a zoning amendment to the zoning maps, the following items must be considered:

- 1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; The proposed zoning classification of Office Institutional (O-I, [17.130](#)) is suitable in view of the use and development of adjacent and nearby property.**
- 2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The property abuts a divided 5-lane state route (Hwy 60), and the nearest residential structure from the proposed office building is located at [3473 Mill Creek Rd](#).**
- 3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned; The subject parcel has reasonable economic use as currently zoned. The property is developed with a single-family residence and can continue to be utilized as such.**
- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. There are uses permitted by right within the O-I district that would be more intense than the proposed office, also, a permitted use ([17.130.020](#)); however, the property fronts a 5-lane divided state route.**
- 5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; The requested zoning designation is inconsistent with the future land use map designation, though the adjacent property to the north was rezoned to Office Institutional (O-I, [17.130](#)) in 2020. Property located at the northeast intersection of Thompson Bridge Rd and Ledan Rd. has a designation of PCD but is currently vacant.**
- 6. The extent to which property values are diminished by the existing zoning restrictions; Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
- 7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; Staff has not identified that the existing property values have been impacted by the existing zoning.**

8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The property contains a single-family residential structure which could continue to be used as such under the existing zoning designation.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **This criteria is not applicable to the application since subject property is currently developed with a single-family residence. While it is unknown if the residence is occupied, there is nothing regulatory preventing it from being utilized in this manner.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning classification of Office Institutional (O-I, [17.130](#)) is suitable in view of the use and development of adjacent and nearby property, one of which is also zoned O-I.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed use, an office space and parking area for the applicant's remodeling business, is proposed next to an Office Institutional (O-I, [17.130](#)) approved for rezoning in 2020. The applicant is proposing to use the existing structure, so the current proposal is aesthetically compatible with nearby uses.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other sites in the county that would permit such a use and already appropriately zoned. The applicant is requesting this zoning change so he may expand his existing business which is located on the adjacent parcel.**
15. Whether the need for rezoning could be handled instead by a variance request to the {Planning Commission}; **This request could not be handled instead by a variance request to the Planning Commission. The proposed use is not allowed within the current zoning district.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no evidence indicating a mistake was made in the original zoning of the property.**
- The purpose of the Office and Institutional District (O-I, [17.130.010.A](#)) is to establish and maintain areas which are generally in corridors along major limited access highways and which are adjacent to residentially zoned or residentially developed areas and which are so situated as to lend themselves to land uses and activities which may generate traffic and which may particularly benefit from proximity,

accessibility or visibility from a major limited access highway but which are the least incompatible of non-residential uses with adjacent residentially zoned or developed areas. To this end development is limited to light business and institutional uses and certain residential types and public facilities. The restrictions set forth herein are designed to protect the district and adjacent or surrounding residential areas, to present an appearance of openness and uncluttered, orderly development and to establish such standards for intensity of use and character of development as are compatible with the purpose of the district. The regulations for the O-I district are found in chapter [17.130](#).

- **[17.380.050](#). - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section [17.380.060.C](#) of this section [chapter]. **The applicant has submitted a narrative but did not specifically address the criteria listed in [17.380.060.C](#).**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The site plan dated September 12, 2022 is 11N=50FT. it does not show the zoning designations of adjacent properties but shows the existing structures and parking on the property.**
 3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This criteria is not applicable because this project does not propose a slow rate land treatment system.**
 4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This criteria is not applicable since the proposed rezoning is for a commercial use.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states “An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.”

Hall County Fire Rescue

In an email dated July 13, 2022, Lieutenant John Hornick, with Hall County Fire Rescue, stated that there were no preliminary comments for this request.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek.

Traffic:

Driveway may need to be upgraded to accommodate two-way traffic.

Utilities:

City of Gainesville sewer.

Georgia Department of Transportation

In an email dated July 13, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, stated that this project would require GDOT coordination.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Michael James, 450 W Main St, Dahlonega, presented the request. The applicant stated that this site would be used for the production management team.

Rebuttal

The applicant stated that the lots were purchased as is with no option of less or more acreage. The applicant stated he does have materials stored on the property and with time he would like to update the storage.

Planning Commission Comments:

Mr. Hunt questioned if the applicant will store materials outside of storage buildings. The applicant stated he will not. Mr. Braswell questioned if the properties would legally be under the same entity. The applicant stated they were. Mr. Hunt questioned if the applicant would be willing to install a fence along Tommy Aaron Road. The applicant stated he would. Mr. Hunt stated this would mean traffic will have to enter through the existing property. Ms. Pilcher questioned if this property was his only site of business where he parks equipment. The applicant stated that was correct. Mr. Braswell questioned if the applicant would be the only

tenant of the property. The applicant agreed. Mr. Braswell stated there would be restrictions on outside storage, trailers, and work trucks. Mr. Hunt clarified the restriction would only apply to this property, not his existing operating property.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2

Braswell – Aye

Hunt- Aye

Varner- Aye

Pilcher- Nay

Bell- Nay

Conditions:

1. *The development shall conform with the proposed narrative and site plan, and the following conditions.*
2. *The development shall be consistent with the standards of Gateway Corridors Overlay District (GCOD, [17.420](#)), of the Official Code of Hall County with the exception of allowing gravel parking noted on the site plan.*
3. *The current driveway access on Tommy Aaron Road shall be closed and there shall be no future access onto Tommy Aaron from any part of the subject property. The applicant shall block the driveway onto Tommy Aaron Road by means of placing a fence that meets Gateway Corridor Standards across the driveway. This condition shall be added to the site plan before the application is heard by the Hall County Board of Commissioners.*
4. *Interparcel access between the subject property and 3461 Thompson Bridge Road shall be required, per Gateway Corridors Overlay District (GCOD, [17.420](#)). The use of the existing gravel interparcel access road from 3461 Thompson Bridge Road shall be the only access approved to the subject property.*
5. *No outdoor storage is allowed.*
6. *No additional signage shall be allowed along Tommy Aaron Drive or Thompson Bridge Road.*
7. *The subject property is restricted to office use only all other inherent uses that may be permitted by right are not allowed.*
8. *The applicant shall have an easement recorded for interparcel access.*
9. *Any future improvements to the subject property must be brought to the Hall County Planning Commission and approved by the Board of Commission.*
10. *All company vehicles must be parked on 3461 Thompson Bridge Road.*

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902

RECEIVED

JUN 10 2022

Planning & Zoning Department



ZONING APPLICATION

Applicant (Name & Mailing Address)

Michael James Remodeling
3413 Thompson Bridge Road
Gainesville, Georgia 30506

Phone 770.599.2515

Email Address admin@michaeljamesremodeling.com

Proposed Use business office

Property Owner (Name & Mailing Address)

Michael G. James
450 W. Main Street
Dahlonega, Georgia 30533

Phone 678.858.0637

Email Address michael@michaeljamesremodeling.com

Contact Person (Name & Mailing Address)

Fate Cheramie
3413 Thompson Bridge Road
Gainesville, Georgia 30506

Phone 470.691.0998

Email Address fate@michaeljamesremodeling.com

Tax Parcel Number

Acreage 6.73 ±

Location Address 3413 Thompson Bridge Road, Gainesville, Georgia 30506

Status of Applicant

- ☒ Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action

Existing Zoning: R-1

Rezoned to: O-1

Fee: \$ 4550.00

Receipt #: 859010

Check #: 5176

I hereby certify that the above information and all attached information are true and correct.

Sign Date: 6/13/22

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: 6/13/22

Taken by: _____

Tentative Planning Commission Date: 8/1

Tentative County Commission Date: 9/8

County Commission District: 2

ZON 2022-00059

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Michael G. James
Address 450 W. Main Street
Dahlonega, Georgia 30533
Phone Number 678.858.0031

Name of applicant(s) Michael James Remodeling
Address 3413 Thompson Bridge Road
Gainesville, Georgia 30506
Phone Number 770.599.2575

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)
[Signature]

Personally appeared before me
Fate M. Cheramie



who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]
Notary Public

10/13/2022
Date

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: [Signature]

Date: 10/13/2022

Applicant's/Owner's Name (Printed): Michael A. James

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Fata M. Cheramie Date: 6/13/2022

Applicant's/Owner's Name (Printed): Fata M. Cheramie



MICHAEL JAMES
REMODELING
WHERE YOUR HOME TRANSFORMATION BEGINS



3473 Thompson Bridge Rd
Gainesville, GA 30506



www.michaeljamesremodeling.com



770-599-2575



admin@michaeljamesremodeling.com

November 22nd 2022

Hall County Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

Revised site plan

To whom it may concern:

The property on 3461 Thompson bridge road, Gainesville GA 30506 is a vacant home that we are in process of rezoning for commercial use (office use only)

There will be no changes to the current structure of the home.

There is going to be no access to the property from Tommy Aaron road and will be closed off by removing a section of the existing concrete and replacing it with grass or a fence that meets the Gateway Corridor Standards. The property will be accessed from the adjacent property of 3473 Thompson Bridge Road, Gainesville GA 30506.

There will be no outside storage of materials unless under cover or inside existing storage buildings and no additional signage along Tommy Aaron drive.

We are in the process of getting a recorded easement for interparcel access from Ledan Road. All company vehicles will be parked in designated parking areas.

All public notice signs will be removed within 5 working days following the Board of Commissioners final decision.

Sincerely,

Michael G. James
Owner



MICHAEL JAMES
— REMODELING —
WHERE YOUR HOME TRANSFORMATION BEGINS



3473 Thompson Bridge Rd
Gainesville, GA 30506



www.michaeljamesremodeling.com



770-599-2575



admin@michaeljamesremodeling.com

July 5, 2022

Hall County Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

To whom it may concern:

The property at 3461 Thompson Bridge Road, Gainesville, GA 30506 is a vacant home that we plan to use as an office space. There will be no changes to the current layout of the home; current bedrooms and living spaces will be used as offices for our team members. There are currently 3 paved parking spaces on the existing driveway. Two more spaces will be added at the rear of the house and five more on the other side of the gravel driveway.

There is no fence being proposed for this property. The plat indicates that there used to be a chain link fence around the home, but this fence no longer exists, and we do not plan to put one up. At this point in time, there is no plan to combine this property with the one we own next door. The property meets Gateway Corridor Overlay District Standards because we are not changing the footprint of the existing residence which will not affect the current buffer between the home and roadway, new signs will meet requirements as dictated by the GCOD, and all outdoor storage is at the rear of the home and away from street view.

Building permits were not required for the renovation of the home as we only updated the inside and did not change the layout. We are not renovating the residence to make it into an office, we are using the space as is. Potential business types to occupy the future carport conversion would be something like a real estate office, bookkeeper, accountant, or any other small business with 3 employees. Each bedroom in the residence will function as an office, and the living room and dining area will likely have one to two employees in each area as a central work area.

Sincerely,

Michael G. James

Owner



MICHAEL JAMES
REMODELING
WHERE YOUR HOME TRANSFORMATION BEGINS



3473 Thompson Bridge Rd
Gainesville, GA 30506



770-599-2575



www.michaeljamesremodeling.com



admin@michaeljamesremodeling.com

June 13, 2022

Hall County Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

To whom it may concern:

The property at 3461 Thompson Bridge Road, Gainesville, GA 30506 is currently a vacant home. It has been remodeled and is now ready to be used as additional office space for our project management and architectural design teams. We have six (6) team members that will use this space. We will continue utilizing our current office space at 3473 Thompson Bridge Road, Gainesville, GA 30506 for five (5) team members and client meetings. We anticipate utilizing this space to house our New Construction division when it is up and running and up to five (5) additional team members. We also intend to finish the existing carport and use it as an office space which we would lease out to another company.

Both offices will be utilized during regular business hours from 8:00 am to 6:00 pm Monday through Friday. We intend to create additional parking on the right side of the existing home while continuing to utilize our current parking area.

We would request signage on Thompson Bridge and on Tommy Aaron Drive. We would like each sign to be large enough to accommodate our sign in addition to the sign for the business that will be renting the converted carport space. Each sign would also be up-lit by landscape lighting in accordance with Hall County code.

Sincerely,

Michael G. James
Owner

Tommy Aaron Drive

Storage Buildings for materials
and equipment

Grand Driveway

Thompson Bridge Rd



Garport

Bd

Bath

Bd

Bath

Bd

Laundry

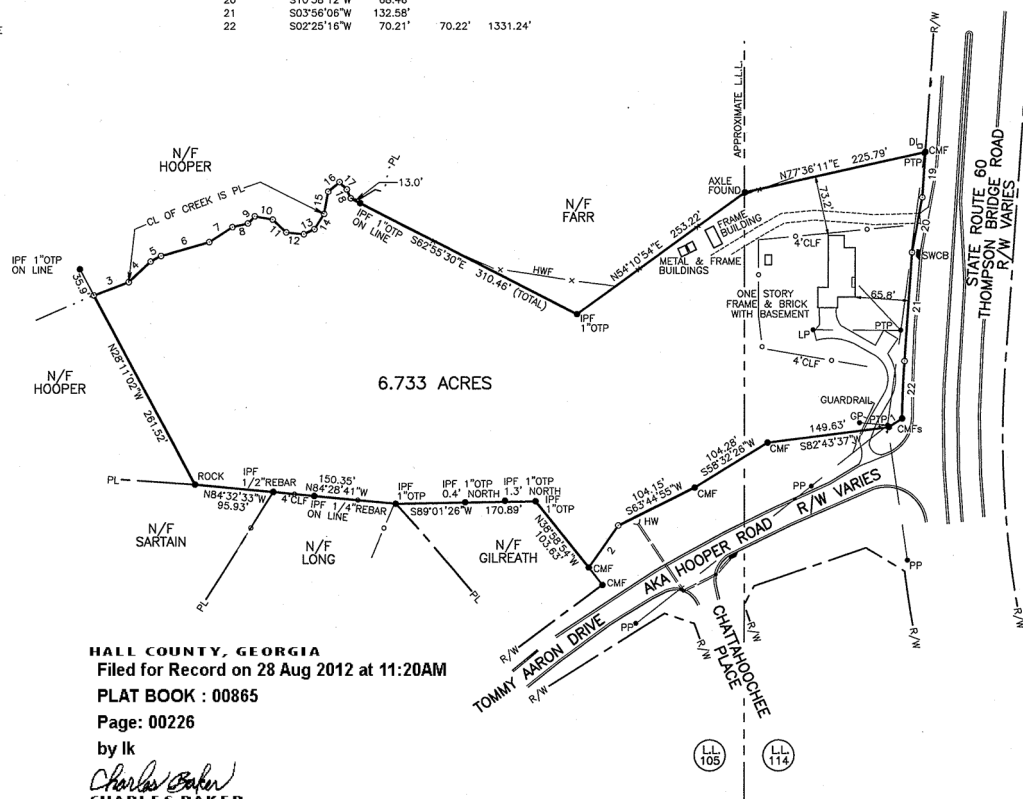
Kitchen

Living Room

Dining

Porch

LINE/CURVE#	CHORD BEARING	CHORD	ARC	RADIUS
1	S57°07'33"W	19.12'		
2	S35°10'31"W	62.34'		
3	N69°18'57"E	45.62'		
4	N48°55'08"E	36.38'		
5	N61°50'33"E	14.55'		
6	N74°05'16"E	61.22'		
7	N57°02'22"E	33.70'		
8	N76°43'08"E	19.32'		
9	N44°03'38"E	12.16'		
10	S79°41'48"E	22.25'		
11	S46°34'20"E	22.75'		
12	S84°05'28"E	21.62'		
13	N64°52'17"E	14.29'		
14	N31°56'19"E	22.06'		
15	N10°39'35"E	27.57'		
16	N50°30'53"E	17.96'		
17	S45°37'50"E	12.37'		
18	S24°05'13"E	11.83'		
19	S30°56'06"W	54.93'		
20	S10°30'42"W	68.46'		
21	S30°56'06"W	132.58'		
22	S02°25'16"W	70.21'	70.22'	1331.24'



Charles Baker
CHARLES BAKER
CLERK SUPERIOR COURT

BY Angie Stuber 8/24/12
HALL COUNTY PLANNING COMMISSION

NOTE: THIS PROPERTY IS NOT LOCATED IN
A FLOOD HAZARD AREA AS PER F.E.M.A.
FLOOD INSURANCE RATE MAP FOR THE
COUNTY OF HALL
STATE OF GEORGIA
COMMUNITY PANEL NO. 130466 0060 C
EFFECTIVE DATE: _____
REVISION DATE: APRIL 17, 1995

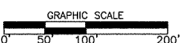
THIS PLAT IS FOR THE EXCLUSIVE USE OF
MINNIE LEE HOOPER
ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

JOB# G199048.01A.00-3075

SHEET 1	OF 1
-------------------	----------------

DATE: 12/03/99
SCALE: 1" = 100'
FILE NO. S-002650
DRAWN BY CLS

THIS PLAT IS NOT VALID UNLESS
IT BEARS THE ORIGINAL SIGNATURE
IN INK, OF THE REGISTRANT
ACROSS THE REGISTRANT'S SEAL.

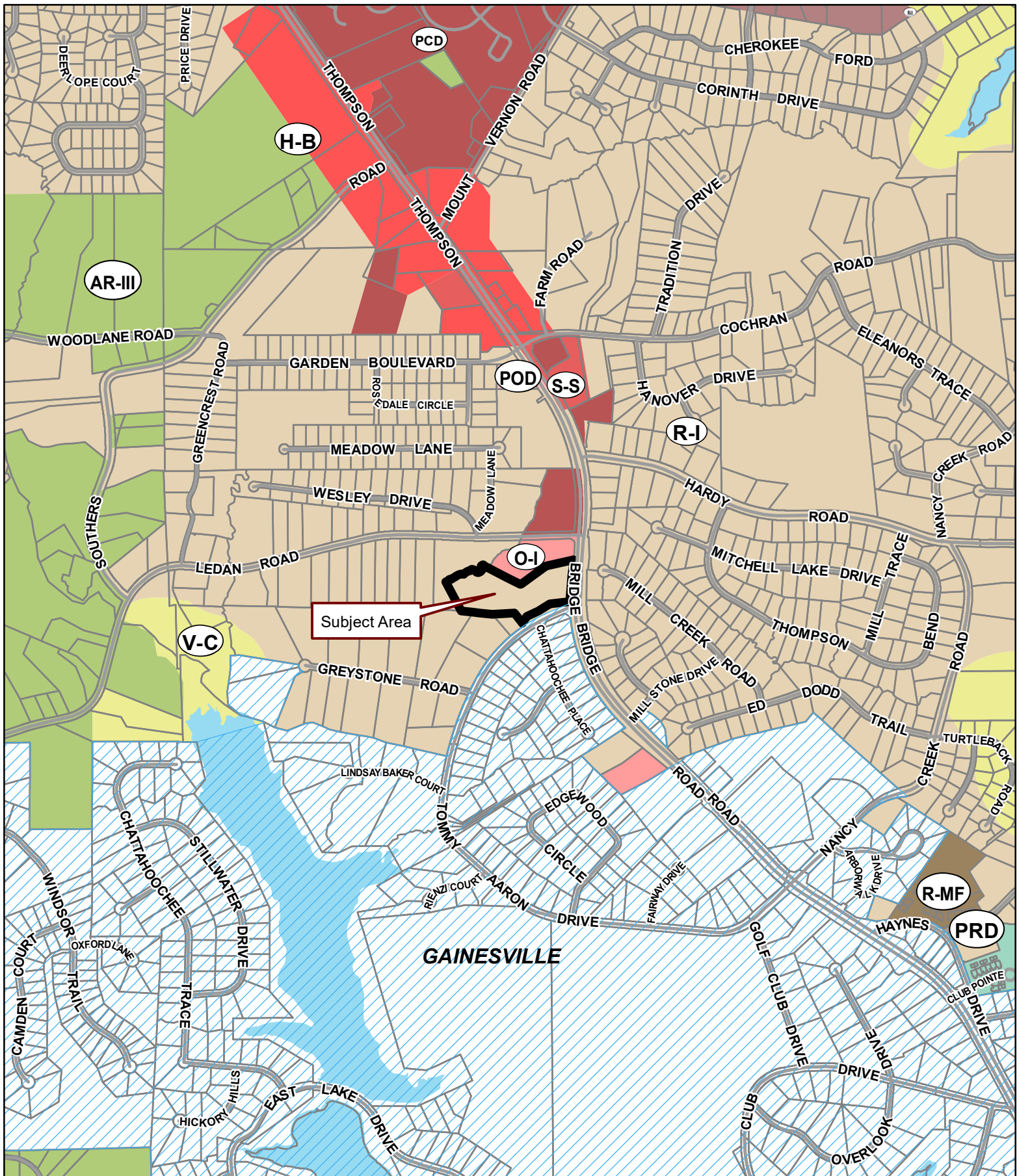


NO.	DATE	DESCRIPTION
REVISIONS		

SURVEY FOR
MINNIE LEE HOOPER

LOCATED IN
LAND LOTS 105 & 114 10th DISTRICT
HALL COUNTY, GEORGIA





Applicant: MICHAEL JAMES REMODELING

Tax Parcel #: 10114 000039A

Location: 3461 THOMPSON BRIDGE ROAD, GAINESVILLE, GA 30506

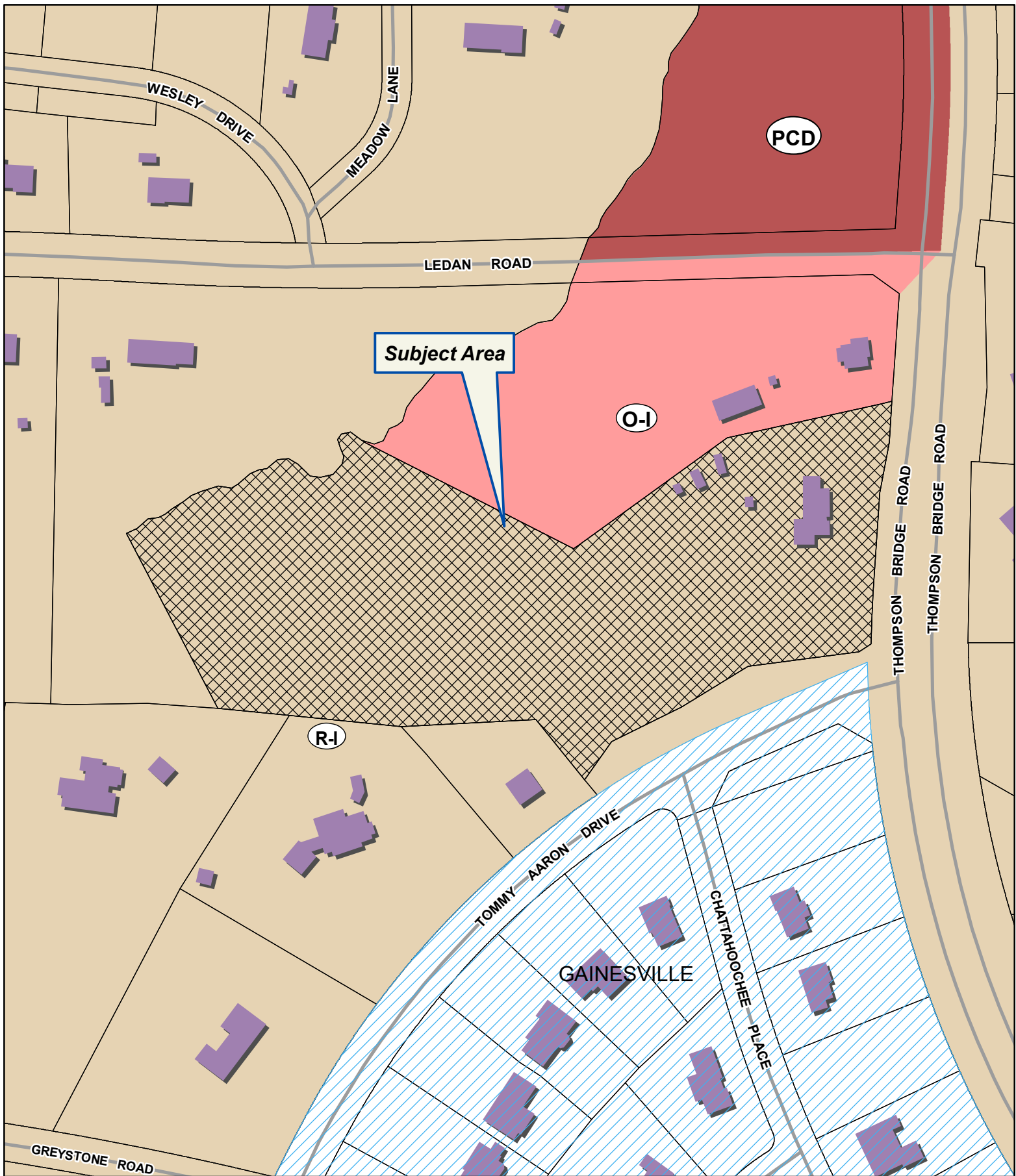
Commission District 2

PC Mtg. Date: 08/01/2022

0 300 600 1,200
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





Applicant: MICHAEL JAMES REMODELING

Tax Parcel #: 10114 000039A

Location: 3461 THOMPSON BRIDGE ROAD, GAINESVILLE, GA 30506

Commission District 2

PC Mtg. Date: 08/01/2022

0 50 100 200
Feet

- Zoning Boundary
- ▨ City Limits
- ▨ Subject Area
- Structure





Applicant: MICHAEL JAMES REMODELING

Tax Parcel #: 10114 000039A

Location: 3461 THOMPSON BRIDGE ROAD, GAINESVILLE, GA 30506

Commission District 2

PC Mtg. Date: 08/01/2022

0 50 100 200
Feet

— Zoning Boundary

City Limits

Subject Area



MICHAEL JAMES
— REMODELING —

www.michaeljamesremodeling.com

Michael James
Remodeling
Office Sign
Gainesville, GA 30533

[illegible]

Office Sign

MJR

Render 3D

Project number	0001
----------------	------

0001

Date: 1/12/2021

11/12/2021

Drawn by _____ OC

80

Checked by MJR

MJR

B002

B002

Scale

1

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Friday, August 12, 2022 3:11 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 9.6.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3667 Roy Parks Road, Shadburn: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and comments have been provided to the owner.

Items 3 and 4, 1050 McEver Road, Dhavel Patel: No comment.

Item 5, 3746.3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 6, 2562, 2564, 2592, 2596 Athens Hwy, Rochester: No comment.

Item 7, 3824, 3830, 3842, 0 Price Road: No comment. Public sewer.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Wednesday, July 13, 2022 5:20 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Peevy, Jonathan; Chavers, Veronica E
Subject: RE: Tentative Planning Agenda for August 1, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see responses in **red** below

Parker Niebauer

DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, July 7, 2022 10:26 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevey@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswafford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for August 1, 2022

Good morning-

Here is the Tentative Agenda and Maps for the Monday, August 1st, 2022 Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by Thursday, July 14th. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

Thank you!

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – July 18, 2022

NEW BUSINESS

1. [Application of Cook Communities for a Use Subject to County Commission approval on a 20.74± acre tract located on the south side of Hardy Road at its intersection with Nancy Creek Road; a.k.a. 3710, 3780, 3786 Hardy Road and 3416, 3428 Nancy Creek Road; Zoned R-I & V-C; Tax Parcels 10121 000015, 000015A, 000015B, 000071, 000071A. Proposed use: twenty \(20\) lot subdivision. ** Commission District 2.](#)
None
2. [Application of STORsquare Atlanta, LLC for a Use Subject to County Commission approval on a 2.96± acre tract located at its intersection with Technology Parkway and Winder Highway; a.k.a. 5407 Technology Parkway & 5472 Winder Highway; Zoned I-II; Tax Parcel 15028F000025 & 000026. Proposed use: outdoor storage. ** Commission District 1.](#)
GDOT Coordination Required. Ensure design vehicle and truck/trailer can stage between Technology Parkway and gate. Recommend shifting drive south to minimize potential for queueing into SR 53. Any work in GDOT R/W will require a GDOT permit.
3. [Application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. ** Commission District 2.](#)
GDOT Coordination Required
4. [Application of K5 Partners, LLC to rezone from Agricultural Residential-IV \(AR-IV\) & Heavy Industrial \(I-II\) to Planned Industrial District \(PID\) on a 119± acre tract located on the north side of Okelly Road at its terminus; a.k.a. 2400 Okelly Road; Zoned AR-IV & I-II; Tax Parcel 15024 000003A \(pt.\). Proposed use: vehicle salvage operations. ** Commission District 3.](#)
None

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, September 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, September 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk

Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: July 14, 2022
Subject: August 1, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the July 18, 2022 meeting. Upon review, we provide the following comments:

1. Application of Cook Communities for a Use Subject to County Commission approval on a 20.74± acre tract located on the south side of Hardy Road at its intersection with Nancy Creek Road; a.k.a. 3710, 3780, 3786 Hardy Road and 3416, 3428 Nancy Creek Road; Zoned R-I & V-C; Tax Parcels 10121 000015, 000015A, 000015B, 000071, 000071A. Proposed use: twenty (20) lot subdivision. ** Commission District 2.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Subdivision roads must meet Hall County requirements.
No more than five lots to a common drive; therefore, all roads must have a right-of-way that meets county code. Also, the right-of-way must be dedicated and deeded to the homeowners association.
Hall County will not maintain the roads or stormwater facilities for this subdivision.
 - b) **Traffic:** Recommend adding a condition that all lots must access internal roadways and direct access to Hardy Road and Nancy Creek Road is prohibited. Due to a nearby curve on Hardy Road, intersection and stopping sight distance for the proposed entrance may be an issue. Applicant should verify that requirements can be met.
 - c) **Utilities:** City of Gainesville Sewer.
2. Application of STORsquare Atlanta, LLC for a Use Subject to County Commission approval on a 2.96± acre tract located at its intersection with Technology Parkway and Winder Highway; a.k.a. 5407 Technology Parkway & 5472 Winder Highway; Zoned I-II; Tax Parcel 15028F000025 & 000026. Proposed use: outdoor storage. ** Commission District 1.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway must meet Hall County commercial standards. Proposed entry gate must be positioned to allow vehicles to stage without protruding into Technology Parkway.
 - c) **Utilities:** No Hall County Sewer.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. Application of Michael James Remodeling to rezone from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. ** Commission District 2.

- a) Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
- b) Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
- c) Utilities:** City of Gainesville Sewer.

4. Application of K5 Partners, LLC to rezone from Agricultural Residential-IV (AR-IV) & Heavy Industrial (I-II) to Planned Industrial District (PID) on a 119± acre tract located on the north side of Okelly Road at its terminus; a.k.a. 2400 Okelly Road; Zoned AR-IV & I-II; Tax Parcel 15024 000003A (pt.). Proposed use: vehicle salvage operations. ** Commission District 3.

- a) Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show all flood areas (FEMA and Hall County studied flood)
Show buffers from wretched vegetation, not from centerline of creek.
- b) Traffic:** Recommend requiring developer to construct a Hall County standard cul-de-sac to terminate O'Kelly Road. Developer to dedicate any required right-of-way for cul-de-sac. Any remaining public right-of-way must be abandoned.
- c) Utilities:** Gainesville sewer, septic indicated.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Wednesday, July 13, 2022 2:14 PM
To: Randi Doveton (Planning)
Cc: Anael Dominguez (Planning)
Subject: Preliminary Fire Comments

Preliminary Fire Comments:

AGENDA REVIEW

APPROVAL OF MINUTES – July 18, 2022

NEW BUSINESS

1. [Application of Cook Communities for a Use Subject to County Commission approval on a 20.74± acre tract located on the south side of Hardy Road at its intersection with Nancy Creek Road; a.k.a. 3710, 3780, 3786 Hardy Road and 3416, 3428 Nancy Creek Road; Zoned R-I & V-C; Tax Parcels 10121 000015, 000015A, 000015B, 000071, 000071A. Proposed use: twenty \(20\) lot subdivision. ** Commission District 2.](#)
 - 1) Fire hydrants shall be installed as required by the International Fire Code Chap. 5 Section 507.5.1
 - 2) Knox Key Switch Override device shall be installed outside the main entry gate as required by the International Fire Code Chap. 5 Section 506.1
2. [Application of STORsquare Atlanta, LLC for a Use Subject to County Commission approval on a 2.96± acre tract located at its intersection with Technology Parkway and Winder Highway; a.k.a. 5407 Technology Parkway & 5472 Winder Highway; Zoned I-II; Tax Parcel 15028F000025 & 000026. Proposed use: outdoor storage. ** Commission District 1.](#)
 - 1) Fire has no preliminary comments.
3. [Application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. ** Commission District 2.](#)
 - 1) Fire has no preliminary comments.
4. [Application of K5 Partners, LLC to rezone from Agricultural Residential-IV \(AR-IV\) & Heavy Industrial \(I-II\) to Planned Industrial District \(PID\) on a 119± acre tract located on the north side of Okelly Road at its terminus; a.k.a. 2400 Okelly Road; Zoned AR-IV & I-II; Tax Parcel 15024 000003A \(pt.\). Proposed use: vehicle salvage operations. ** Commission District 3.](#)
 - 1) Fire has no preliminary comments.

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review

Lieutenant, Hall County Fire Rescue

Hall County Government

Main: 770-531-6838 | Cell: 404-597-0083

Website: www.Hallcounty.org



Parker Family
770 Chattahoochee Place
Gainesville, GA 30506

09/02/2022

Hall County Planning Commission
Regarding Michael James Remodeling rezoning request hearing on September 6th, 2022, at 5:15pm

To the members of the Hall County Planning Commission:

I am writing this letter to strongly oppose the rezoning request for the property at the corner of Tommy Aaron Dr and Thompson Bridge Rd by Michael James Remodeling. We purchased our home on Chattahoochee Place just 3 months ago. When we first turned onto Tommy Aaron Dr from Thompson Bridge Rd, we had the immediate feeling of being in a quiet neighborhood setting. We would not have come to that same conclusion if there were a commercial sign and entrance on Tommy Aaron Dr. I believe this rezoning and development will have a negative impact on future home buyers and property values.

I am also concerned about how this development will affect traffic on the southbound side of Thompson Bridge Rd from Ledan Rd to the entrance of Tommy Aaron. Any access to this property from Thompson Bridge Rd will have to be in the deceleration turn lane onto Tommy Aaron Dr. The Ledan Rd Thompson Bridge Road intersection is already dangerous. Adding a higher traffic entrance just after this intersection will only make that intersection more dangerous while making it more difficult for our residents to use the deceleration lane to get our homes.

Then there is the issue of increased traffic on Tommy Aaron Dr. There is no access to or from the north entrance of Tommy Aaron Dr. from the northbound side of Thompson Bridge Rd. We will see an increase in traffic on Tommy Aaron because vehicles will more often choose to use the south entrance to Tommy Aaron Dr and drive through our neighborhood to get to and from the new commercial development. Tommy Aaron Dr is used extensively by residents of this neighborhood for walking, running, walking dogs, pushing strollers, riding bikes, etc. There are no sidewalks. Any additional nonresidential traffic on Tommy Aaron Dr has the potential to be very dangerous.

In addition to the above listed concerns, I am concerned about what will be on the commercial property and what it will look like? The sight of excessive commercial lighting, commercial fencing, storing of building materials, parking of heavy equipment and fleet vehicles on Tommy Aaron Dr will change the character of our neighborhood.

Finally, this very rezoning hearing is evidence that once a section of residential is rezoned, it opens the door to future rezoning. Our neighborhood was clearly developed to be residential. Please consider how this rezoning development will negatively impact our neighborhood by making it less safe for residents and transforming what is a peaceful quiet residential space into something different.

Respectfully,
Andrew Parker

Print**Planning Commission Comments - August 1, 2022 - Submission #58165****Date Submitted: 7/27/2022**

Comments completed in the form below will be submitted into the record for the August 1, 2022 meeting of the Hall County Planning Commission.

First Name*

Charlie

Last Name*

Hawkins

Address1*

646 Tommy Aaron Drive

Address2**City***

Gainesville

State*

Georgia

Zip*

30506

Zoning Item for Comment*

5. Application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I do not have an objection toward the proposed office use for the subject property. I feel the applicant will do a great job beautifying the existing structure based on his remodeling of the neighboring property.

That said, I hope the applicant and the county strongly consider some contingencies, such as:

1) The unintended consequences of allowing a commercial drive to/from Tommy Aaron. Tommy Aaron has heavy foot traffic from all hours of the day from the residents walking. There are no sidewalks on this street and we, arguably, lack enough speed tables as it is. I fear that allowing ingress/egress into this site will only increase an existing problem. On a separate matter, I think it would be beneficial for there to be more speed tables along this road, regardless of this applicant.

2) prohibiting signage along Tommy Aaron for the property.

3) prohibiting additional uses which currently comply within this zoning designation.

4) consider strong setbacks and buffers - monitoring future developability of this site.

In short, I am probusiness but, too, respect and value the identities and characteristics between the residential and commercial areas and the transitional uses or buffer areas that divide the two markets. I hope this applicant and the county come to terms which will allow him to run his business all while respecting the residents along Tommy Aaron for both short term AND long-term! I feel ingress/egress along Thompson Bridge and Ledan (red light access) would be most beneficial for the applicant, the residents and future occupants of the subject property.

Sincerely,
Charlie Hawkins

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

charliemhawkins@yahoo.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print**Planning Commission Comments - September 6, 2022 - Submission #58823****Date Submitted: 9/2/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 meeting of the Hall County Planning Commission.

First Name*

Christina

Last Name*

Jones

Address1*

711 Chattahoochee Place

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

1. Previously tabled application of Michael James Remodeling

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I have reviewed the request to rezone a large part of the area that is on Tommy Aaron Drive and oppose everything in this request. Tommy Aaron is a very active residential neighborhood. It's a kid-friendly neighborhood with kids riding their bikes and playing in the neighborhood. There are residents of all ages walking on Tommy Aaron throughout the day, everyday. Increased traffic due to a rezoning for commercial property will negatively impact all who live in this neighborhood. A commercial entrance on Tommy Aaron will increase traffic and decrease the quality of life for residents in this neighborhood. Because of this potential rezoning, home values will decrease for many home owners just so one person can increase his net worth. Making a decision to allow this type of rezoning will benefit one person and negative impact hundreds. Please think about the residents and families who live here and the quality of life that will be taken away because of this decision.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

christinajones1228@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print**Planning Commission Comments - October 3, 2022 - Submission #59316****Date Submitted: 9/28/2022**

Comments completed in the form below will be submitted into the record for the October 3, 2022 meeting of the Hall County Planning Commission.

First Name*

Ed

Last Name*

Gilreath

Address1*

685 Tommy Aaron Dr

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

1. Previously tabled application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

To: Hall County Planning Commission
Date: Sep 28, 2022

This letter is in reference to the Michael James Remodeling request to rezone 3461 Thompson Bridge Rd from R-1 to OI. I am responding on behalf of my siblings who are heirs to the Annie Bell Gilreath estate at 685 Tommy Aaron Drive. The home site has been in our family for many decades.

We are opposed to the rezoning request of the 6.85 acres that are contiguous to our residential property. The zoning of OI allows for many options that go far beyond a simple small office building, all of which we believe will negatively impact our property value.

We are also concerned that there is only a fifteen feet buffer required in OI. We oppose any current or future request for signage or a commercial entrance onto Tommy Aaron Dr.

Sincerely,

Ed Gilreath
Heir Annie Bell Gilreath

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

gilreathe@charter.net 770-540-7930

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (Planning)

From: Brittany Walker (Planning)
Sent: Monday, November 7, 2022 8:56 AM
To: Anael Dominguez (Planning)
Subject: FW: Michael James rezoning Thompson Bridge

-----Original Message-----

From: Eddie Martin <eddiekmartin@gmail.com>
Sent: Monday, November 7, 2022 7:20 AM
To: Planning <planning@hallcounty.org>
Subject: Michael James rezoning Thompson Bridge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I tried to fill in the online meeting comments page but got no confirmation of completing the form so I am resubmitting the info here. I hope you receive my household's opposition.

We do not oppose Mr James rezoning the properties containing 2 residential homes and a small parcel (an acre) because they face Thompson Bridge.

We do oppose Mr James rezoning the entire property that allows for a much bigger use later on like a retirement home which is basically multi-family in nature. The residential homes that Mr James purchased could be used as offices but the land does not need to be included in future developments because of its proximity to the contiguous residential neighborhood.

Thank you,
Eddie and Becky Martin
700 Lindsay Baker Court
Gainesville 30506

Please excuse spelling errors this was sent from my iPhone.

Anael Dominguez (Planning)

From: Brittany Walker (Planning)
Sent: Friday, November 4, 2022 11:19 AM
To: Anael Dominguez (Planning)
Subject: FW: Rezoning Hearing in regard to Michael James property

-----Original Message-----

From: Judy Carpenter <judyinthedyes@gmail.com>
Sent: Friday, November 4, 2022 11:00 AM
To: Planning <planning@hallcounty.org>
Subject: Rezoning Hearing in regard to Michael James property

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear planning board members,

I am writing you once again to voice our vehement disapproval of the rezoning of the property owned by Michael James at the NW corner of Tommy Aaron Drive and Thompson Bridge Road. My husband and I will be out of town for the November 7th meeting, but we are in total agreement with our neighbors and friends who oppose rezoning this property.

TOMMY AARON DRIVE IS A NEIGHBORHOOD. We have had the pleasure of living at both 649 and 595 Tommy Aaron Drive for over 30 years. Needless to say, we love it here. Before you make any conclusions, I urge you to spend some time on this street. Look at the lovely homes and yards, observe the number of residents who walk and jog on this street, and watch the children at play on bikes, roller skates, hover boards, etc. You should have been here on Halloween when the neighborhood kids enjoyed a hayride as they Trick-or-Treated. We do not need added traffic. Years ago the city installed two speed bumps in order to slow drivers down. We do not need commercial traffic racing through our neighborhood, nor added traffic heading down the street toward the golf course because they cannot head directly north on Thomson Bridge Road from Mr. James' business establishment. Please take time to think of this as YOUR neighborhood, and put yourselves in our position. If you vote in Mr. James' favor, you will be ruining the lives of many people who moved to this street because they like the neighborhood.

Thank you for your consideration,

Craig and Judith Carpenter
595 Tommy Aaron Drive

Print**Planning Commission Comments - September 6, 2022 - Submission #58814****Date Submitted: 9/2/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 meeting of the Hall County Planning Commission.

First Name*

Judith & Craig

Last Name*

Carpenter

Address1*

595 Tommy Aaron Drive

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

1. Previously tabled application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

My husband and I are strongly opposed to Michael James' application for remodeling of property at the corner of Tommy Aaron Drive and Thompson Bridge Road. Tommy Aaron Drive is a residential community and approval for rezoning would negatively impact our neighborhood. We are particularly opposed to a 40 square foot commercial sign on Tommy Aaron Drive and the reopening of the residential drive in the Thompson Bridge Road delegation lane for Tommy Aaron Drive. We are against any commercial entrance or exit to the above property from Tommy Aaron Drive; excessive high beam lighting of the property; ongoing storage or short term parking of any sort of vehicles, including heavy duty equipment; any form of storage of building materials, construction supplies, or equipment; any impairment of the deceleration turn lane onto Tommy Aaron Drive; and also leasing any additional office space to third parties. Any future owner of the Michael James Remodeling property should be required to reapply for any additional or change in use of the property. We also request a 50 foot buffer between the Michael James Remodeling property and Tommy Aaron Drive. Once again, we would like to stress how negatively this application would impact a beautiful residential community.

Thank you for your consideration.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (Planning)

To: Randi Doveton (Planning)
Subject: RE: Zoning Case - Michael James Remodeling

From: Larry Long <llong@kolter.com>
Sent: Monday, October 3, 2022 11:45 AM
To: Randi Doveton (Planning) <rdoveton@hallcounty.org>
Cc: mlong.ride@yahoo.com; slraywc16@outlook.com; kathyfaux@bellsouth.net; katlong1934@gmail.com
Subject: Zoning Case - Michael James Remodeling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Randi,

We are sending you this email regarding the proposed zoning case of Michael James Remodeling at the intersection of Tommy Aaron Drive and Thompson Bridge.

My family owns land on Tommy Aaron adjacent to the property proposed to be rezoned and we have concerns regarding the Office/Institutional Zoning District and its allowed uses, limited site plan details, possible current access off Tommy Aaron Drive, location of signage and over all scale of the proposed zoning district.

We understand the goals of the corridor overlay district and the fact that the County approved Mr. James previous rezoning at the corner of Ledan Road and Thompson Bridge for an office even though it did not meet the land use element of the comprehensive plan. However, Mr. James proposes to add an additional 6 acres to the that zoning bringing the OI district up to 10 acres in size which we believe is too large of a scale to be located on the entrance of the single-family, residential area.

First and foremost we would like to request that the OI zoning district be limited to a certain distance off Thompson Bridge and not comprise the entire 6 acre property. This would allow the balance of the property not being proposed for commercial use to remain residential and act as a buffer to the existing single-family uses. The permitted uses along with potential uses that could be allowed by the Planning Commission or County Commission cause some alarm so that is why we are asking for this limitation.

Second, Note #1 on the site plan in the zoning package indicates that the current driveway leading to the house will not be used for office traffic. If this is the developers intent then we would ask that the portion of the driveway within the County/City be removed prior to the issuance of a CO for the home to be renovated for office use. The driveway is too close to the intersection and commercial traffic should not be allowed on Tommy Aaron. (The site plan refers to the road as Hooper Road but it is Tommy Aaron Drive.)

Third, the Gateway Corridor Overlay District restricts non-residential use building height to be three stories within 250 of a "residential or agriculture use street". We are not sure what the intent of this section of the ordinance is but we believe there should be a two story limitation on the property for both residential and non-residential uses.

Fourth, we want to make sure we understand the allowed signage size and location.

Fifth, the approval is tied to the site plan but what will be the restriction on expanded or new proposed uses in the OI District?

The above items reflect our concerns for the proposed zoning and we would be glad to meet with you and Mr. James to discuss in more detail.

It is our understanding that the rezoning may be tabled to October 17th. We plan to attend the meeting tonight just in case.

Thanks you,

Larry Long, AICP
VP of Acquisitions Georgia
Kolter Homes LLC
(678) 206-5374

This email may contain information that is proprietary, legally privileged and/or confidential. If the reader of this email is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), you are hereby notified: (i) that any dissemination, distribution or copying of this email is strictly prohibited and may be unlawful; and (ii) to contact the sender immediately by reply email and delete this email and any attachments without retaining any copies

Print**Planning Commission Comments - August 1, 2022 - Submission #58200****Date Submitted: 7/30/2022**

Comments completed in the form below will be submitted into the record for the August 1, 2022 meeting of the Hall County Planning Commission.

First Name*

Martha

Last Name*

Nesbitt

Address1*

3545 Greystone Rd.

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

5. Application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

My husband, John Nesbitt, and I are very concerned about the application by Michael James regarding tax parcel 10114000039A.

Tommy Aaron Drive is composed entirely of residential neighborhoods except for the golf course. We are strongly opposed to any access to Tommy Aaron as requested by the applicant. First, it is a traffic danger and second, it will turn TA into a through street for northbound traffic going to the offices he plans to have in after rezoning.

We understand that the applicant wants to have to have signs on TA. This is entirely out of place in a residential area.

We are also very concerned about the wide range of options available in O-I zones if the applicant changes his mind about offices or sells the property.

Please do not damage one of the pretty residential areas in the city and county and create a dangerous traffic problem.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

MICHAEL R. CASPER, P.C.

ATTORNEY AT LAW

418 CANDLER STREET N.E.
GAINESVILLE, GEORGIA 30501
WWW.MCASPERLAW.COM

TELEPHONE 770-534-4376
FAX 770-535-1903

TRIAL PRACTICE —
PERSONAL INJURY &
WRONGFUL DEATH
WORKERS COMPENSATION LAW
SOCIAL SECURITY DISABILITY

August 31, 2022

Mr. Chris Braswell, Chairman
Hall County Planning Commission
P. O. Drawer 1435
Gainesville, GA 30503

Re: Michael James Application to Rezone 6.85 acres, R-1 to O-I, Thompson Bridge Road

Dear Mr. Braswell:

My wife and I live at 3570 Greystone Road, Gainesville, 30506. The application of Mr. James to rezone 6.85 acres from R-1 to O-I scheduled for hearing on 9/6/22 is troubling and concerning. The acreage owned by Mr. James extends deeply into the property on Thompson Bridge Road and adjoins existing residential houses on Tommy Aaron Drive, Greystone Road, and property along Ledan Road.

Given the authorized uses of the proposed O-I zoning, this application should be examined closely for incompatibility with existing residential areas adjacent to the James property. While residential zoning along Thompson Bridge Road is probably outdated, the size of the rezoning application property extends so far into the existing Thompson Bridge Road residential neighborhoods that it cannot be argued that it will not adversely impact the existing neighborhoods either adjacent to the subject property or close to it.

I note that the proposed use of this property as per Mr. James is "office." However, not only does O-I allow offices, but a multitude of other uses which do not fit the neighborhoods affected.

If this rezoning is favorably considered by the Planning Commission, stringent use restrictions and other protections to the communities involved should be placed on this application before approval.

We are counting on the Planning Commission to work together with Mr. James and the neighborhoods involved to address the concerns expressed.

Sincerely,



Michael R. Casper, P.C.

MRC/jrs
C:\Shared\CASPER\Letters\final.Letter.doc

MICHAEL R. CASPER, P.C.

ATTORNEY AT LAW

418 CANDLER STREET N.E.
GAINESVILLE, GEORGIA 30501
WWW.MCASPERLAW.COM

TELEPHONE FAX
770-534-4376 770-535-1903

TRIAL PRACTICE —
PERSONAL INJURY &
WRONGFUL DEATH
WORKERS COMPENSATION LAW
SOCIAL SECURITY DISABILITY

August 31, 2022

Mr. Richard Higgins
Hall County Commission
P. O. Box 1435
Gainesville, GA 30503

Re: Michael James Application to Rezone 6.85 acres, R-1 to O-I, Thompson Bridge Road

Dear Mr. Higgins:

My wife and I live at 3570 Greystone Road, Gainesville, 30506. The application of Mr. James to rezone 6.85 acres from R-1 to O-I scheduled for hearing on 10/13/22 is troubling and concerning. The acreage owned by Mr. James extends deeply into the property on Thompson Bridge Road and adjoins existing residential houses on Tommy Aaron Drive, Greystone Road, and property along Ledan Road.

Given the authorized uses of the proposed O-I zoning, this application should be examined closely for incompatibility with existing residential areas adjacent to the James property. While residential zoning along Thompson Bridge Road is probably outdated, the size of the rezoning application property extends so far into the existing residential neighborhoods that it cannot be argued that it will not adversely impact the existing neighborhoods either adjacent to the subject property or close to it.

I note that the proposed use of this property as per Mr. James is "office." However, not only does O-I allow offices, but a multitude of other uses which do not fit the neighborhoods affected.

If this rezoning is favorably considered by the Planning Commission, stringent use restrictions and other protections to the communities involved should be placed on this application before approval by the Hall County Commissioners.

We are counting on the Commission Board to work together with Mr. James and the neighborhoods involved to address the concerns expressed.

Sincerely,



Michael R. Casper, P.C.

MRC/jrs

C:\Shared\CASPER\Letters\final.Letter.doc

Anael Dominguez (Planning)

From: Brittany Walker (Planning)
Sent: Monday, September 26, 2022 8:36 AM
To: Anael Dominguez (Planning)
Subject: FW: Michael James Remodeling rezoning

-----Original Message-----

From: Pat Bee <patbee603@gmail.com>
Sent: Sunday, September 25, 2022 5:04 PM
To: Planning <planning@hallcounty.org>
Subject: Michael James Remodeling rezoning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Hall County Planning Commission:

I am writing to express my concerns regarding Michael James' rezoning request for property at the corner of Tommy Aaron Drive and Thompson Bridge Road.

As our neighborhood stands today, it is devoid of commercial enterprises. I fear that by rezoning this area from RESIDENTIAL-1 to Office-Institution, the character of the neighborhood that spans the two ends of Tommy Aaron Drive will be negated and compromised.

My concerns include the following:

*rezoning could allow increased traffic at the intersection and on Tommy Aaron Drive; *perhaps owner will decide to remove trees, interfering with the tree canopy of the neighborhood; *the rezoned area could become storage for heavy trucks and other equipment; *signage will create a commercial atmosphere to our residential area; *rezoning of this property will create a precedence for other commercial endeavors, as no other neighborhood between the Thompson Bridge and Ledan Road has an egress that is fronted by commercial enterprise.

We were surprised when the staff of the planning department recommended the applicant's request, showing complete disregard for the residential character of this neighborhood. We trust that you will not approve commercialization of the entryway to our residential neighborhood.

Patricia Bishop
650 Tommy Aaron Drive

Print**Planning Commission Comments - August 1, 2022 - Submission #58179****Date Submitted: 7/28/2022**

Comments completed in the form below will be submitted into the record for the August 1, 2022 meeting of the Hall County Planning Commission.

First Name*

Patricia

Last Name*

Bishop

Address1*

650 Tommy Aaron Dr

Address2**City***

Gainesville

State*

Ga

Zip*

30506

Zoning Item for Comment*

5. Application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

No business egress or ingress at Tommy Aaron drive should be allowed nor should the existing structure be allowed to be altered. These two restrictions should protect the neighborhood, residential ambience of Tommy Aaron Drive.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (Planning)

From: Brittany Walker (Planning)
Sent: Monday, November 7, 2022 8:59 AM
To: Anael Dominguez (Planning)
Subject: FW: November 7, 2022 - Rezoning Hearing - Michael James Remodeling

From: kk mcbride <kk_5556@hotmail.com>
Sent: Sunday, November 6, 2022 2:27 PM
To: Planning <planning@hallcounty.org>
Subject: November 7, 2022 - Rezoning Hearing - Michael James Remodeling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The rezoning request from Michael James, at the intersection of Tommy Aaron Drive and Thompson Bridge Road, raises the following concerns for us.

- Loss of property values and character this beautiful neighborhood offers
- Safety of our neighbors, especially their children, as they walk, jog and ride their bikes
- Traffic congestion at the intersection of this area
- Additional traffic within neighborhood
- Loss of greenspace that surrounds our neighborhood

Please consider the many requests submitted against this rezoning, and help us maintain the integrity, character and safety of our charming neighborhood.

Thank you

Phillip and Karen McBride
642 Tommy Aaron Drive
Gainesville, GA 30506

Print**Planning Commission Comments - September 6, 2022 - Submission #58824****Date Submitted: 9/2/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 meeting of the Hall County Planning Commission.

First Name*

ROCK

Last Name*

BAKER

Address1*

727 Lindsey Baker Ct

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

1. Previously tabled application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Thank you for the opportunity to comment. As a life long resident on Tommy Aaron Drive and now Lindsey Baker Court, I strongly urge for the denial of this rezoning request. This has always been a nice residential area and to change the zoning to allow for the applicant to expand his existing business into more of a commercial construction application is not in spirit with this neighborhood. If Mr. James wants to expand his business then do it in a more commercial area.....not by changing a residential area. Of course, the business will need storage, parking, lighting, increased traffic with heavier vehicles, etc. No one wants this in our neighborhood. I urge you to deny this rezoning request and allow our neighborhood to stay the way it has always been. Thank you.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

rockbaker@charter.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Kenneth R. Johnston
712 Chattahoochee Place
Gainesville, GA 30506
okDeltaMan@gmail.com
770-540-3992

July 26, 2022

City Council Planning Commission and Land Use and Zoning Committee Members
Hall County Government
Planning and Development Dept.
PO Box 1435
Gainesville GA 30503

RE: Rezoning of Parcel 1011-4000039A, Michael James Properties

Dear Committee Members:

I am writing to express my strong opposition to proposed rezoning of Parcel 10114-000039A to Proposed Use Office Institutional in Hall County Georgia. The application for rezoning submitted by Michael James Properties (MJP) requests a zoning change from *Residential-R1* to *Office and Institutional (O-I)*. The list of approved uses includes office space, banks, day care, nursing homes, group homes, funeral homes and other potential uses.

With an O-I zoning, the owner of the property may make further future appeals for the property to allow for planned developments, manufactured homes, town houses, apartments, veterinary clinics and other high-density uses as detailed in Hall County Code Chapter 17,130. It opens the door for future developments that we and our fellow neighbors strongly oppose significantly impacting the quiet neighborhood environment we currently enjoy.

This zoning and/or future associated zoning would dramatically change the character of the adjoining properties and neighborhood through a significant increase in traffic activity on Tommy Aaron Drive. The quiet, peaceful family-oriented neighborhood would become a thoroughfare to the properties along Tommy Aaron Drive creating safety concerns for neighbors who walk, bike, and park on Tommy Aaron Drive.

We are also concerned about the unintended consequences of further rezoning of the property for a wide range of high-density housing and/or commercial development possibilities. Multi-family dwellings are inconsistent with the character of all the neighborhoods in our area including the Chattahoochee Golf Club and Chattahoochee Country Club areas. Property values of the adjoining properties are very likely to decline if commercial, office, multi-family apartments, mobile homes or condominiums, etc. are

built adjacent to our neighborhood. We are concerned about high intensity lights for signs, clearing of the property, unsightly landscaping, and poor aesthetics of the property without visual buffering.

Our neighborhood experienced a safety concern from this property on December 25th of 2021. At about 4:30 pm, Christmas Day, approximately 100 rounds were fired from various high-power weapons behind the existing house on the property. I observed three individuals firing weapons toward the adjoining neighborhood located on Graystone DR. I called 911 to have the police ask the shooters to cease firing the weapons. The Gainesville police responded within minutes, but the officer informed me that he could take no action to stop the shooting because the property is in Hall County where shooting firearms is allowed until 10 p.m. Many neighbors have expressed their concern about this firearm event, the lack of property management and disregard for the safety of residents in the adjoining properties.

I join my neighbors in urging you not to approve the proposed rezoning. Due to limited space at your office facilities, there will be many who may not attend the upcoming zoning meeting but who share my opinion that this zoning change will be detrimental to our properties and neighborhood in general. Thank you for your consideration of our request and your continued service and support of our community.

Respectfully yours,

A handwritten signature in black ink that reads "Sarah M. Johnston". The signature is fluid and cursive, with a long horizontal line extending from the end.

Sarah M. Johnston

A handwritten signature in black ink that reads "Kenneth R. Johnston". The signature is cursive and stylized, with a large loop at the end.

Kenneth R. Johnston

Anael Dominguez (Planning)

From: Randi Doveton (Planning)
Sent: Thursday, August 25, 2022 5:22 PM
To: Anael Dominguez (Planning)
Subject: FW: 3461 Thompson Bridge Rd a.k.a. Michael James Remodeling

[Please see below.](#)

From: Stacey Reece <staceyreece@spherion.com>
Sent: Thursday, August 25, 2022 4:55 PM
To: Planning <planning@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>
Subject: 3461 Thompson Bridge Rd a.k.a. Michael James Remodeling

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My wife and I would like to provide you with our specific concerns regarding the referenced rezoning request at 3461 Thompson Bridge Rd. Since Mr James "Tabled" his earlier request until the September 6th meeting, we have not seen any of his proposed modifications to the original request.

Date: 8/25/2022
From: Stacey and Sara Reece
761 Chattahoochee Pl

RE:
Concerns and Objections to Rezoning of 3461 Thompson Bridge Rd a.k.a. Michael James Remodeling:

-Monument Sign requested on Tommy Aaron Dr
Oppose any type or form of signage on Tommy Aaron Dr

-Current Residential Entrance requested to become Commercial Entrance and Exit on Tommy Aaron Dr
Oppose any combination of entrance or exit to property from Tommy Aaron Dr

-Excessive Lighting of property/complex
Oppose any high beam lighting

-Buffer under O-I Zoning is Limited
Request 50 feet of buffer between Tommy Aaron Dr

-Utilizing property for storage
Oppose any form of ongoing storage, or short term parking of autos, pickups, vans, or any type of light/heavy duty equipment

Oppose any form of storage of building materials, construction supplies, or equipment

-Gating of Property
Oppose any form of commercial or farm grade gating of property

-Access from Thompson Bridge Rd to Property

Oppose any use of old abandoned curb cut that impairs the deceleration turn lane onto Tommy Aaron Dr

-Renting of Office Space to 3rd party business

Oppose leasing any additional office space to third parties. There is no way to project how much additional traffic a 3rd party will create

-Restrict use to office only

Any future use by Michael James Remodeling or any future owner of the property would require reapplying for any additional or change in use of property.

Please feel welcome to contact me with questions or for clarifications.

Respectfully,

Stacey Reece

--

Stacey Reece

Franchise Owner

Spherion Staffing & Recruiting

200 Prior Street SE

Gainesville, GA 30501

Office: 770.531.7900

Mobile: 770-540-0388

staceyreece@spherion.com



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Anael Dominguez (Planning)

From: Bernhard Bachmann <bernhard.bachmann@att.net>
Sent: Thursday, July 28, 2022 9:42 AM
To: Anael Dominguez (Planning)
Subject: Michael James Remodeling to rezone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

We are in agreement with our neighbors at Chattahoochee Place that we oppose the zoning changes from residential-1 to office and institutional . We have lived at 771 Chattahoochee Place Gainesville, GA for over 22 years. We love the quite, safe, family atmosphere feeling we have when we take quite evening walks on Tommy Aaron and enjoy visiting with neighbors and petting dogs. We feel safe . My husband is a runner and we feel that if there is more traffic it will be very unsafe for him as a runner to be on that street and for my safety as a young lady , I wouldn't feel safe if all the traffic was brought onto Tommy Aaron if there were to be an access driveway it road to the Michael James Project . We also don't want to have to worry about seeing manufactured homes like they have in Sardis that look horrible and draw the wrong crowd around our neighborhood to bring down home value and bring up crime rates . I am sure this is a very nice man and he has done a great job with the White House on the corner of Ledan , but with all due respect we agree with our neighbors concerns about the upcoming proposal . We agree with Stacey Reeces and Ken and Sally Johnston's letters they have sent in.

Thank you for the consideration of our request and feelings. Respectfully, Tammy and Bernhard Bachmann

Sent from my iPhone

Print**Planning Commission Comments - September 6, 2022 - Submission #58829****Date Submitted: 9/2/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 meeting of the Hall County Planning Commission.

First Name*

William

Last Name*

Rogers

Address1*

730 Lindsey Baker Court

Address2**City***

Gainesville

State*

GA

Zip*

30506

Zoning Item for Comment*

1. Previously tabled application of Michael James Remodeling



Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am writing to convey my strong opposition to the Michael James Remodeling proposed rezoning of 6.85 acres at the NW corner of Tommy Aaron drive and Thompson Bridge Road. My wife and I bought our current home at 730 Lindsey Baker Court, around the corner from this site, in July of 2020 for many reasons, one of the most important of which was the beautiful residential nature of the property as a whole which runs up and down Tommie Aaron Drive. There is NO NEED for this commercial expansion, and, further, it runs the risk of even further expansion of the commercial rezoning by anyone else who desires to come in and buy out the entire residential block surrounding this area. It could never end and will affect the value of our property for sure. This is an old and established Gainesville residential area. It needs to stay that way. There is simply no reason for this to occur and it is to the detriment of all homeowners in the Tommie Aaron and surrounding area. In detail, there should be (i) no type of any signage on Tommie Aaron drive, (ii) there should be no commercial entrance or exit to property from Tommie Aaron drive, (iii) there should be no high beam lighting, (iv) there would have to be at least a 50 foot buffer between Tommie Aaron and the property, (v) there must not be any form of storage of building material, construction supplies or equipment of any kind, (vi) there must not be ANY commercial gating of the property, (vi) there cannot be ANY impairment to or change of the deceleration lane onto Tommie Aaron Drive from Thompson Bridge Road, (vii) there cannot be any leasing of space to any third parties nor any effect on the traffic flow onto Tommie Aaron drive, and (viii) any use of the property must be OFFICE ONLY with no further activities. I add these additional comments to not insinuate my agreement that this change be approved. To the contrary, I am vehemently opposed to it. But if it were to be approved for some reason, these additional restrictions MUST be a part of the approval. Again, I urge you to deny this application and leave our neighborhood the way it was meant to be----RESIDENTIAL!!!!

Please write your comments in the box above.

File Upload

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

brogers@sgrlaw.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print**Board of Commissioners Work Session Comments - November 7, 2022 - Submission #63245****Date Submitted: 11/7/2022**

Comments completed in the form below will be submitted into the record for the November 7, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Eddie and Becky

Last Name*

Martin

Address1*

700 Lindsay Baker Court

Address2**City***

Gainesville

State*

Ga

Zip*

30506

Your Comments*

We do not oppose Mr James rezoning the properties containing 2 residential homes and a small parcel (an acre) because they face Thompson Bridge.

We do oppose Mr James rezoning the entire property that allows for a much bigger use later on like a retirement home which is basically multi-family in nature. The residential homes that Mr James purchased could be used as offices but the land does not need to be included in future developments because of its proximity to the contiguous residential neighborhood.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print**Board of Commissioners Work Session Comments - September 6, 2022 - Submission #58837****Date Submitted: 9/3/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Jerry

Last Name*

Morgan

Address1*

3560 Greystone Road

Address2**City***

Gainesville

State*

GA

Zip*

30506

Your Comments*

In regard to the Michael James Remodeling request, I feel a commercial business or building will negatively impact our property. Should it be considered for approval, there should be no entry to such properties via Tommy Aaron Drive, and there should be some attractive buffer such as trees and hedges to prevent the buildings from being seen from Tommy Aaron. No commercial traffic should be allowed on Tommy Aaron.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Board of Commissioners Work Session Comments - September 6, 2022 - Submission #58771

Date Submitted: 8/31/2022

Comments completed in the form below will be submitted into the record for the September 6, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Billy

Last Name*

Hammons

Address1*

498 Tommy Aaron Drive

Address2

City*

Gainesville

State*

Ga

Zip*

30596

Your Comments*

On the date of 8/31/2022 @ 6:12 PM
I took the opportunity to visit location of the planned Rezone.
I met Mr. Michael James on site. In conversation he assured he had no intention of utilizing the current residential entrance/exit to the property on Tommy Aaron Drive for any purpose. I suggested he block the driveway. It was obvious to me, he has already opened use of the abandoned curb cut that impairs entry into the deceleration lane leading to Tommy Aaron Drive. He also declared he was not putting a 40 sq ft sign on Tommy Aaron but on Thompson Bridge Road. He stated having no desire to extensively modify the existing house structure. The lot will be modified for a parking area, with minimal removal of trees, with entry/exit from the existing curb cut drive. He related putting in a walking path between his office and the house to be used as a Sales Office.

Please write your comments in the box above.

File Upload

Choose File

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print**Board of Commissioners Work Session Comments - September 6, 2022 - Submission #58769****Date Submitted: 8/31/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Mollie

Last Name*

Winston

Address1*

3550 Greystone Road

Address2**City***

Gainesville

State*

Georgia

Zip*

30506

Your Comments*

On the request for rezoning..... we oppose any type of signage on Tommy Aaron. Oppose entrance and or exit on Tommy Aaron.
Oppose any high beam lighting, gating of property. Oppose any leasing of additional office space to third parties.(this would create even more traffic) Oppose using property for storage.
Our home backs up to this property and this is all very worrisome!!!

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

molliewinston@bellsouth.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

Print**Board of Commissioners Work Session Comments - September 6, 2022 - Submission #58816****Date Submitted: 9/2/2022**

Comments completed in the form below will be submitted into the record for the September 6, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Chance

Last Name*

Jones

Address1*

711 Chattahoochee Place

Address2**City***

Gainesville

State*

Georgia

Zip*

30506

Your Comments*

OPPOSE!

This is a family friendly neighborhood where active adults walk and children ride their bikes.

The increased traffic from BOTH entrances of Tommy Aaron (you know as well as he does, vehicles will be using both entrances) will have a major negative impact on this.

If the applicant, or any sitting commissioner lived in this area of Tommy Aaron you would not want this either.

Thank you.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: MICHAEL JAMES REMODELING
REQUEST: REZONE FROM B-1 TO O-1
FOR OFFICE USE
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: 11-01-2022
Time: 05:15 PM AND COUNTY COMMISSION Date: 12-08-2022
Time: 06:00 PM
HALL COUNTY GOVERNMENT CENTER, 3075 BROWN'S BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

Print**Board of Commissioners Work Session Comments - December 5, 2022 - Submission #65213****Date Submitted: 12/2/2022**

Comments completed in the form below will be submitted into the record for the December 5, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Stacey

Last Name*

Reece

Address1*

761 Chattahoochee Pl

Address2**City***

Gainesville

State*

GA

Zip*

30506

Your Comments*

Please see the attached objection and comments regarding the Michael James Remodeling Rezoning Request at 3461 Thompson Bridge Rd.

Please write your comments in the box above.

File Upload

LTR to Commission.pdf

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

staceyreece@spherion.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

To: Hall County Board of Commissioners
RE: Rezoning for Michael James Remodeling; 3461 Thompson Bridge Rd
Date: Dec 4, 2022

We are writing to you in opposition to the request by Michael James Remodeling to Rezone 6.85 acres at 3461 Thompson Bridge Rd from R-1 to O-I for the purpose of an "Office". Our neighborhood has grave concerns regarding this rezoning. In June of 2020, Mr James requested and the Commission approved the rezoning of a 3.45 acre tract R-1 to O-I at 3473 Thompson Bridge Rd and Ledan Rd. Nine conditions were placed on this request. The current request to rezone 3461 was tabled 4 times by the planning commission because the applicant, Mr James, could not comply with the application process.

Shortly after the current rezoning request became public, the neighborhood became aware Mr James had just purchased a third tract at 3611 Ledan Rd on July 1, 2022 which brings his total three tracts to 15 acres. As Larry Long pointed out these three tracts are twice the size of the Ingles Grocery Store tract on Thompson Bridge Rd.

Mr James chose to purchase all 3 tracts totaling 15 acres as R-1 zoning - Residential. Mr James purchased the three tracts of real estate with no guarantee that it would ever be rezoned to any other zoning classification.

If the Commission chooses to approve this request, we do support the conditions approved by the Planning Commission. We would request these conditions be clarified and strengthened to allow for clearer enforcement.

Conditions from the Planning Commission:

Item 2 - The BOC should require paved parking vs gravel as approved by Planning. This would be in compliance and consistent with the "Gateway Corridors Overlay District.

Item 3 - Request a portion of the residential grade driveway onto Tommy Aaron Dr be removed at the street and recurbed, rather than a fence installed across the drive as the Planning Commission approved. This would ensure no future use of the closed drive. By complete removal, the Commission will remove any future need for Code Enforcement to engage in this issue. Mr James shared with me personally during a September phone conversation he had no problem in removing the driveway and landscaping the area.

Item 5 - "no outdoor storage". This item is vague and needs more clarification. We would prefer it to state "no outdoor storage of: Materials, Supplies, Construction products, or Roll Off Dumpster(s) for construction debris disposal". The additional clarifications were discussed at the planning commission meeting and we assumed they were being included to clarify the condition.

Item 10 “All company vehicles must be parked at 3461 Thompson Bridge Rd” The Planning Commission intended this to be “3473” Thompson Bridge Rd which is the first parcel Mr James purchased in 2020. Furthermore, at the June 3, 2020 Commission meeting, a condition was added **“ITEM 9: There shall be no outside storage of equipment or materials” {at 3473 Thompson Bridge Rd.**

We understand the Thompson Bridge Road area has largely become highway business. Most of those businesses are “office/small retail” in nature and on smaller parcels. Our concern, because of the potential combined size of the three tracts, is the potential for a much larger development that goes beyond the “small office” concept. We do not believe a construction business where there could eventually be structures to house materials and heavy equipment stored on the property on what the Gateway Corridors Overlay District was intended to be.

If it is the BOC’s desire to approve this rezoning request, please take the Planning Commission’s Conditions and our concerns into strong consideration. We would like to have conditions that will protect the aesthetics of our neighborhood and conditions that are enforceable.

Respectfully,

Stacey and Mandy Reece
761 Chattahoochee Place
Gainesville, Ga 30506
770-540-0388



AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 641/2022

SUBJECT: 2866 Lanier Tech Drive | Rezone | from Light-Industrial (I-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive | Zoned I-I; Tax Parcel 15021 000085 | Proposed use: 370-unit multi-family complex | ** Commission District 3 | Capstone Acquisitions, LLC, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The development shall occur as depicted on the site plan dated 9-14-2022 and described in the project narrative. 2. The density of the development shall not exceed 6.34 units/acre and shall not exceed 370 total units. 3. The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream. 4. The proposed residential development shall conform substantially to Streets and Other Rights-of-Way (16.60). 5. The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer. 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." 7. A landscape plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP). 8. The open space and buffers shall be protected in perpetuity by a deed that follows the property and shall not be separated from the parcel by future subdivision or reduced for project expansion. The removal or modification of this condition shall require action by the Board of Commissioners (BOC). 9. All conditions of zoning shall be made part of any plats created for the property. 10. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.

Purpose of Request:

2866 Lanier Tech Drive | Rezone | from Light-Industrial (I-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive | Zoned I-I; Tax Parcel 15021 000085 | Proposed use: 370-unit multi-family complex | Commission District 3 | Capstone Acquisitions, LLC, applicant.

History:**Facts and Issues:****Options:****Funding Requested**

\$ 0.00

Are funds within current budget?

No

Source of Funds**Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?**

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?**Approvals:**

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plan

Maps
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **2866 Lanier Tech Drive | Rezone** | from Light-Industrial (I-I) to Residential Multi-Family (RMF) on a 58.26± acre tract to allow a 370-unit multi-family complex | Capstone Acquisitions, LLC, applicant.

The request before you is the application of Capstone Acquisition, LLC to allow a 370-unit multi-family complex. The property was de-annexed from Gainesville prior to the rezoning request. The development of multi-family within an RMF district is permitted. So this request is addressing the zoning designation. The item is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with ten (10) conditions **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and two (2) people spoke in opposition during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Rezoning Approval Conditions:

1. The development shall occur as depicted on the site plan dated 9-14-2022 and described in the project narrative.
2. The density of the development shall not exceed 6.34 units/acre and shall not exceed 370 total units.
3. The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.
4. The proposed residential development shall confirm substantially to Streets and Other Rights-of-Way (16.60).

5. The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.
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.”
7. A landscape plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).
8. The open space and buffers shall be protected in perpetuity by a deed that follows the property and shall not be separated from the parcel by future subdivision or reduced for project expansion. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
9. All conditions of zoning shall be made part of any plats created for the property.
10. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.

Staff recommended denial to the Planning Commission, **based on the findings that the request is inconsistent with the Comprehensive Plan and does not meet criteria 5, 7, 11, 12, and 14 as outlined in [17.380.060](#).**

For your Consideration

These items support approval

1. The proposal has 19.2% impervious surface which is less than the 25% maximum imposed by North Oconee Water Supply Watershed District that places limitations on the intensity of development [17.225.030](#).
2. The use, multi-family residential, is proposed adjacent to Lanier Technical College, an institutional use located in the incorporated City of Gainesville. Undeveloped AR-IV-zoned properties surround the remainder of the subject site. The proposed land use is generally compatible with the adjacent uses and is likely filling a housing need, given the proximity of the college.
3. The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing.
4. The proposal will be served public water and sewer.

These items support denial

1. Based on the future land-use plan, staff finds the requested zoning designation is inconsistent with the Future Land Use Map designation, as the proposed density of 6.34 units per acre exceeds the recommended rural density of 1.5 units per acre; [2022-Comprehensive-Plan, page 23](#).
2. Staff has not identified that the existing property values have been impacted by the existing zoning.
3. There are other properties within the County that support multi-family uses based on the Future Land Use Map.
4. There is no indication that a mistake was made in the original zoning.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Capstone Acquisitions, LLC

Request Rezone from Light-Industrial (L-I) to Residential Multi-Family (R-MF)

Proposed Use 370-unit multi-family complex

Size 58.26± acres

Zoning Current L-I (North Oconee OD) | Proposed R-MF (North Oconee OD)

Location **2866 Lanier Tech Drive** | Tax Parcel 15021 000085

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Denial, based on the findings that the request is inconsistent with the Comprehensive Plan and does not meet criteria 5, 7, 11, 12, and 14 as outlined in [17.380.060](#)**

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 5-0

1. *The development shall occur as depicted on the site plan dated 9-14-2022 and described in the project narrative.*
2. *The density of the development shall not exceed 6.34 units/acre and shall not exceed 370 total units.*
3. *The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.*
4. *The proposed residential development shall confirm substantially to Streets and Other Rights-of-Way (16.60).*
5. *The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*

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.”

7. *A landscape plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).*
8. *The open space and buffers shall be protected in perpetuity by a deed that follows the property and shall not be separated from the parcel by future subdivision or reduced for project expansion. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).*
9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.*

Public Forum:

Chad Williamson, 6410 Deep Court, Flowery Branch, spoke in opposition. Concerns were the units being built correctly.

James Morris, 2711 Oconee Circle, Gainesville, spoke in opposition. Concerns were buffers, privacy, and fencing.

Summary Analysis

The applicant is requesting approval to rezone 58.27± acres from Light Industrial (I-I) to Residential Multi-Family (R-MF) for the purpose of developing a 370-unit multi-family residential and neighborhood (amended from 342 units). The overall density for the development is 6.34 units per acre. The narrative submitted by the applicant states that the development will provide quality housing with a full amenity package that supports housing needs in the area for young professionals and senior citizens.

The subject property is located east of Highway 23, just northeast I-985's Exit 24 interchange at its intersection with Jesse Jewell Parkway. The narrative states that access to the development will be provided through a full access entrance/exit an extension of Lanier Tech Drive connecting into the development, a portion of which is envisioned to be owned and maintained privately. Any future access dedicated solely to this outparcel will be subject to GDOT and Hall County approval and may require City of Gainesville coordination (to be determined based on comments received from Hall County Public Works).

The multi-family units will be constructed in 13 3-story buildings (including three/four splits). The development will include a resident clubhouse, a pool/amenity area, pocket parks, fire pit, a dog park, pickle ball courts, as well as mulched walking trails within the portions of the property reserved as riparian buffers.

The site will preserve significant open space, over 50%, and will be extensively landscaped or preserved as required to meet environmental regulations. The project site plan identifies a parking count of 716 parking spaces (1.94/unit).

The property was recently de-annexed from the City of Gainesville. The City of Gainesville future land use (FLU) map depicted the property as industrial adjacent to multi-family residential ([2711 NE Oconee Cir](#), which has a zoning designation of PUD). The Hall County FLU depicts the subject property as [rural](#).

Based on the future land-use plan, staff finds the requested zoning designation is inconsistent with the Future Land Use Map designation, as the proposed density of 6.34 units per acre exceeds the recommended rural density of 1.5 units per acre; [2022-Comprehensive-Plan, page 23](#).

Zoning Analysis

The proposed use of a 370-unit multi-family development is inconsistent with the Comprehensive Plan, as the proposed density exceed the density standard within the “Rural” land use designation. Within the rural character area the maximum density is recommended to be 1.5 unit per acre. No variance requests are noted in the application and staff has not identified any needed to approve the proposed use as presented.

