



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

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

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

**Call to Order**

**Approve Agenda**

**Invocation**

- 1 Chairman Richard Higgins

**Pledge**

- 2 Commissioner Jeff Stowe

**Public Comments - Agenda Items Only (2 minutes per speaker/20 minutes maximum)**

**Proclamation/s**

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

**Consent**

- 4 Approve the January 22, 2024 Work Session minutes.
- 5 Approve the January 22, 2024 Executive Session minutes.
- 6 Approve the January 22, 2024 Meeting minutes.
- 7 Approve the January 11, 2024 Voting Meeting minutes.
- 8 Approve the January 11, 2024 Executive Session minutes.
- 9 Approve the January 11, 2024 Meeting minutes.
- 10 Approve the award of RFQ/P #044-23 Courthouse Elevator Modernization Services for Facilities Management to Premier Elevator Company, Inc. of Stockbridge, GA, in the amount of \$2,356,000.00.



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

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

- 16 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and an office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.
- 17 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.
- 18 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.

- 19     **2595 Gillsville Highway | Use Subject to County Commission Approval |**  
17.110.040(M) for a commercial kennel | on a 10.14± acre parcel located on the  
north side of Gillsville Highway, approximately 1,300 feet west of its intersection  
with Jack Bryant Circle | Zoned AR-III & AR-IV; Tax Parcel 15023 000015 |  
**Proposed use: commercial kennel | Commission District 3 | Sue Ann  
Buchanan, applicant.**
- 20     **6409 Lights Ferry Road | Use Subject to County Commission Approval |**  
on a 19.18± acre tract located on the south west side of Lights Ferry Road,  
approximately 1,000 feet from its intersection with Ford Road | Zoned V-C, Tax  
Parcel 08120 000003 (pt.) | **Proposed Use: 22-lot subdivision | Commission  
District 2 | Bret Muetzelfeld, applicant.**

**County Administrator**

**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

## Invocation

**REPORT TO:** Work Session (01/22/24)  
**REPORT TO:** Voting Meeting (01/25/24)  
**ITEM NO:** 580/2023  
**SUBJECT:** Chairman Richard Higgins

### Meetings:

**Work Session Date:** 01/22/24      **Voting Meeting Date:** 01/25/24

### Executive Summary:

**Presenter:** n  
**Recommendation:**  
n/a

**Purpose of Request:**      **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?** No  
**Is there a deadline for this item?**

### Approvals:

Approve	Clerk
AO	AO

### Attachments:



## AGENDA ITEM

### Pledge

**REPORT TO:** Work Session (01/22/24)  
**REPORT TO:** Voting Meeting (01/25/24)  
**ITEM NO:** 581/2023  
**SUBJECT:** Commissioner Jeff Stowe

**Meetings:**

**Work Session Date:** 01/22/24                      **Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** n  
**Recommendation:** n/a

**Purpose of Request:**                                      **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?** No  
**Is there a deadline for this item?**

**Approvals:**

Approve	Clerk
AO	AO

**Attachments:**



## AGENDA ITEM

### Proclamation/s

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 16/2024

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

**Meetings:**

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** CA  
**Recommendation:** Approve.

**Purpose of Request:** Approve the Proclamation recognizing Christopher Boykin's retirement after 24 years of service to Hall County, GA.

**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?** 2024-01-25

**Approvals:**

<b>Approve</b>	<b>Public Information</b>	<b>Administration</b>	<b>Clerk</b>
AO	BS	CR	AO

**Attachments:**

## Proclamation

# Hall County, Georgia



## Board of Commissioners

**WHEREAS,** *Christopher “Chris” Boykin began his public service career with Hall County on July 6, 1999; and*

**WHEREAS,** *during his employment with Hall County, Chris has served in many capacities such as: Firefighter I, Firefighter II, EMT III, Paramedic and EMS Sergeant; and*

**WHEREAS,** *in 2015, Chris received the Lifesaving Award; and*

**WHEREAS,** *Battalion Chief Eric Segars stated, “Chris often had us laughing to the point of tears with his unique method of delivering a good story or simply a one-line phrase. He earned much respect and gratitude not only from his co-workers but with his direct supervisors as well. He can definitely take the much-deserved credit for leaving the county better than he found it.”; and*

**WHEREAS,** *the Hall County Board of Commissioners deeply appreciates the services rendered to the citizens of Hall County by Christopher Boykin; and*

**NOW THEREFORE, BE IT RESOLVED** *that the Hall County Board of Commissioners does hereby pay tribute to*

### ***Christopher Boykin***

*and recognizes him for his many accomplishments, contributions, and 24 years of dedicated service to Hall County and its citizens, and extends to him their most sincere wishes for continued success in his future endeavors.*

*Adopted this 25<sup>th</sup> day of January 2024.*

---

RICHARD HIGGINS  
CHAIRMAN

---

KATHY COOPER  
DISTRICT 1

---

BILLY POWELL  
DISTRICT 2

---

GREGG POOLE  
DISTRICT 3

---

JEFFREY STOWE  
DISTRICT 4

---

JENNIFER RIVERA  
COMMISSION CLERK



## AGENDA ITEM

### Consent

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 32/2024

**SUBJECT:** Approve the January 22, 2024 Work Session minutes.

**Meetings:**

**Work Session Date:** 01/22/24                      **Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** CA

**Recommendation:**  
Approve.

**Purpose of Request:** Approve the January 22, 2024 Work Session minutes.

**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?** 2024-01-25

**Approvals:**

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**

1-22-2024 Work Session Minutes







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

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, January 22, 2024 - 03:00 PM**

**Call to Order**

*Chairman Higgins at 3:06 p.m.*

*Present:*

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

*Also present were County Administrator Zach Propes, Assistant County Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Abril Olivas and County Attorney William Linkous III*

**Corrections and Maintenance**

*Walt Davis, Director of Corrections and Maintenance, addressed the Board.*

- 1 Approve the award of RFQ/P #044-23 Courthouse Elevator Modernization Services for Facilities Management to Premier Elevator Company, Inc. of Stockbridge, GA, in the amount of \$2,356,000.00.

*Consent*

**Gainesville-Hall Metropolitan Planning Organization (GHMPO)**

*Joseph Boyd, Transportation Planning Director for Gainesville-Hall Metropolitan Planning Organization, addressed the Board.*

- 2 Approve the award of RFQ/P #44-014 Flowery Branch Downtown Parking and Mobility Study for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Stantec Consulting Services, Inc. of Atlanta, GA, in the amount of \$53,000.00.

*Consent*

**Planning and Development**

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

- 3 Approve the annual contract renewal for Accela Records/Permit Management Software subscription and license agreements for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of \$359,920.66.

*Consent*

- 4 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone** | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD) to Light Industrial (I-I) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and an office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.
- 5 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval** | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: outdoor storage within Gateway Corridors Overlay District** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.
- 6 **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance** | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD (GCOD), Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | **Proposed Use: boat/RV storage and office/warehouse** | Commission District 3 | **Dutton Properties, applicant.** NOTE: Tabled at the November 9, 2023 Voting Meeting until the January 25, 2024 Voting Meeting.
- 7 **2595 Gillsville Highway | Use Subject to County Commission Approval** | 17.110.040(M) for a commercial kennel | on a 10.14± acre parcel located on the north side of Gillsville Highway, approximately 1,300 feet west of its intersection with Jack Bryant Circle | Zoned AR-III & AR-IV; Tax Parcel 15023 000015 | **Proposed use: commercial kennel** | Commission District 3 | **Sue Ann Buchanan, applicant.**
- 8 **6409 Lights Ferry Road | Use Subject to County Commission Approval** | on a 19.18± acre tract located on the south west side of Lights Ferry Road, approximately 1,000 feet from its intersection with Ford Road | Zoned V-C, Tax Parcel 08120 000003 (pt.) | **Proposed Use: 22-lot subdivision** | Commission District 2 | **Bret Muetzelfeld, applicant.**

**Public Works and Utilities**

*Bill Nash, Director of Public Works and Utilities, addressed the Board.*

- 9 Approve the request from Chattahoochee River Keeper for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,500.00) for approximately 25 tons of trash to be collected during the Sweep the Hooch event scheduled for March 23, 2024.

*Consent*

- 10 Approve the award of IFB #024-44 Candler Road Landfill Cell Three (3) Construction for Public Works & Utilities to Morgan Corp. of Duncan, SC, in the amount of \$13,676,000.00.

*Consent*

- 11 Approval and authorization for the Chairman to execute a resolution relating to the removal of an at-grade road crossing of the Norfolk Southern Railroad at White Sulphur Road, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney. Commission District 3.

*Consent*

### **County Administrator**

*Mr. Propes addressed the Board and presented a 'WIN' video highlighting Hall County's accomplishments in 2023. He went on to thank the Board of Commissioners, staff and leadership of Hall County.*

### **Public Comments**

*There were no comments from the public.*

### **Commission Time**

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

### **Adjourn**

*Chairman Higgins adjourned the meeting at 3:39 p.m.*



## AGENDA ITEM

### Consent

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 30/2024

**SUBJECT:** Approve the January 22, 2024 Executive Session minutes.

**Meetings:**

**Work Session Date:** 01/22/24                      **Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** CA

**Recommendation:**  
Approve.

**Purpose of Request:** Approve the January 22, 2024 Executive Session minutes.

**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?** 2024-01-25

**Approvals:**

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**











**HALL COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Monday, January 22, 2024 - 02:00 PM**

**Call to Order**

*Chairman Higgins at 2:01 p.m.*

*Present:*

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

*Also present were County Administrator Zach Propes, Assistant County Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Abril Olivas, and County Attorney William Linkous III*

*Commissioner Cooper/Commissioner Stowe — to go into Executive Session at 2:01 p.m. — unanimous*

**Executive Session**

- 1 Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(2)].

*Commissioner Powell/Commissioner Poole — to adjourn the Executive Session at 3:02 p.m. — unanimous*

**Adjourn**

*Commissioner Powell/Commissioner Poole — adjourn the Meeting at 3:02 p.m. — unanimous*







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

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Thursday, January 11, 2024 - 06:00 PM**

**Call to Order**

*Chairman Higgins at 6:04 p.m.*

*Present:*

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

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

**Approve Agenda**

*Commissioner Stowe/Commissioner Powell — approve — unanimous*

**Invocation**

- 1 Chairman Richard Higgins

**Pledge**

- 2 Commissioner Gregg Poole

**Public Comments**

*There were no comments from the public.*

**Proclamation/s**

- 3 Approve the Proclamation recognizing City of Gainesville Councilman George Wangemann.

*Commissioner Stowe presented City of Gainesville Mayor Sam Couvillon, Councilman Danny Dunagan and City Clerk Denise Jordan with the Proclamation.*

*Commissioner Powell/Commissioner Poole — approve — unanimous*

- 4 Approve the Proclamation recognizing Rebecca "Becky" Ruffner's retirement after 23 years of service to Hall County, GA.

*Commissioner Cooper presented Becky Ruffner with the Proclamation.*

*Commissioner Stowe/Commissioner Powell — approve — unanimous*

## **Consent**

*Commissioner Powell/Commissioner Poole — approve — unanimous*

- 5 Approve the January 8, 2024 Work Session Minutes.
- 6 Approve the December 14, 2023 Voting Meeting Minutes.
- 7 Approve the December 14, 2023 Executive Session Minutes.
- 8 Approve the December 14, 2023 Meeting Minutes.
- 9 Approve the annual re-adoption of Robert's Rules of Order with an exception to allow for the Chairman to vote.
- 10 Approve the appointment of Commissioner Gregg Poole to serve as the 2024 Board of Commissioners Vice-Chairman.
- 11 Approve the appointment of Commissioner Billy Powell to the Tax Allocation District Advisory Committee (TADAC). Chairman's Appointment.
- 12 Approve the appointment of Commissioner Jeff Stowe to the Tax Allocation District Advisory Committee (TADAC). County Administrator's Appointment.
- 13 Approve the award of IFB #030-44 Laurel Park Baseball Field Fencing for Parks & Leisure Services to Blue Ridge Fence, Inc. of Lula, GA, in the amount of \$334,557.00.
- 14 Approve the award of RFQ/P #44-016 Architectural & Engineering Design Services for East Hall Community Center Addition for New Library to CAS Architecture, P.C. of Lawrenceville, GA, in the amount of \$259,700.00.
- 15 Approve the purchase and installation of LED lighting systems at Alberta Banks Park for field 4, field 5, and pickleball courts for Parks & Leisure Services to Musco Sports Lighting, LLC of Oskaloosa, IA, in the amount of \$389,000.00.
- 16 Approval and authorization for the Chairman and District Commissioners to execute a resolution objecting to the annexation by the City of Buford of tax parcel number 08153 000001 owned by Amy L. Barfield and Christopher W. Watford located on 4470 Bennett Road, and authorize the Board to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.
- 17 Approve the 2024 Qualifying Fees Resolution for the upcoming Election Cycle.
- 18 Approve the award of IFB #027-44 for Community Housing Improvement Program (CHIP) Grant Single-Family Home Repairs for Financial Services to Smoother Stroke Construction of Gainesville, GA and Quality Construction & Improvement of Atlanta, Inc. of Decatur, GA, in the amount of \$213,414.41.

- 19 Approve the purchase of one (1) Pierce Enforcer 100' Mid-Mount Aerial Fire Truck Apparatus for Fire Rescue to Ten-8 Fire and Safety, LLC of Forsyth, GA, in the amount of \$2,063,514.00.
- 20 Approve the annual contract renewal for RFQ/P #43-015 EMS Billing and Collection Services for Fire Rescue to Digitech Computer, LLC, of Chappaqua, NY.
- 21 Approve the award of IFB #029-44 Furnish and Install One (1) Replacement Generator at Fire Station #9 for Fire Rescue to DeHart and Hill Electric, Inc. of Cumming, GA, in the amount of \$70,889.00.
- 22 Approve the 2024 Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.
- 23 Approval and authorization for the Chairman to execute a response letter relating to the Sardis Road Connector construction project, subject to review and approval by the County Attorney. Commission District 2.
- 24 Approve the ratification of Emergency Waste Hauling Services for Public Works & Utilities to Waste Pro of GA, Inc. of Athens, GA, in the amount of \$998,740.00.
- 25 Approve the purchase of eight (8) new 2024 Ford Interceptors for the Sheriff's Office to Brannen Motor Company of Unadilla, GA, in the amount of \$381,600.00.
- 26 Approve the purchase of one (1) 2023 Ford Transit Van for the UGA Extension Agency to Billy Cain Ford of Commerce, GA, in the amount of \$61,975.00.

**Other Business - Public Works and Utilities**

*Bill Nash, Director of Public Works and Utilities addressed the Board.*

- 27 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Cagle Road Improvement Project parcels 28 & 29, Tax Parcel 09094 000001, also known as 4401 Cagle Road, presently owned by Aerospace Science Foundation, Inc. for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney. Commission District 3.

*Commissioner Poole/Commissioner Stowe — approve — unanimous*

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

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

- 28 **5348 Grant Road | Use Subject to County Commission Approval | 17.110.040(M) for a commercial kennel | on a 10.69± acre parcel located on the north side of Grant Road, approximately 590 feet west of its intersection with Lee Road | Zoned AR-III; Tax Parcel 11085 000005B | Proposed use: commercial kennel | Commission District 2 | Megan Partrick – Bark Camp Farm, applicant.**

*Mr. Lawhon introduced the item. Ms. Doveton discussed the item.*

*Commissioner Powell/Commissioner Stowe — approve withdrawal of item 28 — unanimous*

- 29 **4200 Cha Co Road | Rezone |** from Agricultural Residential III (AR-III) to Residential I (R-I) | on a 43.50± acre parcel located on the southeastern side of Cha Co Road, approximately 425 feet west of its intersection with Sardis Road | Zoned AR-III, Tax Parcel 10074 000004 | **Proposed Use: 32-lot subdivision |** Commission District 2 | **John Roberts, applicant.**

*Mr. Lawhon introduced the item. Ms. Doveton discussed the item.*

*Commissioner Powell/Commissioner Poole — approve withdrawal of item 29 — unanimous*

- 30 **3210 Joe Parker Road | Amend Conditions |** of a Planned Commercial Development (PCD) on a 20.19± acre parcel located on the west side of Joe Parker Road, approximately 1,150 feet north of its intersection with Gillsville Highway | Zoned PCD; Tax Parcel 15023 000055 | **Proposed use: event facility |** Commission District 3 | **El Alamo Properties, LLC, applicant.**

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

*The following people addressed the Board:*

*Favor:*

- *Lorena Almaguer, 3415 Spartan Court, Gainesville*

*Commissioner Poole/Commissioner Powell — approve with the ten (10) conditions listed below — unanimous*

*Conditions:*

1. *All previous conditions of zoning included herein shall apply, with the exception of those modified for the current application:*
  - a. *The catering kitchen shall not be used as a restaurant and shall not be open to the public.*
  - b. *The development is limited to a maximum of 7,200 square feet for the main facility.*
  - c. *The special events facility shall be equipped with soundproof walls and ceilings as designed by a professional engineer, and submitted to the county for review prior to the issuance of a permit. No noise shall carry beyond the property boundaries.*
  - d. *The property shall comply with all Gateway Corridor Overlay District requirements with the following exception: The gazebo may be less than 1,000 square feet in size.*
  - e. *Final driveway design and placement are subject to approval by the Hall County Engineering Department.*
  - f. *The applicant is required to submit a traffic impact study before the issuance of any permits. Any access or adjacent intersection improvements required by the traffic impact study or required by Hall*

*County Engineering Department, or the Georgia Department of Transportation are the financial responsibility of the applicant/developer.*

- g. Parking requirement shall meet the requirements for "places of public assembly": 1 space per each three seats of maximum seating capacity (i.e. 750 max capacity = 250 parking spaces).*
- h. All conditions of zoning shall be made a part of any plat created for the property.*
- 2. The development of the site shall occur as generally depicted and described in the site plan approved for Land Disturbance Permit by Hall County on April 13, 2023 and as described in the project narrative dated October 6, 2023, modified for conditions listed herein.*
- 3. The architectural style of the event venue shall be consistent with the narrative and supplemental architectural examples as submitted as part of the application.*
- 4. The facility shall be permitted to install one (1) identification sign near the vehicular entrance, provided that it meets the sign standards of 17.270.070.*
- 5. The applicant shall install a 6 foot high opaque fence beginning at the front corners of the property and extending 450 feet along both side property lines. A 25 foot planted buffer shall be installed in accordance with 17.260.020 in addition to the fence.*
- 6. Outdoor activities within the primary event structure and the future pavilions shall not involve the outside amplification of voice, music and/or instruments except during a wedding ceremony.*
- 7. All events shall be provided with adequate personnel to assist with parking, emergency and other potential impacts of each event.*
- 8. No athletic events will be allowed.*
- 9. Events shall commence no earlier than 9:00 a.m. and shall terminate no later than 10:00 p.m. on Sunday through Thursday and no later than 11:00 p.m. on Friday and Saturday. Termination shall mean the termination of food, drinks, service and entertainment with the understanding that attendees will need a reasonable amount of time after termination to exit the premises.*
- 10. All lighting shall be non-spill.*

31 **4549, 4555, 4561, 4567, 4571, 4601, 4607, and 4611 Candlestick Lane | Amend Conditions |** of a Planned Residential Development (PRD) on a combined 3.89± acres located on the north side of Candlestick Lane, across from its intersection with Shawnee Drive | Zoned PRD, Tax Parcels 08067 000045, 000044, 000043, 000042, 000041, 000039, 000038, and 000037 | **Proposed Use: 9-unit townhome development | Commission District 2 | RyRoMa Properties, LLC, applicant.**



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

*The following people addressed the Board:*

*Favor:*

- Max Decook, 4890 Serene Shores Drive, Gainesville*

*Commissioner Powell/Commissioner Poole — approve with the seven (7) conditions listed below — unanimous*

*Conditions:*

- 1. The property shall be developed in accordance with the project narrative submitted on September 8, 2023 and site plan dated October 6, 2023 noting 16-foot wide drives on building one.*
- 2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.*
- 3. All new residential building constructed within the subject area must adhere to the surrounding architectural styles, and shall be subject to final review and approval by the Director of Community Development and Infrastructure, or their designee. This includes the allowance of vinyl siding.*
- 4. Only one (1) driveway access point shall serve a single building and all parking shall be properly maintained outside of the right-of-way, with the exception of building one which may have separate driveways per unit or three if it's a triplex.*
- 5. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*
- 6. Upon completion of construction as described in the submitted plans dated October 6, 2023, an as-built survey shall be submitted prior to issuance of certificates of occupancy for units in each respective building.*
- 7. 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."*

**3955 & 4035 Leach Road | Rezone** | from Agricultural Residential III (AR-III) and Residential I (R-I) to Planned Residential Development (PRD) | on a combined 174.44± acres located on both the east and west sides of Leach Road, north of the intersection of Leach Road and Red Bird Circle | Zoned AR-III and R-I; Tax Parcels 10033 000001 & 10050 000008 | **Proposed use: 307-lot detached single-family development** | Commission District 2 | **Shadow Stone Partners, LLC, applicant.**

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

*The following people addressed the Board:*

*Favor:*

- *Erin Moore, 3120 Frontage Road, Gainesville*
- *Susanne Doyle-Portillo, 3721 Leach Road, Gainesville*
- *Brian Britain, 174 South Old Aska Road, Blue Ridge*

*Opposition:*

- *Michael Webb, 3840 Leach Road, Gainesville*
- *Virginia Martin, 5355 Elliott Crossing, Gainesville*

*Commissioner Powell/Commissioner Stowe — approve with the fifteen (15) conditions listed below — unanimous*

*Conditions:*

1. *Development is approved with a maximum density limited to 1.76 dwelling units per acre and as described in the project narrative, modified as necessary for compliance with development standards enforced at the time of site plan approval. The total number of lots in all phases shall not exceed 307. Minor changes can be approved by the Planning Director of Community Development and Infrastructure, or their designee provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards.*
2. *Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.*
3. *The minimum heated floor area (HFA) shall be 1,900 square feet. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval is subject to the Director of Community Development and Infrastructure, or their designee.*
4. *All lots shall access internal subdivision roads only. No lot shall have direct access to Leach Road, with the exception of lots designated as amenity site, drip fields, and open space.*

5. *Each phase of the development shall meet minimum access requirements, subject to review and approval by the Hall County Fire Marshals.*
6. *An access easement at a minimum of 10 feet in width shall be reserved for off-street pedestrian, bicycle, or similar modes of transportation to accommodate connectivity between the phases. Access easements are required to be recorded prior to the sale of any home sites adjacent to the proposed points of access. Prior to the sale of any home sites in the project, it shall be clearly stated the intent to make the connection so potential buyers are made aware. The easement shall be owned and maintained by the Developer and then transferred to the HOA once one is established.*
7. *The recommendations of the traffic study conducted by Southeastern Engineering in August of 2023 shall be implemented as part of the development process. These improvements include those listed as the proposed driveway intersection improvements for driveways A, B, and C as described in the application materials. All improvements shall be at the Developer's cost.*
8. *The development shall be limited to a maximum of three (3) model homes per phase prior to approval and recording of the final plat.*
9. *All amenities described in the submitted letter of intent are to be constructed within the development. The main amenity area shall be constructed before the final certificate of occupancy in the first phase is issued. Each phase is required to internally feature at least one of the following amenities, which shall be installed before 50% of the certificates of occupancy are issued for each respective phase:*
  - a. *Playground*
  - b. *Pocket Park*
  - c. *Walking trail/path connective to the rest of the development, separate from the five-foot sidewalk required adjacent to internal streets (17.180.060(B)(7)).*
10. *The 25-foot and 50-foot undisturbed stream buffers must be fully maintained on HOA common space and shall not encroach onto any individual residential building lot. However, individual residential lots may include the 75-foot impervious setback limits associated with state waters.*
11. *All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*
12. *No variances or development exceptions not specifically listed in these conditions of approval are granted. Relief is granted from the following requirement:*
  - a. *17.180.060(B). Setbacks. The front yard setback may be reduced from 25 feet to 20 feet for single family detached residences per the submitted site plan, no garage shall be closer than 25 feet from the back of sidewalk.*
  - b. *Density and Minimum Lot Size. The development shall have a maximum density of 1.76 units per acre, and a minimum lot area of 7,200 square foot.*
  - c. *Garages. The garage of each residence within the development shall not exceed 55% of the front façade of the home. The garage shall not be required to be a recessed design.*
  - d. *The required 50-foot PRD transitional buffer allow for grading and replanting if needed.*
13. *Developer/HOA will maintain the Land Application System (LAS) and any conveyances to the Private Wastewater system. Perpendicular crossings*

*within existing right-of-way shall be allowed, where necessary for required road crossings for installation/conveyance purposes. Should any portion of the system encroach into any proposed right-of-way within the development, all proposed rights-of-way within the development shall be privately owned and maintained.*

- 14. 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."*
- 15. Developer shall install double row silt fence and pine straw bales along stream buffers for extra protection.*

### **County Administrator**

*Mr. Propes addressed the Board. He stated the following:*

- Hall County Offices will be closed on Monday, January 15, 2024 in observance of the Martin Luther King, Jr. holiday.*

### **Commission Time**

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

### **Adjourn**

*Commissioner Powell/Commissioner Stowe — adjourn at 7:07 p.m. — unanimous*



## AGENDA ITEM

### Consent

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 31/2024

**SUBJECT:** Approve the January 11, 2024 Executive Session minutes.

**Meetings:**

**Work Session Date:** 01/22/24                      **Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** CA

**Recommendation:**  
Approve.

**Purpose of Request:** Approve the January 11, 2024 Executive Session minutes.

**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?** 2024-01-25

**Approvals:**

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**





## AGENDA ITEM

### Consent

**REPORT TO:** Work Session (01/22/24)  
**REPORT TO:** Voting Meeting (01/25/24)  
**ITEM NO:** 34/2024  
**SUBJECT:** Approve the January 11, 2024 Meeting minutes.

**Meetings:**

**Work Session Date:** 01/22/24                      **Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** CA  
**Recommendation:**  
 Approve.

**Purpose of Request:** Approve the January 11, 2024 Meeting minutes.  
**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?** 2024-01-25

**Approvals:**

Approve	Attorney	Administration	Clerk
JR	WLI	CR	JR

**Attachments:**

1-11-2024 Meeting Minutes







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

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Thursday, January 11, 2024 - 05:00 PM**

### **Call to Order**

*Chairman Higgins at 5:00 p.m.*

*Present:*

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

*Also present were County Administrator Zach Propes, Assistant County Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Abril Olivas, County Attorney William Linkous III, and Special Assistant County Attorney Van Stephens*

*Commissioner Poole/Commissioner Stowe — to go into Executive Session at 5:00 p.m. — unanimous*

*Van Stephens was present by phone.*

### **Executive Session**

- 1 Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(2)].

*Commissioner Poole/Commissioner Stowe — to adjourn the Executive Session at 5:59 p.m. — unanimous*

### **Adjourn**

*Commissioner Poole/Commissioner Stowe — adjourn the Meeting at 5:59 p.m. — unanimous*



## AGENDA ITEM

### Consent

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 674/2023

**SUBJECT:** Approve the award of RFQ/P #044-23 Courthouse Elevator Modernization Services for Facilities Management to Premier Elevator Company, Inc. of Stockbridge, GA, in the amount of \$2,356,000.00.

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** WD  
**Recommendation:**  
Approve.

**Purpose of Request:**  
Approve the award of RFQ/P #044-23 Courthouse Elevator Modernization Services for Facilities Management to Premier Elevator Company, Inc. of Stockbridge, GA, in the amount of \$2,356,000.00.

#### History:

**Facts and Issues:**  
Department recommendation is based upon the highest scoring responsible and responsive bidder from RFQ/P #44-023.

#### Options:

Department recommends three alternative components in addition to the base price of \$2,273,000.00 to modernize seven (7) elevator cars;

Alternate—1 Car to lobby feature: no additional cost

Alternate—2 add 15-inch screen in cars 1 through 4 for \$5,000.00 total

Alternate—3 replace all satin bronze with #304 stainless steel for cars 1 through for \$78,000 for a new total of \$2,356,000.00

**Funding Requested**

\$ 2,356,000.00

**Are funds within current budget?**

Yes

**Source of Funds**

ARPA, SPLOST VIII, 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?**

2024-01-15

**Approvals:**

<b>Submit</b>	<b>Purchasing</b>	<b>Budget</b>	<b>Finance</b>
WD	AP	EW	WG
<b>Attorney</b>	<b>Administration</b>		<b>Clerk</b>
WLI	CR		JR

**Attachments:**

Financial Supplement

Bid Tab

Signature Request and Contract

Quote



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

**AGENDA ITEM 674/2023**

**Funds Requested:** \$ 2,356,000.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

ARPA, SPLOST VIII, Capital Projects

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2024	230-AMERICAN RESCUE PLAN ACT FUND	3921-COVID RELIEF	541300-BUILDING AND IMPROVEMENTS	\$709,892.00
2024	324-SPLOST VIII	1565-BUILDINGS AND MAINTENANCE	541300-BUILDING AND IMPROVEMENTS	\$140,108.00
2025	324-SPLOST VIII	1565-BUILDINGS AND MAINTENANCE	541300-BUILDING AND IMPROVEMENTS	\$656,000.00
2025	350-CAPITAL PROJECTS FUND	1565-BUILDINGS AND MAINTENANCE	541300-BUILDING AND IMPROVEMENTS	\$850,000.00

**Budget Transfer Items:**

**Additional Information/Comments:**

Kevin Ivey Superintendent Facilities Management kivey@hallcounty.org Surplus SPLOST VIII funds have been identified to fund the SPLOST VIII FY 2025 portion.

**Contact for Questions:** KI

**Phone:**

678-617-4517

## BID TABULATION SUMMARY

BID #44-023

1/18/2024

<b>SCORES</b>	<b>TKE Elevator</b>	<b>Premier Elevator</b>
Average Technical Scores	800	800
Average Cost Scores	150	200
<b>Total Scores</b>	<b>950</b>	<b>1000</b>

Evaluator 1 - Technical Scores	800	800
Evaluator 2 - Technical Scores	800	800
Evaluator 3 - Technical Scores	800	800
Totals	2400	2400
<b>Averages</b>	<b>800</b>	<b>800</b>

Item 1: Mod Public Passenger Elevators #1 - #4	\$ 1,369,000.00	\$ 1,233,000.00
Item 2: Modernize Private Passenger Elevators #S1 & #S2	\$ 549,000.00	\$ 478,883.00
Item 3: Modernize Public Garage Elevator #7	\$ 198,000.00	\$ 248,743.00
Item 4: Related Building Work	\$ 153,000.00	\$ 312,374.00
Base Bid Totals	<b>\$ 2,269,000.00</b>	<b>\$ 2,273,000.00</b>

Alternate 1: Car to Lobby Feature, Cars #1 - #7	\$ 875.00	\$ 0.00
Alternate 2: Provide a CE Electronics, Elite Pl, or approved equal 15" active-matrix color TFT type display in the main car station, Cars #1 - #4	\$ 28,600.00	\$ 5,000.00
Alternate 3: Replace all satin bronze with #304 satin Stainless Steel. Clad all door frames and replace hoistway doors, cars #1 - #4	\$ 86,700.00	\$ 78,000.00
Totals	<b>\$ 2,385,175.00</b>	<b>\$ 2,356,000.00</b>

Evaluator 1 - Cost Scores	150	200
Evaluator 2 - Cost Scores	150	200
Evaluator 3 - Cost Scores	150	200
Totals	450	600
<b>Averages</b>	<b>150</b>	<b>200</b>



# Hall County Government

FINANCIAL SERVICES

## CONTRACT EXECUTION SIGNATURE REQUEST

Date: 1/16/2024

To: Richard Higgins, Chairman, Board of Commissioners

From: Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Contract.

Bid/Contract No: #44-023

Contract Name: Elevator Modernization Services

Department(s) Requesting Contract: Facility Management

Award Recipient Name: Premier Elevator Company, Inc.

Date of Next BOC Vote: 1/25/2024

- |  |                               |
|--|-------------------------------|
| <input type="checkbox"/> Price Increase Requested      | Percentage Increase: n/a      |
| <input type="checkbox"/> Demand Service Contract       | Previous Spend: 0.00          |
| <input checked="" type="checkbox"/> Commodity Contract | Requested Amount: \$2,356,000 |
| <input checked="" type="checkbox"/> Service Contract   |                               |

Comments:

Department recommend stems from the completely bid RFQ/P #44-023 where Premier Elevator Company, Inc. was the highest scoring responsive and responsible bidder scoring 1,000 points out of 1,000 points.

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

## PRICE INCREASE DETAILS

Bid/Contract No: 44-023

Bid/Contract Name: Elevator Modernization Services

New Contract.



# Hall County Government

FINANCIAL SERVICES

CONTRACT FOR SERVICES

STATE OF GEORGIA  
COUNTY OF HALL

CONTRACT # 44-023

For the provision of  
**Elevator Modernization Services**

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

**ARTICLE #101 - INTRODUCTION**

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

This Contract for Elevator Modernization Services (hereinafter “Services”) as entered into on \_\_\_\_\_, is by-and-between Hall County, Georgia, (hereinafter “County”) located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Premier Elevator Company, Inc., located at 230 Andrew Drive, Stockbridge, GA 30281 (Hereinafter “Contractor”). Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a “Party” and collectively as the “Parties”.

**Whereas**, the Parties do mutually desire to enter into this Contract to document the provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

**Whereas**, this contract will become legally binding and executed upon signature by both parties, and

**Whereas**, any attached Quotes, Exhibits, Attachments, and references are all incorporated herein by reference, and

**NOW, THEREFORE** and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

**ARTICLE #102 – CONTRACT**

- A. Contractor agrees to provide the Services to the County as detailed as the **Scope of Work**.
- B. County hereby agrees as good and valuable compensation as provided in the attached quote, as incorporated herein by reference,



for the sum of two-million, two-hundred seventy-three thousand and no/100 cents (\$2,273,000.00) plus;

**Add Alternate #1** - Car to Lobby feature, Cars #1-7 for no additional cost (\$0.00),

**Add Alternate #2** - Provide CE Electronics, Elite PI, or approved equal 15" active-matrix color TFT type display in the main car station, cars #1-4 for five-thousand dollars and no/100 cents (\$5,000), and

**Add Alternate #3** - Replace all satin bronze with #304 satin stainless steel. Clad all door frames and replace hoist way doors, cars #1-4 for seventy-eight thousand and no/100 cents (\$78,000) for the grand total sum of:

**Two-million, three-hundred fifty-six thousand dollars and no/100 cents (\$2,356,000.00).**

Plus, **Monthly Maintenance fees** as described below and as shown on the attached Traction Modernization Quotation Form. Totals include all seven (7) elevator cars:

1. **Interim Warranty** - \$1440.00 per month
2. **12-Month Warranty** - \$1440.00 per month
3. **5-Year Maintenance** - \$1625.00 per month after job completion

**Deposits Required:**

15% with PO

45% when materials are verified on site

40% Monthly Progress Payments from verified Pay Applications paid in arrears.

**ARTICLE #103 - NOTICES:**

To the extent that either party to this Contract are required to provide notice(s) to the other party in compliance herewith, then the party shall direct notice(s) to the following persons:

**COUNTY PROJECT MANAGER**

Kevin Ivey  
Superintendent  
Facilities Management  
kivey@hallcounty.org  
Ph: (678) 617-4517

**COUNTY ISSUING OFFICER**

Andy Penick  
Purchasing Manager  
Hall County Purchasing Division  
2875 Browns Bridge Rd  
Gainesville, GA 30504  
apenick@hallcounty.org  
Ph: (770) 531-4939

**CONTRACTOR'S CONTACT INFO**

Reese Finch  
Business Development Manager  
230 Andrew Drive  
Stockbridge, GA 30281  
Email: reese.finch@efsteam.com  
Ph: (404) 293-7179

**REMIT-TO ADDRESS (if different).**

**ARTICLE #104 – NON-EXCLUSIVE RIGHTS:**

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

**ARTICLE #105 – CONTRACT TERM:**

For construction, renovations and modernization projects, until substantial and final completion of services according to the time-schedule and after all sub-contractor(s) and material suppliers' liens are satisfied.

**ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:**

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

**ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:**

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

**A. Delay or Impossibility of Performance.** Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, acts of war, civil unrest, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

**Definition:** The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled.'

- B. Obligations beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.
- C. Transition Cooperation with the County and Cooperation with other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

**ARTICLE # 108 - TERMINATION:**

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

- A. **Termination for Convenience.** Following sixty (60) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.
- B. **Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:
  - 1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.
  - 2. The County determines that contractor's satisfactory performance of the Contract substantially endangered or that default is likely to occur.
  - 3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
  - 4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
  - 5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.
  - 6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.
- C. **Notice of Default.** If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-

Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period specified in the written notice, the non-breaching party may:

1. Immediately terminate the Contract for default without additional written notice.
2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,
3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

**D. Termination Due to Non-Availability of Funds.**

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

**E. Termination due to Failure of Contractor to Act.**

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.
3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.
4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

- F. **Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.
- G. **The Contractor's Termination Duties.** Upon receipt of notice of termination, the Contractor shall:
1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.
  2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
  3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.
  4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and
  5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.
- H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or who abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

**ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:**

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

**ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:**

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

**ARTICLE #111 – USE OF THIRD PARTIES (SUB-CONTRACTORS):**

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

**ARTICLE #112 – SUPERSEDES FORMER CONTRACTS**

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

**ARTICLE #113 - SEVERABILITY:**

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

**ARTICLE # 114 - RECORDS:**

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

**ARTICLE # 115 - ADDITIONAL TERMS:**

- A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other

document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.

- B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

**ARTICLE # 116 - WAIVER:**

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

**ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:**

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.
- B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.
- C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

**ARTICLE # 118– INSURANCE REQUIREMENTS:**

**Workers Compensation Insurance: Required for all contracts.**

- a. \$500,000 Bodily Injury by Accident      Each Accident
- b. \$500,000 Bodily Injury by Disease      Each Disease



- c. \$500,000 Bodily Injury by Disease      Each Employee

**Additional Provisions:** Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

**General Liability Insurance: Required for all contracts.**

- a. \$2,000,000      General Aggregate
- b. \$2,000,000      Products & Completed Operations Aggregate
- c. \$1,000,000      Each Occurrence
- d. \$1,000,000      Personal & Advertising Injury
- e. \$500,000        Damages to Premises / Fire / Legal
- f. \$5,000          Medical Payments

**Commercial Auto Liability Insurance: Required for all contracts,** except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.

- a. \$1,000,000      Combined Single Limit OR
- b. \$500,000        per Person
- c. \$500,000        per Occurrence
- d. \$100,000        Property Damage
- e. \$1,000            for Medical Payments (no fault coverage)

**Additional Provisions:**

- a. Uninsured motorists' coverage should be equal to the per occurrence limit except for contracts with other governmental entities
- b. Coverage shall be included for any owned, leased, hired, or non-owned autos
- c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

**Umbrella Liability Insurance:** Required for all contracts

- a. \$1,000,000 per Occurrence

**Additional Provisions:**

- a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
- b. Minimum limit of \$5,000,000 per occurrence for all contracts over \$1,000,000 or involving any special risks or high hazard activities
- c. Minimum limit of \$5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
- d. Concurrent policy dates with primary liability policies except for workers compensation

**Professional Liability Insurance (Errors & Omissions):** Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.

- a. \$1,000,000 Each Claim/Wrongful Act
- b. \$2,000,000 General Aggregate

**ARTICLE # 119 – NO WAIVER:**

- A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto.”
- B. **Solicitation.** The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.
- C. **Vehicles and Equipment.** With the exception of any specified County Owned Equipment and Vehicles listed herein, Contractor warrants that no Contractor employees, sub-contractors or others will not use County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

**ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:**

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

**ARTICLE # 121 - COMPENSATION:**

- A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor’s delivered Services by the County, and after receipt of undisputed invoice to the County.
- B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.

- C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.
- D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

**ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:**

- A. The County will issue a Notice to Proceed (NTP) to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice to Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS & MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

**B. Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org) and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102*.
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared

invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.

3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

**C. Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay or deny payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).
2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

**D. Set-Off Against Sums Owed by the Contractor.** In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

**E. Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

**F. The Contractor must not "Factor or Assign Payments" to another or a financial institution.** The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

**ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS**

The Contractor must furnish to the County both a Performance and Payment Bond, both equal to one-hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice-to-Proceed after the bonds are received. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

The Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

**ARTICLE #124 – RETAINAGE**

The County will retain funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five-percent (5%) retainage throughout the entire project and will release said retainage at the point of completion and final acceptance by the County.

**ARTICLE #125 – VENUE AND GOVERNING LAW**

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

**ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE**

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

**ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT (E-Verify):**

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.

- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

**ARTICLE # 128 – ORDER OF PRECEDENCE:**

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

- A. First, any amendments to the Contract, including all Exhibits thereto.
- B. Second, the Contract itself, including all Exhibits thereto.
- C. Third, Attachments appended to the Contract.

**ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:**

The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are-herein-incorporated into this contract by reference.

**ARTICLE # 130 - ENTIRE CONTRACT:**

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

**ARTICLE # 131– VALIDITY**

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

**ARTICLE #132 – SALES TAX EXEMPTION STATUS**

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

### **ARTICLE #133 – HOLD HARMLESS AGREEMENT**

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

### **ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS**

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.

15. The County does not accept automatic contract renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.
18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.



35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.
39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

PRINT COMPANY'S FULL LEGAL NAME BELOW HALL COUNTY, GEORGIA

Premier Elevator

By: [Signature]

Print Name: Jones Duda

Title: RVP

By: \_\_\_\_\_

Richard Higgins, Chairman  
Hall County Board of Commissioners

Date: \_\_\_\_\_

Sworn to and subscribed before me this

3 Day of Jan, 2023

Notary Public: [Signature]

Notary commission expires: \_\_\_\_\_

[Locus Sigilli Seal or Stamp]

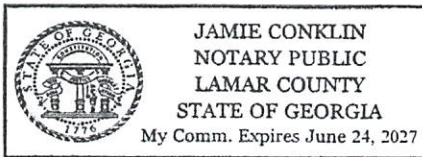
Attestment: \_\_\_\_\_

County Clerk

Approved as to Form

[Signature]

William J. Linkous III, County Attorney





**PREMIER  
ELEVATOR**

Request for Proposals



**HALL COUNTY**  
G E O R G I A

**Hall County Courthouse Elevator Modernization Bid**

**Federal Tax ID # : 58-1999344**

January 2, 2024

HCCH

Request for Proposals #RFQ/P #44-023



Executive Summary

Specifically for this bid, the office managing the elevator program will be the Atlanta office located at:

230 Andrew Dr.  
Stockbridge, Ga 30281  
P: 770-389-4951

The following employees will be your main contacts:

James Duda  
RPV  
230 Andrew Dr.  
Stockbridge, Ga 30281  
P: 770-379-3326  
E: [james.duda@efsteam.com](mailto:james.duda@efsteam.com)

Reese Finch  
BDM  
230 Andrew Dr.  
Stockbridge, Ga 30281  
P: 404-293-7179  
E: [reese.finch@efsteam.com](mailto:reese.finch@efsteam.com)

Candy Reeves  
Manager Region Operations Admin  
230 Andrew Dr.  
Stockbridge, Ga 30281  
P: 770-389-4951  
E: [candy@efsteam.com](mailto:candy@efsteam.com)

Cory Prator  
MOD Manager  
230 Andrew Dr.  
Stockbridge, Ga 30281  
P: 678-209-1254  
E: [cory.prator@efsteam.com](mailto:cory.prator@efsteam.com)

Technical Competence

All Premier Technicians are trained via the CET education program. The CET program is four-year training program sponsored by the National Association of Elevator Contractors (NAEC). This curriculum requires continuing education for all CET technicians. Additionally, Premier sponsors continuous education in the areas of vendor training, weekly safety training, and on the job training for OEM equipment. Our service portfolio has grown to approximately 16,000 elevators, escalators, and power walks under maintenance agreements including all major brands (Otis, Thyssenkrupp, Schindler, KONE, EMAC, Elevator Controls, MCE, GAL, and Virginia



Request for Proposal RFQ/P #44-023

Controls). Our 250 technicians collectively have extensive experience on all of these makes and models.

### Equipment Familiarity

As the largest independent elevator and escalator company in the United States, we are keenly aware of the expectations set forth by World Georgia Congress Center at all levels of the agreement. Premier Elevator Company has extensive experience in maintaining major facilities with the same size, scope, and equipment as GWCC.

Georgia State University, Delta Airlines Hartsfield Jackson International Airport, University of Georgia.

Our technicians are experienced in all manners of equipment: commercial passenger elevators, industrial elevators, escalators, moving walks, freight elevators, dumbwaiters, residential elevators and wheelchair lifts. Our employees are familiar with both old and new technology, including Dover, KONE, Montgomery, Otis, Schindler, Swift, Thyssenkrupp, O & K, MCE, and Smartrise.

### Preventative Maintenance Program

Premier Elevator's full preventative maintenance program is extremely comprehensive requiring our technicians to visit each piece of equipment at a minimum frequency of once per month. This allows our technicians the time necessary to inspect the entire piece of equipment and make any needed adjustments or repairs before it can potentially fail and cause a shut down. Additionally, our technicians make our office staff and the customer aware of any aging or obsolete equipment before it becomes a problem. By identifying, ahead of time, any items that could cause extended equipment shut down delays, Oracle can provide customized solutions that would allow the owner to decide the best course of action for the building's tenant and riding public.