The proposed development is located in the North Oconee Water Supply Watershed District that places limitations on the intensity of development ([17.225.030](#)):

- The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to twenty-five (25) percent, or existing use, whichever is greater.
- The site plan indicates a total impervious area of 19.2%, but the developed portions of the lot appear that they could make up more than the maximum when all required structures and surfaces are included in the calculation. It cannot be determined if this threshold has been exceeded.
 - **Based on criteria, the maximum allowable impervious area for the subject property is 14.56 acres or 634,451.4SF.**

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The use, multi-family residential, is proposed adjacent to Lanier Technical College, an institutional use located in the incorporated City of Gainesville. Undeveloped AR-IV-zoned properties surround the remainder of the subject site. The proposed land use is generally compatible with the adjacent uses and is likely filling a housing need, given the proximity of the college.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The environmental features on the site necessitate significant buffers that protect most of the adjacent property lines.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The intensity of development is limited in the North Oconee Water Supply Watershed District as a protective measure with the purpose of the protection of the quality of drinking water. Any proposed land use would be limited by the maximum impervious surface regulations and other environmental protections, so the previous city of Gainesville zoning, L-I may not be economically viable. Most industrial uses require a substantial footprint that may not be feasible with the**

environmental restrictions on the property. The property was recently de-annexed from the City of Gainesville to allow the current rezoning application and proposed multi-family development.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The development proposes a single point of access onto the public street system via Lanier Tech Drive. Hall County Fire Rescue has commented that the access point provided is inadequate to meet the requisite two points of egress pursuant to IFC D106.2. Based on the traffic report submitted, most improvements that would impact the level of service would require system improvements to be completed by Hall County. That said, site improvements shall be designed and constructed by the developer with appropriate sight distances, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan for the physical development of the area; **The Comprehensive Plan's future land use designation for the subject parcel is "Rural." Future development should be compatible with the rural character, which includes a high degree of open space and greenspace. This includes the use of conservation subdivisions to maximize the amount of open space in new residential developments. The recommended density in this character area is 1.5 units per acre. The proposed development is inconsistent with the policy and intent of the land use plan but it should be noted that when the plan was adopted in June 2022, the subject property was located within the City of Gainesville and not unincorporated Hall County.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned but it should be noted that the property was recently de-annexed from the City of Gainesville to allow the current rezoning application. Under the City of Gainesville's zoning, it had a classification of L-I. Given the environmental constraints related to the North Oconee Water Supply Watershed District, the site would have more difficulty being developed under the L-I designation.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property was recently de-annexed into Hall County from the City of Gainesville. The current zoning district is unchanged from the district established during the de-annexation process. Prior to that, the property remained undeveloped.**
10. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts. **The proposed zoning is inconsistent with both the existing Hall County zoning districts in the immediate area and the appropriate zoning districts/uses identified in the Hall County future land use map. As such, staff does not find the R-MF district to be an appropriate designation for the subject property but it should be noted that it is adjacent to [2711 NE Oconee Cir](#) in the City of Gainesville which has a zoning designation**

of **PUD**. The proposed designation and use are inconsistent with unincorporated Hall County maps and adjacent land uses but is compatible with the adjacent property located within the City of Gainesville.

12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **Since the Future Land Use Map designates the character of this parcel as "Rural," the existing L-I zoning designation is not appropriate, nor is the proposed R-MF designation.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support multi-family uses based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The increased environmental regulations of the North Oconee Water Supply Watershed District attempt to mitigate the environmental impacts of the development through enhanced riparian buffers and limitations on intensity of development. While the applicant has indicated the imperious surface limitations have been met, staff finds that additional confirmation of the methodology of the calculations is required to verify.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

Residential-Multi-Family District (R-MF) standards are found in [chapter 17.100](#) which include the permitted and conditional uses allowed within the R-MF district.

The purpose of the **Protected Water Supply Watershed, Protected Groundwater Recharge Area, and Wetlands Protection Overlay Zoning Districts (17.225)** is to conserve natural resources or realize development objectives without unduly disturbing the expectations created by the existing zoning ordinance. Specifically, The North Oconee River Small Water Supply Watershed Overlay District consist of the land areas that drain to the proposed North Oconee River public water supply intake and water supply reservoir

- The subject property is subject to the requirements of [Section 17.225.040](#):
 - A. Permitted uses for perennial stream corridors within a seven mile radius upstream of the North Oconee River public drinking water supply intake: All uses allowed in the underlying zoning districts as established by this resolution, except for those listed below are permitted in the water supply watershed protection district, subject to the following standards:
 1. A buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks. **The submitted site plan meets this standard.**
 2. No impervious surface shall be constructed within a 150-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drainfields are prohibited in this setback. **The submitted site plan meets this standard.**

- B. Permitted uses for perennial stream corridors outside a seven mile radius upstream of the proposed North Oconee public drinking water supply intake: All uses allowed in the underlying zoning districts as established by this resolution, except for those listed below, are permitted in the water supply watershed protection district, subject to the following standards:
 1. A buffer shall be maintained for a distance of 50 feet on both sides of the stream as measured from the stream banks. **The site plan indicates that the buffers will exceed this requirement and shows a 100FT stream buffer and a 150FT impervious surface setback.**
 2. No impervious surface shall be constructed within a 75-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drainfields are prohibited in this setback. **The property will be served by public water and sewer.**
- C. General criteria for small water supply watersheds: The following criteria apply to all locations in the North Oconee water supply watershed:
 1. The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to **twenty-five (25) percent**, or existing use, whichever is greater. **The submitted site plan meets this standard, showing 19.2% impervious area.**
 2. New hazardous waste treatment or disposal facilities are prohibited. **The proposal is for a multi-family residential complex and not a waste disposal facility so this is not applicable.**
 3. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems. **The proposal is for a multi-family residential complex and not a sanitary landfill so this is not applicable.**
 4. New facilities, located within seven miles of a water supply intake or water supply reservoir, which handle hazardous material of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code. **The proposal is for a multi-family residential complex and does not handle hazardous materials as listed in Section 312 of the Resource Conservation and Recovery Act of 1976, therefore, this section is not applicable to the current application.**

- **17.380.050.** - Submission requirements for a rezoning request

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section [17.380.060.C](#) of this section [chapter]. **The applicant has submitted a narrative and constitutional objections but did not specifically address the criteria listed in [17.380.060.C](#).**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement.**
 3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This project proposes public sewer and water so this is not applicable.**
 4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **Proposal meets the requirement. The County Engineer included comments.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated September 14, 2022 from Emily McGahee states “No comment. Public sewer.”

Hall County Fire Rescue

In an email dated September 16, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

“All access controlled gates will require a Knox key switch override device for fire department access into gated development.

IFC D106.2, Multifamily developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. Concept plan show one access into development two are required.

IFC D105.2, Where the vertical distance between the grade plane and the highest roof surface exceeds 30’ approved aerial access roads shall be provided and shall have a minimum unobstructed width of 26’ exclusive of shoulders.

IFC Section 912, Fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.

IFC 510, Emergency responder radio frequency test will be required and installation of a bi-directional antenna system may be required.

NFPA 13R or 13 fire protection system will be required to be installed, tested and certified.

NFPA 72 fire alarm system will be required to be installed, tested and certified.

Complete set of engineered civil plans will have to submitted for review and approval by the Hall County Fire Marshal's Office."

Hall County Public Works and Utilities

In a memo dated September 16, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek. Show flood Hall County studied and FEMA.

Traffic:

Lanier Tech Drive is a City of Gainesville roadway and proposed connection will need to be approved and permitted by Gainesville. Unclear if proposed roadway extension is to also be in Gainesville's jurisdiction. A cul-de-sac should be required at the end of the public roadway. The traffic study indicated a proposed connection to Oconee Circle, however, the provided concept plan and narrative did not mention this, confusing.

Utilities:

Gainesville Sewer District.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

A letter dated July 19, 2022 from Nick Swafford, Permitting Services Manager, stated the following:

"The purpose of this letter is to confirm the availability of water and sanitary sewer service to the above-referenced property.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Lanier Tech Drive, which terminates on the subject property. The City also owns and operates an existing 8-inch DIP gravity sanitary sewer located on the subject property.

The City of Gainesville has adequate capacity for your proposed 342-unit multi-family development, which we understand will generate an anticipated average sewage flow of 85,550 GPD and a peak flow of 213,750 GPD. It is our understanding the developer will be requesting to de-annex the property from the City of Gainesville, and, as a result, subsequently request the City to waive the annexation requirement for sanitary sewer service. If the request is approved by City Council, the City will honor this commitment of water and sanitary sewer service for your development.

The confirmation of water and sanitary sewer availability is good for one year from the date of this letter at which time, it will become null and void unless engineer plans have been submitted for the issuance of a development permit.”

Georgia Department of Transportation

Per an email dated September 19, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project **will** require GDOT coordination.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant’s Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Jonathan Collins, Gainesville, presented the request. The applicant stated that this design is to accommodate a younger demographic. The applicant stated that the subject property would be reached through Lanier Teach Road, extended 70 feet, and maintenance will be provided by the City of Gainesville. The applicant stated that there are two adjacent property owners so they are planning to have 100 foot undisturbed wooded buffer. The applicant stated that rent for the units will be from \$1,300 to \$1,500 a month.

Planning Commission Comments:

Mr. Hunt requested clarification on the 100 foot buffer.

Motion: *A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0*

Conditions:

1. *The development shall occur as depicted on the site plan dated 9-14-2022 and described in the project narrative.*
2. *The density of the development shall not exceed 6.34 units/acre and shall not exceed 370 total units.*
3. *The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from wooded vegetation not to the center line of the stream.*
4. *The proposed residential development shall conform substantially to Streets and Other Rights-of-Way (16.60).*

5. *The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
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7. *A landscape plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).*
8. *The open space and buffers shall be protected in perpetuity by a deed that follows the property and shall not be separated from the parcel by future subdivision or reduced for project expansion. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).*
9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.*

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

Capstone Acquisitions, LLC

PO Box 723

Gainesville, GA 30503

Phone 770-519-5598

Email Address jonathan@cp9llc.net

Proposed Use Multi-Family

Property Owner (Name & Mailing Address)

Howard LT Holdings 1, LLC

Howard LT Holdings 2, LLC

PO Box 723 Gainesville, GA 30503

Phone 770-519-5598

Email Address jonathan@cp9llc.net

Contact Person (Name & Mailing Address)

Jonathan Collins

PO Box 723

Gainesville, GA 30503

Phone 770-519-5598

Email Address jonathan@cp9llc.net

Tax Parcel Number 15021 000085

Location Address 2866 NE Lanier Tech DR Gainesville, GA 30506

Status of Applicant

☒ Owner

☐ Option to Purchase

☐ Area Resident

☐ Other

Requested Action

Existing Zoning: L-I

Rezone to: R-MF

Fee: \$ 1,500

Receipt #: _____

Check #: 1066

Acreage 58.23 +/-

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 8-12-22

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: 8/12

Taken by: _____

Tentative Planning Commission Date: 9/14 10/3

Tentative County Commission Date: 9/27 9/10

County Commission District: 3

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Howard LT Holdings 1, LLC

Address PO Box 723

Gainesville, GA 30503

Phone Number 770-519-5595

Name of applicant(s) Capstone Acquisitions, LLC

Address PO Box 723

Gainesville, GA 30503

Phone Number 770-519-5595

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

Amanda Friction

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]

Notary Public

8/11/22
Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Howard LT Holdings 2, LLC

Address Po Box 723

Gainesville, GA 30503

Phone Number 770-519-5598

Name of applicant(s) Capstone Acquisitions, LLC

Address Po Box 723

Gainesville, GA 30503

Phone Number 770-519-5598

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

Personally appeared before me

Amanda Friction

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Amanda Friction
Notary Public



8/11/22
Date

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not ✓

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: [Signature]

Date: _____

Applicant's/Owner's Name (Printed): Jonathan Collins

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
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within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: [Signature]

Date: _____

Applicant's/Owner's Name (Printed): Jonathan Geller - manager

Project Narrative for Capstone at Inland Crossing

LOCATION – 2866 NE Lanier Tech Dr, Gainesville, GA 30506

ACREAGE – 58.23 acres +/-

APPLICANT – Capstone Acquisitions, LLC

Summary

The accompanying application seeks annexation into Hall County and zoning district change from L-I Gainesville to R-MF Hall County for 58.27 acres of unimproved property located on Lanier Tech Drive in northeastern Hall County approximately 0.2 miles east of Hwy 365 and located contiguous to the campus of Lanier Tech. The intent is to develop up to 370 multi-family units of class A quality housing along with a full amenity offering while maintaining a significant amount of open green space within the development along with a vast undisturbed area to serve as further buffer to any adjacent properties. The proposed use is consistent with all Hall County R-MF density requirements and state/local code guidelines while providing a significant housing need for the expanding local industry in the HWY 365 corridor along with the students of Lanier Tech. The project is expected to begin development in approximately late 2023 to early 2024 with completion planned for 2025.

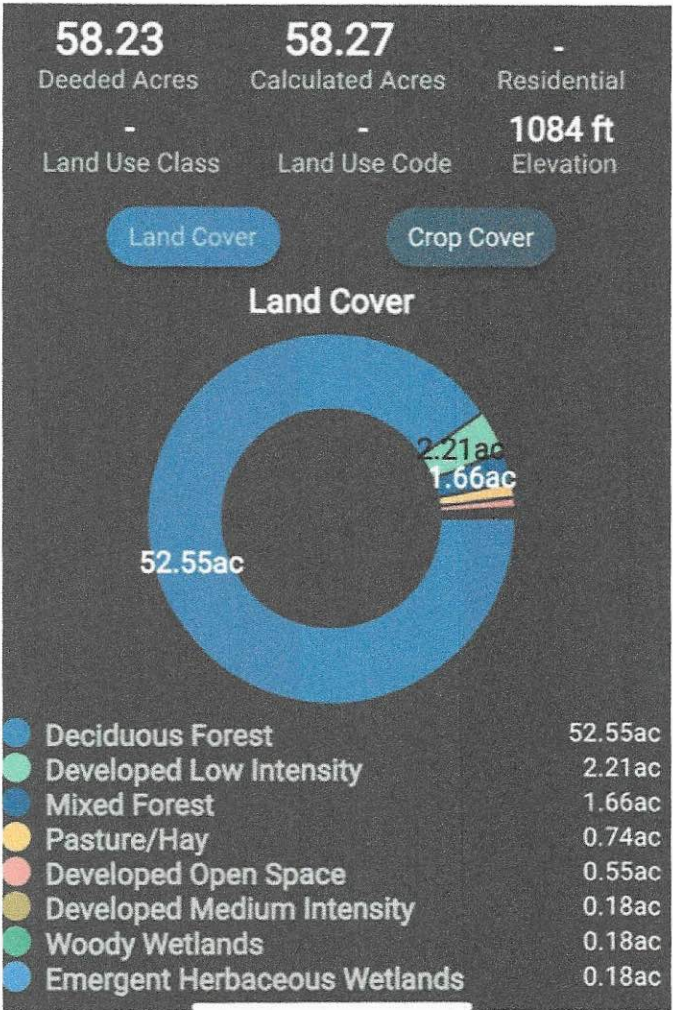
Development Strategy

The Capstone at Inland Crossing will be developed by Capstone which has significant experience in real estate development with a concentration in multi-family development, design and construction management. Capstone is located in Gainesville, GA and is led by Jonathan Collins, President and Lead Project Developer, and Dr. Jeff Payne, Chairman, whom both reside in Hall County. The Capstone at Inland Crossing will feature 370 units on 58.27 acres resulting in a very low density of only 6.34 units per acre allowing the project to maintain significant wooded areas and open green spaces while maintaining a significant sight and distance buffers between all neighboring land and property owners. The development will feature an amenity package (detailed list provided) and unit mix (table included) with a heavy concentration on 1 and 2 bedroom units that will focus on young working individuals/families without school age children and/or seniors also without school age children. A project site plan along with conceptual pictures of the project have been provided in the following pages.

Site Description

The 58.27 acre parcel is triangular in shape and is currently unimproved with a significant wooded area. A small, jurisdictional stream is located on the property along with a small area of jurisdictional wetlands were previously located in which all necessary set back requirements are met. Domestic water provided by the City of Gainesville and is located on Lanier Tech

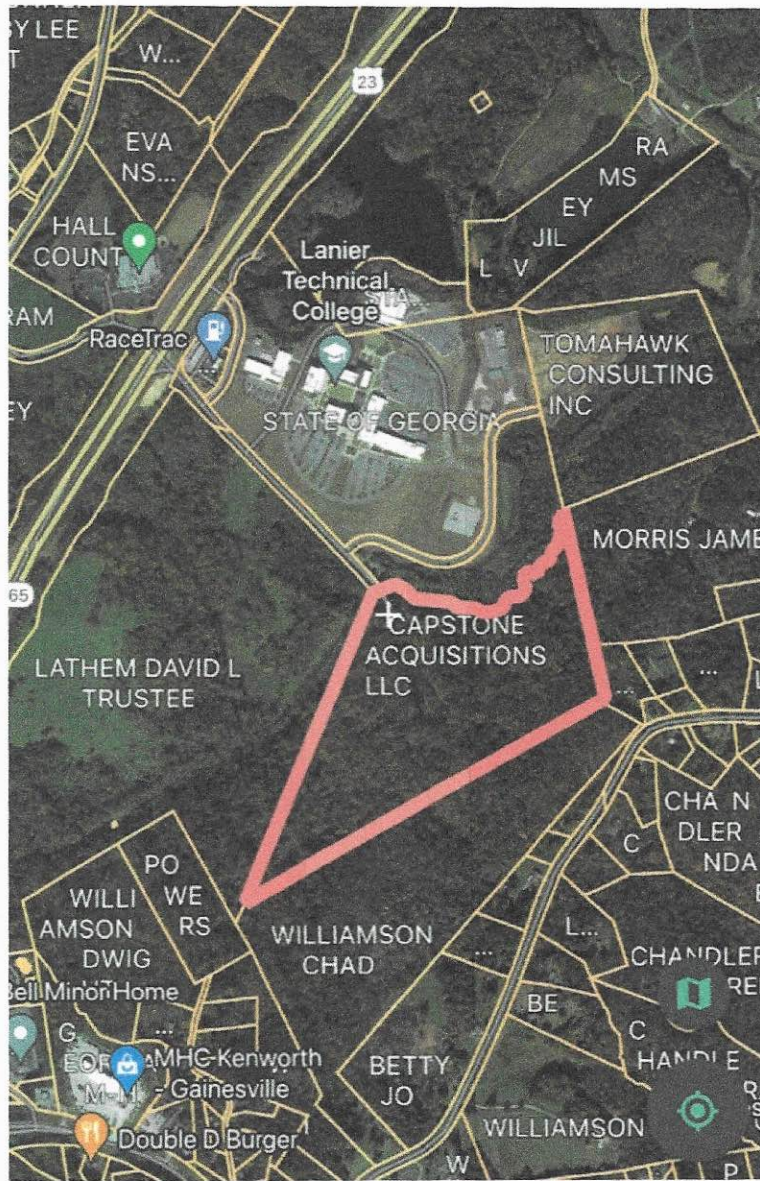
Drive. The City of Gainesville will also serve the site with sanitary sewer through a manhole and easement located on Lanier Tech Drive. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.



Adjacent Property

The property is surrounded by residential zonings to the east, commercial zoning to the north and agriculture to the west and south that will ultimately become proposed commercial tracts based on discussions with the land owner.

Aerial View



Access

Access to the property is from Lanier Tech Drive approximately 0.2 miles east of Hwy 365

Traffic Impact Study

A Traffic Impact Study is included as part of this submittal.

Unit Matrix

Preliminary Unit Mix (subject to change prior to development)

BUILDING	A1 (1 Bed)	A2 (1 Bed)	B1 (2 Bed)	B2 (2 Bed)	C1 (3 Bed)	TOTAL	Parking Req'd
NO	UNIT	UNIT	UNIT	UNIT	UNIT	UNITS	
1		14	14			28	42
2		14	14			28	42
3		12	12			24	36
4	14	14			14	42	63
5	14	14			14	42	63
6			12	12		24	36
7		14	14			28	42
8		14	14			28	42
9		14	14			28	42
10			14			14	21
11		14	14			28	42
12		14	14			28	42
13		14	14			28	42
TOTAL	28	152	150	12	28	370	555
	8%	41%	41%	3%	8%		

Mix	1 Bed	2 Bed	3 Bed	
No. Units	180	162	28	
%	49%	44%	8%	100%

Parking

585 parking spots proposed including 30 handicap parking spots. Required parking spots per code is 575 spaces for 370 units.

Architectural Materials & Site Improvements

Although a specific builder group has not been identified, at a minimum the multi-family construction would follow a design theme that would include:

- Front facades with a combination of masonry and hardi-plank materials
- Side & Rear facades with hardi-plank or shake siding
- Architectural weight shingles
- Approved landscape plan per code requirements

Entrance Monumentation

The entrance will be gated and the private streets will be maintained by the property owner. All necessary requirements to allow access for public safety and other services will be provided. At least one central mail kiosk will be provided subject to USPS review and approval. The entrance may include the following structural items:

- Masonry walls

- Wood or PVC fencing
- Gate House
- Operable or Faux Gates
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Landscaping & Irrigation

Amenities

The community amenities will contain the following items:

- Club house
- Pool & decking
- Outdoor fire pit
- Walking Trails
- Passive Pocket Parks
- Dog Park
- Pickle Ball Court (potentially added at date TBD)

Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along Lanier Tech Drive.

Sales and Construction Trailers

Applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of street paving and possible ahead of final plat approval.

Conceptual Master Plan

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the PRD master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of

Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

I. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this proposed R-II master plan application be approved as requested by the Applicant. If there are any questions about this request, you may contact:

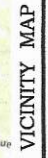
Jonathan Collins
Capstone
340 Jesse Jewell Parkway, Ste 400
Gainesville, GA 30501
770-519-5598
jonathan@cpgllc.net

DOUGERAKIS CONSULTING ENGINEERS, INC. • civil engineering • sanitary engineering
400 Abbey Court, Alpharetta, Georgia 30004, phone: 770-753-9800

Capstone at Inland Crossing

SCALE:	1" = 100'
DATE:	9-14-22
JOB NO.	1904
SHEET	

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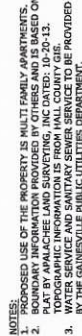


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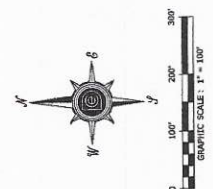
Capstone Acquisitions LLC
440 Jesse Jewell Pkwy, Ste 400
Gainesville, Ga 30501
Phone: 770-519-5598

Mr. Emmanuel Doulgerakis, 770-753-9800

PIN: 15021 000085



Max	1 Bed	2 Bed	3 Bed
No. Units	180	162	28
\$/sq. ft.	\$95/sq. ft.	\$48/sq. ft.	\$55/sq. ft.



CITY OF
GAINESVILLE

WATER RESOURCES

July 19, 2022

Capstone Acquisitions, LLC
Attn: Carla J. Walker, Esq.
340 Jesse Jewell Pkwy, Suite 105
Gainesville, GA 30501

Re: Water & Sanitary Sewer Availability
Proposed 342-Unit Multi-Family Development
2866 Lanier Tech Drive
PIN: 15021 000085

Dear Ms. Walker,

The purpose of this letter is to confirm the availability of water and sanitary sewer service to the above-referenced property.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Lanier Tech Drive, which terminates on the subject property. The City also owns and operates an existing 8-inch DIP gravity sanitary sewer located on the subject property.

The City of Gainesville has adequate capacity for your proposed 342-unit multi-family development, which we understand will generate an anticipated average sewage flow of 85,550 GPD and a peak flow of 213,750 GPD. It is our understanding the developer will be requesting to de-annex the property from the City of Gainesville, and, as a result, subsequently request the City to waive the annexation requirement for sanitary sewer service. If the request is approved by City Council, the City will honor this commitment of water and sanitary sewer service for your development.

This confirmation of water and sanitary sewer availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.

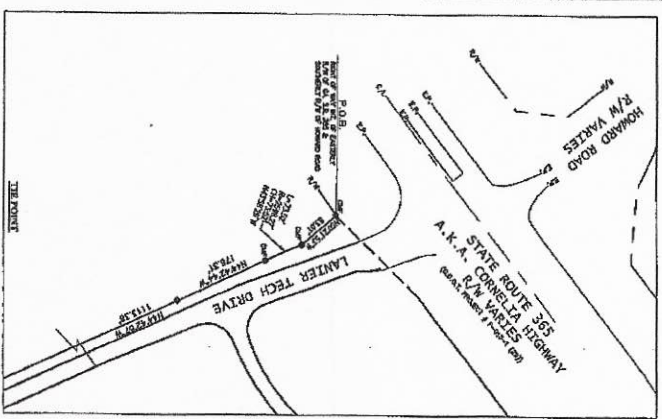
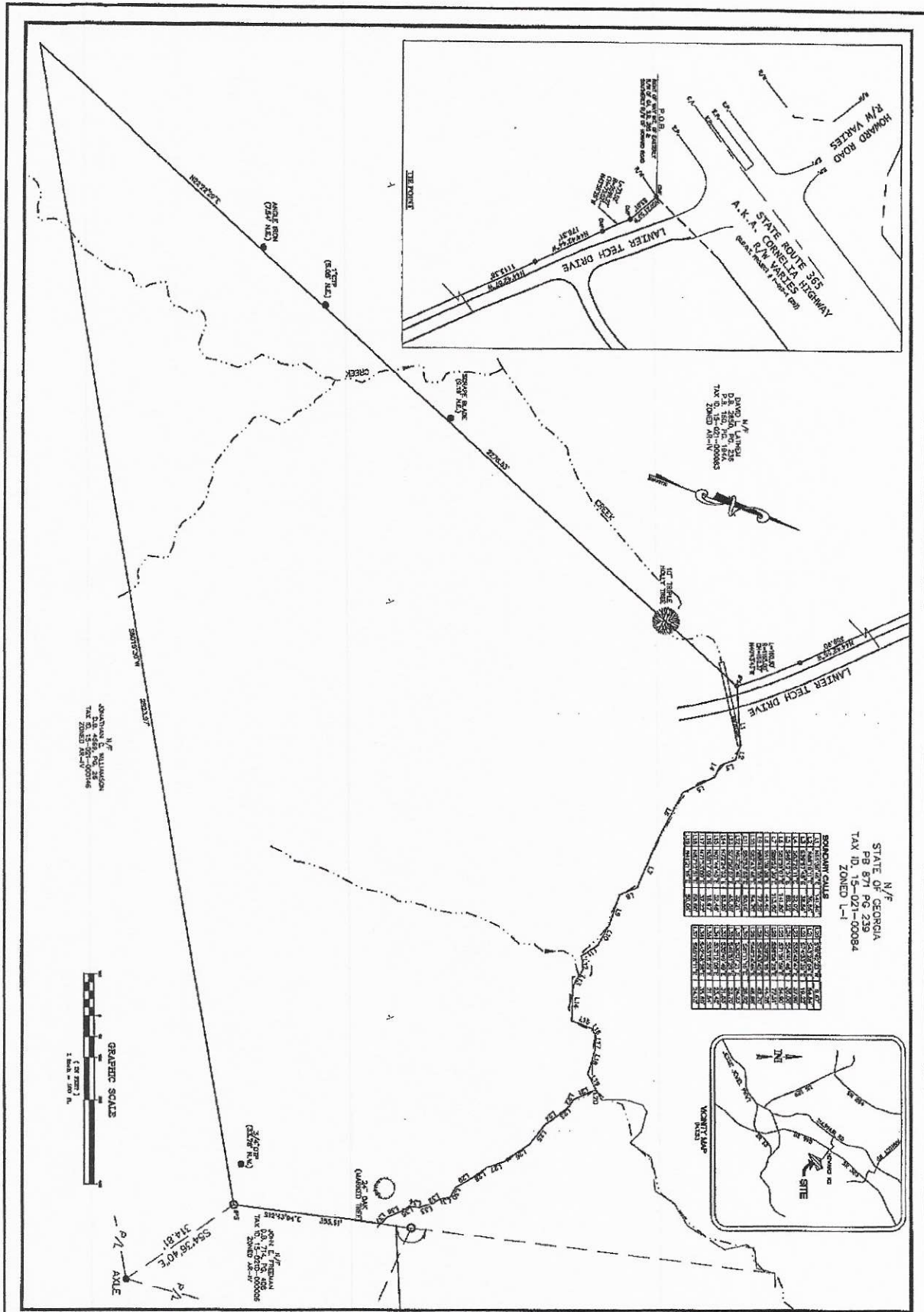
Please call me at (770) 538-2452 should you have any questions.

Sincerely,

Nick Swafford

Nick Swafford
Permitting Services Manager

cc: Myron Bennett, P.E., Engineering and Construction Div. Manager



N/F
STATE OF GEORGIA
PB 871 PG 239
TAX ID: 15-021-00084
ZONED L-1

SECTION CALLS

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OVERALL
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the 411 G.M.D. of Hall County, Georgia, being more particularly described as follows

Beginning at a concrete monument found at the intersection of the easterly right-of-way of Georgia State Route 365 and the existing southerly right-of-way of Howard Road;

THENCE along said existing southerly right-of-way of Howard Road South 60 degrees 21 minutes 53 seconds East for a distance of 83.01 feet to a point;
THENCE continuing along said right-of-way along a curve to the left having a radius of 2598.27 feet, with an arc length of 73.52 feet, being subtended by chord bearing of South 43 degrees 58 minutes 26 seconds East for a chord distance of 73.52 feet to a point;
THENCE continuing along said right-of-way South 44 degrees 42 minutes 44 seconds East for a distance of 178.31 feet to a point at the abandoned southerly right-of-way of Howard Road, said point being the TRUE POINT OF BEGINNING;

THENCE continuing along said right-of-way along a curve to the left having a radius of 247.89 feet, with an arc length of 190.76 feet, being subtended by chord bearing of South 66 degrees 48 minutes 35 seconds East for a chord distance of 186.08 feet to a point on the proposed easterly right-of-way of Howard Road;
THENCE along said right-of-way North 44 degrees 42 minutes 44 seconds West for a distance of 136.36 feet to a point on the existing easterly right-of-way of Howard Road;
THENCE along said right-of-way the following six (6) courses: North 44 degrees 42 minutes 44 seconds West for a distance of 61.29 feet to a point;
THENCE North 47 degrees 27 minutes 13 seconds West for a distance of 15.72 feet to a point;
THENCE North 44 degrees 21 minutes 01 seconds West for a distance of 78.88 feet to a point;
THENCE North 44 degrees 33 minutes 58 seconds West for a distance of 99.33 feet to a point;
THENCE North 35 degrees 51 minutes 44 seconds West for a distance of 96.30 feet to a point;
THENCE North 00 degrees 01 minutes 56 seconds West for a distance of 47.98 feet to a point on the proposed northerly right-of-way of Howard Road;
THENCE along said right-of-way South 23 degrees 31 minutes 54 seconds East for a distance of 33.03 feet to a point;
THENCE continuing along said right-of-way South 40 degrees 18 minutes 54 seconds East for a distance of 179.47 feet to a point on the proposed northerly right-of-way of Howard Way;
THENCE along said right-of-way the following four (4) courses: South 72 degrees 27 minutes 13 seconds East for a distance of 31.01 feet to a point;
THENCE along a curve to the left having a radius of 315.19 feet, with an arc length of 198.54 feet, being subtended by chord bearing of North 37 degrees 23 minutes 49 seconds East for a chord distance of 195.27 feet to a point;
THENCE North 18 degrees 46 minutes 14 seconds East for a distance of 19.30 feet to a point;
THENCE North 16 degrees 26 minutes 01 seconds East for a distance of 133.62 feet to a point;
THENCE leaving said right-of-way North 57 degrees 07 minutes 58 seconds West for a distance of 244.22 feet to a point on the southerly right-of-way of Georgia State Route 365;

THENCE along said right-of-way the following eight (8) courses: North 32 degrees 51 minutes 15 seconds East for a distance of 84.70 feet to a point;
 THENCE along a curve to the right having a radius of 2622.04 feet, with an arc length of 249.65 feet, being subtended by chord bearing of North 33 degrees 12 minutes 08 seconds East for a chord distance of 249.56 feet to a point;
 HENCE along a curve to the right having a radius of 2622.04 feet, with an arc length of 34.03 feet, being subtended by chord bearing of North 36 degrees 18 minutes 06 seconds East for a chord distance of 34.03 feet to a point;
 THENCE North 48 degrees 37 minutes 40 seconds East for a distance of 39.77 feet to a point;
 THENCE along a curve to the right having a radius of 160.02 feet, with an arc length of 166.99 feet, being subtended by chord bearing of North 24 degrees 42 minutes 45 seconds East for a chord distance of 159.51 feet to a point;
 THENCE along a curve to the right having a radius of 30.00 feet, with an arc length of 47.54 feet, being subtended by chord bearing of South 80 degrees 12 minutes 13 seconds East for a chord distance of 42.72 feet to a point;
 THENCE along a curve to the left having a radius of 60.00 feet, with an arc length of 238.77 feet, being subtended by chord bearing of North 25 degrees 09 minutes 42 seconds East for a chord distance of 109.62 feet to a point;
 THENCE North 36 degrees 08 minutes 56 seconds East for a distance of 147.19 feet to a $\frac{1}{2}$ inch rebar found;
 THENCE leaving said right-of-way South 35 degrees 39 minutes 13 seconds East for a distance of 877.25 feet to a $\frac{1}{2}$ inch open top pipe found;
 THENCE North 80 degrees 35 minutes 37 seconds East for a distance of 1197.53 feet to a $\frac{3}{4}$ inch open top pipe found;
 THENCE South 12 degrees 59 minutes 04 seconds East for a distance of 2278.00 feet to a 1 inch iron bar found at a marked oak tree;
 THENCE South 12 degrees 43 minutes 04 seconds East for a distance of 428.02 feet to an iron pin set;
 THENCE South 60 degrees 19 minutes 30 seconds West for a distance of 2823.97 feet to an iron pin set;
 THENCE North 22 degrees 22 minutes 29 seconds East for a distance of 2276.52 feet to an iron pin set on the proposed westerly right-of-way of Howard Road;
 THENCE along said right-of-way along a curve to the left having a radius of 1165.00 feet, with an arc length of 160.50 feet, being subtended by chord bearing of North 40 degrees 43 minutes 43 seconds West for a chord distance of 160.37 feet to a point;
 THENCE continuing along said right-of-way North 44 degrees 42 minutes 57 seconds West for a distance of 1473.29 feet the TRUE POINT OF BEGINNING.

Said property contains 145.633 acres.

Project Narrative for Capstone at Inland Crossing

LOCATION – 2866 NE Lanier Tech Dr, Gainesville, GA 30506

ACREAGE – 58.23 acres +/-

APPLICANT – Capstone Acquisitions, LLC

Summary

The accompanying application seeks annexation into Hall County and zoning district change from L-I Gainesville to R-MF Hall County for 58.27 acres of unimproved property located on Lanier Tech Drive in northeastern Hall County approximately 0.2 miles east of Hwy 365 and located contiguous to the campus of Lanier Tech. The intent is to develop up to 342 multi-family units of class A quality housing along with a full amenity offering while maintaining a significant amount of open green space within the development along with a vast undisturbed area to serve as further buffer to any adjacent properties. The proposed use is consistent with all Hall County R-MF density requirements and state/local code guidelines while providing a significant housing need for the expanding local industry in the HWY 365 corridor along with the students of Lanier Tech. The project is expected to begin development in approximately late 2023 to early 2024 with completion planned for 2025.

Development Strategy

The Capstone at Inland Crossing will be developed by Capstone which has significant experience in real estate development with a concentration in multi-family development, design and construction management. Capstone is located in Gainesville, GA and is led by Jonathan Collins, President and Lead Project Developer, and Dr. Jeff Payne, Chairman, whom both reside in Hall County. The Capstone at Inland Crossing will feature 342 units on 58.27 acres resulting in a very low density of only 5.87 units per acre allowing the project to maintain significant wooded areas and open green spaces while maintaining a significant sight and distance buffers between all neighboring land and property owners. The development will feature an amenity package (detailed list provided) and unit mix (table included) with a heavy concentration on 1 and 2 bedroom units that will focus on young working individuals/families without school age children and/or seniors also without school age children. A project site plan along with conceptual pictures of the project have been provided in the following pages.

Site Description

The 58.27 acre parcel is triangular in shape and is currently unimproved with a significant wooded area. A small, jurisdictional stream is located on the property along with a small area of jurisdictional wetlands were previously located in which all necessary set back requirements are met. Domestic water provided by the City of Gainesville and is located on Lanier Tech

Drive. The City of Gainesville will also serve the site with sanitary sewer through a manhole and easement located on Lanier Tech Drive. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.



Adjacent Property

The property is surrounded by residential zonings to the east, commercial zoning to the north and agriculture to the west and south that will ultimately become proposed commercial tracts based on discussions with the land owner.

[illegible]

Access to the property is from Lanier Tech Drive approximately 0.2 miles east of Hwy 365

A Traffic Impact Study is included as part of this submittal.

Unit Matrix

Unit Mix							
BUILDING	A1 (1 Bed)	A2 (1 Bed)	B1 (2 Bed)	B2 (2 Bed)	C1 (3 Bed)	TOTAL	Parking Req'd
NO	UNIT	UNIT	UNIT	UNIT	UNIT	UNITS	
1		14	14			28	44.8
2	14	14			14	42	75.6
3	14	14			14	42	75.6
4			12	12		24	38.4
5	12		12			24	38.4
6		14	14			28	44.8
7		14	14			28	44.8
8		14	14			28	44.8
9			14			14	22.4
10		14	14			28	44.8
11		14	14			28	44.8
12		14	14			28	44.8
TOTAL	40	126	136	12	28	342	564
	12%	37%	40%	4%	8%		

Mix	1 Bed	2 Bed	3 Bed	
No. Units	166	148	28	
%	49%	43%	8%	100%

Parking

577 parking spots proposed including 30 handicap parking spots. Required parking spots per code is 564 spaces for 342 units.

Architectural Materials & Site Improvements

Although a specific builder group has not been identified, at a minimum the multi-family construction would follow a design theme that would include:

- Front facades with a combination of masonry and hardi-plank materials
- Side & Rear facades with hardi-plank or shake siding
- Architectural weight shingles
- Approved landscape plan per code requirements

Entrance Monumentation

The entrance will be gated and the private streets will be maintained by the property owner. All necessary requirements to allow access for public safety and other services will be provided. At least one central mail kiosk will be provided subject to USPS review and approval. The entrance may include the following structural items:

- Masonry walls
- Wood or PVC fencing
- Gate House
- Operable or Faux Gates
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Landscaping & Irrigation

Amenities

The community amenities will contain the following items:

- Club house
- Pool & decking
- Outdoor fire pit
- Walking Trails
- Passive Pocket Parks
- Dog Park
- Pickle Ball Court (potentially added at date TBD)

Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along Lanier Tech Drive.

Sales and Construction Trailers

Applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of street paving and possible ahead of final plat approval.

Conceptual Master Plan

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of Hall County requires the Applicant to raise Federal and State constitutional objections during the PRD master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the Hall County Development Code, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Hall County Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the Hall County Board of Commissioners to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

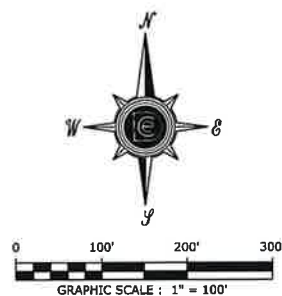
A denial of this Application would constitute an arbitrary and capricious act by the Hall County Board of Commissioners without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the PRD zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the Hall County Board of Commissioners to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

I. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this proposed R-II master plan application be approved as requested by the Applicant. If there are any questions about this request, you may contact:

Jonathan Collins
Capstone Property Group, LLC
340 Jesse Jewell Parkway, Ste 400
Gainesville, GA 30501
770-519-5598
jonathan@cpgllc.net



N/F DAVID L. LATHEM
D.B. 2850, PG. 236 P.B.
160, PG. 194A TAX ID.
15-021-000083
ZONED AR-IV

TRACT 2 - GREEN SPACE

N/F
STATE OF GEORGIA
PB 871 PG 239
TAX ID. 15-021-00084
ZONED L-1

N/F
JAMES P. MORRIS
TAX ID. 15-021D-000046
ZONED PUD

N/F
JAMES P. MORRIS
TAX ID. 15-021D-000046
ZONED PUD

SITE DATA

CURRENT ZONING L-I GAINESVILLE
PROPOSED ZONING R-MF HALL COUNTY
OVERLAY DISTRICT, N. OCONEE WPD ZONE

FRONT YARD 30' (SEE VARIANCE)
SIDE YARD 10' + 5' PER STORY ABOVE 2
REAR YARD 20' + 5' PER STORY ABOVE 2
(NO APT. SHALL BE LESS THAN 40' FROM ADJOINING PROPERTY LINE)
ACCESSORY BLDGS UNDER 144 SF 5 FT SIDE AND REAR SETBACK

MAX BLDG HEIGHT	MUST CONFORM TO STATE OR COUNTY FIRE CODE REGULATION
MAX BUILDING COVERAGE	NOT SPECIFIED IN ORD.
PROPOSED BLDG COVERAGE	5.1%
MAX IMPERVIOUS SURFACE	25%
PROP'S IMPERVIOUS	19.1%
MIN LANDSCAPED OPEN SPACE	25% OF TOTAL LAND

PROPOSED RESIDENTIAL DENSITY
DENSITY SHOWN
TOTAL SITE AREA
R-MF SITE AREA (AFTER R/W)

<u>TRACT 1 - APARTMENTS</u>	
AREA	37.11± AC
# OF UNITS SHOWN	342
REQ'D PARKING (1.5 SP / UNIT)	513 SPACES
PROVIDED PARKING	577 SPACES
STANDARD	547 SPACES
HANDICAP	30 SPACES

TRACT 2 - GREEN SPACE
AREA 18.34± AC

RIGHT OF WAY TRACT 2.82± AC

NOTES:

1. PROPOSED USE OF THE PROPERTY IS MULTI FAMILY APARTMENTS.
2. BOUNDARY INFORMATION PROVIDED BY OTHERS AND IS BASED ON PLAT BY ROCHESTER AND ASSOCIATES DATED: 2-02-16.
TOPOGRAPHIC INFORMATION IS HALL COUNTY GIS.
3. WATER SERVICE AND SANITARY SEWER SERVICE TO BE PROVIDED BY THE GAINESVILLE PUBLIC UTILITIES DEPARTMENT.

VARIANCES

VARIANCE REQUESTED TO REDUCE THE FRONT SETBACK FROM 40FT PLUS FIVE FEET PER STORY OVER TWO STORY TO 30FT TOTAL. REF. SECTION 17.300.020.B OF THE UNIFIED LAND DEVELOPMENT CODE

TAX PARCEL IDS

PIN: 15021 000085

Unit Mix							Parking Req'd
BUILDING	A1 (1 Bed)	A2 (1 Bed)	B1 (2 Bed)	B2 (2 Bed)	C1 (3 Bed)	TOTAL	
NO	UNIT	UNIT	UNIT	UNIT	UNIT	UNITS	
1		14	14			28	44.8
2	14	14			14	42	75.6
3	14	14			14	42	75.6
4			12	12		24	38.4
5	12		12			24	38.4
6		14	14			28	44.8
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8		14	14			28	44.8
9			14			14	22.4
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11		14	14			28	44.8
12		14	14			28	44.8
TOTAL	40	126	136	12	28	342	564
	12%	37%	40%	4%	8%		

Mix	1 Bed	2 Bed	3 Bed	
No. Units	166	148	28	
%	49%	43%	8%	100%

TRACT 1 - APARTMENTS

Applicant

Capstone Acquisitions LLC
340 Jesse Jewell Pkwy, Ste 400
Gainesville, Ga 30501
Phone: 770-519-5598

Engineering Contact

Mr. Emmanuel Doulgerakis, 770-753-9800

VICINITY MAP

NOT TO SCALE



<div style="display: flex; justify-content: space-between; align-items: center; padding: 5px;"><div style="width: 30%;">SCALE:</div><div style="width: 40%; text-align: center;">1" = 100'</div><div style="width: 30%;"></div></div>									
<div style="display: flex; justify-content: space-between; align-items: center; padding: 5px;"><div style="width: 30%;">DATE:</div><div style="width: 40%; text-align: center;">7-19-22</div><div style="width: 30%;"></div></div>									
<div style="display: flex; justify-content: space-between; align-items: center; padding: 5px;"><div style="width: 30%;">JOB, NO.</div><div style="width: 40%; text-align: center;">1904</div><div style="width: 30%;"></div></div>									
<div style="display: flex; justify-content: space-between; align-items: center; padding: 5px;"><div style="width: 30%;">SHEET.</div><div style="width: 40%; text-align: center;">1</div><div style="width: 30%;"></div></div>									

NOT FOR CONSTRUCTION

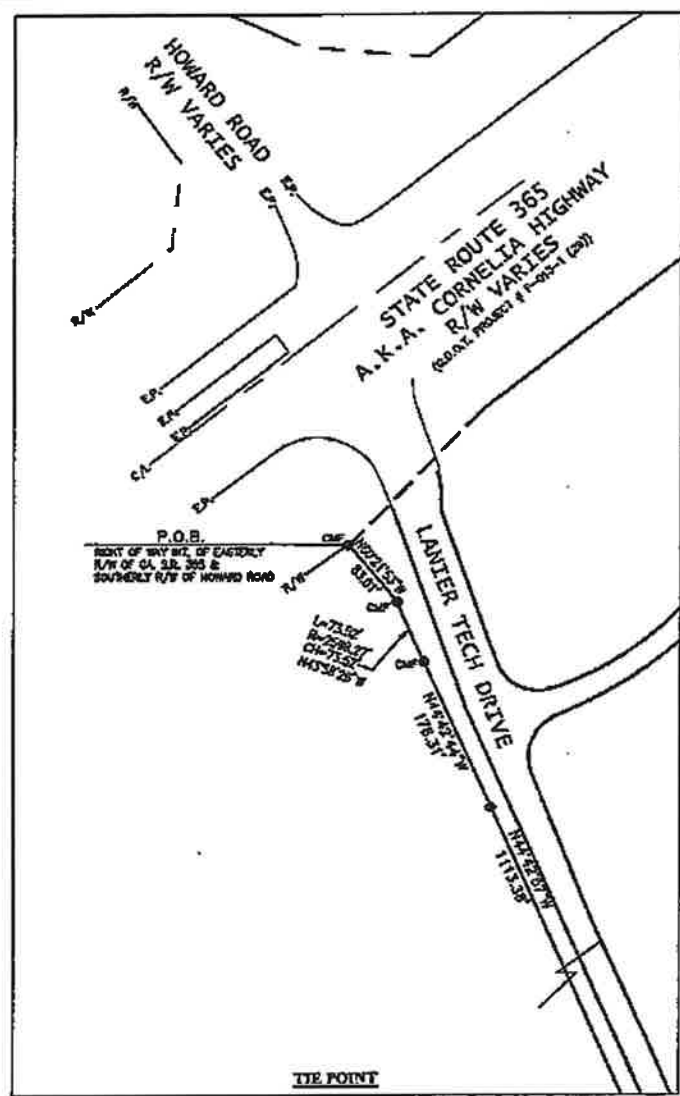
TABLE 10. *See Table 9 for details.*

Concept Site Plan

Capstone at Inland Crossing

OWNER AND/OR DEVELOPER:
Capstone Acquisitions, LLC.
LOCATED IN 411 C.M.D., GAINESVILLE, FLA 32601; GEORGIA
440 JESSE JEWELL PARKWAY, STE 400, GAINESVILLE, GEORGIA 30501. PHONE: 770-519-5598

DOULGERAKIS CONSULTING ENGINEERS, INC.
planning • civil engineering • sanitary engineering
100 Abbey Court, Alhambra, Georgia 30004 phone: 770-753-9800

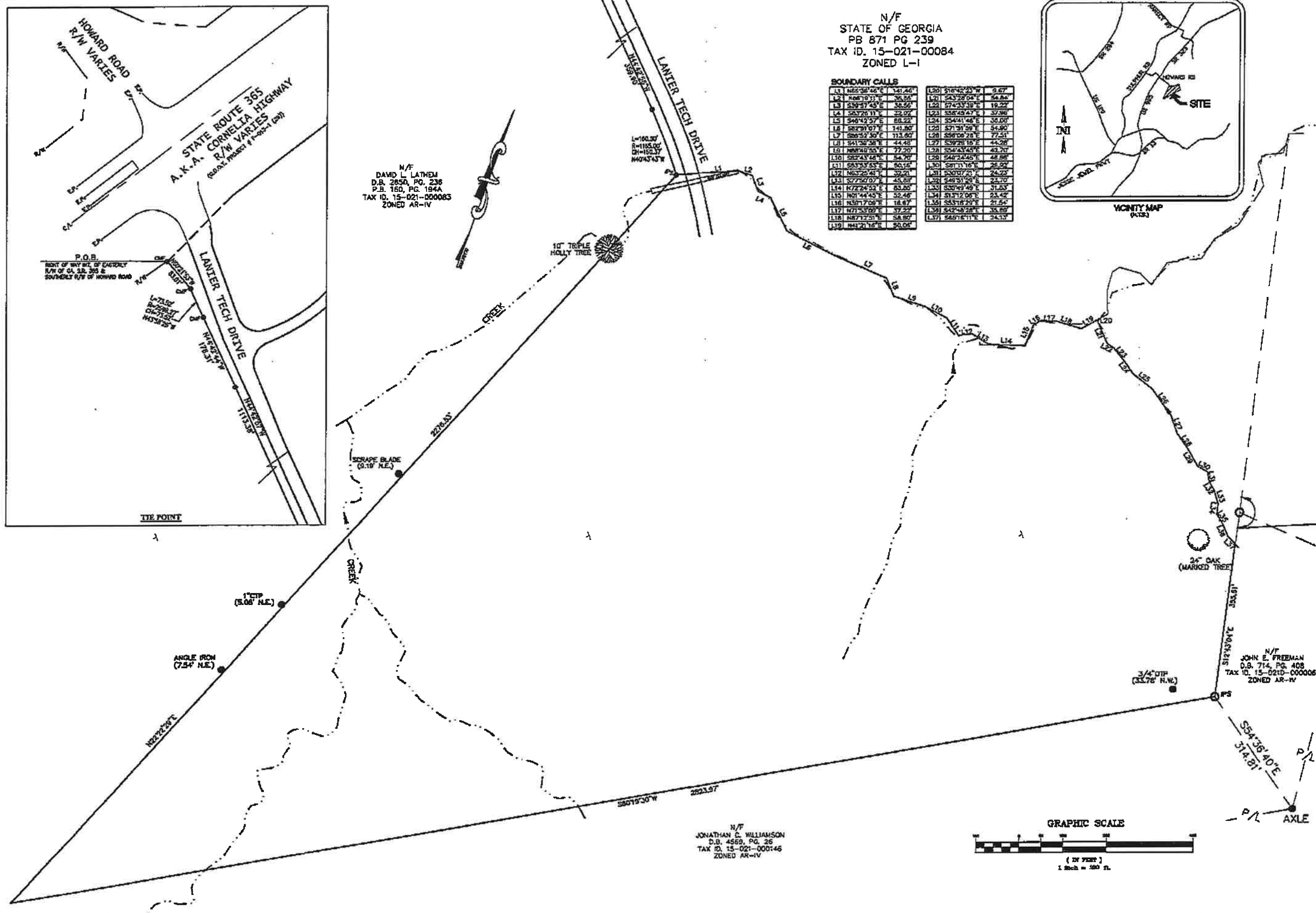
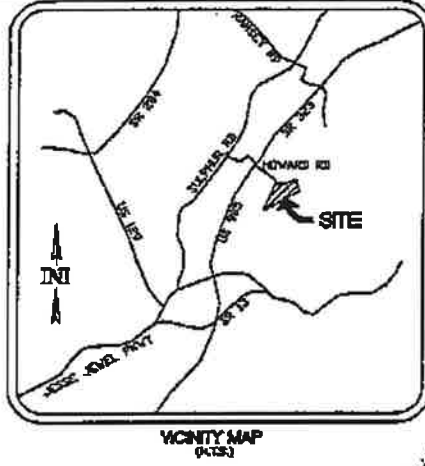


N/F
DAVID L. LATHAM
D.B. 2850, PG. 236
P.B. 150, PG. 194A
TAX ID. 15-021-000083
ZONED AR-IV

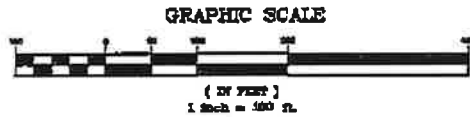
N/F
STATE OF GEORGIA
PB 871 PG 239
TAX ID. 15-021-00084
ZONED L-1

BOUNDARY CALLS

L1	N65°30'40"E	141.46	L20	S16°42'23"W	9.67
L2	N65°10'11"E	36.54	L21	S43°22'04"E	54.84
L3	S39°37'43"E	38.55	L22	S74°33'30"E	19.22
L4	S67°26'11"E	32.02	L23	S56°43'47"E	37.96
L5	S46°42'57"E	88.22	L24	S54°41'46"E	38.00
L6	S62°31'07"E	141.85	L25	S71°31'59"E	34.90
L7	S68°52'30"E	113.62	L26	S58°04'20"E	77.51
L8	S41°36'38"E	44.48	L27	S39°28'18"E	44.28
L9	N68°40'55"E	77.20	L28	S34°43'43"E	43.70
L10	S62°43'44"E	54.90	L29	S46°24'45"E	48.88
L11	S53°33'43"E	50.16	L30	S81°11'16"E	25.92
L12	N63°20'41"E	32.21	L31	S20°07'21"E	24.23
L13	S77°50'07"E	45.88	L32	S48°31'28"E	23.70
L14	N72°24'52"E	83.85	L33	S20°49'49"E	31.83
L15	N01°44'45"E	52.46	L34	S13°12'06"E	23.42
L16	N30°17'08"E	18.87	L35	S53°18'29"E	21.54
L17	N71°53'09"E	37.22	L36	S42°48'28"E	35.89
L18	N87°12'51"E	58.80	L37	S60°16'11"E	24.13
L19	N41°21'16"E	90.06			



N/F
JONATHAN E. WILLIAMSON
D.B. 4569, PG. 28
TAX ID. 15-021-000146
ZONED AR-IV



Copyright
MYERS & COMPANY, INC.
A civil engineering firm
located in Gainesville, Florida
with offices in other states
and countries. For more
information, contact us at
770-337-3793
400myers-mid-ca.com

Seal

MYERS & CO.
civil engineers

P.O. BOX 834
GAINESVILLE, GA 32603
770-337-3793
400myers-mid-ca.com

Project Description
**HOWARD ROAD
TOWNEHOMES**

CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

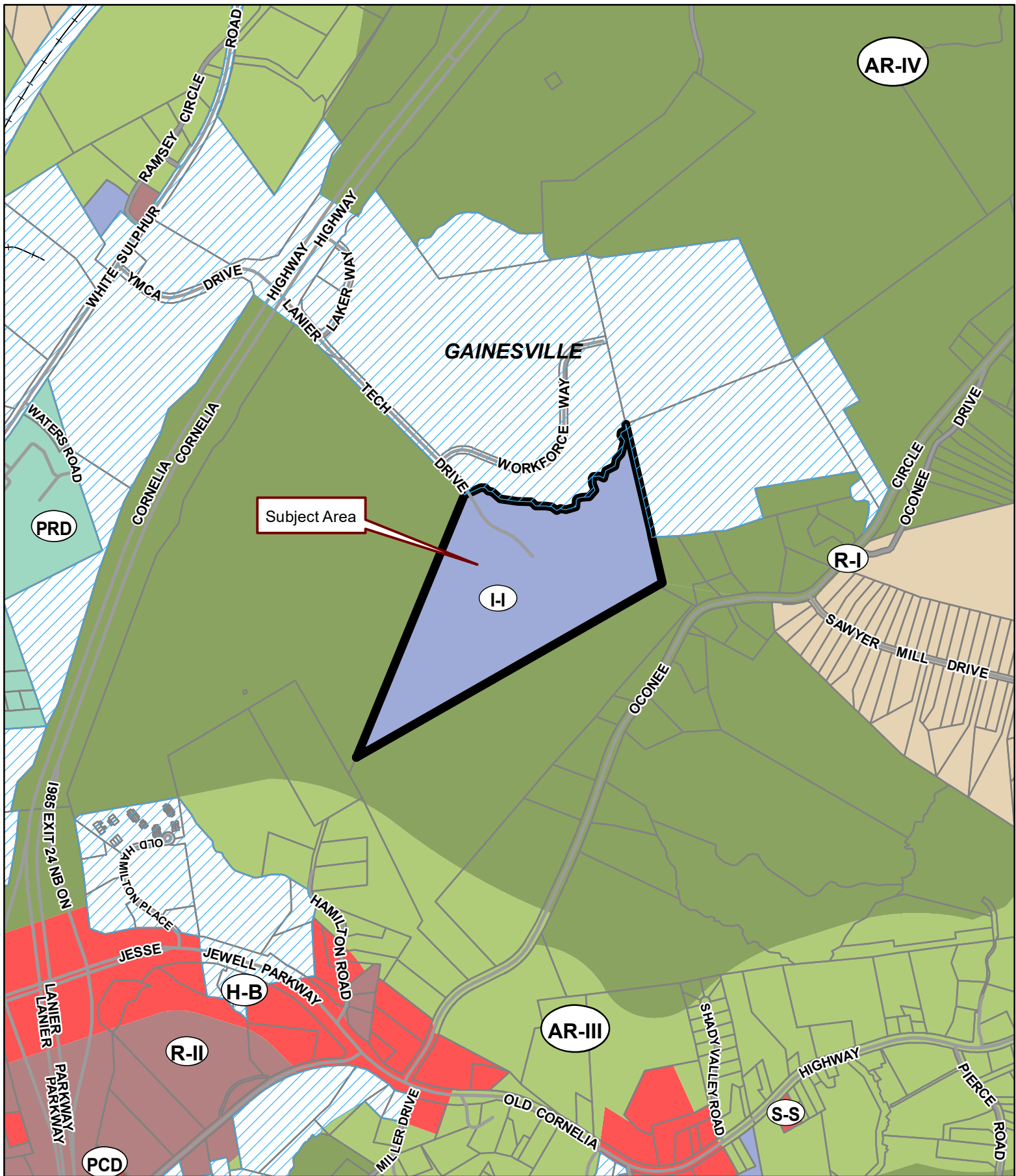
DATE **7-18-18**

JOB NO. **18-05**

Sheet Title
**COMPOSITE
PLAT**

Revisions

SHEET
R-1



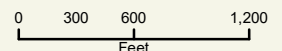
Applicant: CAPSTONE ACQUISITIONS, LLC

Tax Parcel #: 15021 000085

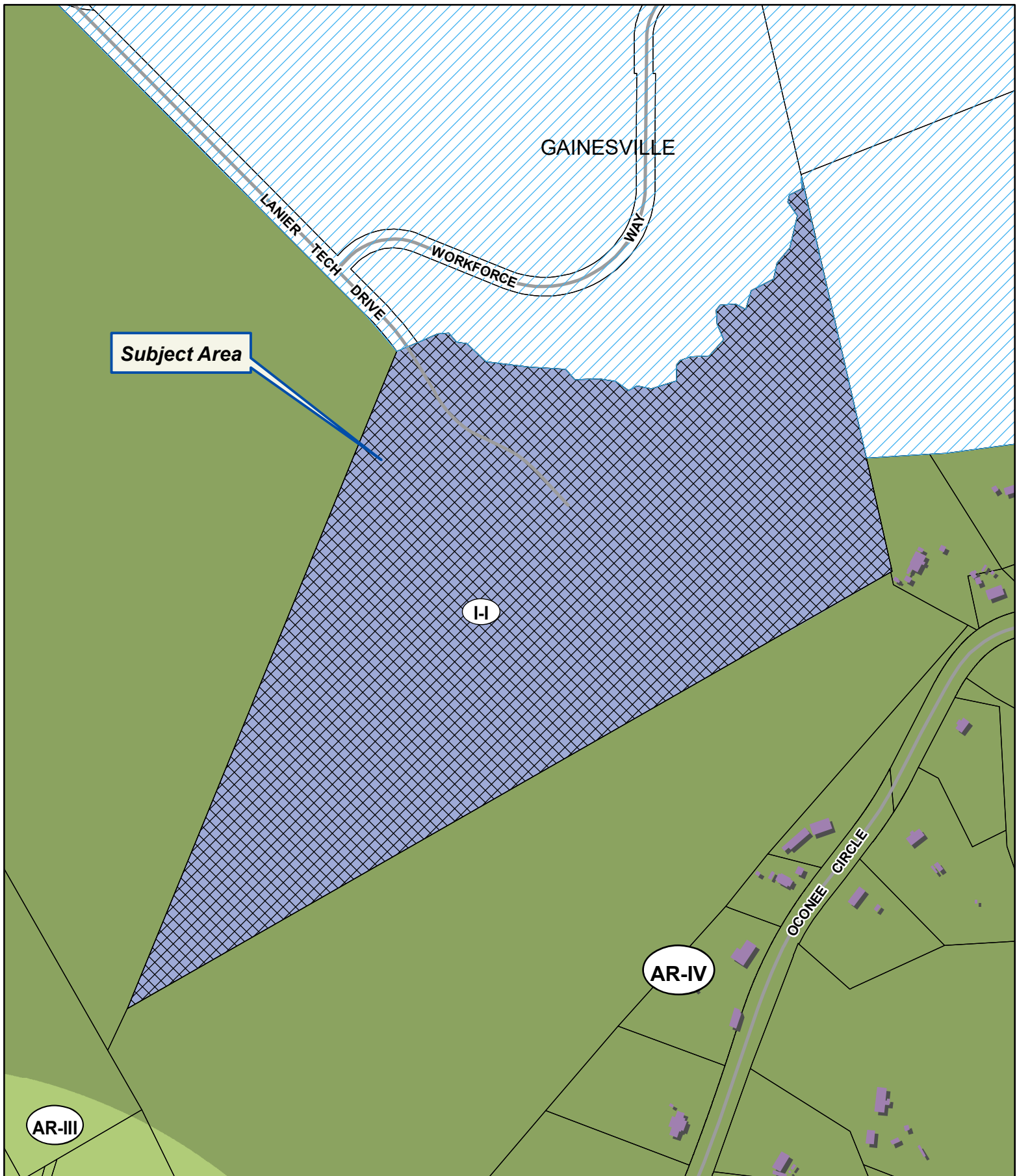
Location: 2866 LANIER TECH DRIVE, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 10/03/2022



- Zoning Boundary
 - ▨ City Limits
 - Subject Area
 - Structure
- N
↑



Applicant: CAPSTONE ACQUISITIONS, LLC

Tax Parcel #: 15021 000085

Location: 2866 LANIER TECH DRIVE, GAINESVILLE, GA 30507

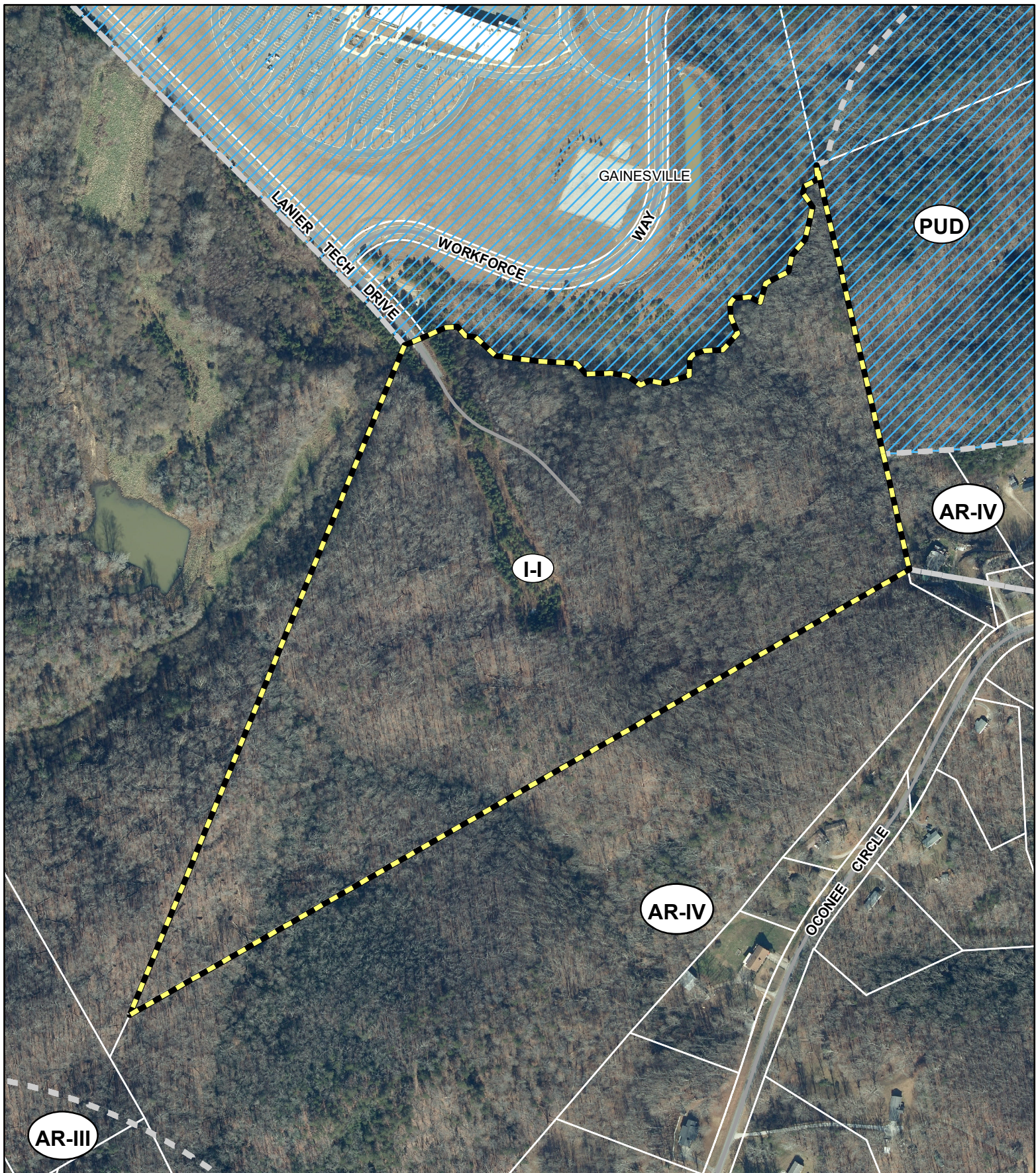
Commission District 3

PC Mtg. Date: 10/03/2022

0 100 200 400
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





Applicant: CAPSTONE ACQUISITIONS, LLC

Tax Parcel #: 15021 000085

Location: 2866 LANIER TECH DRIVE, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 10/03/2022

0 100 200 400
Feet

— Zoning Boundary
City Limits
Subject Area



OVERALL
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the 411 G.M.D. of Hall County, Georgia, being more particularly described as follows

Beginning at a concrete monument found at the intersection of the easterly right-of-way of Georgia State Route 365 and the existing southerly right-of-way of Howard Road;

THENCE along said existing southerly right-of-way of Howard Road South 60 degrees 21 minutes 53 seconds East for a distance of 83.01 feet to a point;
THENCE continuing along said right-of-way along a curve to the left having a radius of 2598.27 feet, with an arc length of 73.52 feet, being subtended by chord bearing of South 43 degrees 58 minutes 26 seconds East for a chord distance of 73.52 feet to a point;
THENCE continuing along said right-of-way South 44 degrees 42 minutes 44 seconds East for a distance of 178.31 feet to a point at the abandoned southerly right-of-way of Howard Road, said point being the TRUE POINT OF BEGINNING;

THENCE continuing along said right-of-way along a curve to the left having a radius of 247.69 feet, with an arc length of 190.76 feet, being subtended by chord bearing of South 66 degrees 48 minutes 35 seconds East for a chord distance of 186.08 feet to a point on the proposed easterly right-of-way of Howard Road;
THENCE along said right-of-way North 44 degrees 42 minutes 44 seconds West for a distance of 136.36 feet to a point on the existing easterly right-of-way of Howard Road;
THENCE along said right-of-way the following six (6) courses: North 44 degrees 42 minutes 44 seconds West for a distance of 61.29 feet to a point;
THENCE North 47 degrees 27 minutes 13 seconds West for a distance of 15.72 feet to a point;
THENCE North 44 degrees 21 minutes 01 seconds West for a distance of 78.88 feet to a point;
THENCE North 44 degrees 33 minutes 58 seconds West for a distance of 99.33 feet to a point;
THENCE North 35 degrees 51 minutes 44 seconds West for a distance of 96.30 feet to a point;
THENCE North 00 degrees 01 minutes 56 seconds West for a distance of 47.98 feet to a point on the proposed northerly right-of-way of Howard Road;
THENCE along said right-of-way South 23 degrees 31 minutes 54 seconds East for a distance of 33.03 feet to a point;
THENCE continuing along said right-of-way South 40 degrees 18 minutes 54 seconds East for a distance of 179.47 feet to a point on the proposed northerly right-of-way of Howard Way;
THENCE along said right-of-way the following four (4) courses: South 72 degrees 27 minutes 13 seconds East for a distance of 31.01 feet to a point;
THENCE along a curve to the left having a radius of 315.19 feet, with an arc length of 198.54 feet, being subtended by chord bearing of North 37 degrees 23 minutes 49 seconds East for a chord distance of 195.27 feet to a point;
THENCE North 18 degrees 46 minutes 14 seconds East for a distance of 19.30 feet to a point;
THENCE North 16 degrees 26 minutes 01 seconds East for a distance of 133.62 feet to a point;
THENCE leaving said right-of-way North 57 degrees 07 minutes 58 seconds West for a distance of 244.22 feet to a point on the southerly right-of-way of Georgia State Route 365;

THENCE along said right-of-way the following eight (8) courses: North 32 degrees 51 minutes 15 seconds East for a distance of 84.70 feet to a point;
THENCE along a curve to the right having a radius of 2622.04 feet, with an arc length of 249.65 feet, being subtended by chord bearing of North 33 degrees 12 minutes 08 seconds East for a chord distance of 249.56 feet to a point;
THENCE along a curve to the right having a radius of 2622.04 feet, with an arc length of 34.03 feet, being subtended by chord bearing of North 36 degrees 18 minutes 06 seconds East for a chord distance of 34.03 feet to a point;
THENCE North 48 degrees 37 minutes 40 seconds East for a distance of 39.77 feet to a point;
THENCE along a curve to the right having a radius of 160.02 feet, with an arc length of 166.99 feet, being subtended by chord bearing of North 24 degrees 42 minutes 45 seconds East for a chord distance of 159.51 feet to a point;
THENCE along a curve to the right having a radius of 30.00 feet, with an arc length of 47.54 feet, being subtended by chord bearing of South 80 degrees 12 minutes 13 seconds East for a chord distance of 42.72 feet to a point;
THENCE along a curve to the left having a radius of 60.00 feet, with an arc length of 238.77 feet, being subtended by chord bearing of North 25 degrees 09 minutes 42 seconds East for a chord distance of 109.62 feet to a point;
THENCE North 36 degrees 08 minutes 56 seconds East for a distance of 147.19 feet to a $\frac{1}{2}$ inch rebar found;
THENCE leaving said right-of-way South 35 degrees 39 minutes 13 seconds East for a distance of 877.25 feet to a $\frac{1}{2}$ inch open top pipe found;
THENCE North 80 degrees 35 minutes 37 seconds East for a distance of 1197.53 feet to a $\frac{1}{2}$ inch open top pipe found;
THENCE South 12 degrees 59 minutes 04 seconds East for a distance of 2278.00 feet to a 1 inch iron bar found at a marked oak tree;
THENCE South 12 degrees 43 minutes 04 seconds East for a distance of 428.02 feet to an iron pin set;
THENCE South 60 degrees 19 minutes 30 seconds West for a distance of 2823.97 feet to an iron pin set;
THENCE North 22 degrees 22 minutes 29 seconds East for a distance of 2276.52 feet to an iron pin set on the proposed westerly right-of-way of Howard Road;
THENCE along said right-of-way along a curve to the left having a radius of 1165.00 feet, with an arc length of 160.50 feet, being subtended by chord bearing of North 40 degrees 43 minutes 43 seconds West for a chord distance of 160.37 feet to a point;
THENCE continuing along said right-of-way North 44 degrees 42 minutes 57 seconds West for a distance of 1473.29 feet the TRUE POINT OF BEGINNING.

Said property contains 145.633 acres.

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Wednesday, September 14, 2022 11:56 AM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)
Subject: HCPC Tentative Agenda 10.3.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3746, 3740, 3774 Friendship Circle, Puckett: No comment. Public sewer.

Item 3, 2363 Whippoorwill Lane, Beddingfield: Must meet all Environmental Health residential septic system permitting requirements. Existing system evaluation and/or septic system modification may be required for system serving existing home on property. Level 3 Soil Evaluation will be required prior to application if existing septic system will not be used.

Items 4 and 5, 6599 River Station, Ridgeline Planning: No comment. Public Sewer.

Item 6, 5385 Winder Hwy, Dell Group: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 7, 5540,5548,5556,5564,5572,5580 Old Winder & 5925,5919,5911,5901 Union Church Rd: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 8, 3820 James Ed Road, Price: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.

Item 9, 2866 Lanier Tech Drive, Capstone: No comment. Public Sewer.

Item 10, 5954 Jim Crow Road, Hausen: No comment.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973

(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)

<http://www.phdistrict2.org/HallCounty.htm> (District Website)

<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Monday, September 19, 2022 1:56 PM
To: Anael Dominguez (Planning)
Cc: Randi Doveton (Planning); Peevy, Jonathan; Chavers, Veronica E
Subject: RE: Tentative Planning Agenda for October 3, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT responses below in **red**

Dell, Atlas, and Capstone will required GDOT Coordination

Thank you,

Parker Niebauer

DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Monday, September 12, 2022 5:41 PM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswofford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton

(Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>

Subject: Tentative Planning Agenda for October 3, 2022

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Monday, September 19th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 19, 2022

OLD BUSINESS

1. [Previously tabled application of Michael James Remodeling to rezone from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zoned R-I; Tax Parcel 10114 000039A. Proposed use: office. ** Commission District 2.](#)
2. [Previously tabled application of Scott Puckett, Inc to rezone from Agricultural Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development. ** Commission District 1.](#)

NEW BUSINESS

3. [Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363 Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. * Commission District 4.](#)
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. * Commission District 3.](#)
5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. * Commission District 3.](#)
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. ** Commission District 1.](#)

GDOT Coordination Required

7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. ** Commission District 1.](#)
GDOT Coordination Required
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. ** Commission District 3.](#)
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. ** Commission District 3.](#)
GDOT Coordination Required
10. [Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. * Commission District 2.](#)

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, November 10, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, November 10, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government

PUBLIC WORKS AND UTILITIES

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

ASSISTANT DIRECTOR
Bill Nash, P.E.

TO: Randi Doveton, Director of Planning and Development
FROM: Srikanth Yamala, Director of Public Works and Utilities
DATE: September 16, 2022
SUBJECT: October 3, 2022 – Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the October 3, 2022 meeting. Upon review, we provide the following comments:

OLD BUSINESS

1. Previously tabled application of Michael James Remodeling to rezone from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive; a.k.a. 3461 Thompson Bridge Road; Zone R-1; Tax Parcel 10114 000039A. Proposed Use: Office.
**Commission District 2.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.
2. Application of Scott Puckett, Inc. to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 115.98± acre tract located on the south side of Friendship Circle at its intersection with Friendship Place; a.k.a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Zoned AR-III; Tax Parcel 15048 000007, 000008, 000025C, & 000204. Proposed use: 349-unit residential development.
**Commission District 1.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
 - b) **Traffic:** GDOT approval/permitting required. Improvements/Modifications to the intersection of Friendship Circle and Friendship Place may be required.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

ASSISTANT DIRECTOR
Bill Nash, P.E.

Improvements/Modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR 347) and Friendship Place/Swansey Road. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

- c) **Utilities:** Hall County sewer district; no sewer available. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship sewer is installed and operating.

NEW BUSINESS

3. Application of Thomas Ryan & Vicki Beddingfield for a front yard setback variance from 55 feet to 41 feet, right side yard setback variance from 10 feet to 3 feet, and a left side yard setback variance from 10 feet to 3 feet on a .14± acre tract located on the west side of Whippoorwill Lane approximately 848 feet from its intersection with Sportsman Club Road; a.k.a. 2363Whippoorwill Lane; Zoned R-I; Tax Parcel 00109A000029. Proposed use: single-family residence. *Commission District 4.

- a) **Engineering:** Show flood Hall County studied and FEMA.
b) **Traffic:** No comments.
c) **Utilities:** No Comments.

4. Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: Single-family dwelling. *Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.
b) **Traffic:** No comments.
c) **Utilities:** No Comments.

5. Application of Ridgeline Lane Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: Single-family dwelling. *Commission District 3.

- a) **Engineering:** All construction to stay out of the drainage easement.
b) **Traffic:** No comments.
c) **Utilities:** No Comments.

6. Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development (PCD) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: Car Condos, Storage, Commercial Uses, and Retail. *Commission District 1



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

ASSISTANT DIRECTOR
Bill Nash, P.E.

- a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show stream buffers and impervious setback from wretched vegetation not centerline of stream.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sewer in the area of project; septic proposed—requires Health Department approval.
7. Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential District (PRD) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5519, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 1539A000018 – 000023, & 000025 – 000028. Proposed Use: Single-Family Townhomes. *Commission District 1.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.
 - b) **Traffic:** Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.
 - c) **Utilities:** No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval.
8. Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. *Commission District 3.
- a) **Engineering:** This subdivision is over six (6) lots and will require stormwater management.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No Comments.
- 9) Application of Capstone Acquisitions, LLC to rezone from Light-Industrial (L-I) to Residential Multi-Family (RMF) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. ** Commission District 3.
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage. Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA.



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- b) **Traffic:** Lanier Tech Drive is a City of Gainesville roadway and proposed connection will need to be approved and permitted by Gainesville. Unclear if proposed roadway extension is to also be in Gainesville's jurisdiction. A cul-de-sac should be required at the end of the public roadway. The traffic study indicated a proposed connection to Oconee Circle, however, the provided concept plan and narrative did not mention this, confusing.
- c) **Utilities:** Gainesville Sewer district.

10) Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. * Commission District 2.

- a) **Engineering:** No Comment.
- b) **Traffic:** No comments.
- c) **Utilities:** No Comment.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Friday, September 16, 2022 5:01 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Fire Comments Commission Meeting
Attachments: Fire Access State Mods.pdf

Good afternoon – Hall County Fire Comments

Here is the Tentative Agenda and Maps for the **Monday, October 3, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Monday, September 19th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 19, 2022

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The Hall County Fire Marshal's Office has no comments regarding the single family residence set back's as proposed.
4. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .51± acre tract located at the terminus of River Station Drive; a.k.a. 6599 River Station Drive; Zoned PRD; Tax Parcel 09079C000035. Proposed use: single family dwelling. * Commission District 3.](#)
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.

5. [Application of Ridgeline Land Planning, Inc. for a front yard setback variance from 30 feet to 15 feet on a .61± acre tract located at the terminus of River Station Drive; a.k.a. 6595 River Station Drive; Zoned PRD; Tax Parcel 09079C000036. Proposed use: single family dwelling. * Commission District 3.](#)
The Hall County Fire Marshal's Office has no comments regarding the set back as proposed.
6. [Application of The Dell Group, LLC to amend conditions of a Planned Commercial Development \(PCD\) on a 21.20± acre tract located on the north side of Winder Highway at its intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed use: car condos, storage, commercial uses, and retail. ** Commission District 1.](#)
IFC Section 903, 20,000 SF building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire protection system installed.
IFC Section 903, A Group S-1 fire area used for the storage or repair of commercial motor vehicles where the fire area exceeds 5000 SF will be required to have a fire protection system installed.
IFC Section 903, A Group S-1 occupancy used for the storage or manufacture of upholstered furniture or mattresses where the fire area exceeds 2500 SF will be required to have a fire protection system installed.
IFC Section 903, A Group F-1 occupancy containing a wood working operation where the fire area exceeds 2500 SF will be required to have a fire protection system installed.
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrants may have to be installed along the access road to meet the hose lay distance requirements.
IFC Section 506, All buildings will be required to have a Knox Box installed.
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
7. [Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV \(AR-IV\) to Planned Residential District \(PRD\) on a 19.21± acre tract located at the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. ** Commission District 1.](#)
IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.
IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.
Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.
8. [Application of Paul and Ana Price for a Use Subject to County Commission approval on a 7.58± acre tract located at the terminus of James Ed Road; a.k.a. 3820 James Ed Road; Zoned V-C; Tax Parcel 10142 000006. Proposed use: 4-lot subdivision. ** Commission District 3.](#)
Existing fire hydrant is located at the corner of James Ed and Trotter Rd.
IFC Section 503, Fire apparatus road shall have an unobstructed width of 20' exclusive of shoulders. The portion of James Ed road leading to the proposed driveways would be considered the fire apparatus access road and would have to meet the 20' minimum width requirement.
IFC Section 503, Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around. Existing dead end turnaround may need to be modified to meet Hall County Fire and Hall County standards.
9. [Application of Capstone Acquisitions, LLC to rezone from Light-Industrial \(L-I\) to Residential Multi-Family \(RMF\) on a 58.26± acre tract located at the terminus of Lanier Tech Drive; a.k.a. 2866 Lanier Tech Drive; Zoned I-I; Tax Parcel 15021 000085. Proposed use: 342-unit multi-family complex. ** Commission District 3.](#)
All access controlled gates will require a Knox key switch override device for fire department access into gated development.
IFC D106.2, Multifamily developments having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. Concept plan show one access into development two are required.
IFC D105.2, Where the vertical distance between the grade plane and the highest roof surface exceeds 30' approved aerial access roads shall be provided and shall have a minimum unobstructed width of 26' exclusive of shoulders.

IFC Section 912, Fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.
IFC 510, Emergency responder radio frequency test will be required and installation of a bi-directional antenna system may be required.
NFPA 13R or 13 fire protection system will be required to be installed, tested and certified.
NFPA 72 fire alarm system will be required to be installed, tested and certified.
Complete set of engineered civil plans will have to submitted for review and approval by the Hall County Fire Marshal's Office.

10. Application of Russell Hausen to appeal an administrative decision for a short term rental on a 1.01± acre tract located on the north side of Jim Crow Road approximately 28 feet from its intersection with Old Federal Road; a.k.a. 5954 Jim Crow Road; Zoned AR-III; Tax Parcel 08101 002003. Proposed use: short-term rental. * Commission District 2.

Fire and Life safety Code will not apply until the occupancy exceeds 5 guest rooms or 10 occupants.
Existing building is located less than 400' from an existing fire hydrant. No fire hydrant installation will be required.

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the *fire code official*.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

SECTION D106

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D107

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or

903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D108

REFERENCED STANDARDS

ASTM	F2200—14	Standard Specification for Automated Vehicular Gate Construction	D103.5
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through May 2015	D103.5

SEE STATE MODIFICATION
CHAP 5



Rules and Regulations of the State of Georgia

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6. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

CHAP. 5

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: CAPSTONE ACQUISITIONS, LLC

REQUEST: REZONE FROM L-1 TO R-MF FOR
370-UNIT MULTI-FAMILY COMPLEX

PLANNING COMMISSION

PUBLIC HEARINGS WILL BE HELD ON:

Date: 12-01-2022

Time: 02:00 PM

AND

Date: 12-08-2022

Time: 02:00 PM

FOR MORE INFORMATION CALL: (770) 531-6809

HALL COUNTY GOVERNMENT CENTER, 105 BROWN'S BRIDGE ROAD, CAROLSVILLE, GA



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **CAPSTONE ACQUISITIONS, LLC**

REQUEST: **REZONE FROM LI TO R-MF FOR 370-UNIT MULTI-FAMILY COMPLEX**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	AND	COUNTY COMMISSION
Date: <u>11-08-2022</u>		Date: <u>12-08-2022</u>
Time: <u>05:15PM</u>		Time: <u>06:00PM</u>

HALL COUNTY GOVERNMENT CENTER, 285 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 642/2022

SUBJECT: 2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD
Recommendation:

Approval, with conditions: 1. The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative. 2. The density shall not exceed 300 units with a maximum of 15 three bedroom units. 3. The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream. 4. The proposed residential development shall confirm to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request. 5. Landscape and Lighting plan shall be submitted to the Planning Director for approval prior to issuance of the LDP. 6. The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer. 7. The applicant shall follow the standard Land Development Review and building permit process for Hall County. 8. Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval. 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 open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or mod of this conditions shall require action by the Board of Commission (BOC). 11. All conditions of zoning shall be made part of any plats created for the property. 12. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings. 13. The development shall have a 50 foot transitional buffer around all property lines with except of those fronting Ramsey Circle and White Sulphur Road.

Purpose of Request:

2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | Commission District 3 | CMWB Company, LLC, applicant.

History:

Facts and Issues:

Options:

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Rezone Recommendation Report
Use Recommendation Report
Application
Narrative
Site Plan
Maps
Renderings
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photos
Public Comment - Toby Blackwell
Public Comment - Cindy Gingrey
Public Comment - Updated as of 12/5/22 - Tony Alfieri
Public Comment - Updated as of 12/5/222 - Bob Crochetiere
Public Comment - Updated as of 12/5/22 - Selena Gardner



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **2581 Ramsey Circle | Rezone** | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre to allow a 305-unit multi-family complex | CMWB Company, LLC, applicant.

The request before you is the application of CMWB Company, LLC to rezone approximately 35.14 acres allow a 305-unit multi-family complex. *This item was presented to the Planning Commission as a rezoning report and a conditional use report. However, the Planning Commission opined that since it was advertised as a single item and since planned developments have historically been voted on as one item, that this should be heard and voted on as one item.* The item is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with thirteen (13) conditions (5-0).

There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting and one (1) person spoke in favor during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative.
2. The density shall not exceed 300 units with a maximum of 15 three bedroom units.
3. The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.

4. The proposed residential development shall confirm to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request.
5. Landscape and Lighting plan shall be submitted to the Planning Director for approval prior to issuance of the LDP.
6. The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.
7. The applicant shall follow the standard Land Development Review and building permit process for Hall County.
8. Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval.
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 open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or mod of this conditions shall require action by the Board of Commission (BOC).
11. All conditions of zoning shall be made part of any plats created for the property.
12. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.
13. The development shall have a 50 foot transitional buffer around all property lines with except of those fronting Ramsey Circle and White Sulphur Road.

Staff recommended denial to the Planning Commission, **based on the findings that the request is inconsistent with the Comprehensive Plan and does not meet criteria 1, 5, 7, 12, and 14 as outlined in [17.380.060](#).**

For your Consideration

These items support approval

1. The use, multi-family residential, is proposed adjacent to a mixture of uses, to the north is a Light Industrial zoned parcel within the City of Gainesville. To the south and east, across Ramsey Circle and White Sulphur Road are other Agricultural Residential III (AR-III, 17.110) properties. To the west, is a railroad right-of-way, past which is a Residential I (R-I, 17.60) zoned subdivision. The proposed land use is more intense than the surrounding property, but is likely filling a housing need, given the proximity to Cornelia Highway and nearby industrial development.
2. The proposed density is significantly higher than that found on surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing, especially workforce housing.

These items support denial

1. The proposed use is inconsistent with the Future Land Use map which indicates the property to be rural. The intent of the rural character areas is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. Rural areas are characterized by agriculture and very low-density residential uses, including developments with a high degree of open space and greenspace such as conservation subdivisions, [2022-Comprehensive-Plan, page 23](#).
2. The proposed development is adjacent to single-family residential uses developed, a railroad right-of-way, and a light industrial use located within the City of Gainesville. Considering the adjacent properties, the 2022-Comprehensive Plan and Future Land Use Map, the proposal is out of scale to the existing and anticipated uses.
3. The property has reasonable economic values as currently zoned; allowable uses within the AR-III district are found in chapter 17.110.
4. The Comprehensive Plan's future land use designation for the subject parcel is "Rural." Future development should be compatible with the rural character, which is characterized by agricultural and very low density single-family residential uses. The development pattern includes larger areas of undeveloped or cultivate land with large distances between buildings and deep setbacks from two-lane roads. **The proposed development is inconsistent with the policy and intent of the land use plan.**
5. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.
6. The proposed zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development District (17.180) are to be utilized as

a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is significantly higher than that found on surrounding properties.

7. There are other properties within the County that support multi-family uses as already zoned or support a rezoning based on the Future Land Use Map.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant CMWB Company, LLC,

Request Rezone from Agricultural-Residential-III (AR-III) to
Planned Residential Development (PRD)

Proposed Use 305-unit multi-family complex

Size 35.14± acres

Zoning Current Agricultural-Residential-III (AR-III) |
Proposed [Planned Residential Development
(PRD)]

Location **2581 Ramsey Circle** | Tax Parcel 09113 000001
(pt.)

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Denial, based on the findings that the request is
inconsistent with the Comprehensive Plan and
does not meet criteria 1, 5, 7, 12, and 14 as
outlined in [17.380.060](#)**

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 5-0

1. The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative.
2. The density shall not exceed 300 units with a maximum of 15 three bedroom units.
3. The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.
4. The proposed residential development shall confirm to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request.
5. Landscape and Lighting plan shall be submitted to the Planning Director for approval prior to issuance of the LDP.

6. The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.
7. The applicant shall follow the standard Land Development Review and building permit process for Hall County.
8. Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval.
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 open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or mod of this conditions shall require action by the Board of Commission (BOC).
11. All conditions of zoning shall be made part of any plats created for the property.
12. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.
13. The development shall have a 50 foot transitional buffer around all property lines with except of those fronting Ramsey Circle and White Sulphur Road.

This is the rezoning staff report; all uses within a PRD are conditional; a separate staff report address the proposed multi-family use. The Planning Commission will hear the rezoning and conditional use simultaneously but separate votes will be made. Should the Commission deny the rezoning request, the conditional use is automatically denied.

Public Forum:

Garry Wood, 4006 White Sulphur Road, Gainesville, spoke in favor. Mentioned challenges with the property.

Summary Analysis

The applicant is requesting approval to rezone 35.14± acres from Agricultural Residential III (AR-III, [17.110](#)) to Planned Residential Development (PRD, [17.180.080](#)) for the purpose of developing a 305-unit multi-family residential development. The overall density for the development is 8.94 units per acre. The development

will be comprised of 8 buildings, which will be 3 and 4 story split buildings depending on site topography, surface parking, and associated amenities. The subject property is located west of Cornelia Highway and north of I-985's Exit 24 interchange at its intersection with Jesse Jewell Parkway.

The entrance to the development is a single full access driveway which connects to White Sulphur Road with a secondary, gated, emergency access off of Ramsey Circle. The 8 buildings will contain between 30-40 units each, with the unit breakdown proposed to be 50% 1-bedroom, 40% 2-bedroom, and 10% 3-bedroom units. The 1-bedroom units will be an average of 765± square feet, 2-bedroom units will be an average of 1,225± square feet, and 3-bedroom units will be an average of 1,400± square feet in area. The proposed development will provide an amenity package including contiguous open space, a pool and clubhouse, with a fitness center. A cluster mailbox unit will be located in this area as well.

The proposed development standards include a 50 foot vegetated buffer along the side and rear property lines and a 55 foot front building setback. The exterior construction of the buildings will be architectural shingles, and high end finishes, including but not limited to lap siding, board and batten, brick, and shake siding. Vinyl siding will not be utilized. The narrative continues that the design guidelines and standards included in [17.180.060.B.9](#) will be followed. The signage for the development will meet the standards outlined in the Sign Standards for Specific Zone Districts ([17.270.070](#)) and all lighting will be a non-spill type. The development will be professionally managed and maintained including, but not limited to, landscape, buildings, clubhouse, and amenity areas.

The narrative states that the development is not proposed to be age-restricted. Instead, the target resident is local workforce housing to support the growing industrial needs in the county. The proposed development is located in close proximity to both the Inland Port and Lanier Tech, located off of Cornelia Highway / State Route 365.

The applicant's narrative that acknowledges that as site engineering continues, the site plan configuration, floor plan ratio, and unit sizes are subject to change, but the overall density will not increase.

Based on the future land-use plan, staff finds the requested zoning designation is inconsistent with the Future Land Use Map designation, as the proposed density of 8.94 units per acre exceeds the Rural density of 1.5 units per acre.

Zoning Analysis

The proposed use of a 370-unit multi-family development is inconsistent with the Comprehensive Plan, as the proposed density exceeds the density standard within the "Rural" land use designation. Within the residential character area the maximum density is recommended to be 1.5 units per acre with access to public water.

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The use, multi-family residential, is proposed adjacent to a mixture of uses, to the north is a Light Industrial zoned parcel within the City of Gainesville. To the south and east, across Ramsey Circle and White Sulphur Road are other Agricultural Residential III (AR-III, [17.110](#)) properties. To the west, is a railroad right-of-way, past which is a Residential I (R-I, [17.60](#)) zoned subdivision. The proposed land use is more intense than the surrounding property, but is**

likely filling a housing need, given the proximity to Cornelia Highway and nearby industrial development.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned; **The property appears to be undeveloped per aerial imagery. A power line easement runs north to south on the western portion of the property. The property has reasonable economic values as currently zoned; allowable uses within the AR-III district are found in chapter [17.110](#).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The development proposes a single point of access onto the public street system via White Sulphur Road, with a secondary, emergency access provided via a gated entrance on Ramsey Circle. Hall County Public Works and Utilities has commented that White Sulphur Road is under the City of Gainesville's jurisdiction and that access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered. A traffic study was submitted as part of the application and provided a number of recommendation concluding that the future conditions will see operations comparable to the no-build conditions. That said, site improvements shall be designed and constructed by the developer with appropriate sight distances, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan for the physical development of the area; **The Comprehensive Plan's future land use designation for the subject parcel is "Rural." Future development should be compatible with the rural character, which is characterized by agricultural and very low density single-family residential uses. The development pattern includes larger areas of undeveloped or cultivate land with large distances between buildings and deep setbacks from two-lane roads. The proposed development is inconsistent with the policy and intent of the land use plan.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property appears to have been undeveloped for a number of years.**

10. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
Staff is not aware of any changing conditions that affect the use and development of the property.
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Residential Development (PRD, [17.180.080](#)). Per the Official Code of Hall County, Planned Development District ([17.180](#)) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is significantly higher than that found on surrounding properties.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is significantly higher than that found on surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing, especially workforce housing. However, the proposal is out of scale for the area and is not consistent with the future land use map and [2022 Comprehensive Plan, page 23](#), which anticipates this area as rural.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support multi-family uses as already zoned or support a rezoning based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance since the proposed use is neither permitted nor conditional in the AR-III district ([17.110](#)).**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

A Planned Residential Development (PRD, [17.180.080](#)) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area. Based on the intended use, the requested zoning designation is inappropriate as the proposed density greatly exceeds the existing development pattern and character of the area as well as the anticipated future land use and character.

- **[17.380.050](#). - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached

thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in [Section 17.380.060.C](#).**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement; the applicant submitted a site plan.**
 3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This is not applicable since public water and sewer are proposed.**
 4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **Proposal meets the requirement. A traffic study was included as part of the request and has been reviewed by the County Traffic Engineer.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states “No comment. Public sewer.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

1. IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.
2. IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.

3. NFPA 13R fire protection system will be required to be installed, tested and certified.
4. IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.
5. NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.
6. IFC Section 510, emergency responder radio coverage confirmation will apply to each building.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA.

Traffic:

White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.

Utilities:

Sewer available on White Sulphur. All lift stations to remain private.

Sewer availability letter is required.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No letter confirming the availability of water or sewer service was submitted as part of this application.

Georgia Department of Transportation ____

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project **will not** require GDOT coordination.

➤ Excerpts from the minutes of the November 7, 2022 meeting

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Cameron Grogan, 5875 Pine Brook Road, Atlanta, presented the request. The applicant stated that this development would serve a need in the community as it expands. The applicant stated that the site has not be developed due to the land configuration. The applicant stated that the driveway from Ramsey Circle would only be for emergency access. The applicant stated that about 10% of the units will be three bedroom and 50% of the units will be one bedroom.

Planning Commission Comments:

Mr. Braswell spoke about density. Mr. Hunt questioned if the applicant could work with 7.5 units per acre. The applicant stated that it would cause an economic hardship. The applicant stated that sewer would be available by the City of Gainesville. Mr. Braswell questioned if the three bedroom unit percentage could be lowered. The applicant stated it could be reduced to 5%. Ms. Doveton stated it would be 15.25 units on the site if three bedrooms are capped at 5%. Mr. Bell referenced the traffic study for surrounding properties. Mr. Braswell questioned if the applicant would agree to 300 units. The applicant agreed. Mr. Braswell requested the applicant discuss the buffers. The applicant stated that there will be a 50 foot transitional buffer.

Motion: *A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher.*

Vote: 5-0

Conditions:

1. *The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative.*
2. *The density shall not exceed 300 units with a maximum of 15 three bedroom units.*
3. *The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.*
4. *The proposed residential development shall confirm to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request.*
5. *Landscape and Lighting plan shall be submitted to the Planning Director for approval prior to issuance of the LDP.*
6. *The recommendations of the traffic study, subject to the review and approval by both Hall County Traffic Engineering and the Georgia Department of Transportation, shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
7. *The applicant shall follow the standard Land Development Review and building permit process for Hall County.*
8. *Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval.*
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 open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or mod of this conditions shall require action by the Board of Commission (BOC).*
 - 11. All conditions of zoning shall be made part of any plats created for the property.*
 - 12. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.*
 - 13. The development shall have a 50 foot transitional buffer around all property lines with except of those fronting Ramsey Circle and White Sulphur Road.*

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant CMWB Company, LLC,

Request Conditional use to allow a multi-family complex

Proposed Use 305-unit multi-family complex

Size 35.14± acres

Zoning Current Agricultural-Residential-III (AR-III) |
Proposed [Planned Residential Development
(PRD)]

Location **2581 Ramsey Circle** | Tax Parcel 09113 000001
(pt.)

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Denial, based on the findings that the request is inconsistent with the Comprehensive Plan and does not meet criteria 1, 5, 7, 12, and 14 as outlined in [17.380.060](#)**

Planning Commission Recommendation..... **This item was heard as a Rezone and Conditional Use but voted on as one, recommending approval with conditions**

Rezoning Conditions:

1. *The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative.*
2. *The density shall not exceed 300 units with a maximum of 15 three bedroom units.*
3. *The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.*
4. *The proposed residential development shall confirm to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request.*
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7. *The applicant shall follow the standard Land Development Review and building permit process for Hall County.*
8. *Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval.*
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 open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or mod of this conditions shall require action by the Board of Commission (BOC).*
11. *All conditions of zoning shall be made part of any plats created for the property.*
12. *Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.*
13. *The development shall have a 50 foot transitional buffer around all property lines with except of those fronting Ramsey Circle and White Sulphur Road.*

The following report is being written under the assumption that the concurrent rezoning request is approved.

- ***The Planning Commission can hear the rezoning and conditional use items simultaneously but must vote on them separately.***
- **All uses with a Planned Residential Development are conditional and require the approval by the Board of Commissioners.**

Should the Planning Commission deny the rezoning request, the conditional use automatically denied since multi-family residential is not allowed in AR-III.

Public Forum:

Garry Wood, 4006 White Sulphur Road, Gainesville, spoke in favor. Mentioned challenges with the property.

Summary Analysis

The applicant is requesting approval to develop a 305-unit multi-family residential development. The overall density for the development is 8.94 units per acre. The development will be comprised of 8 buildings, which will be 3 and 4 story split buildings depending on site topography, surface parking, and associated amenities. The subject property is located west of Cornelia Highway and north of I-985's Exit 24 interchange at its intersection with Jesse Jewell Parkway.

The entrance to the development is a single full access driveway which connects to White Sulphur Road with a secondary, gated, emergency access off of Ramsey Circle. The 8 buildings will contain between 30-40 units each, with the unit breakdown proposed to be 50% 1-bedroom, 40% 2-bedroom, and 10% 3-bedroom units. The 1-bedroom units will be an average of 765± square feet, 2-bedroom units will be an average of 1,225± square feet, and 3-bedroom units will be an average of 1,400± square feet in area. The proposed development will provide an amenity package including contiguous open space, a pool and clubhouse, with a fitness center. A cluster mailbox unit will be located in this area as well.

The proposed development standards include a 50 foot vegetated buffer along the side and rear property lines and a 55 foot front building setback. The exterior construction of the buildings will be architectural shingles, and high end finishes, including but not limited to lap siding, board and batten, brick, and shake siding. Vinyl siding will not be utilized. The narrative continues that the design guidelines and standards included in [17.180.060.B.9](#) will be followed. The signage for the development will meet the standards outlined in the Sign Standards for Specific Zone Districts ([17.270.070](#)) and all lighting will be a non-spill type. The development will be professionally managed and maintained including, but not limited to, landscape, buildings, clubhouse, and amenity areas.

The narrative states that the development is not proposed to be age-restricted. Instead, the target resident is local workforce housing to support the growing industrial needs in the county. The proposed development is located in close proximity to both the Inland Port and Lanier Tech, located off of Cornelia Highway / State Route 365.

The applicant's narrative that acknowledges that as site engineering continues, the site plan configuration, floor plan ratio, and unit sizes are subject to change, but the overall density will not increase.

Based on the future land-use plan, staff finds the proposed high-density multi-family use inconsistent with the Future Land Use Map designation, as the proposed density of 8.94 units per acre exceeds the Rural density of 1.5 units per acre.

Zoning Analysis

The proposed use of a 370-unit multi-family development is inconsistent with the Comprehensive Plan, as the proposed density exceeds the density standard within the "Rural" land use designation. Within the residential character area the maximum density is recommended to be 1.5 unit per acre with access to public water.

When considering a conditional use certain criteria must be considered.

(a) The existing land use pattern. **The existing land use pattern is a mixture of uses, to the north is a Light Industrial zoned parcel within the City of Gainesville. To the south and east, across Ramsey Circle and White Sulphur Road are other Agricultural Residential III (AR-III, [17.110](#)) properties. To the west, is a railroad right-of-way, past which is a Residential I (R-I, [17.60](#)) zoned subdivision. The proposed land use is more intense than the surrounding property, but is likely filling a housing need, given the proximity to Cornelia Highway and nearby industrial development.**

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed use is inconsistent with the Future Land Use map which indicates the property to be rural. The intent of the rural character areas is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. Rural areas are characterized by agriculture and very low-density residential uses, including developments with a high**

degree of open space and greenspace such as conservation subdivisions,[2022-Comprehensive-Plan, page 23](#).

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **Any development must follow the standard Development Review process to obtain a land disturbance permit (LDP) and will be required to meet all applicable life safety regulations prior to permit issuance.**

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposed development is adjacent to single-family residential uses developed, a railroad right-of-way, and a light industrial use located within the City of Gainesville. Considering the adjacent properties, the 2022-Comprehensive Plan and Future Land Use Map, the proposal is out scale to the existing and anticipated uses.**

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The proposed 305 unit multi-family residential complex does not have any connectivity to the surrounding areas. White Sulfur Road is a narrow two-lane street and Ramsey Circle is a narrow gravel road.**

(ii) The location and height of buildings, and other structures, and the crosswalks or pedestrian ways are nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The adjacent and nearby properties contain single and two-story single-family dwellings and manufactured homes. Should the proposed development leave a 50FT undisturbed buffer, the adjacent properties could be shielded from the multi-family complex; however, the applicant has not provided a preliminary grading plan.**

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **A traffic study was submitted as part of the application and provided a number of recommendation concluding that the future conditions will see operations comparable to the no-build conditions. That said, site improvements shall be designed and constructed by the developer with appropriate sight distances, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.**

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **The proposed development will be required to follow the standard Development Review process which will**

require review by the County Engineer, Traffic Engineer, Fire Department, and other applicable agencies to ensure that the project does not create these issues.

(h) Whether the proposed change will adversely affect property values in adjacent areas. **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **Assuming the rezoning request is granted, all uses within a PRD district are conditional uses subject to approval by the Board of Commissioners ([17.180.060](#)).**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)) the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The use, multi-family residential, is proposed adjacent to a mixture of uses, to the north is a Light Industrial zoned parcel within the City of Gainesville. To the south and east, across Ramsey Circle and White Sulphur Road are other Agricultural Residential III (AR-III, [17.110](#)) properties. To the west, is a railroad right-of-way, past which is a Residential I (R-I, [17.60](#)) zoned subdivision. The proposed land use is more intense than the surrounding property, but is likely filling a housing need, given the proximity to Cornelia Highway and nearby industrial development.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned; **The property appears to be undeveloped per aerial imagery. A power line easement runs north to south on the western portion of the property. The property has reasonable economic values as currently zoned; allowable uses within the AR-III district are found in chapter [17.110](#). The current request is for a conditional use permit tied to a concurrent rezoning request.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The development proposes a single point of access onto the public street system via White Sulphur Road, with a secondary, emergency access provided via a gated entrance on Ramsey Circle. Hall County Public Works and Utilities has commented that White Sulphur Road is under the City of Gainesville's jurisdiction and that access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered. A traffic study was submitted as part of the application and provided a number of recommendation concluding that the future conditions will see operations comparable to the no-build conditions. That said, site improvements shall be designed and constructed by the developer with appropriate sight distances, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan for the physical development of the area; **The Comprehensive Plan's future land use designation for the subject parcel is "Rural." Future development should be compatible with the rural character, which**

is characterized by agricultural and very low density single-family residential uses. The development pattern includes larger areas of undeveloped or cultivate land with large distances between buildings and deep setbacks from two-lane roads. **The proposed development is inconsistent with the policy and intent of the land use plan.**

6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The current request is for a conditional use permit tied to a concurrent rezoning request.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property appears to have been undeveloped for a number of years.**
10. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Residential Development (PRD, [17.180.080](#)). Per the Official Code of Hall County, Planned Development District ([17.180](#)) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is significantly higher than that found on surrounding properties.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is significantly higher than that found on surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing, especially workforce housing. However, the proposal is out of scale for the area and is not consistent with the future land use map and [2022 Comprehensive Plan, page 23](#), which anticipates this area as rural.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support multi-family uses as already zoned or support a rezoning based on the Future Land Use Map.**
15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance since the proposed use is neither permitted nor conditional in the AR-III district ([17.110](#)).**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

A Planned Residential Development (PRD, [17.180.080](#)) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area. **Based on the intended use, the requested zoning designation is inappropriate as the proposed density greatly exceeds the existing development pattern and character of the area as well as the anticipated future land use and character.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states “No comment. Public sewer.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

1. IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.
2. IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26’ exclusive of shoulders in the immediate vicinity of the building or portion thereof.
3. NFPA 13R fire protection system will be required to be installed, tested and certified.
4. IFC Section 912, fire department connections shall be installed on each building and located no greater than 50’ from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.
5. NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.
6. IFC Section 510, emergency responder radio coverage confirmation will apply to each building.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Show buffer and impervious setback from wrested vegetation, not centerline of creek. Show flood Hall County studied and FEMA.

Traffic:

White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.

Utilities:

Sewer available on White Sulphur. All lift stations to remain private.

Sewer availability letter is required.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No letter confirming the availability of water or sewer service was submitted as part of this application.

Georgia Department of Transportation ____

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project **will not** require GDOT coordination.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Cameron Grogan, 5875 Pine Brook Road, Atlanta, presented the request. The applicant stated that this development would serve a need in the community as it expands. The applicant stated that the site has not been developed due to the land configuration. The applicant stated that the driveway from Ramsey Circle would only be for emergency access. The applicant stated that about 10% of the units will be three bedroom and 50% of the units will be one bedroom.

Public Forum:

Garry Wood, 4006 White Sulphur Road, Gainesville, spoke in favor. Mentioned challenges with the property.

Planning Commission Comments:

Mr. Braswell spoke about density. Mr. Hunt questioned if the applicant could work with 7.5 units per acre. The applicant stated that it would cause an economic hardship. The applicant stated that sewer would be available by the City of Gainesville. Mr. Braswell questioned if the three bedroom unit percentage could be lowered. The applicant stated it could be reduced to 5%. Ms. Doveton stated it would be 15.25 units on the site if three bedrooms are capped at 5%. Mr. Bell referenced the traffic study for surrounding properties. Mr. Braswell questioned if the applicant would agree to 300 units. The applicant agreed. Mr. Braswell requested the applicant discuss the buffers. The applicant stated that there will be a 50 foot transitional buffer.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 5-0

Conditions:

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PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

CMWB COMPANY, LLC
3343 PEACHTREE RD. NE
SUITE 145-835, ATLANTA, GA. 30326

Phone 404-548-7128

Email Address CGROGAN@WILLIAMSbrothersDEV.COM

Property Owner (Name & Mailing Address)

RUBY LEE CONNOR TRUST
4006 WHITE SULPHUR RD
GAINESVILLE, GA. 30507

Phone 678-997-5886

Email Address GAWOOD11@GMAIL.COM

Proposed Use PLANNED RESIDENTIAL DEVELOPMENTS - APARTMENTS

Contact Person (Name & Mailing Address)

STEVEN P. GILLIAM
SMITH, GILLIAM, WILLIAMS, AND MILES, P.A.
340 JESSE JEWELL PARKWAY SE, SUITE 300, GAINESVILLE, GA 30501

Phone 770-536-3381

Email Address SGILLIAM@SGWMFIRM.COM

Tax Parcel Number 09113 000001

Location Address SEE ATTACHED EXHIBIT A

Status of Applicant

☐ Owner

☒ Option to Purchase

☐ Area Resident

☐ Other

Requested Action

Existing Zoning: AR-III

Rezone to: PRD

Fee: \$ 1,500

Receipt #: 859041

Check #: 1077

Acreage SEE ATTACHED EXHIBIT A

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 7/21/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____ Date: _____

Staff Use Only

Application Date: 9/17/22

Taken by: Michael

Tentative Planning Commission Date: 11/07

Tentative County Commission Date: 12/08

County Commission District: 3

ZON 2022 - 00093

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
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 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 T: 770-531-6809 | F: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) MRS. DC Harrington Estate / Garry Wood
 Address (property) 2581 Ramsey Circle Gainesville Ga.
(Garry Wood) 4006 White Sulphur Rd Gainesville Ga. 30507
 Phone Number 678-997-5886

Name of applicant(s) CMWB COMPANY, LLC
 Address 3343 PEACHTREE RD. NE
SUITE 145-835, ATLANTA, GA. 30326
 Phone Number 404-548-7128

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

[Signature]

Personally appeared before me

GARRY WOOD

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature] KIM BOWMAR
 Notary Public
 EXP: 8-13-23
 NOTARY PUBLIC
 HALL COUNTY, GEORGIA

7-25-22
 Date

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: [Signature]

Date: 7/21/2022

Applicant's/Owner's Name (Printed): CAMERON GROGAN, AUTHORIZED SIGNATOR FOR CMWB COMPANY, LLC

PLANNING AND DEVELOPMENT DEPARTMENT
 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
 MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
 t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

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I have** _____

I have not ✓ _____

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**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

7/28/2022 | 1:21 PM EDT

Date: _____

Garry A Wood

Applicant's/Owner's Name (Printed): _____

WHITE SULPHUR ROAD WORKFORCE APARTMENT COMMUNITY

NARRATIVE

Applicant, CMWB, LLC, a Georgia Limited Liability Company, in Atlanta, Georgia, is proposing to build a multifamily residential community located on White Sulphur Road at the intersection with Ramsey Circle. The Principals at CMWB, Clarke Coole and Cameron Grogan, have worked in commercial and residential real estate development for a combined 20+ years, and have current residential developments in Hall County.

Project Description: The proposed project site is composed of one parcel, 35.1 acres, with 700+/- feet of road frontage on White Sulphur Road. The entire tract is in District 4, Hall County, Georgia. Access to the property will be on White Sulphur Road, and a secondary, gated, emergency only, access on Ramsey Circle. The development will include a left turn lane for travel northbound entering the development and a deceleration lane for vehicles traveling southbound who enter the development.

The community would contain 305 units, comprised of 8 buildings, some 3 and 4 story split buildings to work with the topography of the site, some 4 story, and surface parking. Parking will be provided per code, at least 1.5 spaces per unit. Each building will consist of 30-40 units. The proposed density is 8.69 units per acre. Currently, the development is programmed to be made up of 50% 1-bedroom, 40% 2-bedroom, and 10% 3-bedroom units. The 1-bedroom units' average size is 765 +/- square feet, 2-bedrooms average 1,225 +/- square feet, and 3-bedrooms average 1,400 +/-square feet. As engineering continues, the site plan configuration, floor plan ratio, and unit sizes are subject to change, but density and items further defined below will stay consistent.

There will not be an age restriction for this development. The target resident is local workforce that is needed to support the growing Industrial needs in Hall County encouraged by the Inland Port that will start construction soon. Also, students for the growing Lanier Tech campus across the Interstate that currently has its largest enrollment in the school's long history, and young couples desiring new construction living close to new commercial amenities, but more economical and quieter living quarters than other similar communities within commercial developments.

The development will provide ample amounts of contiguous open space, a pool and clubhouse with fitness center and cluster mailbox, and a dog park. Pedestrian connectivity throughout the development will be provided with a 5 foot wide side walk.

Setbacks and Buffers: All required buffers and setbacks will be followed. Side and rear buffers will be at least 50 feet of vegetative buffers

Landscaping: The tree and shrub schedule and miscellaneous plantings for landscaping are based upon plant material that will work best at this location and climate

Architectural Standards: The exterior construction of the buildings will be architectural shingles, and high end finishes including but not limited to lap-siding, board and batten, brick, and shake siding. There will be no vinyl siding. Design guidelines and standards will meet those listed per 17.180.060.B.9 for Planned Residential Developments.

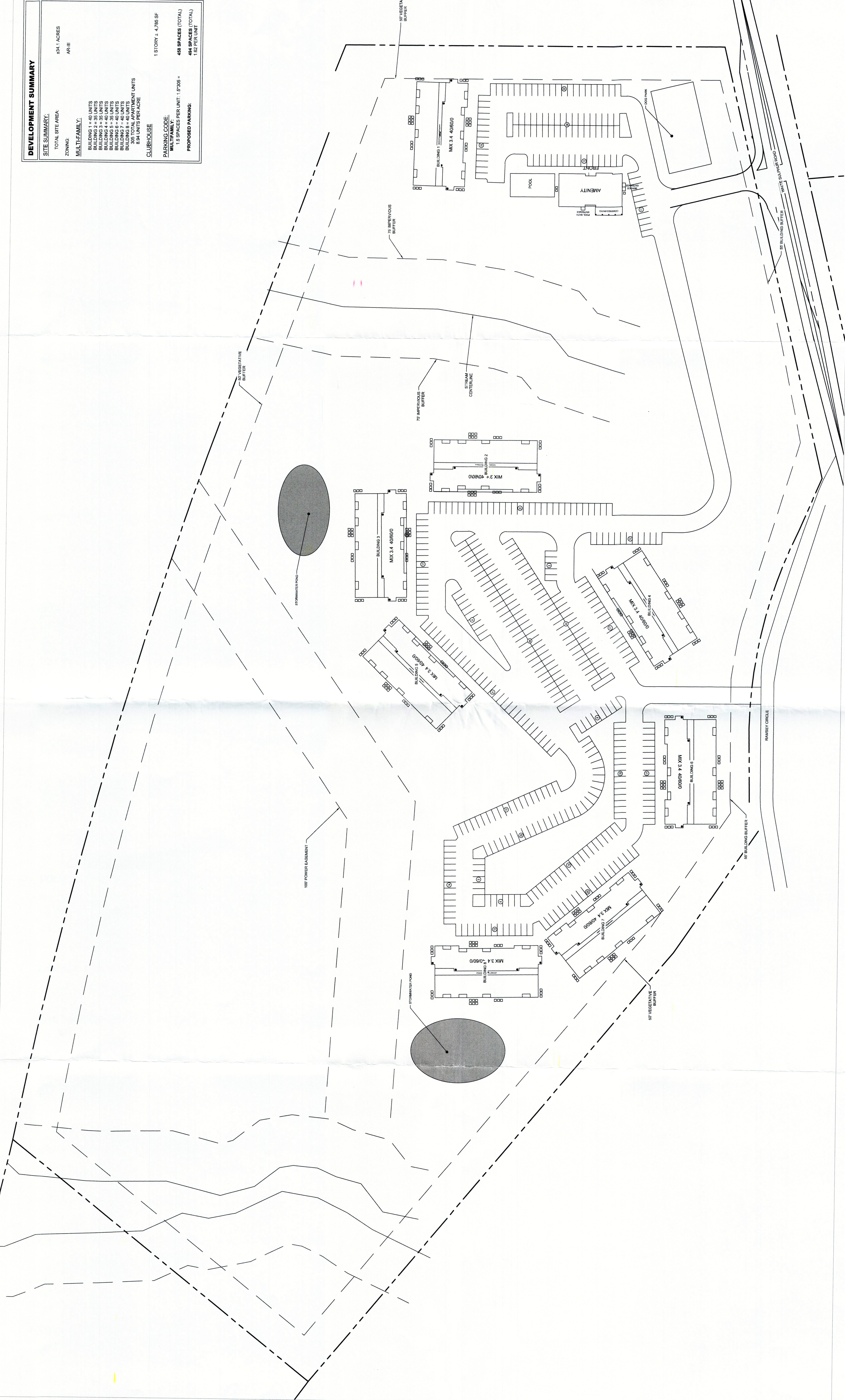
Signage: Signage for the property will meet the Standards for Specific Zoned districts in all County Ordinance 17.270.070

Lighting: Lighting will be "No-Spill"

Requested Zoning: Planned Residential Development (PRD)

Property Maintenance: The development, including but not limited to landscape, buildings, clubhouse, and amenities will be professionally managed and maintained

DEVELOPMENT SUMMARY	
SITE SUMMARY:	
TOTAL SITE AREA:	±34.1 ACRES
ZONING:	AR-III
MULTIFAMILY:	
BUILDING 1 = 40 UNITS	
BUILDING 2 = 35 UNITS	
BUILDING 3 = 35 UNITS	
BUILDING 4 = 40 UNITS	
BUILDING 5 = 35 UNITS	
BUILDING 6 = 40 UNITS	
BUILDING 7 = 40 UNITS	
BUILDING 8 = 40 UNITS	
335 TOTAL APARTMENT UNITS	
8.94 UNITS PER ACRE	
CLUBHOUSE	
1 STORY ± 4,785 SF	
PARKING CODE:	
MULTIFAMILY:	
1.5 SPACES PER UNIT: 1,530S =	
PROPOSED PARKING:	
458 SPACES (TOTAL)	
162 PER UNIT	



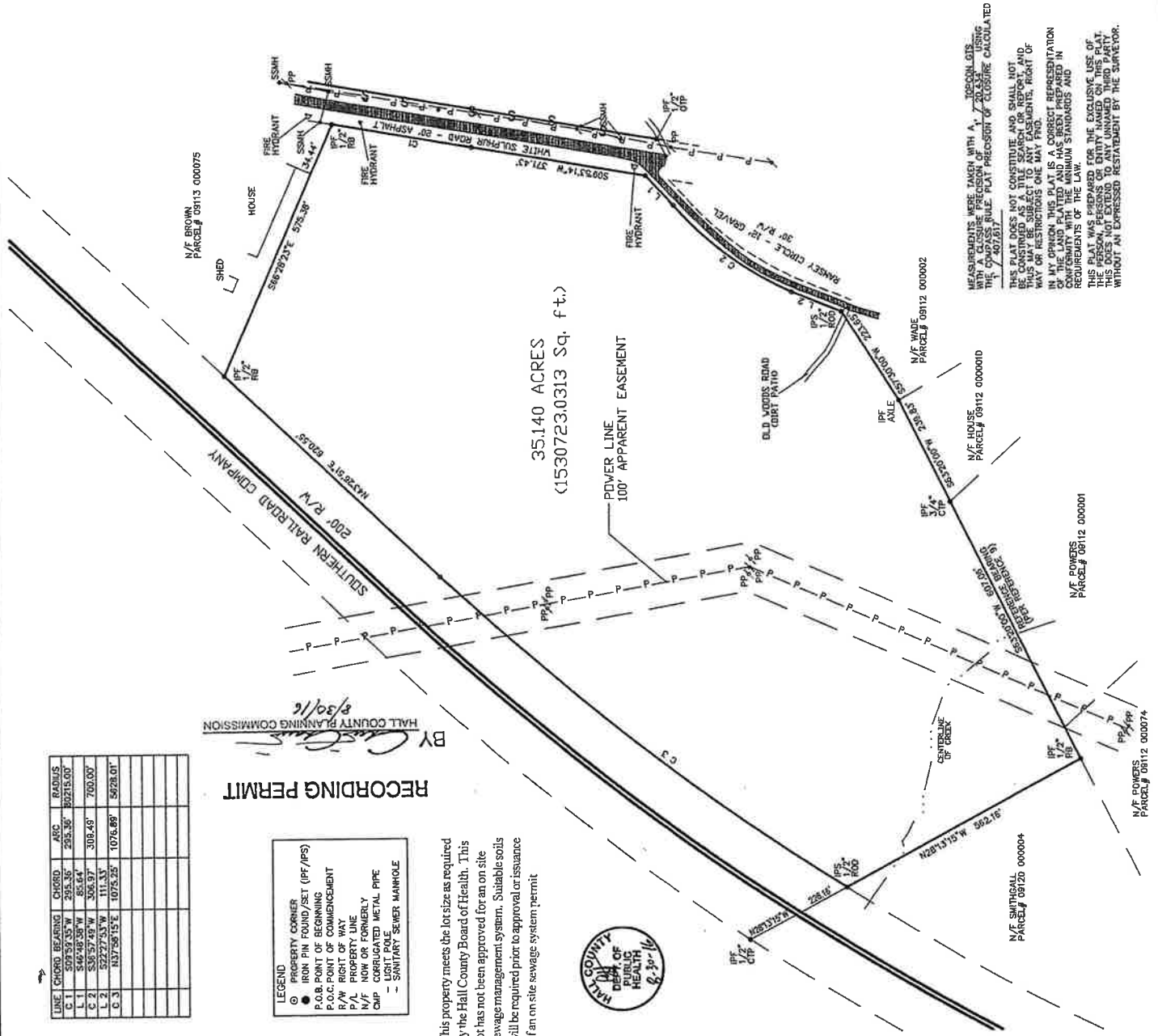
LINE	CHORD BEARING	CHORD	ARC	RADIUS
C 1	S 07° 59' 35" W	250.35'	250.35'	80215.00'
L 1	S 46° 48' 58" W	85.64'		
C 2	S 35° 57' 49" W	306.97'	300.48'	760.00'
L 2	S 22° 27' 33" W	111.33'		
C 3	N 37° 58' 15" E	1075.25'	1076.89'	5678.01'

LEGEND
 O PROPERTY CORNER
 ● IRON PIN FOUND / SET (PF / PPS)
 ● P.O.B. POINT OF BEGINNING
 ● P.O.C. POINT OF COMMENCEMENT
 R/W RIGHT OF WAY
 P/L PROPERTY LINE
 N/F NOW OR FORMERLY
 CMP CORRUGATED METAL PIPE
 LIGHT PIPE
 - SANITARY SEWER MANHOLE

This property meets the lot size as required by the Hall County Board of Health. This lot has not been approved for an on site sewage management system. Suitable soils will be required prior to approval or issuance of an on site sewage system permit

RECORDING PERMIT

BY *[Signature]*
 HALL COUNTY PLANNING COMMISSION
 8/30/16



MEASUREMENTS WERE TAKEN WITH A TOTAL STATION USING THE COMPASS RULE. PLAT PRESENT OF CLOSURE CALCULATED 1/407.617
 THIS PLAT DOES NOT CONSTITUTE AND SHALL NOT BE CONSIDERED AS A GUARANTEE OF ACCURACY AND THIS PLAT IS SUBJECT TO ANY EASEMENTS, RIGHT OF WAY OR RESTRICTIONS ONE MAY FIND.
 IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND DESCRIBED AND I HAVE COMPLIED WITH THE REQUIREMENTS OF THE LAW.
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS WHOSE INTERESTS ARE SHOWN HEREON. THE PERSONS WHOSE INTERESTS ARE SHOWN HEREON, BY SIGNING THIS PLAT, AGREE TO HOLD THE SURVEYOR, WITHOUT AN EXPRESSED RESTATMENT BY THE SURVEYOR.

REFERENCES:

- DEED BETWEEN HARRINGTON & WOOD, DATED 05/12/2004, RECORDED IN DEED BOOK 774, PAGES 144-148, HALL COUNTY RECORDS.
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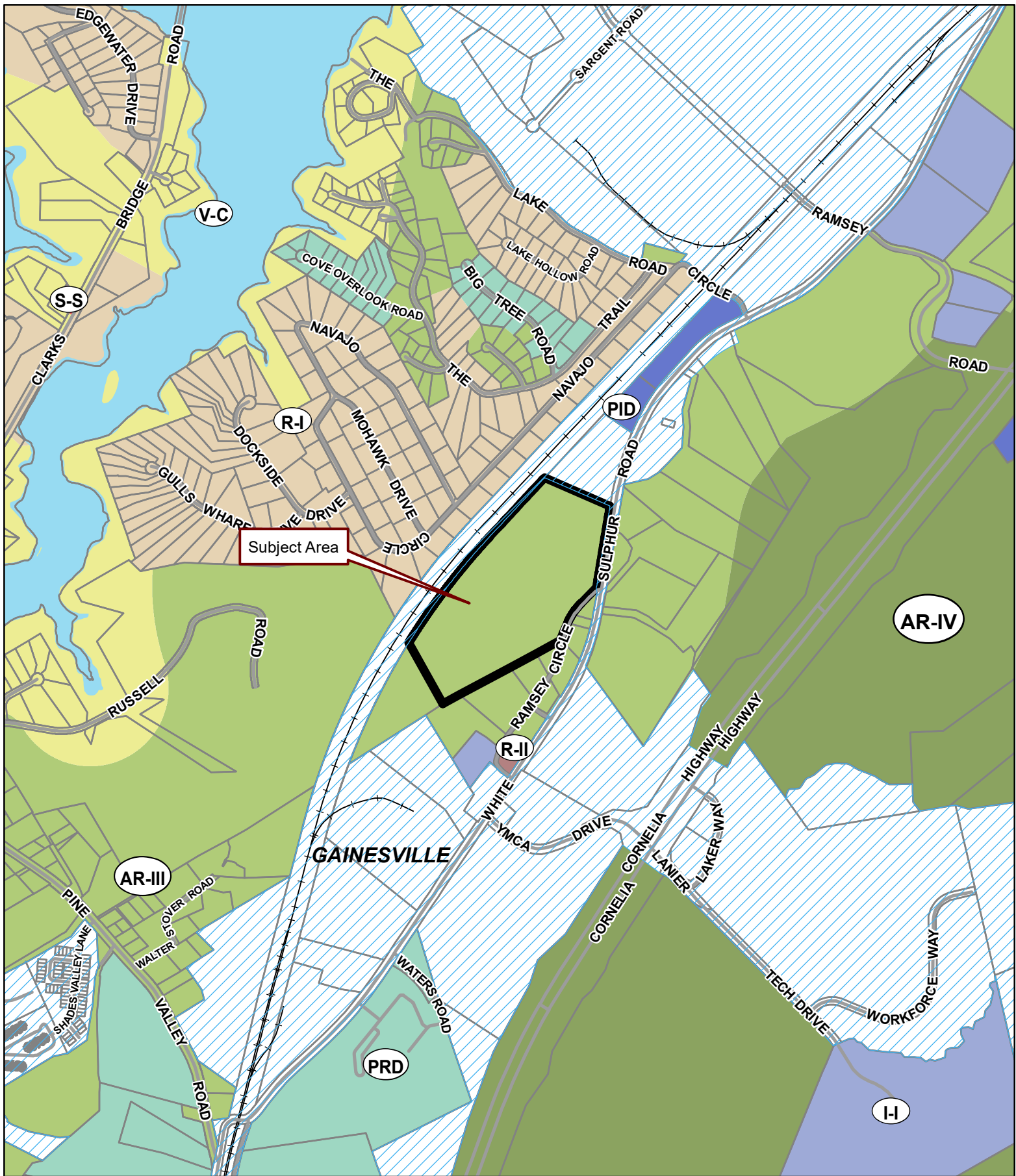
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN THE GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING AND MAPPING, AND THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-47, 43-15-4, 43-15-5, 43-15-19, 43-15-22.



BOUNDARY SURVEY FOR:
 HARRINGTON ESTATE
 HALL COUNTY, GEORGIA
 DISTRICT 411

TRIDENT
 SURVEYING, LLC
 83 COOLIDGE WAY
 DAHLONEGA, GA 30533
 PH: (706) 344-7211

SHEET #: 1 OF 1
 VERT. SCALE: N/A
 HORIZ. SCALE: 1"=150'
 DATE: SEPT. 01, 2014
 DRAWN BY: JSL
 CHECKED BY: JSL
 JOB # -----



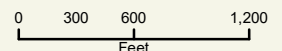
Applicant: CMWB COMPANY, LLC

Tax Parcel #: 09113 000001 (pt.)

Location: 2581 RAMSEY CIRCLE, GAINESVILLE, GA 30501

Commission District 3

PC Mtg. Date: 11/07/2022



- Zoning Boundary
- ▨ City Limits
- Subject Area
- Structure





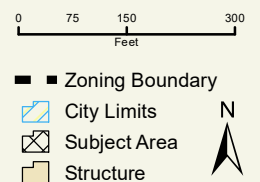
Applicant: CMWB COMPANY, LLC

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Commission District 3

PC Mtg. Date: 11/07/2022





Applicant: CMWB COMPANY, LLC

Tax Parcel #: 09113 000001 (pt.)

Location: 2581 RAMSEY CIRCLE, GAINESVILLE, GA 30501

Commission District 3

PC Mtg. Date: 11/07/2022

0 75 150 300
Feet

— Zoning Boundary
— City Limits
— Subject Area





Clubhouse



White Sulphur
Imperium Development
architecture | interiors | planning



09.09.2022



Unit Building

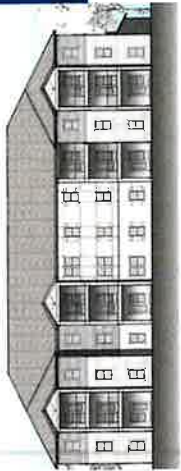






The background of the entire page is a detailed, light blue architectural floor plan of a multi-story building. The plan shows a complex arrangement of rooms, corridors, and service areas, typical of a large institutional or commercial structure. The lines are thin and precise, creating a grid-like pattern across the dark blue background.

BUILDING UNIT MIX FLOORPLANS

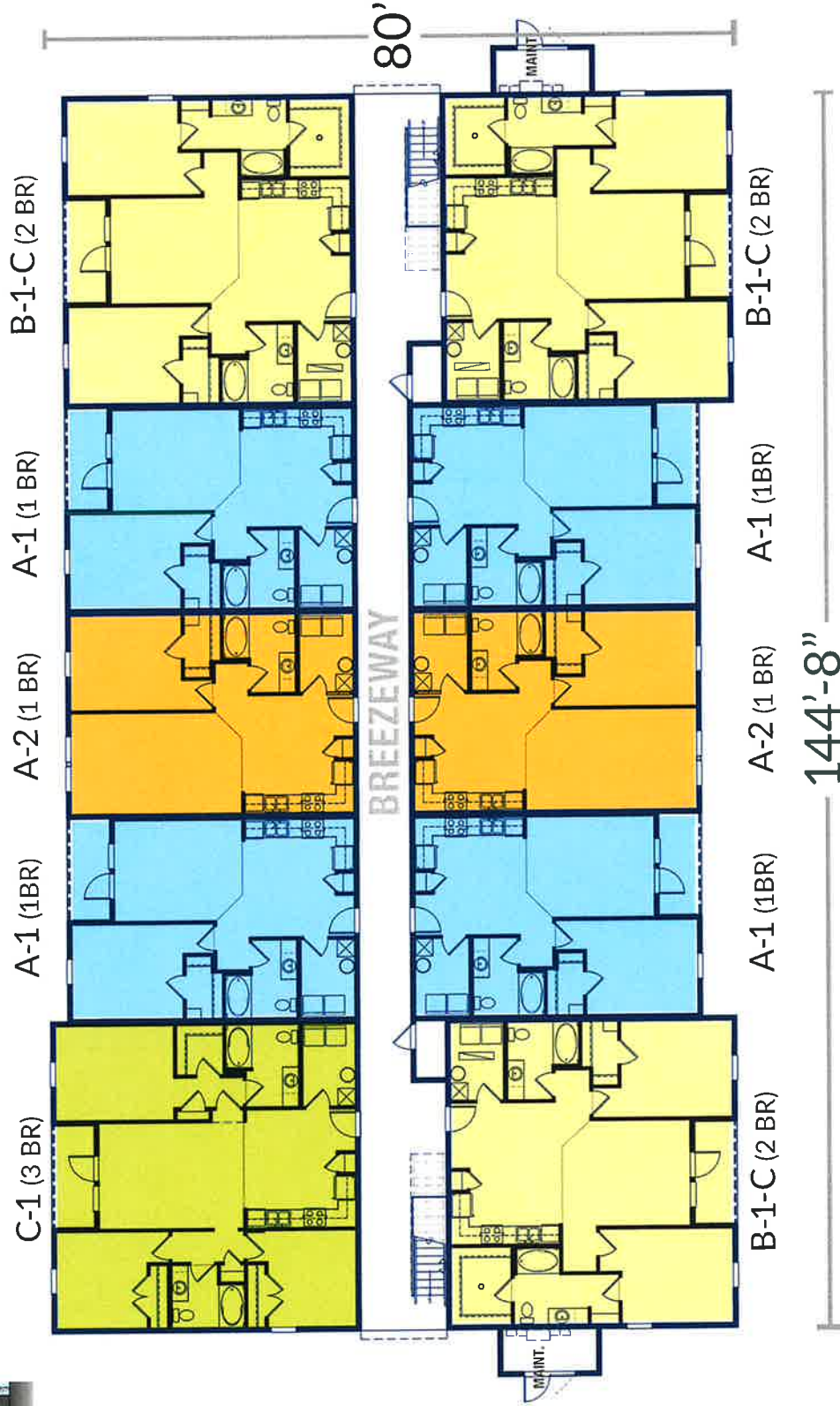


3.1

1 BR: 18 = 60%
2 BR: 9 = 30%
3 BR: 3 = 10%
Total: 30 = 100%

85.93%
Efficient

3-Story • Mix 1 • 144'-8" x 80'-0"



SUMMIT PROTOTYPE PROGRAM

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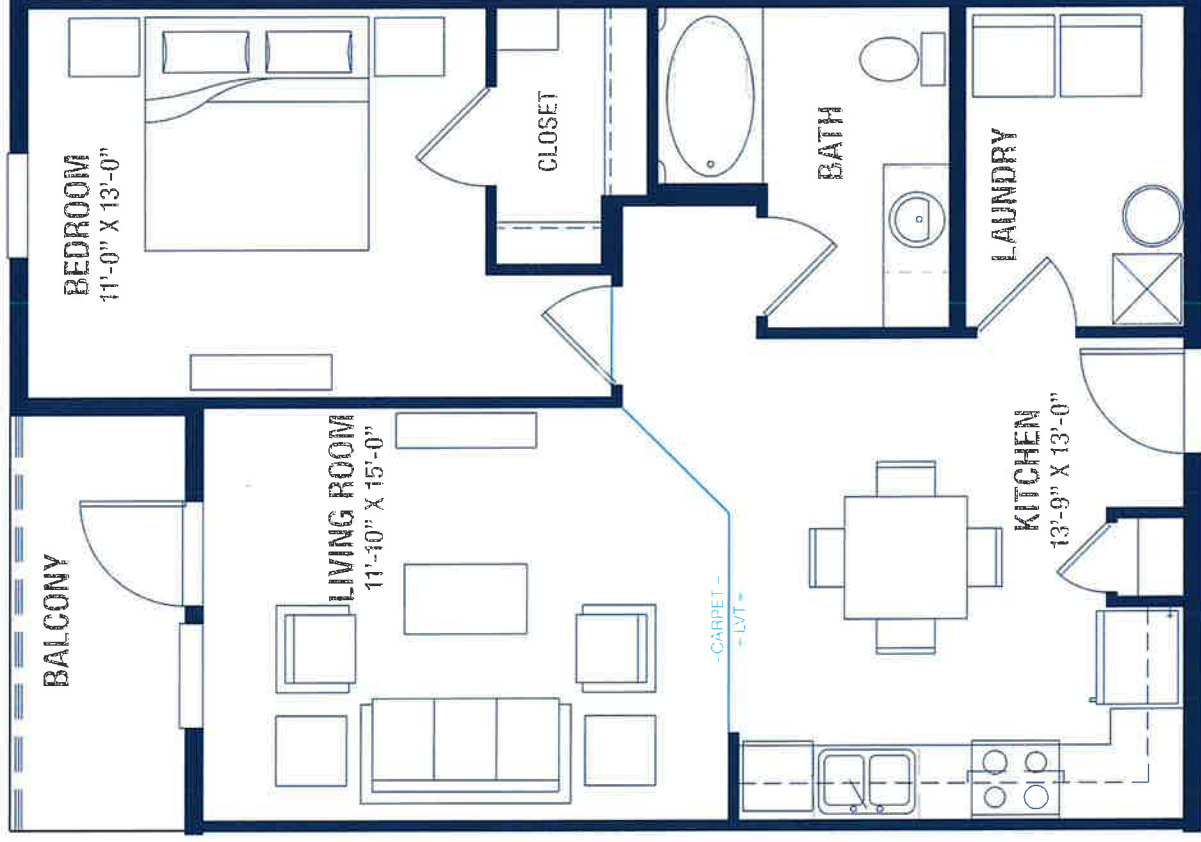
The background of the page is a detailed, light blue architectural floor plan of a multi-story building. It shows a complex arrangement of rooms, corridors, and service areas, typical of a large institutional or commercial structure. The plan is oriented horizontally across the page.

UNIT FLOORPLANS

A-1

1 Bedroom with Balcony

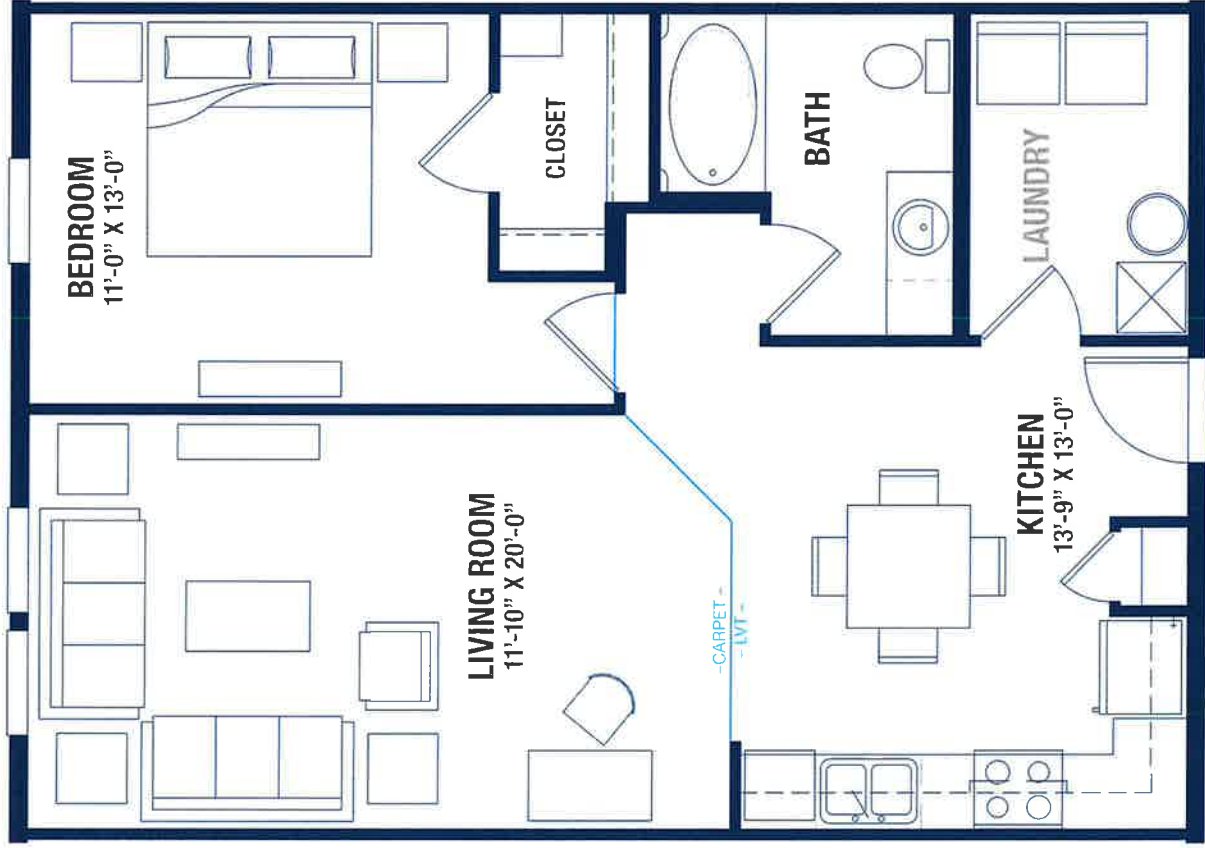
756 SF
Heated/Cooled



A-2

1 Bedroom

816 SF
Heated/Cooled



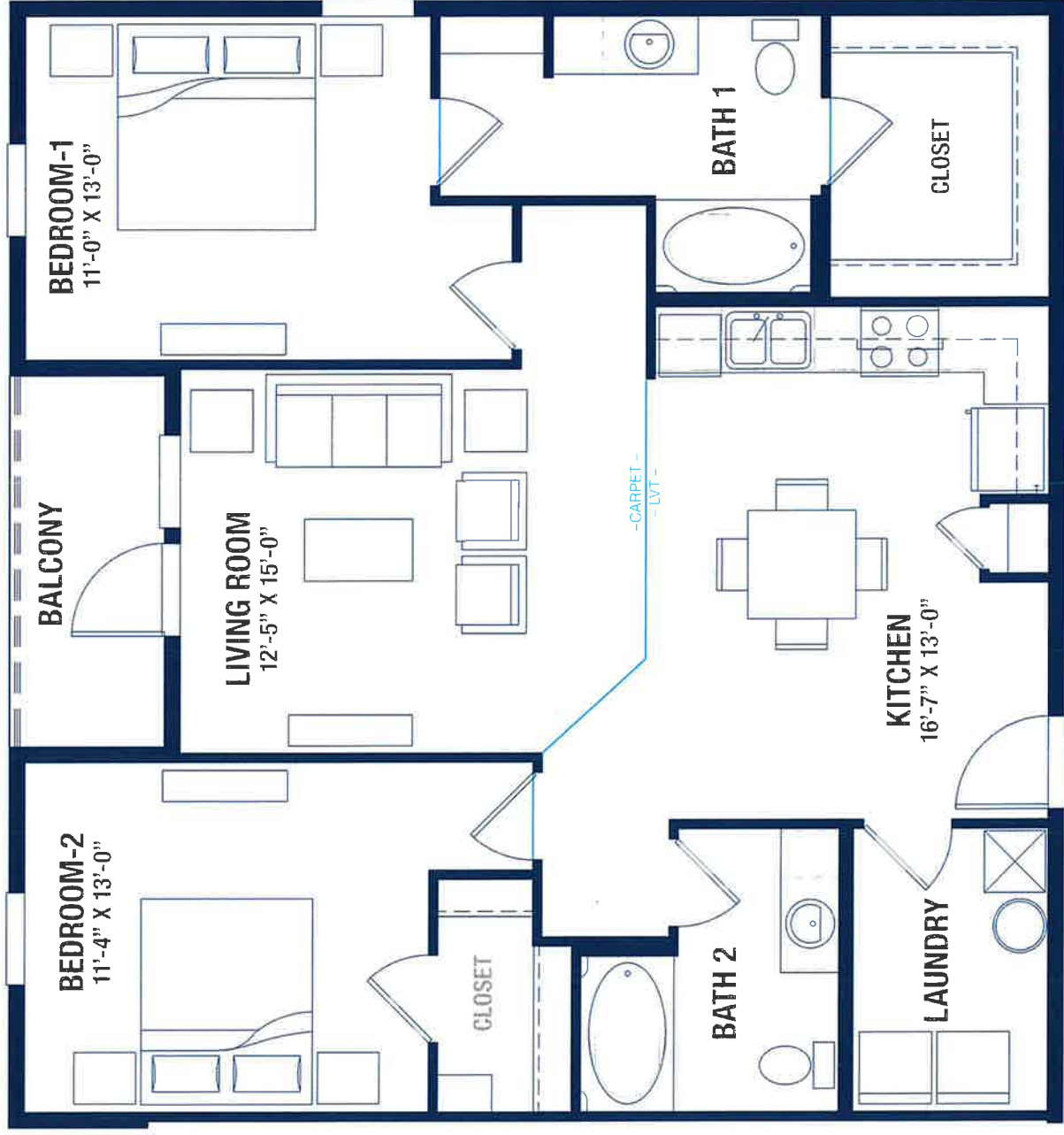
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B-1-C

2 Bedroom
with Balcony

1,176 SF
Heated/Cooled



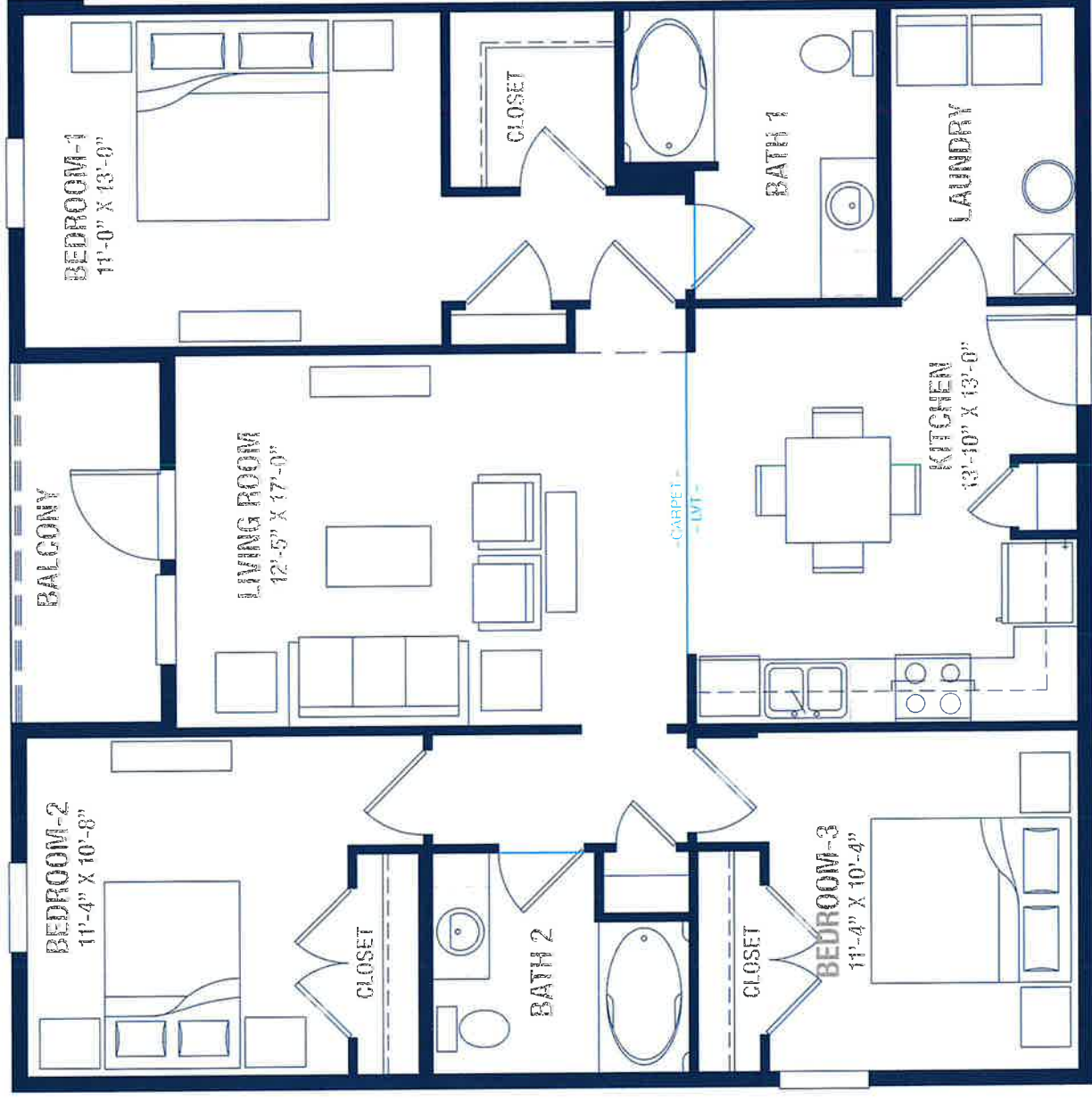
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C-1

3 Bedroom with Balcony

1,248 SF
Heated/Cooled



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AMENITY BUILDINGS

Inc.



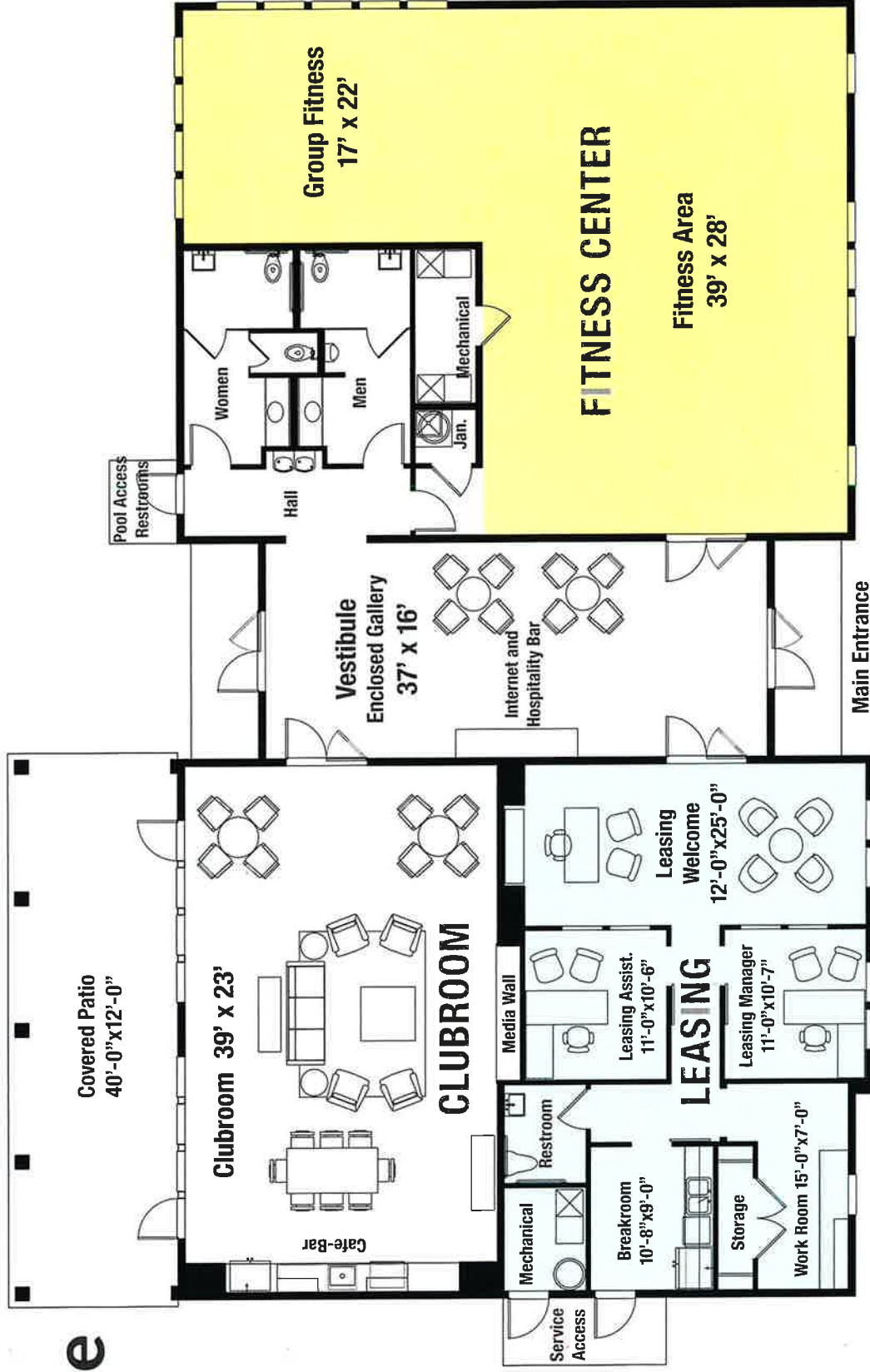
C: Optional Upgrade Clubhouse

Clubhouse

Base Floorplan
with Vestibule

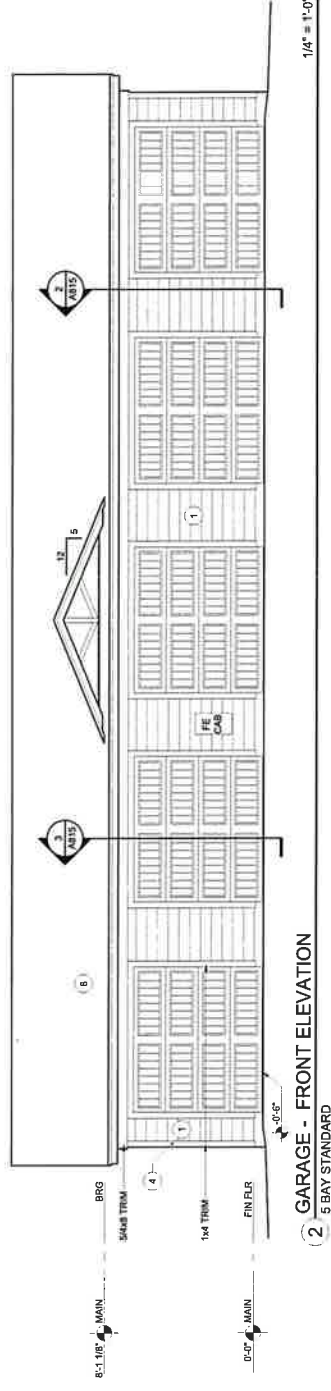
96' x 63'-4"

5,217 SF

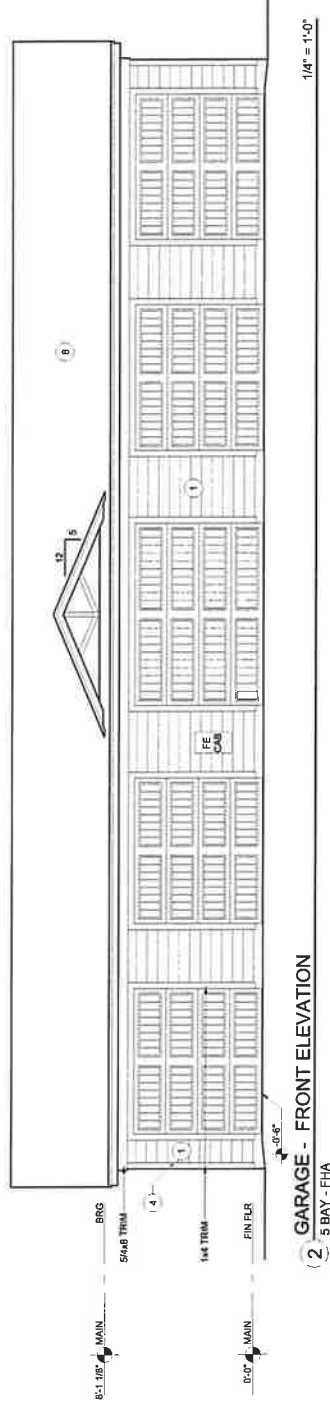


AMENITY BUILDINGS

5-Bay Garage 1,334 SF



FHA Garage 1,403 SF

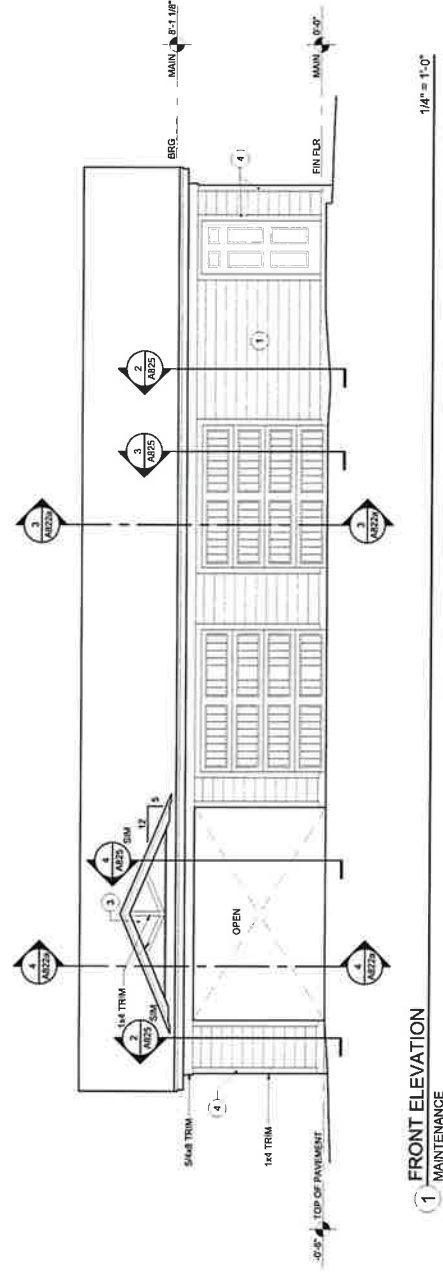
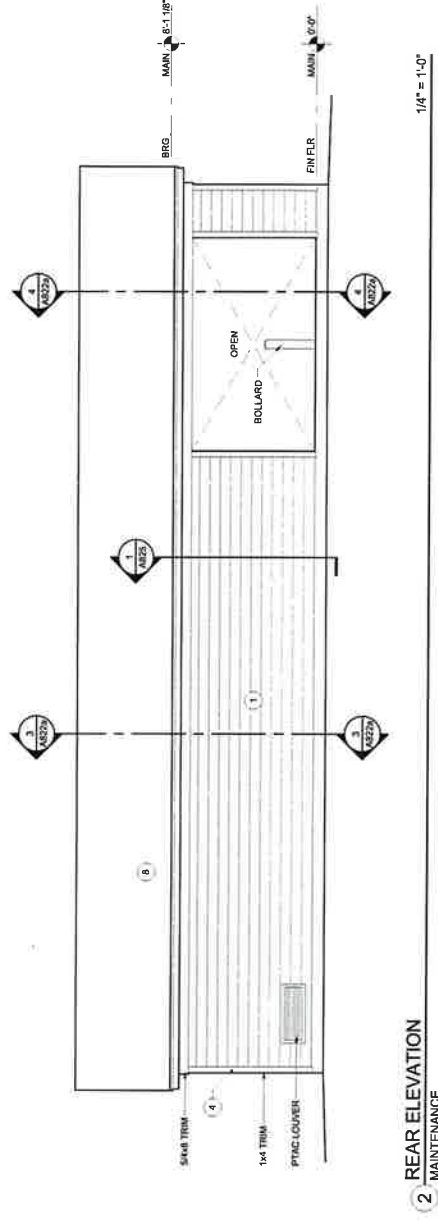


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AMENITY BUILDINGS

Maintenance
Medium: 1,150 SF

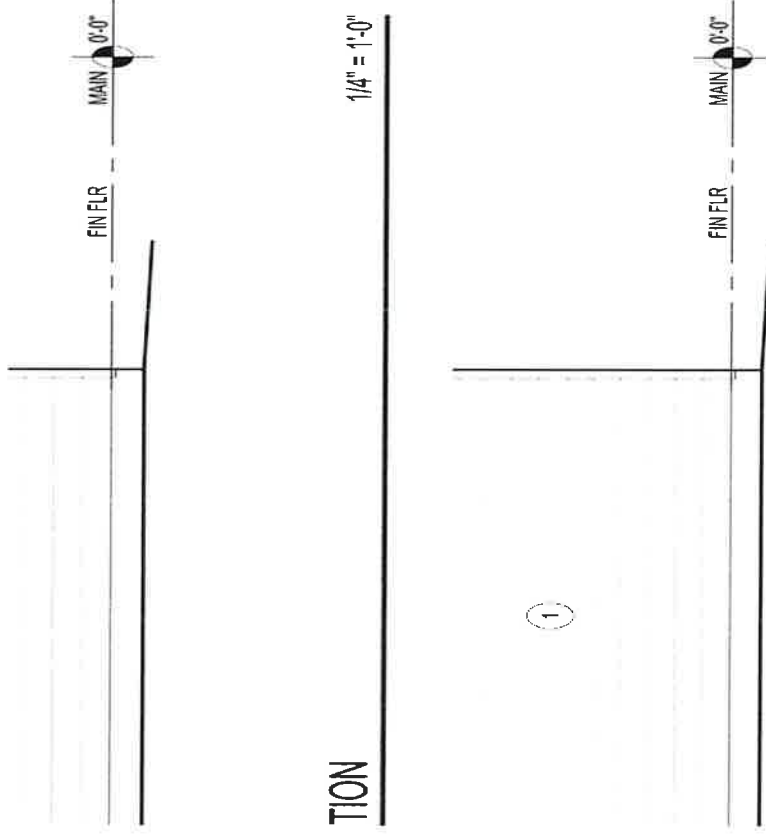


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AMENITY BUILDINGS

Mail Kiosk with Package Room 488 SF

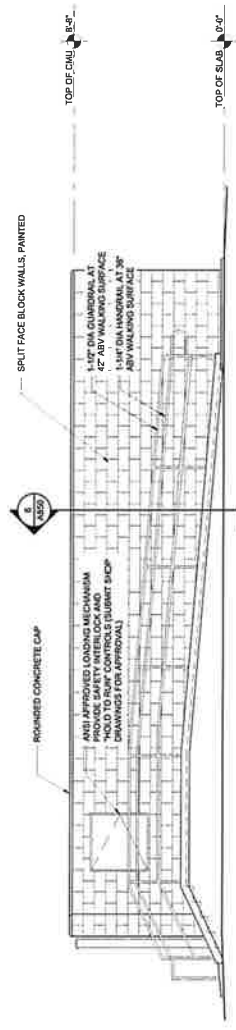


SUMMIT PROTOTYPE PROGRAM

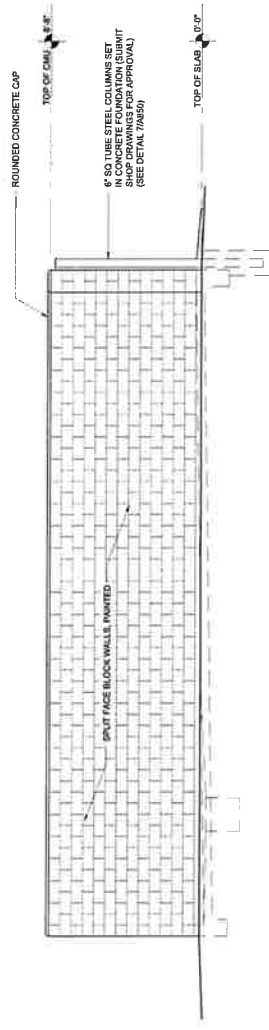
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AMENITY BUILDINGS

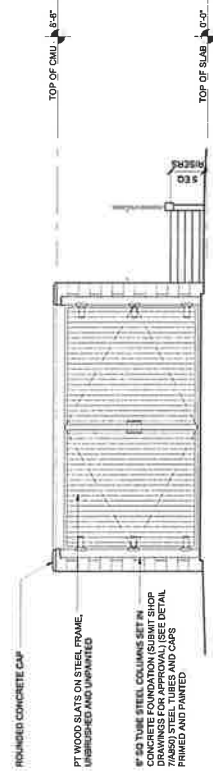
Trash Compactor Enclosure 640 SF



3 TRASH COMPACTOR - EXTERIOR ELEVATION



2 TRASH COMPACTOR - EXTERIOR ELEVATION



LEGAL DESCRIPTION

2581 Ramsey Rd

Parcel ID: 09113 000001

All that tract or parcel of land lying or being in Land Lot 113 of the 9th District of Hall County, Georgia, containing 35.140 acres (1,530,723.0313 sq. ft.), and being more particularly described as follows:

Beginning at a point located on the northwestern right-of-way of Ramsey Circle and the southwestern right-of-way of White Sulphur Road; thence continue south along the right-of-way of Ramsey Circle along the arc of a curve a chord bearing South $46^{\circ} 48' 38''$ West with a chord distance of 85.64' to a point; thence continuing along the arc of a curve a chord bearing South $36^{\circ} 57' 49''$ West (said arc having a radius of 700.00') with a chord distance of 306.97' to a point; thence continuing along the arc of a curve a chord bearing South $22^{\circ} 27' 53''$ West with a chord distance of 111.33' to a 1/2" iron pin set; thence leaving said right-of-way of Ramsey Circle, South $57^{\circ} 30' 00''$ West a distance of 223.65' to an iron pin found; thence South $63^{\circ} 20' 00''$ West a distance of 239.83' to a 3/4" crimp top pipe found; thence further continue South $63^{\circ} 20' 00''$ West a distance of 607.06' to a 1/2" iron pin found; thence North $28^{\circ} 13' 15''$ West a distance of 562.16' to an 1/2" iron pin set; thence running in a northeasterly direction and along an arc of curve, said curve running parallel to the Southern Railroad Company railroad tracks, a chord bearing North $37^{\circ} 58' 15''$ East (said arc having a radius of 5,628.01') with a chord distance of 1075.25' to a point; thence North $43^{\circ} 26' 51''$ East a distance of 620.55' to a 1/2" iron pin found; thence South $66^{\circ} 28' 23''$ East a distance of 575.38' to a 1/2" iron pin found; thence along an arc of a curve a chord bearing South $09^{\circ} 59' 35''$ West with a chord distance of 295.36' to a point located along the western right-of-way of White Sulphur Road; thence continuing along said right-of-way of White Sulphur Road South $09^{\circ} 53' 14''$ West a distance of 371.43' to a point, said point being the point of beginning, as more particularly described on that certain Boundary Survey prepared by Trident Surveying, LLC, dated September 1, 2014, bearing the seal of John S. Lingle, GRLS No. 2920.