### O TEC – Oracle/Premier/EMR Technician Center





Request for Proposal RFQ/P #44-023

With the grand opening of Oracle/Premier/EMR Technician Center (OTEC) Oracle will be able to deliver faster turnaround times on technical support and re-built boards. The new facility, located next door to Oracle's southwest regional office is a state-of-the art facility housing the following:

- Circuit board repair and R&D center.
- Training center
- Field engineer's offices
- Lab/test center
- Electronics inventory warehouse

Our Circuit Board Repair Lab will begin with "Repair and Return" overnight emergencies, followed by a methodical process to inventory the backlog. Once an inventory of "known-verified" circuit boards is built up in our circuit branch depot, the branch offices will be able to call in to our field engineers with a shutdown, deduce that circuit board is at fault, and then have a good board overnighed from our stock – saving time and money. Local branch offices can send in the faulty board, which we repair and restock so that a board is available for the next emergency.

In addition, we are in the process of building simulators for use in the Oracle Technician Center with the actual controllers from the various elevator manufacturers. With this program we can create fully functional, running models, which we will use in training, testing circuit boards, etc.

All branches of Oracle/Premier/EMR Elevator Company, including the Atlanta office, are rate A+ by the better business bureau.

### Strategic Vision

The preferred independent alternative to the Big Four OEMs providing best in class maintenance, modernization, and repair services across all brands of vertical transportation equipment.

### 5 Pillars

1. Customer Value
  - We provide flexible customer-focused solutions.
  - Innovation is an integral part of our company culture.
  - Tackle challenges with boldness.
2. Efficiency



Request for Proposal RFQ/P #44-023

- We invest in technology to achieve efficiencies across our entire business operations.
  - Adopt “best practices” culture to drive continuous improvement.
3. Technicians
    - We are the employer of choice for driven and highly skilled technicians.
    - Support our technicians by providing best in industry training and field support.
  4. Safety
    - We compromise nothing to keep our employees safe.
    - No part of any elevator you work on is worth any part of you.
    - Work safe each and every day.
  5. Human Capital
    - We empower our people to achieve their highest potential.
    - Reward high commitment and high performance.
    - Diversity makes us stronger.

SECTION 003100 –  
QUOTATION FORM

DATE: 1/4/2024

PROJECT: Hall County Courthouse  
225 Green St NE  
Gainesville, GA 30501

SUBMITTED BY: Premier Elevator  
Name of CONTRACTOR

Reese Finch 404-293-7179  
CONTRACTOR'S Representative Telephone Number

230 Andrew Drive  
Street Address

Stockbridge Ga 30281  
City State Zip Code

Send electronic copies to: Attn: Kevin Ivey  
Hall County  
kivey@hallcounty.org

Vinnie Amato  
Lerch Bates Inc.  
Vincent.amato@lerchbates.com



PART 1 - GENERAL

1.1 CONTRACTOR'S BASE QUOTATION

- A. Having examined documents prepared by Lerch Bates Inc. dated September 19, 2023, and having reviewed site conditions, applicable codes and all conditions affecting and governing the work, the Undersigned Contractor hereby offers to provide all engineering, labor, materials, transportation, services and equipment necessary and incidental to properly execute required work of the Contract Documents for the sum of:

ITEM 1: Modernize Public Passenger Elevators #1-4, Section 142200:

One Million Two Hundred Thirty-Three Thousand and no/100 dollars \$1,233,000.00

ITEM 2: Modernize Private Passenger Elevator #S-1 & S-2, Section 142200:

Four Hundred Seventy Eight-Thousand Eight Hundred Eighty-Three and no/00 dollars \$478,883.00

ITEM 3: Modernize Public Garage Passenger Elevator #7, Section 142200:

Two Hundred Forty-Eight Thousand Seven Hundred Forty-Three and no/100 dollars \$248,743.00

ITEM 4: Related Work, Section 019000:

Three Hundred Twelve Thousand Three Hundred Seventy-Four and No/100 dollars \$312,374.00

ITEM 5: Total of Items 1-4:

Two Million Two Hundred Seventy-Three Thousand and no/100 dollars \$2,273,000.00

- B. Maintenance:

1. Interim Maintenance: We agree to furnish interim, preventive maintenance during the period from written award of this Contract or verbal notice to proceed until all required work is complete for following amount per month per unit:

Public Passenger Elevators #1-4: \$225/Month/Unit

Private Passenger Elevators # S1 & S2: \$225/Month/Unit

Garage Elevator #7: \$90/Month/Unit

NOTE: Do not include the cost of interim maintenance in "A" above, Base Quotations.

2. Twelve-Month Warranty Preventive Maintenance: Amount included in base quotation Item A. above.

Total Included in Item A. \$17,280.00

Public Passenger Elevators #1-4: \$225/Month/Unit

Private Passenger Elevators # S1 & S2: \$225/Month/Unit

Garage Elevator #7: \$90/Month/Unit

NOTE: Purchaser reserves the right to pay warranty maintenance cost in a lump sum or on a monthly basis during period maintenance is actually performed.

3. Contract Maintenance: We agree to provide continuing preventive maintenance as required by Owner’s five-year contract included with these specifications Section 143250 at a charge per month as follows:

Public Passenger Elevators #1-4:	<u>\$250.00/Month</u>
Private Passenger Elevators #S1 & S2:	<u>\$250.00/Month</u>
Garage Elevator #7:	<u>\$125.00/Month</u>

NOTE: Contract preventive maintenance shall commence at the completion of the one year warranty maintenance program.

- C. Enter a cost figure for all pricing requested. Failure to comply, subjects quotation to disqualification.
- D. Undersigned affirms that quotations provided represent entire cost including site conditions, code requirements, drawings, specifications, addenda, and any other Contract Documents, and no claim will be made due to any increase in wage scales, material prices, taxes, insurance, cost indexes or any other factors affecting the construction industry or this project except as expressly allowed in Owner’s maintenance contract.

1.2 ADDENDA

- A. Undersigned acknowledges receipt of Addendum No. 0 through 0.

1.3 CONTRACTOR’S OTHER SUPPORTING ENCLOSURES

- A. Undersigned has enclosed the following (Check YES or NO):
1. Separate letter containing any “Qualification” related to its Quotation.  YES  NO
  2. Separate Substitution Proposal.  YES  NO

1.4 PROPOSED MODERNIZATION INSTALLATION SCHEDULE

- A. Undersigned contractor submits the following completion schedule for project. Bidders are instructed to add additional rows to the following schedule grid to accommodate job specific phasing.

PHASE	DESCRIPTION	DURATION
1	Engineering Surveys	2 weeks
2	Submittal Preparation	4 weeks
3	Client Approval Period	2 weeks
4	Engineering, Procurement and Fabrication	18 weeks
5	Mod Installation, Sub-Phase 1: Car 1	10 weeks
6	Mod Installation, Sub-Phase 2: Car 2	10 weeks
6	Mod Installation, Sub-Phase 2: Car 3	10 weeks
6	Mod Installation, Sub-Phase 2: Car 4	10 weeks
6	Mod Installation, Sub-Phase 2: Car S1	10 weeks
7	Mod Installation, Sub-Phase 3: Car S2	10 weeks
8	Mod Installation, Sub-Phase 4: Car 7	8 weeks

PHASE	DESCRIPTION	DURATION
9	Final Group Testing and Adjusting	2 weeks
10	Total Project Duration	96 weeks

**1.5 CONTRACTOR PROPOSED MODERNIZATION COMPONENTS AND TECHNOLOGY**

- A. Undersigned Contractor will utilize the following modernization technology for the projects and submits these systems for approval. Upon acceptance of these systems by Purchaser/Consultant, no substitutions shall be made without written approval of Consultant.

Modernization Systems and Components	Proposed Model Description/Vendor
Machine	Hollister Whitney
Control	GAL
Door Operator	GAL
Infrared Door Edge	GAL
Fixtures	Innovations
Governor	Hollister Whitney
Safety	Hollister Whitney
Monitoring System	GAL
Cab Interiors	Elevations South
Door Panels/Entrances	Vasile

**1.6 CONTRACTOR'S LIST OF SUBCONTRACTORS**

- A. The undersigned Contractor will utilize the following subcontractors for major components of work and submits these firms for approval. Upon acceptance of these Sub-Contractors by Purchaser/Consultant, no substitutions shall be made without written approval of Consultant.

Subcontractor Name	Type of Work
Mason	Electric
WBO	HVAC, Fire Alarm & General GC
Elevations South	Cab interior
Heaton Erecting	Crane

**1.7 SUBMISSION AND ACCEPTANCE OF QUOTATIONS**

- A. Undersigned Contractor agrees to Purchaser's right to reject any and all quotations without explanation.

- B. Undersigned Contractor declares that preparation and submission of quotations herein contained do not obligate Purchaser or Consultant in any way.
- C. Undersigned Contractor agrees and understands that Purchaser assumes no obligation to enter into a Contract.

1.8 ALTERNATES

- A. State net sum to be added to or deducted from Stipulated Sum (Base Quotation) in event any Alternate Quotation is accepted.
- B. Submit Alternate Quotations by filling in blank spaces provided herein.
- C. Purchaser reserves right to accept or reject any or all Alternates.
- D. Provide lump sum price for all alternates as described below and in Section 01030, Alternates.

ALTERNATE 1: Car to Lobby feature, Cars #1-7.

N/A dollars \$Included

Schedule Impact: N/A

ALTERNATE 2: Provide a CE Electronics, Elite PI, or approved equal 15" active-matrix color TFT type display in the main car station, cars #1-4.

Five Thousand and no/100 dollars \$5,000.00

Schedule Impact: None

ALTERNATE 3: Replace all satin bronze with #304 satin stainless steel. Clad all door frames and replace hoistway doors, cars #1-4

Seventy-Eight Thousand and no/100 dollars \$78,000.00

Schedule Impact: 2 Additional Weeks

ALTERNATE 4: Accelerated Schedule: Provide costs and plan based on working a 50 hour work week for the entire modernization, cars #1-7.

Seventy Thousand and no/100 dollars \$70,000.00

Schedule Impact: Reduce 7 weeks

ALTERNATE 5: Restricted Lobby Operation, cars #1-7

Eight Thousand Seven Hundred Five Hundred and no/100 dollars \$8,750.00

Schedule Impact: N/A

1.9 CONTRACTOR SIGNATURE

DATE: 1/4/2024  
SIGNED:   
PRINT NAME: James Duda  
TITLE: RVP  
NAME OF FIRM: Premier Elevator  
STATE LICENSE No: E-035

LEGAL ADDRESS:  
230 Andrew Drive  
Stockbridge, Ga 30281  
.....  
.....  
TELEPHONE: 770-389-4951

ORGANIZED AS A (MARK ONE):  
 INDIVIDUAL  
 PARTNERSHIP  
 CORPORATION UNDER STATE LAW OF  
DE

END OF SECTION



## AGENDA ITEM

### Consent

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 699/2023

**SUBJECT:** Approve the award of RFQ/P #44-014 Flowery Branch Downtown Parking and Mobility Study for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Stantec Consulting Services, Inc. of Atlanta, GA, in the amount of \$53,000.00.

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** JB

**Recommendation:**  
Approval.

#### Purpose of Request:

Approve the award of RFQ/P #44-014 Flowery Branch Downtown Parking and Mobility Study for the Gainesville-Hall Metropolitan Planning Organization (GHMPO) to Stantec Consulting Services, Inc. of Atlanta, GA, in the amount of \$53,000.00.

#### History:

#### Facts and Issues:

#### Options:

The City of Flowery Branch has spent the past several years developing their downtown into a vibrant area, frequently filled with various activities and events. Due to increased levels of pedestrian and vehicle traffic, it is becoming increasingly difficult to obtain parking and downtown is experiencing more and more congestion. The City of Flowery Branch, in partnership with the Gainesville-Hall Metropolitan Planning Organization, is seeking to develop a Downtown Parking and Mobility Plan to identify locations that would be best suited for new parking developments, a plan to implement this infrastructure, and recommendations for implementing a road diet to assist in traffic control. This study will only focus on the small downtown portion of the City of Flowery Branch. The majority of this study (80%) is being funded through the annual MPO PL grant, with the remaining 20% cost covered entirely by the City of Flowery Branch through a cash match.

**Funding Requested** \$ 53,000.00  
**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:**

<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>	<b>Budget</b>
AD	SY	AP	EW
<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
WG	WLI	CR	JR

**Attachments:**

- Financial Supplement
- Contract
- Stantec Cost Clarification
- Stantec RFP Response



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

**AGENDA ITEM 699/2023**

**Funds Requested:** \$ 53,000.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Grants

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2024	250-MULTIPLE GRANT FUND	7411-MPO	521000-PROFESSIONAL SERVICES	\$53,000.00
2024	250-MULTIPLE GRANT FUND	7411-MPO	336002-INTERGOVERNMENTAL REIMBURSE	\$-10,600.00

**Budget Transfer Items:**

**Additional Information/Comments:**

Flowery Branch will reimburse the county for 20% of the cost.

**Contact for Questions:** JB

**Phone:**

7702975541





Hall County Government  
FINANCIAL SERVICES

**CONTRACT EXECUTION SIGNATURE REQUEST**

Date: 1/10/2024

To: Richard Higgins, Chairman, Board of Commissioners

From: Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Contract

Bid/Contract No: #44-014

Contract Name: Flowery Branch, Georgia Downtown Parking and Mobility Study

Department(s) Requesting Contract: Gainesville-Hall Metropolitan Planning Organization (GHMPO)/Public Works

Award Recipient Name: Stantec Consulting Services, Inc.

Date of Next BOC Vote: 1/25/2024

- |  |                            |
|--|----------------------------|
| <input type="checkbox"/> Price Increase Requested    | Percentage Increase: n/a   |
| <input checked="" type="checkbox"/> Service Contract | Previous Spend: \$0.00     |
| <input type="checkbox"/> Commodity Contract          | Requested Amount: \$53,000 |

Comments:

This one-time purchase Contract is the result of the competitively bid RFQ/P #44-014.

Stantec Consulting Services, Inc scored highest in evaluations.

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

## PRICE INCREASE DETAILS

Bid/Contract No: 44-014

Bid/Contract Name: Flowery Branch, Georgia Downtown Parking and Mobility Study



Hall County Government  
FINANCIAL SERVICES

EXHIBIT B – CONTRACT FOR SERVICES

State of Georgia  
County of Hall

Contract #44-014

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

For the Provision of  
**Flowery Branch, Georgia  
Downtown Parking and Mobility Study**

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
**Wesley Geddings**

**ARTICLE #101 - INTRODUCTION**

This Contract for Flowery Branch Georgia Downtown Parking and Mobility Study (hereinafter “Services”) as entered into on \_\_\_\_\_, is by and between; Hall County, Georgia (hereinafter “County”) located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Stantec Consulting Services, Inc. (Hereinafter “Contractor”), located at 229 Peachtree St NE, Suite 1900, Atlanta, GA 30303. Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a “Party” and collectively as the “Parties”.

**Whereas**, the Parties do mutually desire to enter into this Contract to document the provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

**Whereas**, this Contract is the result of the competitively bid **#44-014**, and contains the Contractor’s bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

**NOW, THEREFORE** and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:

**ARTICLE #102 – CONTRACT**

- A. Contractor agrees to provide the Services to the County as detailed herein as the **Scope of Work**, and for locations and services as described in the IFB and the Bidder's response.
- B. County hereby agrees as good and valuable compensation as provided in the attached bidder's response entitled Exhibit C, Mandatory Cost Proposal Worksheet, as incorporated herein by reference, for the lump-sum cost

**ARTICLE #103 - NOTICES:**

To the extent that either party to this Contract are required to provide notice(s) to the other party in compliance herewith, then the party shall direct notice(s) to the following persons:

**COUNTY PROJECT MANAGER**

Joseph Boyd  
 Transportation Planning Director  
 Gainesville-Hall Metropolitan Planning Organization  
 2875 Browns Bridge Rd  
 Gainesville, GA 30504  
 jboyd@hallcounty.org  
 Ph: (770)297-5541

**COUNTY ISSUING OFFICER**

Julie Dorough  
 Buyer  
 Hall County Purchasing Division  
 2875 Browns Bridge Rd  
 Gainesville, GA 30504  
 jdorough@hallcounty.org  
 Ph: (770) 535-8270

**CONTRACTOR'S CONTACT INFO**

Joel Mann, AICP, Principal  
 Stantec Consulting Services Inc.  
 229 Peachtree St, NE, Suite 1900  
 Atlanta, GA 30303  
 Email: joel.mann@santec.com  
 Phone: (770) 492-2624

**REMIT-TO ADDRESS (if different).**

**ARTICLE #104 – NON-EXCLUSIVE RIGHTS:**

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

**ARTICLE #105 – CONTRACT TERM:**

Until substantial and final completion of the Services according to the agreed upon time-schedule and all sub-Consultant(s) and material suppliers' liens are satisfied.

**ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:**

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

**ARTICLE # 107 -- REMEDIES AND CONTRACT PERFORMANCE:**

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

**A. Delay or Impossibility of Performance.** Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, war, acts of war, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt

written notice of any delay or failure to perform that occurs by reason of Force Majeure.

**Definition:** The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled.'

- B. Obligations beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.
- C. Transition Cooperation with the County and Cooperation with other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

**ARTICLE # 108 - TERMINATION:**

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination pursuant to section four (4) above, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

- A. Termination for Convenience.** Following sixty (60) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.
- B. Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:
  - 1.** The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.



2. The County determines that contractor's satisfactory performance of the Contract substantially endangered or that default is likely to occur.
3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.
6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.

C. **Notice of Default.** If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default ~~to the Contractor~~. If the breach or noncompliance is not remedied within the period specified in the written notice, the non-breaching party may:

1. Immediately terminate the Contract for default without additional written notice.
2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference between the Contract and the substitute Contract to the defaulting Contractor; and/or,
3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

D. **Termination Due to Non-Availability of Funds.**

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at

the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

**E. Termination due to Failure of Contractor to Act.**

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.
3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.
4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

F. **Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

G. **The Contractor's Termination Duties.** Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.
2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.



4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and
  5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.
- H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or who abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

**ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:**

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

**ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:**

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

**ARTICLE #111 – USE OF THIRD PARTIES (SUB-CONTRACTORS):**

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

**ARTICLE #112 – SUPERSEDES FORMER CONTRACTS**

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

**ARTICLE #113 - SEVERABILITY:**

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be

construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

**ARTICLE # 114 - RECORDS:**

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

**ARTICLE # 115 - ADDITIONAL TERMS:**

- A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.
- B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

**ARTICLE # 116 - WAIVER:**

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

**ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:**

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or

toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.

- B. •The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.
- C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

**ARTICLE # 118– INSURANCE REQUIREMENTS:**

**Workers Compensation Insurance: Required for all contracts.**

- a. \$500,000 Bodily Injury by Accident    Each Accident
- b. \$500,000 Bodily Injury by Disease    Each Disease
- c. \$500,000 Bodily Injury by Disease    Each Employee

**Additional Provisions:** Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

**General Liability Insurance: Required for all contracts.**

- a. \$2,000,000    General Aggregate
- b. \$2,000,000    Products & Completed Operations Aggregate
- c. \$1,000,000    Each Occurrence
- d. \$1,000,000    Personal & Advertising Injury
- e. \$500,000    Damages to Premises / Fire / Legal
- f. \$5,000    Medical Payments

**Umbrella Liability Insurance:** Required for all contracts

- a. \$1,000,000 per Occurrence

**Professional Liability Insurance (Errors & Omissions):** Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents; or other professions that require proper licenses.

- a. \$1,000,000 Each Claim/Wrongful Act
- b. \$2,000,000 General Aggregate

**ARTICLE # 119 – NO WAIVER:**

- A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto.”
- B. **Solicitation.** The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.
- C. **Vehicles and Equipment.** With the exception of any specified County Owned Equipment and Vehicles listed herein, Contractor warrants that no Contractor employees, sub-contractors or others will not use County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

**ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:**

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

**ARTICLE # 121 - COMPENSATION:**

- A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder’s response on Exhibit C – Mandatory Cost Proposal Worksheet, which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor’s delivered Services by the County, and after receipt of undisputed invoice to the County.

- B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.
- C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.
- D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

**ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:**

- A. The County will issue a Notice to Proceed (NTP) to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice to Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS & MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

**B. Invoice/Payment.**

- 1. Contractor shall invoice the County via email upon completion of the project solely to [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org) and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102*.

2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

**C. Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay or deny payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).
2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

**D. Set-Off Against Sums Owed by the Contractor.** In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

**E. Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.

- F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

**ARTICLE #123 – Removed**

**ARTICLE #124 – Removed**

**ARTICLE #125 – VENUE AND GOVERNING LAW**

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

**ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE**

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

**ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT:**

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.
- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

**ARTICLE # 128 – ORDER OF PRECEDENCE:**

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

- A. First, any amendments to the Contract, including all Exhibits thereto.
- B. Second, the Contract itself, including all Exhibits thereto.
- C. Third, Attachments appended to the Contract.

**ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:**

The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the RFQ/P documents and the bidder's response, are herein-incorporated into this contract by reference.

EXHIBIT C – Mandatory Cost Proposal

**ARTICLE # 130 - ENTIRE CONTRACT:**

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

**ARTICLE # 131– VALIDITY**

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

**ARTICLE #132 – SALES TAX EXEMPTION STATUS**

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

**ARTICLE #133 – HOLD HARMLESS AGREEMENT**

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees,



because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

**ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS**

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.
8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.

17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.
18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.
30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.

37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.
39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier.
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

[Signature Page Follows]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

COMPANY'S FULL LEGAL NAME

Stantec Consulting Services, Inc.

HALL COUNTY, GEORGIA

By: Joel Mann

By: \_\_\_\_\_

Print Name: Joel Mann

Richard Higgins, Chairman

Title: Principal

Hall County Board of Commissioners

Date: \_\_\_\_\_

Sworn to and subscribed before me this

Attestment: \_\_\_\_\_  
County Clerk

10<sup>th</sup> Day of January, 2023  
24

Approved as to Form

Notary Public: Lynn P. Thomas

William J. Linkous III

William J. Linkous III, County Attorney

Notary commission expires: 4-15-27

[Locus Sigilli – Seal or Stamp]





**Stantec Consulting Services, Inc.**  
229 Peachtree Street NE, Suite 1900  
Atlanta, Georgia 30303

November 16, 2023

**Attention: Andy Penick, Purchasing Manager**  
Post Office Drawer 1435  
Gainesville, GA 30503

Dear Andy,

**Reference: RFQ/P #44-014 Request for Clarification (November 10, 2023)**

This letter provides a response to the County's request for clarification on Stantec's price proposal for the aforementioned RFQ. We have completed the cost proposal matrix as requested for required and optional items, and we have also provided additional explanations and detail on cost assumptions. To make this easier to understand, we have taken the liberty of numbering each of the required items and optional items in the order they are listed in their respective tables. Following the tables, we provide additional information explaining level of effort.

We would like to note that the required items in the table represent a generally more expansive scope of work than what we discussed with the interview team on our October 31 interview. These were not all items explicitly identified in the original RFQ, and had we understood that these were desired items, it is conceivable that we would have offered a different cost proposal. With a refined understanding of the City of Flowery Branch's desires for the study since the October interview, we are offering an original fee estimate that corresponds to our submitted fee in early October, and different fee estimates that reflect the expanded scope of services noted in the County's November 10 request. As stated above, our additional detail explains these differences.

Thank you again for your interest in Stantec and for your thorough consideration of our team's approach and qualifications. Please do not hesitate to contact me if you have any questions.

Regards,

**STANTEC CONSULTING SERVICES, INC.**

---

**Joel Mann**

Phone: 770-492-2624  
Email: joel.mann@stantec.com

Attachment: Original Request for Clarification

# Request for Clarifications on Stantec Fee Proposal

## RFQ/P #44-014

The Required Items listed in the table on the following page are taken from the November 10, 2023 request for clarifications. As noted in our cover letter, this scope appears to expand services beyond what we discussed in the initial fee estimate, namely around a desire to incorporate traffic counts more closely into the

Our interview discussion also proposed a total of three counting periods (such as 4 PM to 7 PM on a given day of the week), which we envisioned to include a mix of weekend, weekday, and special event periods. The required items in the table here call for six individual counts, and it is unclear if these are to be on different days (for example, if the two 'typical weekdays' should be different weekdays, or two different times of the same day). With some special events described by City staff as having attendance of up to 5,000, we estimate that capturing parking occupancy during such an event could be an extensive endeavor reaching beyond the basic study area originally provided in the RFP.

The request for clarification also seems to suggest that the City desires to conduct traffic counts, though the City's desired focus for analysis of that traffic data is not immediately apparent. There is also no specific reference to an analysis, although we assume that is desired (as traffic data has limited application if it is not interpreted and analyzed with regard to current conditions and the challenges and opportunities in current traffic operations). Different analysis methodologies may call for different types of traffic data, and there are significant differences in cost to these different types of data. For instance, bi-directional daily traffic counts covering a 24-hour period are typically priced lower than intersection turning movement counts that capture peak hours only. However, each has its purpose: daily traffic counts do not readily allow an understanding of potential congestion and delay, but they do allow an understanding of how traffic volumes increase and decrease throughout a day. Intersection-based counts do allow more of a measure of congestion and delay, and thus challenges to traffic operations, but they focus only on a small period of the day to be consistent with the industry methodology for intersection-based traffic analysis. Without having more information on the City's desired objectives for collecting traffic count information, it is difficult to provide an accurate fee estimate. We explain the assumptions behind our fee in the notes following the tables.

The required and optional tables begin on the following page.

## Required Items: Detail and Assumptions for Fee Proposal Amounts

**Item 1:** This will be a concise review to determine overall development program and its expected impacts on traffic and parking, also noting key access points, additions to street network, and any proposals for parking supply.

**Item 2:** As discussed in the October 31 interview, this portion of the scope we described focused on parking inventory and occupancy data collection, with occupancy observed over three time periods representing different conditions of activity in downtown. This did not originally include traffic data collection.

If we considered six days of parking counts, this fee amount from our original proposal would be doubled, as this assumes twice the number of observation periods for parking. All parking counts include summary and documentation of the data, including capturing both inventory and occupancy data in a geographic information systems (GIS) database that will be provided to the City as a deliverable.

With the six traffic and parking counts requested in the November 10 additional request, we have increased this amount to capture parking activity over six different days. With the addition of traffic data collection, this also includes intersection turning movement counts at up to five (5) intersections in downtown with two daily traffic counts at two (2) locations. With each of these occurring on six different days, the costs for data collection alone are significant and based on the following assumptions:

- Turning movement counts capturing morning peak and afternoon peak conditions are in the range of \$600 per intersection, and daily traffic counts are approximately \$250 per location. With five intersections per day of collection (\$3,000 per day) and two daily traffic counts per day (\$500 per day), the total amount dedicated to data collection is estimated to be \$21,000 (\$3,500 per day over six separate days).
- Large special events may require different locations to be considered for traffic, especially if the City closes key streets or intersections during these events. This is not clear to us, and therefore we are unable to provide a specific set of locations.
- This leaves a fee estimate of \$6,500, or between 30 and 50 hours of staff time, to perform a succinct and focused analysis of this traffic data and expected impacts of new development. This will be oriented to understanding overall traffic operations and noting where critical challenges are needed. We do not have clear indication that this is the City's desired outcome from the traffic data collection task, but this is a conventional type of service (a traffic impact and operations analysis) that justifies the collection of data. Without this, it is not clear to us how data would be used, as traffic data and parking occupancy do not always follow parallel patterns.

It is important to note that the presence of State Route 13 adjacent to Flowery Branch's downtown core district means that any traffic analysis may require coordination with the Georgia Department of Transportation. We have assumed that our team will be asked to take on that coordination and this is reflected in the analysis portion of this item.

**Item 3:** This could include either participation at a downtown special event (using such approaches as a table or booth to display information and interact with participants) or a special public open house dedicated to the parking study. The fee amount includes staff time for participation, as well as preparation of display and information materials, and summary and documentation of the input received at the event. It does not include a survey.

**Item 4:** It is not known to our team the degree to which potential future development would provide additional parking, nor is it currently known whether additional parking will be needed. With these conditions in mind, this task would include suggested approaches for management of existing and

forthcoming development-related parking as well as potential locations for new parking *if our team determines that additional parking is needed*. This task will include presentation of the type of analysis we presented in the October 31 interview, wherein we compared observed parking levels in current conditions with the expected amount of parking that current land uses would be expected to generate. We will consider development inputs (from Item 1) as well as the observed parking activity (in Item 2) as a baseline for estimating future parking needs. Critically, though, this item will also speak to management-based approaches that ensure any new parking investments serve downtown to their best ability.

**Item 5:** This will include an assessment of current street sections and will build on the traffic analysis developed in the full-scope iteration of Item 2 to identify any potential challenges with circulation or parking accommodation. From our team's in-person observation of downtown, the current parking supply and traffic capacity on streets does not appear heavily used during typical daytimes, so this assessment will need to draw from findings in Item 2 to understand how this may vary in different conditions and periods of activity.

**Item 6:** This will be a high-level diagram of a recommended downtown street network configuration with conceptual illustrations of street cross-sections that would make up key downtown streets. It will include a downtown diagram map and up to five (5) different cross-sections.

**Item 7:** This will include up to three (3) virtual meetings with staff to discuss findings and gather feedback and direction from staff.

**Item 8:** We will use planning-level cost estimates for street-based enhancements and off-street parking enhancements and construction, as applicable. These will not include the full level of detail of a typical Opinion of Probable Cost (OPC), but will be drawn from the most current available information on material and item costs that factor into these OPCs.

**Item 9:** This will constitute a high-level review (3-4 hours of staff time) of available funding sources and general applicability. We will provide basic guidance on what constitutes competitiveness for any competitive funding sources.

**Item 10:** Parking management approaches will have been explored and largely articulated in other items; this item will include up to three (3) meetings with a City leadership team with a composition of its choosing (for instance, this may include elected officials, City executive management, or key City partners and stakeholders, as the City deems appropriate).

**Item 11:** This will include development of a presentation and one (1) presentation to the Flowery Branch City Council.



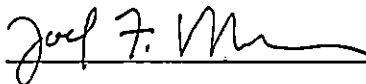
**EXHIBIT C  
RFQ/P #44-014**

**Mandatory Cost Proposal**

**NOTE: This Cost Proposal MUST be submitted in a separate, sealed envelope with the RFQ/P Number and bid due date/time written in lower left corner of the envelope.**

The below signed Contractor agrees to provide all services outlined in this RFQ/P for the lump sum amount of: \$ 24,500.

**Company Name:** Stantec Consulting Services, Inc.

**Signed:** 

**Printed Name:** Joel Mann

**Job Title:** Principal

**Date:** September 20, 2023

**EXHIBIT C.1  
CLARIFIED REQUIRED ITEMS COST WORKSHEET**

**Cost Matrix of Required Items**

Item	Description	Scope of work as described in October 31 Interview	Scope of work as described in November 10 request for detail, parking counts only	Scope of work as described in November 10 request for detail, parking and traffic counts and analysis
1	Review future development plans	\$600	\$600	\$600
2	Review and document existing downtown parking infrastructure, conduct 6 traffic counts of downtown (2 on typical weekdays, 2 on typical weekend days, and 2 during events). Validate reasonableness collected counts with staff	\$5,500	\$11,500	\$39,000
3	Intercept public input on downtown mobility and parking (whether by survey, open house, or intercept event)	\$3,400	\$3,400	\$3,400
4	Identify ideal locations for future parking infrastructure (whether it be on street, gravel or paved lots, or parking decks)	\$4,800	\$4,800	\$4,800
5	Conduct an analysis of existing street layouts	\$2,000	\$2,000	\$2,000
6	Identify potential changes to street layout or grid to improve mobility through downtown (whether it be intersection improvements, road diets, conversion to one-way traffic, etc.)	\$2,400	\$2,400	\$2,400
7	Work with City and Consultant staff regarding findings	\$1,000	\$1,000	\$1,500
8	Provide reasonable cost estimates for all proposed projects and improvements	\$1,200	\$1,200	\$1,600
9	List any funding mechanisms the City can consider to implement said projects	\$800	\$800	\$800
10	Present strategy of shared parking management	\$1,800	\$1,800	\$1,800
11	Present findings to Flowery Branch City Council	\$1,000	\$1,000	\$1,000
12	Other/Not Mentioned:	\$0	\$0	\$0
<b>TOTAL FEE FOR EACH SCOPE ITERATION</b>		<b>\$24,500</b>	<b>\$30,500</b>	<b>\$58,900</b>

## Required Items: Detail and Assumptions for Fee Proposal Amounts

**Item 1:** This will be a concise review to determine overall development program and its expected impacts on traffic and parking, also noting key access points, additions to street network, and any proposals for parking supply.

**Item 2:** As discussed in the October 31 interview, this portion of the scope we described focused on parking inventory and occupancy data collection, with occupancy observed over three time periods representing different conditions of activity in downtown. This did not originally include traffic data collection.

If we considered six days of parking counts, this fee amount from our original proposal would be doubled, as this assumes twice the number of observation periods for parking. All parking counts include summary and documentation of the data, including capturing both inventory and occupancy data in a geographic information systems (GIS) database that will be provided to the City as a deliverable.

With the six traffic and parking counts requested in the November 10 additional request, we have increased this amount to capture parking activity over six different days. With the addition of traffic data collection, this also includes intersection turning movement counts at up to five (5) intersections in downtown with two daily traffic counts at two (2) locations. With each of these occurring on six different days, the costs for data collection alone are significant and based on the following assumptions:

- Turning movement counts capturing morning peak and afternoon peak conditions are in the range of \$600 per intersection, and daily traffic counts are approximately \$250 per location. With five intersections per day of collection (\$3,000 per day) and two daily traffic counts per day (\$500 per day), the total amount dedicated to data collection is estimated to be \$21,000 (\$3,500 per day over six separate days).
- Large special events may require different locations to be considered for traffic, especially if the City closes key streets or intersections during these events. This is not clear to us, and therefore we are unable to provide a specific set of locations.
- This leaves a fee estimate of \$6,500, or between 30 and 50 hours of staff time, to perform a succinct and focused analysis of this traffic data and expected impacts of new development. This will be oriented to understanding overall traffic operations and noting where critical challenges are needed. We do not have clear indication that this is the City's desired outcome from the traffic data collection task, but this is a conventional type of service (a traffic impact and operations analysis) that justifies the collection of data. Without this, it is not clear to us how data would be used, as traffic data and parking occupancy do not always follow parallel patterns.

It is important to note that the presence of State Route 13 adjacent to Flowery Branch's downtown core district means that any traffic analysis may require coordination with the Georgia Department of Transportation. We have assumed that our team will be asked to take on that coordination and this is reflected in the analysis portion of this item.

**Item 3:** This could include either participation at a downtown special event (using such approaches as a table or booth to display information and interact with participants) or a special public open house dedicated to the parking study. The fee amount includes staff time for participation, as well as preparation of display and information materials, and summary and documentation of the input received at the event. It does not include a survey.

**Item 4:** It is not known to our team the degree to which potential future development would provide additional parking, nor is it currently known whether additional parking will be needed. With these conditions in mind, this task would include suggested approaches for management of existing and

forthcoming development-related parking as well as potential locations for new parking *if our team determines that additional parking is needed*. This task will include presentation of the type of analysis we presented in the October 31 interview, wherein we compared observed parking levels in current conditions with the expected amount of parking that current land uses would be expected to generate. We will consider development inputs (from Item 1) as well as the observed parking activity (in Item 2) as a baseline for estimating future parking needs. Critically, though, this item will also speak to management-based approaches that ensure any new parking investments serve downtown to their best ability.

**Item 5:** This will include an assessment of current street sections and will build on the traffic analysis developed in the full-scope iteration of Item 2 to identify any potential challenges with circulation or parking accommodation. From our team's in-person observation of downtown, the current parking supply and traffic capacity on streets does not appear heavily used during typical daytimes, so this assessment will need to draw from findings in Item 2 to understand how this may vary in different conditions and periods of activity.

**Item 6:** This will be a high-level diagram of a recommended downtown street network configuration with conceptual illustrations of street cross-sections that would make up key downtown streets. It will include a downtown diagram map and up to five (5) different cross-sections.

**Item 7:** This will include up to three (3) virtual meetings with staff to discuss findings and gather feedback and direction from staff.

**Item 8:** We will use planning-level cost estimates for street-based enhancements and off-street parking enhancements and construction, as applicable. These will not include the full level of detail of a typical Opinion of Probable Cost (OPC), but will be drawn from the most current available information on material and item costs that factor into these OPCs.

**Item 9:** This will constitute a high-level review (3-4 hours of staff time) of available funding sources and general applicability. We will provide basic guidance on what constitutes competitiveness for any competitive funding sources.

**Item 10:** Parking management approaches will have been explored and largely articulated in other items; this item will include up to three (3) meetings with a City leadership team with a composition of its choosing (for instance, this may include elected officials, City executive management, or key City partners and stakeholders, as the City deems appropriate).

**Item 11:** This will include development of a presentation and one (1) presentation to the Flowery Branch City Council.

## Cost Matrix of Optional Items

Item	Description	Fee Estimate
O-1	Large event planning guide for Flowery Branch (where to route traffic, implement temporary traffic changes, etc.)	\$15,000
O-2	Provide EV charger installment suggestions	\$2,500
O-3	Needs analysis for additional sidewalks and/or other pedestrian safety measures	\$5,000
	TOTAL FEE FOR OPTIONAL ITEMS	\$22,500

Total Cost (\$22,500 + \$30,500) = \$53,000

## Optional Items: Detail and Assumptions for Fee Proposal Amounts

**Item O-1:** It is unclear to our team what level of detail the City expects from an event management plan. These can be extensive, involving detailed road closure information, traffic control and signal timing plans, and detailed person-hour assessments and operational plans on how personnel should implement plans in real-time events. They may also take a more simple and high-level approach with basic guidance points. Based on our understanding of the potential scale of Flowery Branch's largest events, this plan would reflect a level of detail somewhere between these two levels. It is expected to provide detailed route changes, street closure recommendations, and basic operational parameters for staging one smaller event and one larger event, to be determined by the City. It will also include coordination with the Georgia Department of Transportation for any event-based operations affecting sections of State Route 13 or its intersections, but our efforts will not include applying for or securing any permits from GDOT or receiving official approval.

**Item O-2:** As discussed in the October 31 interview, there are different levels of detail that this guidance could represent. This guidance will be high-level and provide best-practice information on potential changes to land development regulations and zoning ordinances, as well as best practice information on how to locate electric vehicle charging facilities in parking garages and lots. This will not include a detailed suggested map of locations, as numerous factors may make this map difficult or impractical to implement.

**Item O-3:** This is another item that could take on a high-level approach or take on significant detail to outline needs. The service proposed here would take a high-level approach (with between 25 and 35 consultant hours) to identify gaps and deficiencies in existing pedestrian infrastructure, including sidewalks, railroad crossings, intersection crossings, and traffic control oriented to pedestrians (such as pedestrian signals at intersections and flashing-beacon mid-block crossings). Based on the findings of other items, this item will recommend locations and potential design treatments to improve pedestrian safety, with planning-level cost estimates. This will not include a detailed review of safety data or collection of pedestrian counts.



**Stantec Consulting Services, Inc.**  
229 Peachtree Street NE, Suite 1900  
Atlanta, Georgia 30303

November 16, 2023

**Attention: Andy Penick, Purchasing Manager**  
Post Office Drawer 1435  
Gainesville, GA 30503

Dear Andy,

**Reference: RFQ/P #44-014 Request for Clarification (November 10, 2023)**

This letter provides a response to the County's request for clarification on Stantec's price proposal for the aforementioned RFQ. We have completed the cost proposal matrix as requested for required and optional items, and we have also provided additional explanations and detail on cost assumptions. To make this easier to understand, we have taken the liberty of numbering each of the required items and optional items in the order they are listed in their respective tables. Following the tables, we provide additional information explaining level of effort.

We would like to note that the required items in the table represent a generally more expansive scope of work than what we discussed with the interview team on our October 31 interview. These were not all items explicitly identified in the original RFQ, and had we understood that these were desired items, it is conceivable that we would have offered a different cost proposal. With a refined understanding of the City of Flowery Branch's desires for the study since the October interview, we are offering an original fee estimate that corresponds to our submitted fee in early October, and different fee estimates that reflect the expanded scope of services noted in the County's November 10 request. As stated above, our additional detail explains these differences.

Thank you again for your interest in Stantec and for your thorough consideration of our team's approach and qualifications. Please do not hesitate to contact me if you have any questions.

Regards,

**STANTEC CONSULTING SERVICES, INC.**

A handwritten signature in black ink that reads "Joel F. Mann".

---

**Joel Mann**

Phone: 770-492-2624  
Email: joel.mann@stantec.com

Attachment: Original Request for Clarification

# Request for Clarifications on Stantec Fee Proposal

## RFQ/P #44-014

The Required Items listed in the table on the following page are taken from the November 10, 2023 request for clarifications. As noted in our cover letter, this scope appears to expand services beyond what we discussed in the initial fee estimate, namely around a desire to incorporate traffic counts more closely into the

Our interview discussion also proposed a total of three counting periods (such as 4 PM to 7 PM on a given day of the week), which we envisioned to include a mix of weekend, weekday, and special event periods. The required items in the table here call for six individual counts, and it is unclear if these are to be on different days (for example, if the two 'typical weekdays' should be different weekdays, or two different times of the same day). With some special events described by City staff as having attendance of up to 5,000, we estimate that capturing parking occupancy during such an event could be an extensive endeavor reaching beyond the basic study area originally provided in the RFP.

The request for clarification also seems to suggest that the City desires to conduct traffic counts, though the City's desired focus for analysis of that traffic data is not immediately apparent. There is also no specific reference to an analysis, although we assume that is desired (as traffic data has limited application if it is not interpreted and analyzed with regard to current conditions and the challenges and opportunities in current traffic operations). Different analysis methodologies may call for different types of traffic data, and there are significant differences in cost to these different types of data. For instance, bi-directional daily traffic counts covering a 24-hour period are typically priced lower than intersection turning movement counts that capture peak hours only. However, each has its purpose: daily traffic counts do not readily allow an understanding of potential congestion and delay, but they do allow an understanding of how traffic volumes increase and decrease throughout a day. Intersection-based counts do allow more of a measure of congestion and delay, and thus challenges to traffic operations, but they focus only on a small period of the day to be consistent with the industry methodology for intersection-based traffic analysis. Without having more information on the City's desired objectives for collecting traffic count information, it is difficult to provide an accurate fee estimate. We explain the assumptions behind our fee in the notes following the tables.

The required and optional tables begin on the following page.

## Cost Matrix of Required Items

Item	Description	Scope of work as described in October 31 Interview	Scope of work as described in November 10 request for detail, parking counts only	Scope of work as described in November 10 request for detail, parking and traffic counts and analysis
1	Review future development plans	\$600	\$600	\$600
2	Review and document existing downtown parking infrastructure, conduct 6 traffic counts of downtown (2 on typical weekdays, 2 on typical weekend days, and 2 during events). Validate reasonableness collected counts with staff	\$5,500	\$11,500	\$39,000
3	Intercept public input on downtown mobility and parking (whether by survey, open house, or intercept event)	\$3,400	\$3,400	\$3,400
4	Identify ideal locations for future parking infrastructure (whether it be on street, gravel or paved lots, or parking decks)	\$4,800	\$4,800	\$4,800
5	Conduct an analysis of existing street layouts	\$2,000	\$2,000	\$2,000
6	Identify potential changes to street layout or grid to improve mobility through downtown (whether it be intersection improvements, road diets, conversion to one-way traffic, etc.)	\$2,400	\$2,400	\$2,400
7	Work with City and Consultant staff regarding findings	\$1,000	\$1,000	\$1,500
8	Provide reasonable cost estimates for all proposed projects and improvements	\$1,200	\$1,200	\$1,600
9	List any funding mechanisms the City can consider to implement said projects	\$800	\$800	\$800
10	Present strategy of shared parking management	\$1,800	\$1,800	\$1,800
11	Present findings to Flowery Branch City Council	\$1,000	\$1,000	\$1,000
12	Other/Not Mentioned:	\$0	\$0	\$0
<b>TOTAL FEE FOR EACH SCOPE ITERATION</b>		<b>\$24,500</b>	<b>\$30,500</b>	<b>\$58,900</b>



# Required Items: Detail and Assumptions for Fee Proposal Amounts

**Item 1:** This will be a concise review to determine overall development program and its expected impacts on traffic and parking, also noting key access points, additions to street network, and any proposals for parking supply.

**Item 2:** As discussed in the October 31 interview, this portion of the scope we described focused on parking inventory and occupancy data collection, with occupancy observed over three time periods representing different conditions of activity in downtown. This did not originally include traffic data collection.

If we considered six days of parking counts, this fee amount from our original proposal would be doubled, as this assumes twice the number of observation periods for parking. All parking counts include summary and documentation of the data, including capturing both inventory and occupancy data in a geographic information systems (GIS) database that will be provided to the City as a deliverable.

With the six traffic and parking counts requested in the November 10 additional request, we have increased this amount to capture parking activity over six different days. With the addition of traffic data collection, this also includes intersection turning movement counts at up to five (5) intersections in downtown with two daily traffic counts at two (2) locations. With each of these occurring on six different days, the costs for data collection alone are significant and based on the following assumptions:

- Turning movement counts capturing morning peak and afternoon peak conditions are in the range of \$600 per intersection, and daily traffic counts are approximately \$250 per location. With five intersections per day of collection (\$3,000 per day) and two daily traffic counts per day (\$500 per day), the total amount dedicated to data collection is estimated to be \$21,000 (\$3,500 per day over six separate days).
- Large special events may require different locations to be considered for traffic, especially if the City closes key streets or intersections during these events. This is not clear to us, and therefore we are unable to provide a specific set of locations.
- This leaves a fee estimate of \$6,500, or between 30 and 50 hours of staff time, to perform a succinct and focused analysis of this traffic data and expected impacts of new development. This will be oriented to understanding overall traffic operations and noting where critical challenges are needed. We do not have clear indication that this is the City's desired outcome from the traffic data collection task, but this is a conventional type of service (a traffic impact and operations analysis) that justifies the collection of data. Without this, it is not clear to us how data would be used, as traffic data and parking occupancy do not always follow parallel patterns.