RESOLUTION BR-2022-45

**WILLIAMS BROTHERS DEVELOPMENT (RAMSEY CIRCLE TRACT) ANNEXATION
WAIVER**

WHEREAS, the City of Gainesville owns and operates a sanitary sewer collection system serving the City of Gainesville and surrounding areas; and

WHEREAS, the City of Gainesville requires property owners who desire to connect to the sanitary sewer collection system to annex into the corporate limits of the City of Gainesville prior to connection when contiguous to the City Limits; and

WHEREAS, in some instances, the City may desire to provide sanitary sewer service to property which is contiguous to the municipal boundaries of the City for protection of the public health and welfare of the community, despite the proposed use of said property not conforming to the City Unified Land Development Code and/or despite the proposed use of said property being inconsistent with the City Comprehensive Future Land Use Plan; and

WHEREAS, in these instances, the City of Gainesville will allow connection to the City's sanitary sewer collection system without requiring annexation into the City Limits but will require execution of a sanitary sewer service agreement and power of attorney for future annexation of said property; and

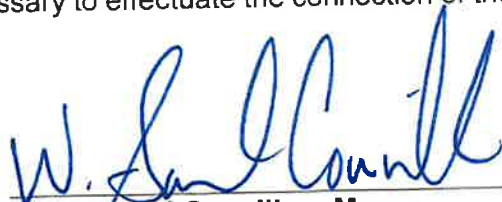
WHEREAS, the developer, Williams Brothers Development, LLC, proposes a residential development encompassing the property located at 2581 Ramsey Circle and has formally requested, in writing, the annexation requirement for connection to the City's sanitary sewer system be waived; and

WHEREAS, Community and Economic Development Department staff have identified the nature of the residential development to be non-conforming with the City's Comprehensive Future Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves this request to allow connection of the proposed development to the City's sanitary sewer system without annexing.


BE IT FURTHER RESOLVED THAT the Mayor, City Manager and/or City Attorney are authorized to sign any and all documents that may be necessary to effectuate the connection of the Property to the City's sanitary sewer system.

Adopted this 16th day of August, 2022.


W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:


Denise O. Jordan, City Clerk



Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wrested vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [**4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [**6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [**6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [**4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.**](#)



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County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



Randi Doveton (Planning)

From: The Chaotic Bunch <kettyl3@gmail.com>
Sent: Monday, October 31, 2022 4:19 PM
To: Randi Doveton (Planning)
Subject: Concerns for Rezoning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Scott Kettyl3 and I'm the home owner of 2535 Ramsey Cir, Gainesville GA. I've recently discovered that the land behind me, 2581 Ramsey Cir, Gainesville GA 30501 is for sale and the plans intended for that land is for an apartment complex. I was able to view the plans and zoning for it and it shows the potential entrance for it to be off of our road. My neighbors and myself have great concerns and objections to this, as we combined own the majority of the property on Ramsey Cir. Who can I speak to about this issue? My cell phone number is (770)374-2321. Thanks.

Sent from my iPhone

Print**Board of Commissioners Work Session Comments - November 7, 2022 - Submission #63159****Date Submitted: 11/6/2022**

Comments completed in the form below will be submitted into the record for the November 7, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Kerri

Last Name*

Ivie

Address1*

2876 Navajo Circle

Address2**City***

Gainesville

State*

GA

Zip*

30501

Your Comments*

As to the potential re-zoning of 2581 Ramsey Circle from Industrial to Residential for the development of a 305 unit multi family complex: This re-zoning and enormous development is completely insane. White Sulphur Road, the primary roadway to Ramsey Circle is already intensely busy, often I'll-repaired and rife with bizarre transportation issues - large trucks stuck, blocking traffic, parked in the line of sight for turns and intersections, clogging the thoroughfare in conjunction with constant railway traffic and now a school beginning construction and another similar development already underway not more than 2 miles from this proposed area. As a resident of this area for 15+ years, I have seen a massive amount of change, most of which has been for the better, but the area is busting at the seams at this point. Not only will this proposal create even more travel chaos it will undoubtedly bring an additional influx of noise, crime and potential for harm to long standing residents of established neighborhoods and subdivisions. It's unconscionable that the County would even consider such a development in this area when there are already so many.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

twowhitetrees@hotmail.com

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **CMWB COMPANY, LLC**

REQUEST: **RE ZONE FROM AR-III TO PRD FOR
305 UNIT MULTI-FAMILY COMPLEX**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: **11-07-2022**

Time: **05:15 PM**

AND

COUNTY COMMISSION

Date: **12-08-2022**

Time: **06:00 PM**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809



WHITE SULPHUR →

MOVING NOTICE
If you are moving, please
notify the following
person within 10 days
of your move.
Name: [illegible]
Address: [illegible]
Phone: [illegible]
Email: [illegible]



Print**Board of Commissioners Work Session Comments - December 5, 2022 - Submission #65318****Date Submitted: 12/4/2022**

Comments completed in the form below will be submitted into the record for the December 5, 2022 Work Session of the Hall County Board of Commissioners.

First Name*

Selena

Last Name*

Gardner

Address1*

3181 Dockside Dr.

Address2**City***

Gainesville

State*

Ga

Zip*

30501

Your Comments*

Richard Higgins, Kathy Cooper, Billy Powell, Shelly Echols, Jeff Stowe—I challenge all five of you to travel on White Sulphur Rd. next week between 6 and 7:30 am before you cast your vote to approve another multi-family complex in addition to the one already under construction. While you are accepting my challenge, imagine adding the traffic of a huge elementary school to be completed in two years. Don't forget about all of the 18-wheelers and employees headed to Kubota. Do you really want to approve another huge apartment complex?

Unless there are extensive plans to improve the road infrastructure of White Sulphur, then you will be voting to endanger the lives of all who travel on White Sulphur.

Selena Gardner
3181 Dockside Dr.
Gainesville

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Follow-up Communication

Selenagardner@charter.net

Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.

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AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 643/2022

SUBJECT: 4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The development shall occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development. 2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream. 3. The subdivision shall follow the standard preliminary and final plat review process (16.40). 4. 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." 5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP). 6. Tilt up concrete wall construction shall be allowed. 7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development. 8. All conditions of zoning shall be made part of any plats created for the property. 9. Items P & R in section 17.170.010 of the Hall County Code shall not be allowed.

Purpose of Request:

History:

4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | Commission District 3 | Ridgeline Land Planning, Inc, applicant.

Facts and Issues:

Options:

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plan
Maps
Deed
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone** | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract to allow heavy industrial | Ridgeline Land Planning, Inc, applicant.

The request before you is the application of Ridgeline Land Planning to rezone approximately 134.14 acres for a heavy industrial subdivision. The development will consist of 11 lots ranging in size from 2.5 acres to 14 acres and will include the construction of a new public road that will intersect with Cornelia Highway. The development will be served by public water and sewer. The property is located in the Gateway Corridor Overlay District ([17.420](#)) and the North Oconee Water Supply Watershed District ([17.225](#)) which places greater emphasis on design standards, landscaping, and buffers. The property is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of the Rezoning request with nine (9) conditions **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The development shall occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due to topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.

2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from wooded vegetation not the centerline of the stream.
3. The subdivision shall follow the standard preliminary and final plat review process (16.40).
4. 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."
5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).
6. Tilt up concrete wall construction shall be allowed.
7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.
8. All conditions of zoning shall be made part of any plats created for the property.
9. Items P & R in section 17.170.010 of the Hall County Code shall not be allowed.

Staff recommended denial, **based on the findings that the request does not meet criteria 1, 2, 13, 14, and 16, of [17.380.060](#) as the request proposes a use out of scale and intensity for the environmentally sensitive conditions on the site.**

For your Consideration

These items support approval

1. The requested zoning designation is consistent with the [2022 Comprehensive Plan, page 35](#).

These items support denial

1. The subject property is located in the North Oconee Water Supply Watershed District ([17.225](#)) which results in environmentally sensitive conditions on site due to proximity to the North Oconee River. As such, the intensity of an 11-building /lot industrial use has the potential to adversely affect the environmental characteristics intended to be protected.
2. There are other sites in Hall County more appropriate for heavy industrial uses that are supported by the future land use map, zoning ordinance, and existing conditions on the site.
3. There is no indication that a mistake was made in the original zoning of the property.

HALL COUNTY PLANNING COMMISSION RECOMMENDATION REPORT

Applicant Ridgeline Land Planning, Inc

Request Rezone from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II)

Proposed Use Heavy Industrial Park

Size 131.14± acres

Zoning	Current Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV)/North Oconee OD Proposed Heavy Industrial (I-II)/North Oconee OD
---------------------	---

Location **4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road** | Tax Parcel 15007 000129, 000270, & 000027A

Commission District Three

Planning Commission Date November 7, 2022

Staff Recommendation **Denial, based on the findings that the request does not meet criteria 1, 2, 13, 14, and 16, of [17.380.060](#) as the request proposes a use out of scale and intensity for the environmentally sensitive conditions on the site.**

Planning Commission Recommendation.....Approval, with conditions

Vote: 5-0

1. The development occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.
2. The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee

watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream.

3. The subdivision shall follow the standard preliminary and final plat review process (16.40).
4. 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.”
5. The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).
6. Tilt up concrete wall construction shall be allowed.
7. Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.
8. All conditions of zoning shall be made part of any plats created for the property.
9. Items P & R in section 17.170.010 of the Hall County Code is not allowed.

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to rezone 131.41 from Agricultural Residential III (AR-III, [17.110](#)) and Agricultural Residential IV (AR-IV, [17.120](#)) to Heavy Industrial (I-II, [17.170](#)) to allow for a heavy industrial development. According to the narrative, the applicant expects this to be a 5 to 10 year build out.

The narrative states that the proposed uses will be in conformance with those uses listed in Permitted Uses ([17.170.010](#)), with the exception of items P (Adult establishments) and R (Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations), of the Official Code of Hall County. The applicant is proposing to delete uses P and R and anticipates that the majority of the uses will be office and warehousing.

The narrative continues to explain the proposed Industrial development will consist of 11 lots ranging in size from 2.5 to 14 acres. These lots will be accessed via a new public road connecting to Cornelia Highway (State Route 365). The front setback will be 50 feet, and the side and rear setbacks will be 30

feet, as required by Official Code of Hall County. A 50-foot buffer will be provided adjacent to residentially zoned property.

The proposed development will be served by Hall County Sewer and City of Gainesville Water. Signage conforming to the Hall County sign ordinance will be located at the entrance off Hwy 365 and at individual lot entrances within the development. Lighting within the development will be LED style and shielded to minimize light spillage onto adjacent properties.

No variance to the Official Code of Hall County were submitted as part of this request; however, the subject properties lie within the Gateway Corridors Overlay District (GCOD, [17.420](#)). Since the site plan submitted is a conceptual plan and no architectural elevations, proposed sign information, or landscape plan were submitted as part of this request, variances may be required for each lot prior to its development; **any such variances will require a public hearing.**

Zoning Analysis

While the proposed use of an 11 lot industrial park is consistent with the Comprehensive Plan and Future Land Use Map which shows it to be within an employment corridor, the site is environmentally sensitive and part of the North Oconee Water Supply Watershed District ([17.225](#)), and as such, an industrial use is not the most suitable use of the property. The subject properties also lie within the Gateway Corridors Overlay District (GCOD, [17.420](#)) which imposes landscaping, signage, buffer, and architectural design and materials standards.

The proposed development is located in the North Oconee Water Supply Watershed District which places limitations on the intensity of development ([17.225.030](#)):

- The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to twenty-five (25) percent, or existing use, whichever is greater.
- The site plan indicates a total impervious area of 29.05 acres or 24.9%.
 - *For reference 3551 Kubota Way has approximately 188 acres with approximately 26.97 acres of impervious area. 25% of 188 acres is 47 acres.*
 - *5855 Whitehall Road has approximately 280 acres and 40.3 acres of impervious area. 25% of 280 acres is 110.3 acres.*



- *Both sites are within the North Oconee Water Supply Watershed District ([17.225](#)) but are under the maximum pervious area of 25%.*



When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed development is an 11-lot industrial park located on the south side of Cornelia Highway / SR 365. The subject property is adjacent to undeveloped large tracts of agricultural residential zoned property, both developed and undeveloped. While Gateway Industrial Centre is located across Cornelia Highway, it is a considerable distance away from other commercial property, approximately 2 miles from an activity corridor. Therefore, the proposed use is not suitable in view of the use and development of nearby property.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The subject property is located in the North Oconee Water Supply Watershed District ([17.225](#)) which results in environmentally sensitive conditions on site due to proximity to the North Oconee River. As such, the intensity of an 11-building /lot industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Without a market study, it is hard to determine if there is economic value as the property is currently zoned however there a number of permitted and conditional uses within the AR-III ([17.110](#)) and AR-IV districts ([17.120](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **A Development of Regional Impact (DRI) review was conducted by Georgia Mountains Regional Commission (GMRC). A notice of decision was issued to Hall County staff on October 7, 2022. The results of that review indicated that “the proposed action does not present any adverse inter-jurisdictional impacts, however the GMRC recommends that the County and applicant work with the GHMPO and GDOT to ensure optimal resolution of the intersections and access to allow existing traffic to safely turn left (southward) without disrupting highway traffic.”**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The requested zoning designation is consistent with the [2022 Comprehensive Plan, page 35](#) and the**

Future Land Use map; however, the site is environmentally sensitive and part of the North Oconee Water Supply Watershed District ([17.225](#)), and as such, intense industrial use is not the most suitable use of the property.

6. The extent to which property values are diminished by the existing zoning restrictions; **It is likely that property values are lower as agriculturally-zoned parcels as opposed to industrially-zoned. That said, rezoning the subject property may adversely impact the values of adjacent properties. A market study is necessary to make a determination.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **The subject property is located in the North Oconee Water Supply Watershed District ([17.225](#)) as a result of the environmentally sensitive conditions on site and proximity to the North Oconee River. As such, the intensity of an 11-building industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **There is likely to be public gain by protecting environmentally sensitive land and limiting the intensity of use on such property.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **Staff is not aware of the length of time the property has been vacant.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that impact the development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed district would present an isolated zoning designation from; however, the Comprehensive Plan supports this use on the subject property.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **The zoning district boundaries are not illogically drawn in relation to conditions in the area.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The scope is out of proportion to the existing uses within the neighborhood and on adjacent parcels; however, it is located in an area designated as an employment corridor on the Future Land Use Map. There is significant interest in this area of Hall County due to the [Northeast Ga Inland Port](#). The site has challenges related to environmental sensitivity as part of the North Oconee Water Supply Watershed District ([17.225](#)).**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other sites in Hall County more appropriate for heavy industrial uses that are supported by the future land use map, zoning ordinance, and existing conditions on the site.**

1. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance since the proposed use is neither permitted nor conditional in the AR-III district (17.110) or AR-IV district (17.120).**
15. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The subject property is located in the North Oconee Water Supply Watershed District (17.225) as a result of the environmentally sensitive conditions on site and proximity to the North Oconee River. As such, the intensity of an 11-building industrial use has the potential to adversely affect the environmental characteristics intended to be protected.**
16. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning of the property.**
- **Heavy Industrial (I-II, 17.170):** the Heavy Industrial (I-I) zoning district allows a variety industrial uses, both permitted and subject to either Planning Commission or Board of Commissioners. The uses include any commercial use or industrial use which involves manufacturing, processing, or assembly operations or the storage and sale of heavy materials, products, or equipment, but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions to nearby areas or those uses listed in [section 17.170.020](#).
- [17.380.050](#). - **Submission requirements for a rezoning request**
- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in Section 17.380.060.C. but did submit a narrative.**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets this requirement.**

3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **Proposal does not propose a slow rate land treatment system so this criteria is not applicable.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This is not applicable since the proposed use is not a residential development of 100 or more units; however, a traffic study was referenced in the DRI report.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

In an email dated October 18, 2022, Emily McGahee stated “No comment. Public sewer.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick provided the following comments:

1. IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.
2. IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.
3. IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
4. IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
5. IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
6. IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
7. IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with sections 503.1.1 through 503.1.3
8. IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.
9. IFC Section 510, emergency responder radio coverage confirmation will apply to each building.

Hall County Public Works and Utilities

In a memorandum dated October 20, 2022, Public Works Director Srikanth Yamala stated the following:

Engineering:

Flood (not future Hall County studied)

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

North Oconee Reservoir Watershed Protection. District doubles all stream buffers and impervious setbacks. Show stream buffers/setbacks from wrested vegetation not centerline of stream.

Traffic:

GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.

Utilities:

Hall Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.

Hall County Tax Assessors

No comments were provided in relation to this request.

Gainesville Water Resources

No comments were provided in relation to this request.

Georgia Department of Transportation

In an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervision, stated "GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1."

Georgia Mountains Regional Commission

In a memorandum dated October 7, 2022, Adam Hazell, AICP, Planning Director, stated: "Based on the comments received and staff analysis of this project, conducted in accordance with the Georgia Department of Community Affairs's Procedures for the Review of the Developments of Regional Impact, the GMRC finds that the proposed action does not present any adverse inter-jurisdictional impacts, however *the GMRC recommends that the County and applicant work with the GHMPO and GDOT to ensure optimal resolution of the intersections and access to allow existing traffic to safely turn left (southward) without disrupting highway traffic*. Please note that this finding is advisory only and assumes the project will proceed as presented to the GMRC and will comply with all applicable local, State and federal rules and regulations."

The GMRC staff analysis are included in the memo.

➤ Excerpts from the minutes of the November 7, 2022 meeting

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Holt Persinger, 196 Bailor Court, Winder, presented the request. The applicant stated that they have agreed with remove item P and R from the permitted uses. The applicant stated they have initiated work with GDOT. Mr. Bell questioned the percentage of impervious surfaced. The applicant stated it was 24.9%.

Planning Commission Comments:

Mr. Bell requested clarification on the site plan and narrative.

Motion: *A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0*

Conditions:

1. *The development occur substantially as depicted on the site plan dated 8-15-2022 and described in the project narrative. Due topographical, ecological, or geological constraints, the developer may be allowed to adjust lot lines and the quantity of lots as long as the total buildings square footage does not exceed 1,067,000 sq. ft. for the entire development.*
2. *The proposed development may contain flood zones. The site shall require a stormwater management report should the site plan indicate that the proposed development meets stormwater threshold for impervious surfaces. The proposed development is located in the North Oconee watershed overlay, which doubles all stream buffers and setbacks from rested vegetation not the centerline of the stream.*
3. *The subdivision shall follow the standard preliminary and final plat review process (16.40).*
4. *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."
5. *The GDOT permit shall be required prior to issuance of a land disturbance permit (LDP).*
6. *Tilt up concrete wall construction shall be allowed.*
7. *Architectural reef panels shall be allowed with the color being approved by the Director of Planning and Development.*
8. *All conditions of zoning shall be made part of any plats created for the property.*
9. *Items P & R in section 17.170.010 of the Hall County Code is not allowed.*

ZONING APPLICATION

Applicant (Name & Mailing Address)

Ridgeline Land Planning, Inc.

196 Belaire Court

Winder, GA 30680

Phone 678-618-2037

Email Address holt@ridgelineplanning.com

Proposed Use Heavy Industrial

Property Owner (Name & Mailing Address)

NCP Holdings, LLC / Larry S. Glover

8616 Decoy Lane

Lula, GA 30554

Phone 678-316-0822

Email Address _____

Contact Person (Name & Mailing Address)

Holt Persinger

196 Belaire Court

Winder, GA 30680

Phone 678-618-2037

Email Address holt@ridgelineplanning.com

Tax Parcel Number 15007 000129, 000270, & 000027A

Acreage 116.52 ACRES

Location Address 3886 & 4020 Cornelia hey and 4761 Cagle Mill Road

Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☒ Other

Requested Action

Existing Zoning: AR-IV&AR-III

Rezone to: I-II

Fee: \$ _____

Receipt #: _____

Check #: _____

I hereby certify that the above information and all attached information are true and correct.

Sign  Date: 8/13/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby **withdraw** the application.

Sign _____ Date: _____

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative County Commission Date: _____

County Commission District: _____

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) NCP Holdings, LLC - Larry S. Glover
Address 8616 Decoy Lane
Lula, GA 30554
Phone Number 678-316-0822

Name of applicant(s) Ridgeline Land Planning, Inc.
Address 196 Belaire Court
Winder, GA 30680
Phone Number 678-618-2037

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s) NCP Holdings, LLC
Larry S. Glover Manager/Member

Personally appeared before me

Larry Glover

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sharon Barrett
Notary Public

8/12/2022
Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** ____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: 8/13/2022

Applicant's/Owner's Name (Printed): Ridgeline Land Planning, Inc. - Holt Persinger

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



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Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Larry S. Glover

Date: 8-12-22

Applicant's/Owner's Name (Printed): Larry S. Glover



August 31, 2022
Revised October 14, 2022

Hall County Planning and Development
2875 Browns Bridge Road
3rd Floor
Gainesville, GA 30504

LETTER OF INTENT

TAX PARCELS: 15007 000129, 15007 000270, and 15007 000027A

Ridgeline Land Planning, Inc. submits this letter of intent and rezoning application on behalf of the property owner for the tax parcels listed above. The subject property is approximately 116.5 acres situated on the south side of Cornelia Hwy (GA 365), and just south of Cagle Road. The Property is currently zoned AR-IV and AR-III and is in the Employment Corridor as set forth in the Comprehensive Plan for Hall County.

The Applicant is proposing to rezone the Property to Heavy Industrial (I-II) to allow for a development totaling 581,600 square feet accessed by public streets. The Applicant anticipates a 5 to 10 year build out. Proposed uses will be in conformance with the Permitted Uses in section 17.170.010 with the exception of items P (Adult establishments) and R (Astrologers, clairvoyants, fortune tellers, palmists, phrenologists and related occupations) of the Official Code of Hall County. The applicant is proposing to delete uses P and R. Most of the project is expected to be office and warehousing with the potential for 3 shifts with some users. The proposed uses are compatible with the growth along the GA 365 corridor and with the Comprehensive Plan.

The proposed Industrial development will consist of 11 lots accessed from a new ranging from 2.5 to 14 acres. A 50-foot setback will be provided along GA 365 and the 30-foot side and rear setbacks as required by Hall County code will be provided between lots. Signage conforming to

the Hall County sign ordinance will be located at the entrance off Hwy 365 and at individual lot entrances within the development. The project will also provide the required 50-foot buffer adjacent to residentially zoned property where practical and outside of any required stream buffers. The proposed development will be served by Hall County Sewer and City of Gainesville Water. Lighting within the development will be LED style and shielded to minimize light spillage onto adjacent properties.

In conclusion, the proposed development is consistent with existing development patterns within the surrounding area, it is compatible with the policies and intent of the Comprehensive Plan. The Applicant welcomes the opportunity to meet with staff of the Hall County Planning Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application. The Applicant respectfully requests your approval of the Application.

Constitutional Objections

Facially and as applied to the Property, the specific portions of the Hall County Comprehensive Plan and zoning ordinance which restrict the Property to any zoning classification, conditions, uses, or to any development other than those proposed by the Applicant are unconstitutional because they would abolish or damage the Applicant's property rights without paying adequate, fair, and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

Facially and as applied to the Property, the application of Hall County ordinances or Comprehensive Plan which restrict the Property to any zoning classification, conditions, uses, or to any development other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking and/or damaging of Applicant's Property by denying the Applicant all economically viable use of its land while not substantially advancing legitimate state interests in violation of the United States Constitution's Just Compensation Clause of the

Fifth Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Constitution of the State of Georgia of 1983.

The denial of this application would be an arbitrary and capricious act by Hall County without any rational basis, thus constituting an abuse of discretion in violation of the Constitution of the State of Georgia of 1983 and Due Process Clauses of the Fourteenth Amendment to the United States Constitution.

A refusal by Hall County to approve this application for the Property would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Hall County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Respectfully,

A handwritten signature in black ink, appearing to read 'Holt Persinger', followed by a stylized flourish or mark.

Holt Persinger, RLA

Ridgeline Land Planning, Inc.



August 31, 2022

Hall County Planning and Development
2875 Browns Bridge Road
3rd Floor
Gainesville, GA 30504

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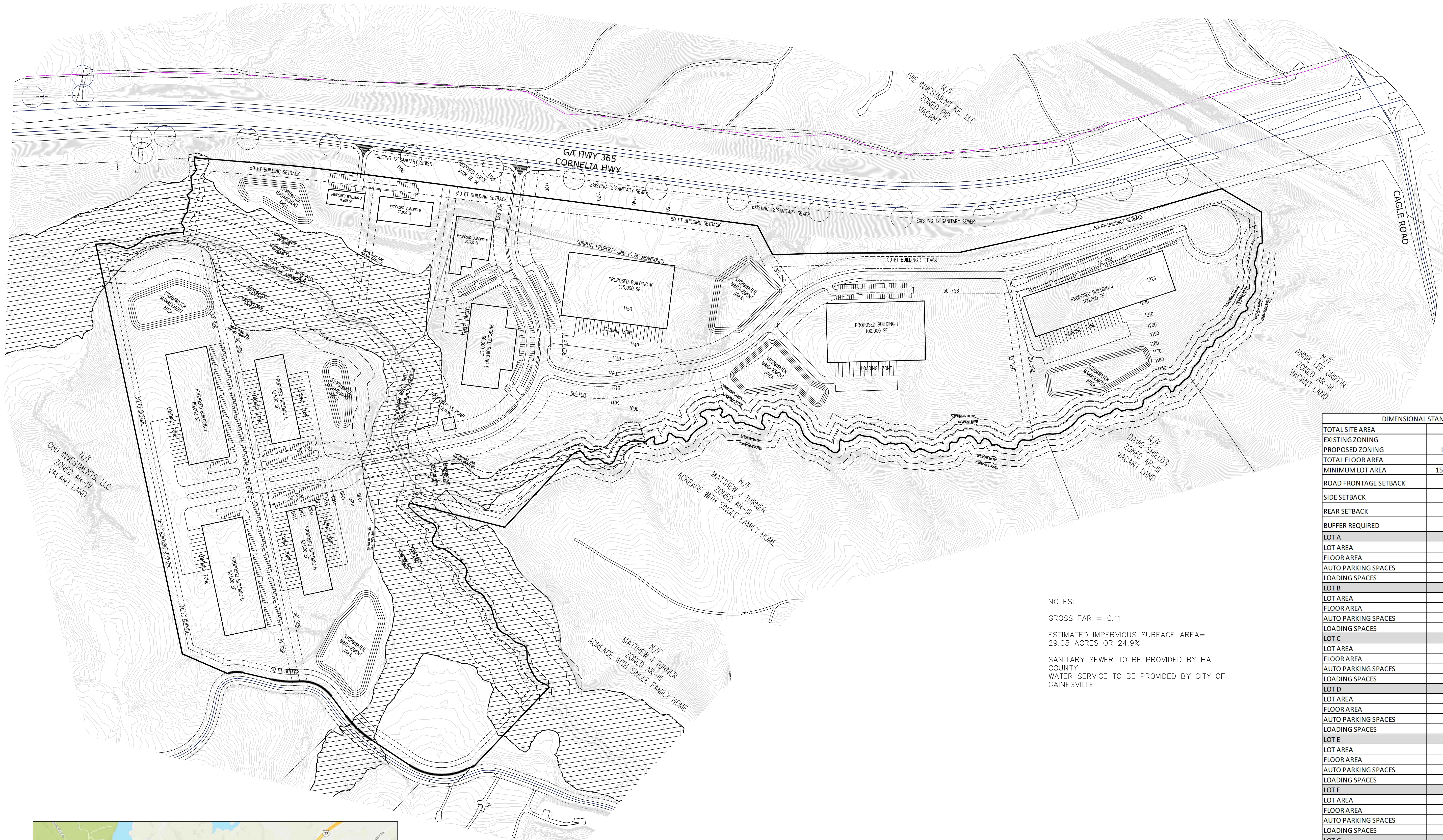
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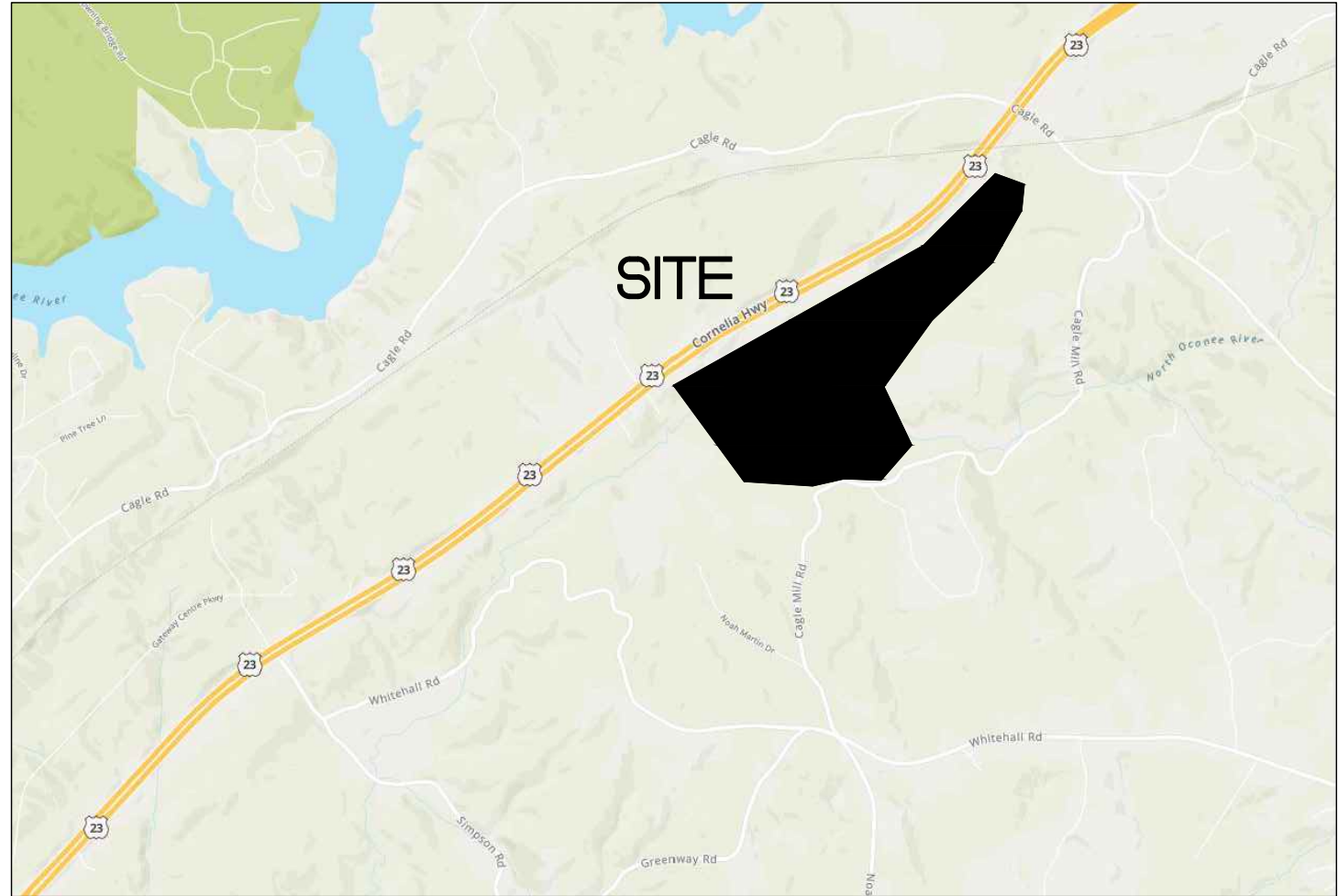
Holt Persinger, RLA

Ridgeline Land Planning, Inc.

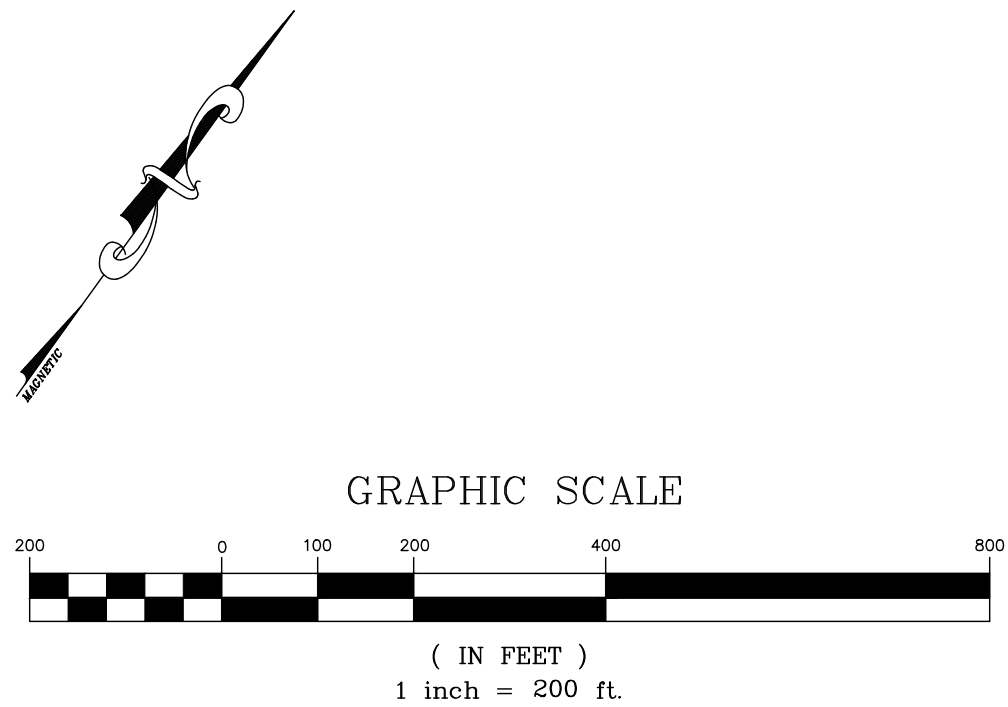


NOTES:
GROSS FAR = 0.11
ESTIMATED IMPERVIOUS SURFACE AREA=
29.05 ACRES OR 24.9%
SANITARY SEWER TO BE PROVIDED BY HALL
COUNTY
WATER SERVICE TO BE PROVIDED BY CITY OF
GAINESVILLE

DIMENSIONAL STANDARDS	
TOTAL SITE AREA	116.52 ACRES
EXISTING ZONING	AR-IV & AR-III
PROPOSED ZONING	I-II HEAVY INDUSTRIAL
TOTAL FLOOR AREA	581,600
MINIMUM LOT AREA	15,000 SQFT / 0.344 ACRES
ROAD FRONTAGE SETBACK	50 FEET
SIDE SETBACK	30 FEET
REAR SETBACK	30 FEET
BUFFER REQUIRED	50 FEET
LOT A	
LOT AREA	7.6 ACRES
FLOOR AREA	9,200
AUTO PARKING SPACES	20
LOADING SPACES	NA
LOT B	
LOT AREA	
FLOOR AREA	22,000
AUTO PARKING SPACES	52
LOADING SPACES	NA
LOT C	
LOT AREA	2.54 ACRES
FLOOR AREA	30,300
AUTO PARKING SPACES	33
LOADING SPACES	NA
LOT D	
LOT AREA	7.43 ACRES
FLOOR AREA	60,000
AUTO PARKING SPACES	120
LOADING SPACES	7
LOT E	
LOT AREA	10.80 ACRES
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
LOT F	
LOT AREA	10.57 ACRES
FLOOR AREA	80,000
AUTO PARKING SPACES	91
LOADING SPACES	25
LOT G	
LOT AREA	7.29 ACRES
FLOOR AREA	80,000
AUTO PARKING SPACES	91
LOADING SPACES	25
LOT H	
LOT AREA	20.52 ACRES
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
LOT I	
LOT AREA	16.50 ACRES
FLOOR AREA	100
AUTO PARKING SPACES	120
LOADING SPACES	25
LOT J	
LOT AREA	12.85 ACRES
FLOOR AREA	100,000
AUTO PARKING SPACES	120
LOADING SPACES	25
LOT K	
LOT AREA	14.06 ACRES
FLOOR AREA	115,000
AUTO PARKING SPACES	72
LOADING SPACES	24



LOCATION MAP-NTS



—THE SUBJECT PROPERTY LIES WITHIN THE
NORTH OOCNEE WATER SUPPLY WATERSHED
—THE SUBJECT PROPERTY LIES WITHIN A
FLOOD HAZARD ZONE PER FEMA MAPS
13139C0225F AND 13139C0225G

SIGNED / SEALED



PREPARED FOR

HWY 365

15007 000129, 15007 000270, 15007 000027A
HALL COUNTY, GEORGIA

**RIDGELINE
LAND PLANNING, INC.**
196 BELLAIRE COURT, WINSTON, GA 30680
PH: 678-618-2037
HOLT@RIDGELINEPLANNING.COM

ZONING
CONCEPT

SHEET TITLE

DATE	NO	REVISION	1	ADDRESS	COMMENTS	8/23/2022
8/31/2022	1	REVISED PER IMPERVIOUS SURFACE REQUIREMENTS	2			10/4/2022

DESIGNED BY: HHP

DRAWN BY: HHP

CHECKED BY: HHP

DATE: 8/15/2021

SCALE 1"=200'

1

SHEET
JOB NO.:

SIGNED / SEALED



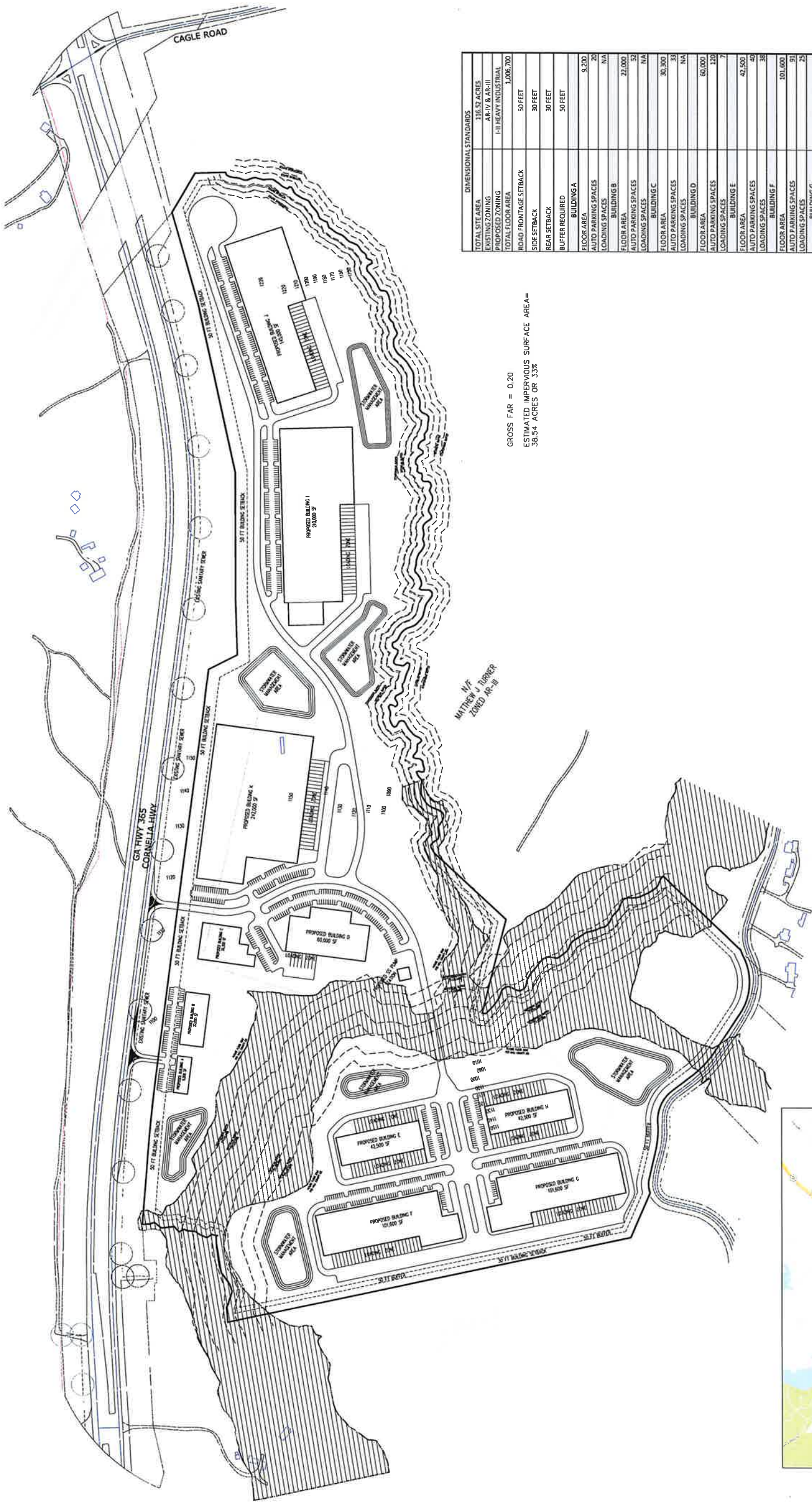
PREPARED FOR

HWY 365
15007 000129, 15007 000270, 15007 000027A
HALL COUNTY, GEORGIA



ZONING
CONCEPT
SHEET TITLE

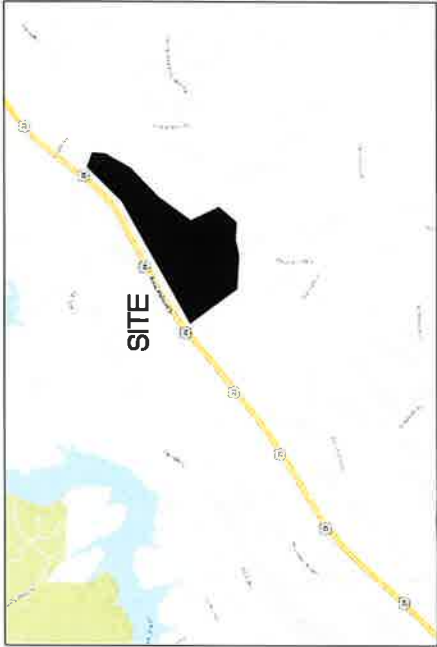
DATE NO REVISION
DATE BY APP. SHEET JOB NO.
6/15/2021 1



GROSS FAR = 0.20
ESTIMATED IMPERVIOUS SURFACE AREA =
38.54 ACRES OR 33%

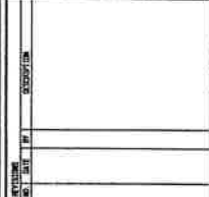
DIMENSIONAL STANDARDS	
TOTAL SITE AREA	136.52 ACRES
EXISTING ZONING	AK-IV & AR-III
PROPOSED ZONING	I-HI HEAVY INDUSTRIAL
TOTAL FLOOR AREA	1,005,700
ROAD FRONTAGE SETBACK	50 FEET
SIDE SETBACK	30 FEET
REAR SETBACK	30 FEET
BUFFER REQUIRED	50 FEET
BUILDING A	
FLOOR AREA	9,200
AUTO PARKING SPACES	20
LOADING SPACES	NA
BUILDING B	
FLOOR AREA	22,000
AUTO PARKING SPACES	52
LOADING SPACES	NA
BUILDING C	
FLOOR AREA	30,300
AUTO PARKING SPACES	38
LOADING SPACES	NA
BUILDING D	
FLOOR AREA	60,000
AUTO PARKING SPACES	120
LOADING SPACES	7
BUILDING E	
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
BUILDING F	
FLOOR AREA	101,600
AUTO PARKING SPACES	91
LOADING SPACES	25
BUILDING G	
FLOOR AREA	101,600
AUTO PARKING SPACES	91
LOADING SPACES	25
BUILDING H	
FLOOR AREA	42,500
AUTO PARKING SPACES	40
LOADING SPACES	38
BUILDING I	
FLOOR AREA	210,000
AUTO PARKING SPACES	120
LOADING SPACES	25
BUILDING J	
FLOOR AREA	145,000
AUTO PARKING SPACES	170
LOADING SPACES	25
BUILDING K	
FLOOR AREA	242,000
AUTO PARKING SPACES	72
LOADING SPACES	35

-THE SUBJECT PROPERTY LIES WITHIN THE
NORTH OCOEE WATER SUPPLY WATERSHED
-THE SUBJECT PROPERTY LIES WITHIN A
FLOOD HAZARD ZONE PER FEMA MAPS
13139C00225F AND 13139C00225G

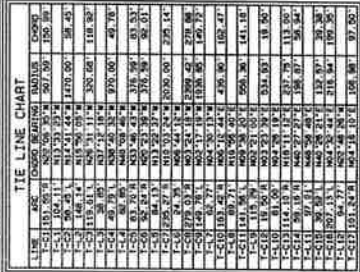


LOCATION MAP-NTS

LOCATED IN
G.M.D. 1690
LULA DISTRICT
HALL COUNTY, GEORGIA



BOUNDARY LINE CHART	
LINE DISTANCE	BOUNDARY
1	125.00
2	125.00
3	125.00
4	125.00
5	125.00
6	125.00
7	125.00
8	125.00
9	125.00
10	125.00
11	125.00
12	125.00
13	125.00
14	125.00
15	125.00
16	125.00
17	125.00
18	125.00
19	125.00
20	125.00
21	125.00
22	125.00
23	125.00
24	125.00
25	125.00
26	125.00
27	125.00
28	125.00
29	125.00
30	125.00
31	125.00
32	125.00
33	125.00
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35	125.00
36	125.00
37	125.00
38	125.00
39	125.00
40	125.00
41	125.00
42	125.00
43	125.00
44	125.00
45	125.00
46	125.00
47	125.00
48	125.00
49	125.00
50	125.00
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78	125.00
79	125.00
80	125.00
81	125.00
82	125.00
83	125.00
84	125.00
85	125.00
86	125.00
87	125.00
88	125.00
89	125.00
90	125.00
91	125.00
92	125.00
93	125.00
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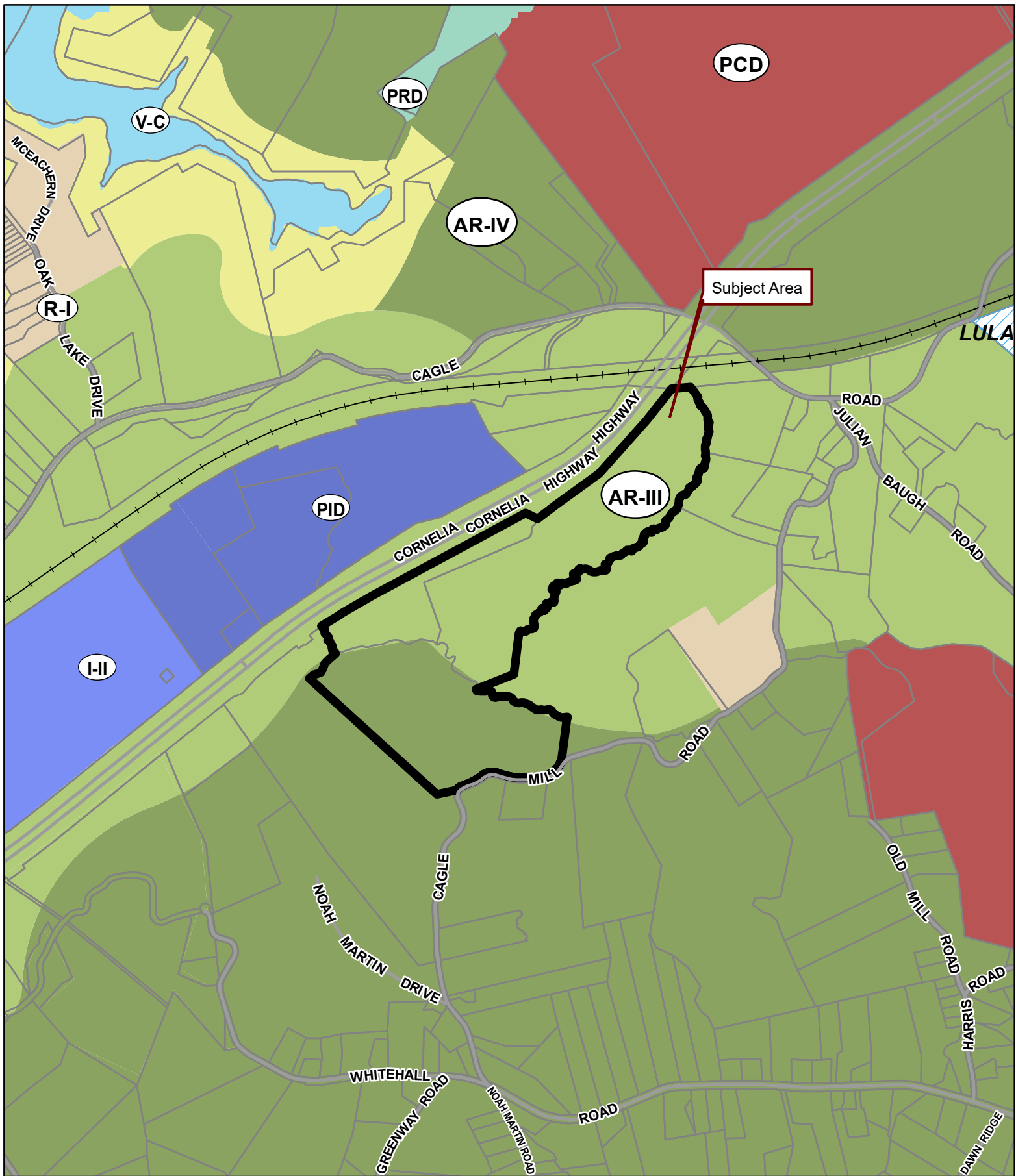
[illegible]

AND APPROVAL FROM GOVERNMENTAL BODIES HAVE BEEN BOUGHT OR OBTAINED
DATE

AND APPROVAL FROM GOVERNMENTAL BODIES HAVE BEEN BOUGHT OR OBTAINED
DATE

THE FOLLOWING GOVERNMENTAL BODIES HAVE AFFIRMED THAT APPROVAL IS NOT
DATE

[illegible][illegible][illegible]



Applicant: RIDGELINE LAND PLANNING, INC.

Tax Parcel #: 15007 000129, 000270, & 000027A

Location: 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,
LULA, GA 30554

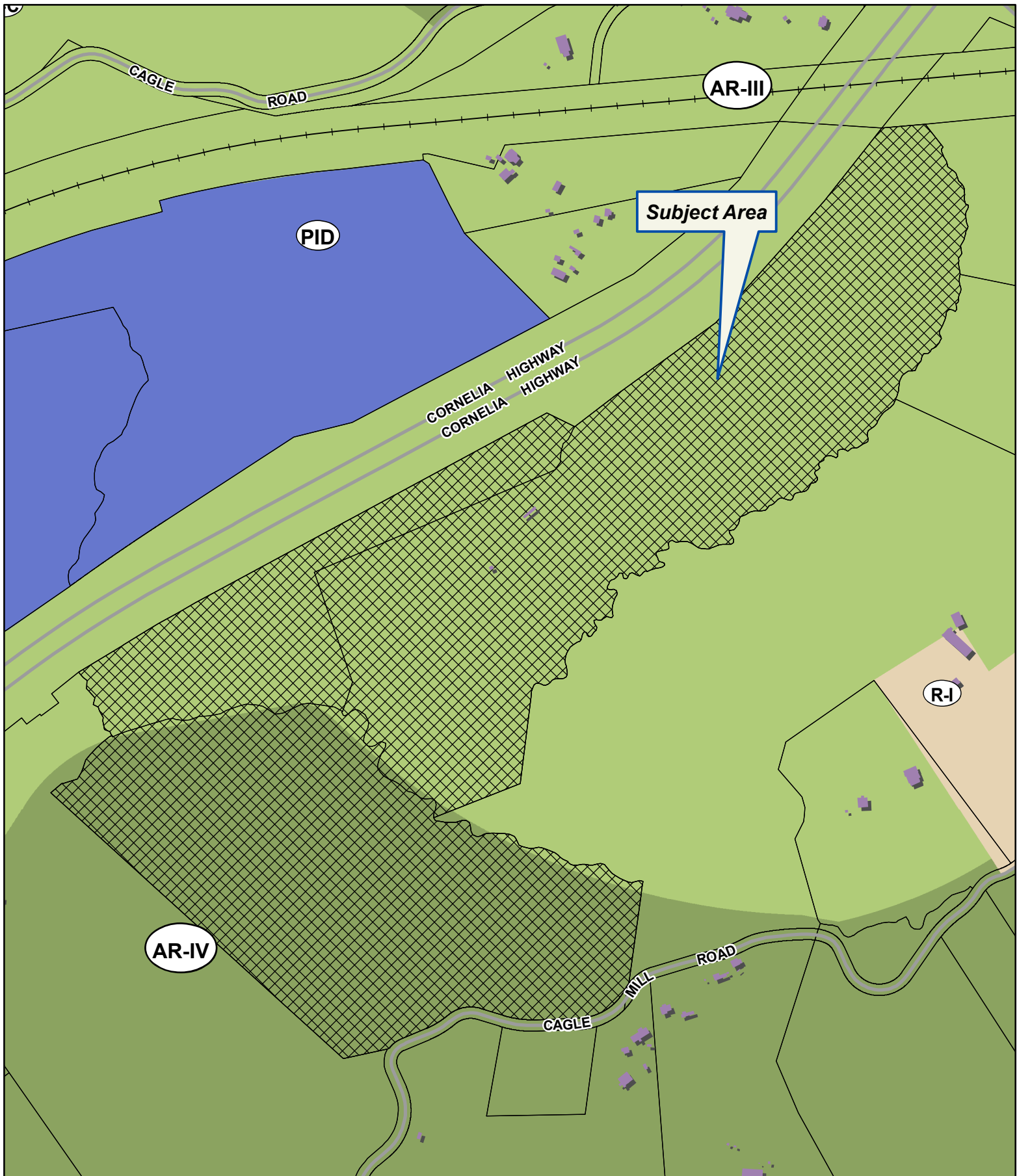
Commission District 3

PC Mtg. Date: 11/07/2022

0 300 600 1,200
Feet

- Zoning Boundary
- ▭ City Limits
- ▭ Subject Area
- ▭ Structure





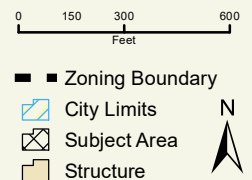
Applicant: RIDGELINE LAND PLANNING, INC.

Tax Parcel #: 15007 000129, 000270, & 000027A

Location: 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,
LULA, GA 30554

Commission District 3

PC Mtg. Date: 11/07/2022





Applicant: RIDGELINE LAND PLANNING, INC.

Tax Parcel #: 15007 000129, 000270, & 000027A

Location: 4020 & 3886 CORNELIA HIGHWAY, & 4761 CAGLE MILL ROAD,
LULA, GA 30554

Commission District 3

PC Mtg. Date: 11/07/2022

0 100 200 400
Feet

— Zoning Boundary
— City Limits
— Subject Area



Return to: T. Treadwell Syfan
P. O. Box 3280
Gainesville, GA 30503

STATE OF GEORGIA

COUNTY OF HALL

eFiled and eRecorded
DATE: 06/03/2022
TIME: 2:56 PM
DEED BOOK: 9139
PAGE: 163 - 165
FILING FEES: \$25.00
TRANSFER TAX: \$1,470.20
PARTICIPANT ID: 6334597300
PT61: 069-2022-006070
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

EXECUTOR'S DEED

THIS INDENTURE is made as of 2nd day of June, 2022, between **TERESA C. ROBERTS**, as **Executor of the Estate of Janet C. Chamblee** (hereinafter referred to as the "Deceased"), late of Hall County, Georgia (hereinafter referred to as "Grantor") and **NCP HOLDINGS, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, acting under and by virtue of the power and authority contained in the last will and testament of the Deceased, said will having been duly probated and recorded in the Court of Probate of Fulton County, Georgia, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following described property:

The property described on Exhibit "A", attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

000666

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 30 day of November
20 09 at 3:30 PM. Recorded in Deed
Book 6636 Page(s) 666-667
Charles Baker, Clerk By JN
3:30 PM

025617

HALL COUNTY, Georgia
Real Estate Transfer Tax

Paid \$ 134.10

Date 11-30-09

Charles Baker
Superior Court Clerk
By JN

FT61 069-2009-007059

After recording, return to: File: ✓
SMITH, GILLIAM, WILLIAMS, & MILES, P.A.
301 Green Street, P. O. Box 1098
Gainesville, Georgia 30503

WARRANTY DEED

THIS INDENTURE is made this 30th day of November, 2009, between
REGINALD BRYANT NELSON, of the County of White, State of Georgia,
(hereinafter referred to as "Grantor") and NCP HOLDINGS, LLC, A Georgia limited liability
corporation, (hereinafter referred to as "Grantee"), ("Grantor" and "Grantee" to include their
respective heirs, successors, executors, administrators, legal representatives and assigns where the
context requires or permits.)

WITNESSETH

GRANTOR, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and
other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, has
granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell,
alien, convey and confirm unto Grantee the following described property, to wit:

All of my undivided one third undivided interest in and to the property described on
"Exhibit A" attached hereto for a full and complete description of subject property, said
Exhibit being incorporated as a part hereof and being property located in Hall County,
Georgia.

TO HAVE AND TO HOLD the Land, with all and singular the rights, members and
appurtenances thereof, to the same being, belonging, or in any way appertaining, to the only proper
use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Land
unto Grantee against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

Signed, sealed and delivered in
the presence of:

GRANTOR:

Reginald Bryant Nelson (SEAL)
Reginald Bryant Nelson

Unofficial Witness

Jacki S. Benefield
Notary Public
Commission Expiration Date:

(NOTARIAL SEAL)

This 30th day of November, 2009



EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in G. M. D. 1690 of Hall County, Georgia, containing 17.83 acres as shown on a Plat of Survey prepared for Reggie Nelson by Roger N. London, RLS, dated August 16, 2005, recorded in Plat Book 246, Page 60 of the Hall County, Georgia Deed Records, to which said plat is incorporated herein by reference for a more complete description of the above referenced property.

The Parcel is subject to the existing easements of record and the existing 30-foot driveway easement as shown on the above referenced plat.

RAJ

Return to: T. Treadwell Syfan
P. O. Box 3280
Gainesville, GA 30503

STATE OF GEORGIA

COUNTY OF HALL

eFiled and eRecorded
DATE: 06/03/2022
TIME: 2:56 PM
DEED BOOK: 9139
PAGE: 163 - 165
FILING FEES: \$25.00
TRANSFER TAX: \$1,470.20
PARTICIPANT ID: 6334597300
PT61: 069-2022-005070
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

EXECUTOR'S DEED

THIS INDENTURE is made as of 2nd day of June, 2022, between **TERESA C. ROBERTS**, as **Excutor of the Estate of Janet C. Chamblee** (hereinafter referred to as the "Deceased"), late of Hall County, Georgia (hereinafter referred to as "Grantor") and **NCP HOLDINGS, LLC**, a Georgia limited liability company (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, acting under and by virtue of the power and authority contained in the last will and testament of the Deceased, said will having been duly probated and recorded in the Court of Probate of Fulton County, Georgia, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee the following described property:

The property described on Exhibit "A", attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

eFiled and eRecorded
DATE: 03/10/2022
TIME: 3:58 PM
DEED BOOK: 9078
PAGE: 503 - 508
FILING FEES: \$25.00
TRANSFER TAX: \$975.10
INTANGIBLE TAX: \$0.00
PARTICIPANT ID: 6334597300
PT61: 069-2022-002062
RECORDED BY: JP
CLERK: Charles Baker, C.S.C
Hall County, GA

Return to: T. Treadwell Syfan
Stewart, Melvin & Frost, LLP
P. O. Box 3280
Gainesville, Georgia 30503

LIMITED WARRANTY DEED

GEORGIA, COUNTY OF HALL

THIS INDENTURE, made this 10th day of March, 2022, between **Skinner Family Farms LLC**, a Georgia limited liability company (hereinafter called "**GRANTOR**"), and **NCP Holdings, LLC**, a Georgia limited liability company (hereinafter called "**GRANTEE**").

WITNESSETH: That the said **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said **GRANTEE** the following described property, to-wit:

Property described on **Exhibit "A"** attached hereto and by reference made a part hereof.

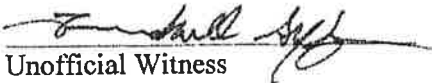
TO HAVE AND TO HOLD the said tract or parcel of land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said **GRANTEE**, forever, in **FEE SIMPLE**.

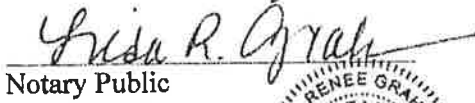
AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property, unto the said **GRANTEE** against the claims of all persons whomsoever claiming through or under Grantor.

WHEREVER there is a reference herein to the **GRANTOR** or the **GRANTEE**, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered
in presence of:

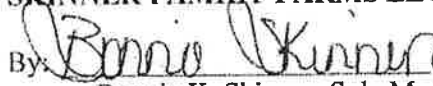

Unofficial Witness


Notary Public

My Commission Expires



SKINNER FAMILY FARMS LLC

By:  (SEAL)
Bonnie K. Skinner, Sole Manager

DATE: 09/04/07 COUNTY: Hall PERMIT NO. 09-2007-030-139-143266
STATE ROUTE: 365 MILE POST: 22.9

MEMORANDUM TO PERMIT APPLICANTS

The attached Permit Identification Sign is to be used in an effort to facilitate inspection procedures and to identify approved work locations on the highway right-of-way; however, the use of the sign does not relieve the applicant of the responsibility for maintaining a copy of the approved permit and plan on the job site.

You will note that all information required on this sign with the exception of the contractor's name has been inserted. If work specified by the permit is to be performed by anyone other than the applicant, please insert the name of the contractor or person performing the work in the blank space provided on the sign.

This sign is to be posted by the applicant or the contractor prior to the beginning of construction on a board and stake so as to be visible from the roadway.

When work required by the approved permit is complete, please notify the permit inspector listed below so he can inspect the work performed on highway right-of-way.

Should you have any questions in this matter, please contact our permit inspector.

Mr. Rodney Gilreath
DEPARTMENT OF TRANSPORTATION
2594 Gillsville Highway
Gainesville, Georgia 30507
Telephone: (770) 531-4069

DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA



DISTRICT NO. 1 APPROVAL DATE 09/04/2007
PERMIT NO. 09-2007-030-139 Hall COUNTY
PERMITTEE Reggie, Nelson
CONTRACTOR _____
STATE INSPECTOR Rodney Gilreath
TELEPHONE 770-535-5759

☒ COMMERCIAL DRIVEWAY

☐ SPECIAL ENCROACHMENT

☐ OTHER _____

INSPECTOR'S LOG					
INITIAL	DATE	INITIAL	DATE	INITIAL	DATE

DISPLAY THIS WITHIN WORKING AREA SO AS TO BE VISIBLE FROM HIGHWAY

DOT 7412

REV. 01/1987
REV. 11/1993
REV. 06/2000

Distribution
(AFTER APPROVAL)
White - Applicant
Yellow - General Office
Blue - District Engineer
Green - Field Inspector

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA
ATLANTA, GEORGIA
30334-1002



(FOR DOT USE ONLY)	
District No.	1
State Route No.	036500
Mile Point No.	22.9
County	Hall
Permit No.	09-2007-030-139

1432666

APPLICATION AND PERMIT FOR (CHECK ONE)

☐ COMMERCIAL DRIVEWAY ☐ NONCOMMERCIAL DRIVEWAY
☐ CITY STREET INTERSECTION ☐ COUNTY ROAD INTERSECTION

TO: GEORGIA DEPARTMENT OF TRANSPORTATION, ATLANTA, GEORGIA 30334-1002

Application is hereby made by Reggie Nelson 706-878-9577
Name of Applicant (Area Code) Phone No.
2061 Tesnatee Gap Valley Rd. Cleveland GA 30528
Post Office Address City and State Zip Code

for permission to construct a Driveway and/ or Road Access on the Right-of-Way of STATE ROUTE NO. 036500U.S. within the City Limits of and in Hall County.

in accordance with the ATTACHED PLANS, subject to the REQUIREMENTS of the Georgia Department of Transportation and subject to any SPECIAL REQUIREMENTS set forth herein. This drive and/ or Road Access is proposed to serve a Commercial Development

Name and Type of Development
to be located on the property on the S side of the route beginning 1850 Feet,
N. S. E. W. From Nearest Street
W of the center line, of Cagle Road and Fronting 1950
N. S. E. W. Nearest Street or Road Total Frontage Used
Feet further W along said Highway; and at mile point 22.9
N. S. E. W.

Permit requested this 16 day of August, 2007.

NOTE: By signing this application, I hereby certify that:

- The number and size of driveways shown below is the only access that will be requested for the property described above and may be modified or eliminated by DOT upon a change of use of this property.
- The DOT has the right to revoke this permit upon 30 days written notice.
- The DOT assumes no responsibility for maintaining the permitted construction beyond the back of curb or normal edge of pavement.
- **CHECK ONE**

☒ The above applicant is owner in fee simple of the property described herein.☐ The above applicant has leased the property herein from the and owner.said lease began on and ends on By Reggie Nelson

Type or Print Name

Witness in Ink on All Copies

Witness in Ink on All Copies

Sign in Ink on All Copies

Title Owner

If Agent or Official for Applicant

FORM TO BE COMPLETED BELOW THIS LINE BY GEORGIA DEPARTMENT OF TRANSPORTATION

☒ Non-Limited Access - Approval by District Office☐ Limited Access - Approval by General Office

SPECIAL REQUIREMENTS: (by DOT only)

PERMIT GRANTED to make the above-described installation (2 rt. in / rt. out) in accordance
No. and Size of Driveways

with REQUIREMENTS of the Georgia Department of Transportation; this

14th day of September, 2007

This permit is to be strictly construed and no work other than that specifically described above is hereby authorized. The work authorized herein must begin within three months from the date of approval and must become completed on a schedule satisfactory to the department and not to exceed twelve months from the date the permit is approved.

DEPARTMENT OF TRANSPORTATION

STATE OF GEORGIA

By Russell R. McThumy
District Engineer

Title

No modifications or changes may be made to the text of this permit, unless agreed upon in writing by the Department. A copy of the form for this permit is on file with the Department's Office of Traffic Operations, General Office, and the language therein shall be deemed to control in the event of any dispute concerning the specific provisions of this permit or any modifications to same.

THIS PERMIT IS APPROVED SUBJECT TO THE REVISIONS AND ADDITIONS SHOWN IN RED ON THE ATTACHED PLAN COPY AND SHALL REMAIN DEPENDENT UPON COMPLIANCE WITH THESE

EXHIBIT "A"

All of that tract or parcel of land lying and being in Lula District, GMD 1690 of Hall County, Georgia and being more particularly described as follows:

To reach the **POINT OF BEGINNING** commence at the intersection of the northerly r/w of Whitehall Road (60' r/w) and the westerly r/w of Cagle Mill Road (60' r/w) and proceed thence along the westerly r/w of Cagle Mill Road (60' r/w) the following courses and distances:

- 1) thence 151.55 feet along the arc of a curve to the Right, said curve having a radius of 507.59 feet and being subtended by a chord of North 22°06'35" West, 150.99 feet to a point;
- 2) thence North 13°33'23" West for a distance of 104.11 feet to a point;
- 3) thence 58.45 feet along the arc of a curve to the Left, said curve having a radius of 1470.00 feet and being subtended by a chord of North 14°41'44" West, 58.45 feet to a point;
- 4) thence North 15°50'05" West for a distance of 148.14 feet to a point; thence 119.61 feet along the arc of a curve to the Left, said curve having a radius of 320.68 feet and being subtended by a chord of North 26°31'11" West, 118.92 feet to a point;
- 5) thence North 37°12'18" West for a distance of 38.85 feet to a point; thence 49.79 feet along the arc of a curve to the Left, said curve having a radius of 970.00 feet and being subtended by a chord of North 38°40'32" West, 49.78 feet to a point;
- 6) thence North 40°08'46" West for a distance of 82.85 feet to a point;
- 7) thence 83.70 feet along the arc of a curve to the Right, said curve having a radius of 376.59 feet and being subtended by a chord of North 33°46'43" West, 83.53 feet to a point;
- 8) thence 92.24 feet along the arc of a curve to the Right, said curve having a radius of 376.59 feet and being subtended by a chord of North 20°23'39" West, 92.01 feet to a point;
- 9) thence North 13°22'37" West for a distance of 84.13 feet to a point;
- 10) thence 235.27 feet along the arc of a curve to the Right, said curve having a radius of 2030.00 feet and being subtended by a chord of North 10°03'24" West, 235.14 feet to a point;
- 11) thence North 06°44'12" West for a distance of 24.35 feet to a point;
- 12) thence 279.03 feet along the arc of a curve to the Right, said curve having a radius of 2399.42 feet and being subtended by a chord of North 03°24'18" West, 278.88 feet to a point;
- 13) thence 149.76 feet along the arc of a curve to the Left, said curve having a radius of 1936.85 feet and being subtended by a chord of North 02°17'19" West, 149.72 feet to a point;
- 14) thence North 04°30'13" West for a distance of 62.77 feet to a point;
- 15) thence 163.42 feet along the arc of a curve to the Right, said curve having a radius of 436.90 feet and being subtended by a chord of North 06°12'44" East, 162.47 feet to a point;
- 16) thence North 16°55'40" East for a distance of 89.71 feet to a point;
- 17) thence 141.56 feet along the arc of a curve to the Left, said curve having a radius of 556.36 feet and being subtended by a chord of North 09°38'20" East, 141.18 feet to a point;
- 18) thence North 02°21'00" East for a distance of 115.29 feet to a point;
- 19) thence 19.50 feet along the arc of a curve to the Right, said curve having a radius of 534.93 feet and being subtended by a chord of North 03°23'39" East, 19.50 feet to a point;
- 20) thence North 04°26'19" East for a distance of 81.00 feet to a point;

- 21) thence 114.10 feet along the arc of a curve to the Right, said curve having a radius of 237.75 feet and being subtended by a chord of North 18°11'12" East, 113.00 feet to a point;
- 22) thence 59.16 feet along the arc of a curve to the Right, said curve having a radius of 198.87 feet and being subtended by a chord of North 40°27'27" East, 58.94 feet to a point;
- 23) thence North 48°58'48" East for a distance of 97.01 feet to a point;
- 24) thence 39.52 feet along the arc of a curve to the Left, said curve having a radius of 132.57 feet and being subtended by a chord of North 40°26'21" East, 39.38 feet to a point;
- 25) thence 207.13 feet along the arc of a curve to the Left, said curve having a radius of 216.94 feet and being subtended by a chord of North 04°32'44" East, 199.35 feet to a point;
- 26) thence North 22°48'26" West for a distance of 94.77 feet to a point;
- 27) thence 101.24 feet along the arc of a curve to the Right, said curve having a radius of 106.98 feet and being subtended by a chord of North 04°18'10" East, 97.50 feet to the **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** thus established depart the westerly r/w of Cagle Mill Road (60' r/w) and proceed thence South 77°44'26" West for a distance of 196.34 feet to a concrete monument found; Thence North 47°39'17" West for a distance of 1669.14 feet to an iron pin placed (1/2" re-bar); thence North 47°39'17" West for a distance of 48.86 feet to a point on the centerline of the North Oconee River; thence along the centerline of the North Oconee River the following courses and distances:

- 1) thence North 32°05'09" East for a distance of 22.08 feet to a point;
- 2) thence North 58°45'00" East for a distance of 115.15 feet to a point;
- 3) thence North 36°02'20" East for a distance of 62.93 feet to a point;
- 4) thence North 34°03'11" East for a distance of 93.82 feet to a point;
- 5) thence North 50°25'05" East for a distance of 78.88 feet to a point;
- 6) thence North 71°31'50" East for a distance of 224.47 feet to a point;
- 7) thence South 88°11'22" East for a distance of 102.83 feet to a point;
- 8) thence North 81°48'43" East for a distance of 135.47 feet to a point;
- 9) thence North 68°42'22" East for a distance of 131.09 feet to a point;
- 10) thence South 79°37'14" East for a distance of 84.16 feet to a point;
- 11) thence South 47°17'56" East for a distance of 40.43 feet to a point;
- 12) thence North 89°15'54" East for a distance of 38.19 feet to a point;
- 13) thence North 71°20'39" East for a distance of 67.36 feet to a point;
- 14) thence North 59°40'37" East for a distance of 51.46 feet to a point;
- 15) thence South 78°39'47" East for a distance of 155.51 feet to a point;
- 16) thence South 62°17'51" East for a distance of 45.05 feet to a point;
- 17) thence North 50°10'39" East for a distance of 38.70 feet to a point;
- 18) thence South 65°03'21" East for a distance of 72.16 feet to a point;
- 19) thence South 07°17'37" West for a distance of 117.47 feet to a point;
- 20) thence South 41°27'02" East for a distance of 22.79 feet to a point;
- 21) thence North 73°06'12" East for a distance of 30.10 feet to a point;
- 22) thence North 56°25'08" East for a distance of 31.32 feet to a point;
- 23) thence South 64°42'46" East for a distance of 27.34 feet to a point;
- 24) thence South 25°14'09" West for a distance of 64.72 feet to a point;
- 25) thence South 01°00'34" West for a distance of 57.17 feet to a point;
- 26) thence South 51°35'57" East for a distance of 81.33 feet to a point;
- 27) thence South 60°33'01" East for a distance of 68.13 feet to a point;
- 28) thence South 66°02'26" East for a distance of 129.48 feet to a point;
- 29) thence South 10°07'14" East for a distance of 38.77 feet to a point.

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- 30) thence South 26°11'48" West for a distance of 47.83 feet to a point;
- 31) thence South 88°24'44" East for a distance of 94.67 feet to a point;
- 32) thence South 81°07'56" East for a distance of 67.75 feet to a point;
- 33) thence South 33°23'44" East for a distance of 39.81 feet to a point;
- 34) thence South 65°09'36" East for a distance of 54.52 feet to a point;
- 35) thence North 85°29'18" East for a distance of 63.94 feet to a point;
- 36) thence South 67°45'54" East for a distance of 73.28 feet to a point;
- 37) thence South 55°50'09" East for a distance of 52.13 feet to a point;
- 38) thence North 89°06'05" East for a distance of 68.26 feet to a point;
- 39) thence South 71°14'38" East for a distance of 59.41 feet to a point;
- 40) thence South 48°38'39" East for a distance of 42.74 feet to a point;
- 41) thence South 66°48'01" East for a distance of 90.75 feet to a point;
- 42) thence North 82°11'06" East for a distance of 43.35 feet to a point;
- 43) thence South 81°42'18" East for a distance of 71.09 feet to a point;
- 44) thence South 37°17'41" East for a distance of 20.67 feet to a point;
- 45) thence South 55°16'39" East for a distance of 52.21 feet to a point;
- 46) thence South 80°44'26" East for a distance of 89.25 feet to a point;
- 47) thence South 38°36'37" East for a distance of 18.83 feet to a point;

thence departing the centerline of the North Oconee River and proceeding South 08°02'04" West for a distance of 13.05 feet to an iron pin found (1/2" open topo pipe with a 1/2" re-bar in the center);

thence South 08°02'04" West for a distance of 426.95 feet to an iron pin placed (1/25" re-bar) on the northerly r/w of Cagle Mill Road (60' r/w); thence along the northerly r/w of Cagle Mill Road (60' r/w) the following courses and distances:

- 1) thence South 33°22'45" West for a distance of 72.22 feet to a point;
- 2) thence 70.61 feet along the arc of a curve to the Right, said curve having a radius of 139.05 feet and being subtended by a chord of South 47°55'32" West, 69.85 feet to a point;
- 3) thence South 62°28'19" West for a distance of 18.74 feet to a point;
- 4) thence 95.07 feet along the arc of a curve to the Right, said curve having a radius of 253.93 feet and being subtended by a chord of South 73°11'52" West, 94.52 feet to a point;
- 5) thence 260.22 feet along the arc of a curve to the Right, said curve having a radius of 1766.83 feet and being subtended by a chord of South 88°08'33" West, 259.99 feet to a point;
- 6) thence 65.25 feet along the arc of a curve to the Right, said curve having a radius of 261.42 feet and being subtended by a chord of North 80°29'18" West, 65.08 feet to a point;
- 7) thence North 73°20'18" West for a distance of 24.99 feet to a point;
- 8) thence 93.94 feet along the arc of a curve to the Right, said curve having a radius of 1951.14 feet and being subtended by a chord of North 71°57'33" West, 93.93 feet to a point;
- 9) thence 146.85 feet along the arc of a curve to the Left, said curve having a radius of 150.82 feet and being subtended by a chord of South 81°31'32" West, 141.12 feet to a point;
- 10) thence South 53°37'51" West for a distance of 40.78 feet to a point;
- 11) thence 122.86 feet along the arc of a curve to the Right, said curve having a radius of 369.03 feet and being subtended by a chord of South 63°10'08" West, 122.30 feet to a point;
- 12) thence 56.17 feet along the arc of a curve to the Left, said curve having a radius of 330.45 feet and being subtended by a chord of South 67°50'15" West, 56.10 feet to a point;

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- 13) thence South $62^{\circ}58'06''$ West for a distance of 42.78 feet to a point;
- 14) thence 58.92 feet along the arc of a curve to the Left, said curve having a radius of 106.98 feet and being subtended by a chord of South $47^{\circ}11'25''$ West, 58.18 feet to the **POINT OF BEGINNING**.