It is important to note that the presence of State Route 13 adjacent to Flowery Branch's downtown core district means that any traffic analysis may require coordination with the Georgia Department of Transportation. We have assumed that our team will be asked to take on that coordination and this is reflected in the analysis portion of this item.

**Item 3:** This could include either participation at a downtown special event (using such approaches as a table or booth to display information and interact with participants) or a special public open house dedicated to the parking study. The fee amount includes staff time for participation, as well as preparation of display and information materials, and summary and documentation of the input received at the event. It does not include a survey.

**Item 4:** It is not known to our team the degree to which potential future development would provide additional parking, nor is it currently known whether additional parking will be needed. With these conditions in mind, this task would include suggested approaches for management of existing and

forthcoming development-related parking as well as potential locations for new parking *if our team determines that additional parking is needed*. This task will include presentation of the type of analysis we presented in the October 31 interview, wherein we compared observed parking levels in current conditions with the expected amount of parking that current land uses would be expected to generate. We will consider development inputs (from Item 1) as well as the observed parking activity (in Item 2) as a baseline for estimating future parking needs. Critically, though, this item will also speak to management-based approaches that ensure any new parking investments serve downtown to their best ability.

**Item 5:** This will include an assessment of current street sections and will build on the traffic analysis developed in the full-scope iteration of Item 2 to identify any potential challenges with circulation or parking accommodation. From our team's in-person observation of downtown, the current parking supply and traffic capacity on streets does not appear heavily used during typical daytimes, so this assessment will need to draw from findings in Item 2 to understand how this may vary in different conditions and periods of activity.

**Item 6:** This will be a high-level diagram of a recommended downtown street network configuration with conceptual illustrations of street cross-sections that would make up key downtown streets. It will include a downtown diagram map and up to five (5) different cross-sections.

**Item 7:** This will include up to three (3) virtual meetings with staff to discuss findings and gather feedback and direction from staff.

**Item 8:** We will use planning-level cost estimates for street-based enhancements and off-street parking enhancements and construction, as applicable. These will not include the full level of detail of a typical Opinion of Probable Cost (OPC), but will be drawn from the most current available information on material and item costs that factor into these OPCs.

**Item 9:** This will constitute a high-level review (3-4 hours of staff time) of available funding sources and general applicability. We will provide basic guidance on what constitutes competitiveness for any competitive funding sources.

**Item 10:** Parking management approaches will have been explored and largely articulated in other items; this item will include up to three (3) meetings with a City leadership team with a composition of its choosing (for instance, this may include elected officials, City executive management, or key City partners and stakeholders, as the City deems appropriate).

**Item 11:** This will include development of a presentation and one (1) presentation to the Flowery Branch City Council.

## Cost Matrix of Optional Items

Item	Description	Fee Estimate
O-1	Large event planning guide for Flowery Branch (where to route traffic, implement temporary traffic changes, etc.)	\$15,000
O-2	Provide EV charger installment suggestions	\$2,500
O-3	Needs analysis for additional sidewalks and/or other pedestrian safety measures	\$5,000
	TOTAL FEE FOR OPTIONAL ITEMS	\$22,500

## Optional Items: Detail and Assumptions for Fee Proposal Amounts

**Item O-1:** It is unclear to our team what level of detail the City expects from an event management plan. These can be extensive, involving detailed road closure information, traffic control and signal timing plans, and detailed person-hour assessments and operational plans on how personnel should implement plans in real-time events. They may also take a more simple and high-level approach with basic guidance points. Based on our understanding of the potential scale of Flowery Branch’s largest events, this plan would reflect a level of detail somewhere between these two levels. It is expected to provide detailed route changes, street closure recommendations, and basic operational parameters for staging one smaller event and one larger event, to be determined by the City. It will also include coordination with the Georgia Department of Transportation for any event-based operations affecting sections of State Route 13 or its intersections, but our efforts will not include applying for or securing any permits from GDOT or receiving official approval.

**Item O-2:** As discussed in the October 31 interview, there are different levels of detail that this guidance could represent. This guidance will be high-level and provide best-practice information on potential changes to land development regulations and zoning ordinances, as well as best practice information on how to locate electric vehicle charging facilities in parking garages and lots. This will not include a detailed suggested map of locations, as numerous factors may make this map difficult or impractical to implement.

**Item O-3:** This is another item that could take on a high-level approach or take on significant detail to outline needs. The service proposed here would take a high-level approach (with between 25 and 35 consultant hours) to identify gaps and deficiencies in existing pedestrian infrastructure, including sidewalks, railroad crossings, intersection crossings, and traffic control oriented to pedestrians (such as pedestrian signals at intersections and flashing-beacon mid-block crossings). Based on the findings of other items, this item will recommend locations and potential design treatments to improve pedestrian safety, with planning-level cost estimates. This will not include a detailed review of safety data or collection of pedestrian counts.





**RFQ/P 44-014**

# **FLOWERY BRANCH DOWNTOWN PARKING AND MOBILITY STUDY**

**HALL COUNTY, GEORGIA**

SEPTEMBER 20, 2023





**Stantec Consulting Services Inc.**

229 Peachtree St NE, Suite 1900  
Atlanta, GA 30303

September 20, 2023

**Julie Dorough**

Hall County Government Center  
Purchasing Division - 4th Floor  
2875 Browns Bridge Road  
Gainesville, Georgia 30504

**RE: DOWNTOWN FLOWERY BRANCH PARKING AND MOBILITY STUDY | RFQ/P # 44-014**

Dear Ms. Dorough:

On behalf of Stantec, I am pleased to submit this proposal for the Downtown Flowery Branch Parking and Mobility Study. Stantec's Urban Mobility studio has extensive expertise in working with small downtowns on addressing parking opportunities and challenges, and we look at parking as part of an overall mobility system of which a functional network of well designed streets is the foundation. We are excited by the opportunity to work with you and Flowery Branch to chart a future for the downtown district's parking and mobility approaches.

We have assembled a team led by our Atlanta-based principal Joel Mann, who has direct experience in over a dozen small-downtown parking studies in the Southeast and mid-Atlantic, and Joel will be supported by Atlanta-based transportation engineers, landscape architects, and planners, as well as by our national Urban Mobility practitioners based in the Northeast and Midwest. Our responses to the Technical Questions of Exhibit G provide more detail on our team and relevant project experience.

Our proposal generally follows the format directed in the RFQ/P, with mandatory exhibits included in our technical proposal and the price proposal (Exhibit C) included in a separate sealed envelope. We would like to bring the following to your attention:

- Stantec's business license and a general certificate of insurance are included immediately after this cover letter, prior to the mandatory exhibits.
- Our review of the contract in Exhibit B led to requested changes included in a redlined version of the contract. We have not included this in this printed Technical Proposal as it was not identified as a mandatory component, but I have transmitted this to you via email separately, and a digital version of the contract document with redline changes is included on the USB drive included in our submittal package.
- We acknowledge receipt of Addendum 1, dated September 1, 2023.

As suggested in the RFP/Q, our proposal is valid for 120 days and we are pleased to answer any questions you may have about it. We thank you again for this opportunity and look forward to your response.

Best regards,

**STANTEC CONSULTING SERVICES INC.**

A handwritten signature in black ink that reads "Joel F. Mann".

**Joel Mann, AICP**

Principal  
(770) 492-2624 | joel.mann@stantec.com

# Stantec Business License



A pocket-sized license card is below. Above is an enlarged copy of your pocket card.

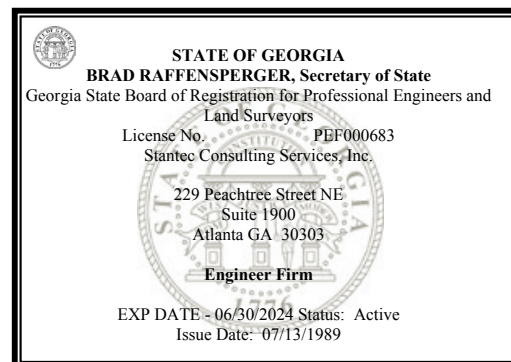
Please make note of the expiration date on your license. It is your responsibility to renew your license before it expires. Please notify the Board if you have a change of address.

Wall certificates suitable for framing are available at cost, see board fee schedule. To order a wall certificate, please order from the web site – [www.sos.ga.gov/plb](http://www.sos.ga.gov/plb).

Please refer to Board Rules for any continuing education requirements your profession may require.

Georgia State Board of Professional Licensing  
237 Coliseum Drive  
Macon GA 31217  
Phone: (404) 424-9966  
[www.sos.ga.gov/plb](http://www.sos.ga.gov/plb)

Stantec Consulting Services, Inc.  
229 Peachtree Street NE  
Suite 1900  
Atlanta GA 30303



# Stantec Certificate of Insurance

Stantec's standard practice is to provide full certification of insurance when executing an agreement with our clients, and we will provide this if awarded the project, as noted in the RFQ/P. The following basic form is included as a certificate of our holding these insurance policies.



## CERTIFICATE OF LIABILITY INSURANCE

10/1/2023 DATE (MM/DD/YYYY) 9/19/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	<b>CONTACT NAME:</b> _____	
	<b>PHONE (A/C, No, Ext):</b> _____	<b>FAX (A/C, No):</b> _____
<b>E-MAIL ADDRESS:</b> _____		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A :</b> Berkshire Hathaway Specialty Insurance Company		22276
<b>INSURER B :</b> AIG Specialty Insurance Company		26883
<b>INSURER C :</b>		
<b>INSURER D :</b>		
<b>INSURER E :</b>		
<b>INSURER F :</b>		

**COVERAGES**      **CERTIFICATE NUMBER:** 14181323      **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER: _____			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX DAMAGE TO RENTED PREMISES (Ea occurrence) \$ XXXXXXXX MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ XXXXXXXX GENERAL AGGREGATE \$ XXXXXXXX PRODUCTS - COMP/OP AGG \$ XXXXXXXX _____ \$ _____
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX _____ \$ _____
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX _____ \$ _____
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX
A	Professional Liab	N	N	47-EPP-308810 NO RETROACTIVE DATE	10/1/2022	10/1/2023	\$3,000,000 PER CLAIM/AGG INCLUSIVE OF COSTS
B	Contractors Pollution Liab			CPO8085428	10/1/2021	10/1/2023	\$3,000,000 PER LOSS/AGG

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b>  14181323 TO WHOM IT MAY CONCERN  FL	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  
---	--

## EXHIBIT A

### MANDATORY BID RESPONSE FORM

This section must be completed and returned with the bid by the Bidder

By submitting a proposal, the respondent certifies that it has fully read and understands the proposal and has full knowledge of the scope, nature, and quality of work to be performed. The services offered and the cost factor must be valid for at least one-hundred twenty (120) days from date of signature.

**Date of Bid Submittal:** Sept. 19, 2023 **RFQ/P Bid No:** #44-014

**Bid Name:** Flowery Branch Downtown Parking and Mobility Study

**Affirmation:** Bidder affirms the following by affixing a wet signature in blue ink below:

**“I agree to abide by all terms and conditions of this RFQ/P and certify that I am authorized to sign this bid”.**

Company Name: Stantec Technical Services, Inc.  
Bidder Signature: Joel F. Mann Date: September 19, 2023  
Print Name: Joel Mann  
Title: Principal  
Phone Number: (770) 492-2624  
Email Address: joel.mann@stantec.com  
Physical Address: 229 Peachtree Street NE, Suite 1900  
Physical Address 2: Atlanta, GA 30303

Bids not signed may be declared as “Non-Responsive” and will not be evaluated.

If you desire to submit a “No Bid” then please indicate by checking one or both of the reasons listed below and explain.

Bidder does not offer this service

Unable to meet specifications



# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

<b>Print or type.</b> See Specific Instructions on page 3.	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	<b>2</b> Business name/disregarded entity name, if different from above	
	<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.	
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	
	<input type="checkbox"/> Other (see instructions) ▶ _____	
	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):	
Exempt payee code (if any) _____		
Exemption from FATCA reporting code (if any) _____		
<small>(Applies to accounts maintained outside the U.S.)</small>		
<b>5</b> Address (number, street, and apt. or suite no.) See instructions.		Requester's name and address (optional)
<b>6</b> City, state, and ZIP code		
<b>7</b> List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
<b>or</b>									
<b>Employer identification number</b>									

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ September 19, 2023
------------------	----------------------------	---------------------------

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*



Hall County Government
FINANCIAL SERVICES

EXHIBIT E
MANDATORY E-VERIFY AFFIDAVIT

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

- a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

19959 Federal Work Authorization User Identification Number
July 3, 2018 Date of Authorization
Stantec Consulting Services, Inc. Name of Contractor
Name of Project
Hall County, Georgia Name of Public Employer

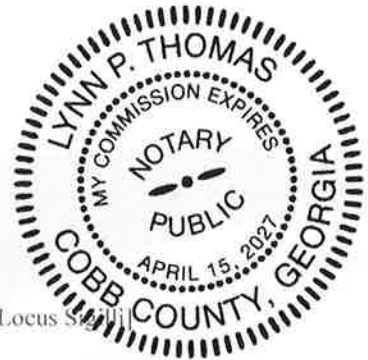
I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September 19, 2023 in Atlanta (city), Georgia (state).

Signature of Authorized Officer or Agent
Joel Mann, Principal
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 19 DAY OF September, 2023.

NOTARY PUBLIC Lynn P. Thomas
My Commission Expires: 4-15-2027



**EXHIBIT F**  
**MANDATORY ETHICS AFFIDAVIT**  
For Compliance with  
Official Code 3.10.070 of Hall County

Contractors, consultants, and vendors of any service or commodity to Hall County, Georgia must read and affirm to adhere to the following ethics requirements.

**3.10.070. - Ethics.**

- A. It is the policy of Hall County to seek the best overall value when procuring goods and services. Toward this end, the county finds and declares that its objectives will best be achieved through an open, competitive process with a broad range of responsible vendors wishing to furnish products and services to the county. Hall County will establish and conduct a procurement program that maximizes service benefit to the community and awards contracts to vendors who offer the best quality and value.
- B. Hall County declares that county employees and officials, along with those wishing to do business with the county, have the shared responsibility for avoiding biased, anticompetitive, or unethical practices.
- C. Hall County employees, officials, and their family members are prohibited from seeking, requesting, or receiving any material payment, gift, job offer, security, promise of future benefit, or any other tangible or intangible thing of value when such receipt has the potential to influence a procurement decision or to gain undue advantage in a procurement competition.
- D. Prospective vendors must compete for county business within the parameters of the solicitation process and are prohibited from seeking to obtain inside information, attempting to skew the writing of specifications, or influencing a procurement decision through any means outside the process established for the particular solicitation. This principle applies to any contractor, subcontractor, representative, employee, or agent that may be associated with a procurement transaction.
- E. Bidders and proposers shall disclose on competitive bid responses any individual(s), firm(s), and/or county official(s) who do business with the county if there is an appearance of a conflict of interest.
- F. Ethical business practices are important, both, during a solicitation, and after the decision to grant an award. The county seeks to establish relationships with business partners whose ongoing ethical standards of business conduct are congruent with those outlined here. The purchasing manager, subject to the approval of the director of financial services, is charged with establishing methods for ongoing monitoring for non-compliance with these principles. The prohibition against the offering of or the acceptance of kickbacks, gratuities, payments or any other instrument of value extends beyond and outside any specific procurement or solicitation.
- G. A vendor's contract compliance history with Hall County and other contractual parties is a valid element in the decision to award a solicitation.
- H. Hall County stipulates that the furtherance of its strategic goals for job creation, stability and growth in the tax base, business retention, and other fiscal and economic development objectives may be considered during the procurement process. The purchasing manager, subject to the approval of the

director of financial services, is authorized to establish procurement initiatives consistent with the county's strategic economic development objectives. These procurement practices shall be applied consistently and equitably and shall have a direct relationship to the county's goals.

I. Hall County employees, officials, and their family members are generally prohibited from participation in any procurement decision or any gain of undue advantage in a procurement competition as a result of contemporaneous employment with a potential or actual business partner.

J. It is unethical for any county employee to purchase commodities or services from a county contract for personal use.

K. With the exception of solicitations for the sale of real property, individuals, firms and businesses seeking an award of a Hall County contract may not initiate or continue any verbal or written communications regarding a solicitation with any county officer, elected official, employee or other county representative other than the purchasing associate named in the solicitation, or the county's financial advisor, between the date of the issuance of the solicitation and the date of the final contract award by the board of commissioners. The purchasing manager will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award. Solicitations for the sale of real property may allow for verbal or written communications with the appropriate Hall County representative.

L. All county commissioners, officials, and employees shall adhere to the standards outlined in the Hall County Code of Ethics.

M. **(AMENDED)** The purchasing division of the financial services department shall determine and implement methods of educating all prospective contractors, bidders, proposers, and vendors on the requirements and provisions of Code Section 3.10.070, including, but not limited to, requiring each prospective contractor, bidder, proposer, and vendor that expresses an intent to do business with the County to sign an affidavit attesting that they have read this Chapter and have more specifically also read Code Section 3.10.070." (Res. of 11-14-19(1), § 1(Exh. A))

**I hereby declare under penalty of perjury that the foregoing is true and correct.**

Executed on September, 19  , 20    23 in Atlanta (city),  
Georgia (state) 30303 (Zip Code)

*Joel Mann*  
Signature of Authorized Officer or Agent

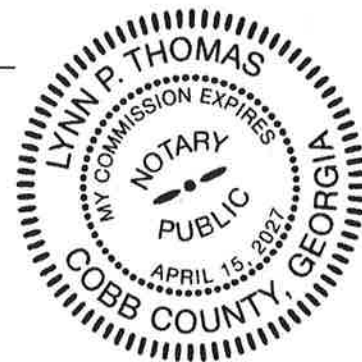
Joel Mann, Principal  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

On This the 19 Day of September, 20    23

*Lynn P. Thomas*  
NOTARY PUBLIC

My Commission Expires: 4-15-2027



# EXHIBIT G

## MANDATORY SCORED QUESTIONS/RESPONSES TECHNICAL RESPONSE WORKSHEET

**Bidder's company name:** \_\_\_\_\_

All eight (8) questions below MUST be answered. Each question is worth a potential of one-hundred (100) points each and are weighted and scored for completeness and detail. The County's Evaluation Committee will review and assign percentage scores to each question depending on the answers provided. The Contractor(s) with the highest point values will be considered the apparent contract award winner(s) and may be invited to interview with the County's Evaluation Committee for further discussions, and may be asked to enter into further negotiations. Use additional pages and attach if needed.

No.	Question	Answer
1	Does your company have at least three (3) sequential years of experience in transportation planning and engineering of Bicycle and Pedestrian infrastructure as detailed in the RFQ/P document?	<b>Please see the following pages for responses to all technical questions. Each is clearly identified with the question number at the beginning of each response.</b>
2	Describe in narrative form at least three (3) projects within the past five (5) years, in similar size and scope that you have completed with project names, entity name, references names and contact details.	
3	List current projects, percent complete, and total possible workload.	
4	Why Hall County should select your firm for this project.	
5	Will any of the proposed services be subcontracted out to a third-party? If so, denote the work, the percentage of total, and list each of the legal entity's company names of the third-party(s).	
6	Describe the expertise of your work force. Supervisors, specialists, laborers. Provide a brief resume and experience record for each key person, including years of experience, education, and location of each person.	
7	Describe how your company verifies that staff adequately performs work for delivery of the service(s) described under this RFQ. Also, include who within your company inspects, approves and verifies delivery of service(s) and how corrective actions with staff are implemented	
8	Per documentation of this solicitation you must keep a sufficient work force to perform the requirements of this contract. Describe how you will continue to maintain this work force. What is your company's succession planning when an employee quits or calls out?	

# Exhibit G: Responses to Technical Questions

## Question 1

Does your company have at least three (3) sequential years of experience in transportation planning and engineering of Bicycle and Pedestrian infrastructure as detailed in the RFQ/P document?

Yes. Stantec was founded in 1954 and although the firm has grown substantially in recent years, its staff has included qualified professionals in transportation planning and engineering for over ten years. Our staff include licensed professional engineers in multiple states (including Georgia) and Canadian provinces, as well as certified planners. The staff members described in Question 6 have all been employed with Stantec for at least three years, and together represent over 100 years of collective experience in transportation planning, engineering, parking studies, and complete streets design.

## Question 2

Describe in narrative form at least three (3) projects within the past five (5) years, in similar size and scope, that you have completed with project names, entity name, references names and contact details.

We have completed over 120 parking studies in medium-size and small downtowns over the last 15 years, with a core focus in management-based studies that seek to optimize and improve management of parking systems rather than adding inventory to them. The following three projects reflect a variety of our work.

### **Downtown Norcross Parking Study**

Stantec performed this downtown parking study and strategic management plan for the central business district of Norcross in Gwinnett County. The City of Norcross commissioned this study in response to renewed community interest in downtown's historic commercial district and a revitalization of the area largely through adaptive reuse of existing buildings. Since Norcross's original town center had been constructed prior to the dominance of automobiles in personal transportation, it has faced challenges meeting travel demand through parking as recent revitalization has turned the downtown into more of an area-wide destination it was previously. Stantec's study performed an inventory of existing parking spaces, a survey of occupancy throughout typical weekday and Saturday business hours, and recommended strategic policy approaches and actions to better utilize existing parking and avoid costly construction of new parking. We also worked with a partner, Sizemore Group, to consider parking structure locations and how potential structure designs would fit into existing This resulted in the City forgoing a previous policy direction to add parking structures into downtown, focusing instead on small-scale, low-cost enhancements to better utilize public parking supply to serve a variety of new businesses and organizations.

Year completed: 2019

Reference: Erica Madsen, Director of Recreation and Parks  
City of Johns Creek  
erica.madsen@johnscreekga.gov  
(678) 512-3200  
11360 Lakefield Drive  
Johns Creek, GA 30097

***Please note that this reference information is correct, despite the different municipal government. Ms. Madsen was the project manager for the parking study while employed by the City of Norcross as its City Engineer. She has since taken a new position with Johns Creek but has agreed to serve as a reference for the Norcross study regardless.***



## **Downtown Roswell Parking Study**

Stantec completed a parking study for downtown Roswell in 2020 and 2021, focused on the city's historic main street (Canton Street) and the dining and retail-focused district around it. The goals of this parking study were to conduct an in-depth assessment of the existing parking network along and adjacent to Downtown Roswell's key retail and restaurant corridor, better understand particular parking challenges perceived by various users (especially the restaurants that have helped to establish downtown Roswell as a regional destination, and to use the assessment to inform the development of potential parking solutions as Roswell's downtown and economy continues to evolve.

The study included a comprehensive physical inventory of the parking network, and analysis of the policies and processes relating to its overall operation and management. This study also involved extensive stakeholder engagement in parallel with a public survey to better understand particular needs, challenges, and parking improvement preferences. The study also included the development of a series of scenario-based parking demand models to help downtown Roswell understand realistically the future needs of parking downtown as the city develops. The recommendations resulting from the study will support Roswell's overall goals while also potentially increasing parking capacity and convenience near and around Downtown Roswell to benefit local businesses, residents, and patrons.

Year Completed: 2021

Reference: Tom Smith, Vice Chair, Board of Directors  
Roswell Downtown Development Authority  
tsmith@roswelldda.com  
(404) 542-9321

## **Doraville Mobility Plan**

Stantec prepared a comprehensive citywide transportation plan for the City of Doraville in 2020. This plan focused on improving non-driving connections and repurposing street rights-of-way in Doraville's neighborhoods, offering improved connections between neighborhoods and civic and commercial destinations.

A truly multimodal plan, the Mobility Plan's recommendations range from small-scale, focused pedestrian improvements such as crosswalks and pedestrian-focused traffic control to major corridor-based approaches such as studying access management along Buford Highway and implementing safety improvements on that corridor's intersections. The plan was developed in the context of several major changes and opportunities occurring in the City, especially the redevelopment of the former General Motors assembly plant into the present-day Studio City film and television production campus and the building momentum of the Peachtree Creek Greenway effort to connect the Peachtree Creek corridor with a series of multi-use trails through north DeKalb County.

The plan is also currently being implemented, with the City successfully securing Federal and state funding for over ten of the recommended projects from the original 2020 plan. As a result, the City asked Stantec to prepare an update to this plan in 2023, adding new project recommendations in response to evolving community needs and updating estimated costs and implementation strategies for project recommendations.

Year Completed: 2020, updated 2023

Reference: Austin Shelton  
Director of Planning + Community Development  
austin.shelton@doravillega.us  
(470) 622-9357  
3725 Park Avenue  
Doraville, GA 30340

### Question 3

#### List current projects, percent complete, and total possible workload.

The core team proposed for this study is involved in the following projects. This project list is not representative of the projects in which Stantec is involved as a whole, only the core staff comprising the team for this project.

PROJECT	PERCENT COMPLETE	STAFF INVOLVED	PERCENTAGE OF STAFF MEMBER'S TIME USED
City of Key West, Florida Downtown Parking Study	5%	Joel Mann	20%
Palmetto Bay, Florida Comprehensive Plan Update	85%	Joel Mann	5%
Georgia Institute of Technology Comprehensive Campus Plan	95%	Joel Mann	10%
Chamblee-Doraville Community Improvement District Mobility Planning and Design Services	90%	Joel Mann	10%
		Mike Holt	5%
Everett, MA Zoning Ordinance Update	5%	Joel Mann	5%
New Orleans City Park Master Plan	10%	Joel Mann	10%
Attleboro Zoning Ordinance Updates	50%	Whitney Burdge	20%
Lynn, Massachusetts Downtown Parking Study	5%	Whitney Burdge	35%
Exeter, Massachusetts Parking Study	40%	Whitney Burdge	10%
West End Avenue Street Design Services, Nashville, Tennessee	10%	Jason Schrieber	15%
Kenmore Square Design Services, Boston, Massachusetts	60%	Jason Schrieber	15%
Assembly Square Master Planning, Somerville, Massachusetts	75%	Mitul Ostwal	540%
West Hartford Parking Rate Study	85%	Mitul Ostwal	20%
Grant Street Master Planning, Chelsea, Massachusetts	90%	Mitul Ostwal	10%

### Question 4

#### Describe why Hall County should select your firm for this project.

Stantec has performed over 100 parking studies for small downtowns around the Atlanta metropolitan area and the United States, and our transportation planning practitioners are often consulted for parking-related advisory services for private developments, education and healthcare campuses, and special events. In addition, **our parking studies** take an approach rare in the transportation industry in that they **focus on management first and how parking fits into an overall transportation system**—not on identifying needs for additional parking with a focus on performing later design work. Stantec has parking design practitioners on staff, but we treat studies as ways to identify good administrative practice so that any future investments in parking will yield the best possible results. While we perform studies in the context of exploring new parking investments (such as parking garages or lots), we have a focused mission on helping downtowns to use parking in strategic ways to reach their potential for economic development and high quality of life.

Our firm is also able to combine extensive local experience in transportation planning with national perspectives from other communities. With supporting team members based in Boston, MA and Raleigh, NC, our team can offer a familiar approach to the Atlanta metropolitan area but also help Flowery Branch to learn from the experiences of communities throughout the eastern United States.



## Question 5

**Will any of the proposed services be subcontracted out to a third-party? If so, denote the work, the percentage of total, and list each of the legal entity's company names of the third-party(s).**

Stantec does not intend to engage subconsultants or subcontractors for the primary professional services involved in this project.

Depending on how the County and City of Flowery Branch may wish to refine or expand the scope of work for the project, there is a possibility that we may collect traffic data for purposes of more informed analysis and recommendations. If that occurs, it is our standard practice to use third-party vendors for traffic data collection, and we work closely with several of these with experience in the Atlanta metropolitan area. Without knowing if this is a critical component to the work it is difficult to state a percentage of work involved, though this typically constitutes no more than 5 percent (5%) of the total fee amount for similar studies.

## Question 6

**Describe the expertise of your work force. Supervisors, specialists, laborers. Provide a brief resume and experience record for each key person, including years of experience, education, and location of each person.**

Stantec is a large, multinational architecture and engineering firm with a combined total of nearly 26,000 employees in over ten countries around the world. For purposes of this project, we would rely closely on Atlanta- and Georgia-based staff with support and expertise as needed from subject matter experts throughout North America. As is appropriate to this type of work, we will primarily engage transportation planners, engineers, and landscape architects with specialized skills in parking analysis and management policy, street design, traffic engineering and management, and transportation engineering. As appropriate to a refined scope of work, we will engage a variety of experience levels to perform this work, with more senior staff performing management and oversight services and associate- and junior-level staff performing data analysis, design production, and specialized data collection.

We have organized our core team around a project manager and technical lead, Joel Mann, who will work with Atlanta-based transportation professionals experienced in street design, traffic operations and management, and the GDOT Plan Development Process (PDP). Joel's nearly 20 years of experience as a transportation planner includes numerous parking studies, multimodal transportation plans, and strategic policy plans to help downtowns leverage their transportation assets to increase development potential. Joel is supported by a team of planners including Jason Schrieber (27 years of experience), a nationally-recognized thought leader in parking policy and emerging transportation in cities and downtowns; Whitney Burdge (8 years of experience), a transportation planner with experience in parking and creative placemaking projects in public rights-of-way, and Mitul Ostwal (5 years of experience), a planner with experience in advanced parking data management for similar downtown studies.

We also draw on other Southeastern US staff with experience in bicycle-pedestrian planning, street and road design, and traffic operations and management. These staff include Timothy Tresohlavy, a seasoned planner with parking study experience but who also co-leads Stantec's practice in Complete Streets policy and design; Mike Holt, a recognized Georgia leader in intelligent transportation systems and traffic management (32 years of experience); and Mitchell Greenway, a roadway design engineer with extensive understanding of Georgia policies and practices, including Georgia DOT's Plan Development Process (23 years of experience).

Resumes follow this technical response on separate pages.

## PROJECT MANAGER



**JOEL  
MANN, AICP**

### EDUCATION

Master of Regional Planning,  
University of North Carolina, Chapel Hill

Bachelor of Arts,  
New College of Florida

### REGISTRATIONS

Certified Planner# 021420,  
American Institute of Certified Planners

### BIO

Joel is a planner with 19 years of experience in transportation planning and transportation-focused contributions to development codes, comprehensive plans, and community master plans. His career pursuits have grown from an intersection of personal passions and commitments, including bicycle and pedestrian mobility, streets as vital urban public spaces, and use of public resources to provide the best possible returns for citizens and their quality of life. He is one of the Stantec team's parking management study practitioners and has led studies throughout the Southeast.

### RELEVANT EXPERIENCE

#### Greater Downtown Tampa Parking And Mobility Study // Tampa, FL

Joel led a comprehensive demand and management policy study for the Tampa Downtown Partnership, Tampa's downtown business improvement district and a key advocate for expanded urban mobility options in Tampa's employment and institutional core. This study analyzed inventory and utilization information as well as dynamics in pricing and management policy that varied greatly between publicly-owned parking (around one third of downtown's overall supply) and the assortment of private parking available to the general public. The result of the study has been a shift toward more balanced pricing and more strategic positioning of major public parking assets.

#### CDCID Mobility Master Plan // Chamblee/Doraville, GA

The Chamblee/Doraville Community Improvement District Mobility Master Plan seeks to improve the transportation network on key commercial corridors in the metro Atlanta communities of Chamblee and Doraville, as well as address transportation issues and prepare for future development. As a plan led by a business improvement district, recommendations were focused on addressing major transportation gaps and needs while emphasizing the value in public funding support for a more balanced, multimodal transportation system. This plan has already resulted in awarded funding of over \$3 million in transportation capital project funds as well as funds to perform supplemental studies for major railroad crossing opportunities.

#### Chamblee Mobility Plan // Chamblee, GA

The Chamblee Mobility Plan was based on review and analysis of technical data along with an extensive public outreach process that engaged community leaders, business stakeholders, neighborhood groups, and many members of the general public. At its heart, this plan sought to address recent annexations of Chamblee, a maturing suburban community in the Atlanta metropolitan area, and how to better connect neighborhoods new to the city with the revitalizing areas around its historic downtown district.

#### Greater Downtown Savannah Parking and Mobility Study // Savannah, GA\*

Downtown Savannah's first parking study that incorporated the central city's various mobility services and options. Joel was the deputy project manager for this effort and led development of its analysis and strategic plan, including a series of pricing and management reforms, a streamlining of curbside regulations, and a rethinking of circulatory transit service that saw increased ridership and service frequency. Savannah's nationally-recognized historic district is the center of its robust tourist industry, and this study needed to incorporate seasonal dynamics, the special needs of long-established constituencies, and downtown business expectations into an overall reform of the Parking and Mobility Services Division's long-term management approach.

## PRINCIPAL-IN-CHARGE



**JASON SCHRIEBER, AICP**

### EDUCATION

Bachelor of Science, Urban Planning  
University of Massachusetts Amherst

### REGISTRATIONS

Certified Planner# 020238,  
American Institute of Certified Planners

### BIO

Jason Schrieber, AICP, is a Senior Principal with Stantec's Urban Places initiative, which seeks to apply evolving best practices to downtowns across the globe. As a multi-modal planner and designer focused on the intersection of the public realm and safe, efficient and healthy communities, he has spent over 25 years helping hundreds of cities, institutions, and developers elevate the importance of modal integration and rationalize mobility policies, plans and infrastructure solutions, with an emphasis on rationalizing auto access and parking. Notable accomplishments include the emirate-wide parking strategy for Abu Dhabi's framework regulations; the east coast's first performance-based parking pricing success in Salem, MA; the revamping of Washington DC's curbside regulations; Boston's city-wide, climate-action parking strategy; Cambridge's pioneering PTDM ordinance; and recent thought leadership on curbside management in Buffalo and Chicago. His demand management programs have been adopted by entities as varied as LSU, MIT, Partners Healthcare and Amgen. He is currently leading the design of flexible curbs in Buffalo and Boston.

### RELEVANT EXPERIENCE

#### **City Tech Collaborative: Curbside Management Solution // Chicago, IL**

Jason was a lead advisor on this collaborative effort to develop multiple models of curbside access, bringing in data sources ranging from "big data" on trip-making to local point-of-interest data to national research on demand elasticities. The team included software and hardware developers who helped ground-truth potential management schemes in the realities of mobility technology for both today and the future. The result is an innovative understanding of curbside demand management in downtown Chicago.

#### **Downtown Lowell Parking Study // Lowell, MA**

Continued downtown growth, new development opportunities at a commuter rail station, and increasing enrollment at UMass were pressuring the city's merchants, employers and downtown residential neighbors' parking system. Our team collected city-wide inventory and occupancy data while talking with hundreds of residents and stakeholders to help reveal unused inventory that could relieve pressure through shared district management, new on-street programs, and restructuring pricing and permits.

#### **Master Innovation Development Plan, Quayside Development, Sidewalk Labs // Toronto, ON, Canada**

Led mobility planning and engineering for a large lake shore development that would transform an industrial port area into a dense, walkable mixed-use development served by streetcars, microtransit, bikes, e-bikes and scooters and a variety of automated transportation services. Involves advanced modeling and design techniques, including progressive new parking demand models and curbside activity simulation tools.

#### **Longwood Medical Area, Pilgrim Garage Optimization // Boston, MA**

Stantec and Wood Solutions Group helped MASCO's leadership carefully evaluate future parking demand and potential changes to pricing and permitting options in light of the COVID-19 pandemic and changes to employee preferences. Detailed modeling helped direct MASCO to pilot new daily pricing that increases commute options while stabilizing parking revenues.

#### **Park City Parking Study // Park City, UT\***

On the heels of developing a future access strategy to accommodate continued seasonal visitation growth, Jason's team proceeded to conduct a city-wide parking study of occupancy, enforcement, management and supporting TDM practices that resulted in new demand-responsive pricing, curb management, and electronic wayfinding solutions that have since been designed and implemented successfully.

## DEPUTY PROJECT MANAGER



### WHITNEY BURDGE

#### EDUCATION

MS Urban Planning - Developing + Transitional Regions, Oxford Brookes University, Oxford, England, United Kingdom, 2016

MA Architecture, Cultural Identity + Globalisation, University of Westminster, London, England, United Kingdom, 2011



#### BIO

Whitney is an urban mobility planner with strong experience with parking studies in areas with unique needs, and with projects that aim to advance diversified transportation mode options to promote equitable access and position cities to transition into future-ready modes. She targets improving multimodal access by increasing cohesion between parking networks, transit, and pedestrian/bicycle assets. Her recent work includes assessments of infrastructure conditions, analysis of the effectiveness of meter technology and pricing changes in various contexts, and evaluating how parking can flexibly respond to atypical periods of demand. Her goal is to highlight the opportunity parking plays in advancing equity in downtown centers.

#### RELEVANT EXPERIENCE

##### **BTD Transportation Demand Management Point System // Boston, MA**

Whitney supported and helped develop the design of the final Point System toolkit for the innovative overhaul of Boston's TDM guidelines for large development projects. The new system allows developers to select TDM measures based on project characteristics, such as land uses and geographic location, to achieve a point target which prioritizes a mix of proven strategies to encourage multimodal travel in the community. This process makes the selection of TDM measures more transparent and gives developers new options.

##### **Strip District Network and Parking Management Plan // Pittsburgh, PA**

The mixed use Strip District adjacent to downtown Pittsburgh was in need of a plan for a more multimodal and unified future. The Stantec team led parking data collection, and connected with the community and stakeholders through creative approaches to help communicate trade-offs inherent in improving local infrastructure as well as the potential benefits of a coordinated approach. The multimodal network plan included a best practices review of parking management districts and transportation management associations.

##### **City of Tulsa Mobility Innovation Strategy // Tulsa, OK**

Building on prior work of the City in preparation of a smart mobility tipping point, the Stantec team focused on stakeholder and public outreach to understand key challenges of equitable mobility access to resources including jobs, education, and healthcare services. The Mobility Innovation Strategy (MIS) provided a path forward to broadening mobility options that 1) Help solve identified transportation challenges and 2) Spur a cross-sector collaboration with local universities, investors, manufacturers and local businesses that will put Tulsa on the map as a hub of mobility innovation and industry.

##### **Saco Downtown Parking Study // Saco, ME**

Whitney served as deputy project manager and graphic designer on this evaluation of parking conditions in Downtown Saco, Maine and the adjacent Saco Island. The Downtown area features an eclectic mix of local businesses, office headquarters, an Amtrak station, and a mixed-use mill redevelopment, with seasonal fluctuations in demand.

##### **Attleboro Transit Oriented Development // Attleboro, MA**

As DPM, Whitney worked closely with the City to identify an optimal TOD development approach that balanced the needs and imminent growth of demand on its Commuter Rail Station, encouraged diverse and vibrant mixed development, and optimized alternative transportation mode options.

## PARKING DATA COLLECTION + ANALYSIS



**MITUL  
OSTWAL, M.ENG**

### EDUCATION

Master of Engineering - Transportation Systems, Cornell University, Ithaca, NY

Bachelor of Technology, VIT University, Vellore, Maharashtra, India

### BIO

**Mitul Ostwal is a transportation planner in Stantec's Urban Mobility Group. Since joining Stantec, he has been closely involved with several different projects focusing on urban mobility, including parking studies, transportation impact assessments, and transportation and mobility master plans. Throughout the pandemic, he has worked on the Shared Streets and Spaces grant with MassDOT and the Rapid Recovery Program with DHCD (Department of Housing and Community Development). Mitul brings interdisciplinary skills ranging from data analysis, mapping and visualization to planning and community engagement with his work. Prior to joining Stantec he worked with the City of Ithaca as a traffic engineer, where he helped the City develop a cost-benefit tool and conduct fiscal analysis for their Parking Department.**

### RELEVANT EXPERIENCE

#### **City of Lowell Parking Study // Lowell, MA**

Mitul lead a detailed data collection effort for this study across 9,000 parking spaces in its downtown area and tens of thousands more spread across the community. The analysis included a detailed review of all curbside regulations as well as using unique sources such as garage in/out data and "cell phone" data provider Streetlight to calculate residential overnight demand in residential areas to develop an improved permit program. The end result was a comprehensive revisioning of how the City can best use existing parking resources to expand capacity, reduce disputes, and generate additional revenue to be re-invested across the community.

#### **Scajaguada Corridor Vision and Mobility Plan // Buffalo, NY**

Stantec is leading the GBNRTC Region Central Scajaguada Expressway Redesign project. Stantec's Urban Mobility Group is charged with understanding and analyzing the existing mobility challenges and issues on the Expressway, using new cell phone-based data sources and an integrated land use and transportation perspective. This assessment was followed by a community engagement-driven scenario planning effort to test how the future design options can accommodate those who walk, bike, and take transit. Mitul is serving as the mobility planner for the mobility portion of this project and has conducted data analysis and report production for the existing conditions and scenario analysis phases of the project.

#### **Alewife Station Market and Demand Study // Cambridge, MA**

This study evaluates the future of access at the terminal station of one of greater Boston's major rapid transit routes. With 11,000 riders per day and relatively high frequency service, Alewife Station is critical to immediate local access, and to regional access as many of its users come in via private car, shuttle, or bus from the northwest suburbs of Boston. Stantec assisted MassDOT and the MBTA, planning and developing short and long-term concepts for the facility. Future ridership projections and nearby travel conditions were incorporated into long-term visioning to inform MassDOT and the MBTA to select a sustainable concept meeting agency needs. Mitul surveyed, collected and analyzed field data including existing conditions and parking demand. Mitul gathered and analyzed multi-modal data from various sources like the MBTA and MassDOT. He also produced created graphics to illustrate peak demand for transit parking at the station. Mitul also helped in writing draft reports and preparing slides for the client.



# COMPLETE STREETS LEAD / BICYCLE AND PEDESTRIAN PLANNING



**TIMOTHY  
TRESOHLAVY, AICP**

## EDUCATION

M.A., Geography and Planning, East Carolina University

B.S., Environmental Land Use Planning, SUNY College of Environmental Science & Forestry

## REGISTRATIONS

Certified Planner #024123, American Institute of Certified Planners, 2010

Certified Geographic Information Systems Professional (GISP) #17020, GIS Certification Institute, 2011

## BIO

Transportation is fundamental, and our streets are for ALL PEOPLE. Regardless of our mode of travel or socio-economic class, we transportation planners are prioritizing a safe, convenient, and equitable network of roads, sidewalks, and greenway trails for everyone. For two decades, Timothy has specialized in mobility planning and coordinated, long-range strategies for local, regional, state and federal government clients. Timothy's project experience includes long-range transportation and mobility plans (MTP/CTP), community engagement and meeting facilitation, Complete Streets corridor studies, transit-oriented community planning, bicycle and pedestrian planning for municipalities and universities, downtown parking studies, and small area planning.

## RELEVANT EXPERIENCE

### **New Bern Avenue Station Area Planning // Raleigh, NC**

Assessment of mobility conditions and needs. Facilitation of public outreach workshop events, and synthesis of public feedback. Development of near-term and long-term mobility improvements to enhance first-/last-mile conditions along 5-mile BRT corridor.

### **The Ohio State University Comprehensive Transportation and Parking Plan // Columbus, OH**

Timothy brought parking and mobility planning expertise to a multi-disciplinary team of experts working to shift the mobility paradigm for nearly 60k students and 35k employees at OSU. Coordination of steering committee meetings, focus group interviews, and assembly/distribution of data were some of his early-phase tasks. As the project progressed, Timothy coordinated with subconsultants, synthesized technical analysis, and generated visualization materials for internal and external presentations.

### **Louisiana State University (LSU) Master Plan Mobility Implementation // Baton Rouge, LA**

Incorporated elements from LSU's Strategic Plan 2025 into our mobility planning process, with the goal of molding our project understanding to seamlessly integrate with the academic vision for growth. Expected outcomes from the LSU Strategic Plan emphasize bridging the coast, energy needs, and environmental resilience; improving health and well being; and developing Louisiana's future leaders. These imperatives align with a renewed interest in reducing single-occupancy vehicles through the promotion of travel demand management (TDM) strategies.

### **Marshall University Pharmacy School Traffic and Parking Assessment // Huntington, WV**

Timothy served as project manager and parking expert to review the phasing of construction, current parking management structure, and recommend various short- and long-term strategies for operations and management of mobility. Parking management recommendations included parking mitigation options, park-&-ride facilities, streetscape improvements, a residential parking permit program, and shared parking agreements.

### **Princeton University, Campus Master Plan // Princeton, NJ\***

Timothy supported Princeton University in analyzing the current parking, bicycle, pedestrian, and roadway systems as well as developing a long-term vision for mobility at the University. He facilitated bicycle plan stakeholder meetings, crafted the bicycle network plan, and incorporated feedback into the development of an overall bicycle network plan and mobility elements of the campus plan (2026 and beyond).

### **Summer Avenue Complete Streets Corridor // Memphis, TN**

Performed a Multimodal level of service (MMLoS) assessment along this 5 mile corridor. Generated public engagement materials, digital resources, and facilitated community outreach.