Said tract or parcel containing 51.31860 acres, or 2,235,438 square feet.

EXHIBIT "A"

All that tract or

parcel of land, together with all improvements thereon, lying and being in the 9th Land District, GHD 1690, Hall County, Georgia, and being 65.345 Acres, as more fully shown and described according to a survey of the property of Billy Banks, prepared by Roy Terrell, Registered Surveyor, dated April, 1982, and being more fully described according to said Terrell Survey as follows:

BEGINNING at a right-of-way marker located on the Southeastly right-of-way of State Route #365, which right-of-way marker is located South 22 degrees 35 minutes West 1201.98 feet from the intersection of Land Lot Nos. 90, 91, 93 and 94; and running thence from said beginning point along the Southerly right-of-way of the Southern Railroad North 85 degrees 58 minutes East 192.71 feet to an iron pin set on said Southerly right-of-way of Southern Railroad; thence running along a fence South 25 degrees 56 minutes East 135.81 feet to a point located at a ditch and a springhead; thence running South 3 degrees 52 minutes West 33.87 feet to a point; thence South 11 degrees 22 minutes East 193.26 feet to a point; thence South 2 degrees 01 minutes West 131.08 feet to a point; thence South 9 degrees 43 minutes West 187.18 feet to a point; thence South 3 degrees 12 minutes East 67.93 feet to a point; thence South 8 degrees 48 minutes West 100.88 feet to a point; thence North 69 degrees 29 minutes West 26.58 feet to a point; thence South 72 degrees 00 minutes West 25.15 feet to a point; thence South 20 degrees 21 minutes West 95.38 feet to a point; thence South 11 degrees 23 minutes East 32.26 feet to a point; thence South 44 degrees 18 minutes West 269.81 feet to a point; thence South 6 degrees 55 minutes West 69.46 feet to a point; thence South 41 degrees 23 minutes West 181.99 feet to a point; thence South 19 degrees 35 minutes West 52.45 feet to a point; thence South 33 degrees 04 minutes West 48.62 feet to a point; thence South 55 degrees 02 minutes West 36.15 feet to a point; thence South 78 degrees 19 minutes West 54.66 feet to a point; thence South 20 degrees 47 minutes West 44.79 feet to a point; thence North 80 degrees 07 minutes West 44.93 feet to a point; thence South 54 degrees 42 minutes West 37.88 feet to a point; thence South 20 degrees 57 minutes West 34.75 feet to a point; thence South 8 degrees 50 minutes West 72.28 feet to a point; thence South 65 degrees 37 minutes West 86.95 feet to a point; thence South 48 degrees 16 minutes West 36.57 feet to a point; thence South 69 degrees 50 minutes West 93.08 feet to a point; thence South 24 degrees 26 minutes West 19.23 feet to a point; thence North 81 degrees 02 minutes West 61.84 feet to a point; thence South 68 degrees 01 minutes West 73.67 feet to a point; thence South 36 degrees 15 minutes West 63.53 feet to a point; thence South 1 degree 18 minutes West 61.37 feet to a point; thence South 87 degrees 27 minutes West 72.37 feet to a point; thence South 23 degrees 28 minutes West 20.04 feet to a point; thence North 86 degrees 38 minutes West 69.58 feet to a point; thence North 71 degrees 31 minutes West 112.88 feet to a point; thence South 41 degrees 52 minutes West 104.70 feet to a point; thence South 58 degrees 48 minutes East 46.64 feet to a point; thence South 71 degrees 18 minutes West 95.35 feet to a point; thence South 64 degrees 17 minutes West 32.18 feet to a point; thence North 85 degrees 07 minutes West 86.04 feet to a point; thence South 49 degrees 43 minutes West 70.83 feet to a point; thence South 47 degrees 03 minutes East 50.65 feet to a point; thence South 13 degrees 22 minutes West 116.40 feet to a point; thence South 66 degrees 04 minutes West 79.88 feet to a point; thence South 10 degrees 42 minutes West 74.18 feet to a point; thence North 38 degrees 39 minutes West 30.41 feet to a point; thence South 43 degrees 12 minutes West 114.10 feet to a point; thence South 85 degrees 40 minutes West 113.91 feet to a point; thence South 65 degrees 28 minutes West 83.87 feet to a point; thence North 78 degrees 46 minutes West 54.04 feet to a point; thence South 21 degrees 59 minutes West 61.91 feet to a point located at a 24 inch poplar tree; thence South 8 degrees 22 minutes West 378.86 feet to an 8 foot hickory tree; thence South 69 degrees 50 minutes West 407 feet to a point located in the center line of the Oconee River, which is the property line; thence running in a Northwesterly direction along the center line of said Oconee River North 05 degrees 54 minutes East 74.47 feet to a point; thence North 77 degrees 57 minutes West 67.30 feet to a point; thence North 57 degrees 09 minutes West 191.11 feet to a point; thence North 9 degrees 49 minutes East 124.22 feet to a point; thence North 77 degrees 12 minutes West 76.38 feet to a point; thence North 9 degrees 46 minutes West 119.07 feet to a point; thence North 81 degrees 48 minutes West 109.78 feet to an iron pin found on the Southeastly right-of-way of an old abandoned County Road; thence North 28 degrees 21 minutes East 137.19 feet running along the Easterly right-of-way of said abandoned road to an iron pin found; thence running North 18 degrees 32 minutes West 508.82 feet to an iron pin found at a corner common to property owned by Georgia Kraft Company; thence running North 68 degrees 13 minutes East 1,147.66 feet along property of Georgia Kraft Company to an iron pin set; thence running North 22 degrees 12 minutes East 78.22 feet to a point; thence running North 28 degrees 04 minutes East 131.50 feet to a right-of-way marker located 285.88 feet from the center line of State Route 365; thence running along the Southeastly right-of-way of said State Route 365 North 53 degrees 39 minutes East 228.57 feet to a destroyed right-of-way marker located 250 feet from the center line of said State Route #365; thence North 55 degrees 11 minutes East 539.47 feet to a point 225 feet from the center line of State Route 365; thence running North 42 degrees 59 minutes East 714.19 feet to a right-of-way marker located 185 feet from the center line of State Route 365; thence running North 39 degrees 30 minutes East 448.01 feet to the original point of beginning.

Subject realty is the same piece of property acquired by E.H. Jackson Cagle a/k/a E.J. CAGLE from William N. Banks by Warranty Deed dated December 6, 1983, and recorded in Hall County, Georgia Deed Book 820 at page 131-3.

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wrested vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



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Assistant Director

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County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.](#)



POST OFFICE DRAWER 1435
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Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance](#) | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 (pt.) | **Proposed Use: new sign monument** | * Commission District 1 | **Brunson & Company, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval](#) | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | **Proposed use: office & warehouse** | * Commission District 1 | **Genuine Mapping and Design, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions](#) | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval](#) | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone](#) | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | **Proposed use: heavy industrial** | ** Commission District 3 | **Ridgeline Land Planning, Inc, applicant.**
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGELINE LAND PLANNING

REQUEST: REZONE FROM AR-III & AR-IV TO HI-1 FOR HEAVY INDUSTRIAL USES

PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION Date: 11-01-2022 AND COUNTY COMMISSION Date: 12-06-2022
Time: 05:15 PM Time: 06:00 PM

HALL COUNTY DEVELOPMENT CENTER, 273 BROWN RIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH THE COUNTY CLERK'S OFFICE IN OREGON TO
THE ZONING COMMISSIONS OF THE COUNTY OF CLATSOP
APPLICANT: **RIDGELINE LAND PLANNING**
PROPOSED: **REZONE FROM AR-11 & AR-11-11**
FOR HEAVY INDUSTRIAL USES
FILED: 10/11/11
DATE: 10/11/11
TIME: 12:00 PM
FOR MORE INFORMATION CALL: 503-325-4800

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.
APPLICANT: RIDGELINE LAND PLANNING
REQUEST: REZONE FROM AR-III & AR-IV TO L-1 FOR HEAVY INDUSTRIAL USES.
PUBLIC HEARINGS WILL BE HELD ON:
DATE: 10-01-2022 AND DATE: 10-08-2022
TIME: 05:15 PM TIME: 06:00 PM
HALL COUNTY COMMISSION, 400 E. 2ND ST. SUITE 200, GAINESVILLE, FL 32601
FOR MORE INFORMATION CALL: 770-531-4869



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RIDGE LINE LAND PLANNING

REQUEST: REZONE FROM AR-III & AR-IV TO H-11 FOR HEAVY INDUSTRIAL USES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	COUNTY COMMISSION
Date: 12-07-2022	Date: 12-08-2022
Time: 05:15 PM	Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 205 BROWN BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809





AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 644/2022

SUBJECT: 0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.)| Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:
Approval.

Purpose of Request:

0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.)| Proposed use: agricultural uses | Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site plan
Maps
Deed
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photo



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **0 & 0 Old Winder Highway | Rezone** | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) to allow agricultural uses | Ben Baker, Baker & Summy, PC, applicant.

The request before you is the application of Ben Baker, Baker & Summy, PC to rezone 13.38± acres to AR-IV to allow agricultural uses. The subject parcel was part of a larger 35 acre property originally rezoned to PCD in 2008 for a proposed commercial, office, and warehouse development. In 2017 the rear 21.78± acre tract was rezoned back to AR-IV.

Per testimony, the property is currently used for agricultural purposes and there is no intention of developing any of the parcels for commercial use. The applicant would like all parcels to be classified as AR-IV to conform to the current and future use of the parcels.

The item is located within Commission District 1.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request **(5-0)**.

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public hearing.

There were no conditions imposed on the approval.

There have been no changes to the request since the Planning Commission took action.

Staff recommended approval to the Planning Commission **based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#).**

For your Consideration

These items support approval

1. The proposed zoning classification of Agricultural Residential IV (AR-IV, 17.120) is suitable in view of the use and development of adjacent and nearby property.
2. The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The proposed use is less intense than uses for which the property is currently zoned.
3. The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The proposed rezoning is a downzoning and the resulting use of the property will be less intense than the approved Planned Commercial Development (PCD, 17.180.080).
4. The proposed zoning change to Agricultural Residential IV (AR-IV, 17.120) would make the zoning consistent with surrounding properties.
5. The reversion back to an Agricultural Residential IV (AR-IV, 17.120) zoning classification will have less of an ecological or pollution impact than a commercial classification.

These items support denial

1. As currently zoned the property has reasonable economic use although all uses within a PCD are conditional and require a public hearing.
2. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.
3. There is no evidence that the zoning district boundaries are illogically drawn.
4. There is no indication that a mistake was made in the original zoning.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Ben Baker, Baker & Summy, PC

Request Rezone from Planned Commercial Development
(PCD) to Agricultural-Residential-IV (AR-IV)

Proposed Use Agricultural uses

Size 13.38± acres

Zoning Planned Commercial Development (PCD) |
Proposed Agricultural-Residential-IV (AR-IV)

Location **0 & 0 Old Winder Highway** | Parcel 15039A000003
& 000029 (pt.)

Commission District Commission District 1

Planning Commission Date November 7, 2022

Staff Recommendation **Approval based on the findings that this request
is consistent with the Comprehensive Plan and
that it meets the criteria outlined in [17.380.060](#)**

Planning Commission Recommendation.....**Approval**

Vote: 5-0

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting approval to rezone 13.38± acres from Planned Commercial Development (PCD, [17.180.080](#)) to Agricultural Residential IV (AR-IV, [17.120](#)) for agricultural uses. According to the applicant's narrative, the property is currently used for agricultural purposes and there is no intention of developing any of the parcels for commercial use. The applicant would like all parcels to be classified as AR-IV to conform to the current and future use of the parcels.

The subject parcel was part of a larger 35 acre property originally rezoned to PCD in 2008 for a proposed commercial, office, and warehouse development. In 2017 the rear 21.78± acre tract was rezoned back to AR-IV.

Based on the future land-use plan, staff finds the requested zoning designation is consistent with the future land use map designation of Residential within a mixed-use corridor.

Zoning Analysis

The applicant is proposing to downzone the property from a Planned Commercial Development (PCD, [17.180.080](#)) to Agricultural Residential IV (AR-IV, [17.120](#)) for agricultural uses. This is consistent with the comprehensive land use plan for the property.

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed zoning classification of Agricultural Residential IV (AR-IV, [17.120](#)) is suitable in view of the use and development of adjacent and nearby property.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The proposed use is less intense than uses for which the property is currently zoned.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned; **As currently zoned the property has reasonable economic use although all uses within a PCD are conditional and require a public hearing.**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The proposed rezoning is a downzoning and the resulting use of the property will be less intense than the approved Planned Commercial Development (PCD, [17.180.080](#)).**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed zoning classification of Agricultural Residential IV (AR-IV, [17.120](#)) is suitable in view of the policy and intent of the land use plan.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The subject property is heavily wooded and is developed with a couple of small outbuildings, per Hall County GIS aerial imagery.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning change to Agricultural Residential IV (AR-IV, [17.120](#)) would make the zoning consistent with surrounding properties.**
12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the zoning district boundaries are illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed zoning change is consistent with the needs of the immediate neighborhood.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **This criteria is not applicable to the current request because the proposed zoning change is a downzoning to remove the commercial zoning approval from the property.**
15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **The request could not be handled alternatively as a variance.**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The reversion back to an Agricultural Residential IV (AR-IV, [17.120](#)) zoning classification will have less of an ecological or pollution impact than a commercial classification.**
17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

Agricultural Residential IV (AR-IV) standards are found in chapter [17.120](#) which include the permitted and conditional uses allowed within the AR-IV district.

[17.380.050](#) - Submission requirements for a rezoning request

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The applicant has submitted a narrative but did not specifically address the criteria listed in [17.380.060.C](#).**
 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer

adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement.**

3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This criteria is not applicable since the project does not propose a slow rate land treatment system and as such.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **This criteria is not applicable since the request does not involve a residential development of 100 or more units.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states “No comment.”.

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, provided the following comments:

“Hall County Fire Marshal’s Office has no comments regarding zoning request as proposed.”

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.

Traffic:

No comments.

Utilities:

No sanitary sewer available.

Georgia Department of Transportation

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, states: “GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.”

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Ben Baker, 4512 Broad Circle, Flowery Branch, presented the request.

Public Forum:

There were no comments in support or opposition.

Motion: A motion to approve was made by Mr. Bell and seconded by Mr. Varner. Vote: 5-0

ZONING APPLICATION

Applicant (Name & Mailing Address)**Property Owner (Name & Mailing Address)**

Ben Baker, Baker & Summy, PC

R. Allen Hughes

6340 Sugarloaf Parkway Ste 200

5883 Union Church Rd.

Duluth, GA 30097

Braselton, GA 30517

Phone 678-464-2762

Phone 404-375-9972

Email Address ben@basattorneys.com

Email Address rallenhughes@protonmail.com

Proposed Use Agricultural

Contact Person (Name & Mailing Address)**Status of Applicant****Requested Action**

Ben Baker, Baker & Summy, PC

☐ Owner

Existing Zoning: PCD

6340 Sugarloaf Parkway, Ste 200

☐ Option to Purchase

Rezone to: AR-1V

Duluth, GA 30097

☐ Area Resident

Fee: \$ 600.00

Phone 678-464-2762

☒ Other
Attorney

Receipt #: 859040

Email Address ben@basattorneys.com

Check #: 2444

15039A000029

4.81 acres

Tax Parcel Number 15039A000003


Acreage 8.96 acres

> 13.30 AC

Location Address 00 Old Winder Highway

I hereby certify that the above information and all attached information are true and correct.

Sign



R. Allen Hughes

Date: 09/06/2022

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign

Date:

Staff Use Only

Application Date: 9/13

Taken by: Michelle

Tentative Planning Commission Date: 11/07

Tentative County Commission Date: 12/08

County Commission District: 1

20N 2022-00082

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) R. Allen Hughes

Address 5883 Union Church Road

Braselton, GA 30517

Phone Number 404-375-9972

Name of applicant(s) Ben Baker, Baker & Summy, PC

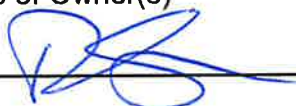
Address 6340 Sugarloaf Parkway, Ste 200

Duluth, Ga 30097

Phone Number 678-464-2762

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

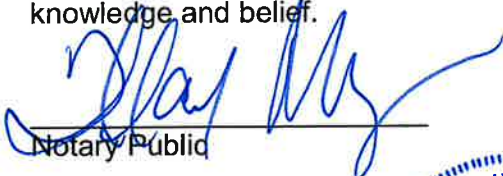
I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)


Personally appeared before me

R. Allen Hughes

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

9/16/2022
Date



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not ✓

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Benjamin G. Baker

Date: 9/13/2022

Applicant's/Owner's Name (Printed): Benjamin G. Baker

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



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- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: _____

Date: 09/06/2022

Applicant's/Owner's Name (Printed): R. Allen Hughes

BAKER & SUMMY, PC

Attorneys at Law

6340 Sugarloaf Parkway

Suite 200

Duluth, GA 30097

Telephone: 404-566-4535

Fax: 404-566-4536

www.basattorneys.com

Benjamin G. Baker, Esq.
Morgan Licata Summy, Esq.
Jaryd P. Green, Esq.
Jacob B. Shumard, Esq.

Alan R. Turem, Esq. *of Counsel*

August 29, 2022

Hall County Planning and Development Department
2875 Browns Bridge Road
Gainesville, GA 30504

RE: Zoning Application: 15039A000029 & 15039A000003

Dear Zoning Department:

My firm represents R. Allen Hughes, the owner of the above referenced parcels of land located in Hall County. We are submitting an application to change the current zoning of both parcels from commercial zoning to agricultural zoning. The parcels are adjacent to another parcel owned by our client that is currently zoned agricultural.

Our client currently uses all parcels for agricultural purposes and has no intentions of developing any of the parcels for commercial use. It is the desire of our client that all parcels are classified as agricultural to conform with the current and future use of the parcels.

We have enclosed a survey and legal description of the subject parcels as well as the adjacent agriculture zoned parcel.

Sincerely,

Cc: R. Allen Hughes

Baker & Summy, PC



Enclosures

Benjamin G. Baker
Attorney at Law

eFiled & eRecorded
DATE: 5/26/2017
TIME: 3:40 PM
PLAT BOOK: 00874
PAGE: 00311
RECORDING FEE: 8.00
PARTICIPANT ID: 3677527367
CLERK: Charles Baker
Hall County, GA
NOTE: ch Page 1 of 2

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT

OWNERS ACKNOWLEDGMENT AND DECLARATION:

STATE OF GEORGIA, COUNTY OF GWINNETT
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS
SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT,
ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND
DEDICATES BY THIS ACKNOWLEDGMENT AND DECLARATION TO THE USE OF
THE PUBLIC FOREVER ALL STREETS, SEWER COLLECTORS, LIFT STATIONS,
DRAINS, EASEMENTS, AND OTHER PUBLIC FACILITIES AND APPURTENANCES
THEREON SHOWN.

SIGNATURE OF SUBDIVIDER 5-24-17
DATE SIGNED

PRINTED OR TYPED NAME OF SUBDIVIDER
ROGER ALLEN HUGHES

SIGNATURE OF OWNER 5-24-17
DATE SIGNED

PRINTED OR TYPED NAME OF OWNER
ROGER ALLEN HUGHES

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN
PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR
RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS
HEREON.

HALL COUNTY ENGINEERING 5/23/17
DATE

HALL COUNTY PLANNING 5/23/17
DATE

HALL COUNTY HEALTH 5/23/17
DATE

SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE
GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY
PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES
WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA, AS SET FORTH
IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Brian R. Sutherland 5/23/17
DATE

BRIAN R. SUTHERLAND GA. RLS #2900

RECORDING PERMIT

BY Brian R. Sutherland 5/23/2008
HALL COUNTY PLANNING COMMISSION
CONDITIONS OF 11/13/2008 ZONING
ACTION SHALL APPLY

A TOPCON ES-105 TOTAL STATION WAS
USED TO OBTAIN THE LINEAR AND ANGULAR
MEASUREMENTS USED IN THE PREPARATION
OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR
PLAT IS BASED HAS A CLOSURE PRECISION
OF ONE FOOT IN 16,000
FEET AND AN ANGULAR ERROR OF 3"
PER ANGLE POINT, AND WAS ADJUSTED USING
THE LEAST SQUARES METHOD.

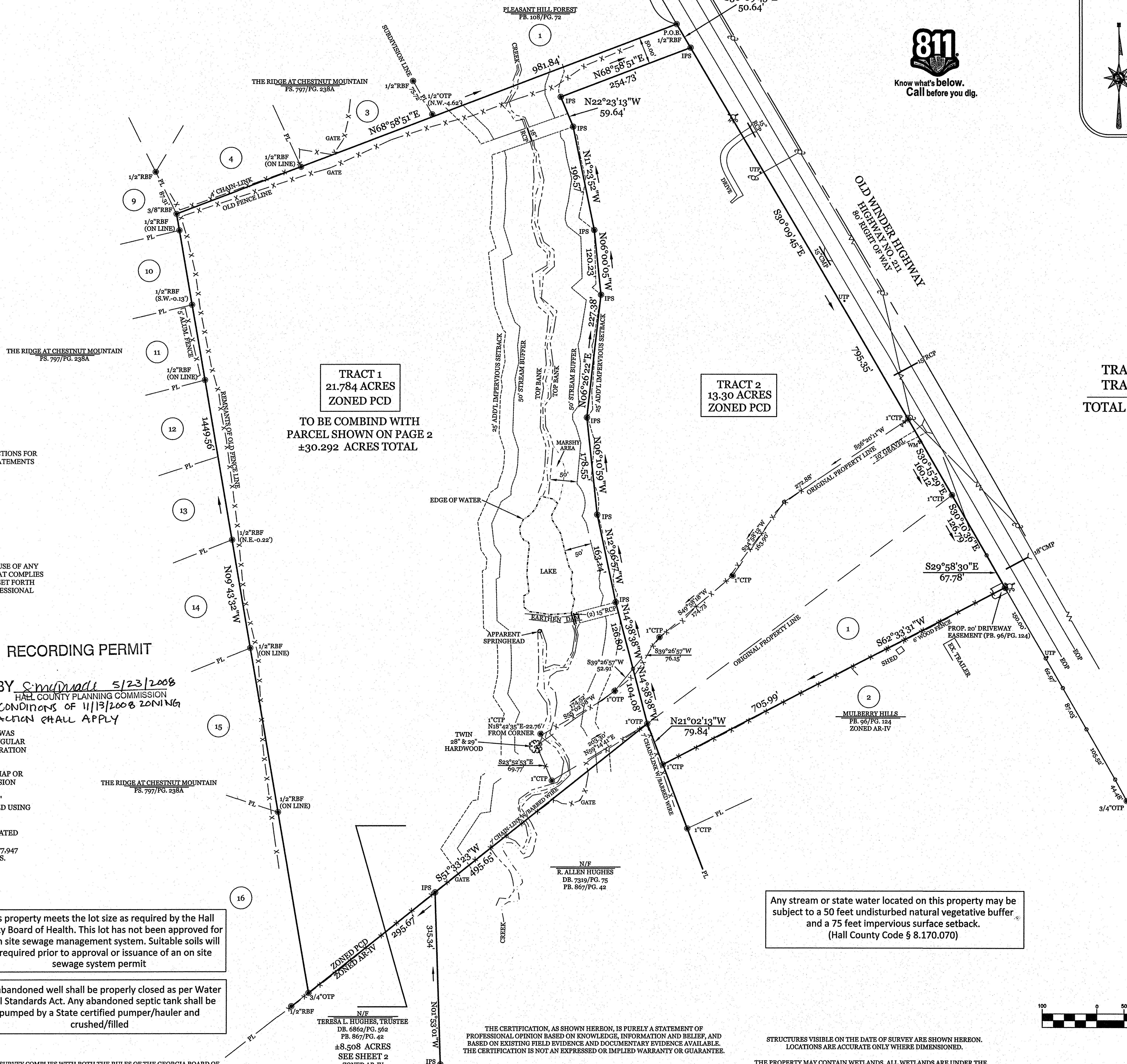
THIS MAP OR PLAT HAS BEEN CALCULATED
FOR CLOSURE AND IS FOUND TO BE
ACCURATE WITHIN ONE FOOT IN
277,947
FEET AND CONTAINS 35.084 ACRES.

This property meets the lot size as required by the Hall
County Board of Health. This lot has not been approved for
an on site sewage management system. Suitable soils will
be required prior to approval or issuance of an on site
sewage system permit

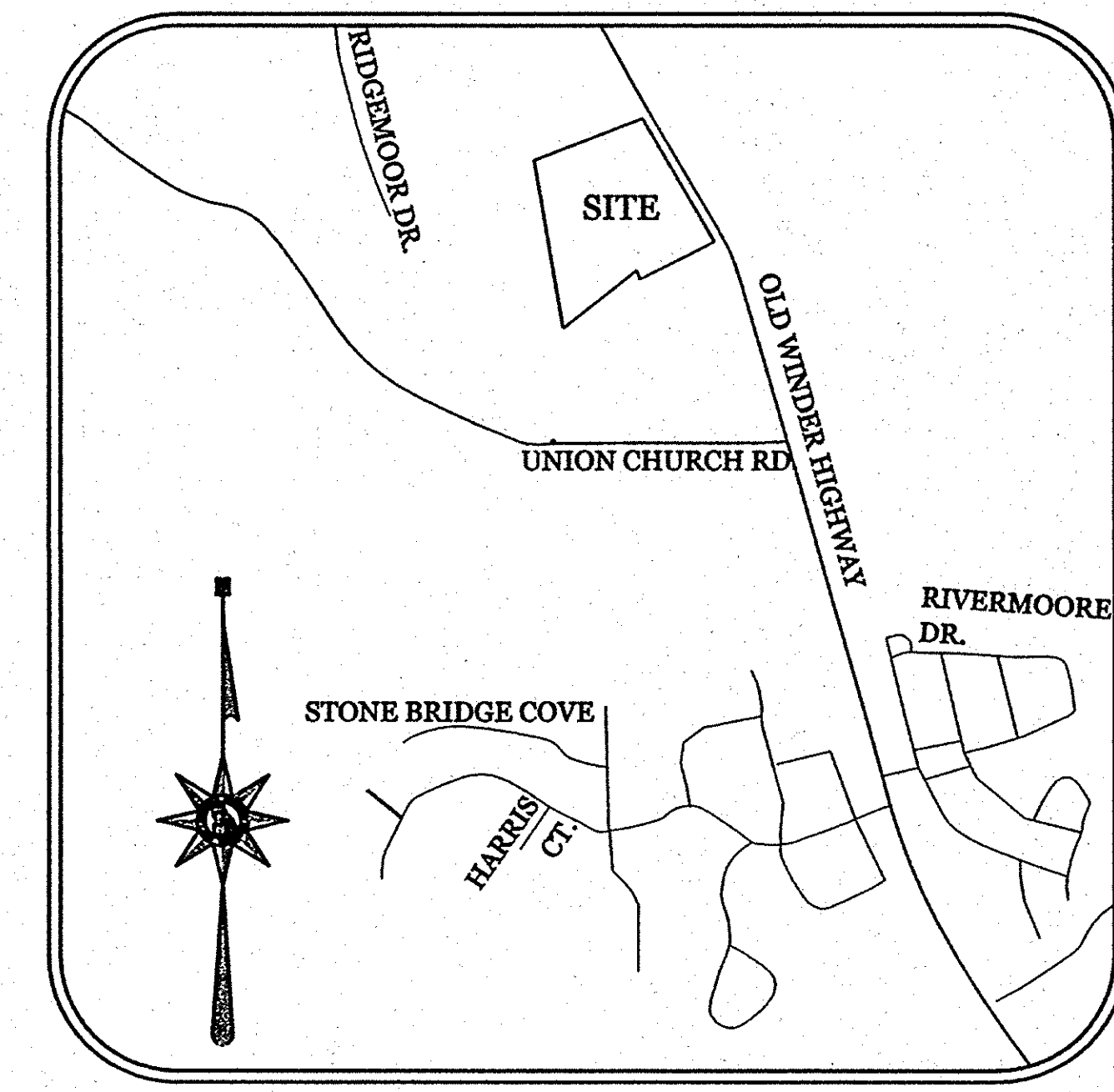
Any abandoned well shall be properly closed as per Water
Well Standards Act. Any abandoned septic tank shall be
pumped by a State certified pumper/hauler and
crushed/filled

THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF
REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE
OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67 AS AMENDED BY HB1004
(2016), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF
SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

- 1) ALL IPS ARE 1/2" REBAR WITH PLASTIC CAPS.
- 2) ALL LOTS TO BE SERVED BY ON-SITE SEWAGE SYSTEMS TO BE PERMITTED BY HALL CO.
ENVIRONMENTAL HEALTH DEPT.
- 3) STATE WATERS EXIST ON SITE.
- 4) ANY ADDITIONAL SUBDIVISION OF THESE PROPERTIES WILL REQUIRE COMPLIANCE
WITH HALL CO. STORMWATER MANAGEMENT ORD. CHAPTER 8.186.
- 5) ALL LOTS TO BE SERVED BY PUBLIC WATER THROUGH THE CITY OF GAINESVILLE.



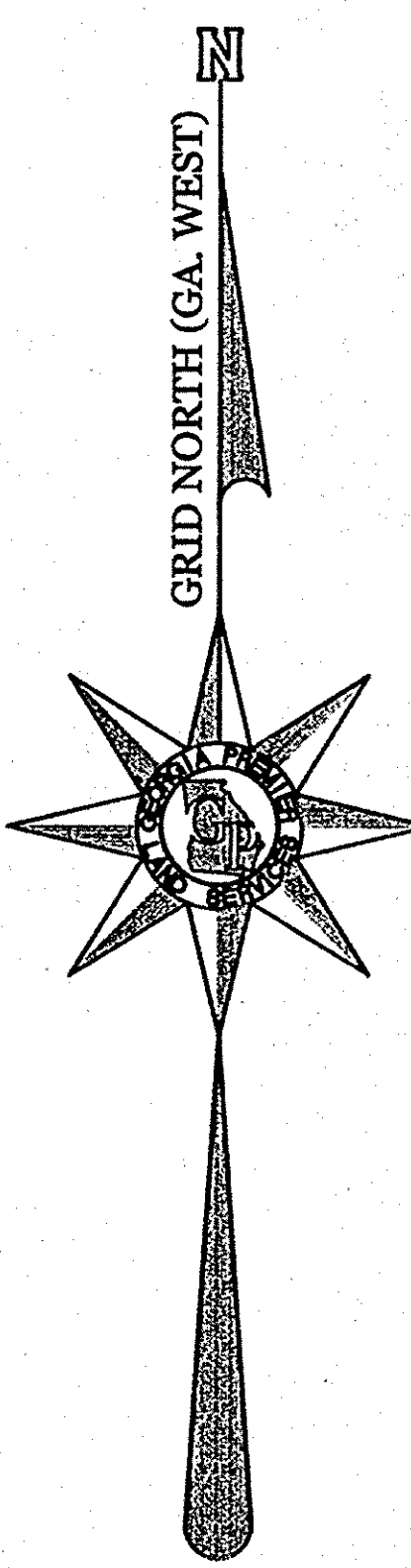
If property is located in the North Oconee Watershed
District, then additional stream buffers and impervious
setbacks may be required for compliance.
(Hall County Code § 17.225.040)



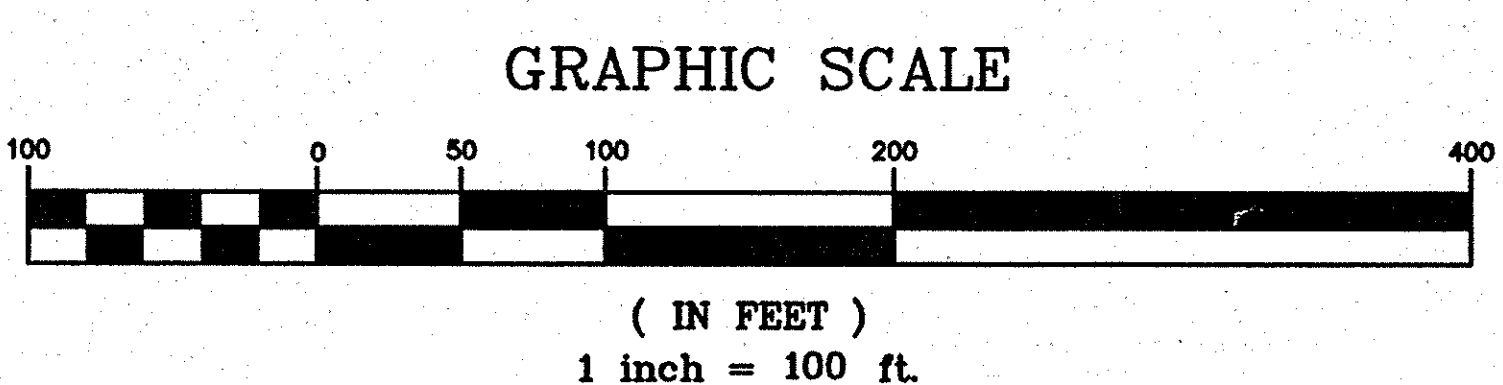
VICINITY MAP (N.T.S.)

NO PORTION OF SUBJECT PROPERTY LIES
WITHIN A DESIGNATED 100 YEAR FLOOD
HAZARD AREA AS DEPICTED BY SCALED MAP
LOCATION AND GRAPHIC PLOTTING ONLY PER
F.I.R.M. PANEL NO. 13189004F, DATED
SEPTEMBER 29, 2006

TRACT 1 21.784 ACRES
TRACT 2 13.30 ACRES
TOTAL AREA 35.084 ACRES



IN MY OPINION, THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED
AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND
REQUIREMENTS OF THE LAW.
Brian R. Sutherland
BRIAN R. SUTHERLAND, R.L.S.



Any stream or state water located on this property may be
subject to a 50 foot undisturbed natural vegetative buffer
and a 75 feet impervious surface setback.
(Hall County Code § 8.170.070)

THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF
PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND
BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE.
THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.
SUBJECT AND ADJACENT PROPERTY OWNER'S DEED REFERENCES WERE PROVIDED
BY GEORGIA PREMIER LAND SERVICES, INC. AND ARE NOT GUARANTEED AS TO
ACCURACY OR COMPLETENESS.

STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON.
LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.

THE PROPERTY MAY CONTAIN WETLANDS. ALL WETLANDS ARE UNDER THE
JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS ARE SUBJECT TO
PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT THE
PROPER PERMIT APPLICATION AND APPROVAL.

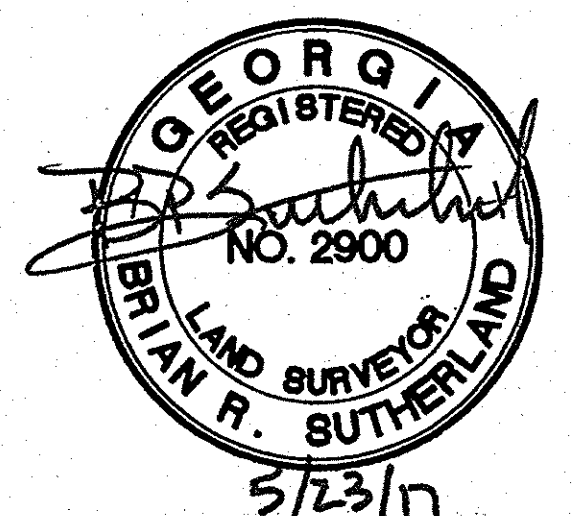
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR
ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND
TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE
SURVEYOR NAMING SAID PERSON.

EXEMPTION PLAT FOR:

R. ALLEN HUGHES

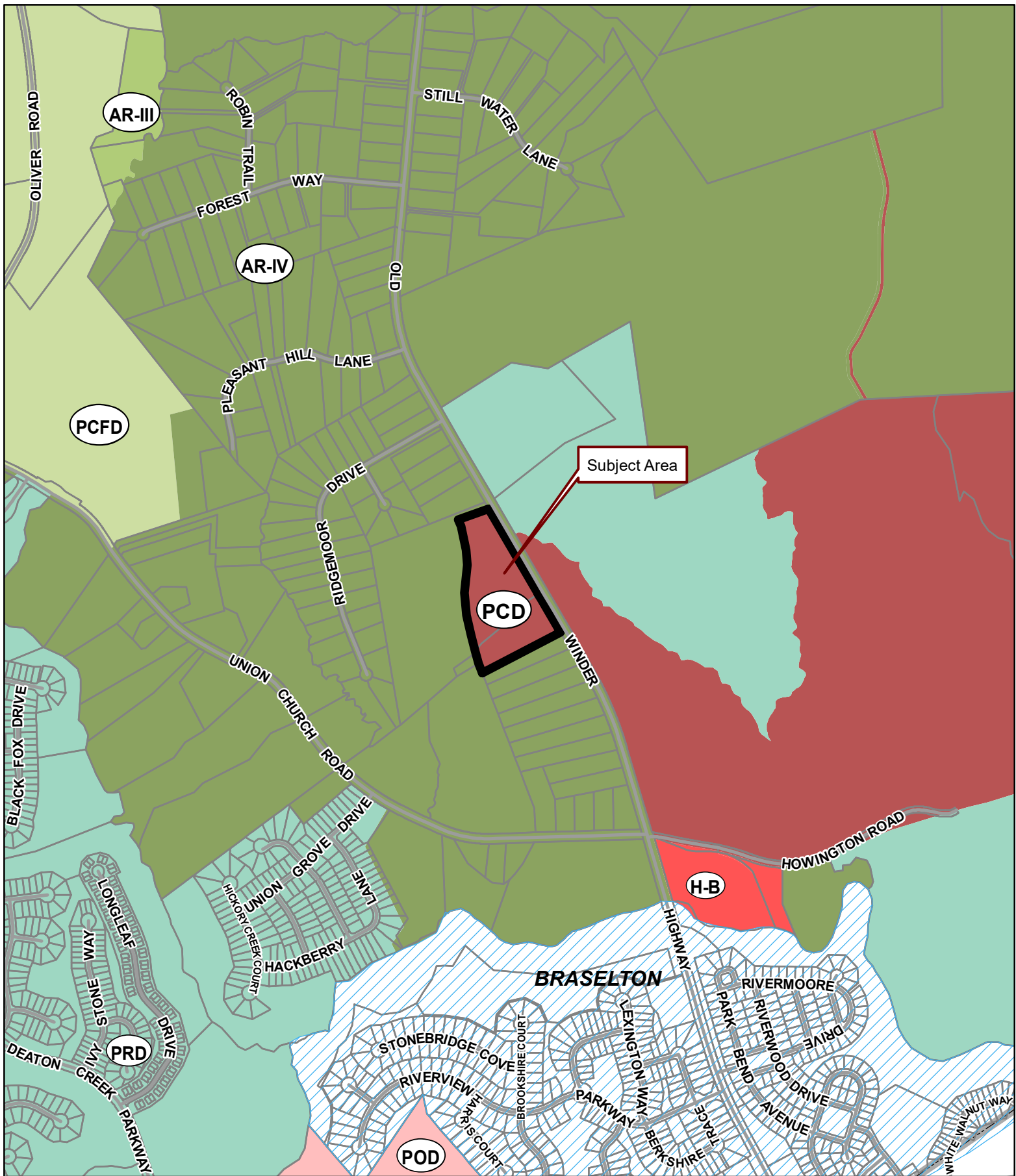
5490 OLD WINDER HIGHWAY
TAX #15039A000003

LOCATED IN THE CLINCHAM DISTRICT - G.M.D. 392
HALL COUNTY, GEORGIA



DATE	NO.	DESCRIPTION
4/20/17		

DATE 4/20/17
DRAWN BY BS
17118
FROM NUMBER



Applicant: BEN BAKER, BAKER & SUMMY, PC

Tax Parcel #: 15039A000003 & 000029 (pt.)

Location: 0 & 0 OLD WINDER HIGHWAY, BRASELTON, GA 30517

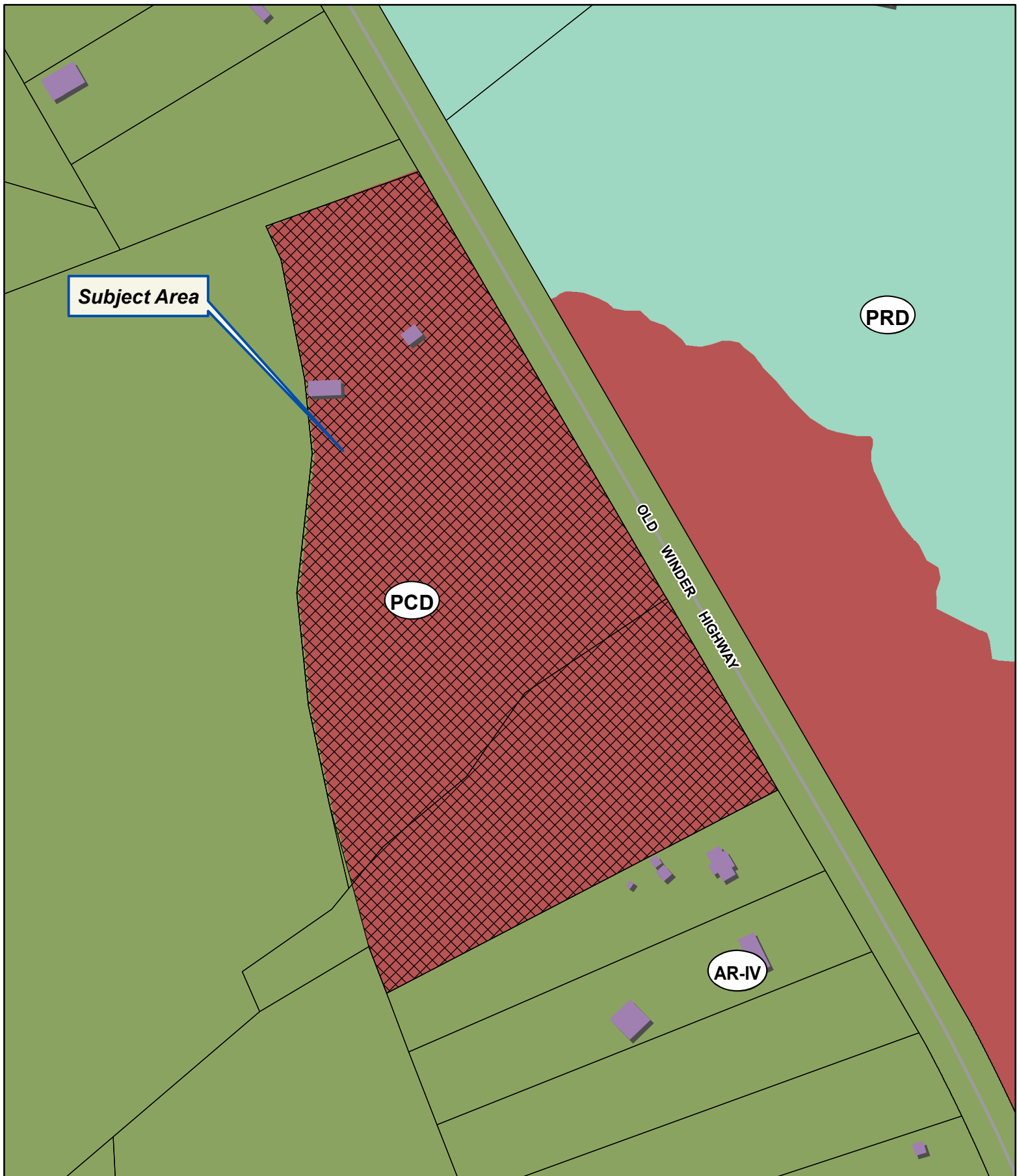
Commission District 1

PC Mtg. Date: 11/07/2022

0 300 600 1,200
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





Applicant: BEN BAKER, BAKER & SUMMY, PC

Tax Parcel #: 15039A000003 & 000029 (pt.)

Location: 0 & 0 OLD WINDER HIGHWAY, BRASELTON, GA 30517

Commission District 1

PC Mtg. Date: 11/07/2022

0 50 100 200
Feet

- Zoning Boundary
- City Limits
- Subject Area
- Structure





Applicant: BEN BAKER, BAKER & SUMMY, PC

Tax Parcel #: 15039A000003 & 000029 (pt.)

Location: 0 & 0 OLD WINDER HIGHWAY, BRASELTON, GA 30517

Commission District 1

PC Mtg. Date: 11/07/2022

0 50 100 200
Feet

— Zoning Boundary
— City Limits
— Subject Area



After Recording Return to:
Baker & Summy, PC
6340 Sugarloaf Parkway
Suite 200
Duluth, GA 30097
404-566-4535
FILE NO. 1021D753

eFiled and eRecorded
DATE: 01/07/2022
TIME: 4:17 PM
DEED BOOK: 9033
PAGE: 91 - 92
FILING FEES: \$25.00
TRANSFER TAX: \$1,300.00
PARTICIPANT ID: 3677527367
PT61: 069-2022-000163
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

WARRANTY DEED

STATE OF GEORGIA
HALL COUNTY

This Indenture made this 6th day of January, in the year Two Thousand Twenty-two, between **HMR PARTNERSHIP, a Georgia General Partnership, composed of T. M. MAHONE and DAVID T. ROBINSON** as party or parties of the first part, hereinafter called Grantor, and **R. ALLEN HUGHES**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

SEE ATTACHED EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION.
BEING HALL CO. TAX MAP REFERENCE No: 15039A000003 and 15039A000029

THIS CONVEYANCE is subject to all restrictions and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
this 6th day of January, 2022
in the presence of:

Witness

Notary Public

GRANTOR:

HMR PARTNERSHIP

T. M. MAHONE, General Partner

DAVID T. ROBINSON, General Partner

(Seal)

(Seal)

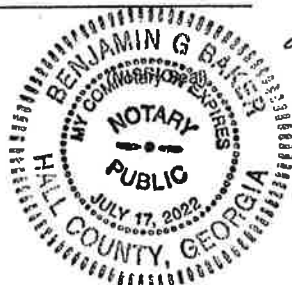


EXHIBIT "A"
Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CLINCHEM DISTRICT (GMD 392), HALL COUNTY, GEORGIA, AND CONTAINING 13.30 ACRES, MORE OR LESS, BEING MORE PARTICULARLY SHOWN AS "TRACT 2" ON THAT CERTAIN PLAT OF SURVEY ENTITLED "EXEMPTION PLAT FOR R. ALLEN HUGHES" PREPARED BY BRIAN R. SUTHERLAND, GEORGIA PREMIER LAND SERVICES, INC., GEORGIA REGISTERED LAND SURVEYOR NUMBER 2900, DATED APRIL 20, 2017, AND RECORDED IN PLAT RECORD BOOK 874, PAGE 311, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF HALL COUNTY, GEORGIA, SAID PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

BEING HALL CO. TAX MAP REFERENCE No: 15039A000003 and 15039A000029

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.](#)



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Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



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GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance](#) | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 (pt.) | **Proposed Use: new sign monument** | * Commission District 1 | **Brunson & Company, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval](#) | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | **Proposed use: office & warehouse** | * Commission District 1 | **Genuine Mapping and Design, LLC, applicant.**
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions](#) | of a Light-Industrial (I-I) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval](#) | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | **Proposed use: self-storage and boat & RV storage** | ** Commission District 3 | **Diane Schermerhorn, applicant.**
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone](#) | from Agricultural-Residential-III (AR-III) & Agricultural-Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | **Proposed use: heavy industrial** | ** Commission District 3 | **Ridgeline Land Planning, Inc, applicant.**
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO
THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: BEN BAKER

REQUEST: REZONE FROM PCD TO AR-IV FOR
AGRICULTURAL USES

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 11-07-2022

Time: 05:15 PM

COUNTY COMMISSION

Date: 12-08-2022

Time: 06:00 PM

AND

HALL COUNTY CLERK, 1000 HALL COUNTY ROAD, GAINESVILLE, GA 30601

FOR MORE INFORMATION, PLEASE CALL 770-534-6009



AGENDA ITEM

Planning and Development

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 645/2022

SUBJECT: 5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process. 2. The development shall be developed in accordance with Gateway Corridor Standards. 3. The property shall have access from 6 a.m. — 11 p.m., Monday - Sunday. 4. The development shall occur as depicted in the submitted site plan and narrative.

Purpose of Request:

5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | Commission District 2 | Torris J. Babbs, PE, applicant.

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Board Memo
Rezone Recommendation Report
Use Recommendation Report
Application
Narrative
Site plan
Maps
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos
Public Comments



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: November 16, 2022

Subject: **5741 Holiday Road | Rezone** | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract to allow boat & RV storage | Torris J. Babbs, PE, applicant.

The applicant sought approval to rezone the property to allow covered boat and RV storage. *This item was presented to the Planning Commission as a rezoning report and a conditional use report. However, the Planning Commission opined that since it was advertised as a single item and since planned developments have historically been voted on as one item, that this should be heard and voted on as one item.* The item is located within Commission District 2.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with four (4) conditions **(5-0)**.

There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting but no one spoke during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Rezoning Approval Conditions:

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

Staff recommended approval to the Planning Commission **based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

For your Consideration

These items support approval

1. The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.
2. The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).
3. The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.
4. The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.
5. The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).

These items support denial

1. The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).
2. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Torris J. Babbs, PE

Request Rezone from Highway-Business (H-B) to Planned Commercial Development (PCD)

Proposed Use Boat & RV storage

Size 2.12± acres

Zoning Current Highway-Business (H-B) | Proposed Planned Commercial Development (PCD)

Location **5741 Holiday Road | Tax Parcel 07329 001005**

Commission District Two

Planning Commission Date November 7, 2022

Staff Recommendation **Approval with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

Planning Commission Recommendation.....**Approval, with conditions**

Vote: 5-0

Planning Commission conditions.

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting to rezone the 2.12 acre property from Highway Business (H-B, [17.150](#)) to Planned Commercial District (PCD, [17.180.080](#)) for the purpose of developing a boat & RV storage lot with 67 covered parking spaces. The narrative continues to explain that the existing residence will be remodeled and brought up to commercial code to serve as an office space for the development.

The narrative explains that the development will be in accordance with the requirements Gateway Corridors Overlay District (GCOD, [17.420](#)), including exterior building materials, site lighting, and signage. Access to the site will be from Holiday Road, with no access proposed on Lanier Islands Parkway. The proposed hours of operation will be 6:00 am – 10:00 pm via an access controlled gate. The office will be staffed between the hours of 9:00 am – 6:00 pm. The proposed driveway will be approximately 75 feet in length before an access gate to allow for vehicle stacking. The site will be graded and a stormwater detention facility will be installed adjacent to Lanier Islands Parkway / State Route 347.

The current request is to rezone the property. A concurrent conditional use application has been submitted for boat & RV storage. A separate staff report has been prepared for the conditional use.

- ***The Planning Commission can hear these items simultaneously but must vote on them separately.***
- ***Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), boat & RV storage requires conditional use approval from the Board of Commissioners, which is being heard concurrent to this request.***

Should the Planning Commission deny the rezoning request, the conditional use subject to County Commission is automatically denied since boat & RV storage are not allowed in the H-B district.

No variances were requested as part of this application and none have been identified during the zoning analysis.

Based on the future land-use plan, staff finds the requested zoning designation is consistent with the future land use map designation of Lake Area Residential and within a Lake Supportive corridor; [2022-Comprehensive-Plan, page 35](#) .

Zoning Analysis

The proposed boat & RV storage facility is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants); [2022-Comprehensive-Plan, page 35](#) .

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The proposed boat and RV storage development is proposed adjacent to a Highway Business (H-B, [17.150](#)) zoned parcel which was recently approved to be used as additional parking for a nearby business.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. Boat & RV storage traditionally a low impact use, with those who store their vehicles on the property visiting infrequently. The request is for a**

PCD district and all uses within a PCD district require Planning Commission and Board of Commissioners approval.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property is currently being used as a residential rental and as such has reasonable economic use as currently zoned. The decision to rezone the property is that of the property owner. There are a number of permitted and conditional uses allowed in the H-B District ([17.150](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **No, the proposed use of a boat & RV storage facility will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The property is not currently vacant, it is developed with a single family residence which currently serves as a rental property.**
10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning;" **The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).**

12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**
 13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in proximity to Lake Lanier.**
 14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support the boat & RV storage without rezoning.**
 15. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The proposed use could not be handled alternatively as a variance. The proposed use is not allowed within the current zoning district.**
 16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **The property will be required to meet all local, state, and federal requirements pertaining to stormwater management as part of the development process. No permits will be issued until the applicant completes the Hall County Development Review process.**
 17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**
- The property falls within the **Gateway Corridors Overlay District, (17.420.)** which provides supplemental design standards for non-residential property development. The subject property will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements.
 - **Submission requirements for a rezoning request (17.380.050.):**
 - A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
 - B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section [17.380.060.C](#) of this section [chapter]. **Proposal does not meet the requirement, as the applicant has not addressed the review and approval criteria in [Section 17.380.060.C](#). The applicant did submit a narrative but it does not specifically address each of the criteria listed.**

2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **Proposal meets the requirement.**
3. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This project does not proposed a slow rate land treatment system so this is not applicable.**
4. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **The proposed development is commercial and nature and as such this requirement is not applicable.**

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

1. IFC Section 507, all storage buildings must be within the 400’ hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.
2. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

Driveway will need to meet Hall County commercial standards

Utilities:

No comments

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No comments were provided.

Georgia Department of Transportation

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request. Ms. Doveton stated that this application was written as a rezone and conditional use that will be heard and voted on together.

Torris Babbs, presented the request. The applicant stated that the location would accommodate with the proposed development.

Planning Commission Comments:

Mr. Braswell questioned if the existing structure would be utilized as an office. The applicant stated that was correct, they will bring it to commercial code. Mr. Bell questioned hours of operation. The applicant stated customers will have access from 6 a.m. - 11 p.m.

Motion: A motion to approve, with conditions was made by Mr. Bell and seconded by Ms. Pilcher. Vote: 5-0

Conditions:

1. *The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.*
2. *The development shall be developed in accordance with Gateway Corridor Standards.*
3. *The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.*
4. *The development shall occur as depicted in the submitted site plan and narrative.*

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant Torris J. Babbs, PE

Request Conditional use to allow boat & RV storage

Proposed Use Boat & RV storage

Size 2.12± acres

Zoning Current Highway-Business (H-B) | Proposed
Planned Commercial Development (PCD)

Location **5741 Holiday Road** | Tax Parcel 07329 001005

Commission District Two

Planning Commission Date November 7, 2022

Staff Recommendation **Approval with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#)**

Planning Commission Recommendation..... **This item was heard as a Rezone and Conditional Use but voted on as one, recommending approval with conditions**

Planning Commission Rezoning Conditions:

- 1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
- 2. The development shall be developed in accordance with Gateway Corridor Standards.
- 3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
- 4. The development shall occur as depicted in the submitted site plan and narrative.

The following report is being written under the assumption that the concurrent rezoning request is approved.

- *The Planning Commission can hear the rezoning and conditional use items simultaneously but must vote on them separately.*
- Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), boat & RV storage requires conditional use approval from the Board of Commissioners.

Should the Planning Commission deny the rezoning request, the conditional use subject to County Commission is automatically denied since boat & RV storage are not allowed in the H-B district.

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is requesting conditional use approval on a 2.12± acre tract of land zoned currently zoned Highway Business (H-B, [17.150](#)) for the purpose of developing a boat & RV storage lot with 67 covered parking spaces.

The narrative explains that the development will be in accordance with the requirements Gateway Corridors Overlay District (GCOD, [17.420](#)), including exterior building materials, site lighting, and signage. The narrative continues to explain that the existing residence will be remodeled and brought up to commercial code to serve as an office space for the development. Access to the site will be from Holiday Road, with no access proposed on Lanier Islands Parkway. The proposed hours of operation will be 6:00 am – 10:00 pm via an access controlled gate. The office will be staffed between the hours of 9:00 am – 6:00 pm. The proposed driveway will be approximately 75 feet in length before an access gate to allow for vehicle stacking. The site will be graded and a stormwater detention facility will be installed adjacent to Lanier Islands Parkway / State Route 347.

No variances were requested as part of this application and none have been identified during the zoning analysis.

Based on the future land-use plan, staff finds the *requested zoning designation* is consistent with the future land use map designation of Lake Area Residential and within a Lake Supportive corridor; [2022-Comprehensive-Plan, page 35](#) .

Zoning Analysis

When considering a conditional use certain criteria must be considered.

(a) The existing land use pattern. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **The proposed development will be reviewed through the Development Review process, and as such will be required to meet all applicable life safety regulations prior to permit issuance.**

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.**

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The proposed development is not anticipated to lead to hazardous or inconvenient conditions for pedestrian or vehicular traffic.**

(ii) The location and height of buildings, and other structures, and the crosswalks or pedestrian ways are nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.**

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **The proposed development is not residential and thus will not increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; nor will the approval of the use encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.**

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **The proposed boat & RV storage use will not cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water.**

(h) Whether the proposed change will adversely affect property values in adjacent areas. **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **Outdoor storage requires a conditional use approval to be permitted within the Gateway Corridors Overlay District (GCOD, [17.420](#)).**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)) the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. **The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service. **The proposed development is unlikely to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities, or emergency medical services.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
6. The extent to which property values are diminished by the existing zoning restrictions. **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public. **Staff has not identified that the existing property values have been impacted by the existing zoning.**
 8. The relative gain to the public as compared to the hardship imposed upon the individual property owner. **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
 9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. **The property is not currently vacant, it is developed with a single family residence which currently serves as a rental property.**
 10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
 11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning." **The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).**
 12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area. **There is no evidence that the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**
 13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood. **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in proximity to Lake Lanier.**
 14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned. **There are other properties within the County that support commercial uses based on the Future Land Use Map**
 15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]. **The request could not be handled alternatively as a variance.**
 16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted. **The property will be required to meet all local, state, and federal requirements pertaining to stormwater management as part of the development process.**
 17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property. **There is no indication that a mistake was made in the original zoning of the property.**
-

- The property falls within the **Gateway Corridors Overlay District, (17.420.)** which provides supplemental design standards for non-residential property development. The subject property will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements.
 - Within the **Gateway Corridors Overlay District, (17.420.)**, the use of boat & RV storage requires conditional use approval from the Board of Commissioners, resulting in this request. A companion case to rezone the property to **Planned Commercial District (PCD, 17.180.080)** is running concurrent to this request.

Development Support and Constraints –Departmental /agency comments

Hall County Environmental Health

An email dated October 18, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.”

Hall County Fire Rescue

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

1. IFC Section 507, all storage buildings must be within the 400’ hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.
2. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.

Hall County Public Works and Utilities

In a memo dated October 20, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:

Driveway will need to meet Hall County commercial standards

Utilities:

No comments

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No comments were provided.

Georgia Department of Transportation

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request. Ms. Doveton stated that this application was written as a rezone and conditional use that will be head and voted on together.

Torris Babbs, presented the request. The applicant stated that the location would accommodate with the proposed development.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if the existing structure would be utilized as an office. The applicant stated that was correct, they will bring it to commercial code. Mr. Bell questioned hours of operation. The applicant stated customers will have access from 6 a.m. - 11 p.m.

Motion: A motion to approve, with conditions was made by Mr. Bell and seconded by Ms. Pilcher. Vote: 5-0

Conditions:

1. *The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.*
2. *The development shall be developed in accordance with Gateway Corridor Standards.*
3. *The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.*
4. *The development shall occur as depicted in the submitted site plan and narrative.*

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 f: 770-531-3902

RECEIVED

SEP 18 2022

Planning & Zoning Department



ZONING APPLICATION

Applicant (Name & Mailing Address)

TORRES J. BABBS, PE
1836 CARROLLTON VILLA RICA HWY.
SUITE 108 - VILLA RICA, GA 30180

Phone OFF. (770) 878-2338 MOB. (256) 452-2965

Email Address tbabbs@babbsengr.com

Proposed Use BOAT + RV STORAGE

Property Owner (Name & Mailing Address)

JUAN R. JIMENEZ
1484 HIGH COTTON CT.
LAWRENCEVILLE, GA 30043

Phone 678-756 3600

Email Address jrjimenezmd@gmail.com

Contact Person (Name & Mailing Address)

TORRES J. BABBS, P.E.
1836 Carrollton Villa Rica Hwy. Ste. 108
Villa Rica, GA. 30180

Phone 256.452.2965

Email Address tbabbs@babbsengr.com

Tax Parcel Number 67329 001005

Location Address 5741 HOLIDAY RD

Status of Applicant

☐ Owner

☐ Option to Purchase

☐ Area Resident

☒ Other

Requested Action

Existing Zoning: H-B

Rezone to: ~~H-B~~ PLD

Fee: \$ 450.00

Receipt #: 889043

Check #: 28173 996775

Acreage 2.173 acres

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature]

Date: 9.12.2012

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____

Date: _____

Staff Use Only

Application Date: _____

Taken by: _____

Tentative Planning Commission Date: 11/07

Tentative County Commission Date: 12/08

County Commission District: 2

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) JUAN R. JIMENEZ

Address 1484 HIGH COTTON CT.
LAWRENCEVILLE, GA 30043

Phone Number 678. 756 3600

Name of applicant(s) TORRES J. BARBS, P.E.

Address 70 BOX 681
CARROLLTON, GA 301

Phone Number OFF. 770. 878. 2338 MOBILE: 256. 452 2965

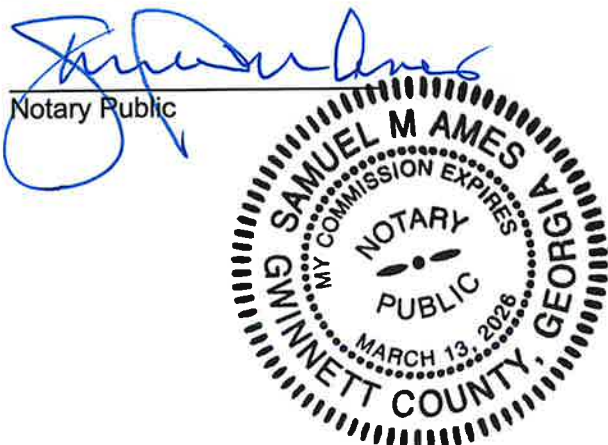
I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s) [Signature]

Personally appeared before me SAMUEL M AMES

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.



Date 9/13/2022

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Torris J. Babbs

Date: 9/15/22

Applicant's/Owner's Name (Printed): Torris J. Babbs



BABBS ENGINEERING CONSULTANTS, LLC

1836 Carrollton Villa Rica Hwy. Suite 108
Villa Rica, GA. 30180
Phone: (770) 878.2338
Mobile: (256) 452.2965
Fax: (888) 835-6707

MISSION STATEMENT: "A Company Committed to Engineering the World for Future Generations"

BABBS ENGINEERING CONSULTANTS, LLC (BEC) is an 8(a) certified professional A&E firm that specializes in civil site development and building infrastructure projects, construction management, storm-water management, civil site and roadway design projects. Additionally, our consultants can assist your organization with environmental remediation and inspection on asphalt, bridge, concrete, and earthwork projects.

09/21/22

Prepared for:
Hall County Planning & Development
2875 Browns Bridge Road
Gainesville, Ga. 30504
Phone: 678.531.6809

RE: REPORT Existing Highway Business District (H-B) property to Proposed Planned Commercial Development (PCD) district property located within 7th District Land Lot 329 found in Deed Book 2326 Page 58 with physical street address of 5741 Holiday Road, Buford, Ga. 30518 (app. 2.1 Acres).

The existing conditions of the property consists of a residence with carport with concrete driveway that extends to Holiday Road is zoned in Highway Business District (H-B). There is an existing wire woven fence surrounding the north and south sides of the property. The fence stretches from the front to the back yard within the confines of the boundary of the property. The back of the property is all greenspace that consists of trees and vegetation on a meandering topography. There is a small berm in the backyard beyond the fence line on the north side of the property that runs longitudinal with Lanier Islands Parkway streetscape; uphill from streetscape within the confines of the property. The property seems to have a swale area in the back functioning as some sort of retainer for stormwater. The property is not in a flood zone based on TMA MAP Number 13139CO288G effective 04/04/2018.

The proposed activities for this site will consists of making just over 70% of this property impervious surface with asphalt to support the rental parking spaces for potential clients to park their Boats and RVs. The proposed parking spaces will be covered in accordance to all specifications acknowledged in the Gateway Corridor



BABBS ENGINEERING CONSULTANTS, LLC

1836 Carrollton Villa Rica Hwy, Suite 108
Villa Rica, GA. 30180
Phone: (770) 878.2338
Mobile: (256) 452.2965
Fax: (888) 835-6707

Overlay District. The proposed zoning for this site is Planned Commercial Development (PCD). The existing residence that's currently functioning as a rental property is planned to be remodeled if feasible after assessing the pertinent changes in referencing the fire marshal ordinances. The remodeled facility will serve as an active office building in support of all administrative and maintenance activities required to support the operations of the proposed site. The exterior of the remodeled facility will mainly consist of brick and all pertinent items in reference to the regulations of the Gateway Corridor Overlay District. The proposed driveway entrance will be app. 75 ft in length prior to entering proposed coded gate(constructed with metal materials) ; see proposed site plan for more details. The proposed site will be made more level than existing condition of the site and will also have a water quality device within a proposed junction box that will treat the storm water after existing the paved surface and prior to entering greenspace; see proposed site plan for more details. The type of lighting on the site will be determined based on cost benefit analysis on Solar vs LED and will also be installed in accordance to the Gateway Corridor Overlay District specifications. The site operations hours will be from 9am to 6pm most extended office hours, with access through gate between hours of 6am and 10pm. The access will only be granted to clients/customers prior to and after office hours. In closing we see no significant impact to any water resource areas in the watershed of this site from the proposed site of reference. The existing and proposed site outfalls will be in a no-name state-water that runs along the side of Lanier Island Parkway, but this impact will only occur during significant flood conditions. If you have any questions, feel free to contact me at (256) 452-2965 or via email tbabbs@babbsengrg.com.



Sincerely,


Torris J. Babbs, P.E.

Principal

BABBS ENGINEERING CONSULTANTS, LLC

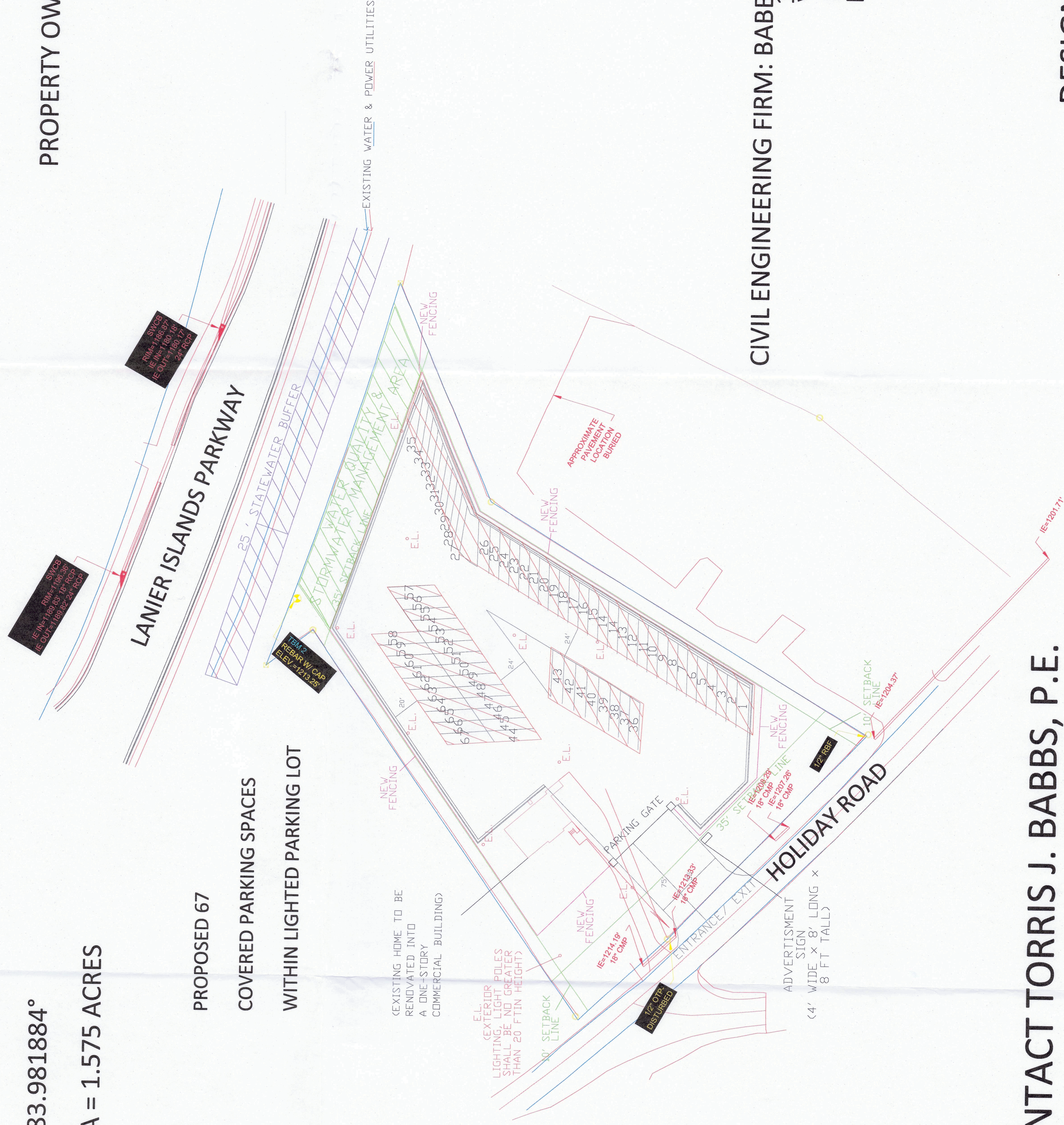
PROPOSED SITE PLAN FOR LANIER ISLANDS BOAT & RV STORAGE FACILITIES

THE PROPOSED PROJECT IS THE CONSTRUCTION OF 67 UNITS OF PARKING FOR BOATS AND RV'S ON APP. 2.1 ACRE PARCEL. THE EXISTING PARCEL LOCATED ON 5741 HOLIDAY ROAD CONSISTS OF CONCRETE DRIVEWAY WITH RESIDENTIAL HOUSE. THE EXISTING RESIDENCE AREA IS PROPOSED TO CONSIST OF PROPOSED COMMERCIAL OFFICE SPACE THAT WILL SUPPORT FACILITY OPERATIONS; IT WILL BE REMODELED OR REPLACED DEPENDENT ON COST BENEFIT ANALYSIS IN MEETING LOCAL FIRE DEPARTMENT REGULATIONS. THE CURRENT EXISTING FENCE OF THE PROPERTY WILL BE REPLACED WITH A SECURITY FENCE WITH CODED GATE ENTRANCE FOR POTENTIAL CLIENTS OF THE FACILITY. THE PROPERTY IS NOT IN A FLOOD ZONE AND THE SOIL TOPOGRAPHY IS SUCH THAT PROPOSED STORMWATER CONDITIONS WILL BE MANAGED ON THE PROPERTY CAMPUS SAME AS EXISTING CONDITIONS; DETERMINED BY EVALUATION OF HISTORICAL RAINFALL DATA AND PROPOSED GREENSPACE REMAINING ON THE OUTSKIRTS OF POTENTIAL DEVELOPMENT.

THE FEMA FIRM PANEL NUMBER FOR THIS WATERSHED AREA IS 13139C0288G EFFECTIVE 04/04/2018; AREA IS NOT IN SPECIAL FLOOD HAZARD AREA. THE WATER RESOURCE AREAS ON THE PROPERTIES SHOWN ABOVE ARE TRIBUTARIES TO BIG CREEK THAT FLOWS TO THE CHATTAHOOCHEE RIVER.

5741 HOLIDAY ROAD
LAT. 34.150140° LONG. -83.981884°
TOTAL AREA= 2.1+ACRES
PROPOSED IMPERVIOUS AREA = 1.575 ACRES

PROPERTY OWNER:MR. JUAN JIMENEZ
1484 HIGH COTTON COURT
LAWRENCEVILLE, GA. 30043
PHONE NO. 678.756.3600
EMAIL: JRJIMENEZMD@GMAIL.COM



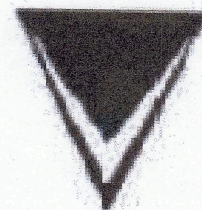
CIVIL ENGINEERING FIRM: BABBS ENGINEERING CONSULTANTS, LLC
1836 CARROLLTON VILLA RICA HWY SUITE 108
VILLA RICA, GA. 30180
PHONE NO. 770.878.2338
EMAIL: TBABBS@BABBSENGRG.COM

24 HOUR EMERGENCY CONTACT TORRIS J. BABBS, P.E.
PHONE NO. 770.878.2338

DESIGN PROFESSIONAL: MR. TORRIS J. BABBS, P.E.
LEVEL 2 CERTIFICATION NUMBER: 60725

REVISIONS		
NO.	DATE	BY

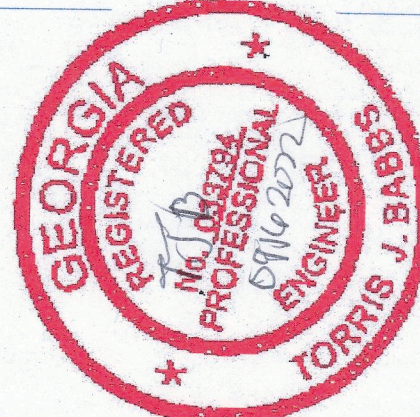
PREPARED BY:

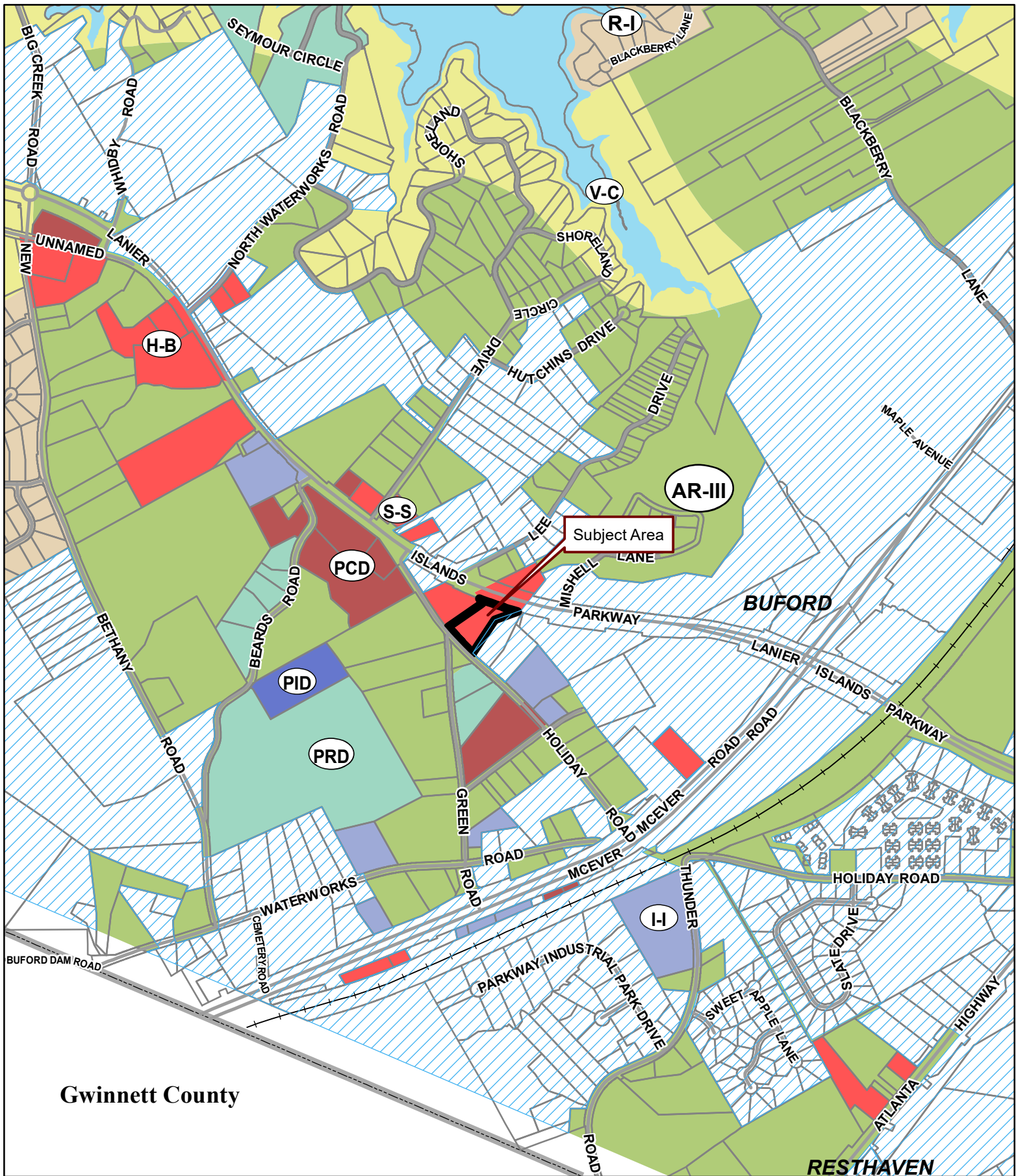


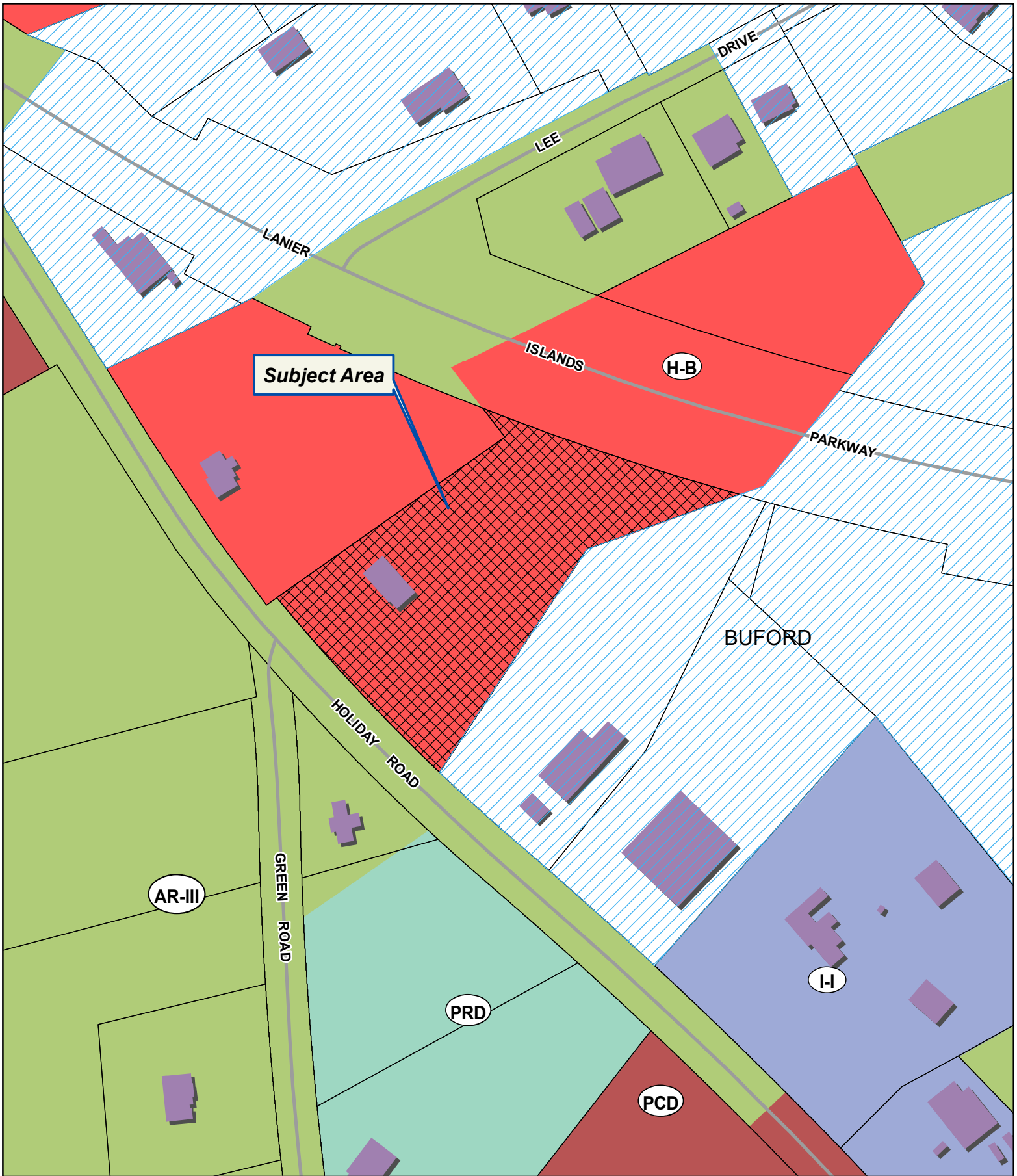
BABBS ENGINEERING CONSULTANTS, LLC

PROPOSED SITE PLAN FOR PLANNED
COMMERCIAL DEVELOPMENT FOR
LANIER ISLANDS PWC BOAT & RV STORAGE
5741 HOLIDAY ROAD BUFORD , GA. 30518
OWNER MR. JUAN JIMENEZ
FOR: HALL COUNTY

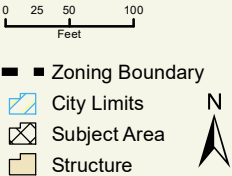
SCALE:	1 : 50
DWN	KJP
CHK	TJB
APP	TJB
FILE:	091522PCD.DWG
PROJ:	PR900PCOF082022
DATE:	09/15/2022
SHEET	OF
1	1







Applicant: TORRIS J. BABBS, PE
Tax Parcel #: 07329 001005
Location: 5741 HOLIDAY ROAD, BUFORD, GA 30518
Commission District 2 **PC Mtg. Date:** 11/07/2022





Applicant: TORRIS J. BABBS, PE

Tax Parcel #: 07329 001005

Location: 5741 HOLIDAY ROAD, BUFORD, GA 30518

Commission District 2

PC Mtg. Date: 11/07/2022

0 50 100 200
Feet

— Zoning Boundary

City Limits

Subject Area



Record and Return to:
Weissman PC
3500 Lenox Road, 4th Floor
Atlanta, GA 30326

File No.: W-C-08105-22-CM

Parcel ID: 07-00329-01-005

eFiled and eRecorded
DATE: 06/01/2022
TIME: 2:10 PM
DEED BOOK: 9137
PAGE: 141 - 144
FILING FEES: \$25.00
TRANSFER TAX: \$605.00
PARTICIPANT ID: 2979894615
PARTICIPANT ID: 7067927936
PT61: 069-2022-004972
RECORDED BY: CH
CLERK: Charles Baker, C.S.C
Hall County, GA

LIMITED
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE, made this 25th day of May, 2022, between Allen Rey and Chunzhi Rey, as party or parties of the first part, hereinafter called Grantor, and ADE 1014, LLC as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that, Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

See Exhibit "A" attached hereto.

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through and the above named grantor.

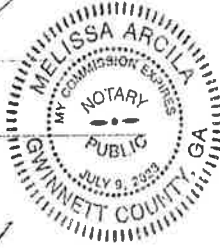
IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____



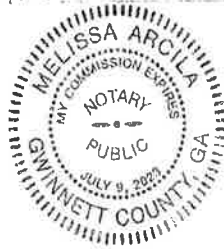
Allen Key (Seal)

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____



Chunzhi Key (Seal)

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 329 of the 7th District, Hall County, Georgia (Roberts GMD) as shown and delineated on plat of survey for Brenda R. Bigham & Robert G. Wannicke by Patton-Patton & Associates dated December 4, 1985, and being more particularly described as follows:

Beginning at an iron pin at a point on the Northeastern right-of-way of Holiday Road (State Route #347), said pin being 430 feet Southeast, along said right-of-way, from the intersection of said right-of-way and the centerline of Lee Drive; thence running North 67 degrees 53 minutes 36 seconds East, a distance of 349.90 feet, to an iron pin; thence running South 31 degrees 46 minutes 28 seconds West, a distance of 328.42 feet, to an iron pin on the Northeastern right-of-way of Holiday Road; thence running North 45 degrees 42 minutes 52 seconds West along said right-of-way, a distance of 211.27 feet, to an iron pin, the place or Point of Beginning. LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE RIGHT-OF-WAY OF ANY PUBLIC ROAD.

Together with:

All that tract or parcel of land lying and being in Land Lot 329 of the 7th District, Hall County, Georgia and being on the Northeasterly right-of-way of Holiday Road, and being a 4.034 acre tract (more or less) more fully shown on a survey by Farley-Collins & Associates, dated 12/5/68, which survey is incorporated by reference for a more particular description, and more particularly described as follows:

Beginning at an iron pin on the Northeasterly right-of-way line of Holiday Road 337 feet Southeasterly, as measured along the Northeasterly right-of-way line of Holiday Road, from the intersection of the Northeasterly right-of-way line of Holiday Road with the center line of Lee Drive; running thence North 55 degrees 18 minutes East 350.8 feet to an iron pin; thence North 38 degrees 35 minutes West 106.6 feet to an iron pin; thence North 63 degrees 12 minutes East 547.8 feet to an iron pin; thence South 33 degrees 11 minutes East along the line of the property now or formerly owned by Lee 160.4 feet to an iron pin; thence South 38 degrees 31 minutes West along the line of property now or formerly owned by Tommy Smith 299.2 feet to an iron pin; thence South 67 degrees 36 minutes West along the line of property now or formerly owned by Max Ford, Tommy Smith and Frank Holden 596.7 feet to an iron pin on the Northeasterly right-of-way line of Holiday Road; thence North 42 degrees 52 minutes West along the Northeasterly right-of-way line of Holiday Road 89.9 feet to an iron pin at the Point of Beginning; as per survey by Farley-Collins Associates dated December 5, 1968. LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH LIES WITHIN THE RIGHT-OF-WAY OF ANY PUBLIC ROAD.

Less and Except

That Right-of-Way Deed from Allen E. Rey to the Department of Transportation, filed on January 3, 1995 in Deed Book 2326, Page 58, aforesaid records.

That Warranty Deed from Allen Rey to Colonial Telegraph, I.I.C., filed on June 3, 2008 in Deed Book 6349, Page 173, aforesaid records.

SCHEDULE B

Permitted Exceptions

1. All taxes for the year 2022 and subsequent years, not yet due and payable.
2. No insurance is afforded as to the exact amount of acreage contained within the Land.
3. Terms, conditions and provisions of Conveyance of Access Rights from Department of Transportation State of Georgia, to Brenda R. Bigham and Robert G. Warnicke, dated 01/08/1986, filed in Deed Book 948, Page 191, aforesaid records.
4. Right-of-Way Deed from Allen E. Rey to the Department of Transportation filed on January 3, 1995 in Deed Book 2326, Page 58, aforesaid records.
5. Warranty Deed from Allen Rey to Coconut Telegraph, LLC, filed on June 3, 2008 in Deed Book 6349, Page 173, aforesaid records.
6. Rights of others in and across subject property.

Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, October 18, 2022 12:31 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 11.7.22

Please find Environmental Health comments below:

Item 1, 3461 Thompson Bridge Road, Michael James Remodeling: An existing system evaluation will be required. All proposed additions (including parking) must meet required setbacks from septic system.

Item 2, 3600 Maple Valley Drive, Brunson: Please be advised that Environmental Health will be unable to approve any sign easement/separation of property by plat as either would cause the parent parcel (3604 Maple Valley) to be a non-conforming lot in regards to non-restricted lot size as required by the Hall County Board of Health Lot Size Resolution.

Item 3, 4319 Winder Hwy, Genuine Mapping: No comment. Public sewer.

Items 4&5, 6580 Cleveland Hwy, Schermerhorn: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.

Item 6, 4020/3886 Cornelia Hwy/4761 Cagle Mill Road, Ridgeline: No comment. Public sewer.

Item 7, 2581 Ramsey Circle, CMWB: No comment. Public sewer.

Item 8, 0 Old Winder Hwy, Baker: No comment.

Item 9, 5741 Holiday Road, Babbs: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Thursday, October 20, 2022 9:45 AM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Chavers, Veronica E; Peevy, Jonathan
Subject: RE: Tentative Planning Agenda for November 7, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see GDOT comments in red below

Thank you,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Thursday, October 13, 2022 9:27 AM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Lamar Carver (Building Inspection) <lcarver@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswofford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for November 7, 2022

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, November 7, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Thursday, October 20th**. Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – October 17, 2022

OLD BUSINESS

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
GDOT Coordination Required. Sign appears to be off GDOT ROW but is showing minor earthwork ROW.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
GDOT Coordination In Progress - See GDOT Access Permit A-139-008366-1 under review.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
GDOT Coordination In Progress – See Page 12/21 of this application package for initial GDOT comments.
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
See Comment above
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
GDOT Coordination In Progress – See GDOT Access Permit A-139-008556-1

7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
None
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
GDOT Coordination shown on page 12/14 of the application package. No coordination required at this time for zoning change, but coordination would be required if property will be developed. Note that SR 211 is tentatively scheduled to begin widening under GDOT PI 0007233 within the next 4-7 years.
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
GDOT Coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, December 8, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, December 8, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: October 20, 2022
Subject: November 7, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the November 7, 2022 meeting. Upon review, we provide the following comments.

1. [3461 Thompson Bridge Road | Rezone | from Residential-I \(R-I\) to Office and Institutional \(O-I\) on a 6.85± acre tract located on the west side of Thompson Bridge Road at its intersection with Tommy Aaron Drive | Zoned R-I; Tax Parcel 10114 000039A | Proposed use: office | ** Commission District 2 | Michael James Remodeling, applicant.](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
 - b) **Traffic:** Driveway may need to be upgraded to accommodate two-way traffic.
 - c) **Utilities:** City of Gainesville Sewer.

NEW BUSINESS

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
 - a) **Engineering:** Improvements are shown within the private property of 3604 Maple Valley Drive, who is not the applicant on this appeal. Suggest obtaining permission from property owner defining maintenance requirements.
 - b) **Traffic:** Location appears to be on State right-of-way and may not be permitted. Applicant should verify with GDOT prior to consideration and provide correspondence indicating location approval, otherwise, the location will need to be modified.
 - c) **Utilities:** No comments.



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Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. [**4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit will be required.
 - c) **Utilities:** City of Oakwood sewer district.
4. [**6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic proposed, requires Environmental Health approval.
5. [**6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.**](#)
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** GDOT permit required.
 - c) **Utilities:** Septic system proposed, requires Environmental Health approval.
6. [**4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc. applicant.**](#)



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Flood (not future Hall County studied)
The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
North Oconee Reservoir Watershed Protection.
District doubles all stream buffers and impervious setbacks.
Show stream buffers/setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** GDOT permit required. While access to Cagle Mill Road is not proposed on the concept, it should be noted that it would not be permitted.
 - c) **Utilities:** Sewer on Cornelia Highway lift station to remain private. Developer to construct manhole on property to connect to existing manhole on HWY 365.
7. [2581 Ramsey Circle | Rezone | from Agricultural-Residential-III \(AR-III\) to Planned Residential Development \(PRD\) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 \(pt.\) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Stream buffers/impervious setbacks from wrested vegetation not centerline of stream.
 - b) **Traffic:** White Sulphur Road is under the City of Gainesville's jurisdiction; access and any required improvements must be approved and permitted through the City. Access to Ramsey Circle is proposed to be a gated emergency access only and it should be noted that this is the only type of access to Ramsey Circle that would be considered.
 - c) **Utilities:** Sewer available on White Sulphur. All lift stations to remain private.
Sewer availability letter is required.
8. [0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development \(PCD\) to Agricultural-Residential-IV \(AR-IV\) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 \(pt.\) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.](#)



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PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) **Engineering:** Further subdivisions of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than 6.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No sanitary sewer available.
9. [5741 Holiday Road | Rezone | from Highway-Business \(H-B\) to Planned Commercial Development \(PCD\) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.](#)
- a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway will need to meet Hall County commercial standards.
 - c) **Utilities:** No comments.

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, October 20, 2022 2:34 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Michael Vieira (Fire Services); John Tucker (Fire Services); Jeff Suggs (Fire Services)
Subject: Tentative Agenda 11/7 Fire Comments

10/20/22

Hall County Fire comments for Tentative Agenda **Monday, November 7, 2022** Hall County Planning Commission Meeting.

New Business

2. [3600 Maple Valley Drive | Variance | for a rear yard setback variance from 15 feet to 3 feet on a .02± acre tract located on the east side of Maple Valley Drive at its intersection with Friendship Road | Zoned R-I; Tax Parcel 15048H000001 \(pt.\) | Proposed Use: new sign monument | * Commission District 1 | Brunson & Company, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding rear yard setback variance as proposed.
3. [4319 Winder Highway | Use Subject to Planning Commission approval | on a .98± acre tract located on the east side of Winder Highway approximately 344 feet from its intersection with Strickland Road | Zoned H-B; Tax Parcel 15037B000037 | Proposed use: office & warehouse | * Commission District 1 | Genuine Mapping and Design, LLC, applicant.](#)
Hall County Fire Marshal's Office has no comments regarding office and warehouse as proposed.
4. [6580 Cleveland Highway | Amend Conditions | of a Light-Industrial \(I-I\) on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **IFC Section 507, all storage buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 903, 20,000 SF climate controlled storage building exceeds the 12,000 SF sprinkler threshold requirements and may be required to have a fire suppression system installed.**
 - 3) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**
 - 4) **Note: water will be supplied by Gainesville Water not Hall County.**
5. [6580 Cleveland Highway | Use Subject to County Commission approval | on a 8.67± acre tract located on the east side of Cleveland Highway approximately 1,712 feet from its intersection with Hub Head Road | Zoned I-I; Tax Parcel 12083 000003B | Proposed use: self-storage and boat & RV storage | ** Commission District 3 | Diane Schermerhorn, applicant.](#)
 - 1) **Same requirements as above.**
6. [4020 & 3886 Cornelia Highway and 4761 Cagle Mill Road | Rezone | from Agricultural-Residential-III \(AR-III\) & Agricultural-Residential-IV \(AR-IV\) to Heavy Industrial \(I-II\) on a 134.14± acre tract located on the south side of Cornelia Highway approximately 679 feet from its intersection with Cagle Road | Zoned AR-III & AR-IV; Tax Parcel 15007 000129, 000270, & 000027A | Proposed use: heavy industrial | ** Commission District 3 | Ridgeline Land Planning, Inc, applicant.](#)
 - 1) **IFC Section D104.1, buildings exceeding three stories or 30 feet in height shall have not fewer than two means of fire apparatus access for each structure.**
 - 2) **IFC Section D104.2, buildings having a gross building area of more than 62,000 SF shall be provided with two separate and approved fire apparatus access roads.**

- 3) IFC Section D104.3, where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - 4) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 5) IFC Section D103.4, dead end fire apparatus roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with table D103.4
 - 6) IFC Section 903.2, where required approved automatic sprinkler systems in new buildings shall be provided in the locations described in sections 903.2.1 through 903.2.12
 - 7) IFC Section 503, fire apparatus access roads shall be provided and maintained in accordance with section s 503.1.1 through 503.1.3
 - 8) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 9) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building**
7. **2581 Ramsey Circle | Rezone | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre tract located on the north side of Ramsey Circle at its intersection with White Sulphur Road; Zoned AR-III; Tax Parcel 09113 000001 (pt.) | Proposed use: 305-unit multi-family complex | ** Commission District 3 | CMWB Company, LLC, applicant.**
- 1) **IFC Section 506.1, access controlled gate(s) will require a Knox key switch override device for fire department access.**
 - 2) IFC Section D105.2, aerial apparatus access roads shall have a minimum unobstructed width of 26' exclusive of shoulders in the immediate vicinity of the building or portion thereof.
 - 3) **NFPA 13R fire protection system will be required to be installed, tested and certified.**
 - 4) **IFC Section 912, fire department connections shall be installed on each building and located no greater than 50' from a fire hydrant. Fire department connections shall be located so that the fire apparatus and hose connected to the supply system (fire hydrant) will not obstruct access to the building for other fire apparatus.**
 - 5) **NFPA 72 fire alarm system shall be installed, tested and certified throughout all apartment buildings including clubhouse.**
 - 6) **IFC Section 510, emergency responder radio coverage confirmation will apply to each building.**
8. **0 & 0 Old Winder Highway | Rezone | from Planned Commercial Development (PCD) to Agricultural-Residential-IV (AR-IV) on a 13.38± acre tract located on the west side of Old Winder Highway approximately 771 feet from its intersection with Ridgemoor Drive | Zoned PCD; Tax Parcel 15039A000003 & 000029 (pt.) | Proposed use: agricultural uses | ** Commission District 1 | Ben Baker, Baker & Summy, PC, applicant.**
- 1) **Hall County Fire Marshal's Office has no comments regarding zoning request as proposed.**
9. **5741 Holiday Road | Rezone | from Highway-Business (H-B) to Planned Commercial Development (PCD) on a 2.12± acre tract located on the east side of Holiday road at its intersection with Green Road | Zoned H-B; Tax Parcel 07329 001005 | Proposed use: boat & RV storage | ** Commission District 2 | Torris J. Babbs, PE, applicant.**
- 1) **IFC Section 507, all storage buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.**
 - 2) **IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.**

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review
Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: TORRIS J BABBS

REQUEST: REZONE FROM HB TO PCD FOR

BOAT & RV STORAGE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date: 11-07-2022

AND

Date: 12-08-2022

Time: 05:15 PM

Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **TORRIS J. BABBS**

REQUEST: **REZONE FROM HB TO PCD FOR**

BOAT & RV STORAGE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

Date: 11-07-2022

AND

COUNTY COMMISSION

Date: 12-08-2022

Time: 05:15 PM

Time: 06:00 AM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Print**Planning Commission Comments - November 7, 2022 - Submission #63199****Date Submitted: 11/6/2022**

Comments completed in the form below will be submitted into the record for the November 7, 2022 meeting of the Hall County Planning Commission.

First Name*

Bethany

Last Name*

Alberto

Address1*

5730 Holiday raod

Address2**City***

buford

State*

ga

Zip*

30518

Zoning Item for Comment*

10. 5741 Holiday Road, Torris J. Babbs, PE

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

I am concerned about this property becoming a RV/boat storage. The pollution and traffic from truck lot and car lot on same street has already become unbearable to us home owners on Green Road. Holiday road is almost a blind drive when you stop at the stop sign off of Green Road. I couldn't imagine RV and boat storage exiting on Holiday. Also, there is RV/boat storage already on Holiday that is never full. Do we really need another lot less than 500 feet away? I am also concerned about the pollution. Both the semi-truck lot and the car lot are not paved, making our neighborhood look lackluster. I just couldn't imagine there being a desire for another parking lot. If this does happen, I would love for it to be paved and traffic to come from Lanier Islands. Thank you.

Please write your comments in the box above.

File Upload No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

lake.lawns.buford@gmail.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - November 7, 2022 - Submission #63235

Date Submitted: 11/6/2022

Comments completed in the form below will be submitted into the record for the November 7, 2022 meeting of the Hall County Planning Commission.

First Name*	Last Name*
<div>Kelly</div>	<div>Jamieson</div>

Address1*

5724 Green Road

Address2

City*	State*	Zip*
<div>Buford</div>	<div>GA</div>	<div>30518</div>

Zoning Item for Comment*

10. 5741 Holiday Road, Torris J. Babbs, PE

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

There is too much commercial activity already. We have 3 new residential homes going up on the opposite side. The truckers already cause traffic and loud inconveniences. Rezoning as commercial further distracts and pulls more away from our residential atmosphere and appeal.

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Kelly.Jamieson@inveristraining.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.



AGENDA ITEM

Public Defender

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 625/2022

SUBJECT: Approve the 2023 Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: HBM

Recommendation:

Move to approve the 2023 IGA between Hall and Dawson County

Purpose of Request:

Request for approval of the intergovernmental agreement between Hall and Dawson County.

History:

Dawson County has contracted with Hall County since the Public Defender Office's commencement of operation on January 1, 2005 to share the cost of two employees equally. The employees are Hall County employees, and pursuant to the Intergovernmental Agreement ("IGA"), Dawson County reimburses Hall County for one-half of the cost of employment as set forth on Attachment A to the IGA

Facts and Issues:

The expense required to fund the IGA has been requested and approved in the 2023 budget. The IGA renews the agreement between Dawson County and Hall County for the new Fiscal and Calendar Year 2023.

Options:

Approval of IGA — this will cause reimbursement of 50% of two positions including cost of employment.

Funding Requested

\$ 0.00

Are funds within current budget?

Yes

Source of Funds

Salaries Budget

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-12-31

Approvals:

Submit	Approve	Budget	Finance
IC	BM	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Contract



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 625/2022

Funds Requested: \$ 0.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Salaries Budget

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	001 - GENERAL	161 - PUBLIC DEFENDER/INDG DEF	3740 - INTER-GOV. REIMBURSEMENT	\$-50,960.50
2024	001 - GENERAL	161 - PUBLIC DEFENDER/INDG DEF	3740 - INTER-GOV. REIMBURSEMENT	\$-50,960.50

Budget Transfer Items:

Additional Information/Comments:

This is a revenue item billed quarterly to Dawson County.

Contact for Questions: HBM

Phone:

770-718-5523

**INTERGOVERNMENTAL AGREEMENT
PUBLIC DEFENDER SERVICES**

This Intergovernmental Agreement is hereby made and entered into by and between the Board of Commissioners of Dawson County, the governing authority of Dawson County, and the Board of Commissioners of Hall County, the governing authority of Hall County, as follows:

WHEREAS, Hall County and Dawson County comprise the Northeastern Judicial Circuit;
and

WHEREAS, Dawson County has agreed to pay 50% of the personnel costs for an Assistant Public Defender I and an Investigator listed within "Attachment A" of a certain agreement between Dawson County and the circuit public defender office of the Northeastern Judicial Circuit, which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, the parties hereto hereby agree that Dawson County shall pay to Hall County the sum of \$101,921.45 in four (4) equal quarterly installments of \$25,480.36 beginning March 31, 2023 (for the 1st quarter of 2023) and continuing through the end of each quarter of 2023 until one-half of the personnel costs for an Assistant Public Defender I and an Investigator are paid.

This _____ day of _____, 2022.

DAWSON COUNTY, GEORGIA

ATTEST:

BY: _____
Billy Thurmond, Chairman
Dawson County Board of Commissioners

Kristen Cloud, County Clerk

HALL COUNTY, GEORGIA

ATTEST:

BY: _____
Richard Higgins, Chairman
Hall County Board of Commissioners

Lisa Ritchie, County Clerk

**ATTACHMENT A TO INTERGOVERNMENTAL AGREEMENT
BETWEEN
HALL AND DAWSON COUNTIES**

	Salaries	Health Ins.	Life Ins.	Retirement	FICA	Workers Comp.	TOTAL
Assist. Public Defender I	\$ 97,854.12	\$ 19,368.12	\$ 264.96	\$ 7,828.33	\$ 7485.84	\$ 969.90	\$ 133,771.27
Investigator	\$ 62,702.12	\$ - 224.04	\$ 124.80	\$ 1,254.04	\$ 4,796.71	\$ 969.90	\$ 70,071.62
TOTAL							\$ 203,842.89
HALF COST FOR DAWSON							\$ 101,921.45

4 quarterly installments :

\$ 25,480.36



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 614/2022

SUBJECT: Approve the single source purchase of Permit Modifications and Cell Construction Design Documents at the Candler Road Landfill for Public Works & Utilities from Burns & McDonnell of Atlanta, GA, in the amount of \$347,000.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation:
Burns & McDonnell of Atlanta, GA

Purpose of Request:

Approve the single source purchase of Permit Modifications and Cell Construction Design Documents at the Candler Road Landfill to Burns & McDonnell of Atlanta, GA in the amount of \$347,000.00. As part of the Solid Waste Master Plan, recommendations were made on the next steps to address airspace volume at Candler Creek Landfill which will require minor permit modification to ensure that airspace capacity volume does not run out in the next phases of the landfill's cell 3 development and prepare design drawings for the implementation and construction of the new landfill cell 3. As well as continue the previous discussion with EPD regulators on requirements for expanding the closed Allen Creek Landfill.

History:

The existing solid waste permit was submitted in 1995 for two phases of the Landfill. Phase 1 is the eastern waste body that is approximately 26 acres divided across four cells. Phase 1 has used all of its permitted airspace and is no longer active, but has yet to receive a final capping system.

Facts and Issues:

Options:

Based on discussions with EPD, a major permit modification for the Phase 2 Cell 2 Stormwater Bench and Drainage Regrading and Redesign would require a minimum of 24 months for approval, therefore the shorter minor permit modification timeline for cell 3 is preferred.

Failure to proceed with the modification and design of cell 3 in a timely manner could result in a lack of available airspace once the current cell is closed.

Funding Requested	\$ 347,000.00
Are funds within current budget?	Yes
Source of Funds	Landfill
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2022-11-21

Approvals:

Buyer	Submit	Approve	Purchasing
AP	BN	BN	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
Contractor's Proposal
single source justification form
EXHIBIT A - SCOPE OF SERVICES



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 614/2022

Funds Requested: \$ 347,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Landfill

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	010 - LANDFILL	134 - LANDFILL	5009 - INFRASTRUCTURE	\$347,000.00

Budget Transfer Items:

Additional Information/Comments:

Jason Skarda 770 531-6800 Bobby Purdum 770 535-8284 Srikanth Yamala 770 531-6800

Contact for Questions: BN

Phone: 678-780-6843



November 16, 2022

Mr. Bill Nash
Assistant Director of Public Works
Hall County, Georgia
2875 Browns Bridge Road #3
Gainesville, Georgia 30504

Re: Proposal for Phase 2 Permit Modifications and Cell Construction Design Documents at the Candler Road Landfill Facility and Allen Creek Landfill Facility Professional Services

Dear Mr. Nash,

Burns & McDonnell Engineering Company, Inc. [hereinafter CONSULTANT] is pleased to provide this professional services proposal for your review and consideration. We appreciate the opportunity to propose on this work.

PROJECT

Hall County Georgia. [hereinafter CLIENT] is responsible for the operation of the Hall County Candler Road Landfill (Landfill) under Georgia Environmental Protection Division (EPD) permit 069-015D(MSWL).

The existing solid waste permit was submitted in 1995 for two phases of the Landfill. Phase 1 is the eastern waste body that is approximately 26 acres divided across four cells. Phase 1 has used all of its permitted airspace and is no longer active, but has yet to receive a final capping system.

Phase 2 is the western waste body that is approximately 68 acres divided across five cells. The current active area of the Landfill is in Cell 2 of Phase 2 which is expected to reach its designed airspace within the next two years. Cell 3 of Phase 2 will add approximately 14 to 16 months of airspace for operations. The existing permit design of Cells 3, 4 and 5 is based on the initial permit drawings from 1995. Updates to the cells phases or liner design would constitute a minor permit modification with the Georgia EPD. Existing cell footprints were designed with the lower waste acceptance rates during the initial permitting process. Due to the increased waste acceptance, updates to cell construction phasing are required to improve cell construction timing and airspace availability.

The existing permitted stormwater drainage design for Phase 2 requires stormwater drainage benches every 20 vertical feet of the final grading. Prior to construction of future landfill cells, the CLIENT has requested to investigate modification options to the permitted stormwater bench spacing or adding tack on berms to create additional airspace for landfiling operations. Modifications to the landfill cell stormwater grading will constitute a major permit modification with the Georgia EPD.

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CLIENT has requested CONSULTANT to prepare a professional services proposal to submit permit modifications and design drawings for the Landfill's Phase 2 cells 3 and 4 as detailed in the following sections.

In addition to the Candler Road Landfill, the CLIENT owns the Allen Creek Landfill (Allen Creek) which is an unlined landfill currently in post-closure since 1997. CLIENT has begun the review of regulatory requirements and financial impacts for remediating Allen Creek through mining and clean closure into a new landfill cell constructed on the same site as the existing Allen Creek Landfill. CLIENT has requested CONSULTANT to prepare a professional services proposal to help prepare the financial and regulatory requirements to start designs and planning for the new Landfill.

SCOPE OF SERVICES

Task 1 – Minor Permit Modification for Phasing and liner design

CONSULTANT will prepare the Georgia EPD Solid Waste Minor Permit Modification Application package for the Landfill to adjust the existing construction phasing of Phase 2. Phasing shall be adjusted to prioritize air space availability and life during the next cell construction more than is expected from the existing Cell 3. As part of the adjustment to the construction phasing the CONSULTANT will investigate changes to the following:

1. Leachate collection system
2. Stormwater drainage
3. Internal berms
4. Liner profile and design
5. Cell phasing
6. Minor base grading alternatives

CONSULTANT proposes the following services to complete the minor permit modification:

1. Prepare and update Phase 2 Cell leachate collection drawings, grading plans and liner profiles
2. Perform updated Hydrologic Evaluation of Landfill Performance (HELP) Model and leachate sewer calculations corresponding to the changes planned for new cell
3. Prepare the Georgia EPD required application forms in accordance with EPD guidelines and solid waste permit 069-015D(MSWL).

As part of the Minor Permit Modification, CONSULTANT shall submit a DRAFT application and updated drawings to the CLIENT for review and comments prior to submission to the Georgia EPD. CONSULTANT will lead a design meeting to discuss CLIENT'S comments.

The Task 1 budget estimate includes 76 professional hours to respond to comments from the Georgia EPD; however, this is not a guaranteed maximum. An amendment will be prepared to address the cost for responding to comments if effort exceeds the estimate.

Task 2A – Phase 2 New Cell Pre-Design Services

The pre-design phase services include the following subtasks:

1. CONSULTANT will retain a Georgia licensed surveyor to conduct a topographic survey of the entire Phase 2 waste body and expansion cells.
2. CONSULTANT will conduct a test pit investigation for the purposes of characterizing subsurface materials, obtaining project design information, and determining the groundwater conditions beneath Cells 3 and 4. CONSULTANT will request CLIENT's landfill personnel make localized cuts and/or grade ground surface as necessary prior to mobilization for investigation to allow for test pit field activities. CONSULTANT will request CLIENT's on-site operator to excavate approximately twelve (12) test pits within the project area to allow for characterization of subsurface materials, identification of piedmont soils and bedrock interface, and measurement of the uppermost apparent groundwater levels. Samples will be tested for proctor moisture and density, particle size, soil classification, Atterberg limits and permeability.

Task 2B – Phase 2 Cell Construction Issue for Bid Design Documents

Using the permit modification design, the CONSULTANT will create new construction documents for a new landfill cell.

The Bid Design Documents services include the following:

1. CONSULTANT will prepare drawings, specifications bid documents for the Phase 2 new cell construction activities. The construction documents will be based on the existing permit drawings and updated drawings from the minor permit modification. CONSULTANT will submit 90% design documents to CLIENT for review. After CLIENT review, CONSULTANT will conduct an in-person design meeting to discuss design changes and CLIENT comments. CONSULTANT will incorporate all applicable comments into a final Issued for Bid (IFB) package.
 - a. Anticipated construction drawings include:
 - i. Cover-Index
 - ii. General Notes, Legend, and Abbreviations (Two Sheets)
 - iii. Existing Conditions and Construction Laydown Areas
 - iv. Cell Base Grading Plan and Under Liner Drainage
 - v. Cell Base Grading Plan and Under Liner
 - vi. Cell Under Liner Drainage Profile
 - vii. Cell Leachate Collection System
 - viii. Cross Sections (Two Sheets)
 - ix. Erosion and Sediment Control Plan
 - x. Construction Details (Three to Four sheets)

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- b. Anticipated specifications include:
 - i. Contractual front-end documents: Invitation to bid, Bidder's Qualifications Statement, Instruction to Bidders, Bid Form (Lump Sum with Unit Price Adjustment), Agreement Between Owner and Contractor, Notice of Award, Notice to Proceed, Performance Bond, Labor and Material Payment Bond, and General Conditions.
 - ii. General Project Requirements: Summary of Work, Project Coordination and Meetings, Submittals, Definitions and Standards, Field Offices and Sheds, Temporary Barriers and Controls, Temporary Utilities and Facilities, Equipment and Materials, Construction Layout and Surveying, Safety and Emergency Response, Contract Closeout, and Warranties.
 - iii. Project Technical Specifications: Geotextile, Geocomposite, Geomembrane Liner (FML), Site Preparation and Earthworks, Compacted Soil Liner, Pre-Cast Concrete, and HDPE pipework.
2. CONSULTANT will prepare an opinion of probable construction costs for the bid package.

The estimated budget is not a guaranteed maximum based on potential changes for the minor permit modification. An amendment will be prepared to address the cost for responding to comments if it exceeds the assumed value.

Task 3 – Major Permit Modification Feasibility Review of Phase 2 Cell 2 Stormwater Bench Regrading

Based on EPD discussion, a major permit modification for the Phase 2 Cell 2 Stormwater Bench and Drainage Regrading and Redesign would require a minimum of 24 months for approval. Upgrades to the 20 ft vertical spacings on the stormwater benches likely require tack on berms instead of regrading the waste terraces. Prior to starting the process of creating a major permit modification application, the CONSULTANT shall create a feasibility estimate for the cost and benefit of adjustments to final grading including:

- 1. Regrading all existing and future berms such that waste terraces are at 50-ft vertical spacings with intermediate tack on berms.
- 2. Only regrading future berms across the eastern half of Phase 2 with larger vertical spacing and tack on berms.
- 3. Potential for vertical expansions.
- 4. Preliminary soil loss calculations of alternate berm and/or terrace spacings.

The feasibility review will include the estimated additional airspace gained for each regrading option as well an estimate of probable construction costs.



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Task 4 – Bid Administration Support

CONSULTANT will provide bidding services, including answering bidders' questions, facilitating and attending one on-site pre-bid meeting, issuing required addenda, and assisting the CLIENT with contractor selection.

Task 5 – Financial Analysis Support for Allen Creek Landfill

CONSULTANT will provide professional consulting services and financial review of the estimates of probable costs of the Allen Creek Landfill remediation and new landfill construction.

CONSULTANT has included 40 hours of professional services for this task.

Task 6 – Meetings with Regulators for Allen Creek Landfill

CONSULTANT shall contact Georgia Department of Natural Resources (DNR) to discuss the impacts of seeking a new solid waste permit and the agency's understanding of the siting rules limiting solid waste permits within a 2-mile radius of the new Allen Creek Landfill.

CONSULTANT shall organize a virtual meeting with DNR to discuss the potential siting variance of Allen Creek.

CONSULTANT shall also begin discussions with Georgia EPD to discuss the agency's requirements for the new solid waste permit and remediation plan.

CONSULTANT has included 90 hours of professional services for this task.

ASSUMPTIONS

Scope of Work and Compensation to complete this work has been created under the following assumptions:

- A. CLIENT shall provide all existing drawings in all electronic formats available.
- B. CLIENT shall provide groundwater level data for Landfill.
- C. CLIENT shall provide access to the Site as needed during the project.
- D. Phase 2 cell construction design documents shall be produced simultaneously with the Phase 2 Cell 2 minor permit modification documents.
- E. For Bid Administration Support (Task 4) a total of 48 professional hours have been assumed. Actual hours may vary based on number of Contractor inquiries and number of addenda that are required. CONSULTANT will notify CLIENT if additional hours are required.
- F. Preparation of a construction SWPPP has not been included in the design.
- G. Geotechnical analysis is not included in the scope of work.
- H. It is assumed construction administration services will be amended into this agreement upon award of construction contract.



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- I. Effort associated with Task 5 and Task 6 are for professional on-call consulting services and does not include any specific deliverables, i.e. engineering design or permit applications, to CLIENT or regulatory agencies.
- J. For Task 5 and 6, CONSULTANT has included budget and effort for one virtual meeting with DNR. Additional meetings may be required. Effort beyond the estimated professional services hours referenced above would be subject to additional budget.

SCHEDULE

The following schedule is anticipated for this project assuming a contract execution date of December 9, 2022. Actual dates will depend on CLIENT review times, and response time from the EPD with regards to the minor and major permit modifications.

Task 1:	Minor Permit Modification, Phase 2 Cell 3 and 4	Dec. – Feb. 2022
Task 2:	Phase 2 Cell Design Services	Dec. – Feb. 2022
Task 3:	Major Permit Modification Phase 2, Cell 2	March – May 2023
Task 4:	Bid Administration Support	May – June 2023
Task 5:	Financial Analysis and Support for Allen Creek	On Call
Task 6:	Meetings with Regulators for Allen Creek Landfill	On Call

COMPENSATION

CLIENT agrees to the Scope of Services Task 1 through Task 6 described herein, and CLIENT shall pay CONSULTANT on a time and materials basis as per the attached rate sheet not to exceed a total of \$347,000 without client authorization as outlined in the cost breakdown presented below.

Task 1:	Minor Permit Modification, Phase 2 Cell 3 and 4	\$91,000
Task 2:	Phase 2 Cell Design Services	\$153,000
Task 3:	Major Permit Modification Phase 2, Cell 2	\$59,000
Task 4:	Bid Administration Support	\$14,000
Task 5:	Financial Analysis and Support for Allen Creek	\$10,500
Task 6:	Meetings with Regulators for Allen Creek Landfill	\$19,500
Total		\$347,000

Invoice Statements:

Statements will be submitted by CONSULTANT to CLIENT on a monthly basis or as tasks are completed. Statements will be based on CONSULTANT's estimated percent of services completed at the end of the preceding month.



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TERMS AND CONDITIONS

The Terms and Conditions for Professional Services, AE-4 T&C Environmental_REV2021 dated June 25, 2021 is incorporated and made a part of this Agreement.

We appreciate the opportunity to present this proposal. If it is acceptable, please sign and return one copy of the proposal and the attached Terms and Conditions for Professional Services for our file.

Sincerely,
BURNS & McDONNELL ENGINEERING COMPANY, INC.

A handwritten signature in black ink, appearing to read 'Matthew Evans'.

Matthew Evans, P.E.
Project Manager
Environmental Services

A handwritten signature in black ink, appearing to read 'Spencer Cronin'.

Spencer Cronin
Regional Manager
Environmental Services

Enclosures:
Terms and Conditions for Professional Services
Schedule of Hourly Professional Services Billing Rates

cc: Bryan Weldon, Burns & McDonnell

ACCEPTED:

Hall County, Georgia

By _____

Title _____

Date _____



TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES

Project: Hall County Candler Road Landfill Permit Modification and Cell Design	Date of Letter, Proposal, or Agreement: 9/21/2022
Client:	Client Signature:

1. SCOPE OF SERVICES

For the above-referenced Project, Burns & McDonnell Engineering Company, Inc. (BMcD) will perform the services set forth in the above-referenced Letter, Proposal, or Agreement in accordance with these Terms and Conditions. BMcD has relied upon the information provided by Client in the preparation of the Proposal, and shall rely on the information provided by or through Client during the execution of this Project as complete and accurate without independent verification.

2. PAYMENTS TO BMcD

A. Compensation will be as stated in the above-referenced Letter, Proposal, or Agreement. Statements will be in BMcD's standard format and are payable upon receipt. Time is of the essence in payment of statements, and timely payment is a material part of the consideration of this Agreement. A late payment charge will be added to all amounts not paid within 30 days of statement date and shall be calculated at 1.5 percent per month from statement date. Client shall reimburse any costs incurred by BMcD in collecting any delinquent amount, including reasonable attorney's fees. If a portion of BMcD's statement is disputed, Client shall pay the undisputed portion by the due date. Client shall advise BMcD in writing of the basis for any disputed portion of any statement.

B. Taxes as may be imposed on professional consulting services by state or local authorities shall be in addition to the payment stated in the above-referenced Letter, Proposal, or Agreement.

3. INSURANCE

A. During the course of performance of its services, BMcD will maintain Worker's Compensation insurance with limits as required by statute, Employer's Liability insurance with limits of \$1,000,000, Commercial General Liability with limits of \$1,000,000 per occurrence and \$2,000,000 general aggregate, and Automobile Liability insurance with combined single limit of \$1,000,000 per accident.

B. If the Project involves on-site construction, construction contractors shall be required to provide (or Client may provide) Owner's Protective Liability Insurance naming Client as a Named Insured and BMcD as an Additional Insured or to endorse Client and BMcD using ISO forms CG 20 10 0704 & CG 20 37 0704 endorsements or their equivalents as Additional Insureds on all construction contractor's liability insurance policies covering claims for personal injuries and property damage in at least the amounts required of BMcD in 3A above. Construction contractors shall be required to provide certificates evidencing such insurance to Client and BMcD. Contractor's compensation shall include the cost of such insurance including coverage for contractual and indemnification obligations herein.

C. Client and BMcD release each other and waive all rights of subrogation against each other and their officers, directors, agents, or employees for damage covered by property insurance and self-insurance during and after the completion of BMcD's services. A provision similar to this shall be incorporated into all construction contracts entered into by Client, and all construction contractors shall be required to provide additional insured coverage and waivers of subrogation in favor of Client and BMcD for damage covered by any construction contractor's policies of insurance.

4. INDEMNIFICATION

A. To the extent allowed by law, Client will require all construction contractors to indemnify, defend, and hold harmless Client and BMcD from any and all loss where loss is caused or alleged to be caused in whole or in part by the construction contractors, their employees, agents, subcontractors or suppliers.

B. If this Project involves construction and BMcD does not provide consulting services during construction including, but not limited to, on-site monitoring, site visits, site observation, shop drawing review, and/or design clarifications, Client agrees to indemnify and hold harmless BMcD from any liability arising from this Project or Agreement, except to the extent caused by BMcD's negligence.

5. PROFESSIONAL RESPONSIBILITY- LIMITATION OF REMEDIES

A. BMcD will exercise reasonable skill, care, and diligence in the performance of its services and will carry out its responsibilities in accordance with customarily accepted professional practices. If BMcD fails to meet the foregoing standard, BMcD will perform at its own cost, the professional services necessary to correct errors and omissions reported to BMcD in writing within one year from the completion of BMcD's services for the Project. No warranty, express or implied, is included in this Agreement or regarding any drawing, specification, or other work product or instrument of service.

B. In no event will BMcD be liable for any special, indirect, or consequential damages including, without limitation, damages or losses in the nature of increased Project costs, loss of revenue or profit, lost production, claims by customers of Client, and/or governmental fines or penalties.

C. BMcD's aggregate liability for all damages connected with its services for the Project not excluded by the preceding subparagraph, whether or not covered by BMcD's insurance, will not exceed \$100,000.

D. These mutually negotiated obligations and remedies stated in this Paragraph 5, Professional Responsibility – Limitation of Remedies, are the sole and exclusive obligations of BMcD and remedies of Client, whether liability of BMcD is based on contract, warranty, strict liability, tort (including negligence), indemnity, or otherwise.

6. PERIOD OF SERVICE AND SCHEDULE

The provisions of this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the services stated in the Proposal. BMcD's obligation to render services hereunder will extend for a period that may reasonably be required for the completion of said services. BMcD shall make reasonable efforts to comply with deliverable schedules (if any) and consistent with BMcD's professional responsibility.

7. COMPUTER PROGRAMS OR MODELS

Any use, development, modification, or integration by BMcD of computer models or programs does not constitute ownership or a license to Client to use or modify such computer models or programs.

8. ELECTRONIC MEDIA AND DATA TRANSMISSIONS

A. Any electronic media (computer disks, tapes, etc.) or data transmissions furnished (including Project Web Sites or CAD file transmissions) are for Client information and convenience only. Such media or transmissions are not to be considered part of BMcD's instruments of service. BMcD, at its option, may remove all indicia of its ownership and involvement from each electronic display.

B. BMcD shall not be liable for loss or damage directly or indirectly, arising out of Client's use of electronic media or data transmissions.

9. DOCUMENTS

A. All documents prepared by BMcD pursuant to this Agreement are instruments of service in respect of the Project specified herein. They are not intended or represented to be suitable for reuse by Client or others in extensions of the Project beyond that now contemplated or on any other Project. Any reuse, extension, or completion by Client or

others without written verification, adaptation, and permission by BMcD for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to BMcD.

B. In the event that BMcD is to reuse, copy or adapt all or portions of reports, plans, or specifications prepared by others, Client represents that Client either possesses or will obtain permission and necessary rights in copyright, patents, or other proprietary rights and will be responsible for any infringement claims by others. Client warrants the completeness, accuracy, and efficacy of the information, data, and design provided by or through Client (including prepared for Client by others), for which BMcD shall rely on to perform and complete its services.

10. ESTIMATES, SCHEDULES, FORECASTS, AND PROJECTIONS

Estimates, schedules, forecasts, and projections prepared by BMcD relating to loads, interest rates and other financial analysis parameters, construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are opinions based on BMcD's experience, qualifications, and judgment as a professional. Since BMcD has no control over weather, cost and availability of labor, cost and availability of material and equipment, cost of fuel or other utilities, labor productivity, construction contractor's procedures and methods, unavoidable delays, construction contractor's methods of determining prices, economic conditions, government regulations and laws (including the interpretation thereof), competitive bidding or market conditions, and other factors affecting such estimates or projections, BMcD does not guarantee that actual rates, costs, quantities, performance, schedules, etc., will not vary significantly from estimates and projections prepared by BMcD.

11. POLLUTION

In view of the uncertainty involved in investigating and recommending solutions to environmental problems and the abnormal degree of risk of claims imposed upon BMcD in performing such services, notwithstanding the responsibility of BMcD set forth in Paragraph 5A to the maximum extent allowed by law, Client agrees to release, defend, indemnify and hold harmless BMcD and its officers, directors, employees, agents, consultants and subcontractors from all liability, claims, demands, damages, losses, and expenses including, but not limited to, claims of Client and other persons and organizations, reasonable fees and expenses of attorneys and consultants, and court costs, except where there has been a final adjudication that the damages were caused by BMcD's willful disregard of its obligations under this Agreement. Such indemnification includes claims arising out of, or in any way relating to, the actual, alleged, or threatened dispersal, escape, or release of, or failure to detect or contain, chemicals, wastes, liquids, gases, or any other material, irritant, contaminant, or pollutant.

Hazardous Substances: Any substances, chemicals, pollutants, explosive ordinances, or other materials, in whatever form or state, including, without limitation, product, waste, contaminant, smoke, vapors, soot, fumes, acids, alkalis, minerals, liquids, gases, or any other material, irritant, contaminant, or pollutant, that is known or suspected to adversely affect the health and safety of humans or of animal or plant organisms, or which are known or suspected to impair the environment in any way whatsoever including, without limitation, those substances defined, designated, or listed in the Clean Water Act (33 U.S.C. §1251 et seq.), Clean Air Act (42 U.S.C. §7401 et seq.), Emergency Planning & Community Right-to-Know Act (42 U.S.C. §11001 et seq.), Resource Conservation and Recovery Act ("RCRA") (42 U.S.C. §6901 et seq.), Toxic Substances Control Act (15 U.S.C. §2601 et seq.), Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") (42 U.S.C. §9601 et seq.), or as defined, designated, or listed under any other federal, state, or local law, regulation, or ordinance concerning hazardous substances, toxic or dangerous substances, chemicals, wastes, pollutants, contaminants, or explosive ordinances.

Company and Contractor acknowledge and understand that Company shall retain ownership of and title to any Hazardous Substances originating at, found on, brought to, removed from, or generated from the project site or operations on the premises. The parties agree that such Hazardous Substances, including substances designated as waste, were not caused by and are not the responsibility of Contractor; and that this Agreement, or any documents associated with this

Agreement, do not attempt to nor do they actually transfer responsibility, liability, or ownership for Hazardous Substances to Contractor. Under no circumstances shall Contractor assume ownership of or legal liability for such Hazardous Substances under any law, rule, order, or regulation pertaining to Hazardous Substances, or assume the status of generator, transporter, storer, treater, or disposal facility, or arranger of transport, storage, or disposal, for Hazardous Substances. Company further acknowledges and agrees that the evaluation, management, and other decisions, conclusions, recommendations, or other actions involving Hazardous Substances that may be undertaken as part of Contractor's services, entail uncertainty and risk of injury or damage to property, including that to third-parties, which cannot be always avoided even with compliance of generally accepted Standard Industry Practice.

12. ON-SITE SERVICES

A. Project site visits by BMcD during investigation, observation, construction or equipment installation, or the furnishing of Project representatives shall not make BMcD responsible for construction means, methods, techniques, sequences, or procedures; for construction safety precautions or programs; or for any construction contractor(s)' failure to perform its work in accordance with the contract documents.

B. Client shall disclose to BMcD the location and types of any known or suspected toxic, hazardous, or chemical materials or wastes existing on or near the premises upon which work is to be performed by BMcD's employees or subcontractors. If any hazardous wastes not identified by Client are discovered after a Project is undertaken, Client and BMcD agree that the scope of services, schedule, and compensation may be adjusted accordingly. Client agrees to release BMcD from all damages related to any pre-existing pollutant, contaminant, toxic, or hazardous substance at the site.

13. CHANGES

Client shall have the right to make changes within the general scope of BMcD's services, with an appropriate change in compensation and schedule, upon execution of a mutually acceptable amendment or change order signed by authorized representatives of Client and BMcD.

14. TERMINATION

Services may be terminated by Client or BMcD by seven (7) days' written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If so terminated, Client shall pay BMcD all amounts due BMcD for all services properly rendered and expenses incurred to the date of receipt of notice of termination, plus reasonable costs incurred by BMcD in terminating the services. In addition, Client may terminate the services for Client's convenience upon payment of twenty percent of the yet unearned and unpaid estimated, lump sum, or not-to-exceed fee, as applicable.

15. DISPUTES, NEGOTIATIONS, MEDIATION

A. If a dispute arises relating to the performance of the services to be provided and, should that dispute result in litigation, it is agreed that the substantially prevailing party (as determined in equity by the court) shall be entitled to recover all reasonable costs of litigation, including staff time, court costs, attorney's fees and other related expenses.

B. The parties shall participate in good faith negotiations to resolve any and all disputes. Should negotiations fail, the parties agree to submit to and participate in a third party-facilitated mediation as a condition precedent to resolution by litigation. Unless otherwise agreed to, mediation shall be conducted under the rules of the American Arbitration Association and shall be held in Kansas City, Missouri.

C. The parties agree that any dispute between them, including any action against an officer, director or employee of a party, arising out of or related to this Agreement, whether in contract or tort, not resolved through direct negotiation and mediation, shall be resolved by litigation in the state or federal courts located in Jackson County, Missouri, and each party expressly consents to jurisdiction therein. Any litigation to compel or enforce, or otherwise affect the mediation shall be in state or federal courts located in Jackson County, Missouri, and each party expressly consents to jurisdiction therein.

D. Causes of action between the parties shall accrue, and applicable statutes of limitation shall commence to run the date BMcD's services are substantially complete.

16. WITNESS FEES

A. BMcD's employees shall not be retained as expert witnesses, except by separate written agreement.

B. Client agrees to pay BMcD pursuant to BMcD's then current schedule of hourly labor billing rates for time spent by any employee of BMcD responding to any subpoena by any party in any dispute as an occurrence witness or to assemble and produce documents resulting from BMcD's services under this Agreement..

17. CONTROLLING LAW

This Agreement shall be subject to, interpreted and enforced according to the laws of the State of Missouri without regard to any conflicts of law provisions.

18. RIGHTS AND BENEFITS – NO ASSIGNMENT

BMcD's services will be performed solely for the benefit of Client and not for the benefit of any other persons or entities. Neither Client nor BMcD shall assign or transfer interest in this Agreement without the written consent of the other.

19. ENTIRE CONTRACT

These Terms and Conditions and the above-referenced Letter, Proposal, or Agreement contain the entire agreement between BMcD and Client relative to BMcD's services for the Project herein. All previous or contemporaneous agreements, representations, promises, and conditions relating to BMcD's services for the Project are superseded. Since terms contained in purchase orders do not generally apply to professional services, in the event Client issues to BMcD a purchase order, no preprinted terms thereon shall become part of this Agreement. Said purchase order documents, whether or not signed by BMcD, shall be considered only as an internal document of Client to facilitate administrative requirements of Client's operations.

20. SEVERABILITY

Any unenforceable provision herein shall be amended to the extent necessary to make it enforceable; if not possible, it shall be deleted and all other provisions shall remain in full force and affect.

21. REPORTING

A. BMcD will provide Client with a written report ("Report") if required as part of the scope of services. The Report will present such findings and conclusions respecting the Site as BMcD may reasonably make with the information gathered in accordance with this Agreement. The Report shall be based only upon BMcD's observations made in the performance of the scope of services agreed upon in writing.

B. In preparing the Report, BMcD may review and interpret certain information provided by subconsultants and others, including government authorities, title companies, testing laboratories and other entities. BMcD will not independently evaluate the accuracy or completeness of such information, and shall not be responsible for any errors or omissions contained in such information.

C. BMcD's Report is intended for the exclusive use of Client. There may be no further distribution of the Report, in whole or in part, or summaries or abstracts thereof, without the written consent of an officer of the BMcD. Any reuse, transmittal, or use of without written verification, approval, or adaptation by BMcD for the specific purpose intended is prohibited and will be at Client's sole risk and without liability or legal exposure to BMcD or to BMcD's subcontractors, and Client shall waive, release, and otherwise defend, indemnify, and hold harmless BMcD and BMcD's subcontractors from and against all claims, damages, losses, and expenses, including attorneys' fees arising out of or resulting therefrom, to the fullest extent permissible by law. Any such verification or adaptation will entitle BMcD to further compensation at rates to be agreed upon by Client and BMcD.

22. SITE INFORMATION

In addition to providing the information relating to the site listed in the Proposal, Client shall provide the following:

A. The location of utilities, underground tanks, and other structures and the routing thereof at the site;

B. A description of activities conducted at the site at any time by the Client or by any other person or entity; and

C. Identification, by name, quantity, location, and date, of any storage, release or handling of any substance Client either knows or suspects is hazardous.

23. CONTROL OF SITE

By providing services under this Agreement, BMcD does not assume control of or responsibility for the site or become the person in charge of the site or undertake responsibility for reporting to any federal, state or local public agency respecting conditions at the site that may present a potential danger to public health, safety or the environment. Further, nothing contained within this Agreement or the services to be rendered thereunder shall be construed or interpreted as requiring BMcD to assume the status of a generator, storer, transporter, treater, operator or disposal facility as those terms may appear within federal, state or local laws, statutes, ordinances, or regulations concerning the generation, transportation, treatment, storage and disposal of waste. Client assumes full responsibility for compliance with all federal, state or local laws, statutes, ordinances and regulations governing the handling, treatment, storage and disposal of such waste.

24. SITE ACCESS

Client shall obtain for BMcD access to the site and all buildings thereon at reasonable times throughout performance of this Agreement. BMcD will take reasonable precautions to minimize damage to the site from use of equipment, but unavoidable damage or alteration may occur. Client agrees to assume responsibility for such unavoidable damage or alteration.

25. CERTIFICATION

Certification by BMcD of test results or reports constitute a statement of the professional judgment of BMcD based on the facts and data known to BMcD. Certification or other "assurances" are not guarantees or warranties concerning current or future considerations or performance of the facilities surveyed, or that Client or others will be entitled to any innocent land owner or purchaser defenses which may be available under applicable environmental laws including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended.

- END -

Schedule of Hourly Professional Service Billing Rates

Position Classification	Classification Level	Hourly Billing Rate
General Office*	5	\$65.00
Technician*	6	\$83.00
Assistant*	7	\$99.00
	8	\$134.00
	9	\$161.00
Staff*	10	\$183.00
	11	\$202.00
Senior	12	\$223.00
	13	\$246.00
Associate	14	\$254.00
	15	\$256.00

Notes

- Position classifications listed above refer to the firm's internal classification system for employee compensation. For example, "Associate", "Senior", etc., refer to such positions as "Associate Engineer", "Senior Architect", etc.
- For outside expenses incurred by Burns & McDonnell, such as authorized travel and subsistence, and for services rendered by others such as subcontractors, the client shall pay the cost to Burns & McDonnell plus 7%.
- Monthly invoices will be submitted for payment covering services and expenses during the preceding month. Invoices are due upon receipt. A late payment charge of 1.5% per month will be added to all amounts not paid within 30 days of the invoice date.
- Contractor may engage temporary staffing agencies or obtain assistance from its affiliates and subsidiaries including, without limitation, Burns & McDonnell Canada Ltd., Burns & McDonnell International Inc., and Burns & McDonnell India Pvt. Ltd. ("Labor Sources") to fulfill Contractor's performance obligations under this Agreement. The parties agree that contracts, purchase orders, or similar agreements between Contractor and any Labor Sources are not subcontracts as that term is used in this Agreement, and personnel from such Labor Sources shall be billed according to the applicable rate sheet for the Scope of Work as if such personnel is a direct hire employee. Personnel from Labor Sources shall be considered agents of Contractor and able to act on behalf of Contractor within the scope of the authority granted such personnel according to job function and billing classification.
- The rates shown above are effective for services through December 31, 2022 and are subject to revision thereafter. Annual rate increases will be limited to a maximum of 4%.



Sole Source/Brand and Single Source Justification

Request Submitted By

Name:	Bill Nash
Job Title:	Assistant Director
Department:	Public Works and Utilites
E-Mail Address:	bnash@hallcounty.org
Date of Request:	11/11/2022

Request Details

Sole Source: Any contract entered into without a competitive solicitation process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements of the County.

Sole Brand: A purchasing situation in which only one brand of equipment/supply, etc. will meet the requirements of the County.

Single Source: Any contract entered into without a competitive solicitation process, based on a justification that two or more vendors can supply the commodity, technology, and/or perform the services required by an agency, but one vendor is selected over the others for reasons such as expertise or previous experience with similar contracts.

For Sole Source or Sole Brand, identify efforts made to locate other possible sources.

We are requesting that Burns & McDonnell be considered a single source based on their in-depth experience and in-depth understanding of Hall County Landfills.

Desired Supplier Name: Burns & McDonnell

Desired Supplier Email: maevans@burnsmcd.com

Desired Supplier Phone Number: 612 240-2094

Scope of Work

Provide a detailed description of commodities/services to be provided. Also, include the following details: exact or estimated quantity, per unit price, and the total estimated cost.

Please see attached "Scope of Services - Exhibit A" for detailed description breakdown of each task.

Task 1: Minor Permit Modification, Phase 2 Cell 3 and 4	\$91,000
Task 2: Phase 2 Cell Design Services	\$153,000
Task 3: Major Permit Modification Phase 2, Cell 2	\$59,000
Task 4: Bid Administration Support	\$14,000
Task 5: Financial Analysis and Support for Allen Creek	\$10,500
Task 6: Meetings with Regulators for Allen Creek Landfill	\$19,500

Total \$347,000

Justifying a Sole Source/Brand

Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).

-N/A (not sole source)

Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.

-N/A (not sole source)

Justifying a Single Source

Provide an explanation why the recommended vendor is being selected over other vendors that can provide the requested commodity, technology, and/or perform the services required.

The best-positioned firm to perform this work and maintain continuity is Burns & McDonnell. Burns and McDonnell spent over a year researching the history of the Allen Creek and Candler Road landfills' operations, permits, maintenance practices, construction stages, tonnage volumes, types of waste, compaction results, and overall fundamental knowledge of these facilities as part of preparing the County's comprehensive Solid Waste Master Plan. With this information and as part of the Solid waste master plan, Burns & McDonnell initiated critical and complicated discussions with EPD regulators about these specific design approaches. Specifically, this would offer additional expected value in the overall quality of the project's timing and results.

Letter from Original Equipment Manufacturer (required):

☐

Attached

Purchasing Use Only

Buyer:

Buyer E-Mail Address:

Buyer Telephone:

Contract #:

Contract Name:

If publicly solicited, number of protests:

Outcome:

Awarded Single Source

Bid # (if competitively bid):

Purchase Order #:

SCOPE OF SERVICES

Task 1 – Minor Permit Modification for Phasing and liner design

CONSULTANT shall prepare the Georgia EPD Solid Waste Minor Permit Modification Application package for the Landfill to adjust the existing construction phasing of Phase 2. Phasing shall be adjusted to prioritize air space availability and life during the next cell construction more than is expected from the existing Cell 3. As part of the adjustment to the construction, phasing the CONSULTANT will investigate changes to the following:

- Leachate collection system
- Stormwater drainage
- Internal berms
- Liner profile and design
- Cell phasing
- Minor base grading alternatives

CONSULTANT shall perform the following services to complete the minor permit modification:

- Prepare and update Phase 2 Cell leachate collection drawings, grading plans and liner profiles
- Perform updated Hydrologic Evaluation of Landfill Performance (HELP) Model and leachate sewer calculations corresponding to the changes planned for new cell
- Prepare the Georgia EPD required application forms in accordance with EPD guidelines and solid waste permit 069-015D(MSWL).
- Submit a DRAFT application and updated drawings to the CLIENT for review and comments prior to submission to the Georgia EPD.

Task 2A – Phase 2 New Cell Pre-Design Services

The pre-design phase services include the following subtasks:

- CONSULTANT will retain a Georgia licensed surveyor to conduct a topographic survey of the entire Phase 2 waste body and expansion cells.
- CONSULTANT will conduct a test pit investigation for the purposes of characterizing subsurface materials, obtaining project design information, and determining the groundwater conditions beneath Cells 3 and 4.
- CONSULTANT will request CLIENT's landfill personnel make localized cuts and/or grade ground surface as necessary prior to mobilization for investigation to allow for test pit field activities.
- CONSULTANT will request CLIENT's on-site operator to excavate approximately twelve (12) test pits within the project area to allow for characterization of subsurface materials, identification of piedmont soils and bedrock interface, and measurement of the uppermost apparent groundwater levels. Samples will be tested for proctor moisture and density, particle size, soil classification, Atterberg limits and permeability.

Task 2B – Phase 2 Cell Construction Issue for Bid Design Documents

Using the permit modification design, the CONSULTANT will create new construction documents for a new landfill cell. The Bid Design Documents services include the following:

1. CONSULTANT shall prepare drawings, specifications bid documents for the Phase 2 new cell construction activities. The construction documents will be based on the existing permit drawings and updated drawings from the minor permit modification.

CONSULTANT will submit 90% design documents to CLIENT for review. After CLIENT review, CONSULTANT will conduct an in-person design meeting to discuss design changes and CLIENT comments. CONSULTANT will incorporate all applicable comments into a final Issued for Bid (IFB) package.

a) Anticipated construction drawings include:

- Cover-Index
- General Notes, Legend, and Abbreviations
- Existing Conditions and Construction Laydown Areas
- Cell Base Grading Plan and Under Liner Drainage
- Cell Base Grading Plan and Under Liner
- Cell Under Liner Drainage Profile
- Cell Leachate Collection System
- Cross Sections
- Erosion and Sediment Control Plan
- Construction Details

b) Anticipated specifications include:

- Contractual front-end documents: Invitation to bid, Bidder's Qualifications Statement, Instruction to Bidders, Bid Form (Lump Sum with Unit Price Adjustment), Agreement Between Owner and Contractor, Notice of Award, Notice to Proceed, Performance Bond, Labor and Material Payment Bond, and General Conditions.
- General Project Requirements: Summary of Work, Project Coordination and Meetings, Submittals, Definitions and Standards, Field Offices and Sheds, Temporary Barriers and Controls, Temporary Utilities and Facilities, Equipment and Materials, Construction Layout and Surveying, Safety and Emergency Response, Contract Closeout, and Warranties.
- Project Technical Specifications: Geotextile, Geocomposite, Geomembrane Liner (FML), Site Preparation and Earthworks, Compacted Soil Liner, Pre-Cast Concrete, and HDPE pipework.

2. CONSULTANT shall prepare an opinion of probable construction costs for the bid package. The estimated budget is not a guaranteed maximum based on potential changes for the minor permit modification. An amendment will be prepared to address the cost for responding to comments if it exceeds the assumed value.

Task 3 – Major Permit Modification Feasibility Review of Phase 2 Cell 2 Stormwater Bench Regrading

Based on EPD discussion, a major permit modification for the Phase 2 Cell 2 Stormwater Bench and Drainage Regrading and Redesign would require a minimum of 24 months for approval. Upgrades to the 20 ft vertical spacings on the stormwater benches likely require tack on berms instead of regrading the waste terraces. Prior to starting the process of creating a major permit modification application, the CONSULTANT shall create a feasibility estimate for the cost and benefit of adjustments to final grading including:

- Regrading all existing and future berms such that waste terraces are at 50-ft vertical spacings with intermediate tack on berms.
- Only regrading future berms across the eastern half of Phase 2 with larger vertical spacing and tack on berms.
- Potential for vertical expansions.
- Preliminary soil loss calculations of alternate berm and/or terrace spacings.

Task 4 – Bid Administration Support

CONSULTANT will provide bidding services, including answering bidders' questions, facilitating and attending one on-site pre-bid meeting, issuing required addenda, and assisting the CLIENT with contractor selection.

Task 5 – Financial Analysis Support for Allen Creek Landfill

CONSULTANT will provide professional consulting services and financial review of the estimates of probable costs of the Allen Creek Landfill remediation and new landfill construction.

Task 6 – Meetings with Regulators for Allen Creek Landfill

CONSULTANT shall contact Georgia Department of Natural Resources (DNR) to discuss the impacts of seeking a new solid waste permit and the agency's understanding of the siting rules limiting solid waste permits within a 2-mile radius of the new Allen Creek Landfill. CONSULTANT shall organize a virtual meeting with DNR to discuss the potential siting variance of Allen Creek. CONSULTANT shall also continue discussions with Georgia EPD to discuss the agency's requirements for the new solid waste permit and remediation plan.



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 635/2022

SUBJECT: Approve the ratification of the Improving Neighborhood Outcomes in Disproportionally Impacted Communities application for the Public Works & Utilities to improve sidewalks, trails and other Butler Park amenities (dog park, bridge and additional lighting) in the amount of \$2,000,000.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. \$400,000.00 match funds will be provided.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY
Recommendation: Approval

Purpose of Request:

Approve the ratification of the Improving Neighborhood Outcomes in Disproportionally Impacted Communities application for the Public Works Department to improve sidewalks, trails and other Butler Park amenities (dog park, bridge and additional lighting) in the amount of \$2,000,000.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. \$400,000.00 match funds will be provided.

History:

This is Hall County's first application for the Improving Neighborhood Outcomes in Disproportionally Impacted Communities funding.

Facts and Issues:

Options:

Investments in neighborhood features, including parks, recreation facilities, sidewalks, and healthy food access, can work to improve physical and mental health outcomes. Allowing people access to nature, including parks, has been connected to decreased levels of mortality and illness and increased well-being. Urban park use during the COVID—19 pandemic may have declined among lower-income individuals. Encouraging physical activity can also play a role in health outcomes, as a sedentary lifestyle is a risk factor for chronic diseases and more severe COVID—19 outcomes. Parks, recreation facilities, and sidewalks can promote healthier living environments by allowing for safe and socially distanced recreation during the COVID— 19 pandemic. The US Treasury final rule includes enumerated eligible uses in disproportionately impacted communities for developing neighborhood features that promote improved health and safety outcomes, such as parks, green spaces, recreational facilities, sidewalks, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, neighborhood cleanup, and other projects to revitalize public spaces. For new projects started after August 26, 2022. Project must be located in the qualified census tract, Hall County eligible tracks: 7.01, 8, 10.03, 11.01, 11.02.

Funding Requested

\$ 400,000.00

Are funds within current budget?

Yes

Source of Funds

Grants, American Rescue Plan, & SPLOST VIII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Grants Staff	Submit	Approve	Grants
JW	BN	BN	JW
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
Project Timeline
Project Information
Project Budget



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 635/2022

Funds Requested: \$ 400,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Grants, American Rescue Plan, & SPLOST VIII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	017 - GRANTS	605 - NATIONAL PARK SERVICE FED GRANT	6009 - INFRASTRUCTURE	\$2,000,000.00
2023	018 - American Rescue Plan Act	830 - American Rescue Plan Act	6009 - INFRASTRUCTURE	\$200,000.00
2023	028 - SPLOST VIII	1845 - SP-VIII VARIOUS PARK IMPROVEMENTS	5009 - INFRASTRUCTURE	\$200,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SY

Phone: (770) 531-6799

Timeline for the Butler Park and South Athens Street Improvements

February 1, 2023 – Notice of Award. The day following Hall County begins on-call surveyors/engineers competitive Letter of Interest with fee proposal negotiation based on maximum 30-day field data collection, 30-day engineering survey database preparation and six-month civil engineering design timeframe. If unable to secure professional services at reasonable fees, Hall County will move on to advertisement/selection process among other GDOT pre-qualified surveyor/civil engineer firms or combined teams for stand-alone or combined Focus Area projects; advertise Public Input Meeting by March 7, 2023

April 4, 2023 – Public Input Meeting at the Butler Center

May 15, 2023 – Outside date for consultant team(s) selection

August 14, 2023 – Outside date for survey fieldwork (early date May 31, 2023)

December 2023 – Public Update Meeting

January 2024 – Begin limited right-of-way acquisition, if needed

May 14, 2024 – Outside date for completion of design and right-of-way acquisition completion; begin contractor selection process (early date Nov. 30, 2023)

September 14, 2024 - Outside date for permits, grading easements and right-of-way, if any, secured. Final Opinion of Probable Cost (early date March 31, 2024)

September 2024 – Public Update Meeting

October 1, 2024 – Contractor(s) Notice(s) to Proceed with 12-month construction period to follow

December 31, 2025 – Project Closeout

August 31, 2026 – Final Project Expenditures/Adjustments

October 31, 2026 – Official Final Expenditure of ARPA INO Funds



Roxy Theater – Located on Athens Street, the Roxy was in operation through the 1960s before being torn down. Photo credit: Roxy Theater, Hall County, Georgia historical photograph collection, Hall County Library System.

INTRODUCTION

ATHENS STREET/ 129 SOUTH CORRIDORS

The Athens Street corridor, along with E.E. Butler Parkway/129 South, has changed immensely over the last century. The area, as it was, cannot be described any better than it is in *Black America Series – Hall County Georgia* by Linda Rucker Hutchens and Ella J. Wilmont Smith:

By the mid-1900s, African-American entrepreneurs had begun to develop businesses along the corridor of Athens Street in Gainesville. In ensuing years, Athens Street evolved into a virtual “Mecca” and became a main thoroughfare for African Americans in Hall County. Here, one could have most of one’s needs met in one’s neighborhood without having to chance an unpleasant or undignified encounter while venturing downtown. Athens Street hosted a Black theater, a drugstore, two funeral parlors, several restaurants and cafés, a tourist home, taxi stands, a shoe shop, pool halls, a record store, dry cleaners, and barber shops with shower facilities.



1960 AERIAL

This 1960 photo shows Athens Street as the main thoroughfare into and out of Gainesville. However, the development of Interstate 985 and 129 South changed that significantly.

RECOMMENDATIONS

ATHENS STREET

Residents and business owners describe Athens Street as feeling forgotten and passed over. Once a major route into and out of town, the area seemed destined for economic prosperity. However, with the construction of 129 South and the exits from Interstate 985 locating north and south of Athens Street, decline was inevitable as businesses moved elsewhere.



1967 AERIAL



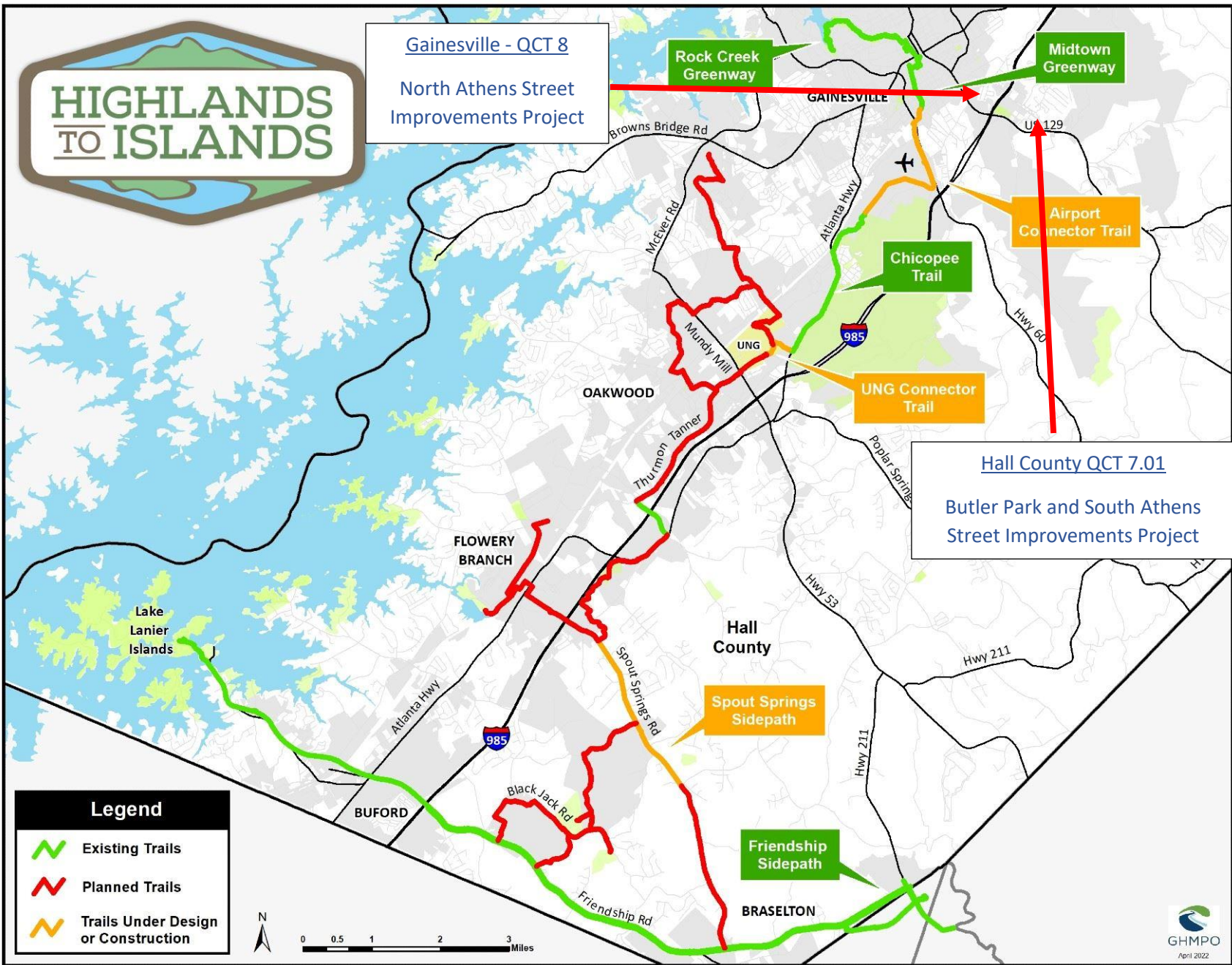
1973 AERIAL

This plan presents a stakeholder-driven vision to invest in Athens Street, connect it both visually and physically to other areas of Gainesville, and look for ways that public investment might spur private investment.

While Athens Street currently hosts a mix of commercial and industrial uses, a variety of single-family homes, duplexes, and apartments are also present both on and just off the corridor. Because of the residential nature of much of the area, improving pedestrian safety must be a priority. This plan focuses on providing a complete network of sidewalks and crosswalks, adding resources and amenities that focus on community-building, and installing streetscaping and art to connect the area visually to Midland and downtown.