# TRAFFIC OPERATIONS AND MANAGEMENT



## **MICHAEL HOLT, PE, PTOE**

### **EDUCATION**

Bachelor of Science, Civil Engineering, Clemson University, Clemson, South Carolina, 1990

### **REGISTRATIONS**

Certified Professional Traffic Operations Engineer #1069, Institute of Transportation Engineers

Professional Engineer #25821, State of Georgia

*\*Work completed at another firm*

### **BIO**

Mike brings over 32 years of transportation design and project management experience, specializing in progressive traffic engineering and intelligent transportation systems (ITS). His career spans all aspects of traffic/ITS engineering, as he has worked as a county traffic engineer, engineering consultant, and contractor. Mike has a diverse traffic engineering background that includes traffic studies, traffic signal design, communications design, ITS device design, signal timing, tolling, and project management. He also provides quality assurance and control reviews for many of these projects.

### **RELEVANT EXPERIENCE**

#### **Cobb County Traffic Control Center (TCC) Operations // Marietta, GA \***

Traffic Engineer responsible for managing operations of Cobb County's TCC, including initial build-out, staffing, incident response, and public relations. Mike scheduled TCC staffing and incident response plans for the 1996 Centennial Olympic Games.

#### **Cobb County Transportation Management Center // Marietta, GA (TMC) \***

Project Manager for planning, design, and construction administration for a \$4.4 million, 24,000-square-foot facility. This two-story building, with a daylight basement, houses the operations staff for the Cobb County DOT. Mike was responsible for coordination of all design services, including site work, permitting, architectural, interiors, structural, mechanical, plumbing, electrical, and communications. The heart of the TMC includes an operations room with nine consoles and an eight-foot by 16-foot video wall. This facility is networked to GDOT's NaviGator ATMS and received LEED Silver certification.

#### **Regional Traffic Signal Operations // Atlanta, GA \***

Principal-in-charge for this task-order contract to provide signal timing development and operational services throughout Georgia. Project scope includes data collection review and analysis; Synchro/SimTraffic modeling, optimization, and simulation; signal controller database development and testing; signal plan optimization and fine-tuning; MaxTime controller database cleanup; and preliminary/final timing report preparation.

#### **On-Call Professional Engineering Services for the City of Johns Creek // Johns Creek, GA \***

Project Manager for traffic engineering and roadway design services through a task-order contract. Projects included: SR 141/Medlock Bridge Road Alternate Intersection Concepts/Widening, Old Alabama Road Signal Upgrades, and SR 141/Medlock Bridge Road Corridor Improvements. Presented the proposed solutions and projected improvements in travel time and delay to the City, then forwarded the ThrU concept for SR 141 and State Bridge to the GDOT Operational Improvements committee. The City evaluated alternate concepts to address traffic congestion at this intersection and solicited public input. The firm prepared preliminary plans for flex lanes along SR 141 between State Bridge Road and St. Ives Country Club Parkway, which would provide for peak-hour through-lane use of the paved shoulders to mitigate congestion. This concept involved innovative signing and pavement marking design, coordinating with City, GDOT, and other consultants.

# ROADWAY AND STREET DESIGN



## MITCHELL GREENWAY PE

### EDUCATION

BS, Civil Engineering Technology, Georgia Southern University, Statesboro, Georgia, 1999

Master of Business Administration, Georgia College & State University, Milledgeville, Georgia, 2003

### REGISTRATIONS

Professional Engineer #31718, State of Georgia

Level II Certified Design Professional #8162, Georgia Soil and Water Conservation Commission, 2006-03-30 - Present

### BIO

Mitchell is a roadway project manager with more than 23 years of experience in transportation design (roadway drainage, roadway geometry, roadway construction staging plans, right-of-way plans), transportation planning and erosion and sedimentation control design and monitoring per NPDES requirements. His work has involved extensive use of CAiCE, InRoads, GeoPak, MicroStation, GeoPak Drainage, and StormCAD.

### RELEVANT EXPERIENCE

#### Lenox Road Scoping Study // Atlanta, GA

Mitchell was the Lead Roadway Engineer for this project that will include streetscape and pedestrian/bicycle facility improvements along Lenox Road between Piedmont Road and East Paces Ferry Road. It will add a 5-10' sidewalk on one side of Lenox Road and an 8-10' shared-use path on the other. The shared-use path transitions from the north side to the south side of Lenox Road at the Phipps Boulevard intersection. Mitchell worked with the planning team to develop a conceptual design and report for GDOT approval.

#### SR 372/Crabapple Road Improvements // Milton, GA

Mitchell was responsible for the concept and design of improvements to SR 372 at Mayfield Road intersection. The process determined corridor improvements were necessary. Two roundabouts and a new downtown boulevard were designed to handle projected traffic capacity. The project included full public involvement process, NEPA document, and full design services per the Georgia Department of Transportation's PDP and Design Policy Manual.

#### Downtown Fairburn Livable Centers Initiative Implementation Plan // Fairburn, GA

Providing roadway design for this LCI transportation funded-project which includes the planning and design of a downtown streetscape to include enhanced pedestrian facilities, new landscaping, wayfinding and signage, pedestrian underpass, and reverse-angled parking.

#### Downtown Complete Street Plan and Streetscape // Avondale Estates, GA

Mitchell is the lead roadway designer for this LCI Implementation Study. The study will assess the feasibility of a road diet along US 278, the main street of Avondale Estates. The process for this study will include having a community open house and demonstration project, with GDOT participation, allowing residents to set up roadway enhancements and gauge the scale and effect of their impacts.

#### City of Atlanta Department of Public Works Transportation On-Call // Atlanta, GA

Under this contract, Mitchell served as the Primary Point of Contact for the team on all transportation projects. This was a 3-year on-call contract with the City of Atlanta during which time Stantec completed one bridge replacement project, one intersection improvement project, and a complete streets corridor project for a two-mile corridor. Mitchell was the Project Manager for the bridge project and intersection project, and he also served as the lead roadway designer on all three projects. The City of Atlanta follows a similar model to the GDOT PDP, so he participated in field plan reviews for each project.





## PAUL ROEPNACK PE, SI, SE



### ON-CALL TECHNICAL ADVISOR: PARKING GARAGE DESIGN

Paul is currently a lead structural engineer with 23 years of experience in the structural design and management of large-scale projects, including the complete structural design of multi-million-dollar projects. Paul analyzes, designs, and reviews the most cost-effective structural systems. His broad knowledge and experience in engineering and construction enhance his ability to design quickly and economically. Paul has completed on-site inspections of structural systems, acted as a special inspector, peer reviewer, and value engineer, and demonstrates a recognized ability to troubleshoot and resolve complex problems in any role within the project. He has worked with owners as lead designer, as well as with design teams, and his projects are always below budget and ahead of schedule. He has a consistent ability to design structural systems quickly and efficiently.

### EDUCATION

Bachelor of Science, Civil Engineering, North Carolina State University

### REGISTRATIONS

Professional Engineer #040299, State of Maryland

### RELEVANT EXPERIENCE

**FedEx-Ground Woodbridge 800-Space Parking Deck // Woodbridge, NJ**

**Crawford County Structured Parking // Crawford County, PA**

**Hollywood Grande Hotel Resort Parking Garage with Robotic Parking // Hollywood, FL\***

**Seminole Hard Rock Parking Garage // Hollywood, FL\***

**Laurel Mall Parking Garage // Laurel, MD**

**Boca Colonnade Parking Garage // Boca Raton, FL\***

**Civic Center Parking Garage // Port St. Lucie, FL\***

*\*Work completed at another firm*



## STEPHEN HOPPER PE, SI, SE



### ON-CALL TECHNICAL ADVISOR: STREETScape AND LANDSCAPE ARCHITECTURE

Stephen is a senior landscape architect with more than 15 years of experience. His passion for creating, improving, and enhancing spaces inspires him to build contextually sensitive environments that also balance the needs of the public and private realms. He has worked closely with clients ranging from local, private and commercial to industrial, institutional and federal. His expertise spans many facets of landscape architecture including project management, bicycle, and pedestrian paths, community planning, institutional development, recreation master planning and development, streetscapes, urban design, military infrastructure, mixed-use, commercial/retail development, and residential development. Stephen is also a registered landscape architect and LEED accredited professional.

### EDUCATION

Bachelor of Landscape Architecture, University of Georgia, Atlanta, Georgia, 2007

### REGISTRATIONS

Landscape Architect #LA001651, American Society of Landscape Architects (Georgia)

Registered Professional Landscape Architect #1193, State of Tennessee, 2019-07-01

### RELEVANT EXPERIENCE

**Dahlonega Streetscape, Phases I, II, and III // Dahlonega, GA\***

**Broad Street Streetscape // Cairo, GA \***

**Waleska Street Streetscape // Canton, GA\***

**Hickory Flat Streetscape // Canton, GA\***

**Roswell Street Streetscapes Phases I, II, and III // Marietta, GA\***

**Shallowford Road Enhancements Scoping Study // Doraville, GA**

*\*Work completed at another firm*

## Question 7

**Describe how your company verifies that staff adequately performs work for delivery of the service(s) described under this RFQ. Also, include who within your company inspects, approves and verifies delivery of service(s) and how corrective actions with staff are implemented.**

Stantec is an ISO9001 certified firm and Stantec's Team will ensure this project follows the internal quality assurance / quality control requirements of that program.

Quality assessment and quality control are important to our team and we have included staff specifically to fill that role. Erin Cameron has extensive experience with review and analysis for many of our parking studies and will provide detailed review as needed. Erin is part of the Urban Mobility team and works directly with both our project manager Joel Mann and principal-in-charge Jason Schrieber.

Our QA/QC process will include Jason as a project reviewer able to provide senior technical advisory guidance to Erin as she reviews materials. We will plan for each task to include a review of major deliverables. Joel will ultimately be responsible for quality and accuracy of products as the project manager.

When errors are noted with our work, our Project Manager and quality control reviewers note these and work closely with staff to understand how these were made. This approach is important in parking studies, which are highly quantitative in their data collection and analysis and rely on tables, spreadsheets, databases, and spatial datasets. We work through all steps of development of these information resources to determine where errors were made and ensure that corrected versions are what is provided to clients.

Please note that these individuals are planners with experience in parking studies and downtown mobility plans similar to the one being proposed for Flowery Branch. Across Stantec's nearly 26,000 employees, quality review processes are standard and performed for all engineering and planning products.

## Question 8

**Per documentation of this solicitation you must keep a sufficient work force to perform the requirements of this contract. Describe how you will continue to maintain this work force. What is your company's succession planning when an employee quits or calls out?**

Because of our firm's size, even locally in our Atlanta office, we expect to have adequate staffing capability throughout the entire project. This is also a professional services-based arrangement where sick days and other temporary short-term absences should not affect the material outcome of the work or delay schedule.

Each of the team members described in the response to Question 6 has a designated alternative staff person in the event that team member is no longer able to perform work with Stantec. These alternative members are listed below, and resumes and other detailed information are available upon request.

<b>KEY TEAM MEMBER</b>	<b>ROLE</b>	<b>DESIGNATED ALTERNATIVE IN CASE OF REMOVAL FROM THE PROJECT</b>
Joel Mann	Project Manager	Timothy Tresohlavy (resume included in answer to Question 6)
Jason Schrieber	Principal-in-Charge	Mike Holt (resume included in answer to Question 6)
Whitney Burdge	Deputy Project Manager	Erin Cameron (resume available on request)
Mitul Ostwal	Data Collection and Analysis	Mark McGill (resume available on request)





**DESIGN WITH  
COMMUNITY IN MIND.**



## AGENDA ITEM

### Consent

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 3/2024

**SUBJECT:** Approve the annual contract renewal for Accela Records/Permit Management Software subscription and license agreements for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of \$359,920.66.

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** RD  
**Recommendation:** Approve.

**Purpose of Request:**  
To approve the hosting and reporting of the Planning and Development permitting and licensing database software. This is an annual subscription and hosting agreement. This agreement is based on a calendar year and splits fiscal years. This is year four (4) of the original agreement and years two (2) and three (3) of the additional user agreements. The additional user agreements also need to be signed by the Chairman. One licenses twenty-five (25) additional users and one licenses an additional ten (10) users.

#### History:

#### Facts and Issues:

#### Options:

The Board of Commissioners approved a contract with ACCELA, INC to replace TIDEMARK as the Planning and Development permitting and records maintenance software. City of Gainesville was onboarded in June 2022, Hall County transitioned between December 2022 and February 2023, and the City of Oakwood is currently in the process of transitioning. The original implementation and Phase 2 are capital projects while this request pertains to the ongoing hosting and maintenance.

Hall County has an IGA with the City of Gainesville and Oakwood. Both municipalities contribute to the cost of the licenses. This amount is invoiced to the municipalities annually based on the IGA amounts.

MIS has a dedicated staff member who assists the implementation team and who will be charged with providing ongoing support.

<b>Funding Requested</b>	\$ 359,920.66
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	Development Services
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	No
<b>Has it been reviewed by the County Attorney?</b>	No
<b>Is there a deadline for this item?</b>	2024-01-25

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>	<b>Budget</b>
RD	RD	AP	EW
<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
WG	WLI	CR	JR

**Attachments:**

- Financial Supplement
- Signature Request
- Additional User Agreement Number 1
- Additional User Agreement Number 2
- Agreement (5 year) - Dated 12/10/2020
- Accela Invoice - Dated 1/14/2024



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

**AGENDA ITEM 3/2024**

**Funds Requested:** \$ 359,920.66

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Development Services

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2024	272-DEVELOPMENT SERVICES FUND	7410-PLANNING	521301-GIS	\$165,662.11
2025	272-DEVELOPMENT SERVICES FUND	7410-PLANNING	521301-GIS	\$194,258.55
2024	272-DEVELOPMENT SERVICES FUND	7410-PLANNING	336002-INTERGOVERNMENTAL REIMBURSE	\$-48,042.01
2025	272-DEVELOPMENT SERVICES FUND	7410-PLANNING	336002-INTERGOVERNMENTAL REIMBURSE	\$-56,334.97

**Budget Transfer Items:**

**Additional Information/Comments:**

The intergovernmental reimbursement is calculated by taking 29% of the cost for each year that will be reimbursed by the City of Gainesville (25%) and Oakwood (4%).

**Contact for Questions:** RD

**Phone:**

770-297-5544



# Hall County Government

FINANCIAL SERVICES

## CONTRACT EXECUTION SIGNATURE REQUEST

**Date:** 1/18/2024

**To:** Richard Higgins, Chairman, Board of Commissioners

**From:** Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Agreements.

**Bid/Contract No:** IGA with City of Gainesville and Oakwood.

**Contract Name:** ACCELA Record/permit Management System

**Department(s) Requesting Contract:** Planning and Development

**Award Recipient Name:** Accela, Inc. of San Ramon, CA

**Date of Next BOC Vote:** 1/25/2024

- |  |                                |
|--|--------------------------------|
| <input type="checkbox"/> Price Increase Requested            | Percentage Increase: n/a       |
| <input type="checkbox"/> Demand Service Contract             | Previous Spend: \$202,923.21   |
| <input type="checkbox"/> Commodity Contract                  | Requested Amount: \$359,920.66 |
| <input checked="" type="checkbox"/> Cloud based subscription |                                |

**Comments:**

To approve the hosting and reporting of the Planning and Development permitting and licensing database software. This is an annual subscription and hosting agreement. This agreement is based on a calendar year and splits fiscal years. This is year four (4) of the original agreement and years two (2) and three (3) of the additional user agreements. The additional user agreements also need to be signed by the Chairman. One licenses twenty-five (25) additional users and one licenses an additional ten (10) users.

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings



## PRICE INCREASE DETAILS

**Bid/Contract No:** IGA

**Bid/Contract Name:** ACCELA Record/permit Management System

The Board of Commissioners approved a contract with ACCELA, INC to replace TIDEMARK as the Planning and Development permitting and records maintenance software. City of Gainesville was onboarded in June 2022, Hall County transitioned between December 2022 and February 2023, and the City of Oakwood is currently in the process of transitioning. The original implementation and Phase 2 are capital projects while this request pertains to the ongoing hosting and maintenance.

Hall County has an IGA with the City of Gainesville and Oakwood. Both municipalities contribute to the cost of the licenses. This amount is invoiced to the municipalities annually based on the IGA amounts.

MIS has a dedicated staff member who assists the implementation team and who will be charged with providing ongoing support.



Proposed by: Matthew Jones  
 Contact Phone: (704) 589-6764  
 Contact Email: mjones@accela.com  
 Quote ID: Q-28316  
 Valid Through: 12/30/2022  
 Currency: USD

2633 Camino Ramon, Suite 500  
 San Ramon, CA, 94583

## Order Form

### Address Information

#### Bill To:

Hall County, GA  
 300 Green Street PO Drawer 1435  
 Gainesville, Georgia 30503  
 United States

#### Ship To:

Hall County, GA  
 2875 Browns Bridge Road  
 P.O. Drawer 1435  
 Gainesville, Georgia 30503  
 United States

Billing Name: Mark Lane  
 Billing Phone: 7702972603  
 Billing Email: mlane@hallcounty.org

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 1	1/1/2023	1/13/2023	1	\$2,269.30	25	\$2,020.61
> Accela Building - SaaS	Year 1	1/1/2023	1/13/2023	1	\$0.00	25	\$0.00
> Accela Planning - SaaS	Year 1	1/1/2023	1/13/2023	1	\$0.00	25	\$0.00
> Accela Business Licensing - SaaS	Year 1	1/1/2023	1/13/2023	1	\$0.00	25	\$0.00
> Accela Service Request Management - SaaS	Year 1	1/1/2023	1/13/2023	1	\$0.00	25	\$0.00
<b>TOTAL:</b>							\$2,020.61

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 2	1/14/2023	1/13/2024	12	\$2,337.37	25	\$58,434.37
> Accela Building - SaaS	Year 2	1/14/2023	1/13/2024	12	\$0.00	25	\$0.00
> Accela Planning - SaaS	Year 2	1/14/2023	1/13/2024	12	\$0.00	25	\$0.00
> Accela Business Licensing - SaaS	Year 2	1/14/2023	1/13/2024	12	\$0.00	25	\$0.00
> Accela Service Request Management - SaaS	Year 2	1/14/2023	1/13/2024	12	\$0.00	25	\$0.00
<b>TOTAL:</b>							\$58,434.37

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 3	1/14/2024	1/13/2025	12	\$2,407.50	25	\$60,187.40

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
> Accela Building - SaaS	Year 3	1/14/2024	1/13/2025	12	\$0.00	25	\$0.00
> Accela Planning - SaaS	Year 3	1/14/2024	1/13/2025	12	\$0.00	25	\$0.00
> Accela Business Licensing - SaaS	Year 3	1/14/2024	1/13/2025	12	\$0.00	25	\$0.00
> Accela Service Request Management - SaaS	Year 3	1/14/2024	1/13/2025	12	\$0.00	25	\$0.00
<b>TOTAL:</b>							\$60,187.40

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 4	1/14/2025	1/13/2026	12	\$2,479.72	25	\$61,993.03
> Accela Building - SaaS	Year 4	1/14/2025	1/13/2026	12	\$0.00	25	\$0.00
> Accela Planning - SaaS	Year 4	1/14/2025	1/13/2026	12	\$0.00	25	\$0.00
> Accela Business Licensing - SaaS	Year 4	1/14/2025	1/13/2026	12	\$0.00	25	\$0.00
> Accela Service Request Management - SaaS	Year 4	1/14/2025	1/13/2026	12	\$0.00	25	\$0.00
<b>TOTAL:</b>							\$61,993.03

**Pricing Summary**

Period	Net Total
Year 1	\$ 2,020.61
Year 2	\$ 58,434.37
Year 3	\$ 60,187.40
Year 4	\$ 61,993.03
<b>Total</b>	<b>\$ 182,635.41</b>

**Additional Terms:**

1. No additional or conflicting terms or conditions stated in Customer's order documentation, including purchase orders, will be incorporated into or form any part of this Order Form or the governing agreement, and all such terms or conditions will be null.
2. This Order Form will be governed by the Subscription Services Agreement signed by and between the parties on December 10, 2020 (by First Amendment on December 13, 2022 to the Order Form Agreement dated December 10, 2020).
3. All Software Licenses, Maintenance, and Subscription purchases are non-cancelable and non-refundable.

4. If Customer has a prior agreement with Accela, and this purchase is co-termining with that prior agreement, if the start date on this Order Form is before the actual delivery date of the purchase, Accela may pro-rate this purchase so that it can co-term with the prior agreement.

5. If this Order Form is executed and/or returned to Accela by Customer after the Order Start Date above, Accela may adjust the Order Start Date and Order End Date without increasing the total price based on the date Accela activates the products and provided that the total term length does not change.

<b>Signatures</b>	
<b>Accela, Inc.</b>	<b>Customer</b>
Signature:	Signature:
Print Name:	Print Name:
Title:	Title:
Date:	Date:



Proposed by: Matthew Jones  
 Contact Phone: (704) 589-6764  
 Contact Email: mjones@accela.com  
 Quote ID: Q-31596  
 Valid Through: 1/31/2024  
 Currency: USD

2633 Camino Ramon, Suite 500  
 San Ramon, CA, 94583

## Quote

### Address Information

#### Bill To:

Hall County, GA  
 PO Drawer 1435  
 Gainesville, Georgia 30503  
 United States

#### Ship To:

Hall County, GA  
 PO Drawer 1435  
 Gainesville, Georgia 30503  
 United States

Billing Name: Rebecca Evans  
 Billing Phone: 7705316781  
 Billing Email: revans@hallcounty.org

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 3	10/1/2023	1/13/2024	3	\$2,337.37	10	\$6,675.93
> Accela Building - SaaS	Year 3	10/1/2023	1/13/2024	3	\$0.00	10	\$0.00
> Accela Planning - SaaS	Year 3	10/1/2023	1/13/2024	3	\$0.00	10	\$0.00
> Accela Business Licensing - SaaS	Year 3	10/1/2023	1/13/2024	3	\$0.00	10	\$0.00
> Accela Service Request Management - SaaS	Year 3	10/1/2023	1/13/2024	3	\$0.00	10	\$0.00
<b>TOTAL:</b>							\$6,675.93

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 4	1/14/2024	1/13/2025	12	\$2,407.50	10	\$24,074.96
> Accela Building - SaaS	Year 4	1/14/2024	1/13/2025	12	\$0.00	10	\$0.00
> Accela Planning - SaaS	Year 4	1/14/2024	1/13/2025	12	\$0.00	10	\$0.00
> Accela Business Licensing - SaaS	Year 4	1/14/2024	1/13/2025	12	\$0.00	10	\$0.00
> Accela Service Request Management - SaaS	Year 4	1/14/2024	1/13/2025	12	\$0.00	10	\$0.00
<b>TOTAL:</b>							\$24,074.96

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
Multi Solution User	Year 5	1/14/2025	1/13/2026	12	\$2,479.72	10	\$24,797.21
> Accela Building - SaaS	Year 5	1/14/2025	1/13/2026	12	\$0.00	10	\$0.00

Services	Year	Start Date	End Date	Term (Months)	Price	Qty	Net Total
> Accela Planning - SaaS	Year 5	1/14/2025	1/13/2026	12	\$0.00	10	\$0.00
> Accela Business Licensing - SaaS	Year 5	1/14/2025	1/13/2026	12	\$0.00	10	\$0.00
> Accela Service Request Management - SaaS	Year 5	1/14/2025	1/13/2026	12	\$0.00	10	\$0.00
<b>TOTAL:</b>							<b>\$24,797.21</b>

**Pricing Summary**

Period	Net Total
Year 1	\$ 6,675.93
Year 2	\$ 24,074.96
Year 3	\$ 24,797.21
<b>Total</b>	<b>\$ 55,548.10</b>



2633 Camino Ramon, Suite 500  
San Ramon, CA 94583

Proposed by: Matthew Jones  
Contact Phone: (704) 589-6764  
Contact Email: mjones@accela.com  
Quote ID: Q-20364  
Valid Through: 12/31/2020  
Currency: USD

## ORDER FORM

### Address Information

Bill To:  
Hall County, GA  
300 Green Street PO Drawer 1435  
Gainesville, Georgia 30503  
United States

Ship To:  
Hall County, GA  
2875 Browns Bridge Road  
P.O. Drawer 1435  
Gainesville, Georgia 30503  
United States

Billing Contact: Mark Lane  
Billing Phone: 770-297-2603  
Billing Email Address: mlane@hallcounty.org

### Services

Services Year1	Start Date	End Date	Term (Mths)	Unit Price	Quantity	Total Price
Multi User	01/01/2021	12/31/2021	12	\$2,203.20	100.00	\$220,320.00
> Accela Building - SaaS	01/01/2021	12/31/2021	12	\$0.00	1.00	\$0.00
> Accela Planning - SaaS	01/01/2021	12/31/2021	12	\$0.00	1.00	\$0.00
> Accela Business Licensing - SaaS	01/01/2021	12/31/2021	12	\$0.00	1.00	\$0.00
> Accela Service Request Management - SaaS	01/01/2021	12/31/2021	12	\$0.00	1.00	\$0.00
Enhanced Reporting Database (with SaaS quote)	01/01/2021	12/31/2021	12	\$31,946.40	1.00	\$31,946.40
					<b>Total</b>	<b>\$252,266.40</b>

Services Year 2	Start Date	End Date	Term (months)	Unit Price	Quantity	Total Price
Multi User	01/01/2022	12/31/2022	12	\$2,269.30	100.00	\$226,929.60
> Accela Building - SaaS	01/01/2022	12/31/2022	12	\$0.00	1.00	\$0.00
> Accela Planning - SaaS	01/01/2022	12/31/2022	12	\$0.00	1.00	\$0.00
> Accela Business Licensing - SaaS	01/01/2022	12/31/2022	12	\$0.00	1.00	\$0.00
> Accela Service Request Management - SaaS	01/01/2022	12/31/2022	12	\$0.00	1.00	\$0.00
Enhanced Reporting Database (with SaaS quote)	01/01/2022	12/31/2022	12	\$32,904.79	1.00	\$32,904.79
					<b>Total</b>	<b>\$259,834.39</b>

Services Year 3	Start Date	End Date	Term (months)	Unit Price	Quantity	Total Price
Multi User	01/01/2023	12/31/2023	12	\$2,337.37	100.00	\$233,737.49
> Accela Building - SaaS	01/01/2023	12/31/2023	12	\$0.00	1.00	\$0.00
> Accela Planning - SaaS	01/01/2023	12/31/2023	12	\$0.00	1.00	\$0.00
> Accela Business Licensing - SaaS	01/01/2023	12/31/2023	12	\$0.00	1.00	\$0.00
> Accela Service Request Management - SaaS	01/01/2023	12/31/2023	12	\$0.00	1.00	\$0.00
Enhanced Reporting Database (with SaaS quote)	01/01/2023	12/31/2023	12	\$33,891.94	1.00	\$33,891.94
Total						\$267,629.43

Services Year 4	Start Date	End Date	Term (months)	Unit Price	Quantity	Total Price
Multi User	01/01/2024	12/31/2024	12.00	\$2,407.50	100.00	\$240,749.61
Enhanced Reporting Database (with SaaS quote)	01/01/2024	12/31/2024	12.00	\$34,908.69	1.00	\$34,908.69
Total						\$275,658.30

Services Year 5	Start Date	End Date	Term (months)	Unit Price	Quantity	Total Price
Multi User	01/01/2025	12/31/2025	12.00	\$2,479.72	100.00	\$247,972.10
Enhanced Reporting Database (with SaaS quote)	01/01/2025	12/31/2025	12.00	\$35,955.95	1.00	\$35,955.95
Total						\$283,928.05

## Annual Pricing Summary

Fees	Total Price
Year 1	\$252,266.40
Year 2	\$259,834.39
Year 3	\$267,629.43
Year 4	\$275,658.30
Year 5	\$283,928.05
Total	\$1,339,316.57

The Enhanced Reporting Database (ERD) terms can be found at [www.accela.com/terms/](http://www.accela.com/terms/).



## ACCELA SOFTWARE LICENSE AGREEMENT

This Accela Software License Agreement (the "Agreement") is entered into as of the date of the applicable Order, as defined below, that incorporates these terms (the "Effective Date") by and between Accela, Inc. and the entity identified in such Order ("Customer").

### 1. DEFINITIONS

1.1 "Authorized User" means one named employee (identified by a unique email address), contractor or agent of Customer for whom Customer has purchased a license to the Software and who is authorized by Customer to access and use the Software under the rights granted to Customer pursuant to this Agreement.

1.2 "Consulting Services" means packaged or time and materials consulting, review, training or other services (but excluding Software and Support Services) delivered by Accela to Customer pursuant an Order, a current description of the Consulting Services Policy is available at [www.accela.com/terms](http://www.accela.com/terms).

1.3 "Customer Data" means the content, materials, and data that Customer, Authorized Users, and External Users enter in conjunction of their use of the Software. Customer Data does not include any component of the Software or material provided by or on behalf of Accela.

1.4 "Documentation" means the then-current technical and functional user documentation made generally available by Accela for Software.

1.5 "External Users" means third party users of the Software that access the public facing interfaces of the Software to submit queries and requests to facilitate communications between such third party and Customer.

1.6 "Intellectual Property Rights" means patent rights (including, without limitation, patent applications and disclosures), copyrights, trade secrets, know-how, and any other intellectual property rights recognized in any country or jurisdiction in the world.

1.7 "License Period" means the duration of Customer's authorized use of the Software as designated in the Order, unless terminated earlier as set forth in this Agreement.

1.8 "Order" or "Order Form" means an Accela order form or other mutually acceptable document fully executed between Customer and Accela that incorporates this Agreement.

1.9 "Software" means any licensed software and Documentation that Accela uses or makes generally available as pursuant to an Order.

1.10 "Support Services" means those technical and help services provided by Accela in accordance with the respective Software Support Services Policy located at [www.accela.com/terms](http://www.accela.com/terms).

1.11 "Support Period" means the period or Duration for which Customer has purchased Support Services, as set forth in the applicable Order Form.

1.12 "Third Party Software" means any software supplied to Accela by any party other than Accela included in the Software and may be available without charge for use, modification or distribution.

### 2. SOFTWARE LICENSE AND PROPRIETARY RIGHTS

2.1 License Grant. Subject to Customer's compliance with the terms and conditions of this Agreement, Accela grants to Customer a limited, nonexclusive, nontransferable, non-sublicensable, revocable right and license to use the Software for internal business purposes only during the License Period and for the quantity of units as designated in the Order Form, to permit: (i) Authorized Users to access and use the internal and administrative interfaces of the Software in accordance with the Documentation to support Customer's internal business purposes and (ii) its External Users the ability to access and use the publicly available interfaces to submit requests and information to Customer.

2.2 Support Services. During the Support Period, Accela shall provide to Customer the Support Services specified in the Order and shall make all commercially reasonable efforts to attain the service levels as specified in the Support Services. Customer grants Accela a royalty-free, worldwide, transferable, sub-licensable, irrevocable, perpetual license to use or incorporate into its software or services any suggestions or other feedback provided by Customer or Authorized Users.

2.3 Consulting Services. Customer may purchase Consulting Services from Accela by executing an Order for such services. All prices are exclusive of travel and expenses, which will be invoiced at actual cost, without markup, and will comply with the Consulting Services Policy or as otherwise agreed in the applicable Order. If applicable, one Consulting Services day shall be equal to eight (8) hours.

2.4 Restrictions on Use. Except as otherwise expressly provided in this Agreement, Customer shall not and shall not permit others to; (i) use or access the Software and Documentation in any manner except as expressly permitted by the Agreement, including but not limited to, in a manner that circumvents contractual usage restrictions set forth in this

Agreement; (ii) license, sub-license, sell re-sell, rent, lease, transfer, distribute or time share or otherwise make any portion of the Software available for access by third parties except as otherwise expressly provided herein; (iii) use the Software in a way that; (a) violates or infringes upon the rights of a third party; or (b) store or transmit of libelous, tortious, or otherwise unlawful material or malicious code or viruses; (iv) create derivative works, reverse engineer, decompile, disassemble, copy, or otherwise attempt to derive source code or other trade secrets from or about any of the Software (except to and only to the extent such rights are proscribed by law); (v) interfere with or disrupt the security, integrity, operation, or performance of the Software; (vi) access, use or provide access or use to the Software or Documentation for the purposes of competitive analysis, the development, provision, or use of a competing software, SaaS or product or any other purpose that is to Accela's detriment or commercial disadvantage, (vii) provide access to the Software to competitors of Accela, (viii) access or use components of the Software not licensed by Customer; (ix) use or allow the use of, the Software by anyone located in, under the control of, or that is a national or resident of a U.S. embargoed country or territory or by a prohibited end user under Export Control Laws (as defined in Section 12.3); (x) remove, delete, alter, or obscure any trademarks, Documentation, warranties, or disclaimers, or any copyright, trademark, patent, or other intellectual property or proprietary rights notices from any Software; or (xi) access or use the Software in, or in association with, the design, construction, maintenance, or operation of any hazardous environments, systems, or applications, any safety response systems or other safety-critical applications, or any other use or application in which the use or failure of the Software could lead to personal injury or severe physical or property damage.

2.5 Ownership and Proprietary Rights. Accela retains all Intellectual Property Rights, including all rights, title and license to the Software, Support Services, and Consulting Services, any related work product of the foregoing and all derivative works thereof by whomever produced. Except for the limited rights and licenses expressly granted under this Agreement, nothing in this Agreement grants, by implication, waiver, estoppel, or otherwise, to Customer or any third party any intellectual property rights or other right, title, or interest in or to the Software, Support Services or Consulting Services.

2.6 Customer's Responsibilities. Customer will be solely responsible for (i) minimum systems requirements as set forth in the Documentation, (ii) for meeting, at a minimum, all industry standard and legal security requirements to prevent unauthorized access to the Software and Customer Data; (iii) Authorized Users' compliance with this Agreement and for any other activity (whether or not authorized by Customer); (iv) the accuracy, quality, integrity and legality of Customer Data and External Users use of the Software interface, and (v) use of the Software, Support Services and Consulting Services only in accordance with the applicable Documentation, laws and government regulations.

### **3. PAYMENT TERMS**

3.1 Purchases Directly from Accela. Customer will be invoiced for those amounts and at prices set forth in an Order (an "Invoice"). All invoices are due and payable net 30 from the date of the applicable invoice. All amounts payable to Accela under this Agreement shall be paid by Customer in full without any setoff, deduction, debit, or withholding for any reason. Any late payments shall be subject to an additional charge of the lesser of 1.5% per month or the maximum permitted by law. All fees are exclusive of any taxes, levies, duties, withholding or similar governmental assessments of any nature (collectively, "Taxes"). If any such Taxes are owed or payable for such transactions, they shall be paid separately by Customer without set-off to the fees due Accela.

3.2 Purchases from Authorized Resellers. Where Customer has purchased any products or services through a reseller, subject to these terms, any separate payment arrangements and terms shall be exclusively through such reseller and Accela is not a party to such transactions. Accela's sole obligations are set forth herein and Customer acknowledges that its rights hereunder may be terminated for non-payment to such third party.

4. **CONFIDENTIALITY.** As used herein, "**Confidential Information**" means all confidential information disclosed by a one party to this Agreement to the other party of this Agreement whether orally or in writing, that is designated as confidential or that reasonably should be understood to be confidential given the nature of the information and the circumstances of disclosure. However, Confidential Information will not include any information that (i) is or becomes generally known to the public without breach of any obligation owed to the disclosing party, (ii) was known to the receiving party prior to its disclosure without breach of any obligation owed to the disclosing party, (iii) is received without restriction from a third party without breach of any obligation owed to the disclosing party, or (iv) was independently developed by the receiving party. Each party will use the same degree of care that it uses to protect the confidentiality of its own confidential information of like kind (but in no event less than reasonable care) not to disclose or use any Confidential Information except as permitted herein and will limit access to Confidential Information to those of its employees, contractors and agents who need such access for purposes consistent with this Agreement and who are bound to protect such Confidential Information consistent with this Agreement. The receiving party may disclose Confidential Information if it is compelled by law to do so, provided the receiving party gives the disclosing party prior notice of such compelled disclosure (to the extent

legally permitted) and reasonable assistance, at the disclosing party's request and cost, to contest, limit, or protect the disclosure.

## **5. WARRANTIES AND DISCLAIMERS.**

5.1 Accela Software Warranty. Accela warrants that during the first (90) days following the delivery of the Software, the Software shall materially perform in accordance with the applicable Documentation. Customer's sole and exclusive remedy and Accela's entire liability for any breach of the foregoing warranty, Accela will use commercially reasonable efforts to (a) repair the Software in question; (b) replace the Software in question with that of substantially similar functionality; or, after making all commercially reasonable attempts to do the foregoing (c) terminate the applicable Software license and refund the fees paid for such Software subject to Customer's ceasing all use of and, if requested by Accela, returning to Accela all copies of the Software. If Accela repairs or replaces the Software, the warranty will continue to run from the original delivery date and not from Customer's receipt of the repair or replacement. The remedies set forth in this Section 5.1 are Customer's sole remedies and Accela's sole liability under the limited warranty set forth in this Section 5. The foregoing does not apply and become null and void if Customer breaches any material provision of this Agreement, or if Customer, any Authorized User, or any other person provided access to the Software by Customer or any Authorized User, whether or not in violation of this Agreement: (i) installs or uses the Software on or in connection with any hardware or software not specified in the Documentation; (ii) modifies or damages the Software; or (iii) misuses the Software, including any use of the Software other than as specified in the Documentation or expressly authorized by Accela in writing.

5.2 Consulting Services. For ninety (90) days from the applicable delivery, Accela warrants that Consulting Services shall be performed in a professional and workmanlike manner. As Customer's sole and exclusive remedy and Accela's entire liability for any breach of the foregoing warranty, Accela will use commercially reasonable efforts to (a) re-perform the Consulting Services in a compliant manner; or, after making all commercially reasonable attempts to do the foregoing (b) refund the fees paid for the non-compliant Consulting Services.

5.3 Disclaimers. EXCEPT AS EXPRESSLY PROVIDED HEREIN, ACCELA MAKES NO WARRANTY OF ANY KIND, WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, AND SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY, SECURITY, FITNESS FOR A PARTICULAR PURPOSE OR NON- INFRINGEMENT, TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW.

5.4 Cannabis-Related Activities. If Customers purchases any Software for use with any cannabis related activities, the following additional disclaimers shall apply: Accela is considered a software service provider to its customers and not a cannabis-related business or agent thereof. In addition to the foregoing, Accela only retains Software fees of this Agreement from its Customer for general software services, a state or local government agency, and does not retain these fees from any type of External Users. It is the sole responsibility of the Customer to offer state law compliant services, which may be coordinated and facilitated through the use of the Software. Accela makes no representations, promises, or warranties with respect to the legality, suitability, or otherwise regarding any third-party provider, including partners, and have no responsibility or liability with respect to services provided to Customer by such third parties.

**6. INDEMNIFICATION.** Accela will defend (or at Accela's option, settle) any third-party claim, suit or action brought against Customer to the extent that it is based upon a claim that the Software, , as furnished by Accela hereunder, infringes or misappropriates the Intellectual Property Rights of any third-party, and will pay any costs, damages and reasonable attorneys' fees attributable to such claim that are finally awarded against Customer, provided that Customer provides (a) Accela notice of such claim as soon practical and in no event later than would reasonably permit Accela to respond to such claim, (b) reasonable cooperation to Customer, at Accela's expense, in the defense and/or settlement of such claim and (c) the sole and exclusive control of the defense, litigation and settlement of such claim. In the event that Accela reasonably believes, in its sole discretion, that such claim may prevail or that the usage of the Accela Software and Support Services may be joined, Accela may seek to (a) modify the Accela Software and Services such that it will be non-infringing (provided such modification does not materially reduce the functionality or performance of Customer's installed instance), (b) replace the applicable Software and Services so that it is non-fringing that provides substantially similar functionality and performance, or, if the first two options are not commercially practicable, (c) terminate the remainder of the License Period for the Software, and refund any pre-paid, unused fees. Accela will have no liability under this Section 6 to the extent for any claims arising from (i) any combination of the Accela Software and Services with products, services, methods of a third party; (ii) a modification of the Accela Software and Services that were either implemented by anyone other than Accela or implemented by Accela in accordance with Customer specifications (iii) any use of the Accela Software and Services in a manner that violates this Agreement or the instructions given to Customer by Accela; (iv) a version of the

Accela Software and Services other than the current, fully patched version, provided such updated version would have avoided the infringement; (v) Customer's breach of this Agreement. THIS SECTION 6 STATES THE ENTIRE OBLIGATION OF ACCELA AND ITS LICENSORS WITH RESPECT TO ANY ALLEGED OR ACTUAL INFRINGEMENT OR MISAPPROPRIATION OF INTELLECTUAL PROPERTY RIGHTS RELATED TO THIS AGREEMENT.

**7. LIMITATION OF LIABILITY** EXCEPT AS PROHIBITED BY LAW, ANY LIABILITY ARISING OUT OF EITHER PARTY'S LIABILITY FOR DEATH OR PERSONAL INJURY OR CUSTOMER'S BREACH OF SECTION 2, NEITHER PARTY'S AGGREGATE LIABILITY FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR FROM THE USE OF OR INABILITY TO USE THE SERVICE, WHETHER IN CONTRACT, TORT OR UNDER ANY OTHER THEORY OF LIABILITY, SHALL EXCEED THE TOTAL AMOUNT PAID BY CUSTOMER HEREUNDER IN THE TWELVE (12) MONTH PERIOD IMMEDIATELY PRECEDING THE INCIDENT. EXCEPT AS PROHIBITED BY LAW, ANY LIABILITY ARISING OUT OF CUSTOMER'S BREACH OF SECTION 2 OR EITHER PARTY'S LIABILITY FOR DEATH OR PERSONAL INJURY, IN NO EVENT SHALL EITHER PARTY OR ANY OTHER PERSON OR ENTITY INVOLVED IN CREATING, PRODUCING, OR DELIVERING THE SERVICE BE LIABLE FOR ANY INCIDENTAL, SPECIAL, EXEMPLARY OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, LOSS OF DATA OR LOSS OF GOODWILL, SERVICE INTERRUPTION, COMPUTER DAMAGE OR SYSTEM FAILURE OR THE COST OF SUBSTITUTE PRODUCTS OR SERVICES, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR FROM THE USE OF OR INABILITY TO USE THE SOFTWARE OR SERVICES, WHETHER BASED ON WARRANTY, CONTRACT, TORT (INCLUDING NEGLIGENCE), PRODUCT LIABILITY OR ANY OTHER LEGAL THEORY. THE FOREGOING EXCLUSIONS APPLY WHETHER OR NOT A PARTY HAS BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGE, AND EVEN IF A LIMITED REMEDY SET FORTH HEREIN IS FOUND TO HAVE FAILED OF ITS ESSENTIAL PURPOSE.

#### **8. THIRD PARTY SERVICES.**

8.1. Third Party Services. Customer may choose to obtain a product or service from a third-party that is not directly provided by Accela as a component of the Software ("**Third Party Services**") and this may include third-party products resold by Accela. Accela assumes no responsibility for, and specifically disclaims any liability, warranty or obligation with respect to, any Third-Party Service or the performance of the Software (including Accela's service level commitment) when the Software is used in combination with or integrated with Third-Party Services.

8.2. Embedded Third Party Software. Third Party Software may be embedded in the Accela proprietary Software that is branded as Accela and sublicensed directly to Customer under this Agreement. Other Third-Party Software is provided to Customer subject to Third Party Software license, which are available from Accela at Customer's request. Customer will have no recourse against Accela with respect to the Third-Party Software unless Accela is the stated licensor and then only to the extent expressly provided for in this Agreement. Customer is solely responsible to do whatever is necessary or required by the Third-Party licensor for the licenses and related terms to take effect (e.g. online registration).

#### **9. TERM AND TERMINATION.**

9.1. Agreement Term. The term of this Agreement begins on the Effective Date and will remain in effect until all Licenses (and Maintenance and Support Terms, if applicable) expire or until this Agreement is otherwise terminated in accordance with the terms hereof, whichever occurs first (the "Term"). This Agreement may be renewed at any time by execution of an Order Form referencing this Agreement, and any such renewal will be deemed part of the "Term" hereunder.

9.2. Termination or Suspension for Cause. A party may terminate this Agreement for cause upon thirty (30) days' written notice to the other party of a material breach if such breach remains uncured at the expiration of such thirty (30) day period. Either party may terminate immediately if the other party files for bankruptcy or becomes insolvent. Should Customer terminate this Agreement for cause, Accela will refund a pro-rata portion of unused, pre-paid fees. Notwithstanding the above, Customer may terminate this Agreement for non-appropriation of funds at any annual anniversary date of the Effective Date (the "Renewal Date"). In the event of termination of this Agreement at the Renewal Date, Accela shall be paid Accela's fees up to the date of termination.

9.3. Effect of Termination. Upon expiration or termination of this Agreement for any reason, (i) all rights granted to Customer under this Agreement shall terminate, (ii) Customer will immediately stop use of the Software and destroy all copies of the Software within Customer's possession and control; and (iii) each receiving party will return or destroy, at the disclosing party's option, the disclosing party's Confidential Information in the receiving party's possession or control.

9.4. Surviving Provisions. Sections 1 (Definitions), 2.5 (Ownership and Proprietary Rights), 4 (Confidentiality), 5.3 (Disclaimer), 7 (Limitation of Liability), 9.3 (Effect of Termination), 9.4 (Surviving Provisions), and 10 (General Provisions) will survive any termination or expiration of this Agreement.

#### **10. GENERAL**

10.1. Notice. Except as otherwise specified in this Agreement, all notices, permissions and approvals hereunder will be in writing and will be deemed to have been given upon: (i) personal delivery, (ii) three days after sending registered, return

receipt requested, post or (iii) one day after sending by commercial overnight carrier. Notices will be sent to the address specified by the recipient in writing when entering into this Agreement.

10.2. Governing Law and Jurisdiction. This Agreement and any action related thereto will be governed by the laws of the State of Georgia without regard to its conflict of laws provisions. The exclusive jurisdiction and venue of any action related to the subject matter of this Agreement will be the state and federal courts located in Georgia and each of the parties hereto waives any objection to jurisdiction and venue in such courts.

10.3. Compliance with Laws. Each party will comply with all applicable laws and regulations with respect to its activities under this Agreement including, but not limited to, export laws and regulations of the United States and other applicable jurisdictions. Further, in connection with the services performed under this Agreement and Customer's use of the Software, the parties agree to comply with all applicable anti-corruption and anti-bribery laws, statutes, and regulations.

10.4. Assignment. Customer may not assign or transfer this Agreement, whether by operation of law or otherwise, without the prior written consent of Accela which shall not be unreasonably withheld. Any attempted assignment or transfer, without such consent, will be null and void. Subject to the foregoing, this Agreement will bind and inure to the benefit of the parties, their respective successors and permitted assigns.

10.5. Publicity. Notwithstanding anything to the contrary, each party will have the right to publicly announce the existence of the business relationship between parties without disclosing the specific terms of the Agreement.

10.6. Miscellaneous. No failure or delay by either party in exercising any right under this Agreement will constitute a waiver of that right. Other than as expressly stated herein, the remedies provided herein are in addition to, and not exclusive of, any other remedies of a party at law or in equity. If any provision of this Agreement is held by a court of competent jurisdiction to be contrary to law, the provision will be modified by the court and interpreted so as best to accomplish the objectives of the original provision to the fullest extent permitted by law, and the remaining provisions of this Agreement will remain in effect. Accela will not be liable for any delay or failure to perform under this Agreement to the extent such delay or failure results from circumstances or causes beyond the reasonable control of Accela. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary or similar relationship between the parties. This Agreement, including any attachments hereto as mutually agreed upon by the parties, constitute the entire agreement between the parties concerning its subject matter and supersedes all prior communications, agreements, proposals or representations, written or oral, concerning its subject matter. No modification, amendment, or waiver of any provision of this Agreement will be effective unless in writing and signed by a duly authorized representative of each party against whom the modification, amendment or waiver is to be asserted. Notwithstanding any language to the contrary therein, no additional or conflicting terms or conditions stated in any of Customer's purchase order documentation will be incorporated into or form any part of this Agreement, and all such terms or conditions shall be null and void.

In WITNESS WHERE OF, the parties have indicated their acceptance of the terms by their signatures below

**ACCELA, INC.**

DocuSigned by:  
Signature: Aaron Haggarty  
A04499D928344D8...  
Name: Aaron Haggarty  
Title: Chief Legal Officer  
Date: 12/18/2020

CUSTOMER: Hall County  
Signature: [Signature]  
Name: Richard Higgins  
Title: Chairman  
Date: December 10, 2020



Accela Inc.  
2633 Camino Ramon, Suite 500  
San Ramon CA 94583

Invoice # INV-ACC59059  
Invoice Date 1/14/2024  
Invoice Due Date 2/13/2024  
Invoice Currency USD  
Term Start Date 1/14/2021  
Term End Date 1/13/2026  
Open Air #  
Page 1 of 1

**Bill To:**  
Hall County, GA  
2875 Browns Bridge Road  
P.O. Drawer 1435  
Gainesville GA 30503

**Ship To:**  
Hall County, GA  
2875 Browns Bridge Road  
P.O. Drawer 1435  
Gainesville GA 30503

Q-21075; Term: 1/14/2024 - 1/13/2025			
Purchase Order No.	Customer ID	Sales Order	Payment Terms
	1411 Hall, GA - County of	SO-ACC18010	Net 30
Item Number	Description	Quantity	Ext. Price
SS00	Multi User	100	\$240,749.61
SS21	> Accela Building - SaaS	100	\$0.00
SS23	> Accela Planning - SaaS	100	\$0.00
SS26	> Accela Business Licensing - SaaS	100	\$0.00
SS29	> Accela Service Request Management - SaaS	100	\$0.00
AS00	Enhanced Reporting Database (with SaaS quote)	1	\$34,908.69

<b>Subtotal</b>	\$275,658.30
<b>Trade Discount</b>	
<b>Tax</b>	\$0.00
<b>Total Invoice Amount USD</b>	\$275,658.30
<b>Balance Due USD</b>	\$275,658.30

Card Payment Link: [Please Click here](#)  
Please note that a 3% credit card transaction fee will be added to your total.

**Please direct inquiries to:**  
Accounts Receivable Dept. at (925) 659-3275  
Send an email to: [accountsreceivable@accela.com](mailto:accountsreceivable@accela.com)

**Remit To:**  
Accela Inc.  
P.O. Box 208298  
Dallas, TX 75320-8298

**Wiring Instructions**  
Wells Fargo Bank  
For credit to: Accela Inc.  
Account: 412-1765507  
ABA: 121000248

Accela TAX ID: 94-276-7678





## AGENDA ITEM

### Consent

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 661/2023

**SUBJECT:** Approve the request from Chattahoochee River Keeper for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,500.00) for approximately 25 tons of trash to be collected during the Sweep the Hooch event scheduled for March 23, 2024.

**Meetings:**

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

**Executive Summary:**

**Presenter:** BN  
**Recommendation:** Approval.

**Purpose of Request:**  
 Approve the request from Chattahoochee River Keeper for a waiver of Hall County Landfill tipping fees (the estimated tipping fees are \$1,500.00) for approximately 25 tons of trash to be collected during the Sweep the Hooch event scheduled for March 23, 2024.

**History:**  
 Hall County has previously supported various clean-up events associated with Lake Lanier and the Chattahoochee Riverkeeper.

**Facts and Issues:**

**Options:**

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

**Approvals:**

Submit	Approve	Budget	Finance
WS	BN	EW	WG

<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
WLI	CR	JR

---

**Attachments:**

2024 Landfill Tipping Fees Request





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

**AGENDA ITEM 661/2023**

**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:** BN

**Phone:** (770) 531-6800



# CHATAHOOCHEE RIVERKEEPER®

Headwaters Office

104 Washington St. SE, Gainesville, GA 30501

678-696-8866

[www.chattahoochee.org](http://www.chattahoochee.org)

November 7, 2023

Dear Srikanth Yamala and Hall County Board of Commissioners,

Chattahoochee Riverkeeper (CRK) is a 501(c)3, non-profit organization dedicated to the protection and conservation of the Chattahoochee River – including its lakes, tributaries, and watershed.

We are pleased to host numerous land-based and water-based cleanups throughout the year within the Hall County community. These cleanups bring together hundreds of volunteers each year at numerous access points along the Chattahoochee River and Lake Lanier to clean our waterways.

**With an increase in population growth and the recent heavy rains that we anticipate continuing, we have had countless reports of trash issues in and around Lake Lanier.** We aim to host a cleanup in Hall County every month throughout the year. We do co-host several cleanups with Keep Hall Beautiful and Lake Lanier Association, but we host most of our cleanups solely with our 500+ volunteers in this region.

Our 2024 calendar of events is being created, but we aim to host about 12 cleanups next year – ten of which will be in Hall County. Each cleanup typically collects 0.5-2 tons of trash. However, our annual Sweep the Hooch event (March 23, 2024) typically brings in 15-20 tons of trash within the Lake Lanier watershed! Trash collected may also include large plastic dock floats that have not been appropriately disposed of in addition to other smaller items, such as plastic bottles, unencapsulated Styrofoam, aluminum cans, etc.

**We are seeking your support to help cover the tipping fees for up to 25 tons of trash at the Hall County Landfill and for Hall County to provide dumpsters necessary for our annual Sweep the Hooch event to help properly dispose of encapsulated dock floats in 2024.**

Thank you for your consideration in supporting our efforts! If you would like to learn more about our upcoming events, please visit our website at <https://chattahoochee.org/events/>. Feel free to contact me directly if you have any additional questions.

Sincerely,

Mallory Pendleton  
Headwaters Outreach Manager  
Chattahoochee Riverkeeper  
205-434-0252 (cell)

[mpendleton@chattahoochee.org](mailto:mpendleton@chattahoochee.org)

CHATAHOOCHEE RIVERKEEPER TAX ID #: 58-2095413



## AGENDA ITEM

### Consent

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 11/2024

**SUBJECT:** Approve the award of IFB #024-44 Candler Road Landfill Cell Three (3) Construction for Public Works & Utilities to Morgan Corp. of Duncan, SC, in the amount of \$13,676,000.00.

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** BN

**Recommendation:**  
Approve.

#### Purpose of Request:

Approve the award of IFB #024-44 Candler Road Landfill Cell Three (3) Construction for Public Works & Utilities to Morgan Corp. of Duncan, SC, in the amount of \$13,676,000.00.

#### History:

Candler Road Landfill is in the second and final phase of its planned operations life. Phase two (2) is made up of five (5) cells. Currently, Cell two (2) is in operation, but is nearing its completion. Cell three (3) is the next area for the landfill operations to continue.

The Hall County Candler Road Landfill began collecting waste in 1997.

A Solid Waste Master plan was performed in 2022 to analyze and make recommendations for the entire solid waste operation.

#### Facts and Issues:

#### Options:

Cell Three (3) construction is the site work and infrastructure that will generate approx. 550,000 Cubic Yards of of usable air space for landfill materials and yield an estimated 5-6 years of life before cell four (4) is needed.

Due to the orientation of this cell construction and how it abuts both future cells (4 and 5); there would be work that will reduce the scope and costs for those future cells at that time.

Department recommendation for award is based upon the competitively bid IFB #024-44 where Morgan Corp. was the lowest responsive and responsible bidder. In total, five (5) bids were received which includes two (2) no-bids from prospective contractors.

<b>Funding Requested</b>	\$ 13,676,000.00
<b>Are funds within current budget?</b>	Yes
<b>Source of Funds</b>	SPLOST VIII - Tier II / Landfill Fund
<b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b>	Yes
<b>Has it been reviewed by the County Attorney?</b>	Yes
<b>Is there a deadline for this item?</b>	2024-02-08

**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Purchasing</b>	<b>Budget</b>
BN	BN	AP	TS
<b>Finance</b>	<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>
WG	WLI	CR	JR

**Attachments:**

- Financial Supplement
- Contract
- Cell 3 Grading & Utility Plan
- Candler Landfill Overall Map
- Bid Tabulation Summary



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

**AGENDA ITEM 11/2024**

**Funds Requested:** \$ 13,676,000.00

**Request Budgeted:** Yes

**Proposed Source of Funding:**

**Budget Transfer Requested:**

SPLOST VIII - Tier II / Landfill Fund

No

**Funding Source Items:**

<b>Fiscal Year</b>	<b>Fund</b>	<b>Division</b>	<b>Account</b>	<b>Amount</b>
2024	324-SPLOST VIII	4530-LANDFILL	541400- INFRASTRUCTURE	\$2,250,000.00
2025	324-SPLOST VIII	4530-LANDFILL	541400- INFRASTRUCTURE	\$2,250,000.00
2025	540-SOLID WASTE FUND	4530-LANDFILL	541400- INFRASTRUCTURE	\$9,176,000.00

**Budget Transfer Items:**

**Additional Information/Comments:**

Nathan "Nate" Smith Solid Waste Superintendent Hall County Community Development and Infrastructure  
770-531-6851

**Contact for Questions:** BN

**Phone:** 770 531-6800



# Hall County Government

FINANCIAL SERVICES

## CONTRACT EXECUTION SIGNATURE REQUEST

Date: 1/8/2024

To: Richard Higgins, Chairman, Board of Commissioners

From: Andy Penick, Purchasing Manager

Your signature is requested to execute the attached Hall County Candler Road Landfill Cell 3 Construction Contract

Bid/Contract No: IFB #024-44

Contract Name: Hall County Candler Road Landfill Cell 3 Construction

Department(s) Requesting Contract: Public Works

Award Recipient Name: Morgan Corp.

Date of Next BOC Vote: 1/25/2024

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Price Increase Requested         | Percentage Increase: n/a          |
| <input type="checkbox"/> Demand Service Contract          | Previous Spend: n/a               |
| <input type="checkbox"/> Commodity Contract               | Requested Amount: \$13,676,000.00 |
| <input checked="" type="checkbox"/> Construction Contract |                                   |

Comments:

Department recommendation for award is based upon the competitively bid IFB #024-44 where Morgan Corp. was the lowest responsive and responsible bidder.

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

## PRICE INCREASE DETAILS

Bid/Contract No: N/a

Bid/Contract Name: N/a





Hall County Government  
FINANCIAL SERVICES

EXHIBIT B – CONTRACT FOR SERVICES

STATE OF GEORGIA  
COUNTY OF HALL

CONTRACT # 024-44

For the provision of

Hall County Candler Road Landfill  
Cell 3 Construction

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

**ARTICLE #101 - INTRODUCTION**

This Contract for Hall County Candler Road Landfill Cell 3 Construction (hereinafter "Services") as entered into on \_\_\_\_\_, and with an Effective Date of \_\_\_\_\_, is by and between; Hall County, Georgia, Board of Commissioners, (hereinafter "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Morgan Corp. (Hereinafter "Contractor"), located at 1800 E. Main Street, Duncan, SC 29334. Contractor is an entity that is legally registered and qualified, and holding any such licenses and certifications as may be required to render Services to do business in the State of Georgia. County and Contractor are known individually as a "Party" and collectively as the "Parties".

**Whereas**, the Parties do mutually desire to enter into this Contract to document the provision of Services or other good and valuable consideration by the Contractor to the County in exchange for payment as compensation, and

**Whereas**, this contract will become legally binding and executed upon signature by both parties, and

**Whereas**, this Contract is the result of the competitively Bid IFB #024-44, the Contractor's bid response, acceptance of the Scope of Work, its Exhibits, Attachments, and references are all incorporated herein by reference, and

**NOW, THEREFORE** and in consideration of the terms, conditions, mutual promises, covenants and agreements made as expressed and contained herein, or attached and incorporated and made a part hereof, and other good and valuable consideration, expressed by a valid offer and acceptance, the receipt and sufficiency of which the parties hereby acknowledge, the Parties hereto agree as follows:



**ARTICLE #102 – CONTRACT**

- A. Contractor agrees to provide the Services to the County as detailed herein as the **Scope of Work**, and for locations and services as described in the solicitation document and the Bidder’s response.
- B. County hereby agrees as good and valuable compensation as provided in the attached bidder’s response entitled **Exhibit C – Mandatory Cost Proposal Worksheet**, as incorporated herein by reference, (including Performance & Payment Bonds and all permits if required) shown below:

Contractor is to invoice the County after substantial completion of project in arrears. County will pay Contractor progress payments as further described herein;

- C. **Price Escalation Clause**. Not applicable. Contractor may request up to, but no more than, a three-percent (3%) price escalation adjustment to this contract at each time of contract renewal.

**ARTICLE #103 - NOTICES:**

To the extent that either party to this Contract are required to provide notice(s) to the other party in compliance herewith, then the party shall direct notice(s) to the following persons:

**COUNTY PROJECT MANAGER**

Bill Nash, P.E.  
Director of Public Works and Utilities  
Community Development and Infrastructure  
2875 Browns Bridge Rd  
Gainesville, GA 30504  
bnash@hallcounty.org  
Ph: (770) 531-6800

**COUNTY ISSUING OFFICER**

Andy Penick  
Purchasing Manager  
Hall County Purchasing Division  
2875 Browns Bridge Rd  
Gainesville, GA 30504  
apenick@hallcounty.org  
Ph: (770) 531-4939

**CONTRACTOR’S CONTACT INFO**

Name Bill Heape  
Title Vice President of Spartanburg Division  
Company Name Morgan Corp.  
Address 1 1800 E. Main Street, Duncan, SC 29334  
Address 2  
Email bheape@morgan-corp.com  
Phone (864) 433-8800

**REMIT-TO ADDRESS (if different).**

**ARTICLE #104 – NON-EXCLUSIVE RIGHTS:**

The Contract is not exclusive. The County reserves the right to select other Contractors to provide the Services similar to those described in this Contract, during the term of the Contract should the need arise or the contractor fail to perform.

**ARTICLE #105 – CONTRACT TERM:**

For construction projects, until substantial and final completion of services according to the time-schedule and after all sub-contractor(s) and material suppliers liens are satisfied.

**ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:**

This Contract can only be modified, amended, or added to in writing and fully executed by both parties hereto. This Contract document constitutes the sole and entire Contract and understanding between the parties as to the subject matter hereof, and no verbal promises have been made by either party in relation hereto.

**ARTICLE # 107 – REMEDIES AND CONTRACT PERFORMANCE:**

In the event that either party to this Contract breaches this Contract, including by failure to meet the timetables set forth herein, the non-breaching party shall provide written notice to the breaching party which describes the breach of this Contract. The party whose breach is alleged shall have thirty (30) days from the date of receipt of the written notice to cure the breach or to otherwise negotiate a resolution of the breach.

If the breach has not been cured and the parties hereto have not resolved the issue described in the notice letter by thirty (30) days after receipt of the notice letter, the party authoring the letter shall be entitled to seek any and all remedies allowed by Georgia law, including damages, equitable relief, declaratory relief, specific performance, and/or seeking relief as to any bonds issued hereon. Additional provisions are;

**A. Delay or Impossibility of Performance.** Any failure or delay must be beyond the control of and without the fault or negligence of the Contractor. If the Services to be provided to the County are interrupted by a Force Majeure Event, as defined below, the County will be entitled to an equitable adjustment to the fees and other payments due to the Contractor under this Contract. If delay results from a subcontractor's negligent conduct or failure to perform, the Contractor shall not be excused from compliance with the terms and obligations of the Contract. Epidemics and pandemics are not considered Force Majeure events by the County.

Neither party shall be held liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, acts of war, civil unrest, insurrections, riots, strikes, lockouts or other labor disturbances, or acts of God; provided, however, that the party so affected shall use reasonable commercial efforts to avoid or remove such causes of nonperformance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of Force Majeure.

**Definition:** The term 'force majeure' as defined in Black's Law Dictionary, is 'an event or effect that can be neither anticipated nor controlled. It is a contractual provision allocating the risk of loss if performance becomes impossible or impracticable, especially as a result of an event that the parties could not have anticipated or controlled.'

- B. Obligations beyond Contract Term.** The Contract shall remain in full force and effect to the end of the specified term or until terminated or canceled pursuant to the Contract.
- C. Transition Cooperation with the County and Cooperation with other Contractors.** Contractor agrees that upon termination of this Contract for any reason, it shall provide sufficient efforts and reasonable cooperation and assistance to the County to ensure an orderly and efficient transition to the County or an alternative Contractor. Further, in the event that the County has entered into or enters into contracts with other Contractors related to the Services, Contractor agrees to cooperate fully with such other Contractors. Contractor shall not engage in any act that will interfere with the performance of work by any other Contractor(s).

**ARTICLE # 108 - TERMINATION:**

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should either party terminate this Contract prior to the date of automatic termination, Contractor shall provide the County with all deliverables up to the date of termination thirty (30) days after the Notice to Terminate is issued. The County shall pay the Contractor for all work properly performed in compliance with the terms of the Contract up to the date of termination.

- A. Termination for Convenience.** Following sixty (60) days written notice, either party may terminate the Contract in whole or in part for any reason without the payment of any penalty or incurring any further obligation to the Contractor.

- B. Termination for Cause.** The occurrence of any one or more of the following events shall constitute cause for the County to declare the Contractor in default of its obligations under the Contract:
1. The Contractor fails to deliver or has delivered nonconforming Services or fails to perform, to the County's satisfaction, any material requirement of the Contract or is in violation of a material provision of the Contract, including, but without limitation, the express warranties made by the Contractor.
  2. The County determines that contractor's satisfactory performance of the Contract substantially endangered or that default is likely to occur.
  3. The Contractor fails to make substantial and timely progress toward performance of the Contract.
  4. The Contractor becomes subject to any bankruptcy or insolvency proceeding under federal or state law to the extent allowed by applicable federal or state law including bankruptcy laws; the Contractor terminates or suspends its business; or the County reasonably believes that the Contractor has become insolvent or unable to pay its obligations as they accrue consistent with applicable federal or state law.
  5. The Contractor has failed to comply with applicable federal, state and local laws, rules, County ordinances, regulations and orders when performing within the scope of the Contract.
  6. The Contractor has engaged in conduct that has or may expose the County or the State to liability, as determined in the County's sole discretion; or a material breach of the terms of the Contract by County upon County's failure to cure such material breach after written notice thereof has been delivered in accordance with ARTICLE #108.C. below constitutes cause for the Contractor to declare that the County is in default of its obligations under the Contract.
- C. Notice of Default.** If either party causes one or more of the default events set out in ARTICLE #108, then either party shall issue a written Notice-of-Default to the party that causes one or more of the default events, requesting that the breach or noncompliance be remedied within the period of time specified in the party's Notice-of-Default to the Contractor. If the breach or noncompliance is not remedied within the period specified in the written notice, the non-breaching party may:
1. Immediately terminate the Contract for default without additional written notice.
  2. In the event of a breach by the Contractor, the County may procure substitute Services from another source and charge the difference

between the Contract and the substitute Contract to the defaulting Contractor; and/or,

3. Enforce the terms and conditions of the Contract and seek any legal or equitable remedies.

**D. Termination Due to Non-Availability of Funds.**

This Contract will terminate immediately and absolutely if the County determines that adequate funds are de-appropriated such that the County cannot fulfill its obligations under the Contract, such determination being at the County's sole discretion and conclusive. County agrees to provide prompt written notice to Contractor in the event of any de-appropriation.

**E. Termination due to Failure of Contractor to Act.**

The County may terminate the Contract for any one or more of the following reasons effective immediately without advance notice:

1. In the event that the Contractor must be certified or licensed as a condition precedent to providing the Services, the revocation or loss of such license or certification may result in immediate termination of the Contract effective as of the date on which the license or certification is no longer in effect.
2. The County determines that the actions, or failure to act, of the Contractor, its agents, employees or sub-Contractors have caused, or reasonably could cause, life, health or safety to be jeopardized.
3. The Contractor furnished any statement, representation, or certification in connection with the Contract or the bidding process, which is materially false, deceptive, criminal activity, incorrect or incomplete.
4. Failure of the Contractor to obtain, provide, maintain, and deliver the Performance and Payment Bonds (if required) as and when required under this Contract, or failure to comply with any requirement pertaining to the appropriate amounts thereof as set forth in ARTICLE #123 - PERFORMANCE AND PAYMENT BOND REQUIREMENT.

- F. Payment Limitation in Event of Termination.** In the event of termination of the Contract for any reason by either party, the County shall pay only those amounts, if any, due and owing to the Contractor for Services actually received and accepted by the County up to and including the date of termination of the Contract and for which the County is obligated to pay pursuant to the Contract.

- G. The Contractor's Termination Duties.** Upon receipt of notice of termination, the Contractor shall:

1. Cease work under the Contract and take all necessary or appropriate steps to limit disbursements and minimize costs and furnish a report within thirty (30) days of the date of notice of termination, describing the

status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, and any other matters the County may require.

2. Immediately cease using and return to the County, any personal property or materials, whether tangible or intangible, provided by the County to the Contractor.
3. Comply with the County's instructions for the timely transfer of any active files and work product produced by the Contractor under the Contract.
4. Cooperate in good faith with the County, its employees, agents, and Contractors during the transition period between the notification of termination and the substitution of any replacement Contractor; and
5. Contractor is to immediately return any payments made by the County for goods and services that were not delivered by the Contractor.

H. **Liquidated Damages.** In the event that the Contractor unreasonably delays completion of the project, or who abandons the project before completion, the Contractor shall pay the County liquidated damages an amount equal to the percentage of work not completed.

**ARTICLE # 109 – NO DEFENSE OR INDEMNIFICATION BY COUNTY:**

The parties agree that the County shall not be responsible for defending or indemnifying any Contractor from any claim brought by any third party against the Contractor.

**ARTICLE #110 - ASSIGNMENT AND DELEGATION BY CONTRACTOR:**

The Contractor shall not assign or delegate this Contract, or any performance required by it, in whole or in part, without the prior express written consent of the County.

**ARTICLE #111 – USE OF THIRD PARTIES (SUB-CONTRACTORS):**

This Contract is for the benefit of the parties hereto only and is not intended to benefit any third-party or give rise to any duty or causes of action for any third party. All restrictions, obligations and responsibilities of the Contractor under the Contract shall also apply to third parties such as sub-Contractors, if allowed in writing by the County. Any Contract with a subcontractor must also preserve the rights of the County.

**ARTICLE #112 – SUPERSEDES FORMER CONTRACTS**

Unless otherwise specified in the Contract, this Contract supersedes all prior Contracts or Agreements between the County and the Contractor for the Services provided in connection with the Contract.

**ARTICLE #113 - SEVERABILITY:**

If any paragraph, sub-paragraph, sentence, clause, phrase, or portion of this Contract is declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this Contract as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Contract not so held to be invalid or the application of this Contract to other circumstances not so held to be invalid.

**ARTICLE # 114 - RECORDS:**

- A. **Public Records Request.** The Georgia Open Records Act, as provided in O.C.G.A. § 50-18-70 et seq, requires procurement records and all other records received by or prepared or maintained on behalf of the County, shall be made open to public inspection, unless otherwise provided by law.
- B. **Record Retention and Access.** The Contractor shall maintain books, records, and documents in accordance with generally accepted accounting principles and procedures and which sufficiently and properly document and calculate all charges billed to the County throughout the term of the Contract for a period of at least five (5) years following the date of final payment or completion of any required audit, whichever is later. Records to be maintained include both financial records and service records.

**ARTICLE # 115 - ADDITIONAL TERMS:**

- A. The County shall not be bound by any terms and conditions included in any Contractor's literature, packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document which attempts to impose any condition in variance with or in addition to the terms and conditions contained herein.
- B. The County shall not be bound to any Terms and Conditions of the Contractor that are only accessible by hyper-link. All Terms and Conditions must be in print and approved by the County.

**ARTICLE # 116 - WAIVER:**

The failure of any party hereto to seek a remedy for any alleged breach of this Contract shall not constitute a waiver of any claim, cause of action, or remedy allowed by Georgia law for breach thereof.

**ARTICLE # 117 - CONTRACTOR AND COUNTY RIGHTS AND OBLIGATIONS:**

- A. The County has the right at any time to require the Contractor to put an immediate stop to any procedure, or the use of any equipment (chemical, material, etc., if applicable) considered by the County to be hazardous (or toxic) to persons, buildings, or surfaces. The Contractor will utilize acceptable substitutes as quickly as possible. In the event of such replacement, Contractor shall notify County of any resulting replacement, (ii) introduce the individual serving as the replacement to County, and (iii) provide County with a résumé and any other information regarding the individual that may be reasonably requested by County.
  
- B. The County has the right to require the Contractor to reassign or remove any employee or subcontractor's employee from the premises temporarily or permanently when, in the County's sole opinion, the employee is not suitable. The County's decision on this matter shall be final, and Contractor will remove this employee immediately and replace with a person of at least equivalent training, experience and requisite qualifications as quickly as possible, subject to the County's prior approval.
  
- C. Contractor agrees to obtain prior written approval from the County for the use of sub-Contractors to provide the Services described in *SCOPE OF SERVICES* prior to subcontractor's performance of work.

**ARTICLE # 118- INSURANCE REQUIREMENTS:**

**Workers Compensation Insurance: Required for all contracts.**

- a. \$500,000 Bodily Injury by Accident    Each Accident
- b. \$500,000 Bodily Injury by Disease    Each Disease
- c. \$500,000 Bodily Injury by Disease    Each Employee

**Additional Provisions:** Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against Hall County Board of Commissioners (BOC), its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for Hall County BOC; but this provision applies regardless of whether or not Hall County BOC has received a waiver of subrogation from the insurer.

**General Liability Insurance: Required for all contracts.**

- a. \$2,000,000    General Aggregate
- b. \$2,000,000    Products & Completed Operations Aggregate
- c. \$1,000,000    Each Occurrence



- d. \$1,000,000 Personal & Advertising Injury
- e. \$500,000 Damages to Premises / Fire / Legal
- f. \$5,000 Medical Payments

**Commercial Auto Liability Insurance: Required for all contracts, except for Goods and/or Services that are remote in nature and/or are delivered by a professional delivery service.**

- a. \$1,000,000 Combined Single Limit OR
- b. \$500,000 per Person
- c. \$500,000 per Occurrence
- d. \$100,000 Property Damage
- e. \$1,000 for Medical Payments (no fault coverage)

**Additional Provisions:**

- a. Uninsured motorists coverage should be equal to the per occurrence limit except for contracts with other governmental entities
- b. Coverage shall be included for any owned, leased, hired, or non-owned autos
- c. For any contracts involving the transportation of hazardous materials, limited pollution endorsement ISO form CA9948 or its equivalent shall be on the policy

**Umbrella Liability Insurance: Required for all contracts**

- a. \$1,000,000 per Occurrence

**Additional Provisions:**

- a. Underlying coverage shall be General Liability, Automobile Liability, and Employers Liability (Workers Compensation)
- b. Minimum limit of \$5,000,000 per occurrence for all contracts over \$1,000,000 or involving any special risks or high hazard activities
- c. Minimum limit of \$5,000,000 for automobile coverage for any transportation contracts involving seniors, special education, transit services, students, or youths.
- d. Concurrent policy dates with primary liability policies except for workers compensation

**Cyber Insurance (If applicable): Required for all software, computer hardware installation, data access, data integrations, data usage, cloud storage, SaaS, and or technology related contracts.**

- a. \$1,000,000 Each Claim/Wrongful Act
- b. \$2,000,000 Annual Aggregate
- c. \$1,000,000 Business Interruption
- d. \$1,000,000 Data Recovery
- e. \$500,000 Cyber Extortion Expenses
- f. \$50,000 Cyber Extortion/Ransom Payments

**Additional Provisions: (If applicable): Coverage shall include at a minimum:**

- a. Information Security & Privacy Liability
- b. Regulatory Fines and Penalties
- c. Payment Card Industry (PCI) – If credit cards and/or banking information is obtained or accessed

d. Ransomware

**Professional Liability Insurance (Errors & Omissions):** Required for all professional service contracts. This shall include any consultants, medical, legal, technical, insurance agents, or other professions that require proper licenses.

- a. \$1,000,000 Each Claim/Wrongful Act
- b. \$2,000,000 General Aggregate

**Builders Risk:** (If Applicable) Recommended for most new construction projects

- a. With any construction project, Hall County should consider purchasing Builders Risk Coverage on a direct basis or have the contractor provide the coverage for projects under \$5,000,000 in value.
- b. For projects over \$5,000,000 in value, Hall County BOC should obtain Builders Risk Coverage on a direct basis to ensure coverage consistency and additional protections are made for Hall County BOC.

**ARTICLE # 119 – NO WAIVER:**

- A. **Authority to Enter into Contract.** The Contractor represents and warrants that it has full authority to enter into and perform its obligations under the Contract and that the Contract constitutes a legal, valid, and binding obligation upon the Contractor in accordance with its terms. The representatives of the parties hereto also represent and warrant that they are authorized to sign this Contract on behalf of each party hereto.”
- B. **Solicitation.** The Contractor warrants that no person or selling agency (except bona fide employees or selling agents maintained for the purpose of securing business) has been employed or retained to solicit and secure the Contract upon an agreement or understanding for commission, percentage, brokerage or contingency.
- C. **Vehicles and Equipment.** With the exception of any specified County Owned Equipment and Vehicles listed herein, Contractor warrants that no Contractor employees, sub-contractors or others will ~~not~~ use County owned vehicles or equipment in the performance of this Contract without express written consent. Contractor shall be responsible for providing all transportation necessary to deliver Services under the Contract.

**ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:**

Contractor agrees it will not use the name or any intellectual property, including but not limited to, County trademarks or logos in any manner, including commercial advertising or as a business reference, without the expressed prior written consent of the County.

**ARTICLE # 121 - COMPENSATION:**

- A. The County will pay the Contractor for the Services provided pursuant to this Contract and in accordance with the prices quoted and conditions set forth in the Bidder's response on Exhibit C – Mandatory Cost Proposal Worksheet, which is attached hereto and incorporated into this Contract as if fully set forth herein. Payments will be made monthly in arrears to the Contractor after acceptance of the Contractor's delivered Services by the County, and after receipt of undisputed invoice to the County.
- B. Prices quoted shall be firm and fixed throughout the term of this Contract, unless otherwise Amended or Modified by mutual agreement.
- C. Cost may be prorated for Services added or removed under this Contract to align cost with the remaining term of Contract.
- D. It is understood that this bid or proposal is made without collusion or fraud. Contractor understands and acknowledges that collusive bidding is a violation of state and federal law and may result in the cancellation of the Contract.

**ARTICLE # 122 - COUNTY PAYMENT TO CONTRACTOR:**

- A. The County will issue a Notice to Proceed (NTP) to the Contractor, and Purchase Order(s) (herein after 'PO'). The terms of this Contract shall be incorporated by reference into any and all PO(s) issued prior to the expiration or termination of this Contract. The County will issue the PO by electronic mail (e-mail) to the Contractor's representative in *ARTICLE #103 - NOTICES*. A PO is considered "issued" when the e-mail containing the PO is sent by the County to the Contractor.

The Contractor shall not deliver any Services, equipment, devices, or components thereof until authorized in writing by the County through issuance of a PO, which shall provide a commencement Notice to Proceed date. Any work, including but not limited to travel, preliminary meetings, planning, etc., performed outside of the terms and conditions of and before the issuance of the PO will not be considered for payment. Contractors are not to begin work or ship any product on any verbal communication from within the County. The County will not be liable for payment for any work or product with the issuance of a verbal communication.

The Scope of Services shall remain in effect from the Notice to Proceed to completion of the project. The Parties agree that the County will not pay or otherwise compensate the Contractor for any Services, materials, equipment, devices or components thereof outside of the Scope of Work and/or beyond the term of this Contract, unless specifically authorized in writing as evidenced by an

amendment (see *ARTICLE #106 - CONTRACT AMENDMENTS &, MODIFICATION*), a time extension letter, or as otherwise authorized by the County.

**B. Invoice/Payment.**

1. Contractor shall invoice the County via email each month solely to [accountspayable@hallcounty.org](mailto:accountspayable@hallcounty.org) and only after the County inspects and accepts the Services provided. Receipt of the Services does not constitute acceptance. Invoice amounts shall not exceed the Contractor's pricing set forth in *ARTICLE #102*.
2. Each invoice shall include the Contractor's current "Remit to" address; a description of the Services provided; the invoice amount; the Contract number; and the associated PO number issued. Each properly prepared invoice must be sent in accordance with the instructions listed on the PO. Standard payment terms are net 30 days (N30) in arrears from the date the invoice is accepted, following delivery of the Services.
3. The County does not pay for services not yet received but only in arrears.
4. The Contractor shall be solely responsible for paying all costs, expenses and charges it incurs in connection with its performance under the Contract.

**C. Unsatisfactory Performance; Delay of Payment.**

1. If the County determines that the quality of the Services provided are deficient, unacceptable, or unsatisfactory, the County's Project Manager identified in *ARTICLE #103* shall issue a written notice to Contractor. Contractor agrees that upon receipt of the written notice, it shall make every effort to correct the deficiency (ies) within the timeframe prescribed therein. If the Contractor fails to timely correct the deficiencies, the County reserves the right to delay or deny payment pursuant to this *ARTICLE #122* or terminate the Contract (*ARTICLE #108 – TERMINATION PROVISIONS*).
2. **Delay of Payment Due to Contractor's Failure.** If the County determines that the Contractor has failed to perform or deliver any Services as required by the Contract, the Contractor shall not be entitled to any compensation under the Contract until such Services are delivered and accepted. In this event, the County may withhold that portion of the Contractor's compensation, which represents payment for Services that were not delivered. To the extent that the Contractor's failure to perform or deliver in a timely manner causes the County to incur costs, the County may deduct the amount of such incurred costs as liquidated damages from any amounts payable to Contractor. The County's authority to deduct such incurred costs shall not in any way affect the County's authority to terminate the Contract.

**D. Set-Off Against Sums Owed by the Contractor.** In the event that the Contractor owes the County any sum under the terms of the Contract, pursuant to any

judgment, or pursuant to any law, the County may set off the sum owed by the Contractor against any sum owed to the Contractor, in the County's sole discretion.

- E. **Final Payment.** Contractor shall issue an invoice for final payment to the County no later than thirty (30) days following the expiration or termination date of the Contract.
- F. The Contractor must not "Factor or Assign Payments" to another or a financial institution. The County will only pay the party to whom it is contracted with. The County will not in any circumstances pay a third-party.

#### **ARTICLE #123 – PERFORMANCE AND PAYMENT BONDS**

The Contractor must furnish to the County both a Performance and Payment Bond, both equal to one-hundred percent (100%) of the Contract's total initial award dollar amount. The County will only issue a Notice-to-Proceed after the bonds are received. Only surety companies licensed to do business in the State of Georgia are acceptable. The Contractor is required to provide new bonds at the issuance of each Renewal Option Term(s) or Extension(s) that follow.

The Contractor must provide all required bonding instruments to the County prior to commencement of any work. The County will consider any work done prior to the receipt of bonding instruments as null-and-void and thus not eligible for compensation.

#### **ARTICLE #124 – RETAINAGE**

The County will retain (if required) funds to be withheld from compensation in compliance with Georgia law. Hall County may hold up to five-percent (5%) retainage throughout the entire project and will release said retainage at the point of completion and final acceptance by the County.

#### **ARTICLE #125 – VENUE AND GOVERNING LAW**

The parties agree that this Contract shall be interpreted, construed, and enforced in accordance with the laws of the State of Georgia. To the extent that either party may bring a legal suit to enforce the terms of this Contract, including suit in equity, the parties agree and consent to file any such suit in the Superior Court of Hall County, Georgia.

#### **ARTICLE # 126 - NOTICE OF INTENT TO LITIGATE**

Contractor hereby agrees not to file any civil action of disputes or claims relating to the Contract except after first giving thirty days (30) written notice to the County of the claim and the intent to initiate a civil action.

**ARTICLE # 127- GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT (E-Verify):**

- A. By signing this Contract, the Contractor certifies that prior to and throughout the performance of all applicable work under this Contract it will remain in full compliance with all federal and state immigration laws, including but not limited to 8 U.S.C. § 1324a and the Georgia Security and Immigration Compliance Act (O.C.G.A. §13-10-90 et seq.), as amended by the Illegal Immigration Reform and Enforcement Act of 2011, regarding the verification of employment eligibility of employees under the Immigration Reform and Control Act of 1986. Contractor will ensure that only persons who are citizens or nationals of the United States or non-citizens authorized under federal immigration laws are employed to perform services under this Contract or any subcontract or sub-subcontract hereunder.
  
- B. Contractor further certifies its compliance with the aforementioned federal and state immigration laws set forth by signing a sworn affidavit, the Georgia Security and Immigration Compliance Act Affidavit, notarized by an Official Notary Public, and obtaining the same affidavits from any sub-contractor providing services pursuant to this Contract.

**ARTICLE # 128 – ORDER OF PRECEDENCE:**

In the event of any inconsistency, ambiguity, or conflict among the specific provisions of the Contract and the Contractor's Response, the order of precedence shall be as follows:

- A. First, any amendments to the Contract, including all Exhibits thereto.
- B. Second, the Contract itself, including all Exhibits thereto.
- C. Third, Attachments appended to the Contract.

**ARTICLE # 129– CONTRACT EXHIBITS AND ATTACHMENTS:**

The Parties mutually acknowledge that all Exhibits and Attachments listed below made a part of this Contract, as though expressly written in the IFB documents and the bidder's response, are herein-incorporated into this contract by reference.

**ARTICLE # 130 - ENTIRE CONTRACT:**

This Contract, as executed and approved, shall constitute the entire agreement between the Parties and supersedes all other prior and contemporaneous statements, agreements, and understandings between the Parties. No written or oral statements, agreements, or understandings that are not set out, referenced, or specifically incorporated in this Contract shall in any way be binding or of effect between the Parties.

**ARTICLE # 131– VALIDITY**

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be constructed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. The parties hereby declare that this is the intent of the parties to this agreement is to provide for separate and divisible parts.

#### **ARTICLE #132 – SALES TAX EXEMPTION STATUS**

The County is exempt from Federal Excise Taxes and from Georgia State and Local Sales and Use Taxes on the Services. The Contractor may request a copy of the County's Georgia Sales and Use Tax Exemption Certificate.

#### **ARTICLE #133 – HOLD HARMLESS AGREEMENT**

The successful respondent hereby agrees to indemnify, hold free and harmless, Hall County Government, County Commissioners, its agents, servants, employees, officers, directors and elected officials, or any other person(s) against any loss or expense. This includes attorney fees, because of any liability imposed by law upon the County, except in cases of the County's sole negligence, sustained by any person(s) on account of bodily injury or property damage arising out of or in the consequence of this agreement.

#### **ARTICLE # 134 – CONTRACT TERMS AND CONDITIONS**

1. All purchases must comply with The Official Code of Hall County Sections 3.10.010 – 3.10.190.
2. If any conflict or ambiguity arises between the Terms and Conditions herein, and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set forth herein shall supersede and govern over all Contractor's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as 'The County', retains the right to 'red-line' sections of the Supplier's Terms and Conditions if such are in conflict with the best interest of the County.
5. Acceptance of a Purchase Order (PO) and delivery of Goods or Services serves as the Supplier's full and complete acceptance of The County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, Contractor, Contractor, designer, distributor, dealer or manufacturer or otherwise purveyor or source of supply or performance of service shall mean one-and-the-same, herein denoted as 'Supplier' for goods and 'Contractor' for services.
7. Furthermore, the terms; goods, materials, commodities, components, drawings, drafts, renderings, plans, physical or digital, software, SaaS, Engineering, Architectural, capital asset equipment, vehicles, heavy earth-moving or other equipment, purchased or leased, or other such deliverables are herein denoted as 'Goods' and shall mean one-and-the-same.

8. 'Services' shall mean all services, either financial, advisory, consultative, labor, staff augmentation, construction, rehabilitation, restoration, repair, support or maintenance, communication, telephony, internet, TV or streaming, pest control, grounds maintenance, custodial and janitorial, street or paved surfaces cleaning, drain cleaning or otherwise where services are offered for consideration.
9. The County's payment terms are Net 30 days.
10. The Supplier shall transfer and deliver all goods or services described on the attached PO for the consideration set forth herein.
11. The Supplier shall only deliver goods and services as described on the PO and within the Scope of Work and the Supplier's Bid Response.
12. The County holds no obligation to pay for goods delivered or services rendered unless specified on a written Purchase Order or a Change Order of such.
13. The Supplier shall not construe any verbal consent to purchase goods or services as valid.
14. The County does not accept substitutions of services or goods that do not comply with the Scope of Work or Specifications set forth in the Purchase Order, Contract or Agreement, unless mutually agreed in writing by both parties.
15. The County does not accept automatic contract renewals with the exception of monthly subscription services.
16. The County only pays for services rendered in arrears. The County does not pay for services not yet rendered.
17. The County does not pay deposits towards goods ordered. Exceptions exist for custom made items (such as window coverings and blinds, or carpet, tile etc.), fabrication, decoration, or otherwise custom designed specifically for the County.
18. The County will accept backorders only if goods are out of stock and with prior written notice. Supplier's shall ship all quantities that it has in stock and hold orders for backorders.
19. The County participates in Cooperative Purchasing Agreements, State of Georgia Statewide Contracts, and other state, local, Intergovernmental Agreements, Memorandums-of-Understanding and other such Agreements.
20. In all cases, the jurisdiction shall be the State of Georgia, County of Hall, for arbitration or other legalities
21. Deliveries go to the ship-to addresses listed on the PO and within the time specified. The Supplier must follow instructions if multiple ship-to address exist on the PO.
22. Risk of loss of the goods shall pass to The County upon inspection and acceptance only.
23. Receipt of goods or services does not constitute acceptance.
24. Title to the goods shall remain with the Supplier until acceptance by The County.
25. The Supplier warrants that the goods are merchantable and that the Supplier has a legal right to deliver the goods and services and as described herein.
26. The County shall have the right to inspect all goods or services at the time and place of delivery.
27. Vendor agrees not to assign in full or part of the Contract to another party without the County's express written consent. Any attempted assignment or delegation shall void and make ineffectual for all purposes unless made in conformity with this paragraph.
28. The County is exempt from Federal Excise Tax and Georgia Sales and Use Tax.
29. This issuance of the PO shall not violate the Code of Ethics and Conflicts of Interest for Public Officers and Employees for Government Service set forth in the 2020 Section 45-1020 *et seq.* of the Official Code of Georgia Annotated and the Official Code of Hall County Section 3.10.070 governing Ethics.