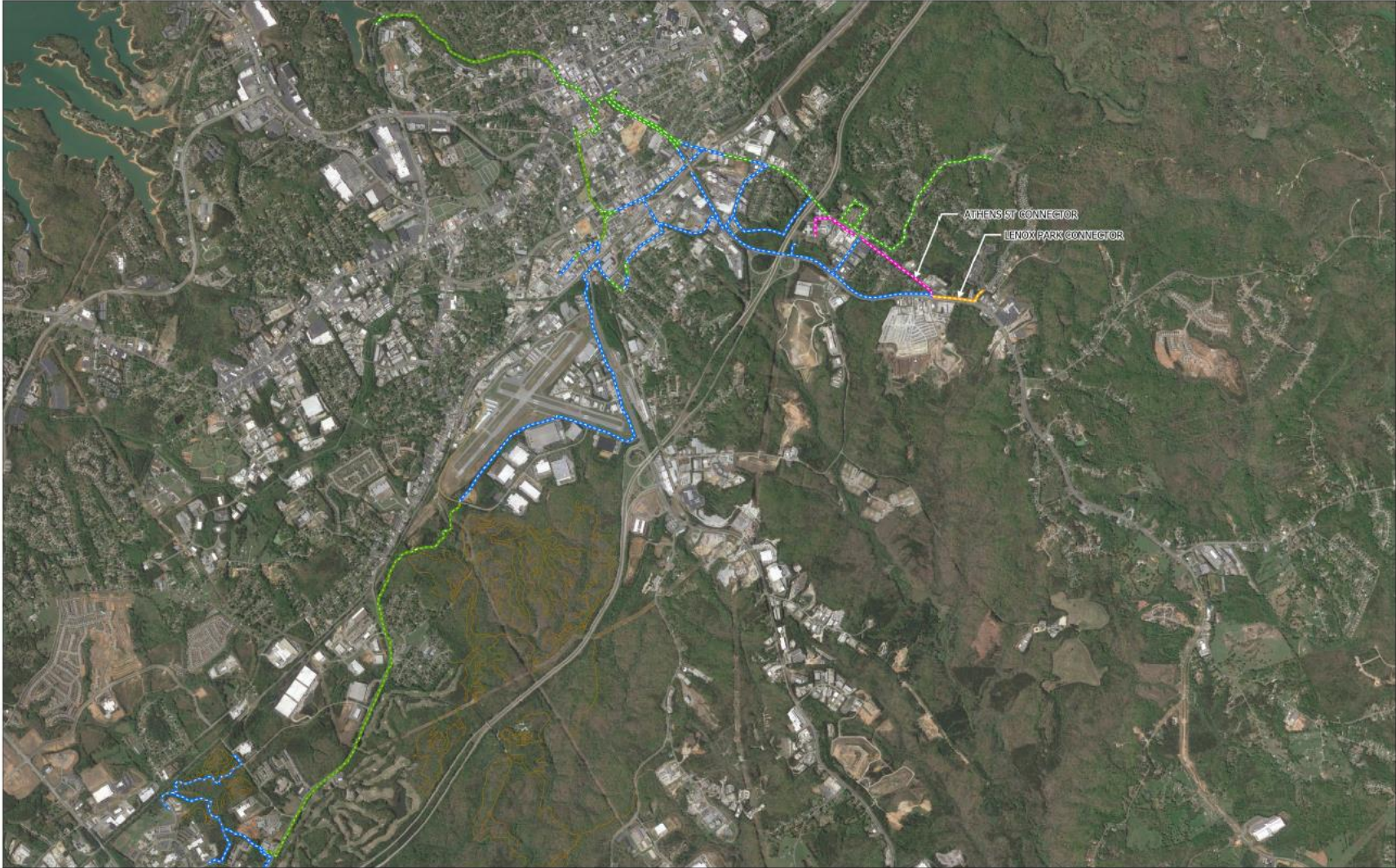
[Gainesville - QCT 8](#)
North Athens Street Improvements Project



[Hall County QCT 7.01](#)
Butler Park and South Athens Street Improvements Project

Legend

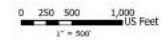
- Existing Trails
- Planned Trails
- Trails Under Design or Construction





- Athens Street Connector
- Existing Trail
- Future Trail
- Concept to Under Construction
- Unpaved Trail

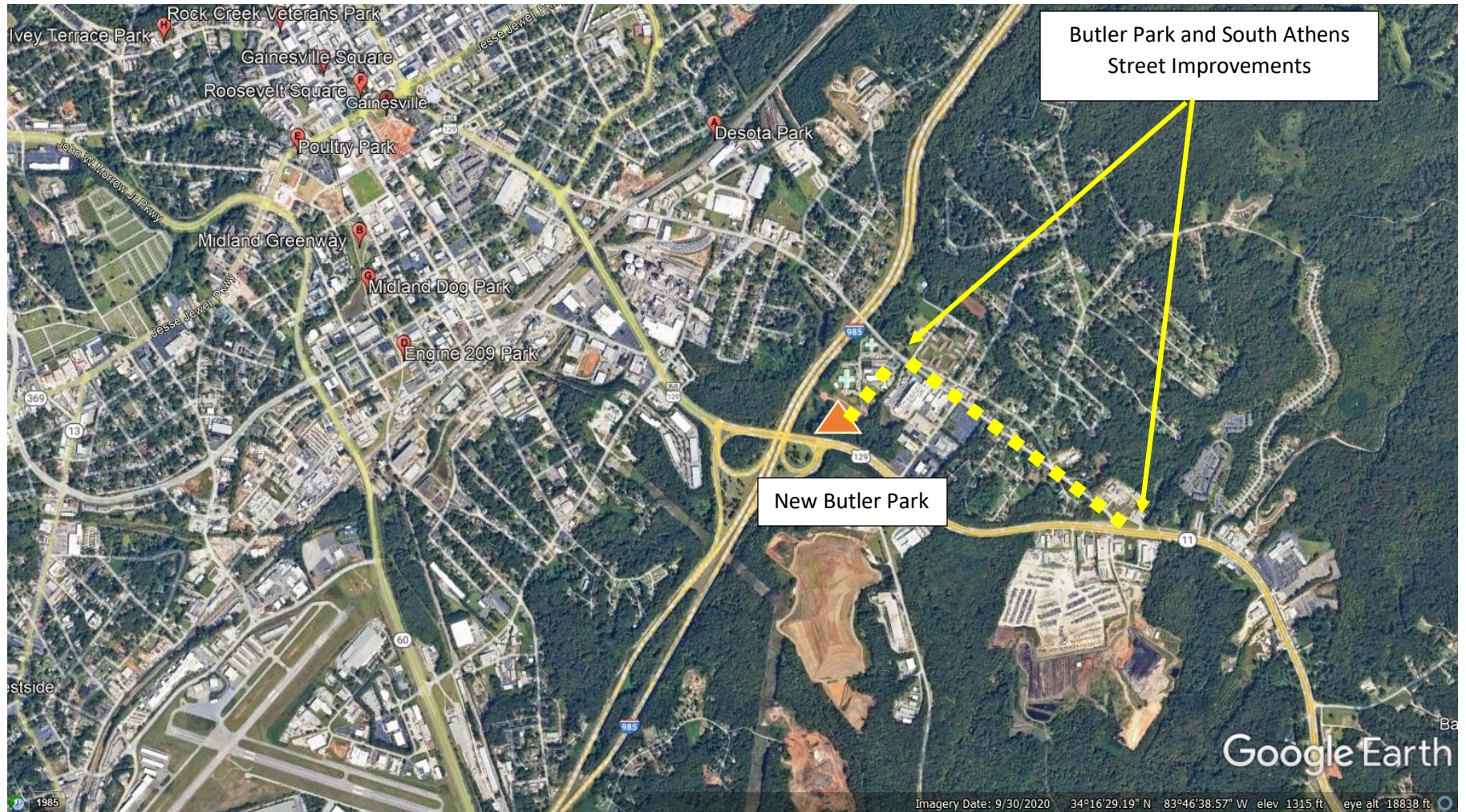
Highlands to Islands
Athens Street Connector project



Google Earth Image of Southeast Gainesville - Proximity and Accessibility to Parks

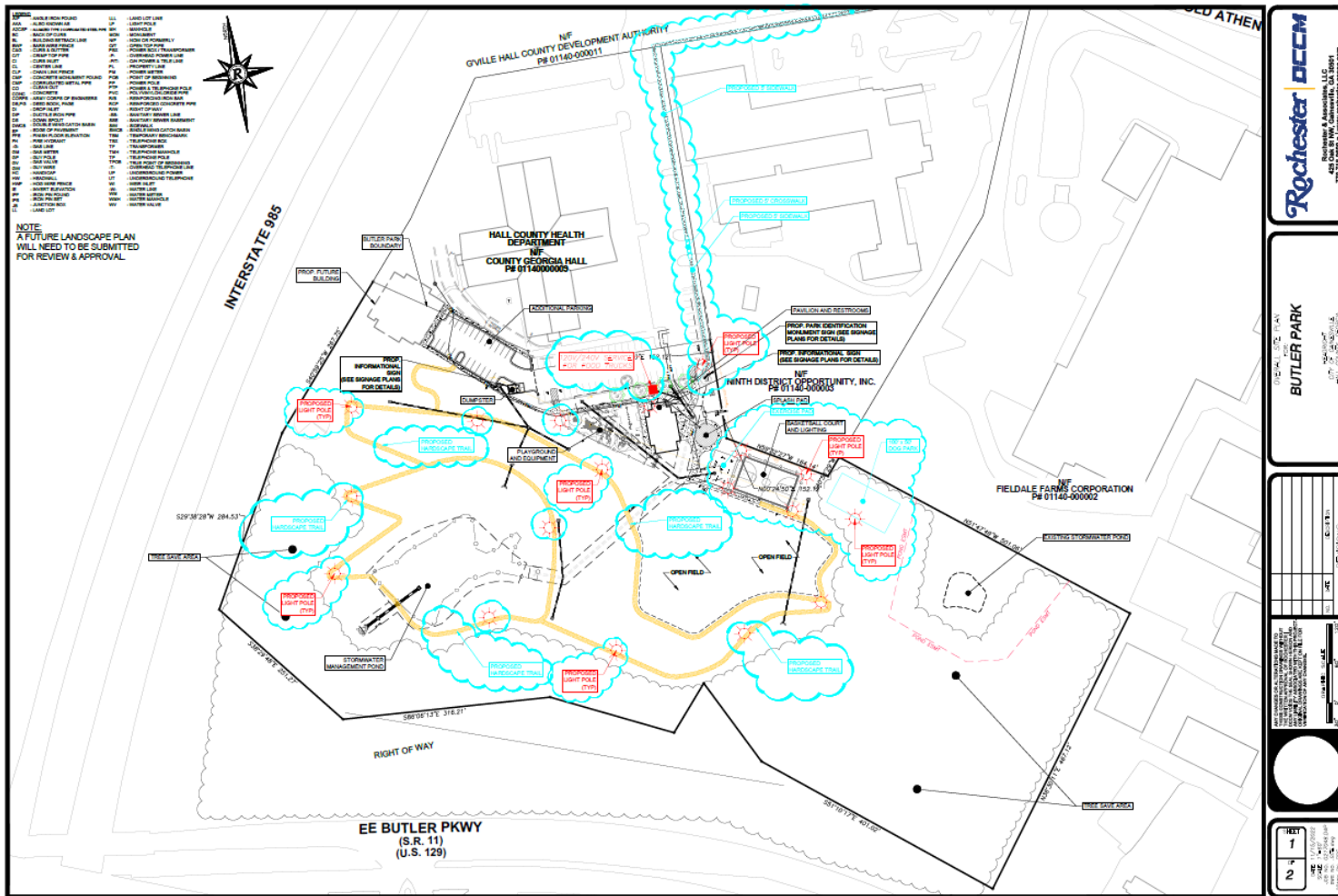
Gainesville Square is near upper left

Existing Parks and Sidewalk Connectivity in This Part of the County is Primarily West of I-985

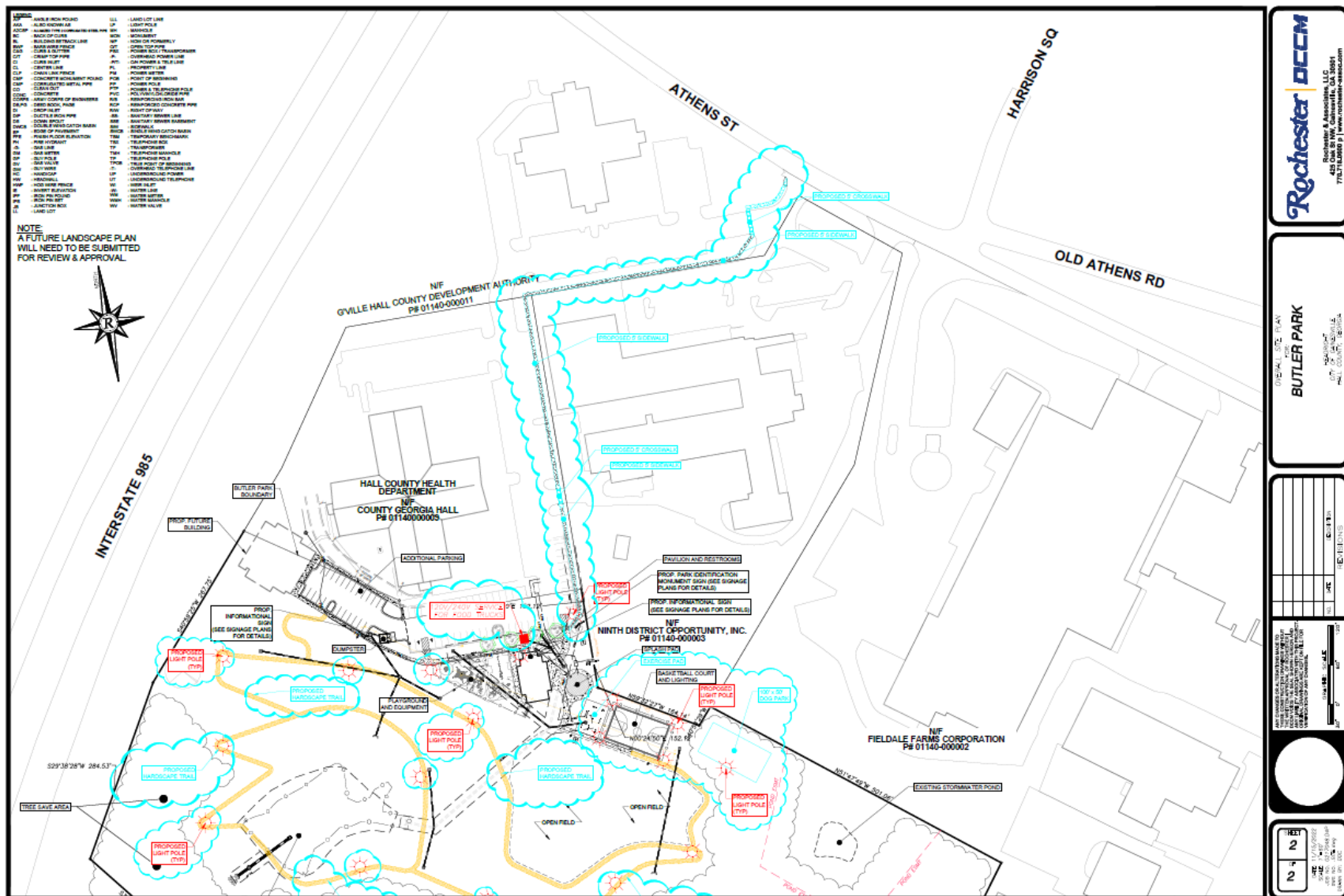


QCT 7.01 Butler Park and South Athens Street Improvements – The Project is composed of three Focus Areas:

Focus Area One- Butler Park Improvements – Further improvements at the new neighborhood park including safe route pedestrian connectivity to Athens Street – Sheet 1 Details Butler Park Improvements – hard surface (concrete) walking path, lighting, dog park, food truck electrical and safe-route sidewalk to Athens Street.



Focus Area Two - Safe-Route Sidewalk to Athens Street



Focus Area Three – South Athens Street Improvements

Excerpts from [July 2022 City of Gainesville Vision for the Athens Street and 129 South Corridors](#) (highlighted emphasis added)

INTRODUCTION

ABOUT THE PROJECT

QCT 7.01

Following the successful development of the Downtown Master Plan in 2014 and the Park Hill Corridor Plan in 2020, the City of Gainesville launched the Athens Street and 129 South Corridor visioning process in 2021. As with the Park Hill plan, the Athens Street/129 South plan is focused exclusively on the corridors themselves to determine where improvements can be made that will positively impact the area. By focusing on the main corridors first, Gainesville is able to determine where its investments will have the most impact and, in turn, encourage and influence private investment along the corridors and beyond.

A Vision for the Athens Street and 129 South Corridors 7

QCT 8



The project area comprises the Athens Street corridor, from its intersection with Martin Luther King, Jr. Boulevard to its intersection with Highway 129 South, and the E.E. Butler/129 South corridor, from the intersection of E.E. Butler Parkway and Jesse Jewell Parkway through the intersection of 129 South with Morgan Drive.

Gainesville GA | Master Plan 2022 6

CORRIDOR ASSESSMENT



Base work for City of Gainesville INO Grant Application for QCT 8 – From July 2022 Vision

CORRIDOR ASSESSMENT



RECOMMENDATIONS: Athens Street

ATHENS STREET SIDEWALK

An Example Site Near Monroe Drive

Through this part of the Athens Street corridor, the right-of-way width varies from 80 to 100 feet, leaving plenty of space for the addition of pedestrian infrastructure. Possibly, this portion of Athens Street was considered as an exit from I-985, explaining the wider-than-normal right-of-way.

The existing streetscape is completely absent of any pedestrian infrastructure aside from one small sidewalk strip on the corner adjacent to Fieldale. An unused paved area runs along the shoulders of the road, with poorly defined curb cuts. The area also lacks any intentional landscaping.

The addition of a 6-foot sidewalk along both sides of the road is the first step in providing pedestrian access to this area. New crosswalks are also added at key intersections. The addition of several speed humps and signaled crossings are shown along Athens Street leading up to the crossing in front of Fieldale. Traffic-calming measures such as these should be used to help slow traffic through this area.

The road edges are smoothed out with a planted buffer between the sidewalks and the driving lanes, improving pedestrian safety and the appearance of the area. Unnecessary curb cuts are also reduced, with clear entry and exit points defined for businesses along the road.

Street tree plantings along the road edges further beautify the area, adding environmental value and shade to the corridor. The street trees act as an additional buffer between pedestrians and traffic, promoting lower speeds and giving added safety to those using the sidewalks.

Clusters of shrub plantings near the intersections and pedestrian crossings further improve the landscape character of the area and give a more pleasant experience to both pedestrians and motorists.



RECOMMENDATIONS: Athens Street

A LOOK AT THE DETAILS

The existing streetscape contains 13-foot driving lanes with a large amount of unused space on either side of the road. Currently, no designated buffer separates pedestrian areas from the roadway.

The proposed changes drastically alter the streetscape appearance. Buffer plantings now encompass two new sidewalks that are lined with street trees. The aesthetic quality of the businesses in the area are elevated, and pedestrians now have safe, pleasant access to this section of Athens Street.

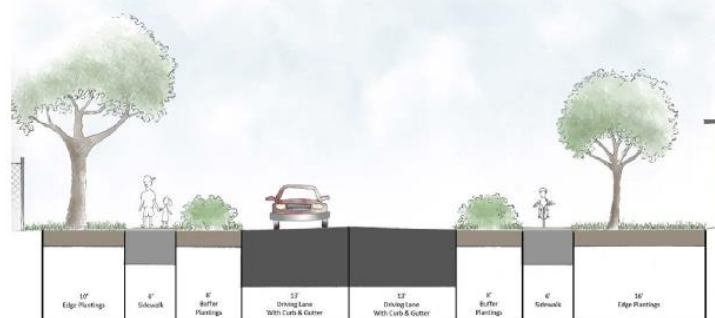


SIDEWALKS

Current Conditions



Proposed Changes



BUTLER PARK & SOUTH ATHENS STREET IMPROVEMENTS

Prepared by Rochester | DCCM with Hall County

							Overall Project	Focus Areas Detail		
DESCRIPTION	ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	OPC TOTAL AMOUNT		FA One Butler Park	FA Two Connector	FA Three Athens St
		GENERAL CONDITIONS CONSTRUCTION								
Site Work	1.	Butler Park Bridge	SF	65	\$46.25	\$ 3,006		3,006		
Site Work	2.	Dog Park at Butler Park	LF	300	\$50.25	\$ 15,075		15,075		
Site Work	3.	ROW Acquisition	AC	2	\$50,000.00	\$ 100,000				100,000
Site Work	4.	Erosion Control / Grassing / Drainage Extensions / Beautification	EA	1	\$300,000.00	\$ 300,000		50,000	75,000	175,000
Site Work	5.	Demo Work Along Athens Street	EA	1	\$50,000.00	\$ 50,000				50,000
		GENERAL CONDITIONS TOTAL				\$ 468,081		68,081	75,000	325,000
		BUTLER PARK LIGHTING								
Site Work	6.	Lights	EA	18	\$4,500.00	\$81,000		81,000		
Site Work	7.	Materials - conduit/wire/service components/pedestals/equipment	EA	1	\$165,000.00	\$165,000		165,000		
Site Work	8.	Labor - including service and light installation, permitting,	EA	1	\$150,000.00	\$150,000		150,000		
		BUTLER PARK LIGHTING TOTAL				\$396,000		396,000		
		CONCRETE SITEWORK								
Roadway & Pavements	9.	Butler Park Trail	SF	18600	\$11.50	\$213,900		213,900		
Roadway & Pavements	10.	Butler Park Connector Sidewalk	SF	6000	\$12.25	\$73,500			73,500	
Roadway & Pavements	11.	Athens Street Sidewalk	EA	52800	\$13.40	\$707,520				707,520
		CONCRETE SITEWORK TOTAL				\$ 994,920		213,900	73,500	707,520
Sub-Total Hard Costs		Items 1 -11				\$ 1,859,001		677,981	148,500	1,032,520
Contingency Hard Costs	12	15% Contingency				\$ 278,850		101,697	22,275	154,878
		Total Hard Costs				\$ 2,137,851		779,678	170,775	1,187,398
		Design				\$ 195,210		72,120	16,224	106,866
Construction Admin	14	Design, Survey, Easement, and Permitting				\$ 66,939		25,340	5,977	35,622
Sub-Total Soft Costs		Total Soft Costs				\$ 262,148		97,460	22,201	142,488
		GRAND TOTAL				\$ 2,400,000		\$ 877,138	\$ 192,976	\$ 1,329,886



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 627/2022

SUBJECT: Approve the process to initiate the abandonment of a +/- 573' of public road on Old Cornelia Highway. Commission District 3.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation: Approve

Purpose of Request:

The abandonment section of the roadway for the properties is under contract to be purchased for a mixed-use site development project.

History:

The affected property owners have submitted a petition for abandonment.

Facts and Issues:

A section of the roadway is gravel and is not maintained by Hall County. This roadway only provides driveway access to two single-family rental homes and one abandoned structure.

Options:

Once the Board initiates the process on December 8, 2022, a public hearing shall be conducted on January 12, 2023, to complete the abandonment.

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	No
Is there a deadline for this item?	

Approvals:

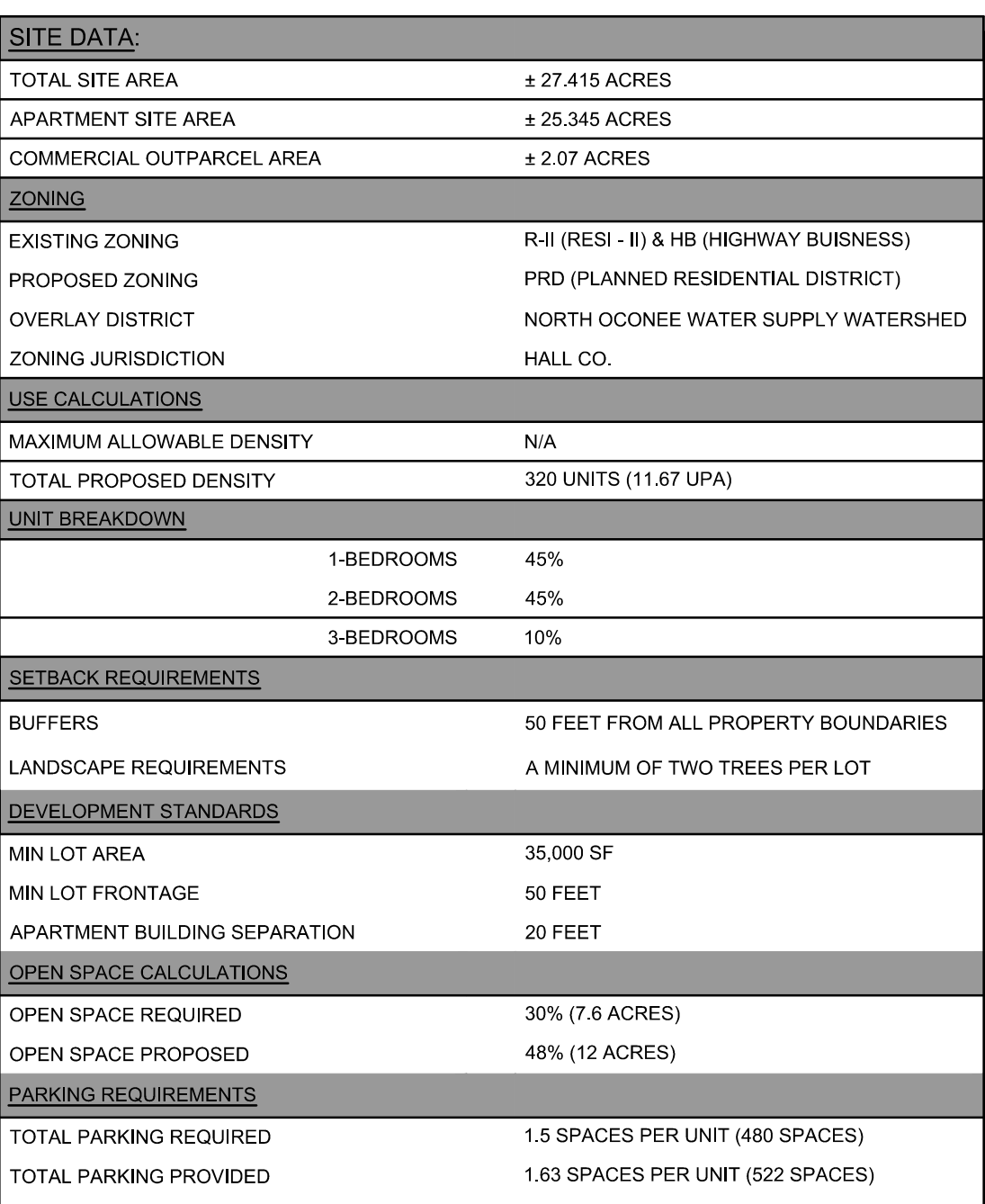
Submit	Approve	Budget	Finance
--------	---------	--------	---------

Submit	Approve	Budget	Finance
WS	BN	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Site map
Petition

DOI	Exhibit	Zone	Depth	Time	UT-odd	UT-even
10.22022/2023/21009	Exhibit1	Zone1	2023.00	749.25	8.25	05.00



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SHEET



Hall County Government

PUBLIC WORKS & UTILITIES
ENGINEERING

PETITION FOR ROAD ABANDONMENT/CLOSING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA

Public Works Director

BILL NASH, P.E.

Asst. Public Works Director

FRANKLIN P. MILLER, P.E.

County Engineer

We, the undersigned property owners, presently own land which abuts _____

Old Cornelia Highway respectfully request that Old Cornelia Highway/Old Sulphur Spring Road

_____ be closed and abandoned by Hall County as follows:

(Section or length of road in question)

+/- 573' of Old Cornelia Highway, formerly known as Old Sulphur Spring Road
(reference attached exhibits)

We are making this request for the following reasons:

1. Gravel road is not maintained by County and only provides driveway access to two single-family rental homes and one abandoned structure. Existing road and intersections do not conform to current design standards.
2. Aforementioned properties are under contract to be purchased for a larger-mixed use project that takes into account access to both Old Cornelia Highway and Jesse Jewell Parkway.

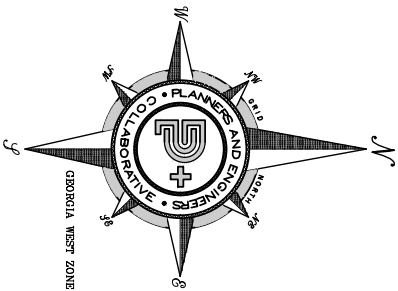
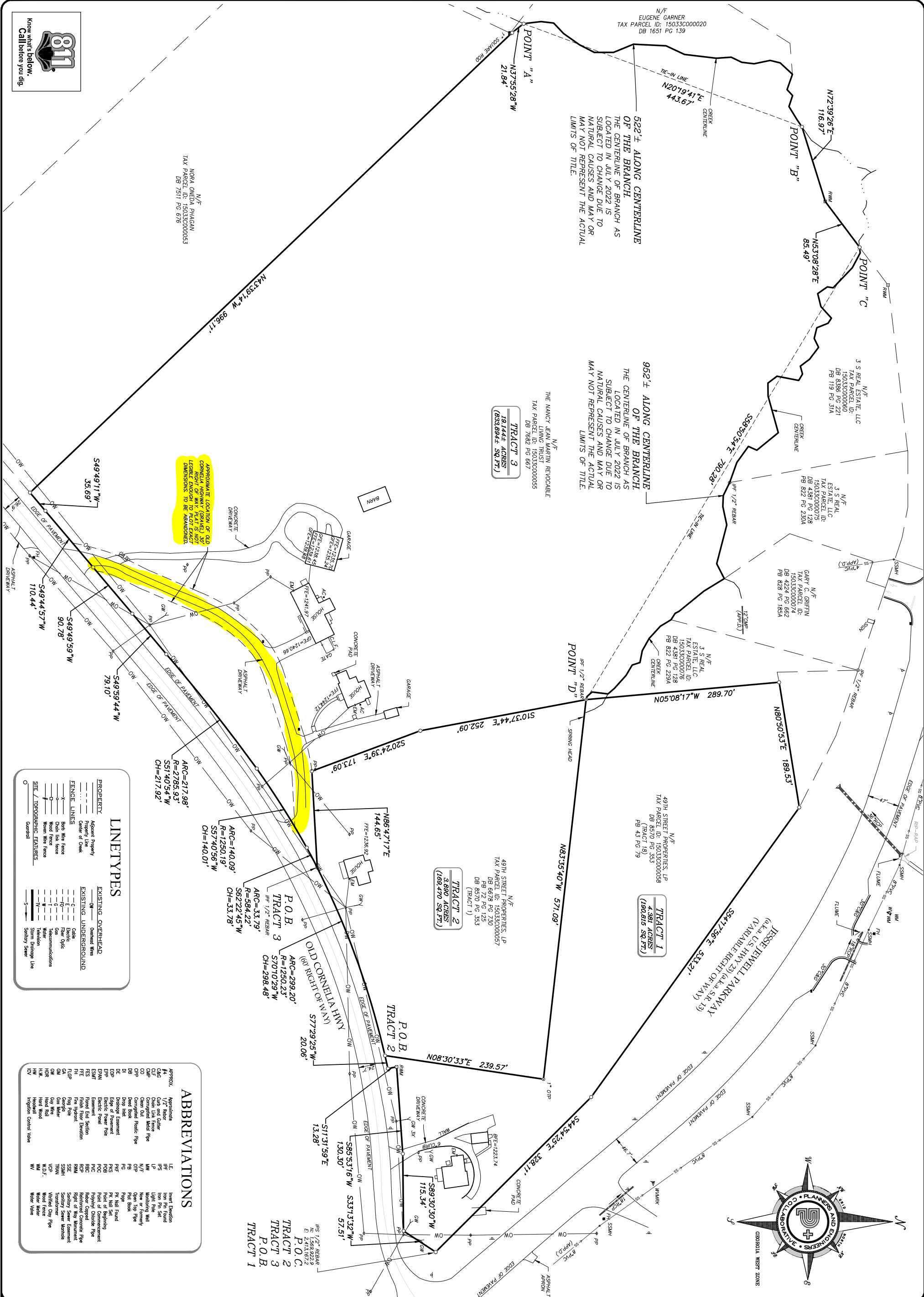
We hereby certify that we represent all of the property owners which abut

and have access to this section of:

Old Cornelia Highway/Old Sulphur Spring Road

(Road Name)

Name (printed)	Signature	Address	Telephone #
Nancy Jean Martin, Trustee of the Nancy Jean Martin Revocable Living Trust	<i>Reggie Martin</i> 08/01/22	2191 Old Cornelia Highway	770.540.2903
49 Street Properties LP	<i>J. J. L. Hanna</i>	2211 Old Cornelia Highway	<i>404 845 6652</i>



REVISIONS			
5			
4			
3			
2			
1			
REV	DATE	DESCRIPTION	BY

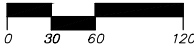
ALTA/NSPS LAND TITLE SURVEY
FOR
INLINE COMMUNITIES
AND

LAND LOT(S) G.M.D. 311
DISTRICT GAINESVILLE

HALL COUNTY
GEORGIA

SHEET 1 OF 3

DRAWN BY: MS
CHECKED BY: JNH
FILE NO.: 22021.00
DATE: 07/15/2022
SCALE: 1" = 60'
DATE OF FIELD WORK: 7/1/22



Old Sulphur Spring Road

Old Cornelia Highway

RECORDED DECEMBER 7th 1937 - R W SMITH, Clerk

Georgia Hall County
Soc. Sec. 100-111

The above plat represents a survey made by me for J. W. Little, agt. for Ed. J. Little & Co. as an effort to locate land and lines all outside lines agreed on from the best information obtainable.

Wm. C. Dunnagan, agt. -
a J. W. Little, agt. for Ed. J. Little

Survey made November 2nd 1934. C. H. Hunter, Surveyor

Said lands being about 1 1/2 miles East of New Holland Ga. on Gainesville & Lake Highway in Gainesville Dist. of Hall County Georgia

that this map shall be a subdivision under the definition of same contained in the Land Development Resolution and may be recorded without approval of the Hall County Planning Commission.

By: Ed Littlejohn
Chairman, Hall County Planning Commission

Date: Oct 16, 1976

NOTES

S 83-28E-571.97'

BRANCH

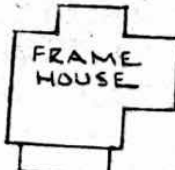
253.09'
300.20'
202.01' N

I.R.F.

L.C. WADE

160.31'-173.09'
N 20.17°-17.02' N

3.897 ACRES



565.03-30W-93.99'
I.R.S.

334' TO I.R.F. I.R.S. S 87-03-30W-145.75'

30' R/W

OLD CORNELIA HWY GRAVEL

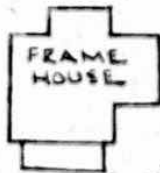


Recorded Oct. 18, 1978

NOTES

S 83-28E - 571.97'

3.897 ACRES



FRAME
HOUSE

S 87-03-30W-145.75'

30R/W

CHIEFIA H&W CRANES

S 65-03-30W-93.99'

S.R. 13

U.S. 23
CO'R/D

S 69-27-30W-108.70'

S 75-06W-97.17'

(A&P)

S 06-51W-257.66'

1.75'
490
CE 2

PLAT FOR
T.C. HAMILTON
GAINESVILLE G.M.O. 411
HALL COUNTY, GEORGIA
DATE - NOV 30, 1977
PREPARED BY
PATTON-PATTON & ASSOC
BOX 256 GAINESVILLE

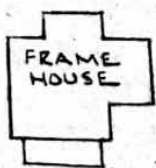
H. Grady Watson - Clerk

NOTES

E - 571.97'

3.897 ACRES

NOTES



FRAME
HOUSE

S 65.03° 30' W - 93.99'
I.P.F.

S. R. 13

U. S. 23

60' R/W

S 69.27° 30' W - 108.70'

S 75.06° W - 97.17'

I.P.F.

430' TO 4
CORNELIA HWY EXT.

S 08.51° W - 237.66'

I.P.F.

PLAT FOR
T.C. HAMILTON
GAINESVILLE G.M.D. 411
HALL COUNTY, GEORGIA
DATE: NOV. 30, 1977 ~ 1" = 50'

PREPARED BY
PATTON-PATTON & ASSOC.
BOX 256 / GAINESVILLE, GA.

X. Grady Watson - Clerk



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 619/2022

SUBJECT: Approve the process to initiate the abandonment of a section of public road between the cul-de-sac at the end of Kubota Way and the intersection of Kubota Way and Gateway Centre Parkway. Commission District 3.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation:
Initiate the abandonment process

Purpose of Request:

Initiate the process for abandonment of a section of public road between the cul-de-sac at the end of Kubota Way and the intersection of Kubota Way and Gateway Centre Parkway. Commission District 3.

History:

NA

Facts and Issues:

Determine whether a section of public road consisting of the portion of Kubota Way running between the intersection of Kubota Way and Gateway Centre Parkway and the cul-de-sac at the end of Kubota Way should be abandoned and that the road abandonment process should commence.

Options:

Once the Board initiates the process on December 8, 2022, a public hearing shall be conducted on January 12, 2023 to complete the abandonment.

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

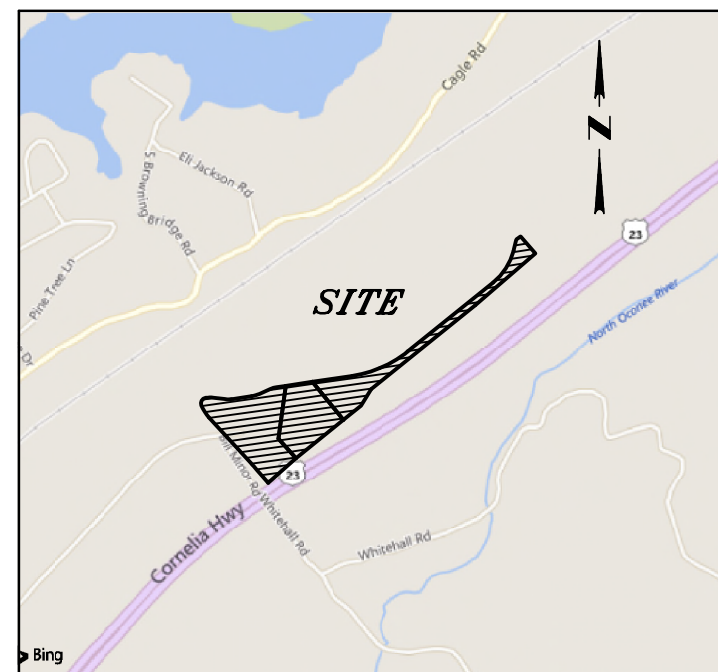
Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
SY	SY	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

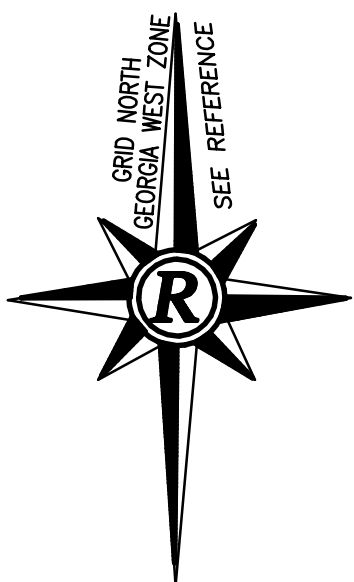
Attachments:

Kubota Way ROW Exhibit
Petition for Road Abandonment

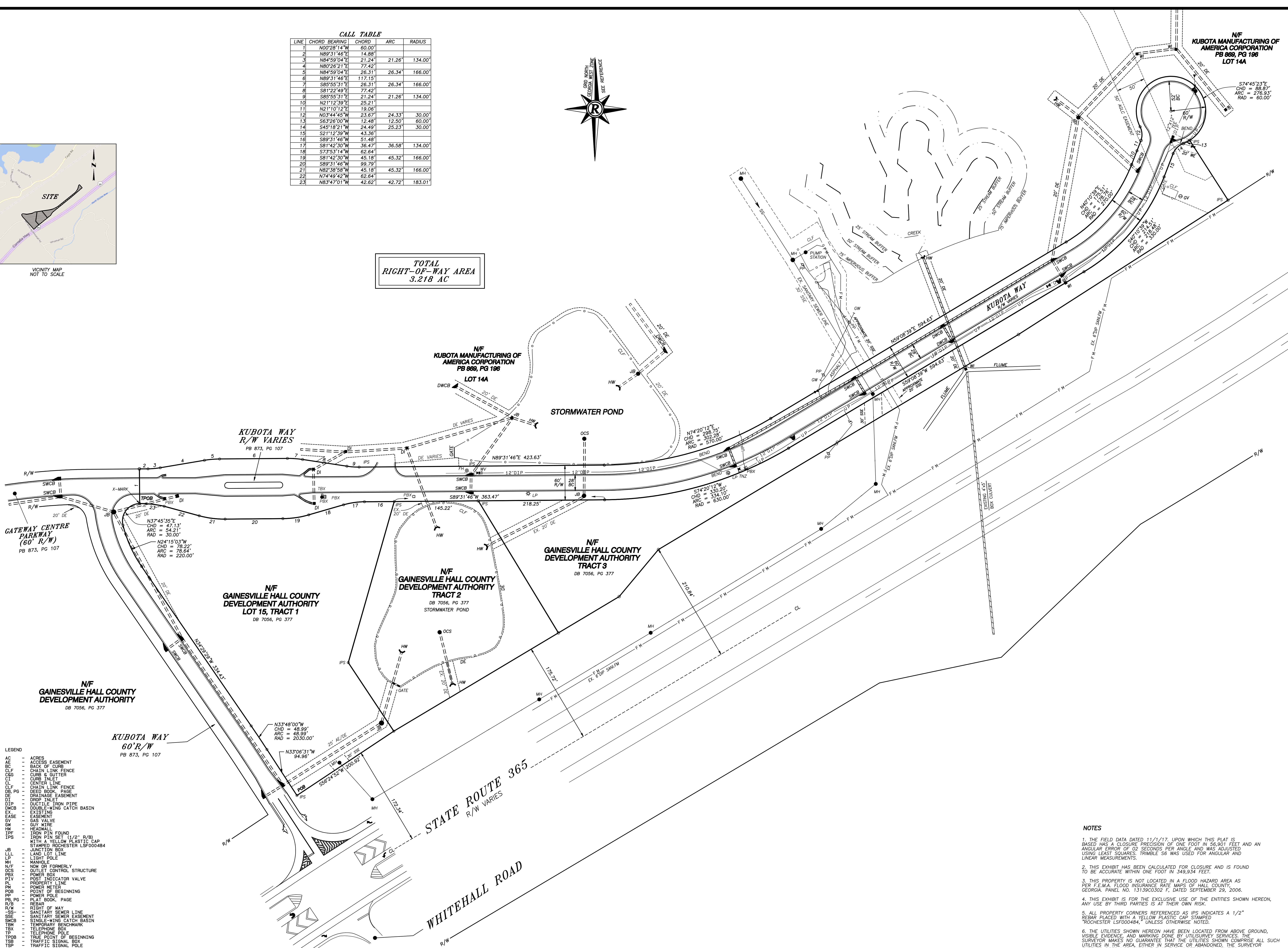


VICINITY MAP
NOT TO SCALE

CALL TABLE				
LINE	CHORD BEARING	CHORD	ARC	RADIUS
1	N00°28'14"W	60.00'		
2	N89°31'46"E	14.88'		
3	N84°59'04"E	21.24'	21.26'	134.00'
4	N80°26'21"E	77.42'		
5	N84°59'04"E	26.31'	26.34'	166.00'
6	N89°31'46"E	117.15'		
7	S85°55'31"E	26.31'	26.34'	166.00'
8	S81°22'49"E	77.42'		
9	S85°55'31"E	21.24'	21.26'	134.00'
10	N21°10'12"E	26.21'		
11	N21°10'12"E	19.06'		
12	N03°44'45"W	23.67'	24.33'	30.00'
13	S63°26'00"W	12.48'	12.50'	60.00'
14	S45°18'21"W	24.49'	25.23'	30.00'
15	S21°12'39"W	43.36'		
16	S89°31'46"W	51.48'		
17	S81°42'30"W	36.47'	36.58'	134.00'
18	S73°33'14"W	62.64'		
19	S81°42'30"W	45.18'	45.32'	166.00'
20	S89°31'46"W	99.79'		
21	N82°38'58"W	45.18'	45.32'	166.00'
22	N74°49'42"W	62.64'		
23	N83°47'01"W	42.62'	42.72'	183.01'



TOTAL
RIGHT-OF-WAY AREA
3.218 AC



- LEGEND
- AC - ACRES
 - AE - ACCESS EASEMENT
 - BC - BACK OF CURB
 - CLF - CHAIN LINK FENCE
 - CSG - CURB & GUTTER
 - CT - CURB INLET
 - CL - CENTER LINE
 - CLF - CHAIN LINK FENCE
 - DB PG - DEED BOOK, PAGE
 - DE - DRAINAGE EASEMENT
 - DI - DROP INLET
 - DIP - DUCTILE IRON PIPE
 - DWCB - DOUBLE-WING CATCH BASIN
 - EX - EXISTING
 - EASE - EASEMENT
 - GV - GAS VALVE
 - GW - GUY WIRE
 - HM - HEADWALL
 - IPF - IRON PIN FOUND
 - IPS - IRON PIN SET (1/2" R/B)
 - JB - JUNCTION BOX
 - LD - LAND LOT LINE
 - LP - LIGHT POLE
 - MH - MANHOLE
 - N/F - NOW OR FORMERLY
 - OCB - OUTLET CONTROL STRUCTURE
 - PBX - POWER BOX
 - PIV - POST INDICATOR VALVE
 - PL - PROPERTY LINE
 - PM - POWER METER
 - PGB - POINT OF BEGINNING
 - PP - POWER POLE
 - PR PG - PLAT BOOK, PAGE
 - R/B - REBAR
 - R/W - RIGHT OF WAY
 - SS - SANITARY SEWER LINE
 - SS-E - SANITARY SEWER EASEMENT
 - SWCB - SINGLE-WING CATCH BASIN
 - TBM - TEMPORARY BENCHMARK
 - TBX - TELEPHONE BOX
 - TP - TELEPHONE POLE
 - TPOB - TRUE POINT OF BEGINNING
 - TS - TRAFFIC SIGNAL BOX
 - TSP - TRAFFIC SIGNAL POLE
 - TNZ - TRANSFORMER
 - WI - WEIR INLET
 - FM - FORCE MAIN
 - OP - OVERHEAD POWER LINE
 - UP - UNDERGROUND POWER LINE

REFERENCE PLATS

1. RIGHT-OF-WAY DEDICATION PLAT FOR GATEWAY CENTRE PARKWAY, ABT WAY & KUBOTA WAY, PREPARED BY ROCHESTER & ASSOCIATES, INC., DATED 6/23/16, RECORDED IN PLAT BOOK 873, PAGE 107, HALL COUNTY RECORDS.

THIS EXHIBIT IS FOR INFORMATION
PURPOSES ONLY.
NOT TO BE RECORDED.

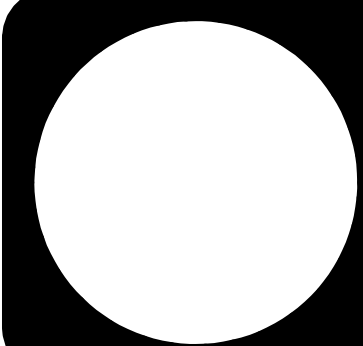
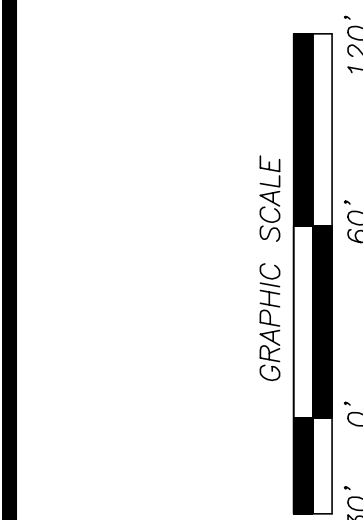
NOTES

- THE FIELD DATA DATED 11/11/17, UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 56,901 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. TRIMBLE 56 WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
- THIS EXHIBIT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 349,934 FEET.
- THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS PER F.E.M.A. FLOOD INSURANCE RATE MAPS OF HALL COUNTY, GEORGIA, PANEL NO. 13139C0302, DATED SEPTEMBER 29, 2006.
- THIS EXHIBIT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
- ALL PROPERTY CORNERS REFERENCED AS IPS INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER LSF000484" UNLESS OTHERWISE NOTED.
- THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND, VISIBLE EVIDENCE, AND MARKING DONE BY UTILITIES SERVICES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).

BOUNDARY EXHIBIT
FOR :
KUBOTA WAY EXTENSION

LOCATED IN
G.A.D. 403
HALL COUNTY, GEORGIA

REVISIONS	
NO.	DESCRIPTION



SHEET	
1	OF
1	1
DATE : 12/11/17	
JOB NO : G20097015	
FILE NO : "B"00101	
DRAWN BY: WDC	

Rochester & Associates, Inc.
425 Oak Street N.W. • Gainesville, Georgia 30601
(770)718-0600 (770)718-9090 Fax • www.rochester-assoc.com



Hall County Government

PUBLIC WORKS & UTILITIES
ENGINEERING

PETITION FOR ROAD ABANDONMENT/CLOSING

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Public Works Director

BILL NASH, P.E.
Asst. Public Works Director

FRANKLIN P. MILLER, P.E.
County Engineer

We, the undersigned property owners, presently own land which abuts _____

Kubota Way, respectfully request that Kubota Way

_____ be closed and abandoned by Hall County as follows:

(Section or length of road in question)

Beginning at the intersection of Kubota Way and Gateway Centre
Parkway and ending at the cul-de-sac at the end of Kubota Way

We are making this request for the following reasons:

1. Kubota Way is surrounded on all sides by facilities owned by
Kubota Manufacturing of America Corporation ("Kubota").
2. Kubota would like to restrict access to its facilities by closing
Kubota Way to the public since there is no connection to a public
road beyond the intersection with Gateway Centre Parkway.

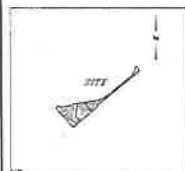
We hereby certify that we represent all of the property owners which abut

and have access to this section of:

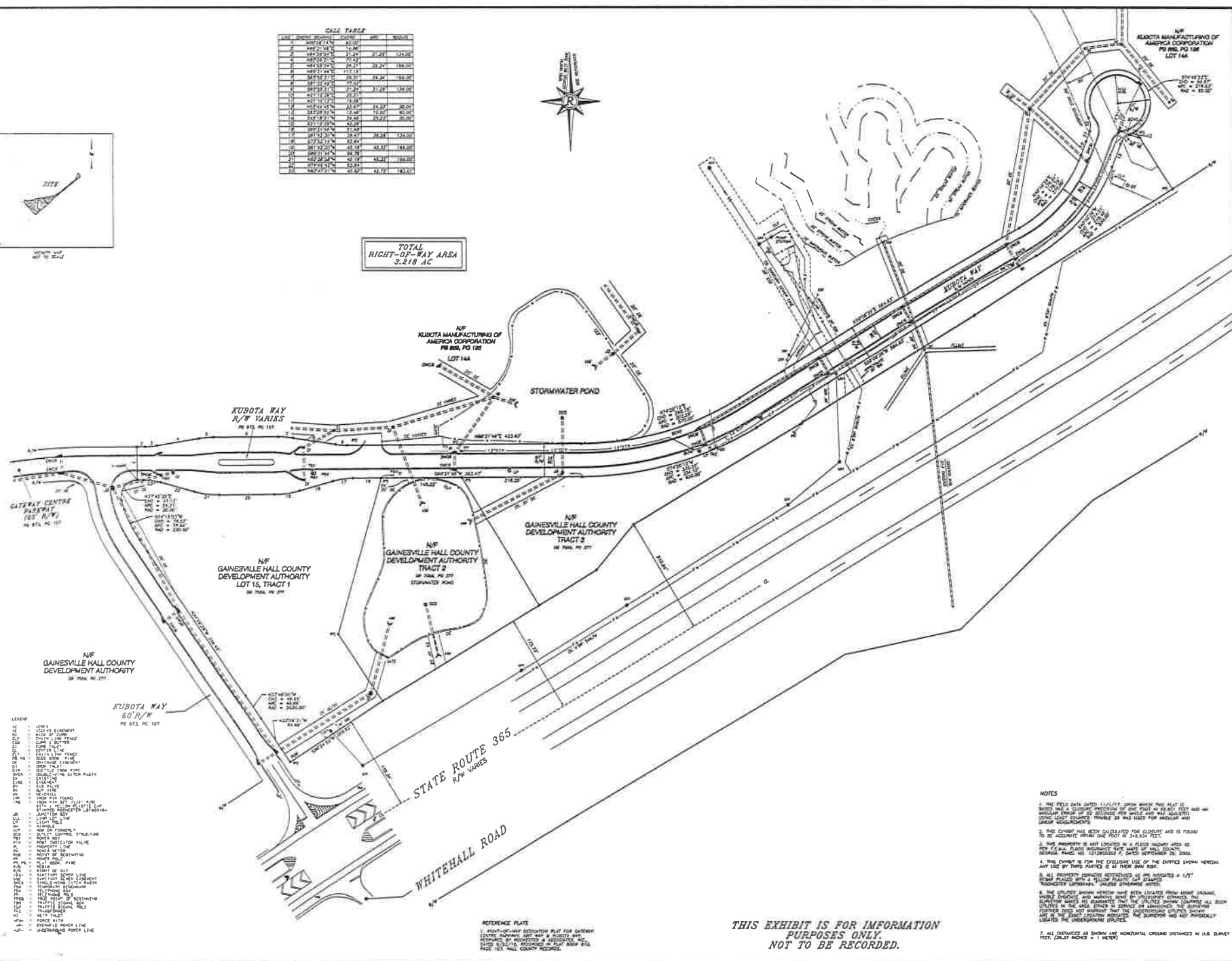
Kubota Way
(Road Name)

Name (printed)	Signature	Address	Telephone #
Gainesville and Hall County Development Authority	By: <i>William Bagwell</i> William Bagwell, Chairman	P.O. Box 3280 Gainesville GA 30503	770.536.0101
Kubota Manufacturing of America Corporation	By: <i>Paul SP</i> Title: <i>VP</i>	2715 Ramsey Rd Gainesville GA 30501	770.532.0038

AGE	NUMBER	PERCENT	CHARGE	AMT.	REVENUE
1	6057.0	1.2%	81.00		
2	1012.0	2.1%	71.00	71.00	
3	104.0	0.2%	20.00	20.00	3.64.00
4	104.0	0.2%	20.00	20.00	3.64.00
5	104.0	0.2%	20.00	20.00	3.64.00
6	104.0	0.2%	20.00	20.00	3.64.00
7	104.0	0.2%	20.00	20.00	3.64.00
8	104.0	0.2%	20.00	20.00	3.64.00
9	104.0	0.2%	20.00	20.00	3.64.00
10	104.0	0.2%	20.00	20.00	3.64.00
11	104.0	0.2%	20.00	20.00	3.64.00
12	104.0	0.2%	20.00	20.00	3.64.00
13	104.0	0.2%	20.00	20.00	3.64.00
14	104.0	0.2%	20.00	20.00	3.64.00
15	104.0	0.2%	20.00	20.00	3.64.00
16	104.0	0.2%	20.00	20.00	3.64.00
17	104.0	0.2%	20.00	20.00	3.64.00
18	104.0	0.2%	20.00	20.00	3.64.00
19	104.0	0.2%	20.00	20.00	3.64.00
20	104.0	0.2%	20.00	20.00	3.64.00
21	104.0	0.2%	20.00	20.00	3.64.00
22	104.0	0.2%	20.00	20.00	3.64.00
23	104.0	0.2%	20.00	20.00	3.64.00
24	104.0	0.2%	20.00	20.00	3.64.00
25	104.0	0.2%	20.00	20.00	3.64.00
26	104.0	0.2%	20.00	20.00	3.64.00
27	104.0	0.2%	20.00	20.00	3.64.00
28	104.0	0.2%	20.00	20.00	3.64.00
29	104.0	0.2%	20.00	20.00	3.64.00
30	104.0	0.2%	20.00	20.00	3.64.00
31	104.0	0.2%	20.00	20.00	3.64.00
32	104.0	0.2%	20.00	20.00	3.64.00
33	104.0	0.2%	20.00	20.00	3.64.00
34	104.0	0.2%	20.00	20.00	3.64.00
35	104.0	0.2%	20.00	20.00	3.64.00
36	104.0	0.2%	20.00	20.00	3.64.00
37	104.0	0.2%	20.00	20.00	3.64.00
38	104.0	0.2%	20.00	20.00	3.64.00
39	104.0	0.2%	20.00	20.00	3.64.00
40	104.0	0.2%	20.00	20.00	3.64.00
41	104.0	0.2%	20.00	20.00	3.64.00
42	104.0	0.2%	20.00	20.00	3.64.00
43	104.0	0.2%	20.00	20.00	3.64.00
44	104.0	0.2%	20.00	20.00	3.64.00
45	104.0	0.2%	20.00	20.00	3.64.00
46	104.0	0.2%	20.00	20.00	3.64.00
47	104.0	0.2%	20.00	20.00	3.64.00
48	104.0	0.2%	20.00	20.00	3.64.00
49	104.0	0.2%	20.00	20.00	3.64.00
50	104.0	0.2%	20.00	20.00	3.64.00
51	104.0	0.2%	20.00	20.00	3.64.00
52	104.0	0.2%	20.00	20.00	3.64.00
53	104.0	0.2%	20.00	20.00	3.64.00
54	104.0	0.2%	20.00	20.00	3.64.00
55	104.0	0.2%	20.00	20.00	3.64.00
56	104.0	0.2%	20.00	20.00	3.64.00
57	104.0	0.2%	20.00	20.00	3.64.00
58	104.0	0.2%	20.00	20.00	3



TOTAL
RIGHT-OF-WAY AREA
3.218 AC



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PURPOSES ONLY.
NOT TO BE RECORDED.

NOTE

THE FIELD DIVISIONS 11/17/77, 12/01/77, 12/07/77, 12/14/77, 12/21/77, 12/28/77, 1/04/78, 1/11/78, 1/18/78, 1/25/78, 2/01/78, 2/08/78, 2/15/78, 2/22/78, 2/29/78, 3/06/78, 3/13/78, 3/20/78, 3/27/78, 4/03/78, 4/10/78, 4/17/78, 4/24/78, 5/01/78, 5/08/78, 5/15/78, 5/22/78, 5/29/78, 6/05/78, 6/12/78, 6/19/78, 6/26/78, 7/03/78, 7/10/78, 7/17/78, 7/24/78, 7/31/78, 8/07/78, 8/14/78, 8/21/78, 8/28/78, 9/04/78, 9/11/78, 9/18/78, 9/25/78, 10/02/78, 10/09/78, 10/16/78, 10/23/78, 10/30/78, 11/06/78, 11/13/78, 11/20/78, 11/27/78, 12/04/78, 12/11/78, 12/18/78, 12/25/78, 1/01/79, 1/08/79, 1/15/79, 1/22/79, 1/29/79, 2/05/79, 2/12/79, 2/19/79, 2/26/79, 3/05/79, 3/12/79, 3/19/79, 3/26/79, 4/02/79, 4/09/79, 4/16/79, 4/23/79, 4/30/79, 5/07/79, 5/14/79, 5/21/79, 5/28/79, 6/04/79, 6/11/79, 6/18/79, 6/25/79, 7/02/79, 7/09/79, 7/16/79, 7/23/79, 7/30/79, 8/06/79, 8/13/79, 8/20/79, 8/27/79, 9/03/79, 9/10/79, 9/17/79, 9/24/79, 10/01/79, 10/08/79, 10/15/79, 10/22/79, 10/29/79, 11/05/79, 11/12/79, 11/19/79, 11/26/79, 12/03/79, 12/10/79, 12/17/79, 12/24/79, 1/01/80, 1/08/80, 1/15/80, 1/22/80, 1/29/80, 2/05/80, 2/12/80, 2/19/80, 2/26/80, 3/05/80, 3/12/80, 3/19/80, 3/26/80, 4/02/80, 4/09/80, 4/16/80, 4/23/80, 4/30/80, 5/07/80, 5/14/80, 5/21/80, 5/28/80, 6/04/80, 6/11/80, 6/18/80, 6/25/80, 7/02/80, 7/09/80, 7/16/80, 7/23/80, 7/30/80, 8/06/80, 8/13/80, 8/20/80, 8/27/80, 9/03/80, 9/10/80, 9/17/80, 9/24/80, 10/01/80, 10/08/80, 10/15/80, 10/22/80, 10/29/80, 11/05/80, 11/12/80, 11/19/80, 11/26/80, 12/03/80, 12/10/80, 12/17/80, 12/24/80, 1/01/81, 1/08/81, 1/15/81, 1/22/81, 1/29/81, 2/05/81, 2/12/81, 2/19/81, 2/26/81, 3/05/81, 3/12/81, 3/19/81, 3/26/81, 4/02/81, 4/09/81, 4/16/81, 4/23/81, 4/30/81, 5/07/81, 5/14/81, 5/21/81, 5/28/81, 6/04/81, 6/11/81, 6/18/81, 6/25/81, 7/02/81, 7/09/81, 7/16/81, 7/23/81, 7/30/81, 8/06/81, 8/13/81, 8/20/81, 8/27/81, 9/03/81, 9/10/81, 9/17/81, 9/24/81, 10/01/81, 10/08/81, 10/15/81, 10/22/81, 10/29/81, 11/05/81, 11/12/81, 11/19/81, 11/26/81, 12/03/81, 12/10/81, 12/17/81, 12/24/81, 1/01/82, 1/08/82, 1/15/82, 1/22/82, 1/29/82, 2/05/82, 2/12/82, 2/19/82, 2/26/82, 3/05/82, 3/12/82, 3/19/82, 3/26/82, 4/02/82, 4/09/82, 4/16/82, 4/23/82, 4/30/82, 5/07/82, 5/14/82, 5/21/82, 5/28/82, 6/04/82, 6/11/82, 6/18/82, 6/25/82, 7/02/82, 7/09/82, 7/16/82, 7/23/82, 7/30/82, 8/06/82, 8/13/82, 8/20/82, 8/27/82, 9/03/82, 9/10/82, 9/17/82, 9/24/82, 10/01/82, 10/08/82, 10/15/82, 10/22/82, 10/29/82, 11/05/82, 11/12/82, 11/19/82, 11/26/82, 12/03/82, 12/10/82, 12/17/82, 12/24/82, 1/01/83, 1/08/83, 1/15/83, 1/22/83, 1/29/83, 2/05/83, 2/12/83, 2/19/83, 2/26/83, 3/05/83, 3/12/83, 3/19/83, 3/26/83, 4/02/83, 4/09/83, 4/16/83, 4/23/83, 4/30/83, 5/07/83, 5/14/83, 5/21/83, 5/28/83, 6/04/83, 6/11/83, 6/18/83, 6/25/83, 7/02/83, 7/09/83, 7/16/83, 7/23/83, 7/30/83, 8/06/83, 8/13/83, 8/20/83, 8/27/83, 9/03/83, 9/10/83, 9/17/83, 9/24/83, 10/01/83, 10/08/83, 10/15/83, 10/22/83, 10/29/83, 11/05/83, 11/12/83, 11/19/83, 11/26/83, 12/03/83, 12/10/83, 12/17/83, 12/24/83, 1/01/84, 1/08/84, 1/15/84, 1/22/84, 1/29/84, 2/05/84, 2/12/84, 2/19/84, 2/26/84, 3/05/84, 3/12/84, 3/19/84, 3/26/84, 4/02/84, 4/09/84, 4/16/84, 4/23/84, 4/30/84, 5/07/84, 5/14/84, 5/21/84, 5/28/84, 6/04/84, 6/11/84, 6/18/84, 6/25/84, 7/02/84, 7/09/84, 7/16/84, 7/23/84, 7/30/84, 8/06/84, 8/13/84, 8/20/84, 8/27/84, 9/03/84, 9/10/84, 9/17/84, 9/24/84, 10/01/84, 10/08/84, 10/15/84, 10/22/84, 10/29/84, 11/05/84, 11/12/84, 11/19/84, 11/26/84, 12/03/84, 12/10/84, 12/17/84, 12/24/84, 1/01/85, 1/08/85, 1/15/85, 1/22/85, 1/29/85, 2/05/85, 2/12/85, 2/19/85, 2/26/85, 3/05/85, 3/12/85, 3/19/85, 3/26/85, 4/02/85, 4/09/85, 4/16/85, 4/23/85, 4/30/85, 5/07/85, 5/14/85, 5/21/85, 5/28/85, 6/04/85, 6/11/85, 6/18/85, 6/25/85, 7/02/85, 7/09/85, 7/16/85, 7/23/85, 7/30/85, 8/06/85, 8/13/85, 8/20/85, 8/27/85, 9/03/85, 9/10/85, 9/17/85, 9/24/85, 10/01/85, 10/08/85, 10/15/85, 10/22/85, 10/29/85, 11/05/85, 11/12/85, 11/19/85, 11/26/85, 12/03/85, 12/10/85, 12/17/85, 12/24/85, 1/01/86, 1/08/86, 1/15/86, 1/22/86, 1/29/86, 2/05/86, 2/12/86, 2/19/86, 2/26/86, 3/05/86, 3/12/86, 3/19/86, 3/26/86, 4/02/86, 4/09/86, 4/16/86, 4/23/86, 4/30/86, 5/07/86, 5/14/86,

Rochester
& Associates, Inc.

425 Oak Street N.W., Columbus, Georgia 30601
 Phone 404/525-1100 Fax 404/525-1101
 E-mail info@rochester.com
 Web www.rochester.com

**KUBOTA MANUFACTURING OF
AMERICA CORPORATION**

[illegible]

GRAPHIC SCALE



SHEET
1
OF
1



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 618/2022

SUBJECT: Approve the purchase of one (1) 2023 Ford Transit Cargo Van for Construction Management from Billy Cain Ford of Commerce, GA in the amount of \$54,074.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation:
Billy Cain Ford, Commerce, GA

Purpose of Request:

To approve the purchase of one (1) 2023 Ford Transit Cargo Van for Hall County Construction Management Department from Billy Cain Ford, Commerce, GA in the amount of \$54,074.00 against account 587-6006.

History:

The purchase order was originally sent to state contract vendor, National Auto Fleet, and the lead time passed by the time we placed the order. This order has been cancelled with the vendor's permission. Another vehicle has been located local and we are seeking approval to purchase the van from Billy Cain Ford in Commerce, GA.

Facts and Issues:

State contract vendor, National Auto Fleet, would not accept the purchase order that was one (1) week past the deadline from Ford. Another vehicle was located locally, Billy Cain Ford, Commerce, GA, and we are seeking approval to purchase this vehicle. The dollars are comparable to the state price and we have also attached three (3) additional quotes for similar vehicles.

Options:

Funding Requested \$ 54,074.00

Are funds within current budget? Yes

Source of Funds Capital

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? Yes

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	MS	LW	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

Billy_Cain_Ford_quote_for_transit_van.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 618/2022

Funds Requested: \$ 54,074.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Capital

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	587 - CONST MGMT - CAP PROJECTS	6006 - MOTOR VEHICLES	\$54,074.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SY

Phone: 770-531-6799

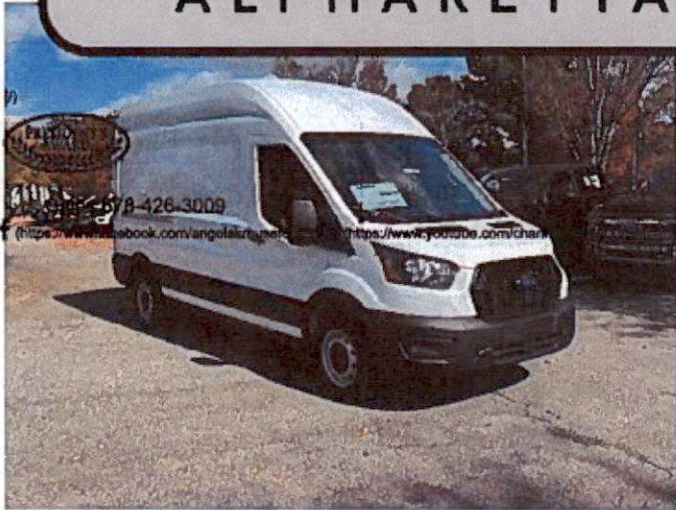
ANGELA KRAUSE



ALPHARETTA / ROSWELL

Search

1 1/2 v



Rg9Qpc8YYA) (https://www.instagram.com/angela_krause_ford/?hl=en)

2023 Ford Transit-250

(https://www.angela-krauseford.com/new-Alpharetta-2023-Ford-Transit+250+-1FTBR1X8XPKA00182)

VIN: 1FTBR1X8XPKA00182 Stock: A00182 Model: R1X

In Stock

11 mi

☐ Ext. ☐ Int.



\$62,955
ANGELA KRAUSE PRICE:
Less ^

MSRP

\$62,955

Quake 1

Calculate Your Payment

Get Pre-Approved

Ford Private Offer



(/Krause-Express-Checkout-Alpharetta-GA.html)

☐ Compare Vehicle

May not represent actual vehicle. (Options, colors, trim and body style may vary)



JOHN MEGEL



(https://www.megelford.com/promotions/red-tag-sale-event.htm)

Inventory

Search our inventory...



< Forward Collision Warning 1 Rain Sensing Wipers 1 Rearview Camera 1

1 Vehicle Matching 2023, Ford, Transit Commercial

Filter / Sort



2023 Ford

Transit Commercial W3X 101A - 148 RWD CARGO VAN

Electric

MSRP¹

\$66,700

RWD

☐ Oxford White Exterior

☐ Ebony Interior

Stock #: T60073

DEALER ORDERED

1FTBW3XK6PKA26827

THIS VEHICLE IS
IN TRANSIT

Quote 2

☐ Compare ☐ Save

More Details >

1 found



THIS VEHICLE IS
IN TRANSIT

GVWR RWD 6

3.5L 6 Engine

Automatic

☐ Oxford White Exterior

☐ Dark Palazzo Gray Interior

Stock #: 21640

DEALER ORDERED

1FTBR1C86PKA11640

MSRP¹

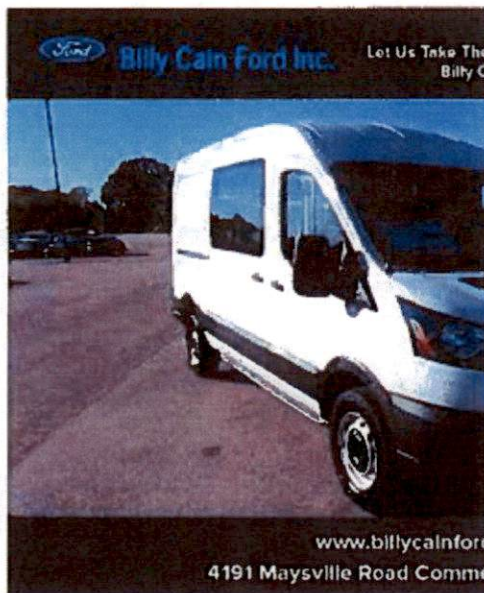
Selling Price

\$63,200

Please Call

☐ Compare ☐ Save

More Details >



2023 Ford Transit Cargo Van T-250 148 Med Rf 9070 GVWR RWD 6

3.5L 6 Engine

Automatic

☐ Oxford White Exterior

☐ Dark Palazzo Gray Interior

Stock #: 21861

IN STOCK

1FTBR1C80PKA11861

MSRP¹

Selling Price

~~\$63,375~~

Please Call

Quote - \$54,074.00

Quote 3
"Choice"

More Details >

☐ Compare ☐ Save

2023 Ford Transit Cargo Van T-250 148 Med Rf 9070 GVWR RWD 6

3.5L 6 Engine

Automatic

☐ Race Red Exterior

☐ Dark Palazzo Gray Interior

Stock #: 25040

IN STOCK

1FTBR1C88PKA25040

MSRP¹

Selling Price

\$62,905

Please Call

Schedule ServiceTextLive Chat

KAN-002570

GA

11/07/2022 10:00 AM

12388

120220910

6092

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008020

11/07/2022

PKA11861

NB



Go Further

ford.com

TRANSIT

2022 450 HP CARGO EVO
150" WHEELBASE
15.6L FDI V8 (GAS)
10-SPEED TRANSMISSION

10T CHIPS
OFF-ROAD WHITE
INTERIOR
DARK BALANCE GRAY VINYL

PKA11861

STANDARD EQUIPMENT (EXCLUDED AT NO EXTRA CHARGE)

EXTERIOR

- AUXILIARY FUEL PORT
- BODY SIDE MOLDINGS - BLACK
- DUMPER - CHROME BLACK
- FULL SIZE SPARE TIRE/WHEEL
- HEADLAMP COUNTERMOUNT DELAY
- WHEELS - RAIN-SENSING

INTERIOR

- AIR CONDITIONING
- ASSIST HANDLES - A-PILLAR
- CENTER CONSOLE
- INTERIOR LIGHTING - LED
- LOCKING GLOVE BOX
- POWERPOINT - 12V (FRONT)
- STEREO - 12V/TELEPHONE
- TACHOMETER

EXTERIOR

- AUTO HIGH-BEAM HEADLAMPS
- ELECTRONIC PARK ASSIST SYSTEM
- FORWARD COLLISION WARNING
- HILL START ASSIST
- LANE-DEPARTING SYSTEM
- POST-COLLISION BRAKING
- PRE-COLLISION ASSIST SYSTEM
- REAR VIEW CAMERA
- NO TRANSFER HITCH ASSIST
- SELECTABLE DRIVE MODES
- STEERING STABILIZATION

SAFETY/SECURITY

- 3 POINT SAFETY BELTS
- ADVANCED TRAC CONTROL WITH ESC
- AIRBAGS IN FRONT, SIDE AND SAFETY CANNON SYSTEM
- BRACKS - CHROME, 1500 WINGS
- SECURE LOCK ANTI-THEFT SYSTEM
- 60S POST-CRASH ALERT SYSTEM
- TIRE PRESSURE MONITORING

STABILITY

- STABILIZED BUMPER / BUMPER
- STABILIZED POWERTRAIN
- STABILIZED HIDEAWAY ASSIST

INCLUDED ON THIS VEHICLE

(CHARGE)

OPTIONAL EQUIPMENT/OTHER

PREFERRED EQUIPMENT/OTHER

5.75 NON-LIMITED SLIP AXLE

FRONT LICENSE PLATE BRACKET

WHEEL 6R FLORIDA COVERING

FIXED REAR AND FRONT DOOR GLASS

AUTO START STOP MEMORIAL

WIFI 4G LTE HOTSPOT DELETE

8500 CHRYSLER PACKAGE

40 STATE EMISSIONS

PARKING ASSIST SYSTEM

PARKING - 4000, 4000

CRUISE CONTROL

FRONT OVERHEAD SHELF

5.0L FLEX FUEL CAPABLE

NO CHARGE

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Total Price

53574.00

500.00

2 Extra Keys

54074.00

TOTAL MSRP \$48,375.00

Whether you decide to lease or finance your vehicle, you'll find the choices that are right for you. See your dealer for details or visit www.ford.com/finance.

FORD CREDIT

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California Air Resources Board

Flexible Fuel Vehicle Gasoline/Ethanol (E85)

Environmental Performance

These ratings are not directly comparable to the U.S. EPA/DOT light-duty vehicle label ratings. For information on how to compare, please see www.arb.ca.gov/ep_label.

Protect the environment. Choose vehicles with higher ratings.

Greenhouse Gas Rating (passenger only)

Smog Rating (passenger only)



Using alternative fuels may change scores.

Vehicle emissions are a primary contributor to climate change and smog. Reducing a vehicle's emissions for California Air Resources Board (ARB) based on the vehicle's emissions.

CALIFORNIA

GOVERNMENT 5-STAR SAFETY RATINGS

Overall Vehicle Score Not Rated

Based on the risk of injury in a frontal impact. Should ONLY be compared to other vehicles of similar size and weight.

Frontal Crash Driver Passenger ★★★★★

Based on the risk of injury in a frontal impact. Should ONLY be compared to other vehicles of similar size and weight.

Side Crash Front seat Not Rated

Side Crash Rear seat Not Rated

Based on the risk of injury in a side impact.

Rollover Not Rated

Based on the risk of rollover in a two-vehicle crash.

Star ratings are based on the National Highway Traffic Safety Administration (NHTSA) Source: National Highway Traffic Safety Administration (NHTSA)

www.safercar.gov

11/07/2022 10:00 AM

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FORDPASS CONNECT

Download the FordPass app and you can:

Access Vehicle Control Features

- Remotely start, lock and unlock your vehicle.
- Locate your vehicle and check approximate fuel range.
- Receive vehicle health alerts.

Activate 4G LTE Wi-Fi Hotspot

- Access vehicle's 4G LTE Wi-Fi hotspot or 3G data (performance varies by location).
- Connect up to ten Wi-Fi-equipped devices.

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11/07/2022

1202209106092

New Ford Inventory in Anderson, SC


Looking for the best selection of new Ford inventory near you in Anderson, SC – close to Seneca, Easley, and Greenville? Your search ends at Anderson Ford! We have hundreds of brand-new Fords in stock and you can see all of them right here on our website. Browse by year, model, color, and more! Be sure to check out our new vehicle specials for even more savings! If you have any questions, feel free to call us.

(1 - 1 of 1 Vehicles)

Sort by: Price: Low to High

10 Show:

2023 Ford Transit-250



View Video

MSRP:

\$55,800

Instant Savings:

\$54,800

3D Cargo Van R1Y 3.5L PFDI V6 Engine 10-Speed Automatic with Overdrive RWD Oxford White V6 VIN #: 1FT8R1Y81PKA36289 522763

Status: Extended Inventory

LOCK IN YOUR SAVINGS! CLICK HERE

Value Your Trade

Calculate Your Payment



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 626/2022

SUBJECT: Approve the collection of \$465,218.00 Guaranty Agreement/Maintenance and acceptance of streets for Lancaster Subdivision Phase 2. Commission District 1.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation:
Approve

Purpose of Request:
Approve to collect a \$465,218.00 Guaranty Agreement for Lancaster Subdivision Phase 2 and acceptance of streets. Commission District 1

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Memorandum to Attorney

Final Plat

Guaranty Performance/Maintenance Agreement



Hall County Government
PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

FRANKLIN P. MILLER, P.E.

County Engineer

TO: Mr. Van Stephens, County Attorney

FROM: Tammie Croy, Civil Engineer III TC

SUBJECT: Collection of Guaranty Performance/Maintenance
Agreement for Lancaster Phase 2

DATE: November 17, 2022

This office has submitted a request to the County Commission to authorize your office to collect the guaranty performance/maintenance agreement held in behalf of Hall County. Enclosed is a copy of the letters notifying the developer and financial institution of the new bond requirement and existing bond expiration, a copy of the bond, and a copy of the final plat information.

Please advise if any additional information is needed regarding this matter.

cc: Board of Commissioners
Jock Connell

FINAL PLAT INFORMATION

Consider collection of \$465,218.00 Guaranty Agreement for in Lancaster Subdivision Phase 2 and acceptance of streets.

Subject Subdivision is location off of Spout Springs Road.

NAME OF SUBDIVISION: Lancaster Phase 2
NAME OF OWNER/DEVELOPER: Clayton Properties Group, Inc.
ADDRESS: 5230 Belle Wood Court
Buford, Georgia 30518

TYPE OF MAINTENANCE BOND: Guaranty Agreement
DATE OF BOND: December 28, 2020
AMOUNT OF BOND: \$465,218.00

FINANCIAL INSTITUTION: National Indemnity Company
ADDRESS: 1314 Douglas Street
Suite 1400
Omaha, Nebraska 68102-1944

ACCOUNT No: 70NGP184975

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
1	Lancaster Crossing	50	3,349	20	P.M.	----
1	Bridewell Place	50	3,231	20	P.M.	----
1	Branch Creek Cove	50	1,718	20	P.M.	----
1	Birch View Court	50	896	20	P.M.	----
1	Kempton Court	50	225	20	P.M.	----

NOTES:

NUMBER OF LOTS: 121
CURB & GUTTER: 24" Rolled Back
TOTAL ACRES OF S/D: 101.55 AC

STATE OF GEORGIA,
COUNTY OF HALL

Bond No. 70NGP184975

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton Properties Group, Inc.(owner/principal, hereinafter referred to as "Principal"), and National Indemnity Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of Four Hundred Sixty-Five Thousand, Two Hundred Eighteen and 00/100 Dollars (\$465,218)* (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Clayton Properties Group, Inc. (principal) is owner of the Subdivision known as Lancaster Phase 2 Subdivision, which subdivision is shown on a plat prepared by Development Planning & Engineering, Inc., Georgia Registered Surveyor Number 3121, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Lancaster Phase 2 Subdivision for recording purposes, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Lancaster Phase 2 Subdivision for public maintenance (not applicable to private developments).

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Clayton Properties Group, Inc. (principal) agrees that all construction of the street system of Lancaster Phase 2 Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Clayton Properties Group, Inc. (principal), and National Indemnity Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Lancaster Phase 2 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County, National Indemnity Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by National Indemnity Company (surety) from Hall County authorizing release of Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on December 28, 2020 and expires on December 28, 2022 (minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this 28th day of December, 2020.

- Clayton Properties Group, Inc.
PRINCIPAL

By: [Signature]
(Corporate Officer or other authorized representative)

Principal's Address:
5230 Bellwood Court
Buford, GA 30518

- National Indemnity Company
SURETY



By: [Signature]
Matthew G. Grantham, Attorney-in-Fact

Surety's Address:
1314 Douglas Street, Suite 1400
Omaha, NE 68102

- Approved:
Hall County

By: _____
(Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

POWER-OF-ATTORNEY

NATIONAL INDEMNITY COMPANY
1314 DOUGLAS STREET, SUITE 1400, OMAHA, NEBRASKA 68102-1944
(402) 916-3000

70NGP184975

KNOW ALL MEN BY THESE PRESENTS: This Power-of-Attorney is not valid unless attached to the duly-executed bond that it authorizes. This Power-of-Attorney specifies THE AUTHORITY OF THE ATTORNEY-IN-FACT and THE LIABILITY OF NATIONAL INDEMNITY COMPANY, WHICH SHALL NOT EXCEED:

FOUR HUNDRED SIXTY-FIVE THOUSAND, TWO HUNDRED EIGHTEEN AND 00/100 DOLLARS
(\$ 465,218.00)

NATIONAL INDEMNITY COMPANY, a Nebraska corporation, having its principal office in the City of Omaha, State of Nebraska, does hereby make, constitute and appoint Matthew G. Grantham in the City of Omaha, County of Douglas, State of Nebraska, its true and lawful attorney-in-fact, at Omaha, in the State of Nebraska, to make, execute, seal and deliver for and on its behalf, and as its act and deed, any and all bonds and undertakings, provided that the liability of the Company as surety on any such bond executed under this authority shall not in any event exceed the sum shown above.

THIS POWER VOID IF ALTERED OR ERASED

The acknowledgement and execution of any such document by the said Attorney-In-Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly-elected officers of this Company.

This Power of Attorney is granted, and is signed and sealed by original signature, under and by the authority of the following Resolution adopted by the Executive Committee, as duly authorized by the Board of Directors of NATIONAL INDEMNITY COMPANY, at a meeting duly called and held on the 15th day of March, 2017:

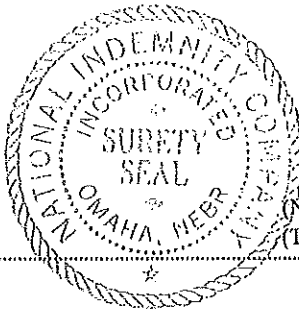
RESOLVED, That the President, any Vice President or the Secretary shall have the power and authority to (1) appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

FURTHER RESOLVED, That any Surety Administrator or Surety Underwriter shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company any license bond with a limit of \$10,000 or less.