30. All goods and services supplied pursuant to this PO shall, unless otherwise noted, must conform exactly to all of the descriptions, specifications, Exhibits and attachments contained in the Bid Solicitation upon which a PO is based and all the terms, conditions, and specifications of the Bid Solicitation are incorporated herein by reference and made a part hereof.
31. Any-and-all media production, recordings, videos, photography, artwork, plates, engravings, and other printed or digital media materials paid in full by The County is considered County property and shall be delivered to The County upon request.
32. Invoices submitted to The County will reflect the language of the PO with the PO Number printed on each invoice submitted.
33. In the event that a PO has an attached Contract or Agreement, the terms and conditions of the latter shall govern in the event of any conflict with these terms and conditions.
34. The Supplier may be suspended, terminated, or debarred if it is determined that the Supplier has made false certification(s) or has violated such certification(s) by failure to carry out the requirements herein.
35. The Supplier certifies that it and its subcontractors are not been debarred, suspended, or declared ineligible by any agency of the County, or State of Georgia or as defined in the Federal Acquisition Regulation (FAR) 48 C.F.R. Ch. 1 Subpart 9.4.
36. The Supplier certifies that the Supplier is not currently engaged in an active or pending lawsuit or other grievance, injunction, or levy against the County.
37. Goods are Free-On-Board (F.O.B.) destination and freight, shipping and delivery shall be pre-paid and added to the invoice as a separate line item.
38. The County does not pay late fees nor interest charges.
39. The Supplier shall charge the County the exact amount of freight, delivery, handling and insurance charges.
40. The County is not bound to any minimum or maximum quantity or dollar amount set by the Supplier
41. In the event there is a discrepancy between the unit price and extended price, the unit price shall govern.

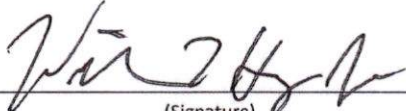
[Signature Page Follows]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

COMPANY'S FULL LEGAL NAME

Morgan Corp.

HALL COUNTY, GEORGIA

By:   
(Signature)

Print Name: William F. Heape Jr

Title: Vice President of Spartanburg Division

By: \_\_\_\_\_

Richard Higgins, Chairman  
Hall County Board of Commissioners


Date: \_\_\_\_\_

Sworn to and subscribed before me this

19 Day of October, 2023

Attestment: \_\_\_\_\_

County Clerk

Notary Public: 

Approved as to Form  


William J. Linkous III, County Attorney

Notary commission expires: 6/8/28

[Locus Sigilli – Seal or Stamp]





Hall County Government  
FINANCIAL SERVICES

EXHIBIT C

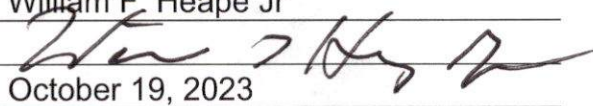
IFB # 024-44

Hall County Candler Road Landfill Cell  
Construction

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR  
Wesley Geddings

**Company Name:** Morgan Corp.  
**Bidder's Name:** William F. Heape Jr  
**Bidder's Signature:**   
**Date:** October 19, 2023

ARTICLE 1 - BID PRICE

**BIDS WILL BE RECEIVED ON A LUMP SUM BASIS WITH UNIT PRICE ADJUSTMENTS.**

A. The work by the Contractor includes but is not limited to, furnishing and paying for all materials, labor, transportation, and services necessary to complete the following:

**G-1 Mobilization**

G-1 Mobilization shall include all costs associated with: Contractor's mobilization to and demobilization from the site including all health and safety related costs; temporary barriers, temporary controls, temporary utilities, temporary haul roads, temporary field offices, and other structures required for office and storage space required by the Contractor; attending all of Engineer and Owner required meetings and submitting all required submittals, insurance, bonds, all items not specified below but required under the Contract Documents, and all other incidental and associated costs required to complete the work of G-1 Mobilization. Payment for item G-1 shall be made on a lump sum basis.

**G-2 Erosion and Sediment Control**

G-2 Erosion and Sediment Control shall include all costs associated with: Construction, installation, and application of all BMPs in accordance with the project E&SC Plan. Erosion and sediment controls shall include cost for installation and maintenance of silt fence, seeding and mulching of disturbed areas dust control, litter control and check dams, temporary storage ponds and associated best management practices, associated hardware and appurtenances, all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work of G-2 Erosion and Sediment Control. Payment for item G-2 shall be made on a lump sum basis.

**G-3 Clearing and Grubbing**

G-3 Clearing and grubbing shall include all costs associated with:

All trees not marked for preservation and all snags, logs, brush, stumps, shrubs, rubbish, and similar materials shall be cleared from within the limits of the designated areas.

Unless otherwise specified, all stumps, roots, and root clusters that have a diameter of 1 inch or larger shall be grubbed out, all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment for item G-3 shall be made on a lump sum basis.

**G-4 Excavation of Material from Cell 3 Footprint for Placement and Grading in Stockpile in Future Cell 5 and Stockpile B**

G-4 Excavation of material from Cell 3 footprint and placement for grading in stockpile shall include all costs associated with:

Soil excavation that is removed from future Cell 3 landfill footprint and hauled to future Cell 5 or Stockpile B for placement as compacted fill to establish future Cell 5 grades or expand the public drop off storage area. Payment shall be made for the excavation, hauling, placement, compacting and grading of the fill material within the future Cell 5 footprint and Stockpile B. Contractor shall survey the Existing Conditions (which includes the future Cell 5 footprint and public drop off area) and the grades after placement of material in the future Cell 5 footprint and public drop off area. Placed material shall not include waste rock material. G-4 shall also include all items not specified above but required under the Contract Documents, including but not limited to dust control and all other incidental and associated costs required to complete the work. Payment for item G-4 shall be made on a lump sum basis.

**G-5 Excavation of Material from Cell 3 Footprint for Stockpile A, Phase 1 and Future Cell 4 Footprint**

G-5 Excavation of Material from Cell 3 Footprint for Stockpile A, Phase 1 and Future Cell 4 Footprint shall include all costs associated with:

Soil excavation that is removed from future Cell 3 landfill footprint and hauled to future Cell 4 or Stockpile A. Material shall be stockpiled without compaction or grading. Payment shall be made for the excavation, hauling, placement, material within the future Cell 5 footprint and Stockpile B. Topsoil excavated as part of the work shall be placed on Phase 1 for the Owner to use as topsoil on the inactive Phase 1 landfill cell. Placed material shall not include waste rock material. G-5 shall also include all items not specified above but required under the Contract Documents, including but not limited to dust control and all other incidental and associated costs required to complete the work. Payment for item G-5 shall be made on a lump sum basis.

**G-6 Contingency for Rock Hammering**

G-6 Contingency for rock hammering shall include all costs associated with:

Costs associated with rock hammering, removal and stockpiling on Site rock material exposed as part of excavation of Cell 3. Cost shall include hammering, scraping, removing, transport, and stockpile of rock material on site. Rock material deemed unsuitable for crushing or screening shall be removed from site as waste material. Extent of rock shall be measured by taking a survey of top of rock after soil has been removed from Cell 3. An additional survey shall be conducted after design grades have been reached to determine extent of rock removed. Contractor to assume a cubic yard volume of 10,000 CY of rock encountered and provide a costs for lump sum payment. Actual costs for rock removal to be adjusted as per the unit rate and survey provided.

**G-7 Supply and Installation of Underdrain**

G-7 Supply and installation of underdrain shall include all costs associated with:

HDPE pipe, bends, reducers, couplings, welding as specified in Contract Documents, valves, lids, excavation, shoring, dewatering, backfilling, compaction, pipe bedding material, fittings, testing, bentonite blocks, all items not specified above but required under the Contract Documents and all other incidental and associated costs required to complete the work of G-7 supply and installation of underdrain. Costs associated with any traffic management, detours, signage or road maintenance shall be included under this item. Payment for Item G-7 shall be made on a lump sum basis.

**G-8 Construction of Recompacted Soil Liner**

G-8 Construction of recompacted soil liner shall include all costs associated with: subgrade preparation, excavating, transporting, placing, compacting all recompacted soil as indicated in the Contract Documents; all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment for item G-8 shall be made on a lump sum basis.

**G-9 Supply and Install of GCL**

G-9 Supply and install of GCL shall include all costs associated with:

Installation, testing, construction quality assurance and control, construction of liner termination of GCL, associated hardware and appurtenances, scrap material all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment shall be lump sum based on area of installation from 3D surface of design grading within the limits of liner as shown on the contract drawings.

**G-10 Supply and Installation of HDPE Geomembrane**

G-10 Supply and installation of HDPE geomembrane shall include all costs associated with: Supply, installation, testing, construction quality assurance and control of 60-mil textured High Density Polyethylene (HDPE) liner to the liner termination trench, associated hardware and appurtenances, scrap material all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment shall be lump sum based on area of installation from 3D surface of design grading within the limits of liner as shown on the contract drawings.

**G-11 Supply and Installation of Leachate Collection Layer**

G-11 Supply and Installation of Leachate Collection Layer shall include all costs associated with:

Supply, transport, placement, grading, testing, and all items not specified above, all other incidental and associated costs required under Contract Documents to install the leachate collection layer. Payment for Item G-11 shall be on a lump sum basis.

**G-12 Supply and Installation of HDPE Leachate Collection Pipework**

G-12 Supply and Installation of HDPE Leachate Collection Pipework shall include all costs associated with:

Supply, fabrication, installation, testing, construction quality assurance, and control of the sump, HDPE collection pipework, sideslope riser and cleanout pipe, elbows, bends, geotextile, drainage aggregate and all other incidental and associated costs required to complete the work of G-12. Payment for this item shall be on a lump sum basis.

**G-13 Supply and Installation of HDPE Leachate Forcemain and Manholes**

G-13 Supply and Installation of HDPE Leachate Forcemain and Manholes shall include all costs associated with:

HDPE pipe, bends, reducers, couplings, welding as specified in Contract Documents, valves, lids, HDPE manholes, coordination with road construction, excavation, shoring, dewatering, backfilling, compaction, pipe bedding material, fittings, testing, thrust blocking, concrete encasing, all items not specified above but required under the Contract Documents and all other incidental and associated costs required to complete the work of G-13 Leachate Force Main. Costs associated with any traffic management, detours, signage or road maintenance shall be included under this item. Payment for Item G-13 shall be made on a lump sum basis.

**G-14 Construct Concrete Stormwater Channel**

G-14 Construct Concrete Stormwater Channel shall include all costs associated with:

Grading, shoring, dewatering, concrete stormwater impact basins, supply, install, grading, vibration, protecting, and all item not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment for item G-14 shall be made on a lump sum basis.

**G-15 Stormwater Management**

G-15 Stormwater Management shall include all costs associated with:

Construction, installation, testing, construction quality assurance, and control of reinforced concrete pipe, turf reinforcement matting, stormwater conveyance structures, flared end sections, geotextile for underlayment, rip rap for stormwater applications, all necessary fittings, sealents, hardware, conenctions and appurtenances, all items no specified above but required under the Contract Documents and all other incidental and associated costs required to complete stormwater management work. Payment for G-15 shall be made on a lump sum basis.

**G-16 Construction of Cell 3 Haul Road**

G-16 Construction of Cell 3 haul road shall include all costs associated with:

Subgrade preparation, supply and install of geotextile, road base, compacting, grading and quality control testing materials as indicated in the Contract Documents; all items not specified above but required under the Contract Documents, and all other incidental and associated costs required to complete the work. Payment for item G-16 shall be made on a lump sum basis.

**G-17 Supply and Install New Litter Fence**

G-17 Supply and install new litter fence shall include all costs associated with:

Supply, excavating, transporting, installing, all items not specified above but required under the Contract Drawings, and all other incidental and associated costs required to complete the work. Payment for item G-17 shall be made on a lump sum basis.

**G-18 Install 7 New Groundwater Wells and 3 New Gas Migration Probes**

G-18 Install 7 new groundwater wells and 3 new gas migration probes shall include all costs associated with:

Drilling to depths shown on the contract drawings, well casing, well piping, bentonite, filter pack, cement, pea gravel, point marker, removing spoils, developing wells, placing bollards, grading concrete well apron and all other incidental and associated costs required to complete the work. Payment for item G-18 shall be on a lump sum basis.

**E-1 Supply and Install Conduit for Low and Medium Voltage Conductors**

E-1 Supply and Install Conduit for Low and Medium Voltage Conductors shall include all costs associated with:

Excavation, supply and install of all conduit, backfill, concrete, reinforcement, coordination with electrical utility for service, meter, pull boxes, and other miscellaneous items as may be necessary to complete operational electrical and control facilities shall be included under E-1. Payment for item shall be on a lump sum basis.

**E-2 Supply and Install New Pump and Controls for Cell 3 Sumps 1 and 2**

E-2 Supply and install new pump and controls for Cell 3 sumps 1 and 2 shall include all costs associated with:

Power panel, junction boxes, switches, connection of system electrical components to new pump, pump cables, piping and brackets, anchor bolts, valves, expansion sleeves, surge protection, power monitor, motor starter, transducers, programming, and all other miscellaneous items as may be necessary for complete operational electrical and control facilities. Payment for Item E-2 shall be on a pump sum basis.

B. Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

C. LUMP SUM BID PRICE:

[ Thirteen Million Nine Hundred Ninety Four Thousand Seven Hundred Seventy Seven

\_\_\_\_\_ ] dollars [\$ 13,994,777.00 ]

D. For the purpose of Bid evaluation, the Bid is to be itemized as follows on the Bid Schedule on the following page. Total of Bid Schedule itemized prices must equal Lump Sum Bid Price above. Bidders must complete all items.

<b>BID SCHEDULE</b>		
<b>ITEM #</b>	<b>DESCRIPTION</b>	<b>TOTAL PRICE</b>
G-1	Mobilization	825,000.00
G-2	Erosion and Sediment Control	750,000.00
G-3	Clearing and Grubbing	469,000.00
G-4	Excavation of Material from Cell 3 Footprint for Placement and Grading in Stockpile in Future Cell 5 and Stockpile B	1,150,000.00
G-5	Excavation of Material from Cell 3 Footprint for Stockpile A, Phase 1 and Future Cell 4	1,100,000.00
G-6	Contingency for Rock Hammering	455,000.00
G-7	Supply and Installation of Underdrain	640,000.00
G-8	Construction of Recompacted Soil Liner	502,000.00
G-9	Supply and Installation of GCL	821,000.00
G-10	Supply and Installation of HDPE Geomembrane	687,000.00
G-11	Supply and Installation of Leachate Collection Layer	3,950,000.00
G-12	Supply and Installation of HDPE Leachate Collection Pipework	678,000.00
G-13	Supply and Installation of HDPE Leachate Forcemain and Manholes	318,000.00
G-14	Construct Concrete Stormwater Channel	88,000.00
G-15	Stormwater Management	227,000.00
G-16	Construction of Cell 3 Haul Road	480,000.00
G-17	Supply and Install New Litter Fence	318,777.00
G-18	Install 7 New Groundwater Wells and 3 New Gas Migration Probes	125,000.00
E-1	Supply and Install Conduit for Low and Medium Voltage Conductors	325,000.00
E-2	Supply and Install New Pump and Controls for Cell 3 Sumps 1 and 2	86,000.00
<b>TOTAL LUMP SUM BID PRICE:</b>		<b>13,994,777.00</b>



- E. Schedule of Adjustment Unit Prices: In the event the Work indicated or specified in the Contract Documents is increased or decreased, the Lump Sum Bid Price set forth above shall be increased or decreased in accordance with the following Unit Prices. Adjustment Unit Prices are subject to acceptance by Owner, and rejection of one or more Adjustment Unit Prices will not invalidate acceptance of this Bid. Change orders for items identified in the Bid Schedule shall be as per the unit rates identified in the Schedule of Adjustment Unit Prices below. Bidders must complete all items.

SCHEDULE OF ADJUSTMENT UNIT PRICES				
ITEM #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE
G-4	Clearing and Grubbing	30.0	ACRE	6,000.00
G-5	Excavation of Material from Cell 3 Footprint for Placement and Grading in Stockpile in Future Cell 5 and Stockpile B	183,000	CY	7.50
G-6	Excavation of Material from Cell 3 Footprint for Stockpile A and Future Cell 4	211,250	CY	6.25
G-7	Contingency for Rock Hammering	10,000	CY	45.00
G-8	Supply and Installation of Underdrain	4,190	LF	140.00
G-9	Construction of Recompacted Soil Liner	53,300	CY	8.50
G-10	Supply and Installation of GCL	79,900	SY	10.00
G-11	Supply and Installation of HDPE Geomembrane	79,900	SY	8.00
G-12	Supply and Installation of Leachate Collection Layer	53,300	CY	75.00
G-13	Supply and Installation of 6" HDPE Leachate Collection Pipework	7,400	LF	80.00
G-14	Supply and Installation of HDPE 3" X 6" Leachate Forcemain	1,600	LF	140.00
G-15	Construct Concrete Stormwater Channel	1,650	LF	50.00
G-17	Supply and Install New Litter Fence	1,700	LF	175.00

- F. SUPPLIERS/MANUFACTURERS: This Bid is based upon furnishing and installing major items of Equipment by the following Suppliers/manufacturers:

No.	Item	Supplier/Manufacturer
1	GCL	SOLMAX
2	FML/GEOMEMBRANE	SOLMAX
3	GEOTEXTILE	CORE & MAIN
4	SEEDING	CRENSHAW EROSION CONTROL
5	HDPE PIPE	FLYING W PLASTICS, INC.

6	RCP	<u>FOLEY CONCRETE PRODUCTS</u>
7	LEACHATE PUMP/CONTROLS	<u>GUNNCO</u>
8	LITTER FENCE	<u>NETTINGSWILDER</u>

G. SUBCONTRACTORS: This Bid is based upon use of the following Subcontractors:

No.	Item	Subcontractor
1	Earthwork (if not Bidder)	<u>MORGAN CORP.</u>
2	Liner Installer	<u>CHESAPEAKE CONTAINMENT</u>
3	HDPE Pipe Installer	<u>MORGAN CORP.</u>
4	Surveyor	<u>MORGAN CORP.</u>
5	Electrical Subcontractor	<u>MORGAN CORP.</u>
6	Driller	<u>GEOLOGIC EXPLORATION, INC.</u>

Morgan Corp. revised cost proposal minus Line-Item G-17 Litter Fence.  
 January 8, 2024.

**Project:** Phase II - Cell 3 Construction  
**Location:** Hall County Candler Road Landfill

**Bidder:** Morgan Corp.  
**Address:** 1800 E Main St  
**City/State/Zip:** Duncan, SC  
 29334  
**Phone No.:** 864-433-8800

Item No.	Description	Total Price
G-1	Mobilization	\$ 825,000.00
G-2	Erosion and Sediment Control	\$ 750,000.00
G-3	Clearing and Grubbing	\$ 469,000.00
G-4	Excavation of Material from Cell 3 Footprint for Placement and Grading in Stockpile in Future Cell 5 and Stockpile B	\$ 1,150,000.00
G-5	Excavation of Material from Cell 3 Footprint for Stockpile A, Phase 1 and Future Cell 4	\$ 1,100,000.00
G-6	Contingency for Rock Hammering	\$ 455,000.00
G-7	Supply and Installation of Underdrain	\$ 640,000.00
G-8	Construction of Recompacted Soil Liner	\$ 502,000.00
G-9	Supply and Installation of GCL	\$ 821,000.00
G-10	Supply and Installation of HDPE Geomembrane	\$ 687,000.00
G-11	Supply and Installation of Leachate Collection Layer	\$ 3,950,000.00
G-12	Supply and Installation of HDPE Leachate Collection Pipework	\$ 678,000.00
G-13	Supply and Installation of HDPE Leachate Forcemain and Manholes	\$ 318,000.00
G-14	Construct Concrete Stormwater Channel	\$ 88,000.00
G-15	Stormwater Management	\$ 227,000.00
G-16	Construction of Cell 3 Haul Road	\$ 480,000.00
G-17	Supply and Install New Litter Fence	\$ -
G-18	Install 7 New Groundwater Wells and 3 New Gas Migration Probes	\$ 125,000.00
E-1	Supply and Install Conduit for Low and Medium Voltage Conductors	\$ 325,000.00
E-2	Supply and Install New Pump and Controls for Cell 3 Sumps 1 and 2	\$ 86,000.00

**TOTAL LUMP SUM BID PRICE** **\$ 13,676,000.00**

# Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

Morgan Corp.  
1800 East Main Street  
Duncan, SC 29334

### OWNER:

(Name, legal status and address)

Hall County, Georgia

GA

### SURETY:

(Name, legal status and principal place of business)

Travelers Casualty and Surety Company of America

One Tower Square  
Hartford, CT 06183  
**Mailing Address for Notices**  
Same as Above

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

**BOND AMOUNT:** 5% Five Percent of Amount Bid

### PROJECT:

(Name, location or address, and Project number, if any)

Hall County Candler Road Landfill Cell 3; IFB 024-44

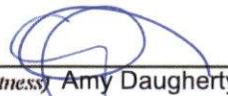
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 19th day of October, 2023.

  
(Witness) Christa Allen

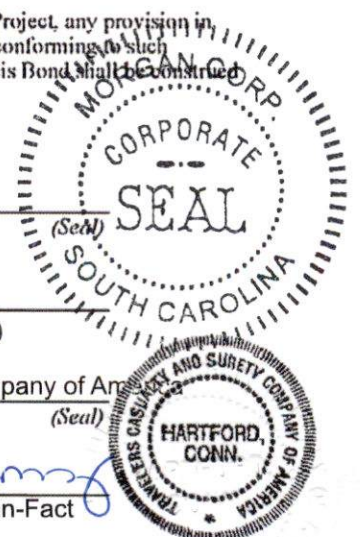
  
(Witness) Amy Daugherty

Morgan Corp.  
(Principal)

By:   
(Title) Elizabeth R. Epps, CFO

Travelers Casualty and Surety Company of America  
(Surety)

By:   
(Title) Angela D. Ramsey, Attorney-in-Fact





**Travelers Casualty and Surety Company of America**  
**Travelers Casualty and Surety Company**  
**St. Paul Fire and Marine Insurance Company**  
**Farmington Casualty Company**

**POWER OF ATTORNEY**


**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Angela D. Ramsey of Charlotte, NC, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge the following bond:

**Surety Bond No.:** Bid Bond **Principal:** Morgan Corp.  
**OR** **Obligee:** Hall County, Georgia  
**Project Description:** Hall County Candler Road Landfill Cell 3; IFB 024-44

**IN WITNESS WHEREOF,** the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

By:   
 Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the 21st day of April, 2021, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF,** I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



  
 Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED,** that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

**FURTHER RESOLVED;** that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED,** that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED;** that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies; do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 19th day of October, 2023.



  
 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
 Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.





# Hall County, Georgia

## Candler Road Landfill Phase II Cell 3 Construction

August 28, 2023

152292

### Contract Drawings



SITE LOCATION



VICINITY MAP  
SCALE IN FEET

ONE OR TWO CHARACTER DISCIPLINE DESIGNATOR (MAY NOT BE PRESENT IF CALLOUT AND TITLE ARE ON DRAWINGS WITHIN THE SAME DISCIPLINE)

LETTER OR NUMBER DESIGNATOR

DRAWING SEQUENCE NUMBER

INDICATES WHERE TITLE IS LOCATED (MAY NOT BE PRESENT IF CALLOUT AND TITLE ARE ON THE SAME DRAWING)

#### SECTION, DETAIL, AND ELEVATION SYMBOL IDENTIFIERS



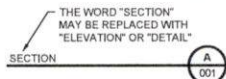
#### SECTION CALLOUT EXAMPLE



#### DETAIL CALLOUT EXAMPLE



#### ELEVATION CALLOUT EXAMPLE



#### SECTION, DETAIL, OR ELEVATION TITLE EXAMPLE

#### SECTION, DETAIL, AND ELEVATION IDENTIFICATION SYSTEM

#### GENERAL DRAWINGS

DWG NO.	TITLE
G001	Cover and Index
G002	Legend and Abbreviations
G003	General Notes
G004	Existing Conditions
G005	General Arrangement

#### CIVIL DRAWINGS

DWG NO.	TITLE
C001	Cell 3 Subgrade Plan
C002	Underdrain Plan
C003	Future Cell 5 Stockpile Fill Plan
C004	Stockpile B Fill Plan
C005	Cell 3 Recompacted Soil Layer Grading Plan
C006	Leachate Collection System Plan
C007	Leachate Collection Forcemain Plan
C008	Cell 3 Cross Sections, 1 of 2
C009	Cell 3 Cross Sections, 2 of 2
C010	Cell 3 Construction Details, 1 of 5
C011	Cell 3 Construction Details, 2 of 5
C012	Cell 3 Construction Details, 3 of 5
C013	Cell 3 Construction Details, 4 of 5
C014	Cell 3 Construction Details, 5 of 5
C015	Stormwater Construction Details, 1 of 2
C016	Stormwater Construction Details, 2 of 2
C017	Miscellaneous Civil Details
C018	Initial Erosion & Sediment Control Plan
C019	Intermediate Erosion & Sediment Control Plan
C020	Final Erosion & Sediment Control Plan
C021	Erosion & Sediment Control Details, 1 of 2
C022	Erosion & Sediment Control Details, 2 of 2

#### ELECTRICAL DRAWINGS

DWG NO.	TITLE
E001	Electrical General Notes
E100	Electrical Site Overall
E101	Electrical Site Enlarged
E102	Electrical Site Enlarged - West
E103	Enlarged View - Pump Station 7
E104	Enlarged View - Transformer 5
E105	Enlarged View - Pump Station 8
E501	Details - Unistrut Stand Elevations
E502	Details
E503	Details
E601	Panelboard Schedules
E701	Electrical One-Line



Phase II Cell 3 Construction  
PO # 435114  
Landfill Services

# Cover-Index

no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

**BURNS  
MCDONNELL**  
4004 SUMMIT BLVD, SUITE 1200  
ATLANTA, GA 30319  
770-587-4776  
Burns & McDonnell Engineering Co., Inc.  
COA: PEF0001100 (EXP DATE: 6/30/24)

**LEGEND**

**PLAN:**

	GROUNDWATER MONITORING WELL
	METHANE MONITORING WELL
	SURVEY BENCHMARK
	PIPING SYSTEM CLEANOUT
	EDGE OF LINER MARKER
	CONSTRUCTION CONTROL POINT
	BUILDING/STRUCTURE
	EXISTING CONTOURS
	DESIGN CONTOURS
	LITTER FENCE
	SILT FENCE
	PROPERTY BOUNDARY
	200' BUFFER (FROM PROPERTY BOUNDARY)
	CELL BOUNDARY
	ACCESS ROAD
	UNDERGROUND ELECTRIC
	UNDERDRAIN
	LEACHATE COLLECTION PIPING
	LEACHATE FORCE MAIN
	EDGE OF LINER
	CONTRACTOR STAGING AREA
	STOCKPILE LOCATION
	CLEARING EXTENTS
	STORMWATER FLOW DIRECTION / CHANNEL ALIGNMENT
	BURIED CULVERT
	EXISTING TREE LINE
	AREA W/ GEOCOMPOSITE
	RIPRAP
	DISTURBED AREA STABILIZATION (PERMANENT OR TEMPORARY VEGETATION)
	WETLANDS

**SECTION:**

	GEOMEMBRANE LINER
	GEOTEXTILE
	GEOCOMPOSITE
	GCL (GEOSYNTHETIC CLAY LINER)
	EROSION CONTROL BLANKET / TURN REINFORCEMENT MATTING
	PLYWOOD
	GRASS / VEGETATION
	PREPARED SUBGRADE
	GRAVEL / AGGREGATE / RIP RAP
	ROUNDED STONE
	CONCRETE
	LEACHATE DRAINAGE MATERIAL / PIPE BEDDING / SAND
	RECOMPACTED SOIL LAYER
	TOP SOIL / NATIVE SOIL / SUBGRADE
	GENERAL FILL
	INTERMEDIATE COVER
	REFUSE / WASTE
	CEMENT/BENTONITE GROUT MIX
	HYDRATED BENTONITE SEAL
	PEA GRAVEL

**ABBREVIATIONS**

APPROX	APPROXIMATE, APPROXIMATELY	MSW	MUNICIPAL SOLID WASTE
BGS	BELOW GROUND SURFACE	MSWL	MUNICIPAL SOLID WASTE LANDFILL
BM	BENCHMARK	MW	MONITORING WELL
CB	CATCH BASIN	N	NORTHING
CISP	CAST IRON PIPE	N/F	NOW OR FORMERLY
CL	CENTERLINE	NAD 83	NORTH AMERICAN DATUM OF 1983
C.L.	COVER LEVEL	NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988
CMP	CORRUGATED METAL PIPE	NO	NUMBER
COA	CERTIFICATE OF AUTHORIZATION	NPDES	NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
CONC.	CONCRETE	NPT	NATIONAL PIPE THREAD
CONT.	CONTINUOUS	NTS	NOT TO SCALE
COR	CORNER	O.C.	ON CENTER
CP	CONTROL POINT	OD	OUTSIDE DIAMETER
CPE	CORRUGATED POLYETHYLENE	OSHA	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
CPVC	CHLORINATED POLYVINYL CHLORIDE	OZ	OUNCE
CY	CUBIC YARD	P	PIEZOMETER
DEMO	DEMOLITION	PERF	PERFORATED
DI	DUCTILE IRON	PO	PURCHASE ORDER
DIA. OR Ø	DIAMETER	PVC	POLYVINYL CHLORIDE
DWG	DRAWING	R	RADIUS / RANGE
E	EASTING	RCB	REINFORCED CONCRETE BOX CULVERT
EL., ELEV.	ELEVATION	ROP	REINFORCED CONCRETE PIPE
EPD	GEORGIA ENVIRONMENTAL PROTECTION DIVISION	RD	ROAD
ESPCP	EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN	REV.	REVISION
EW	EACH WAY	RL	RETICULATION LATERAL
EX.	EXISTING	SCH	SCHEDULE
EXP	EXPIRATION	SDR	STANDARD DIMENSION RATIO
FM	FORCE MAIN	SE	SOUTHEAST
FML	FLEXIBLE MEMBRANE LINER	SEC	SECTION
FT	FEET	SSR	SIDE SLOPE RISER
GA	GEORGIA	SST	STAINLESS STEEL
GALV	GALVANIZED	ST.	STREET
GCL	GEOSYNTHETIC CLAY LINER	STL	STEEL, CARBON STEEL
GIS	GEOGRAPHIC INFORMATION SYSTEM	SY	SQUARE YARD
GWA / GWB / GWC	GROUNDWATER MONITORING WELL	T, TWP	TOWNSHIP
HDPE	HIGH DENSITY POLYETHYLENE PIPE	T&B	TOP AND BOTTOM
HWY	HIGHWAY	TBD	TO BE DETERMINED
ID	INSIDE DIAMETER	TYP.	TYPICAL
IE OR INV. EL.	INVERT ELEVATION	UD	UNDERDRAIN
INC, INC.	INCORPORATED	UG	UNDERGROUND
INTL	INTERNATIONAL	UGE, UE	UNDERGROUND ELECTRIC
LCFM	LEACHATE COLLECTION FORCE MAIN	USBR	UNITED STATES BUREAU OF RECLAMATION
LCO	LEACHATE CLEANOUT PIPE	UST	UNDERGROUND STORAGE TANK
LCP	LEACHATE COLLECTION PIPE	W	WEST
L.F., LF	LINEAR FEET, LANDFILL	Wf	WITH
LLDPE	LINEAR LOW DENSITY POLYETHYLENE	WFF	WOVEN FILTER FABRIC
MAX	MAXIMUM	YD	YARD
MFA	MOLDED FLANGE ADAPTER		
MFR	MANUFACTURER		
MGT	MANAGEMENT		
MH	MANHOLE		
MIL	MILLI-INCH		
MIN	MINIMUM		
MM	METHANE MONITORING WELL		
MP	METAL PIPE		

no.	date	by	chkd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

Scale for Monitoring

A  
B  
C  
D  
E  
F

**BURNS MEDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30339  
 770-587-4778  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP. DATE: 6/30/2024)

date	AUGUST 28, 2023	detailed	M. AULT
designed	M. AULT	checked	B. WELDON

**HALL COUNTY**  
 Candler Road Landfill  
 Permit # 069-150(MSWL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 LEGEND AND ABBREVIATIONS

project	152292	contract	PO # 435114
drawing	<b>G002</b>	rev.	<b>0</b>
sheet	2	of	39
file	G002 LEGEND AND ABBREVIATIONS.dwg		





**GENERAL NOTES**

1. THE CANDLER ROAD LANDFILL IS LOCATED AT 1700 OAKBROOK DRIVE GAINESVILLE, GEORGIA 30507.
2. CONTRACTOR SHALL CONTRACT WITH HALL COUNTY, GEORGIA (OWNER) DIRECTLY TO PERFORM WORK.
3. CONTRACTOR SHALL PROVIDE LIABILITY INSURANCE NAMING OWNER, BURNS & MCDONNELL ENGINEERING COMPANY, INC. (ENGINEER), AND ENGINEER'S SUBCONTRACTORS AS AN ADDITIONAL INSURED.
4. THE LOCATIONS OF EXISTING UTILITIES AND EASEMENTS HAVE BEEN DETERMINED FROM AVAILABLE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL UTILITIES AND EASEMENTS WHETHER OR NOT SHOWN TO PROTECT THEM FROM DAMAGE. WHERE A UTILITY OR EASEMENT IS ABANDONED OR REQUIRES TO BE PROTECTED, THE CONTRACTOR SHALL PROVIDE PROTECTION THAT AT MINIMUM MEETS THE REQUIREMENTS OF THE UTILITY OR EASEMENT OWNER. THE CONTRACTOR SHALL BEAR ALL EXPENSE OF REPAIR, REPLACEMENT, OR ANY OTHER CHARGES RELATED TO EXISTING UTILITIES OR EASEMENTS IN CONJUNCTION WITH THE EXECUTION OF THIS WORK. PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL CALL GEORGIA 811 AT 1-800-282-7411 OR 811.
5. THE WORK UNDER THIS CONTRACT SHALL INCLUDE FURNISHING ALL SUPERVISION, LABOR, TOOLS, EQUIPMENT, TRANSPORTATION, STORAGE FACILITIES, SERVICES, AND SUPPLIES REQUIRED TO COMPLETE THE FOLLOWING AS INDICATED ON THE CONSTRUCTION DRAWINGS:
  - A. CONSTRUCT CELL 3, WHICH INCLUDES: CLEARING AND GRUBBING OF AREA AS INDICATED ON G005, CONSTRUCT UNDERDRAINS, ESTABLISH CELL 3 SUBGRADE, PLACE RECOMPACTED SOIL LAYER, INSTALL GEOSYNTHETIC CLAY LINER (GCL), INSTALL GEOMEMBRANE LINER, INSTALL GECOMPPOSITE, PLACE LEACHATE COLLECTION LAYER, INSTALL LEACHATE COLLECTION SYSTEM, AND CONSTRUCT TEMPORARY DELINEATION BERM.
  - B. INSTALL APPROXIMATELY 1,600 FEET OF LEACHATE FORCEMAIN PIPING WITH DUAL CLEANOUTS EVERY 500 FEET, INSTALL TWO HDPE LEACHATE FORCEMAIN MANHOLES (MH#1 AND MH#2), AND CONNECT TO EXISTING LEACHATE FORCEMAIN PIPING NEAR THE EXISTING CELL 2.
  - C. CONSTRUCT PERIMETER ACCESS ROAD AND STORMWATER DITCHES.
  - D. IMPLEMENT AND INSPECT EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMPs) IN ACCORDANCE WITH THE CONSTRUCTION EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN (ESPCP).
  - E. PROCURE GEOTECHNICAL DESIGN SERVICES FOR THE CONSTRUCTION OF RETAINING WALLS IN ORDER TO ESTABLISH FINAL PERIMETER ROAD GRADES. FINAL PERIMETER ROAD GRADING PLAN WILL BE PROVIDED VIA FUTURE ADDENDA.
  - F. COMPLETE IMPROVEMENTS TO THE EXISTING ACCESS ROAD. ACCESS ROAD IMPROVEMENT PLAN AND DETAILS WILL BE PROVIDED VIA FUTURE ADDENDA.
  - G. RELOCATE THE EXISTING MH(S) AND EXISTING LEACHATE FORCEMAIN IN THE ROAD IMPROVEMENT AREA (NEAR CELL 2) TO THE NEW EDGE OF THE ACCESS ROAD AFTER THE RETAINING WALLS HAVE BEEN CONSTRUCTED.
  - H. INSTALL SEVEN (7) NEW GROUNDWATER MONITORING WELLS AND THREE (3) NEW METHANE MONITORING WELLS IN ACCORDANCE WITH GEORGIA GROUNDWATER MONITORING AND LANDFILL METHANE MONITORING WELL CONSTRUCTION REQUIREMENTS.
  - I. INSTALL 30-FT TALL LITTER FENCING ALONG THE OUTSIDE OF THE NEW LANDFILL ACCESS ROAD AND CONNECT TO EXISTING LITTER FENCING NEAR CELL 2.
  - J. CONSTRUCT THE TEMPORARY SEDIMENTATION BASIN AND OUTLET STRUCTURE SOUTH OF CELL 3.
  - K. STRIP TOPSOIL FROM ALL EXCAVATION AREAS AND THE CELL 5 STOCKPILE AREA. SEPARATE AND PLACE TOPSOIL ON NON-VEGETATED AREAS ON PHASE I STOCKPILE ALL OTHER EXCESS SOILS IN THE STOCKPILE LOCATIONS SPECIFIED ON SHEET G006.
  - L. ANY OTHER WORK NOT SPECIFIED ABOVE REQUIRED IN THE CONSTRUCTION DRAWINGS.
6. THE CONSTRUCTION DRAWINGS REPRESENT THE FINISHED WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF CONSTRUCTION. CONTRACTOR SHALL FURNISH ALL LABOR, EQUIPMENT, MATERIALS, AND TOOLS NECESSARY TO COMPLETELY PERFORM THE WORK IN SAFE, EXPEDITIOUS, AND WORKMAN LIKE MANNER. COORDINATE SCHEDULE OF THE WORK WITH THE OWNER. CONTRACTOR SHALL INSTALL EQUIPMENT AND MATERIALS PER MANUFACTURER'S RECOMMENDATIONS UNLESS NOTED OTHERWISE. THE CONTRACTOR ACCEPTS FULL RESPONSIBILITY FOR PROPER HANDLING AND INSTALLATION OF EQUIPMENT AND MATERIALS.
7. THESE DRAWINGS SHALL BE USED IN CONJUNCTION WITH ANY SHOP DRAWINGS PROVIDED BY SUPPLIERS. ALL SHOP DRAWINGS PROVIDED BY OTHERS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW PRIOR TO THE FABRICATION OF MATERIAL OR THE PURCHASE OF NON-RETURNALE STOCK. DIMENSIONAL REVIEW IS THE CONTRACTOR'S RESPONSIBILITY.
8. LANDFILL CONSTRUCTION EQUIPMENT OPERATIONS WILL BE LIMITED TO MONDAY THROUGH SATURDAY FROM SUNRISE TO SUNSET. CONSTRUCTION WILL BE LIMITED TO NON-EQUIPMENT OPERATIONS ONLY ON SUNDAY. FURTHER, NO WORK SHALL BE COVERED PRIOR TO COMPLETION OF REQUIRED TESTING, SURVEYING AND ENGINEER'S INSPECTION. UNAPPROVED WORK SHALL BE UNCOVERED AT CONTRACTOR'S EXPENSE.
9. SITE TOPOGRAPHY MAY VARY DUE TO OWNER'S CONSTRUCTION, DAILY COVER MATERIAL STOCKPILING, AND WASTE DISPOSAL.
10. EXISTING ROADS, STRUCTURES, FACILITIES AND LANDFILL OPERATIONS SHALL NOT BE INTERFERED WITH BY CONTRACTOR'S ACTIVITIES. NORMAL OPERATIONAL HOURS ARE 8 AM

- TO 4 PM MONDAY THROUGH FRIDAY, 8 AM TO 2 PM SATURDAY, AND CLOSED SUNDAY. COORDINATE ACTIVITIES WITH LANDFILL OWNER IF OPERATION DISRUPTION IS EXPECTED. ANY DISTURBANCE TO EXISTING FEATURES SHALL BE REPAIRED AT NO COST TO OWNER.
11. CONTRACTOR SHALL UNDERTAKE ALL NECESSARY MEASURES TO ENSURE SAFETY OF ALL PERSONS AND STRUCTURES AT THE SITE AND ADJACENT TO THE SITE. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CLAIMS RESULTING FROM HIS/HER ACTIONS AND ACTIVITIES. VISITS TO THE SITE BY OWNER, ENGINEER OR ENGINEER'S SUBCONTRACTORS SHALL NOT RELIEVE THE CONTRACTOR OF SUCH RESPONSIBILITY.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER SAFEGUARDING OF THE INSTALLATION AND MATERIALS AND EQUIPMENT STORED ON THE SITE TO PREVENT THEFT, VANDALISM, OR DAMAGE. THE CONTRACTOR SHALL ACCEPT FULL RESPONSIBILITY FOR EQUIPMENT AND MATERIALS THROUGH PROJECT COMPLETION. CONTRACTOR SHALL STORE EQUIPMENT AND MATERIALS IN A SECURE LOCATION (ON OR OFF-SITE).
13. CONTRACTOR SHALL PROTECT THE WORK AREAS WITH THE APPROPRIATE FENCING, BARRICADES, AND SIGNAGE. CONTRACTOR SHALL COORDINATE WORK PROTECTION AREA REQUIREMENTS CONTROL WITH OWNER.
14. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH OSHA AND IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS.
15. UNKNOWN SITUATIONS OR CONDITIONS NOT COVERED IN THESE INSTRUCTIONS ARE THE RESPONSIBILITY OF THE CONTRACTOR. ENGINEER AND MANUFACTURER'S SPECIALISTS MAY BE AVAILABLE FOR CONSULTATION. THE PRESENCE OF THE ENGINEER OR THE MANUFACTURER'S REPRESENTATIVE AT THE PROJECT SITE DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY FOR A PROPER INSTALLATION.
16. ALL DIMENSIONS, ELEVATIONS, AND CONDITIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR, AND ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR CLARIFICATION BEFORE PROCEEDING WITH THE AFFECTED PART OF WORK.
17. IF CERTAIN FEATURES ARE NOT FULLY SHOWN OR CALLED FOR ON THE CONSTRUCTION DRAWINGS OR SPECIFICATIONS, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN OR CALLED FOR, SUBJECT TO THE APPROVAL OF THE ENGINEER.
18. ALL WORK SHALL BE DONE TO THE LINES, SLOPES, THICKNESS, AND GRADES INDICATED IN THE CONSTRUCTION DRAWINGS. ALL ESTABLISHED MONUMENTS, BENCHMARKS, REFERENCE POINTS, STAKES, AND OTHER CENTRAL POINTS SHALL BE CAREFULLY PRESERVED BY THE CONTRACTOR. CONTRACTOR SHALL NOTIFY OWNER IN WRITING OF BENCHMARKS, REFERENCE LINES, OR OTHER CONTROL POINTS WHICH MAY HAVE BEEN DISTURBED OR WHICH APPEAR TO BE OFF LINE OR GRADE. CONTRACTOR SHALL UTILIZE GLOBAL POSITIONING SYSTEM (GPS) TECHNOLOGY FOR COMPLETION OF WORK TO ENSURE ACCURACY IN GRADING AND ALIGNMENTS.
19. CONTRACTOR SHALL MAINTAIN CONTROL OF DEBRIS GENERATED BY CONTRACTOR'S ACTIVITIES SUCH TO PREVENT THE INADVERTENT MOVEMENT OF DEBRIS OUTSIDE THE CONSTRUCTION BOUNDARIES. CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL, MANAGEMENT, STORAGE, LOADING, AND DISPOSAL OF CONSTRUCTION DEBRIS. CONTRACTOR SHALL DISPOSE OF DEBRIS PER APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
20. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING POTABLE WATER AND TEMPORARY SANITARY FACILITIES FOR HIS/HER PERSONNEL. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR INSTALLING AND REMOVING ANY REQUIRED TEMPORARY UTILITY CONNECTIONS.
21. SUBMITTALS: SUBMIT MATERIAL AND PRODUCT DATA, WARRANTIES, INSTALLATION, AND AS-BUILT CONSTRUCTION DOCUMENTS TO THE OWNER AND ENGINEER FOR REVIEW PER SPECIFICATION 01 33 00. CONTRACTOR SHALL FORWARD MATERIAL MANIFESTS TO THE ENGINEER AND OWNER. CONTRACTOR SHALL PROVIDE AS-BUILT DRAWINGS WITH NOTES IDENTIFYING MODIFICATIONS TO THE CONSTRUCTION DRAWINGS.
22. CONTRACTOR SHALL HAVE PROPER EQUIPMENT AND MANPOWER NECESSARY TO UNLOAD ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND THE CONTRACT DOCUMENTS.
23. CONTRACTOR SHALL PROTECT ALL EXISTING CONTROL POINTS AND PROMPTLY REPLACE IF DAMAGED AT CONTRACTOR'S COST. ADDITIONAL HORIZONTAL AND VERTICAL CONTROL POINTS SHALL BE ADDED BY CONTRACTOR AS NECESSARY TO COMPLETE WORK. NEW CONTROL POINTS SHALL BE PROVIDED BY THE CONTRACTOR TO THE OWNER. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING STRUCTURE ELEVATIONS DURING CONSTRUCTION STAKING, COMPARE THESE ELEVATIONS TO THOSE INDICATED AND REVIEW WITH ENGINEER.
24. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF EXISTING MONITORING WELLS, METHANE MONITORING WELLS, UTILITIES AND STRUCTURES. ANY DAMAGE TO EXISTING SYSTEMS SHALL BE IMMEDIATELY REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER.
25. THESE NOTES AND OTHER DRAWING NOTES CONTAINED HEREWITH ARE PROVIDED TO MEET SPECIFIC REQUIREMENTS AND TO SUPPLEMENT THE CONTRACT DOCUMENTS. THESE NOTES NEITHER REPLACE NOR OVERRIDE THE PROVISIONS AND REQUIREMENTS OF THE CONTRACT DOCUMENTS.

**EROSION CONTROL NOTES**

1. A COMPLETE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN WILL BE PROVIDED TO THE CONTRACTOR UNDER SEPARATE COVER.
2. CONTRACTOR'S PERSONNEL SHALL RECEIVE ESPCP TRAINING AS REQUIRED BY OR ADDRESSED IN THE ESPCP.
3. CONTRACTOR SHALL IMPLEMENT BEST MANAGEMENT PRACTICES (BMP'S) AS REQUIRED BY THE CONSTRUCTION DRAWINGS AND THE ESPCP. ADDITIONAL BMP'S SHALL BE IMPLEMENTED AS DICTATED BY THE SITE CONDITIONS THROUGHOUT ALL PHASES OF CONSTRUCTION.
4. TEMPORARY EROSION AND SEDIMENT CONTROLS: FURNISH, INSTALL, CONSTRUCT, AND MAINTAIN TEMPORARY MEASURES TO CONTROL EROSION AND MINIMIZE THE SILTATION OF CONVEYANCE FEATURES AND THE POLLUTION OF PRIVATE PROPERTIES. TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL COMPLETION OF THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND REMOVAL OF ALL SEDIMENT CONTROL PRACTICES REQUIRED AS A RESULT OF HIS/HER ACTIVITIES. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN INSTRUCTIONS AND RECOMMENDATIONS, UNLESS NOTED OTHERWISE. THE SEDIMENT CONTROL PRACTICES INDICATED IN THE CONTRACT DRAWINGS ARE NOT INTENDED TO BE INCLUSIVE OF ALL SEDIMENT CONTROL PRACTICES REQUIRED TO BE COMPLETED FOR THIS PROJECT.
6. PROVIDE AND MAINTAIN ALL EROSION CONTROL FEATURES NECESSARY TO COMPLY WITH ALL APPLICABLE LOCAL, STATE, FEDERAL, AND JURISDICTIONAL AGENCY'S EROSION CONTROL-RELATED REGULATIONS THROUGHOUT THE DURATION OF THE PROJECT. CONTRACTOR SHALL REMOVE EROSION CONTROL FEATURES IF SAID FEATURES ARE NOT BIODEGRADABLE.
7. BMP'S AND CONTROLS SHALL CONFORM TO THE REQUIREMENTS OF THE GEORGIA ENVIRONMENTAL PROTECTION DIVISION. CONTRACTOR SHALL IMPLEMENT ADDITIONAL CONTROLS AS DIRECTED BY PERMITTING AGENCY OR OWNER.
8. CONTRACTOR IS REQUIRED TO COMPLY WITH THE TERMS AND CONDITIONS CONTAINED WITHIN THE CONSTRUCTION STORMWATER GENERAL PERMIT.
9. CONTRACTOR SHALL MINIMIZE CLEARING TO THE MAXIMUM EXTENT PRACTICAL OR AS REQUIRED BY THE GENERAL PERMIT.
10. ALL WASH WATER (VEHICLE CLEANING, EQUIPMENT CLEANING, ETC.) SHALL BE DETAINED AND PROPERLY TREATED OR DISPOSED.
11. SUFFICIENT OIL AND GREASE ABSORBING MATERIALS AND FLOTATION BOOMS SHALL BE MAINTAINED ON SITE OR READILY AVAILABLE TO CONTAIN AND CLEAN-UP FUEL OR CHEMICAL SPILLS AND LEAKS.
12. DUST ON THE SITE SHALL BE CONTROLLED. THE USE OF MOTOR OILS AND OTHER PETROLEUM BASED OR TOXIC LIQUIDS FOR DUST SUPPRESSION OPERATIONS IS PROHIBITED.
13. RUBBISH, TRASH, GARBAGE, LITTER, OR OTHER SUCH MATERIALS SHALL BE DEPOSITED INTO SEALED CONTAINERS. THESE SUCH MATERIALS SHALL BE PREVENTED FROM LEAVING THE PREMISES THROUGH THE ACTION OF WIND OR STORM DISCHARGE INTO CONVEYANCE FEATURES OR WATERS OF THE STATE. DISPOSAL OF SOLID WASTE SHALL BE COORDINATED WITH OWNER.
14. ALL STORMWATER POLLUTION PREVENTION MEASURES PRESENTED IN THE CONSTRUCTION DRAWINGS SHALL BE INITIATED AS SOON AS PRACTICABLE.
15. ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.
16. CONTRACTOR WILL BE RESPONSIBLE FOR REMOVING SEDIMENT IN THE SEDIMENTATION POND AND ANY SEDIMENT THAT MAY HAVE COLLECTED IN THE STORMWATER DRAINAGE SYSTEMS IN CONJUNCTION WITH THE STABILIZATION OF THE SITE.
17. SOIL STOCKPILE AND BORROW AREAS RESULTANT FROM CONTRACTOR'S ACTIVITIES SHALL BE PROTECTED FROM EROSION AND SEDIMENTATION THROUGH IMPLEMENTATION OF BMP'S AND SEEDING.
18. SLOPES SHALL BE LEFT IN A ROUGHENED CONDITION DURING THE GRADING PHASE TO REDUCE RUNOFF VELOCITIES AND EROSION.
19. DUE TO THE GRADE CHANGES DURING THE DEVELOPMENT OF THE PROJECT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING THE EROSION CONTROL MEASURES IN ORDER TO PREVENT EROSION.
20. THE PERIMETER OF ANY STOCKPILE AREAS SHALL BE LINED WITH SEDIMENT FENCE.
21. THE INTEGRITY OF WETTED PERIMETER FOR PERIMETER AND DIVERSION DITCHES SHALL BE MAINTAINED AT ALL TIMES.
22. FUELING OF CONTRACTOR EQUIPMENT SHALL BE CONDUCTED IN A CONTAINED AREA.
23. STORAGE OF FUELS AND HAZARDOUS MATERIALS SHALL BE DONE IN SUCH A WAY AS TO MINIMIZE THE POTENTIAL OF SPILLS. CONTRACTOR SHALL PROVIDE AND INSTALL THEIR OWN SPILL CONTAINMENT DEVICES OR STRUCTURES.
24. SPILLS OF TOXIC OR HAZARDOUS MATERIAL, INCLUDING DIESEL FUEL FOR CONTRACTOR EQUIPMENT USE ONSITE, SHALL BE REPORTED TO THE APPROPRIATE STATE OR LOCAL GOVERNMENT AGENCY, AS REQUIRED. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY.
25. CONCRETE WASHOUT SHALL BE COORDINATED WITH THE OWNER.
26. EXCAVATION AREAS SHALL BE MAINTAINED IN DEWATERED CONDITION. DEWATERING DEVICES AND APPURTENANCES SHALL BE SUPPLIED BY THE CONTRACTOR. EXCAVATION WATER MAY BE DISCHARGED ON SITE PER THE ESPCP.

no.	date	by	chk	description
0	8/28/23	MLA	BSW	ISSUED FOR BID



**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

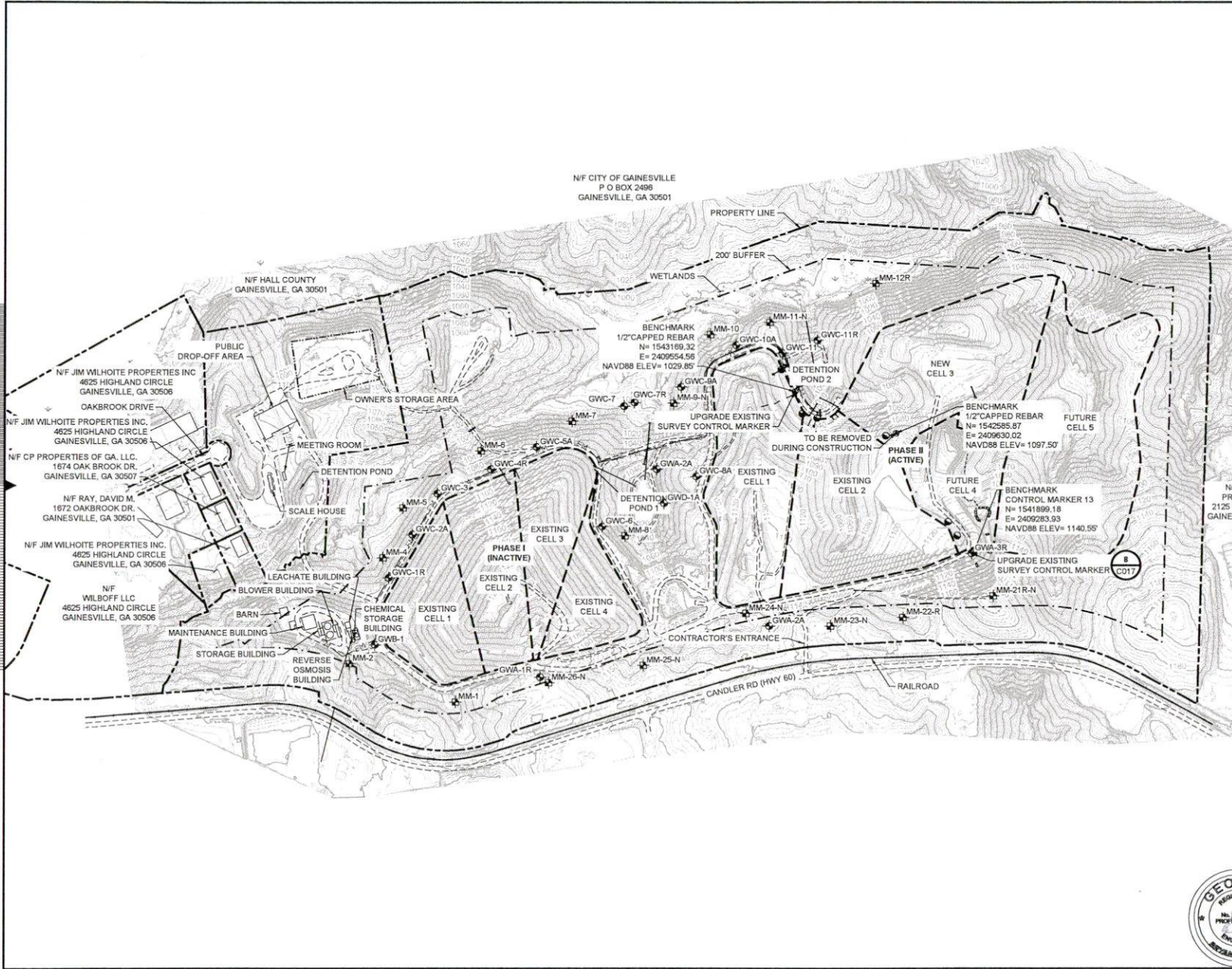


CANDLER ROAD LANDFILL  
 PERMIT # 069-15D(MSWL)  
 HALL COUNTY, GEORGIA

GENERAL NOTES			
project	152292	contract	PO # 435114
drawing	<b>G003</b>		<b>0</b>
sheet	3	of 39	sheets
file: G003 General Notes.dwg			

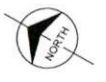


1 2 3 4 5 6 7 8 9 10 11 12 13



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - CONTOUR INTERVAL IS TWO FEET.
  - SITE TOPOGRAPHY MAY VARY DUE TO OWNER'S CONSTRUCTION, DAILY COVER MATERIAL EXCAVATION, STOCKPILING, AND WASTE DISPOSAL OPERATIONS.



**BURNS MEDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON



CANDLER ROAD LANDFILL  
 PERMIT # 065-150(MSWL)  
 HALL COUNTY, GEORGIA

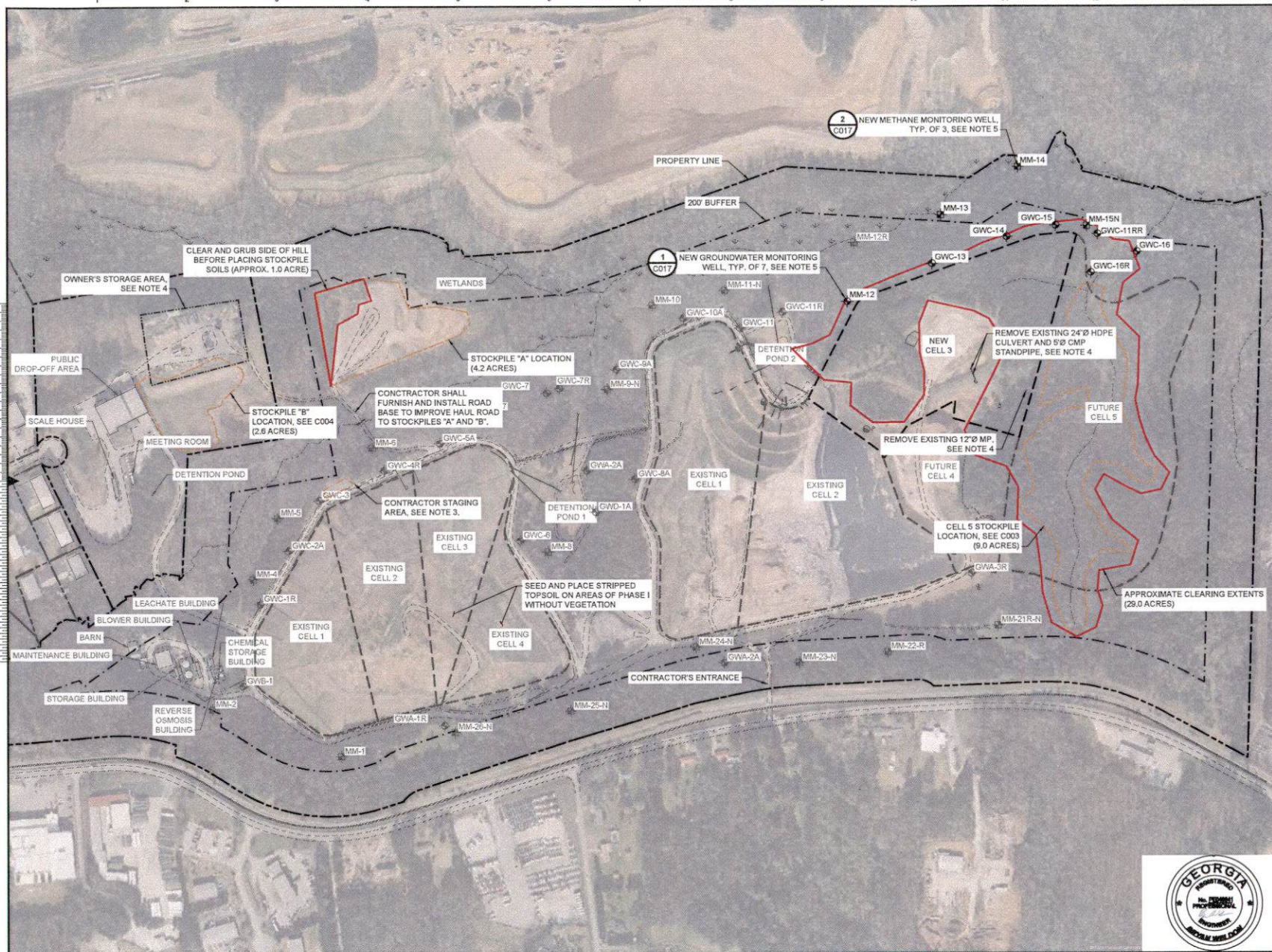
PHASE II CELL 3 CONSTRUCTION  
 EXISTING CONDITIONS

project	contract
152292	PO # 435114
drawing	rev.
<b>G004</b>	<b>0</b>
sheet 4 of 39 sheets	file 0204 Existing Conditions.dwg



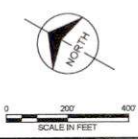


1 2 3 4 5 6 7 8 9 10 11 12 13



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - AERIAL IMAGERY RETRIEVED FROM BING MAPS, MAY 2023.
  - CONTRACTOR TO COORDINATE STAGING AREAS AND STOCKPILE LOCATIONS WITH OWNER.
  - EXISTING STORMWATER CONTROL PIPING REMOVED FROM CELL 3 CONSTRUCTION AREA SHALL BE SALVAGED AND PLACED IN OWNER'S STORAGE AREA.
  - LOCATIONS OF GROUNDWATER AND METHANE MONITORING WELLS SUBJECT TO CHANGE. COORDINATE WITH OWNER AND ENGINEER PRIOR TO INSTALLATION.
  - CONTRACTOR MAY EXTEND STOCKPILE LIMITS WITHIN FUTURE CELL 5 FOOTPRINT IF ABLE TO MAINTAIN STORMWATER DRAINAGE CHANNELS
  - CONTRACTOR TO COORDINATE STAGING AREA, EXCAVATING, AND STOCKPILING WITH OWNER. CONTRACTOR SHALL MINIMIZE DISRUPTIONS TO DAILY LANDFILL OPERATIONS AND ACCESS TO LANDFILLS CELLS TO THE EXTENT PRACTICAL DURING OPERATING HOURS.



**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-567-4778  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	designed	checked	detailed
AUGUST 28, 2023	M. AULT	B. WELDON	M. AULT



PHASE II CELL 3 CONSTRUCTION  
 GENERAL ARRANGEMENT

project	152292	contract	PO # 435114
drawing	<b>G005</b>	rev.	<b>0</b>
sheet	5	of 39	sheets
file	G005 General Arrangement.dwg		

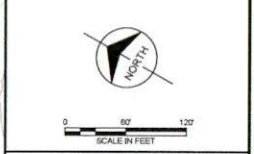






no.	date	by	chk	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES; WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF PREPARED SUBGRADE. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - ROAD GRADES SHOWN IN THE HIGHLIGHTED AREAS ARE INTENDED TO FACILITATE CONSTRUCTION ACCESS, BUT DO NOT REPRESENT FINAL FINISHED GRADES. PLAN FOR FINISHED GRADES IN THESE LOCATIONS WILL BE PROVIDED VIA FUTURE ADDENDA.
  - UNDERDRAIN PIPING NOT SHOWN THIS SHEET FOR CLARITY. SEE C002 FOR UNDERDRAIN PLAN AND CONSTRUCTION CONTROL POINTS.
  - SEE C003 FOR FUTURE CELL 5 STOCKPILE FILL PLAN.



**BURNS  
MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4778  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

**HALL COUNTY**  
 GEORGIA  
 CANDLER ROAD LANDFILL  
 PERMIT # 069-15D(MSWL)  
 HALL COUNTY, GEORGIA

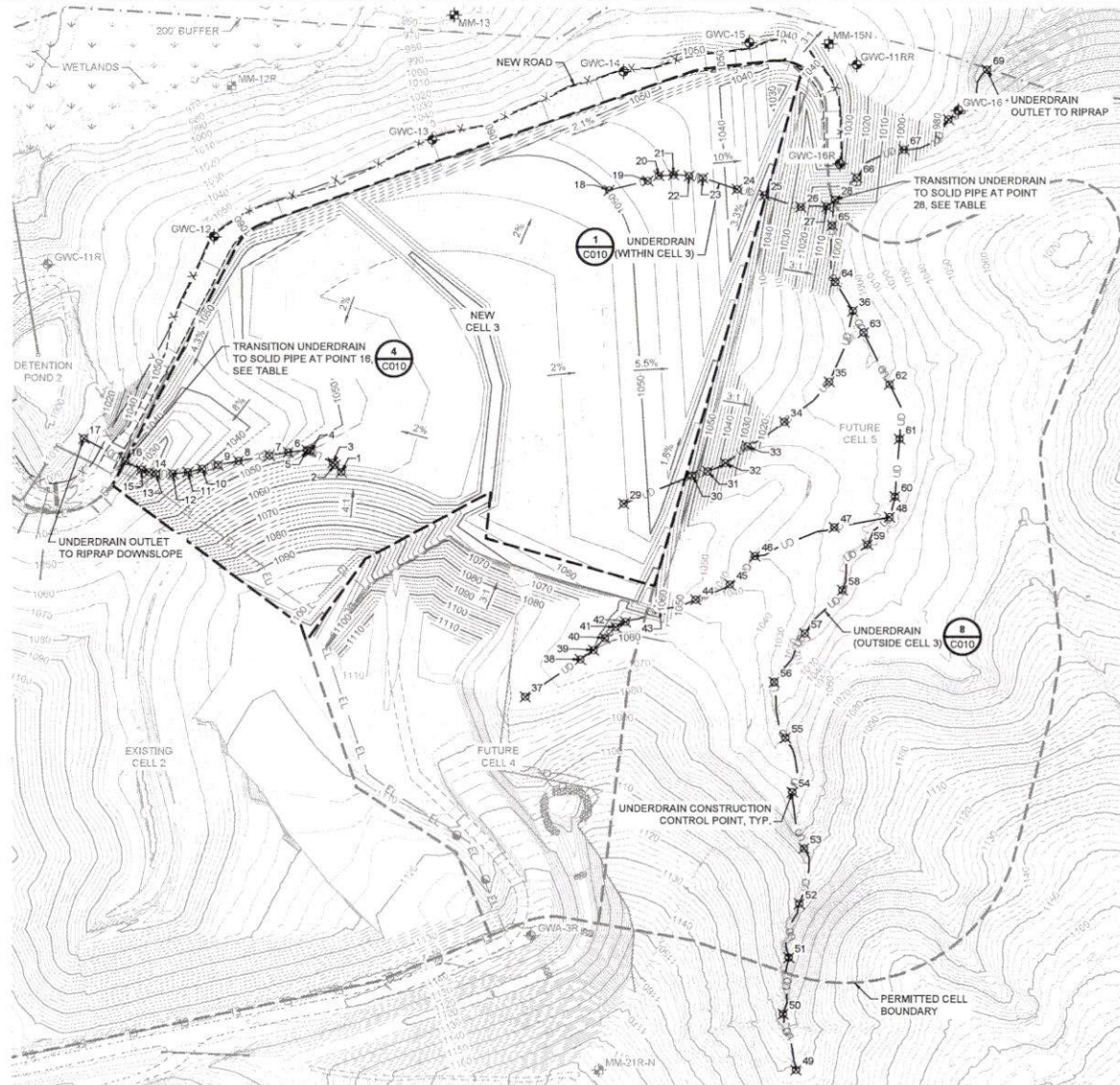
**PHASE II CELL 3 CONSTRUCTION**  
**CELL 3 SUBGRADE PLAN**

project	152292	contract	PO # 435114
drawing	<b>C001</b>	rev.	<b>0</b>
sheet	6	of	39
file	C001 Cell 3 Subgrade Plan.dwg		





UNDERDRAIN CONSTRUCTION CONTROL POINTS				
POINT NO.	NORTHING (FT)	EASTING (FT)	UD INVERT ELEV. (NAVD 88)	EXISTING SURFACE ELEV. (NAVD 88)
1	1542589.81	2409797.17	1051.00	1061.25
2	1542605.33	2409802.35	1048.00	1058.05
3	1542610.41	2409804.04	1047.00	1057.15
4	1542653.56	2409801.78	1046.00	1050.08
5	1542659.90	2409800.33	1045.00	1049.19
6	1542685.56	2409781.40	1042.00	1045.67
7	1542710.30	2409760.46	1040.00	1042.43
8	1542751.98	2409725.72	1038.00	1037.86
9	1542778.38	2409702.12	1036.00	1035.67
10	1542796.61	2409683.03	1034.00	1035.68
11	1542816.97	2409665.53	1032.00	1036.62
12	1542837.67	2409650.39	1029.00	1036.94
13	1542862.60	2409635.73	1025.00	1036.50
14	1542874.32	2409632.84	1022.00	1036.12
15	1542887.71	2409629.41	1021.78	1036.08
16	1542919.22	2409628.68	1021.28	1038.00
17	1543000.48	2409628.79	1020.00	1020.00
18	1542437.50	2410447.86	1044.00	1082.00
19	1542387.83	2410495.40	1041.00	1057.24
20	1542378.18	2410512.47	1040.00	1051.00
21	1542355.21	2410526.28	1039.00	1046.00
22	1542331.34	2410538.22	1038.00	1040.00
23	1542309.13	2410546.78	1034.00	1034.00
24	1542248.54	2410559.73	1022.00	1022.00
25	1542202.58	2410574.51	1012.00	1012.00
26	1542138.77	2410587.87	998.00	998.00
27	1542101.03	2410610.88	988.00	988.00
28	1542094.56	2410628.45	987.85	987.85
29	1542143.59	2409992.32	1040.00	1040.00
30	1542066.81	2410093.04	1028.00	1028.00
31	1542047.29	2410112.86	1026.00	1026.00
32	1542028.26	2410140.45	1022.00	1022.00
33	1542009.88	2410184.29	1019.00	1019.00
34	1541976.36	2410252.70	1014.00	1014.00
35	1541945.27	2410351.18	1006.00	1006.00
36	1541971.39	2410477.28	996.00	996.00
37	1542122.04	2409619.24	1065.00	1072.00
38	1542072.81	2409722.23	1061.00	1062.00
39	1542061.18	2409747.27	1059.00	1060.00
40	1542055.00	2409775.09	1058.00	1058.00
41	1542048.63	2409800.71	1055.96	1055.96
42	1542038.19	2409817.14	1054.00	1054.00
43	1541998.61	2409865.76	1047.00	1047.00
44	1541953.43	2409910.44	1040.00	1040.00
45	1541916.02	2409962.66	1036.00	1036.00
46	1541903.31	2410026.81	1028.00	1028.00
47	1541811.35	2410137.60	1016.00	1016.00
48	1541737.98	2410200.67	1004.00	1004.00
49	1541397.67	2409295.47	1118.00	1118.00
50	1541464.91	2409367.67	1103.11	1103.80
51	1541505.27	2409456.80	1090.44	1090.13
52	1541536.36	2409545.71	1083.57	1083.97
53	1541577.27	2409632.13	1074.43	1074.43
54	1541643.15	2409705.98	1051.73	1052.21
55	1541700.54	2409781.58	1035.81	1039.00
56	1541765.61	2409855.25	1023.99	1024.00
57	1541762.61	2409954.19	1015.73	1016.00
58	1541744.60	2410050.74	1009.02	1010.30
59	1541746.69	2410140.35	1004.89	1004.64
60	1541747.71	2410235.95	1004.00	1004.00
61	1541790.92	2410326.13	1002.99	1002.87
62	1541853.33	2410399.47	1000.47	1001.89
63	1541936.82	2410454.50	997.31	998.74
64	1542022.63	2410505.72	993.69	993.97
65	1542076.37	2410587.35	987.99	987.99
66	1542081.09	2410679.82	985.01	985.07
67	1542035.42	2410762.37	977.33	977.71
68	1541995.56	2410845.51	970.29	970.45
69	1541981.93	2410953.15	957.00	957.00



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF PREPARED SUBGRADE. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.

**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-567-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	designed	detailed	checked
AUGUST 28, 2023	M. AULT	M. AULT	B. WELDON

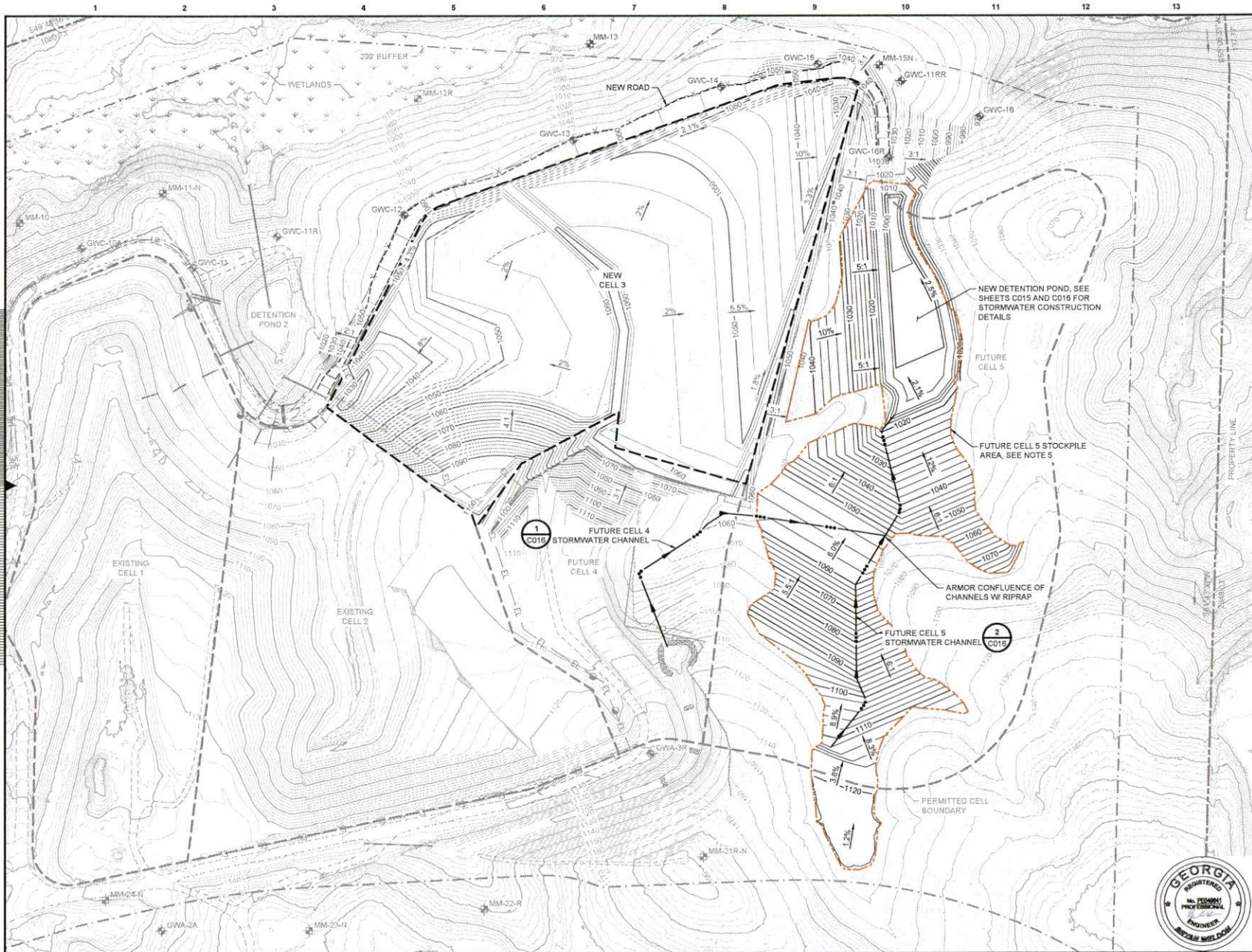
**HALL COUNTY**  
 GEORGIA  
 Candler Road Landfill  
 Permit # 069-15D(MSWL)  
 Hall County, Georgia

PHASE II CELL 3 CONSTRUCTION  
 UNDERDRAIN PLAN

project	contract
152292	PO # 435114
drawing	rev.
<b>C002</b>	<b>0</b>
sheet 7 of 39	sheets
file: C002 Underdrain Plan.dwg	







no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF PREPARED SUBGRADE. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - CONTRACTOR MAY EXTEND STOCKPILE LIMITS WITHIN FUTURE CELL 5 BOUNDARY, SO LONG AS THE STORMWATER DRAINAGE CHANNEL IS MAINTAINED.
  - CONTRACTOR TO COORDINATE STAGING AREA, EXCAVATION, AND STOCKPILING WITH OWNER.

North Arrow

0 100 200  
SCALE IN FEET

**BURNS MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 8/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

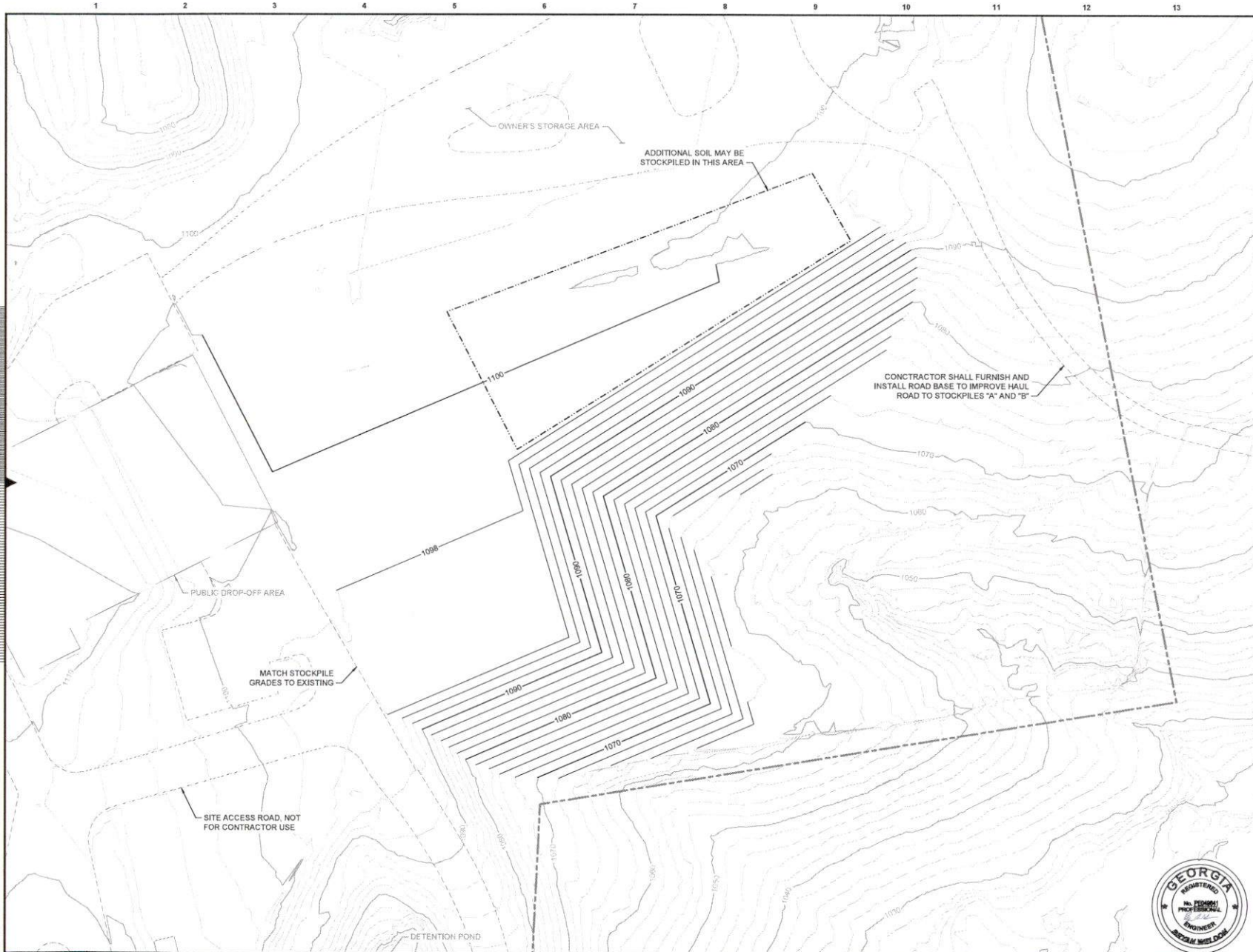
**HALL COUNTY**  
 GEORGIA  
 CANDLER ROAD LANDFILL  
 PERMIT # 065-150(MSWL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 FUTURE CELL 5  
 STOCKPILE FILL PLAN

project	contract
152292	PO # 435114
drawing	rev.
<b>C003</b>	<b>0</b>
sheet 8 of 39 sheets	
file C003 Future Cell 5 Stockpile Fill Plan.dwg	

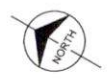






no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - CONTRACTOR SHALL PLACE GENERAL FILL SOIL AS SHOWN AND GRADE TO CREATE AN EXTENSION OF THE OWNER'S EXISTING STORAGE AREA.
  - GENERAL FILL SHALL BE PLACED AND COMPACTED IN ACCORDANCE WITH PROJECT SPECIFICATIONS, QUALITY CONTROL TESTING FOR DENSITY IS NOT REQUIRED FOR STOCKPILE B.
  - CONTRACTOR SHALL PLACE SILT FENCE AROUND THE PERIMETER OF STOCKPILE B. SEED AND STABILIZE SLOPES AS SOON AS PRACTICAL, AND COMPLETE ANY OTHER STOCKPILE BMPs IN ACCORDANCE WITH THE ESPCP.
  - CONTRACTOR TO COORDINATE STAGING AREA, EXCAVATION, AND STOCKPILING WITH OWNER.



**BURNS  
McDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-597-4770  
 Burns & McDonnell Engineering Co. Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

**HALL COUNTY**  
 GEORGIA  
 CANDLER ROAD LANDFILL  
 PERMIT # 069-15D(MSWL)  
 HALL COUNTY, GEORGIA

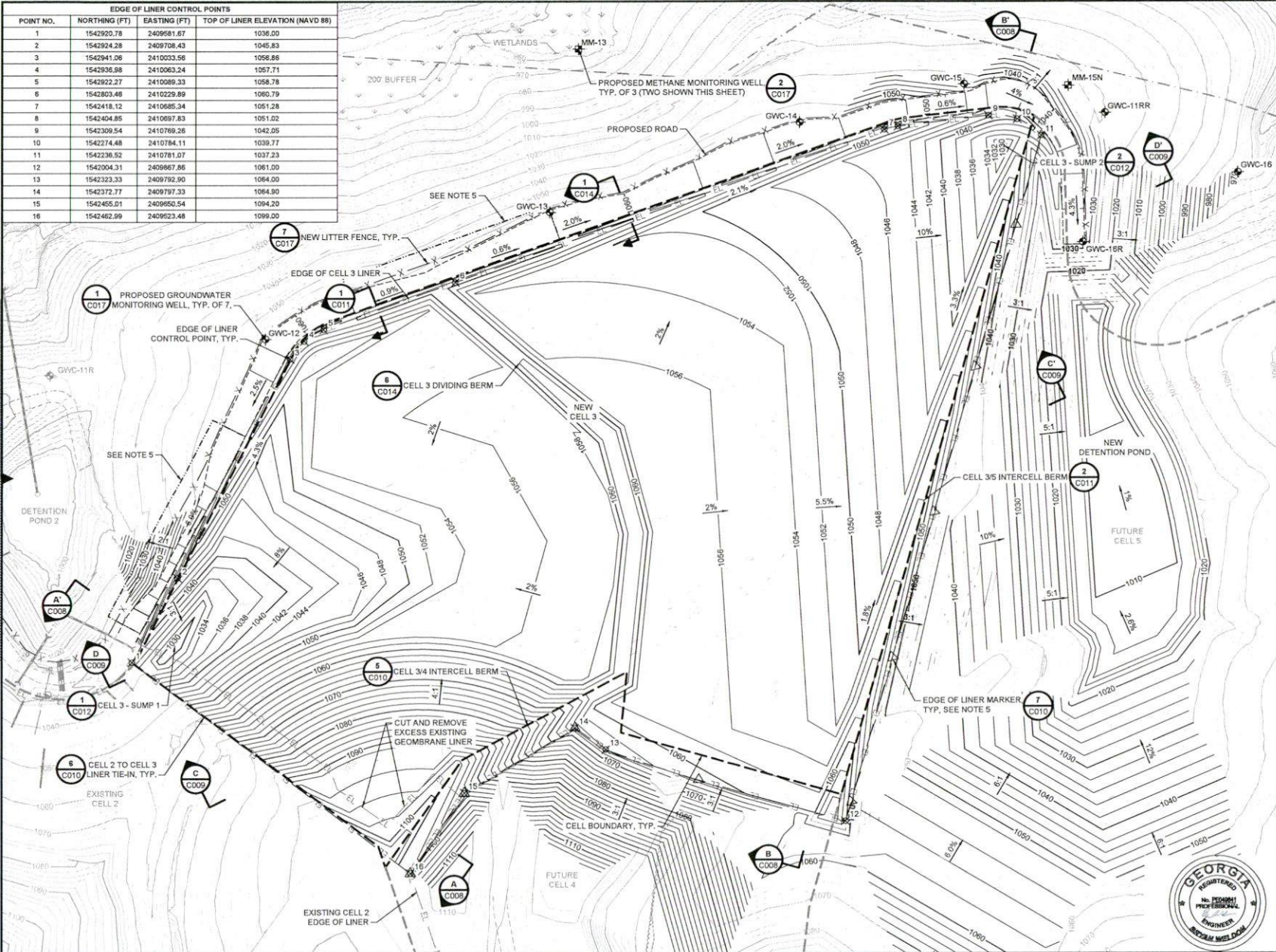
**PHASE II CELL 3 CONSTRUCTION  
 STOCKPILE B FILL  
 PLAN**

project	152292	contract	PO # 435114
drawing	<b>C004</b>	rev.	<b>0</b>
sheet	9	of	39 sheets





EDGE OF LINER CONTROL POINTS			
POINT NO.	NORTHING (FT)	EASTING (FT)	TOP OF LINER ELEVATION (NAVD 88)
1	1542920.78	2409561.67	1036.00
2	1542924.28	2409708.43	1045.83
3	1542941.06	2410033.56	1056.86
4	1542936.98	2410063.24	1057.71
5	1542922.27	2410089.33	1058.78
6	1542803.48	2410229.89	1060.79
7	1542418.12	2410685.34	1051.28
8	1542404.85	2410697.83	1051.02
9	1542309.54	2410766.26	1042.05
10	1542274.48	2410784.11	1039.77
11	1542236.52	2410781.07	1037.23
12	1542004.31	2409867.86	1061.00
13	1542323.33	2409792.90	1064.00
14	1542372.77	2409797.33	1064.90
15	1542465.01	2409650.54	1094.20
16	1542462.99	2409623.48	1099.00



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF RECOMPACTED SOIL LAYER GRADES. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - ROAD GRADES SHOWN IN THE HIGHLIGHTED AREAS ARE INTENDED TO FACILITATE CONSTRUCTION ACCESS, BUT DO NOT REPRESENT FINAL FINISHED GRADES. PLAN FOR FINISHED GRADES IN THESE LOCATIONS WILL BE PROVIDED VIA FUTURE ADDENDA.
  - CONTRACTOR SHALL INSTALL EDGE OF LINER MARKERS EVERY 200 LINEAR FEET ALONG LIMITS OF LINER, EXCEPT FOR ALONG CONNECTIONS TO EXISTING LINER OR ALONG THE PERIMETER ACCESS ROAD.



SCALE IN FEET  
0 50 100

**BURNS MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4778  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON



CANDLER ROAD LANDFILL  
 PERMIT # 069-150(MSWL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 CELL 3 RECOMPACTED SOIL  
 LAYER GRADING PLAN

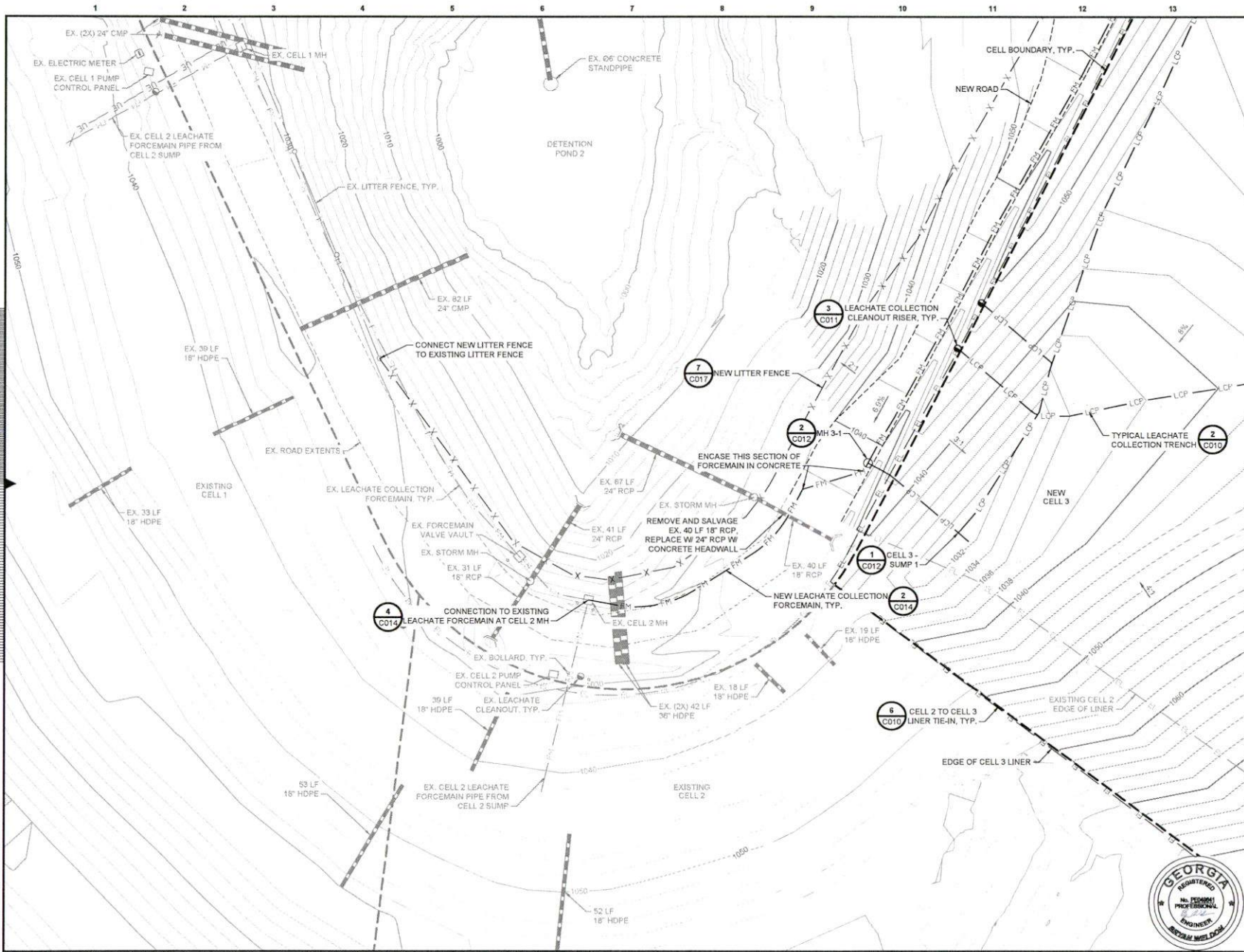
project	contract
152292	PO # 435114
drawing	rev.
<b>C005</b>	<b>0</b>
sheet 10 of 39 sheets	
file C005 Cell 3 Recompacted Soil Layer Grading Plan.dwg	





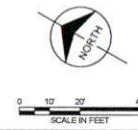






no.	date	by	chkd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF LEACHATE DRAINAGE LAYER. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.