FURTHER RESOLVED, That any Surety Administrator shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company (1) any bond, except an appeal bond, with a limit of \$10,000 or less and (2) any license bond with a limit of \$50,000 or less.

In Witness Whereof NATIONAL INDEMNITY COMPANY has caused its official seal to be hereunder affixed, and these presents to be signed by its Senior Vice President, this 23rd day of December, 2020.

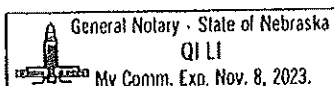
NATIONAL INDEMNITY COMPANY



BY Philip M. Wolf
(Name) Philip M. Wolf
(Title) Senior Vice President

STATE OF NEBRASKA }
COUNTY OF DOUGLAS } ss.:

On this 23rd day of December, 2020, before me, a Notary Public, personally appeared Philip M. Wolf, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as Senior Vice President of said NATIONAL INDEMNITY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



Qi Li
Notary Public, Nebraska

1. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OR WAGE LAW CLAIMS, OR BONDS FOR CRIMINAL APPEARANCE.
2. THIS POWER DOES NOT AUTHORIZE THE EXECUTION OF BONDS FOR LOAN GUARANTEES.

This Power Can Only Be Used in The State of: GEORGIA
This Power Can Only Be Used For The Following Obligor(s): EDL COUNTY
Bond Title / Description: GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT - LANCASTER PHASE 2 SUBDIVISION
Principal or case reference: CLAYTON PROPERTIES GROUP, INC.



AGENDA ITEM

Public Works and Utilities

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 616/2022

SUBJECT: Approve the Release of \$128,344.00 Guaranty Performance/Maintenance Agreement and acceptance of streets in Trinity Falls Phase 1 Subdivision. Commission District 1.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SY

Recommendation:
Approve

Purpose of Request: Approve the release of \$128,344.00 Guaranty Performance/Maintenance Agreement in Trinity Falls Phase 1 Subdivision and Acceptance of Streets. Commission District 1

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG
Attorney		Administration	Clerk

Attorney	Administration	Clerk
WLI	LJ	AO

Attachments:

Final Plat Information

Guaranty Performance/Maintenance Agreement

Final Plat Information

Consider release of \$128,344.00 Guaranty Performance/Maintenance Agreement in Trinity Falls Phase 1 Subdivision and Acceptance of Streets.

Subject Subdivision is located off of Friendship Road.

NAME OF SUBDIVISION: Trinity Falls Phase I
NAME OF OWNER/DEVELOPER: Century Communities of Georgia, LLC
ADDRESS: 3091 Govers Lake Dr.
Norcross, GA 30071

TYPE OF MAINTENANCE BOND: Guaranty Agreement & Performance
DATE OF BOND: June 9, 2021
AMOUNT OF BOND: \$128,344.00 Maintenance Agreement

FINANCIAL INSTITUTION: NGM Insurance Company
AND ADDRESS: 55 West Street
Keene, NH 03431

Account No.: S-278681

COMM.		R/W	LENGTH	WIDTH	TYPE	STATE
DIST.	STREET NAME	IN	IN	IN	OF	REF.
		FEET	MILES	FEET	SURFACE	NO.
1	Long Creek Drive	50	0.3070	20	P.M.	----
1	Goldberry Street	50	0.1043	20	P.M.	----
1	Over Hill Court	50	0.0907	20	P.M.	----
1	Fall Branch Lane	50	0.2932	20	P.M.	----
1	High Shoals	50	0.2004	20	P.M.	----
1	Creek Hollow	50	0.1795	20	P.M.	----

NOTES:

NUMBER OF LOTS: 131
CURB & GUTTER: 24" Rolled Back
TOTAL ACRES OF S/D: 48.701 AC

STATE OF GEORGIA,
COUNTY OF HALL

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Century Communities of Georgia, LLC (owner/principal, hereinafter referred to as "Principal"), and NGM Insurance Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of \$ One Hundred Twenty Eight Thousand Three Hundred Forty Four and 00/100 Dollars ~~(\$120,344.00)~~ (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Century Communities of Georgia, LLC (principal) is owner of the Subdivision known as Trinity Falls Phase 1 Subdivision, which subdivision is shown on a plat prepared by EarthPro Land Surveying; Joseph R. Wells, Georgia Registered Surveyor Number 3120, and

WHEREAS, Century Communities of Georgia, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Trinity Falls Phase 1 Subdivision for recording purposes, and

WHEREAS, Century Communities of Georgia, LLC (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Trinity Falls Phase 1 Subdivision for public maintenance (not applicable to private developments);

Century Communities of Georgia, LLC (principal) and NGM Insurance Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Century Communities of Georgia, LLC (principal) agrees that all construction of the street system of Trinity Falls Phase 1

Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Century Communities of Georgia, LLC (principal), and

NGM Insurance Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "P" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in _____ Trinity Falls Phase 1 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County,

NGM Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Century Communities of Georgia, LLC (principal) and

NGM Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by

NGM Insurance Company (surety) from Hall County authorizing release of

Century Communities of Georgia, LLC (principal) and

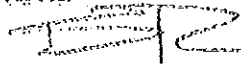
NGM Insurance Company (surety) from this Guaranty Agreement.

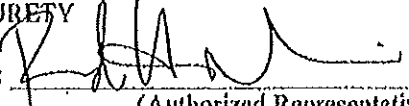
NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on _____ June 9, 2021 (Date) and expires on _____ June 9, 2023 (Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When

the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this

8th day of June, 2021.

• Century Communities of Georgia, LLC
PRINCIPAL
By: 
(Corporate Officer or other authorized representative)

• NGM Insurance Company
SURETY
By: 
(Authorized Representative) Richard H. Mitchell, Attorney-in-Fact
Surety's Address:
66 WEST STREET, KEENE, NH 03431

• Approved:
Hall County
By: _____
(Chairman)



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint **Mark W Edwards II, Jeffrey M Wilson, Robert R Freel, Ailsa B Ferris, Richard H Mitchell, Anna Childress, William M. Smith**

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Twenty Five Million Dollars (\$25,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law

Kimberly K. Law
Vice President,
General Counsel and Secretary

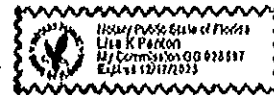


State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Lisa K. Peute



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this

9th of June, 2021

Nancy Giordano-Ramos

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 630/2022

SUBJECT: Approve the purchase of six (6) new 2022 Ford Explorers for the Sheriff's Office from Brannen Motor Company of Unadilla, GA, in the amount of \$226,400.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: MF

Recommendation:
Brannen Motor Company, Unadilla, GA.

Purpose of Request:

To approve the purchase of six (6) new 2022 Ford Explorers for Hall County Sheriff's Office thru Brannen Motor Company, Unadilla, GA. The total cost of the purchase is \$226,400.00.

History:

Our state contract vendors aren't taking any FY22 or FY23 orders for new vehicles at this time. Local vendors have the new inventory on their lots ready for purchase.

Facts and Issues:

The local vendors have 2022 new vehicles on their lots and the prices are comparable to state pricing. The state contractors stopped taking orders for 2023 vehicles in October.

Options:

Funding Requested

\$ 226,400.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VIII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	SC	SC	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
Clint_Brannen_-_6_Explorers.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 630/2022

Funds Requested: \$ 226,400.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

SPLOST VIII

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1850 - SP-VIII SHERIFF VEHICLES	5006 - MOTOR VEHICLES	\$226,400.00

Budget Transfer Items:

Additional Information/Comments:

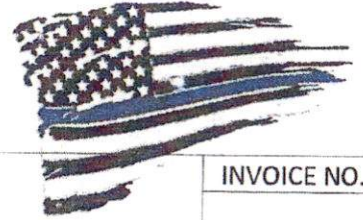
Contact for Questions: MF

Phone: 770-535-6881



1080 2nd Street
PO Box 746
Unadilla, GA 31091

P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



DATE: 10-9-2022

SOLD TO: HALL COUNTY SO

INVOICE NO.

ADDRESS: 2875 BROWNS BRIDGE RD GAINESVILLE, GA 60504

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	ADMIN	NEW	NGB01176	4KEY/4FOB	KELLEY/REED
		2022	INTERCEPTOR	NEW	NGC19396		
		2022	INTERCEPTOR	NEW	NGC19345		
		2022	INTERCEPTOR	NEW	NGC19383		
		2022	INTERCEPTOR	NEW	NGA99109		
		2022	INTERCEPTOR	NEW	NNA13969		

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.
PROPERTY DAMAGE • AMT.

PRICE OF CAR
FREIGHT AND
HANDLING
OPTIONAL EQUIP.
ACCESS.

NO FEES

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP DESCRIPTION PRICE

PHONE CONTACT-
VEHICLE(S)- 1-2022 GREY ADMIN PACKAGE INTECEPTOR SUV
\$40,200.00
1-2022 GREY ADMIN PACKAGE INTERCEPTOR SUV HYBRID
\$41,400.00
4- GREY INTERCEPTOR SUVS
\$36,200.00 EACH

EMAIL- MFREE@HALLCOUNTY.ORG

DISCLAIMER OF WARRANTIES

THE SELLER. BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DSCLAIMS ALL WARRANTIES. EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILIW OR FINESS FOR A PARTICULAR PURPOSE. AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.

LICENSE AND TITLE
TOTAL CASH PRICE

NO ADDED
FEES

FINANCING
INSURANCE

TOTAL TIME
PRICE SETTLEMENT:

DEPOSIT
CASH ON DELIVERY
USED CAR: •
TYPE

NO TAX

TOTAL \$226,400.00



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 629/2022

SUBJECT: Approve the purchase of three (3) used vehicles for the Sheriff's Office from Hardy Chevrolet of Gainesville, GA, in the amount of \$89,000.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: JM

Recommendation:
Hardy Chevrolet, Gainesville, GA

Purpose of Request:
To approve the purchase of three (3) used vehicles for Hall County Sheriff's Office from Hardy Chevrolet, Gainesville, GA. The total amount is \$89,000.00. The vehicles will be deep under-cover vehicles.

History:
These vehicles are purchased with forfeiture funds.

Facts and Issues:
These vehicles are purchased for the S.I.U. Division and will be used for deep under-cover. The funds for the purchase are forfeiture funds and there are 3 quotes per each vehicle attached.

Options:

Funding Requested	\$ 89,000.00
Are funds within current budget?	No
Source of Funds	Restricted Programs
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	Submit	Approve	Purchasing
DH	SC	SC	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

Hardy_Chevrolet_-_3_used_vehicles.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 629/2022

Funds Requested: \$ 89,000.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

Restricted Programs

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	024 - RESTRICTED PROGRAMS	240 - M.A.N.S. MASTER FUND	6006 - MOTOR VEHICLES	\$89,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: JM

Phone: 678-618-1235

DA

PAGE 1

REQUISITION 25343

REQUESTED 11/16/22 REQUIRED

APPROVAL GRP 143
SHERIFF-OPERATIONS

BUYER
SGT. JOHN MORGAN

SHIP TO 342
HALL COUNTY SHERIFF'S OFFICE
QUARTERMASTER'S DEPT
1680 BARBER ROAD
GAINESVILLE, GA 30507
ATTN: SGT. JOHN MORGAN #399
PURCHASE 3 USED VEHICLES FROM
HARDY
CHEVROLET

VENDOR 00010454
HARDY CHEVROLET INC
P O BOX 5157
GAINESVILLE GA 30503

FREIGHT

LN/ST	COMMODITY	STOCK NO	QUANTITY	UOM	UNIT PRICE	EXTENSION/ TAX/TRADE-IN
01			1.00		89,000.0000	89,000.00
A	PURCHASE 3 USED VEHICLES FROM HARDY CHEVROLET					0.00 0.00
	2021 TOYOTA CAMRY	\$33000				
	2022 KIA SPORTAGE	\$28500				
	2014 TOYOTA 4 RUNNER	\$27500				
					TOTAL PRICE	89,000.00
	DEPARTMENT	ACCOUNT	PROJECT	ACCOUNT	CHARGE AMOUNT	
	240	6006			89,000.00	

REQUISITION TOTAL 89,000.00

PAGE TOTAL

89,000.00



GMC

Hardy Chevrolet
2115 Browns Bridge Rd
Gainesville GA 30501
- Phone (770) 532-4389

Customer Number _____
Sales Rep. Clay Coffman
Email _____

Deal # _____

MOTOR VEHICLE PURCHASEPurchaser HALL COUNTYS.S. No. _____ Date 10/26/2022Street Address 2859 BROWNS BRIDGE RD

Tel. Home _____

City Gainesville State GA Zip 30504 County Hall

Tel. Bus. _____

VEHICLE	Year	Make	Cyl.	Model	Body Style	Stock No.	
	2022	Kia	Regular	Sportage	Sport Utility	25908A	
VEHICLE	Color Black Cherry			Serial No. KNDPM3AC7N7947774			
	Lienholder Address			Mileage at Delivery 10302			
INSURANCE	Insurance Co.				LIST PRICE		\$28,500.00
	Agent Name				Dealer Installed Options		
	Agent Address				1.		
	City, State, Zip				2.		
	Agent Phone #				3.		
	Policy #				4.		
	Verified by				5.		
	Eff. from:				Total Sales Price		\$28,500.00
	Eff. to:				Trade Allowance		
	Ded.				Cash Difference		\$28,500.00
DESCRIPTION OF TRADE 1			LIENHOLDER OF TRADE 1				
Year	Make	Cyl.	Payoff to				
Model	Body Style		Address				
Tag #	Decal #		City, State				
Ser. #			Zip:	Phone #:			
Title			Acct. #				
Color			Amount	Good till			
Mileage			Quote by				
DESCRIPTION OF TRADE 2			LIENHOLDER OF TRADE 2				
Year	Make	Cyl.	Payoff to				
Model	Body Style		Address				
Tag #	Decal #		City, State				
Ser. #			Zip	Phone #			
Title			Acct. #				
Color			Amount	Good till			
Mileage			Quote by				
				Delivery & Handling			
				Electronic Title Registration		\$0.00	
				Sub Total		\$28,500.00	
				GA TAVT or Out of State Taxes		\$0.00	
				Lc. Trans. Reg. & Other Fees		\$0.00	
				GA Warranty Rights Fee		\$0.00	
				Sub Total		\$28,500.00	
				Payoff Trade One			
				Payoff Trade Two			
				Cash Balance Owed		\$28,500.00	
				Rebate, If Applicable			
				Cash on Delivery			
				Unpaid Balance		\$28,500.00	
				Ext. Service Contract			
				CL / AH			
				GAP			
				Maintenance			
				TOTAL CASH PRICE		\$28,500.00	

WARNING - Unless a charge is included in this agreement for Public Liability or Property Damage Insurance, payment for such coverage is not provided by this agreement.

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Accepted _____
This order not valid until accepted by DEALER OR SALES MANAGER

RECEIPT OF A FILLED-IN COPY OF THIS AGREEMENT
IS HEREBY ACKNOWLEDGED BY PURCHASER

I have read, understand and accept all provisions of the Manufacturer's Warranty Statement covering this new vehicle that I am ordering.

Purchaser's Signature [Signature]
Purchaser's Signature [Signature]



📍 Near Cumberland, MD

2022 Kia Sportage EX

\$30,500 • 13,465 mi (miles)

GREAT VALUE \$2,900 below • \$33,400 CARFAX Value ⓘ

was \$31,797 on 08/25/2022

Vehicle History

- ☒

No Accident or Damage Reported

▼
- Personal Use**

▼
- CARFAX 1-Owner**

▼
- Service History**

▼

VIN: KNDPNCAC3N7986679 • **Stock #:** UC986679



Follow



Call Dealer



Email Dealer



Share

Vehicle Highlights



Price

\$30,500



Mileage

13,465



Body Style

SUV



MPG City/Hwy

22/26



Drive Type

AWD



Transmission

Automatic



Engine

4 Cyl



Fuel

Gasoline



Interior Color

Black



Exterior Color

Blue

Top Features

Keyless Entry

Fog Lights

Spoiler

Heated Seats

Roof Rails

Power Liftgate

18 Inch Wheels

Alloy Wheels

Splash Guards

Heated Mirrors

4-Wheel Disc Brakes

4-Wheel Independent Suspension

6 Speakers

AM/FM

Adjustable Steering Wheel

Seller Description

This 2022 Pacific Blue Kia Sportage EX AWD is well equipped and includes these features and benefits: CARFAX One-Owner.

...

CARFAX Value

\$30,500

Listing Price

GREAT VALUE

\$2,900 below

\$33,400 CARFAX Value ⓘ

Fair Value


Good Value

Great Value

What makes this vehicle a great value?

↑ ☒ No Accidents Reported

↑  1-Owner Vehicle

↑  Regular Oil Changes

↑  Personal Vehicle


[View FREE CARFAX Report](#)




Dealer Details

Timbrook Kia

10210 Mount Savage Rd NW Cumberland, MD 21502

 (301) 719-3476

 (301) 719-3476

 8:30am - 6:00pm ▾



Payment Calculator

Down Payment / Trade In

\$3,050

10% of \$30,500

Interest Rate (%)

4.00

with good credit

Loan Terms (months)

24

36

48

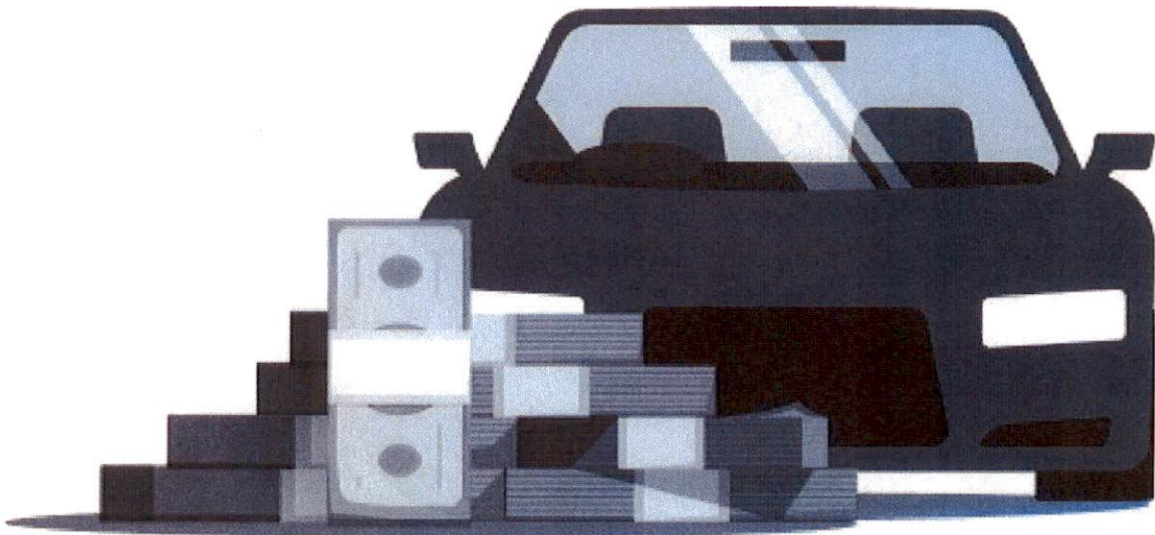
60

72

Estimated Monthly Payment *

\$506 / mo (month) est. (estimated)

* Estimated payments are for informational purposes only and don't represent a financing offer or guarantee of credit. Estimated payment is based on the price advertised by the seller and doesn't account for any additional fees, taxes or incentives.



Sell Your Car with CARFAX in 3 Easy Steps!

Get Cash Offers

Home › Used Cars › Kia Sportage › 2022 › EX › Cumberland, MD



📍 Near Independence, MO

2022 Kia Sportage EX

~~\$30,000~~ was \$31,000 (-3%) • 9,648 mi (miles)

GREAT VALUE \$1,800 below • \$31,800 CARFAX Value ⓘ

★ Kia Certified Pre-Owned ⓘ

Vehicle History

- ✓ **No Accident or Damage Reported** ▼
- 🏠 **Personal Use** ▼
- 1 **CARFAX 1-Owner** ▼
- 🔧 **Service History** ▼

VIN: KNDPNCAC6N7981816 • Stock #: B198



Follow



Call Dealer



Email Dealer



Share

Price History ⓘ

\$36,000

Original List
Price



9 Price Changes
-\$6,000

\$30,000


Now


Show Full Price History


Vehicle Highlights

\$ Price
\$30,000


 Mileage
9,648

 Body Style
SUV


 MPG City/Hwy
22/26


 Drive Type
AWD

 Transmission
Automatic

 Engine
4 Cyl

 Fuel
Gasoline

 Interior Color
Black

 Exterior Color
Burgundy

Top Features

Keyless Entry Fog Lights Spoiler Leather Seats Heated Seats Roof Rails Power Liftgate 18 Inch Wheels
Alloy Wheels Heated Mirrors 4-Wheel Disc Brakes 4-Wheel Independent Suspension 6 Speakers AM/FM
Adjustable Steering Wheel Air Conditioning Android Auto Anti-Lock Brakes Anti-Theft System Apple Carplay

Seller Description

Certified. Black Cherry Pearl 2022 Kia Sportage EX AWD 6-Speed Automatic Electronic with Overdrive 2.4L I4 DGI DOHC 16V ONE OWNER, CLEAN VEHICLE HISTORY, CERTIFIED, PUSH TO START, HEATED SEATS, BLUETOOTH, BACK UP CAMERA, LEATHER SEATS, MOONROOF, Kia Certified Pre-Owned Certified, AWD, 18" Machine-Finished Alloy Wheels, 4...

CARFAX Value

\$30,000

Listing Price

GREAT VALUE

\$1,800 below

\$31,800 CARFAX Value ⓘ


Fair Value

Good Value


Great Value

What makes this vehicle a great value?

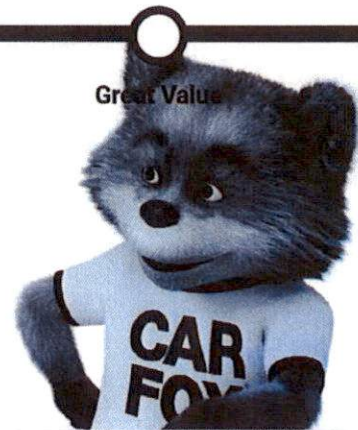
↑ ☒ No Accidents Reported

↑  1-Owner Vehicle

↑  Kia Certified Pre-Owned

↑  Regular Oil Changes

[View FREE CARFAX Report](#)



Kia Certified Pre-Owned Program

All Kia Certified Pre-Owned vehicles include:



CERTIFIED
pre-owned™

- 165-Point Quality Assurance Inspection
 - 10-Year/Unlimited Mileage Roadside Assistance Plan
 - Certified Pre-Owned Limited Powertrain Warranty
- Kia Certified Pre-Owned Brochure

Explore all Kia Certified Pre-Owned Benefits [↗](#)

pre-owned

Dealer Details

Bob Sight Independence Kia

1700 S Noland Rd Independence, MO 64055



(816) 461-0200

(816) 461-0200



8:30am - 6:00pm ⁺



Payment Calculator

Down Payment / Trade In

\$3,000

10% of \$30,000

Interest Rate (%)

4.00

with good credit

Loan Terms (months)

24

36

48

60

72

Estimated Monthly Payment *

\$497 / mo (month) est. (estimated)

* Estimated payments are for informational purposes only and don't represent a financing offer or guarantee of credit. Estimated payment is based on the price advertised by the seller and doesn't account for any additional fees, taxes or incentives.

Home › Used Cars › Kia Sportage › 2022 › EX › Independence, MO

**GMC**

Hardy Chevrolet

2115 Browns Bridge Rd

- Phone (770) 532-4389

Gainesville

GA 30501

Customer

Number

Sales

Rep.

Clay Coffman

Deal # _____

MOTOR VEHICLE PURCHASE

Email _____

Purchaser **HALL COUNTY**

S.S. No. _____

Date **10/26/2022**Street Address **2859 BROWNS BRIDGE RD**

Tel. Home _____

City **Gainesville**State **GA**Zip **30504**County **Hall**

Tel. Bus. _____

VEHICLE	Year	2021	Make	TOYOTA	Cyl.	Regular	Model	CAMRY	Body Style	CAR	Stock No.	11722UP	
	Color BLACK					Serial No. 4T1K61AK5MU562399							
INSURANCE	Lienholder Address _____											Mileage at Delivery 17052	
	Insurance Co. _____											LIST PRICE	\$33,000.00
	Agent Name _____											Dealer Installed Options	
	Agent Address _____											1.	
	City, State, Zip _____											2.	
	Agent Phone # _____											3.	
	Policy # _____ Verified by _____											4.	
	Eff. from: _____ Eff. to: _____ Ded. _____											5.	
DESCRIPTION OF TRADE 1											Total Sales Price		\$33,000.00
Lienholder of Trade 1											Trade Allowance		
Year	Make	Cyl.	Payoff to								Cash Difference		33,000.00
Model	Body Style		Address								Delivery & Handling		
Tag #	Decal #		City, State								Electronic Title Registration		\$0.00
Ser. #			Zip:	Phone #:							Sub Total		33,000.00
Title			Acct. #								GA TAVT or Out of State Taxes		\$0.00
Color			Amount								Lc. Trans. Reg. & Other Fees		\$0.00
Mileage			Good till								GA Warranty Rights Fee		\$0.00
Quote by											Sub Total		33,000.00
DESCRIPTION OF TRADE 2											Payoff Trade One		
Lienholder of Trade 2											Payoff Trade Two		
Year	Make	Cyl.	Payoff to								Cash Balance Owed		\$33,000.00
Model	Body Style		Address								Rebate, If Applicable		
Tag #	Decal #		City, State								Cash on Delivery		
Ser. #			Zip	Phone #							Unpaid Balance		\$33,000.00
Title			Acct. #								Ext. Service Contract		
Color			Amount								CL / AH		
Mileage			Good till								GAP		
Quote by											Maintenance		
TOTAL CASH PRICE													\$33,000.00

WARNING - Unless a charge is included in this agreement for Public Liability or Property Damage Insurance, payment for such coverage is not provided by this agreement.

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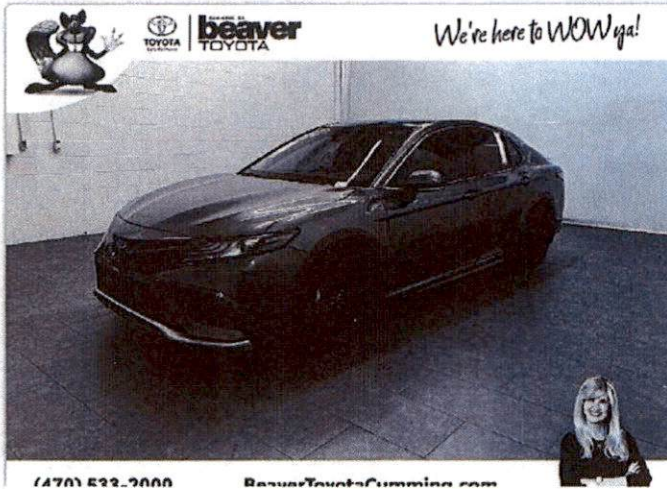
Accepted _____
This order not valid until accepted by DEALER OR SALES MANAGER

RECEIPT OF A FILLED-IN COPY OF THIS AGREEMENT IS HEREBY ACKNOWLEDGED BY PURCHASER

I have read, understand and accept all provisions of the Manufacturer's Warranty Statement covering this new vehicle that I am ordering.

Purchaser's Signature

Purchaser's Signature



📍 Near Cumming, GA

2021 Toyota Camry XSE

\$38,491 • 21,191 mi (miles)

FAIR VALUE → \$901 above • \$37,590 CARFAX Value ⓘ

★ Toyota Certified Pre-Owned

Vehicle History

- ☒ **No Accident or Damage Reported**
▼
- ☒ **Personal Use**
▼
- ☒ **CARFAX 1-Owner**
▼
- ☒ **Service History**
▼

VIN: 4T1K61AK0MU466230 • **Stock #:** PJ466230



Follow



Call Dealer



Email Dealer



Share

Vehicle Highlights

\$ Price
\$38,491

Mileage
21,191

Body Style
Sedan

MPG City/Hwy
27/38

Drive Type
FWD

Transmission
Automatic

Engine
4 Cyl

Fuel
Gasoline

Interior Color
Black

Exterior Color
Gray

Top Features

Keyless Entry

Spoiler

Leather Seats

Heated Seats

Blind Spot Monitor

19 Inch Wheels

Alloy Wheels

Heated Mirrors

Satellite Radio

4-Wheel Disc Brakes

4-Wheel Independent Suspension

6 Speakers

AM/FM

Adjustable Steering Wheel

Seller Description

Certified. CARFAX One-Owner. Clean CARFAX. **LEATHER, **HEATED SEATS, **BLIND SPOT MONITORS, **BACKUP CAMERA, **BLUETOOTH/HANDS FREE, **30 DAY EXCHANGE** PEACE of MIND, **ALLOY WHEELS, **HURRY IN THIS CAR WON'T BE HERE...

CARFAX Value

\$38,491

Listing Price

FAIR VALUE

\$901 above

\$37,590 CARFAX Value




Fair Value

Good Value

Great Value

What makes this vehicle a fair value?

- ↑ ☒ No Accidents Reported
- ↑  1-Owner Vehicle
- ↑  Toyota Certified Pre-Owned
- ↑  Regular Oil Changes

[View FREE CARFAX Report](#)



Toyota Certified Pre-Owned Program

All Toyota Certified Pre-Owned vehicles include:

- 7-year/100,000-mile Limited Powertrain Warranty
- 12-month/12,000-mile Comprehensive Warranty
- 160-Point Quality Assurance Program





**Certified
Used Vehicles**

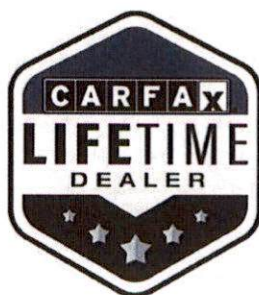
Dealer Details

Beaver Toyota Cumming

1875 Buford Hwy Cumming, GA 30041

 (470) 570-2642
 (470) 570-2642

 8:30am - 8:00pm ▾



Payment Calculator

Down Payment / Trade In

\$3,849

10% of \$38,491

Interest Rate (%)

4.00

with good credit

Loan Terms (months)

24

36

48

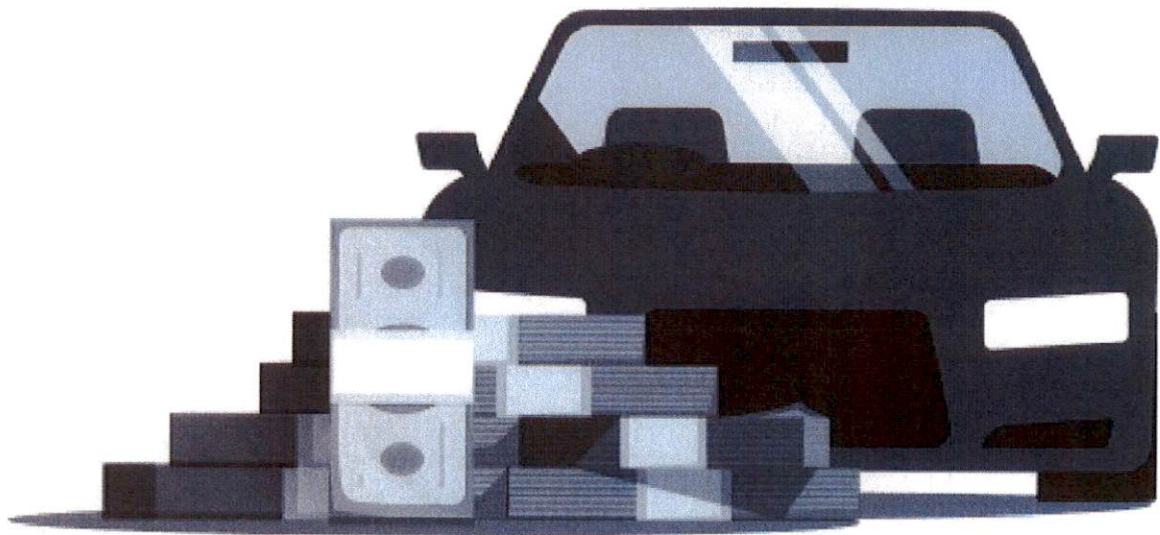
60

72

Estimated Monthly Payment *

\$638 / mo (month) est. (estimated)

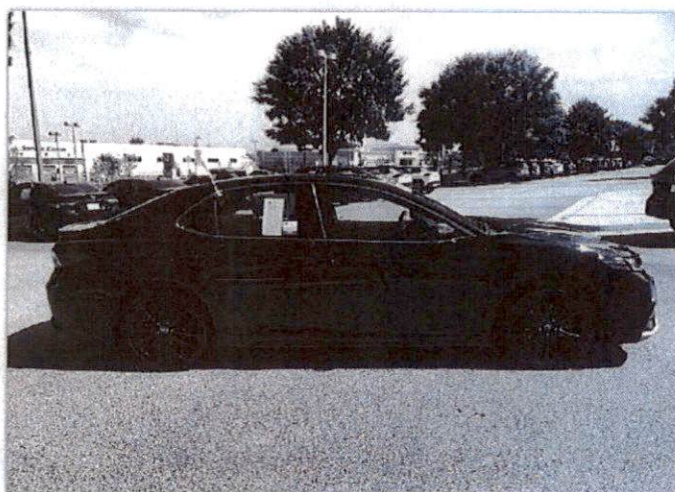
* Estimated payments are for informational purposes only and don't represent a financing offer or guarantee of credit. Estimated payment is based on the price advertised by the seller and doesn't account for any additional fees, taxes or incentives.



Sell Your Car with CARFAX in 3 Easy Steps!

Get Cash Offers

[Home](#) › [Used Cars](#) › [Toyota Camry](#) › [2021](#) › [XSE](#) › Cumming, GA



📍 Near Lithonia, GA

2022 Toyota Camry XSE

\$38,000 • 13,721 mi (miles)

FAIR VALUE \$80 above • \$37,920 CARFAX Value ⓘ

★ Toyota Certified Pre-Owned

Vehicle History



No Accident or Damage Reported



Personal Use



2-Owner



Service History



VIN: 4T1K61AK2NU618557 • Stock #: NTSS221776A



Follow



Call Dealer



Email Dealer



Share

Vehicle Highlights



Price

\$38,000



Mileage

13,721



Body Style

Sedan



MPG City/Hwy

27/38



Drive Type

FWD



Transmission

Automatic



Engine

4 Cyl



Fuel

Gasoline



Interior Color

Black



Exterior Color

Blue

Top Features

Remote Start

Keyless Entry

Spoiler

Leather Seats

Heated Seats

Bucket Seats

Blind Spot Monitor

19 Inch Wheels

Alloy Wheels

Lane Departure Warning

4-Wheel Disc Brakes

4-Wheel Independent Suspension

5-Passenger Seating

6 Speakers

Seller Description

Toyota Certified Pre-Owned, Certified Pre-Owned Warranty, Clean CARFAX Vehicle History Report, Sunroof, Moonroof, Back up camera, Blind Spot Monitors, Heated Seats, Leather Seats, Low Miles, Sirius XM Radio, Park Assist, 160 Point Quality Assurance Inspection,...

CARFAX Value

\$38,000

Listing Price

FAIR VALUE

\$80 above

\$37,920 CARFAX Value ⓘ




Fair Value


Good Value

Great Value

What makes this vehicle a fair value?

↑ ☒ No Accidents Reported

↑  Toyota Certified Pre-Owned

↑  Regular Oil Changes

↑  Personal Vehicle

[View FREE CARFAX Report](#)



Toyota Certified Pre-Owned Program

All Toyota Certified Pre-Owned vehicles include:

- 7-year/100,000-mile Limited Powertrain Warranty
- 12-month/12,000-mile Comprehensive Warranty
- 160-Point Quality Assurance Program



**Certified
Used Vehicles**

Dealer Details

Nalley Toyota Stonecrest

7969 Mall Pkwy Lithonia, GA 30038



(770) 766-8570



(770) 766-8570



9:00am - 8:00pm ▾



Payment Calculator

Down Payment / Trade In

\$3,800

10% of \$38,000

Interest Rate (%)

4.00

with good credit

Loan Terms (months)

24

36

48

60

72

Estimated Monthly Payment *

\$630 / mo (month) est. (estimated)

* Estimated payments are for informational purposes only and don't represent a financing offer or guarantee of credit. Estimated payment is based on the price advertised by the seller and doesn't account for any additional fees, taxes or incentives.

[Home](#) › [Used Cars](#) › [Toyota Camry](#) › [2022](#) › [XSE](#) › [Lithonia, GA](#)

GMC

Hardy Chevrolet

2115 Browns Bridge Rd

- Phone (770) 532-4389

Gainesville

GA 30501

Customer
Number

Sales

Rep. Clay Coffman

Email

Deal #

MOTOR VEHICLE PURCHASE

Purchaser HALL COUNTY

S.S. No.

Date 10/26/2022

Street Address 2859 BROWNS BRIDGE RD

Tel. Home

City **Gainesville** State **GA** Zip **30504** County **Hall**

Tel. Bus.

VEHICLE	Year	2014	Make	TOYOTA	Cyl.	Regular	Model	4 RUNNER	Body Style	Sport Utility	Stock No.	11702UP
	Color SILVER					Serial No. JTEZU5JR9E5071161						
	Lienholder Address					Mileage at Delivery 129483						
INSURANCE	Insurance Co.								LIST PRICE		\$28,000.00	
	Agent Name								Dealer Installed Options		\$ 27,500	
	Agent Address								1.			
	City, State, Zip								2.			
	Agent Phone #								3.			
	Policy #								4.			
	Verified by								5.		\$ 27,500	
	Eff. from: Eff to: Ded.								Total Sales Price		\$28,000.00	
	DESCRIPTION OF TRADE 1								Trade Allowance		\$ 27,500	
	LIENHOLDER OF TRADE 1								Cash Difference		\$28,000.00	
Year	Make	Cyl.	Payoff to					Delivery & Handling				
Model	Body Style		Address					Electronic Title Registration		\$0.00		
Tag #	Decal #		City, State					Sub Total		\$28,000.00		
Ser. #			Zip:	Phone #:				GA TAVT or Out of State Taxes		27,500 \$0.00		
Title			Acct. #					Lc. Trans. Reg. & Other Fees		\$0.00		
Color			Amount	Good till				GA Warranty Rights Fee		\$0.00		
Mileage			Quote by					Sub Total		\$28,000.00		
DESCRIPTION OF TRADE 2								Payoff Trade One		\$ 27,500.00		
LIENHOLDER OF TRADE 2								Payoff Trade Two		\$ 27,500		
Year	Make	Cyl.	Payoff to					Cash Balance Owed		\$28,000.00		
Model	Body Style		Address					Rebate, If Applicable				
Tag #	Decal #		City, State					Cash on Delivery				
Ser. #			Zip	Phone #				Unpaid Balance		\$28,000.00		
Title			Acct. #					Ext. Service Contract				
Color			Amount	Good till				CL / AH				
Mileage			Quote by					GAP				
WARNING - Unless a charge is included in this agreement for Public Liability or Property Damage Insurance, payment for such coverage is not provided by this agreement. Notice to the buyer: (1) Do not sign this agreement before you read it or If It contains any blank spaces to be filled in. (2) You are entitled to a completely filled-in copy of this agreement. (3) If you default in the performance of your obligations under this agreement, the vehicle may be repossessed and you may be subject to suit and liability for the unpaid indebtedness evidenced by this agreement.								Maintenance				
								TOTAL CASH PRICE		\$28,000.00		

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Accepted

This order not valid until accepted by DEALER OR SALES MANAGER

Purchaser's Signature

Purchaser's Signature _____

RECEIPT OF A FILLED-IN COPY OF THIS AGREEMENT
IS HEREBY ACKNOWLEDGED BY PURCHASER

I have read, understand and accept all provisions of the Manufacturer's Warranty Statement covering this new vehicle that I am ordering.

A. J. MORSE 395

GA


market

Home / Used Cars / Toyota 4Runner / 2014 / Georgia / Gainesville



All results


2015 Toyota 4Runner Limited - \$32,029

 Price includes \$452 delivery to Gainesville, GA

Send
to
phone


Email


Clean Fax/Backup Cam/Nav 
 **HIGH PRICE**

Above market

Dealer Rating

\$1,867 

★★★★★

Includes Delivery [Read 60 reviews](#)

We are online

Buy with confidence

1. Find financing & build your deal
2. Choose pickup or delivery
3. Schedule time to finalize your deal

[Learn more](#)

2015 Toyota 4R...

Mileage: 97,481 • Price includes \$452
delivery to Gainesville.

\$32,029

 **HIGH PRICE**\$1,867
AboveRequest
information



Buy

Sell

Finance

Research

[Sign in / Register](#)[Home](#) / [Used Cars](#) / [Toyota 4Runner](#) / [2014](#) / [Georgia](#) / [Gainesville](#)[← All results](#)

2015 Toyota 4Runner Limited - \$29,999

Marietta, GA • 49 mi away

Send
to
phone

Email

 **FAIR DEAL**

Above market Dealer Rating

\$167

[Read 35 reviews](#)

We are online

Contact dealer (770) 741-2668

Hello, my name is First name

Last name and

I'm interested in this 2015

Toyota 4Runner. I'm in the 30501 area. You can reach me by email at

Email Address or



2015 Toyota 4R...

Mileage: 96,363 •
Marietta, GA (49 mi
away)

\$29,999

FAIR DEAL
\$167 Above
market[Request
information](#)



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 617/2022

SUBJECT: Approve the purchase of two (2) new Ford Interceptors for the Sheriff's Office from Brannen Motor Company of Unadilla, GA in the amount of \$82,000.00.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SMF

Recommendation:
Clint Brannen Motors, Unadilla, GA

Purpose of Request:

To approve the purchase of two (2) Ford Explorers for Hall County Sheriff's Office HEAT Grant to Clint Brannen Motors, Unadilla, GA in the amount of \$82,000.00. These vehicles will be funded by the Governor's Office of Highway Safety HEAT Grant.

History:

Our state contract vendors are not accepting orders for 2022 or 2023 vehicles. Clint Brannen Motors has new 2022 vehicles on the lot and the pricing is comparable to state contract pricing. Clint Brannen Motors is a very good vendor to work with.

Facts and Issues:

State contract vendors are not accepting any orders for new 2022 or 2023 vehicles. Clint Brannen Motors has new inventory on their lot at this time. These vehicles are Ecoboost and will be purchased using the HEAT grant. The account number identified by Finance to be used is 884-6006.

Options:

Funding Requested

\$ 82,000.00

Are funds within current budget?

Yes

Source of Funds

Grants

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	SC	SC	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

Clint_Brannen_quote_for_2_Explorers.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 617/2022

Funds Requested: \$ 82,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

Grants

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	017 - GRANTS	884 - GOHS-HEAT GRANT	6006 - MOTOR VEHICLES	\$82,000.00

Budget Transfer Items:

Additional Information/Comments:

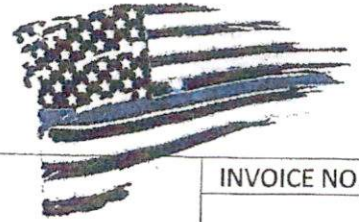
Contact for Questions: SMF

Phone: 770-718-2383



1080 2nd Street
PO Box 746
Unadilla, GA 31091

P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



DATE: 10-25-2022

SOLD TO: HALL COUNTY SO

INVOICE NO.

ADDRESS: 2875 BROWNS BRIDGE RD GAINESVILLE, GA 60504

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	INTERCEPTOR SUV ECOBOOST	NEW	NGB29224	4KEY/4FOB	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.
PROPERTY DAMAGE • AMT.

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
<p>PHONE CONTACT- VEHICLE(S)- 1-2022 WHITE ECOBOOST INTECEPTOR SUV</p> <p>EMAIL- MFREE@HALLCOUNTY.ORG</p>		

DISCLAIMER OF WARRANTIES

THE SELLER. BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DSCLAIMS ALL WARRANTIES. EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILIW OR FINESS FOR A PARTICULAR PURPOSE. AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.

PRICE OF CAR
FREIGHT AND
HANDLING
OPTIONAL EQUIP.
ACCESS.

NO FEES

LICENSE AND TITLE
TOTAL CASH PRICE

NO ADDED
FEES

FINANCING
INSURANCE

TOTAL TIME
PRICE SETTLEMENT:

DEPOSIT
CASH ON DELIVERY
USED CAR: •

TYPE
SERIAL NO,

ENGINE NO.
PAYMENTS.

NO TAX

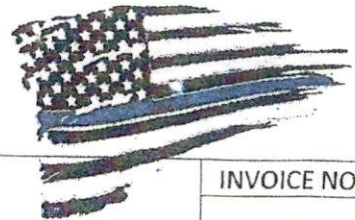
TOTAL

GPC APPLIED
\$41,000



1080 2nd Street
PO Box 746
Unadilla, GA 31091

P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



DATE: 10-25-2022

SOLD TO: HALL COUNTY SO

INVOICE NO.

ADDRESS: 2875 BROWNS BRIDGE RD GAINESVILLE, GA 60504

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	INTERCEPTOR SUV ECOBOOST	NEW	NGB28923	4KEY/4FOB	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.
PROPERTY DAMAGE • AMT.

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
<p>PHONE CONTACT- VEHICLE(S)- 1-2022 <u>BLACK</u>ECOBOOST INTECEPTOR SUV</p> <p>EMAIL- MFREE@HALLCOUNTY.ORG</p>		

DISCLAIMER OF WARRANTIES

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PRICE OF CAR
FREIGHT AND
HANDLING
OPTIONAL EQUIP.
ACCESS.

NO FEES

LICENSE AND TITLE
TOTAL CASH PRICE

NO ADDED
FEES

FINANCING
INSURANCE

TOTAL TIME
PRICE SETTLEMENT:

DEPOSIT
CASH ON DELIVERY
USED CAR: •
TYPE
SERIAL NO,

ENGINE NO.
PAYMENTS.

NO TAX

TOTAL

GPC APPLIED
\$41,000



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 607/2022

SUBJECT: Approve the renewal of the Records Management System and Jail Management System's yearly maintenance and support for the Sheriff's Office to CentralSquare Technologies of Lake Mary, FL, in the amount of \$93,887.06.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: MSM

Recommendation:

Purpose of Request:

The Sheriff's Office is seeking to renew their yearly maintenance and support for their record management system.

History:

The original bid was RFP/Q #37-009, which included the purchase of hardware and software. The bid was awarded to Superior, LLC until their name was changed to CentralSquare Technologies.

Facts and Issues:

The service period is January - December 2023; therefore, the renewal crosses fiscal years. The Department is seeking renewal for the full amount of \$93,887.06. A Purchase Order will be issued for the current fiscal year portion in the amount of \$46,943.53.

Options:

Funding Requested

\$ 93,887.06

Are funds within current budget?

Yes

Source of Funds

General

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
JD	SC	SC	AP
Budget	Finance	Attorney	Administration
TS	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement

CentralSquare_Renewal_Q-112087.pdf



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 607/2022

Funds Requested: \$ 93,887.06

Request Budgeted: Yes

Proposed Source of Funding:

Budget Transfer Requested:

General

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
FY2023	001 - GENERAL	143 - SHERIFF - OPERATIONS	4708 - OPERATING SERVICES	\$46,943.53
FY2024	001 - GENERAL	143 - SHERIFF - OPERATIONS	4708 - OPERATING SERVICES	\$46,943.53

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: MSM

Phone: 770-531-6887



Renewal Order prepared by:
Jenny McPherson
jenny.mcperson@centralsquare.com

Renewal Order #: Q-112087
Start Date: January 1, 2023
End Date: December 31, 2023
Billing Frequency: Yearly
Subsidiary: Superior, LLC

Renewal Order prepared for:
Sean McCusker, Major
Hall County
2859 Browns Bridge Road
Gainesville, GA 30504
(678) 618-8321

Thank you for your continued business. We at CentralSquare appreciate and value our relationship and look forward to serving you in the future. CentralSquare provides software that powers over 8,000 communities. More information about all of our products can be found at www.centralsquare.com.

WHAT SOFTWARE IS INCLUDED?

	PRODUCT NAME	QUANTITY	TOTAL
1.	ONESolution Accident Annual Maintenance Fee	1	777.92 USD
2.	ONESolution Applicant Tracking Annual Maintenance Fee	1	1,127.99 USD
3.	ONESolution Barcoding Server License Annual Maintenance Fee	1	889.75 USD
4.	ONESolution Calls For Service Annual Maintenance Fee	1	622.34 USD
5.	ONESolution Canine Tracking Annual Maintenance Fee	1	777.92 USD
6.	ONESolution Civil Processing Annual Maintenance Fee	1	1,847.57 USD
7.	ONESolution Crime Analysis Plus Annual Maintenance Fee	1	2,761.63 USD
8.	ONESolution Daily Activity Annual Maintenance Fee	1	875.16 USD
9.	ONESolution Fleet Vehicle Maintenance Annual Maintenance Fee	1	875.16 USD
10.	ONESolution Gang Annual Maintenance Fee	1	1,516.96 USD
11.	ONESolution Hand-Held Mass Movement Annual Maintenance Fee	1	1,166.89 USD
12.	ONESolution Hand-Held Special Watch Annual Maintenance Fee	1	1,166.89 USD
13.	ONESolution Intelligence Annual Maintenance Fee	1	1,516.96 USD
14.	ONESolution Jail Commissary Annual Maintenance Fee	1	1,069.65 USD
15.	ONESolution Jail Management System Annual Maintenance Fee	25	5,591.33 USD
16.	ONESolution JMS Client License for Message Switch Annual	1	38.89 USD

MORE INFORMATION AT CENTRALSQUARE.COM

Maintenance Fee		
17. ONESolution JMS VINE Interface	1	291.72 USD
18. ONESolution Keefe Commissary Interface-Basic Annual Maintenance Fee	1	291.72 USD
19. ONESolution Link Analysis Annual Maintenance Fee	1	2,431.01 USD
20. ONESolution MCT Client-No CAD Interface Annual Maintenance Fee	40	3,111.70 USD
21. ONESolution MFR Client Annual Maintenance Fee	40	6,223.39 USD
22. ONESolution MFR Client-Accident Reporting Annual Maintenance Fee	40	3,111.70 USD
23. ONESolution MFR Client-Arrest Annual Maintenance Fee	40	2,333.77 USD
24. ONESolution MFR Client-Canine Annual Maintenance Fee	1	58.35 USD
25. ONESolution MFR Client-Citation Annual Maintenance Fee	40	3,111.70 USD
26. ONESolution MFR Client-Daily Activity Annual Maintenance Fee	40	1,555.85 USD
27. ONESolution MFR Client-Fleet Maintenance Annual Maintenance Fee	40	1,166.89 USD
28. ONESolution MFR Client-Investigative Leads Annual Maintenance Fee	40	1,166.89 USD
29. ONESolution MFR Client-MOBLAN Version Annual Maintenance Fee	1	77.79 USD
30. ONESolution Mobile Field Reporting Server Annual Maintenance Fee	1	7,779.24 USD
31. ONESolution Mobile Server Software Annual Maintenance Fee	1	7,779.24 USD
32. ONESolution Offender Watch Interface	1	3,307.50 USD
33. ONESolution OpCenter for RMS Annual Maintenance Fee	1	1,944.81 USD
34. ONESolution Pawn Shop/Pawn Watch Annual Maintenance Fee	1	1,166.89 USD
35. ONESolution Police-to-Citizen Annual Maintenance Fee	1	1,944.81 USD
36. ONESolution Problem-Oriented Policing Annual Maintenance Fee	1	1,166.89 USD
37. ONESolution Professional Standards Annual Maintenance Fee	1	2,683.84 USD
38. ONESolution Property & Evidence Annual Maintenance Fee	1	2,819.97 USD
39. ONESolution PS Dev & Maint Annual Maintenance Fee	1	1,653.09 USD

40.	ONESolution Quartermaster Annual Maintenance Fee	1	1,847.57 USD
41.	ONESolution Records Management System Annual Maintenance Fee	25	5,469.78 USD
42.	ONESolution Residential Security Watch Annual Maintenance Fee	1	0.00 USD
43.	ONESolution RMS Client License for Message Switch Annual Maintenance Fee	1	38.89 USD
44.	ONESolution RMS Training Module Annual Maintenance Fee	1	933.51 USD
45.	ONESolution Securus Phone System Interface Annual Maintenance Fee	1	486.20 USD
46.	ONESolution Sex Offender Annual Maintenance Fee	1	2,294.88 USD
47.	ONESolution State/NCIC Messaging Software Annual Maintenance Fee	1	3,014.46 USD

Renewal Order Total: 93,887.06 USD

Billing Information

Fees will be payable within 30 days of invoicing.

Please note that the Unit Price shown above has been rounded to the nearest two decimal places for display purposes only. The actual price may include as many as five decimal places. For example, an actual price of \$21.37656 will be shown as a Unit Price of \$21.38. The Total for this quote has been calculated using the actual prices for the product and/or service, rather than the Unit Price displayed above.

Prices shown do not include any taxes that may apply. Any such taxes are the responsibility of the Customer. This is not an invoice.

For customers based in the United States or Canada, any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To" location provided by Customer on the Renewal Order Form.



AGENDA ITEM

Sheriff's Office

REPORT TO: Work Session (12/05/22)

REPORT TO: Voting Meeting (12/08/22)

ITEM NO: 636/2022

SUBJECT: Approve the ratification of the Public Safety and Violent Crime Reduction Strategies Grant application for the Sheriff's Office for the Cloud Base Crime Center in the amount of \$500,000.00, 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.

Meetings:

Work Session Date: 12/05/22

Voting Meeting Date: 12/08/22

Executive Summary:

Presenter: SM

Recommendation:

Approval

Purpose of Request:

Approve the ratification of the Public Safety and Violent Crime Reduction Strategies Grant application for the Sheriff's Office for the Cloud Base Crime Center in the amount of \$500,000.00, 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.

History:

This is Hall County's first application for the Public Safety and Violent Crime Reduction Strategies Grant.

Facts and Issues:

Options:

The purpose of this funding is to address violent gun crime and community violence that have increased as a result of COVID-19, or to address a decrease in public sector law enforcement staffing as a result of COVID-19, using either of the following program areas: Law Enforcement Staffing, Violent Crime Reduction Programs, Equipment and Technology, and/or Community Violence Intervention Program. The Hall County Sheriff's Office is seeking funding to establish a cloud based Crime Center for the agency. The Crime Center will provide the agency with a central registry of video surveillance cameras, body worn cameras and LPR cameras along with other interfaces to enhance the capabilities of criminal investigations. This system will provide the Intelligence Unit with the ability to easily locate and map surveillance footage from most any type of camera deployed throughout the community. The Hall County Sheriff's Office will develop partnerships with members of the community to provide access to video footage that can assist in identifying criminal activity and suspects within the community. The Crime Center can also provide live feed to the Intelligence Unit during emergencies through cellphones as well. With the partnership that has been developed with the Hall County School System, this technology can provide school personnel with the ability to stream incidents as they occur and provide Law Enforcement with information in real-time in order to address the incident in a timely manner and improve the safety and security of schools. During large-scale events to include civil uprisings, the Crime Center can be used to identify instigators in a crowd or to use gunshot detection equipment to locate potential criminal activity. These large-scale events have resulted in violence and property damage throughout the country over the past few years. This technology can minimize the loss of life and property and help protect the citizens in the community. The Crime Center also has the capabilities to interface with CAD, in-car cameras and body-worn cameras. This technology can assist in response capabilities for multiple incidents for Public Safety. Having live feeds from Law Enforcement that have arrived on a scene can aid Dispatch in determining necessary resources to deploy to address the situation at hand. This will also enable Dispatch to geolocate Public Safety Officers on the scene, which can be used during emergency rescues or repositioning additional resources to needed areas of the scene.

Funding Requested	\$ 0.00
Are funds within current budget?	No
Source of Funds	Grants
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Grants Staff	Submit	Approve	Grants
JW	SC	SC	JW
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

- Attachments:**
Program Offer Letter
Quote
Timeline for Project
Fusus Operational Scenarios



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 636/2022

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

Grants

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	017 - GRANTS	TBD	4281 - OPERATING EQUIPMENT	\$500,000.00
2023	017 - GRANTS	TBD	3738 - OFFICE OF PLANNING/BUDGE	\$-500,000.00

Budget Transfer Items:

Additional Information/Comments:

If grant is awarded an appropriate department will be set up in the Grant Fund and the appropriate budget will be established.

Contact for Questions: SM

Phone: 770-531-6887



October 28, 2022

Sheriff Couch
Hall County Sheriff's Office
2569 Browns Bridge Rd
Gainesville, Ga. 30504

Subject: Service Agreement Proposal

Dear Sheriff Couch,

Fusus is honored that the Hall County Sheriff's Office is considering our organization to support its community safety initiatives by providing a platform to view public and community video sources for incident situational awareness and investigations.

Fusus will provide a video and data collaboration platform to expedite intelligence gathering and efficiency of response to situations as they unfold throughout the community. Further, the platform is tied to a community-facing website portal for video camera registry, providing a tool for identifying the location of cameras in proximity to incidents, as well as a means for efficient outreach to collect recorded video and image files from camera owners both public and private.

This Service Agreement Proposal and related software subscription will become effective upon signing and continue for forty-eight (48) months.

1. Initial Scope of Work: The following fusus Enterprise Package software and associated hardware will be delivered and installed as part of this agreement.
 - a. fususONE[™]: Initial setup, access and training of users to include up to 1,500 data points and 1,500 public/private video feeds
 - b. fususCORE[™]: Installation and setup of:
 - i. Forty-five (45) fususCORE Pro[™] Appliances
 - ii. Five (5) fususCORE Elite AI[™] Appliances
 - c. fususREGISTRY[™]: Creation of a custom website portal for community members to register privately owned cameras
 - d. fususVAULT[™]: Implementation of a CJIS compliant evidence vault for the storage of up to 10TB of videos and still images captured via the fususONE[™] platform
 - e. fususOPS[™]: Implementation of our smart-phone app which provides viewing of live camera feeds and setting up and transmitting the location of teams for special events and critical incident management
 - f. fususTIPS[™]: Implementation of our SMS service that provides text communications of pictures, audio and video directly into fususVault[™]
 - g. fususNOTIFY[™]: Implementation of our SMS text service that provides text notifications to community members
 - h. fususAlert[™]: Implementation of our iOS/Android application which provides panic alerting to fususONE[™] along with geolocation of persons in distress and automatic docking of nearby camera assets in the fususONE[™] platform

- i. fūsusANALYTICS™: Implementation of our crime and incident heat mapping and analysis platform
- j. fūsusCONNECT Call-Out: Three (3) months fūsus call-out to businesses within the jurisdiction to assist with camera registration and integration
- k. fūsusCONNECT Microsite: Development of an agency specific website landing page to assist with building camera registration and integration of community video assets
- l. Remote Configuration of fūsus Core(s)
- m. Integration of all current and future video feeds
- n. Integration of Computer Aided Dispatch, AVL, drone feeds, covert cameras, and license plate readers as required

Note: fūsus™ will provide continuing data and IoT integrations at no additional charge for the life of the agreement

2. Payment and Subscription Terms:

- | | |
|---|------------------|
| a. Payment 1: Due Upon Contract Signing | \$125,000 |
| b. Payment 2: Due Upon 1 st Anniversary of Contract Signing | \$125,000 |
| c. Payment 3: Due Upon 2 nd Anniversary of Contract Signing | \$125,000 |
| d. Payment 4: Due Upon 3 rd Anniversary of Contract Signing | \$125,000 |

Invoices for payments 2, 3, 4, will be sent 60 days prior to their respective due dates.

Note: Additional fūsusCORE™ appliances and camera streams may be purchased for the following per unit price schedule.

- | | |
|----------------------------|-------------------|
| a. CORE Lite: | \$200/each |
| b. CORE Lite Extended: | \$300/each |
| c. CORE Pro: | \$600/each |
| d. CORE Pro Extended: | \$1,000/each |
| e. CORE Elite: | \$4,000/each |
| f. CORE Elite AI: | \$5,000/each |
| g. Additional 500 Streams: | \$25,000 per year |

3. Bill of Materials Included with the Service: As part of the annual subscription price, each system will include the following:

- a. fūsusONE™ SaaS
- b. Unlimited video alerts, access, and video download
- c. fūsusCORE™ warranty and technical support for the life of the agreement
- d. Unlimited fūsusOPS Application for Android and iOS Devices

Subscription to fūsusONE™ includes all the following:

- a. Unlimited Users for Your Agency to fūsusONE™ – Real-Time Crime Center in the Cloud
- b. Unlimited Access for Your Agency to the fūsusONE™ Dashboard
- c. Floorplan Integration for designated locations in fūsusONE™
- d. Ongoing Integration Services with the CAD System
- e. Installation and Technical Phone Support
- f. Provide a Full Solution Warranty for the Life of the Agreement
- g. Live U.S.-Based Phone Technical Support for the Life of the Agreement

4. Technical Requirements:

- a. Camera live-sharing compatibility will be assessed for each location before CORE delivery.
- b. The customer will designate a primary POC for the deployment of the fūsus™ solution.
- c. Minimum network speed of .5 mb/s for live video sharing will be required for each CORE location.

5. Terms and Conditions:

The use of and access to fūsus™ products and services is subject to the fūsus™ Terms of Service V08.30.2022 found at <https://www.fusus.com/fusus-terms-of-service>.

The Termination for Convenience Clause Asserts that the customer may, at its sole discretion, terminate the agreement with 30 days of written notice to Fūsus. Services will be reimbursed on a pro-rated basis from the last day of the term through the agreement's remainder. The cost of any unreturned or unserviceable fūsusCORE(s), as listed above in Section 2, will be deducted from the refund.

We are privileged to work with you on this project. Should you have any questions at any time, please feel free to call (765) 237-1769 or email me at jdww@fusus.com.

Respectfully,



John Watson
Vice President of Sales

Approved (Signature): _____

By (Print Name/Title): _____ Date _____



Hall County Sheriff's Office

Hall County Sheriff's Office

2569 Browns Bridge Rd
Gainesville, GA 30504
United States

Gerald Couch

Sheriff
sheriff@hallcounty.org
770-531-6900

Reference: 20221030-092704805

Quote created: October 30, 2022
Quote expires: December 30, 2022
Quote created by: Jim Price
Public Safety Advisor
jp@fusus.com

Products & Services

Item & Description	SKU	Quantity	Unit Price	Total
Enterprise Package SaaS SaaS Subscription to Include 1500 Data Points/Video Streams and 10TBs of Cloud Storage	FUSE-E-1- 1001	1	\$125,000.00 / year	\$125,000.00 / year for 4 years
Core Elite AI Appliance	CORE-AI- 2001	5	\$5,000.00	\$0.00 after \$25,000.00 discount
Core Pro Appliance	CORE-P- 2001	45	\$600.00	\$0.00 after \$27,000.00 discount

Subtotals

Annual subtotal	\$125,000.00
One-time subtotal	\$0.00 after \$52,000.00 discount

Total \$125,000.00

Questions? Contact me



Jim Price

Public Safety Advisor

jp@fusus.com

Fusus, Inc.

5550 Triangle Parkway

Peachtree Corners, Georgia 30092

United States of America

Timeline for the Public Safety and Violent Crime Reduction Strategies Grant Program

February 1, 2023 – Notice of Award. The day following the Hall County Sheriff's will begin the procurement process

March 1, 2023 - Anticipated completion of procurement and begin implementation with the vendor

April 3, 2023 – Anticipated completion of implementation and all training for Sheriff's Office personnel completed

April 10, 2023 – Begin meeting with corporations and school personnel to present and educate the benefits of the system.

July 3, 2023 – All initial meetings with corporations and schools completed and agreements signed with Sheriff's Office

August 1, 2023 – Installing any equipment as needed in designated locations (depends on agreements with participants)

October 2, 2023- Anticipated date to have several participants and active equipment installed, begin utilizing system and collecting data

January 8, 2024 – Push out campaign to notify and educate public of the system and request participation

February 5, 2024- Continue signing up participants and conducting providing additional education as needed

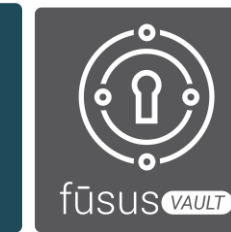
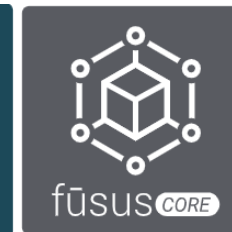
April 1, 2024- Report collected data quarterly and continue actively adding participants

October 31, 2026- Official Final Expenditure of Funds



fūsus

Operational Scenarios



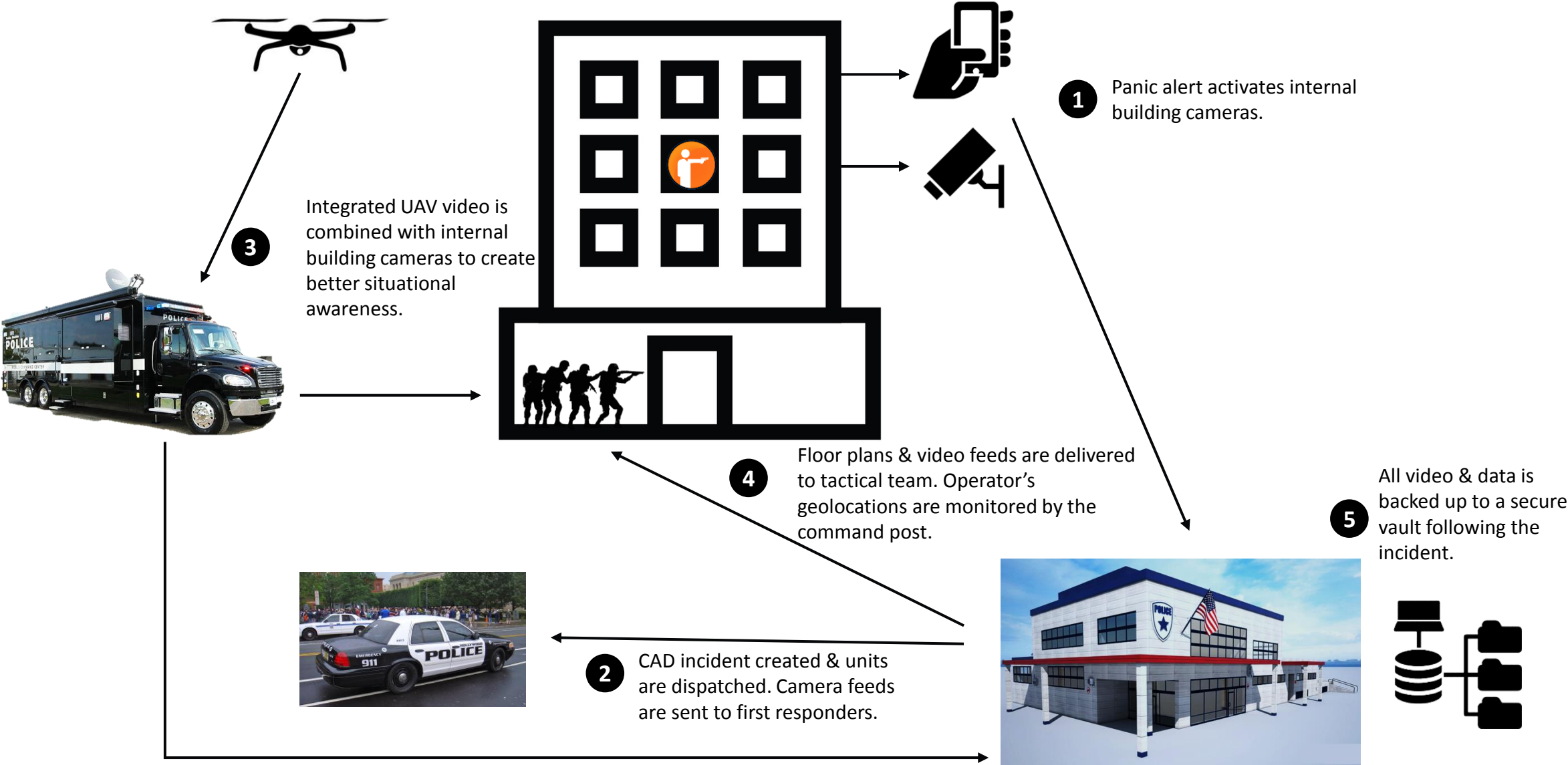


The following operational scenarios demonstrate how the Fūsus Unified Awareness system can be utilized to create a common operating picture for first-responders & security officers.

The Fūsus platform is easy to implement and enables law enforcement officers to operate with greater situational awareness leading to better incident outcomes.

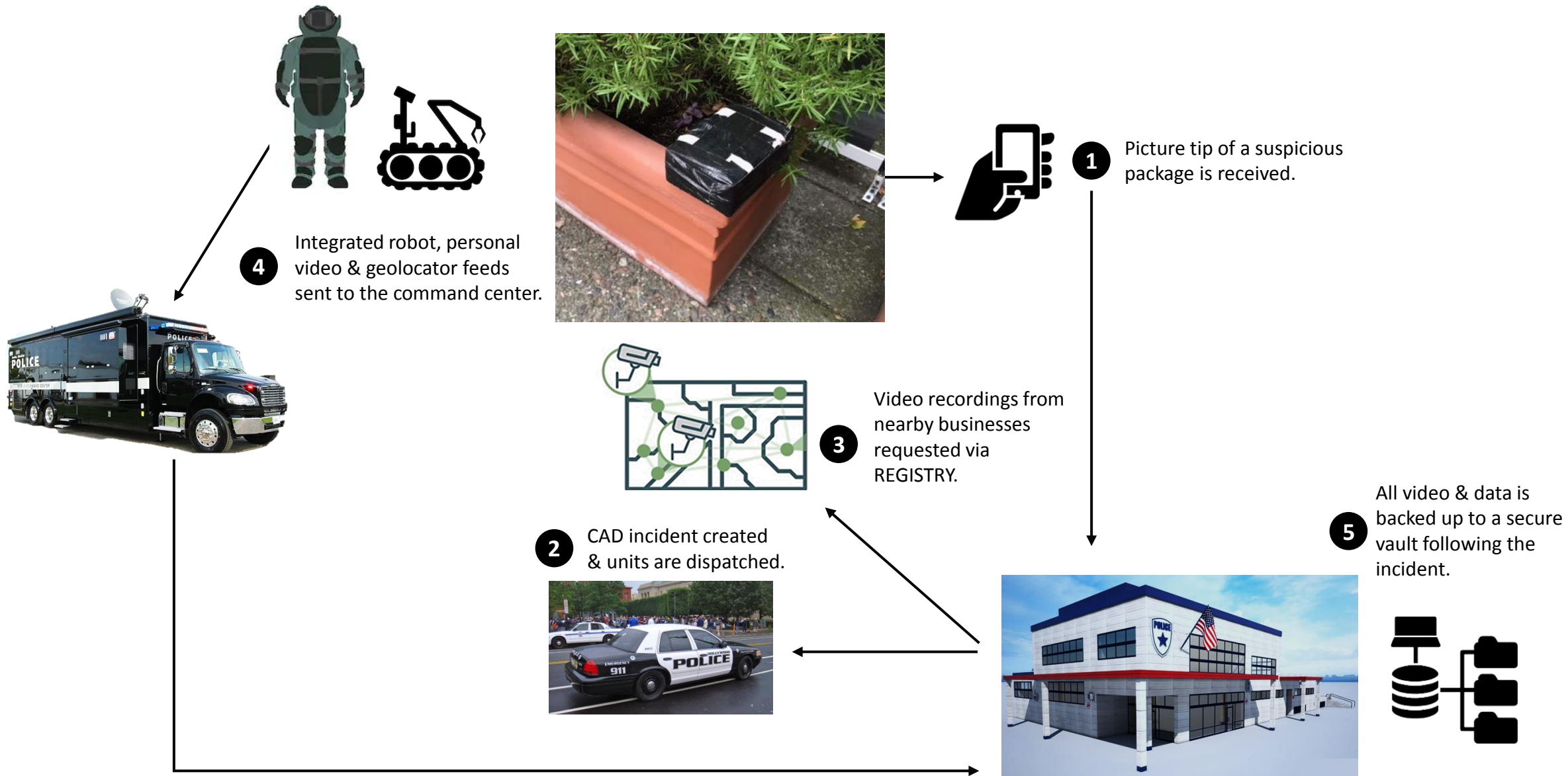


Scenario 1: Active Shooter / Hostage Situation



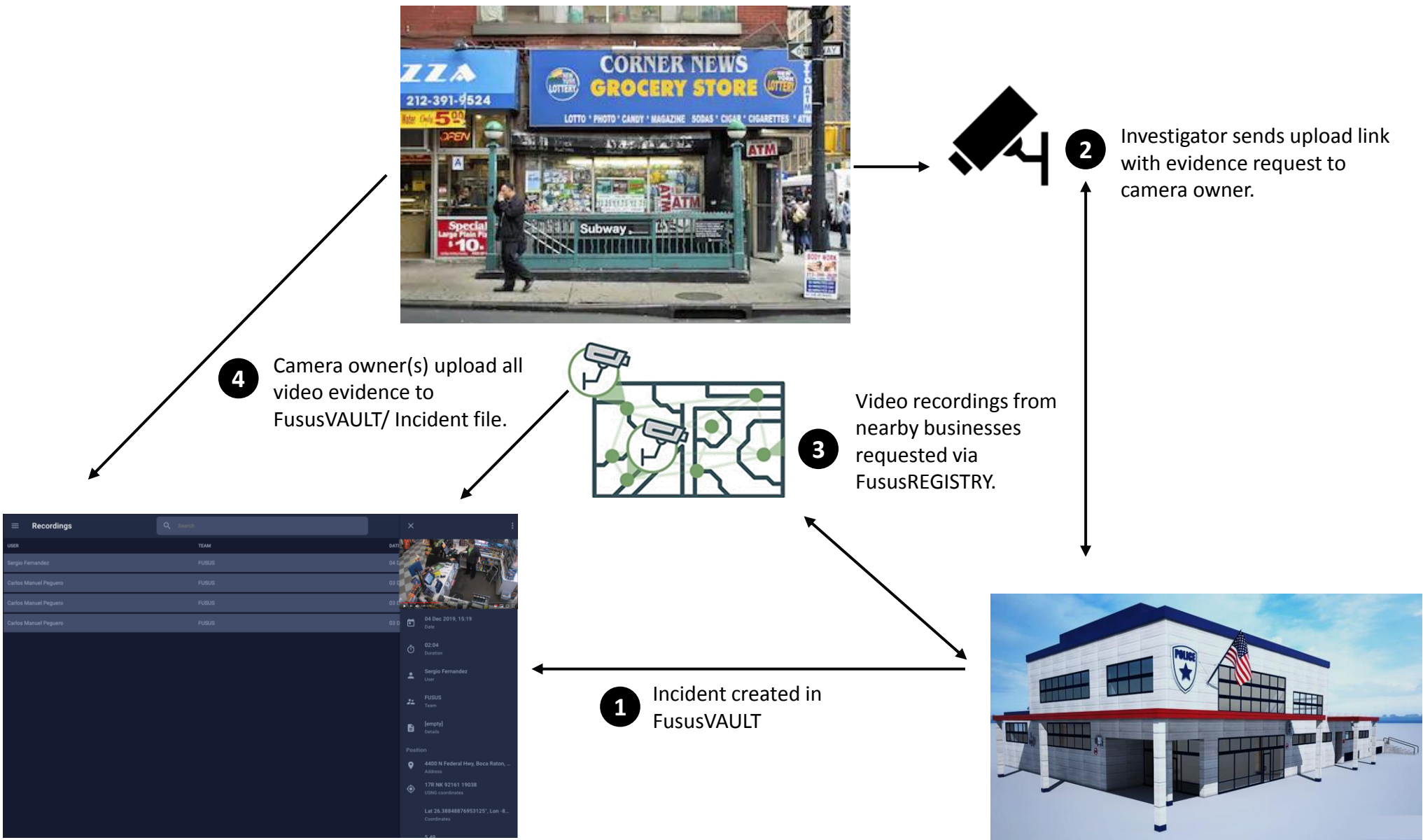


Scenario 2: Suspicious Object



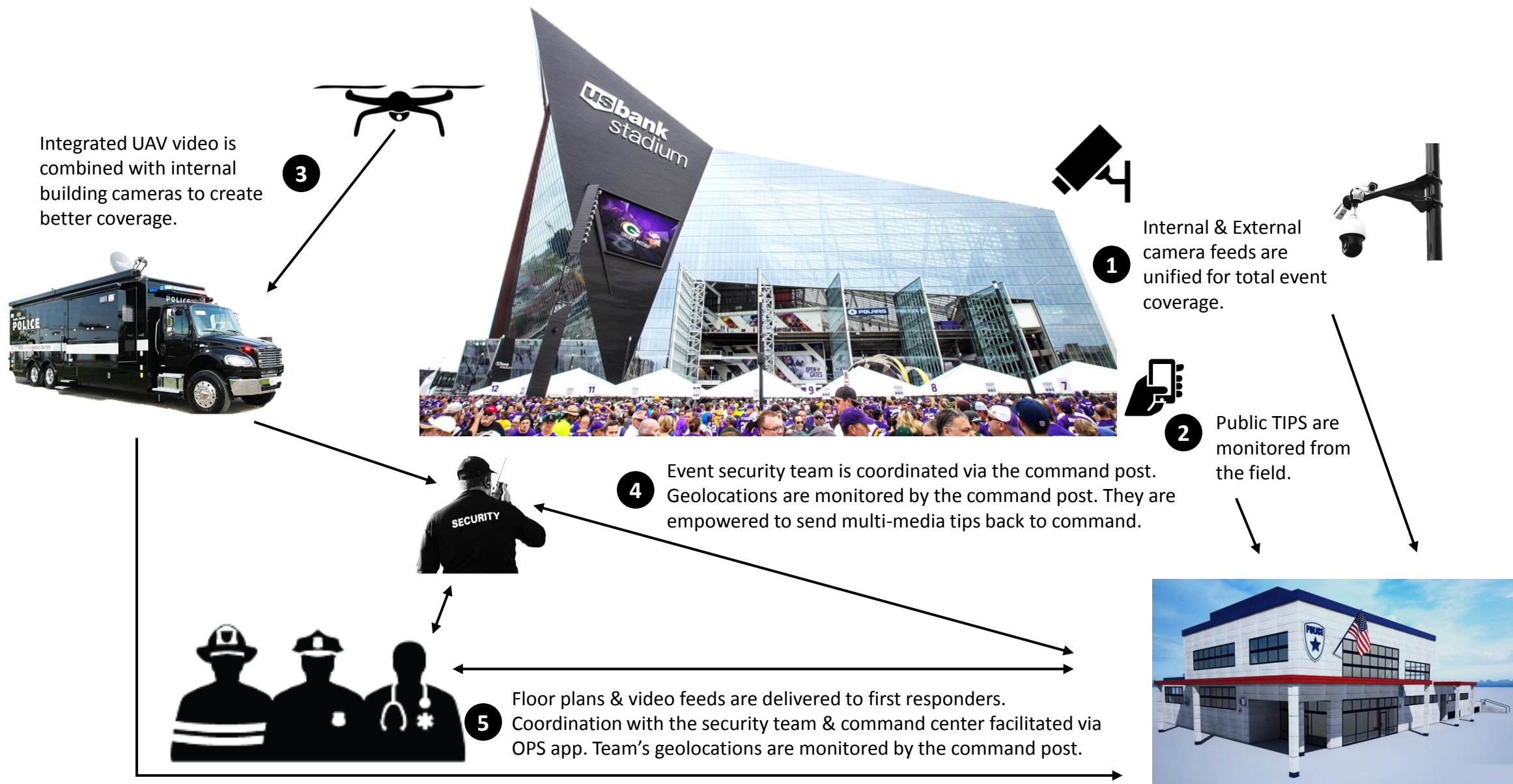


Scenario 3: Burglary / Criminal Activity





Scenario 4: Major Event / Civil Unrest





Scenario 5: Suspicious Person On Campus / Private Property



1 Photo TIP received from a student.



3 Internal & External camera feeds are activated & the intruder is located.



2 Campus security office monitors situation & coordinates incident response.



4

Campus security officer is dispatched. Geolocations are monitored by the command post. They are empowered to send multi-media tips back to command.



5

First-Responders are called in if needed. Coordination with Campus Security is facilitated via OPS app & Mutual Aid agreement.



fūsus

+1 (844) 226-9226

info@fusus.com

www.fusus.com

UNIFY YOUR PUBLIC SAFETY ECOSYSTEM.