**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4778  
 Burns & McDonnell Engineering Co. Inc.  
 COA: PEF00100 (EXP. DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON



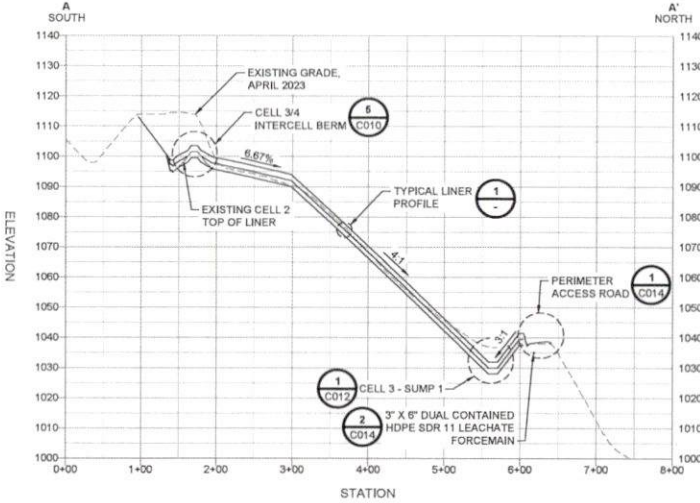
CANDLER ROAD LANDFILL  
 PERMIT #: 099-150(MSWL)  
 HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION  
 LEACHATE COLLECTION  
 FORCEMAIN PLAN**

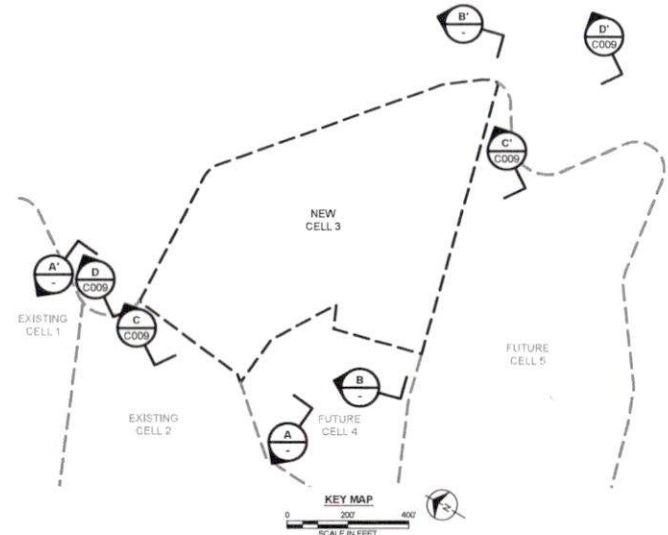
project	contract
152292	PO # 435114
drawing	rev.
<b>C007</b>	<b>0</b>
sheet 11 of 39 sheets	file C007 Leachate Collection Forcemain Plan.dwg



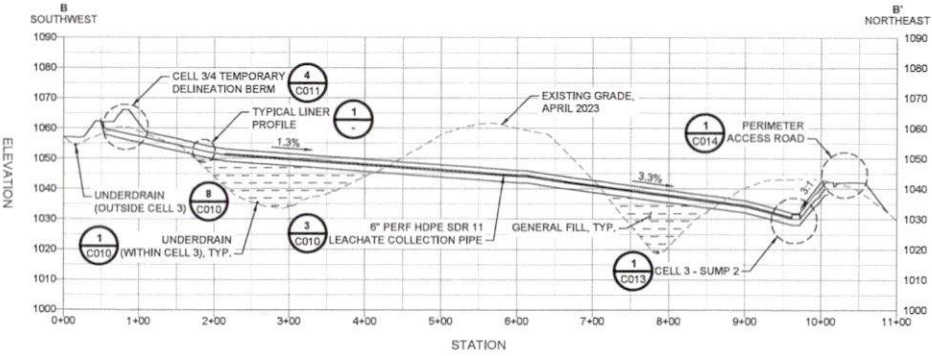
1 2 3 4 5 6 7 8 9 10 11 12 13



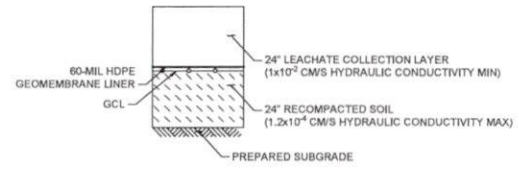
**SECTION A-A'**  
 HORIZONTAL SCALE: 1" = 80'  
 SCALE IN FEET  
 VERTICAL SCALE: 1" = 20'  
 SCALE IN FEET



**KEY MAP**  
 SCALE IN FEET



**SECTION B-B'**  
 HORIZONTAL SCALE: 1" = 80'  
 SCALE IN FEET  
 VERTICAL SCALE: 1" = 20'  
 SCALE IN FEET



**TYPICAL LINER SECTION**  
 SCALE: NTS

no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - SITE TOPOGRAPHY AT LINER TIE-IN LOCATIONS MAY VARY DUE TO OWNER'S CONSTRUCTION OR DAILY COVER MATERIAL STOCKPILING.
  - WASTE EXCAVATIONS AT LINER TIE-INS TO BE PERFORMED AT MAXIMUM SLOPE OF 3 FEET HORIZONTAL TO 1 FOOT VERTICAL.

**BURNS MEDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4778  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

**HALL COUNTY**  
 CANDLER ROAD LANDFILL  
 PERMIT # 069-150(MSWL)  
 HALL COUNTY, GEORGIA

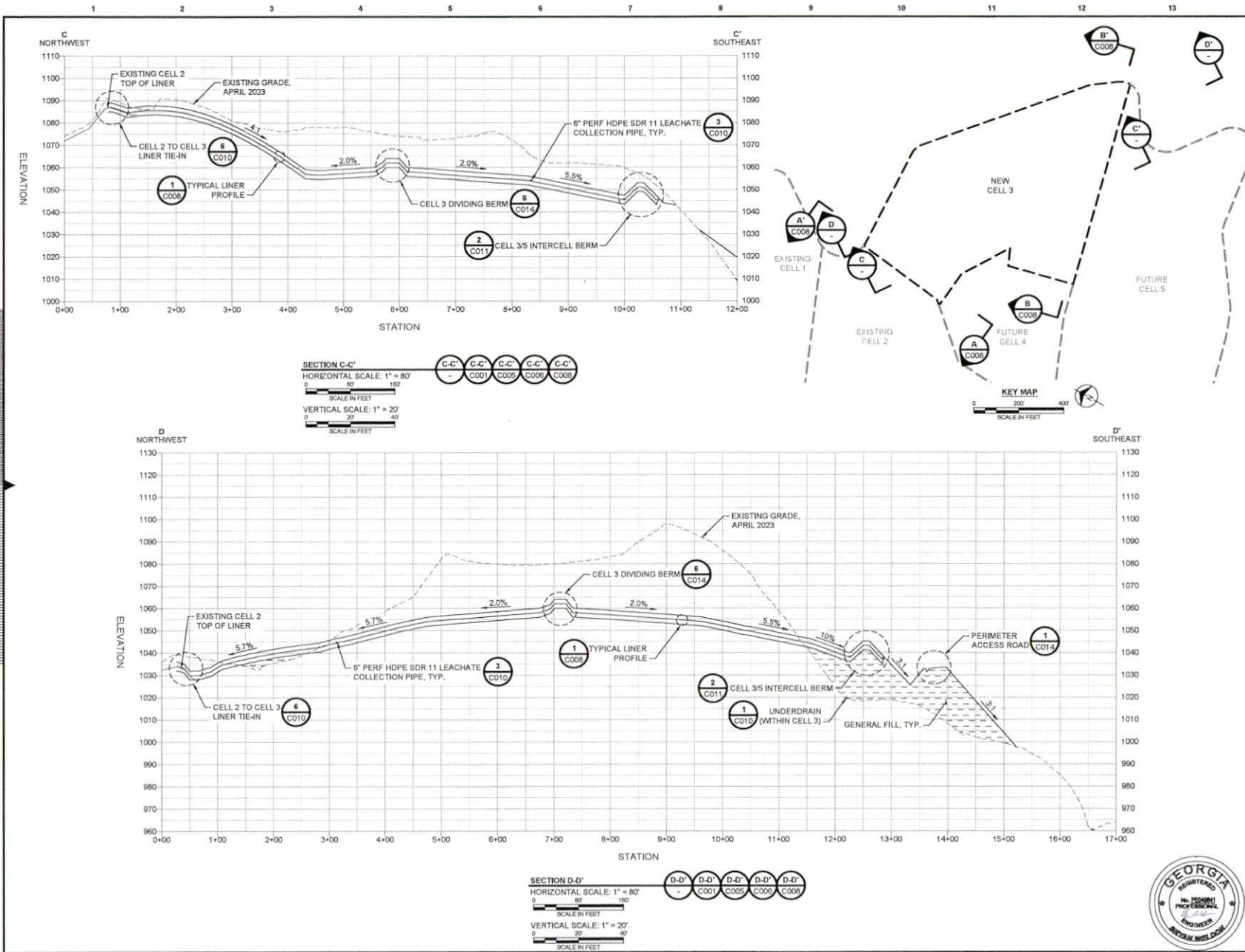
**PHASE II CELL 3 CONSTRUCTION**  
**CELL 3 CROSS SECTIONS, 1 OF 2**

project	152292	contract	PO # 435114
drawing	<b>C008</b>	rev.	<b>0</b>

sheet 13 of 39 sheets  
 file C008 Cell 3 Cross Sections, 1 of 2.dwg







no.	date	by	chkd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - SITE TOPOGRAPHY AT LINER TIE-IN LOCATIONS MAY VARY DUE TO OWNER'S CONSTRUCTION OR DAILY COVER MATERIAL STOCKPILING.
  - WASTE EXCAVATIONS AT LINER TIE-INS TO BE PERFORMED AT MAXIMUM SLOPE OF 3 FEET HORIZONTAL TO 1 FOOT VERTICAL.

**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP. DATE: 6/30/2024)

date	AUGUST 28, 2023	detailed	M. AULT
designed	M. AULT	checked	B. WELDON

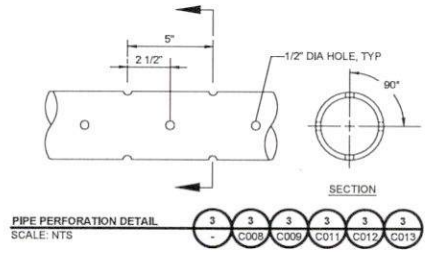
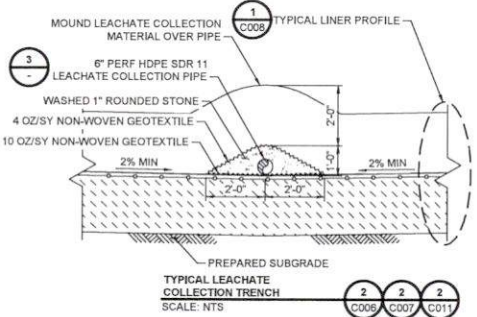
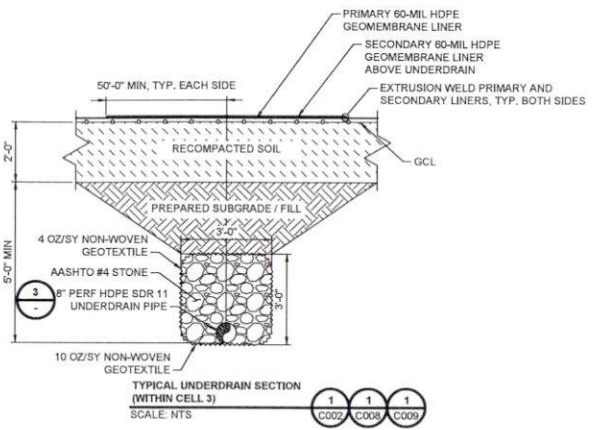
**HALL COUNTY**  
 GEORGIA  
 CANDLER ROAD LANDFILL  
 PERMIT # 099-150(MSRL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 CELL 3 CROSS SECTIONS, 2 OF 2

project	152292	contract	PO # 435114
drawing	<b>C009</b>	rev.	<b>0</b>
sheet	14	of	39 sheets
file	C009 Cell 3 Cross Sections, 2 of 2.dwg		

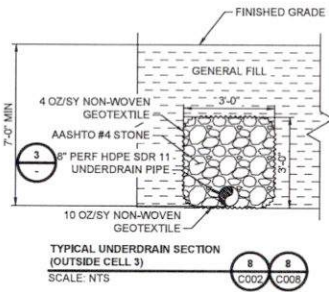
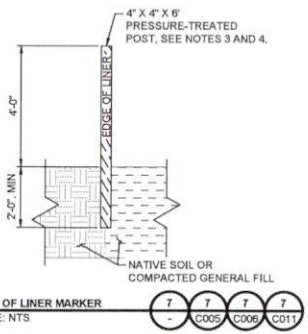
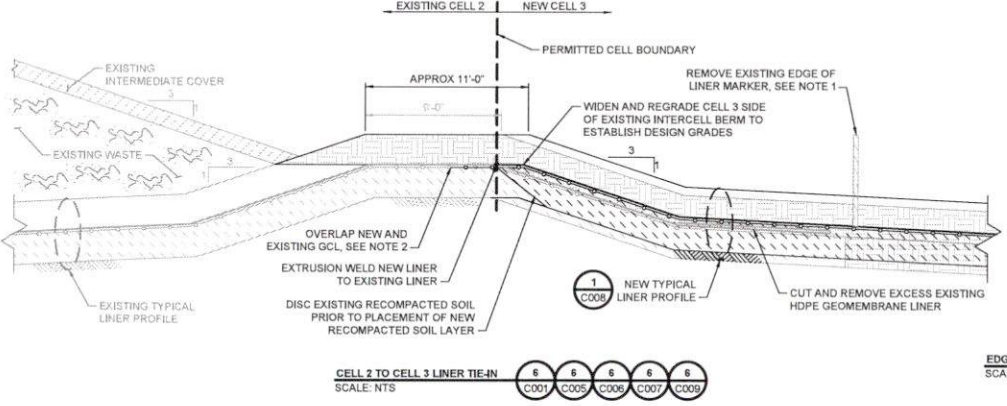
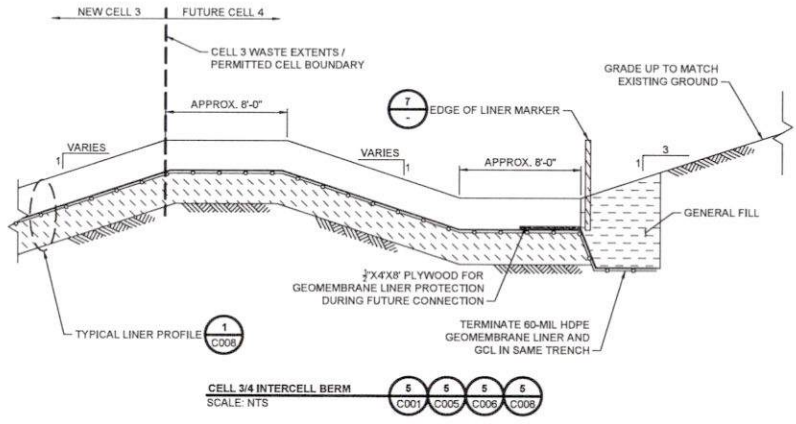
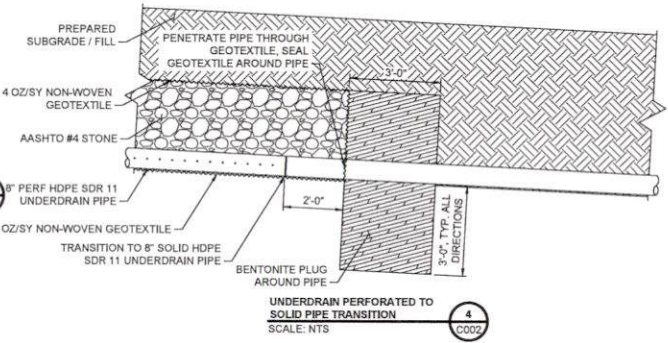


1 2 3 4 5 6 7 8 9 10 11 12 13



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- REMOVE EXISTING TEMPORARY EDGE OF LINER MARKERS ALONG CELL 2/3 LINER TIE-IN AND REUSE ALONG CELL 3/4 AND 3/5 LINER TERMINATION.
  - NEW GCL SHALL OVERLAP EXISTING GCL BY AT LEAST 3'. BENTONITE POWDER SHALL BE PLACED ALONG EDGE OF NEW GCL AT CELL 2/3 TIE-IN.
  - EDGE OF LINER MARKER SHALL BE PAINTED WHITE WITH TWO COATS OF WATERPROOF WOOD PAINT INTENDED FOR OUTDOOR USE. REPAINT REUSED MARKERS AS NEEDED.
  - EDGE OF LINER MARKER SHALL READ "EDGE OF LINER". FONT SHALL BE "ARIAL", "ARIAL BLACK", OR APPROVED ALTERNATE, AT AN APPROPRIATE LEGIBLE FONT SIZE.



**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP. DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

**HALL COUNTY**  
 Candler Road Landfill  
 PERMIT # 069-15D(MSWL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 CELL 3 CONSTRUCTION DETAILS, 1 OF 5

project	contract
152292	PO # 435114
drawing	rev.
<b>C010</b>	<b>0</b>
sheet 15 of 39 sheets	

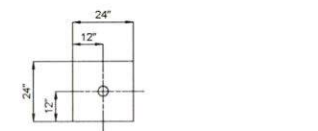
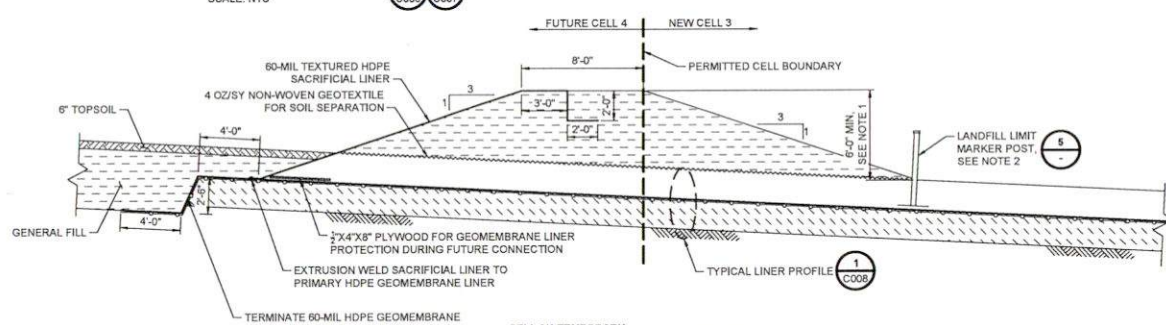
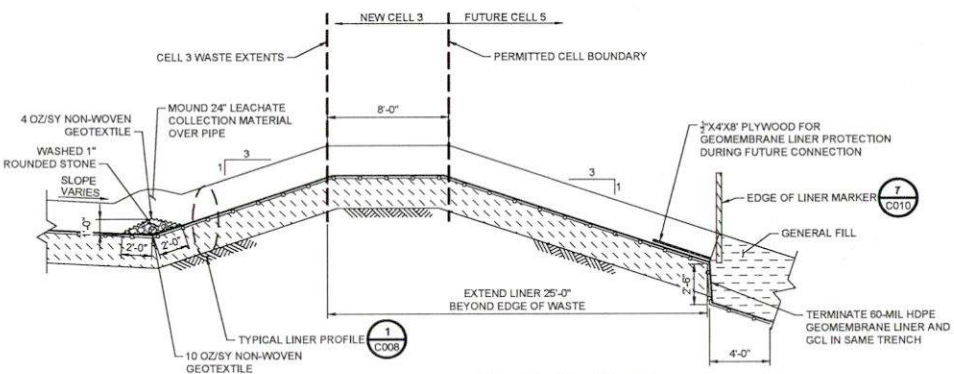
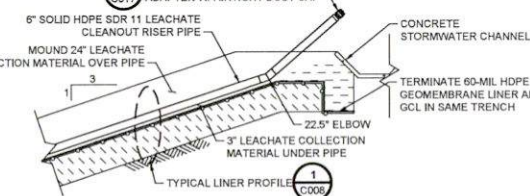
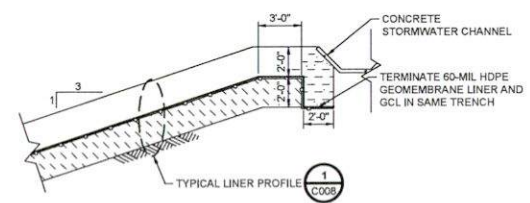




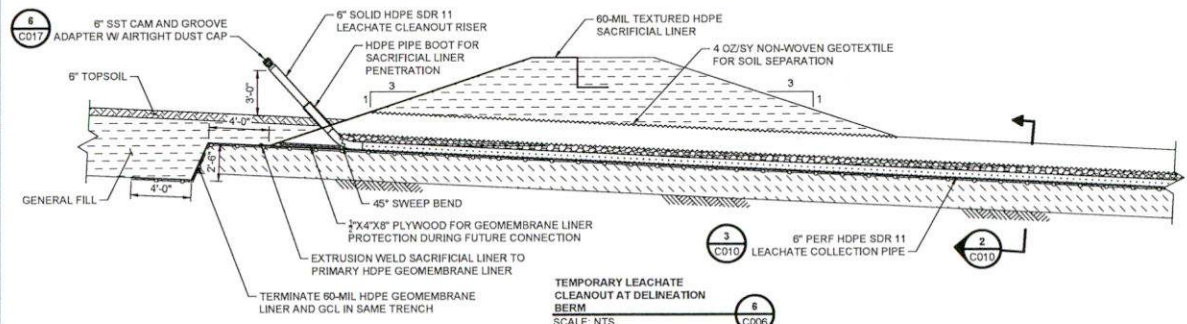
1 2 3 4 5 6 7 8 9 10 11 12 13

no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- HEIGHT OF BERM VARIES, SEE C006 FOR BERM GRADING PLAN.
  - LIMIT MARKER POSTS SHALL BE PLACED EVERY 100-FEET ALONG THE WEST BOUNDARY OF CELL 3.



**LIMIT MARKER POST**  
SCALE: NTS



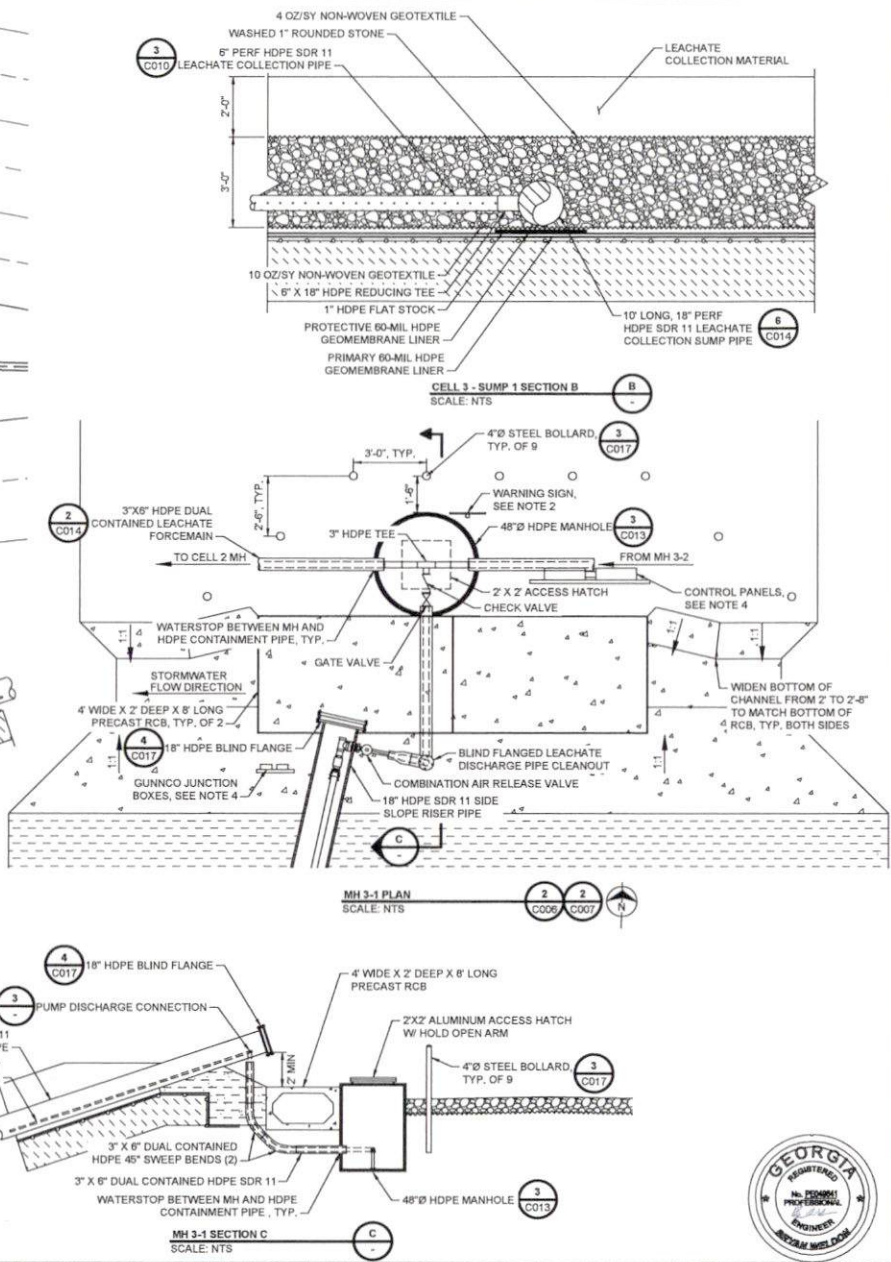
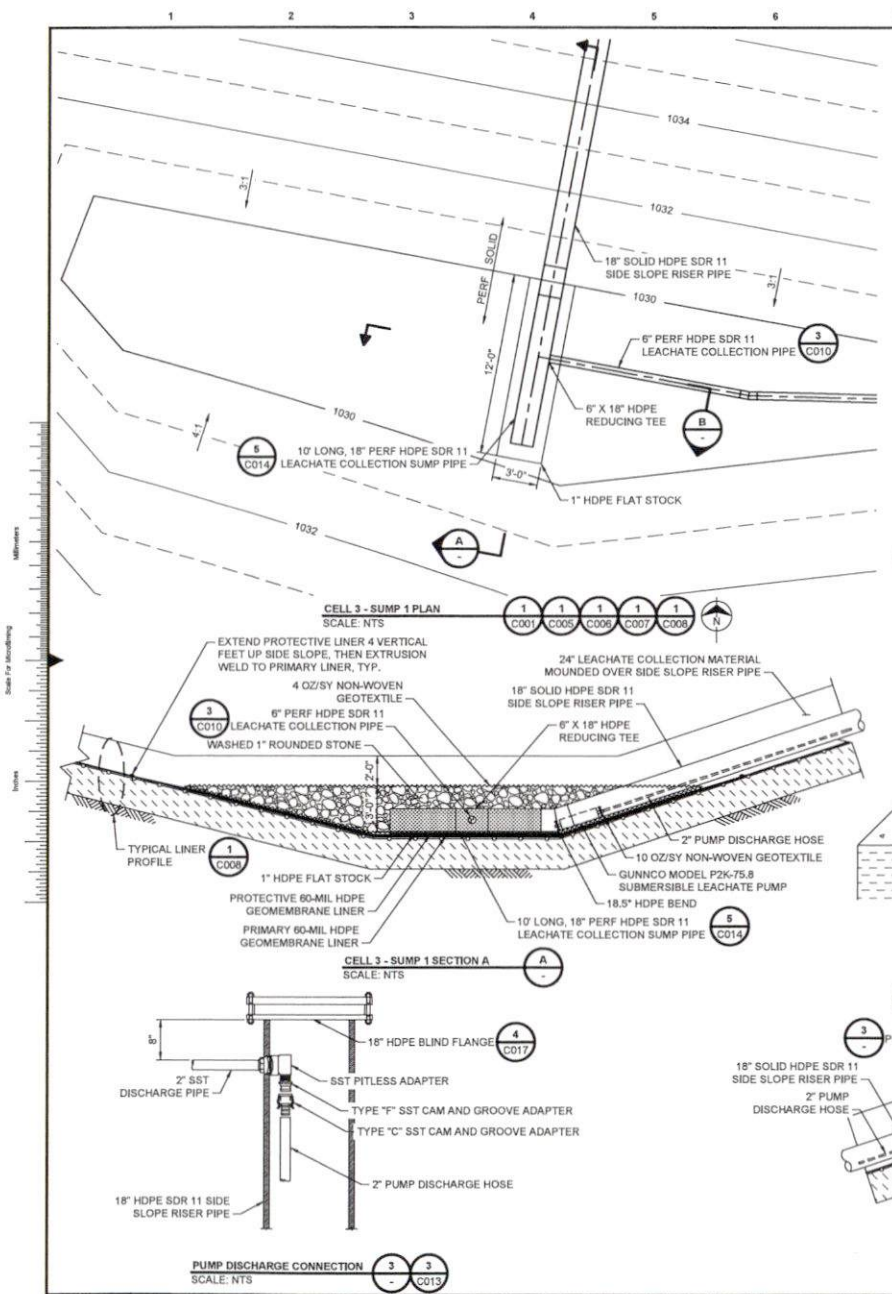
**BURNS  
McDONNELL**  
4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4779  
Burns & McDonnell Engineering Co., Inc.  
COA: PEF00100 (EXP. DATE: 6/30/2024)

date	AUGUST 28, 2023	detailed	M. AULT
designed	M. AULT	checked	B. WELDON

**HALL COUNTY**  
FLORIDA  
CANDLER ROAD LANDFILL  
PERMIT # 089-15D(MSWL)  
HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION**  
**CELL 3 CONSTRUCTION DETAILS, 2 OF 5**

project	152292	contract	PO # 435114
drawing	<b>C011</b>	rev.	<b>0</b>
sheet	16	of	39
file	C011 Cell 3 Construction Details, 2 of 5.dwg		



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- DESIGN CONTOURS SHOWN ON CELL 3 - SUMP 1 PLAN REPRESENT TOP OF GEOMEMBRANE LINER GRADES. CONTOUR INTERVAL IS ONE FOOT.
  - CAUTION SIGN WHICH READS "CAUTION - CONFINED SPACE - ENTRY BY PERMIT ONLY" OR ENGINEER-APPROVED ALTERNATIVE SHALL BE INSTALLED AT EACH NEW MANHOLE.
  - ALL SIDE SLOPE RISER PIPING SHALL BE FUSED USING ELECTROFUSION COUPLINGS. BUTT FUSION WELDING IS NOT ALLOWED ON SIDE SLOPE RISER PIPING.
  - ELECTRICAL CONDUIT NOT SHOWN ON MH 3-1 DETAILS THIS SHEET FOR CLARITY. SEE E103 FOR LAYOUT OF ELECTRICAL FEATURES AT MH 3-1.

**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP. DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

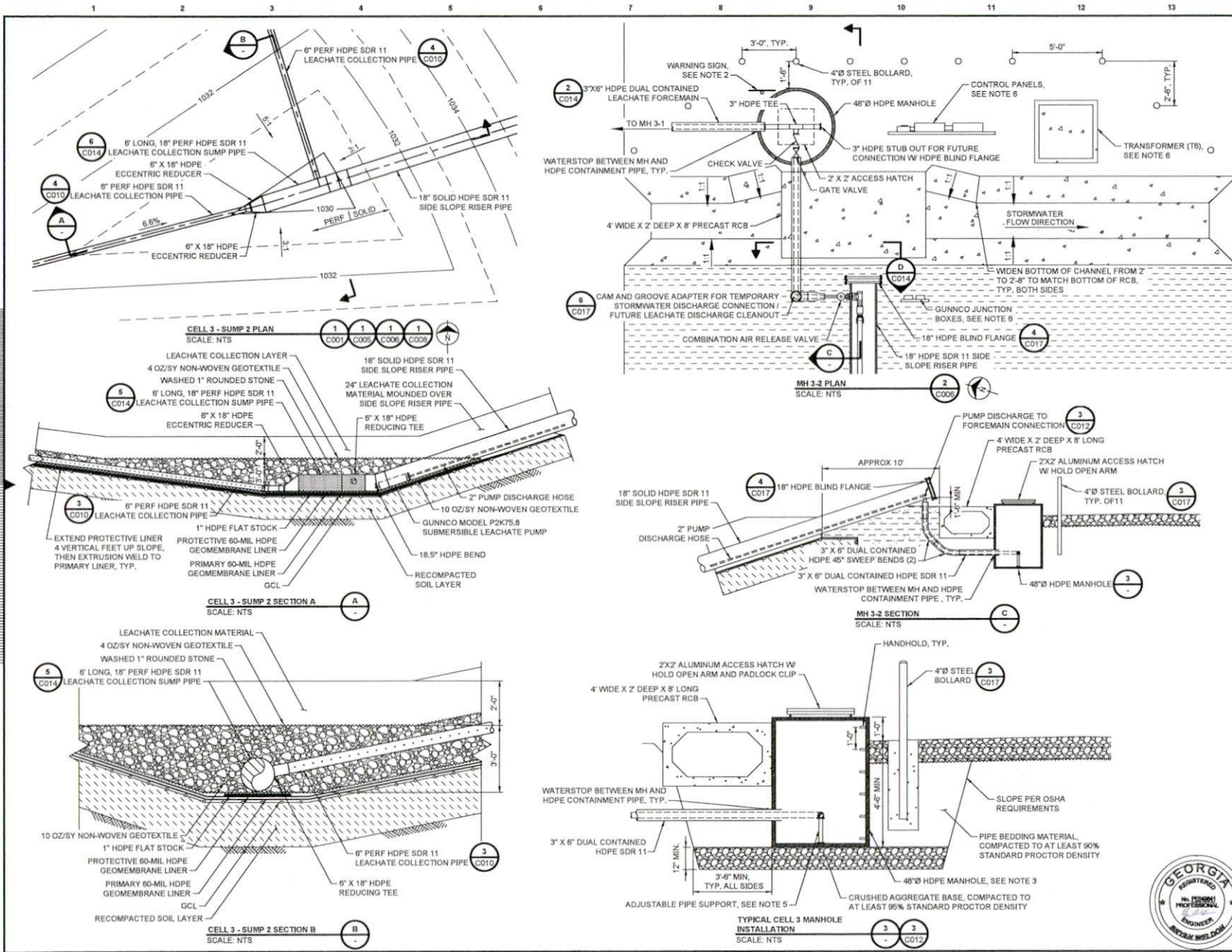
**HALL COUNTY**  
 Candler Road Landfill  
 PERMIT #: 069-150(MSWL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 CELL 3 CONSTRUCTION DETAILS, 3 OF 5

project	contract
152292	PO # 435114
drawing	rev.
<b>C012</b>	<b>0</b>
sheet 17 of 39 sheets	file C012 Cell 3 Construction Details, 3 of 5.dwg







no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- DESIGN CONTOURS SHOWN ON CELL 3 - SUMP 2 PLAN REPRESENT TOP OF GEOMEMBRANE LINER GRADES. CONTOUR INTERVAL IS ONE FOOT.
  - CAUTION SIGN WHICH READS "CAUTION - CONFINED SPACE - ENTRY BY PERMIT ONLY" OR ENGINEER-APPROVED ALTERNATIVE SHALL BE INSTALLED AT EACH NEW MANHOLE.
  - HDPE MANHOLE SHALL BE PREFABRICATED. WALL THICKNESS SHALL BE DETERMINED BY MANUFACTURER BASED ON BURIAL DEPTH.
  - ALL SIDE SLOPE RISER PIPING SHALL BE FUSED USING ELECTROFUSION COUPLINGS. BUTT FUSION WELDING IS NOT ALLOWED ON SIDE SLOPE RISER PIPING.
  - ADJUSTABLE PIPE SUPPORTS SHALL BE PLACED UNDER EACH VALVE, FITTING, AND OTHER SECTIONS OF PIPE WITHIN MANHOLE AS NEEDED.
  - ELECTRICAL CONDUIT NOT SHOWN ON MH 3-2 DETAILS THIS SHEET FOR CLARITY. SEE 1105 FOR LAYOUT OF ELECTRICAL FEATURES AT MH 3-2.

**BURNS MEDONNELL**  
4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4778  
Burns & McDonnell Engineering Co., Inc.  
COA: PEP00100 (EXP. DATE: 9/30/2024)

date	designed	checked	approved
AUGUST 28, 2023	M. AULT	B. WELDON	M. AULT



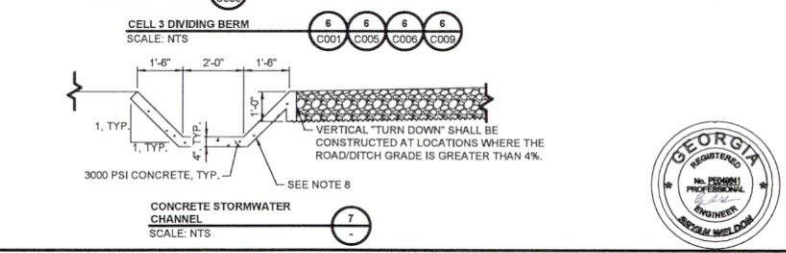
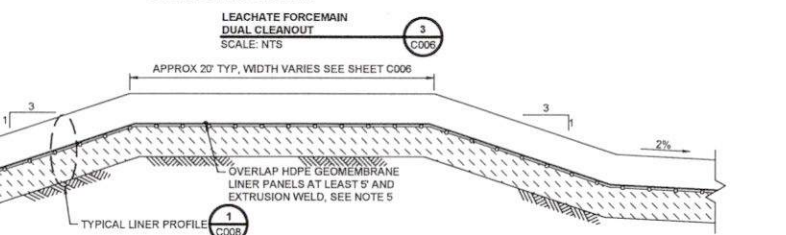
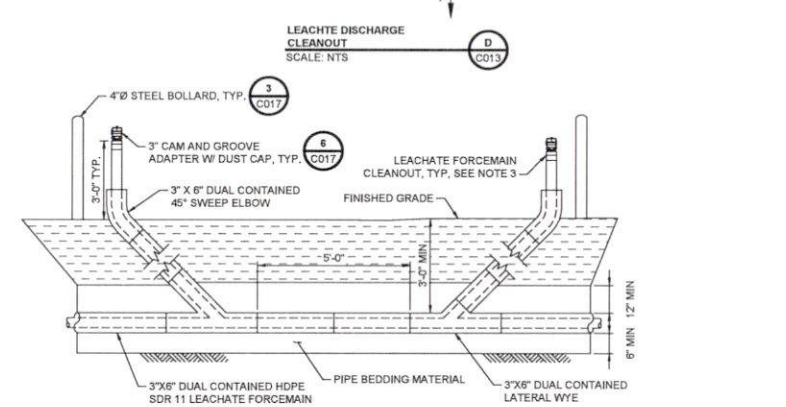
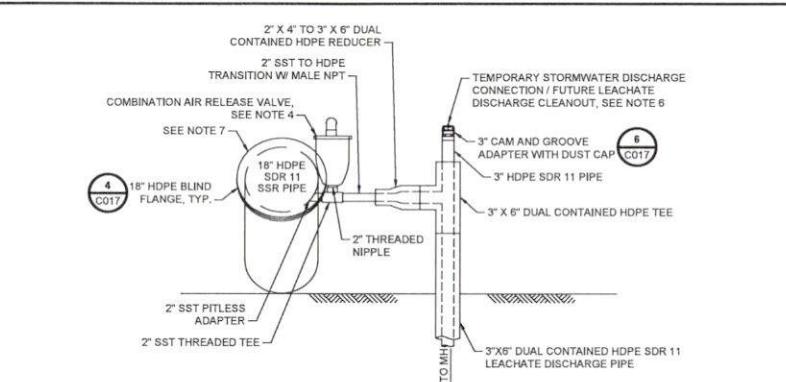
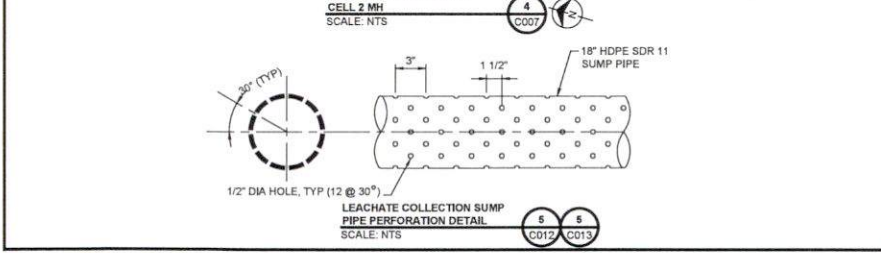
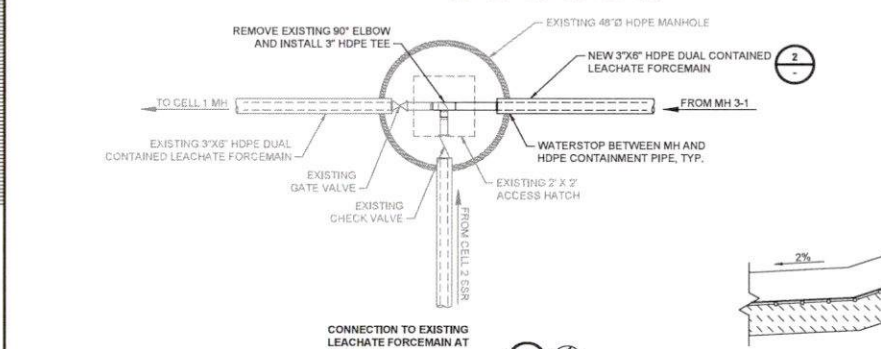
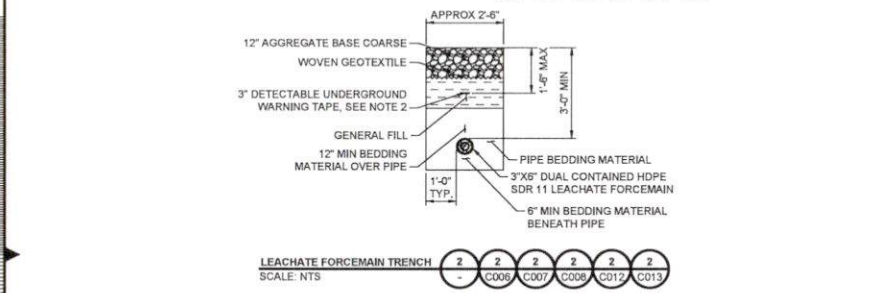
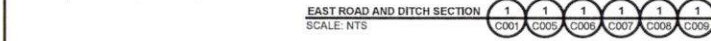
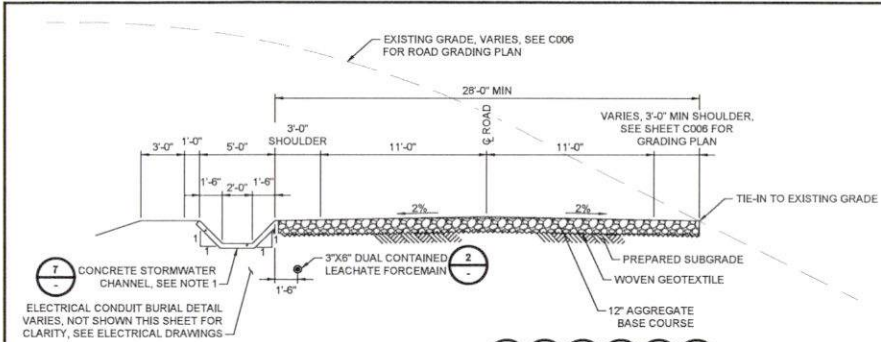
PHASE II CELL 3 CONSTRUCTION  
CELL 3 CONSTRUCTION DETAILS, 4 OF 5

project	contract
152292	PO # 435114
drawing	rev.
C013	0
sheet 18 of 39 sheets	
file C013 Cell 3 Construction Details, 4 of 5.dwg	





1 2 3 4 5 6 7 8 9 10 11 12 13



no.	date	by	ckd	description
D	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- CONCRETE STORMWATER CHANNEL SHALL BE CONSTRUCTED OF MIN. 3000 PSI CONCRETE AT MIN. 4 INCHES THICK.
  - DETECTABLE UNDERGROUND WARNING TAPE SHALL READ "CAUTION BURIED SEWER LINE BELOW" IN BLACK FONT ON A GREEN BACKGROUND.
  - LEACHATE FORCEMAIN CLEANOUTS SHALL DAYLIGHT DIRECTLY ABOVE MANIFOLD.
  - COMBINATION AIR RELEASE VALVE SHALL BE LATERALLY BRACED AGAINST TYPICAL SIGN POST USING SST U-BOLT OR ENGINEER-APPROVED ALTERNATIVE.
  - SAND BAGS OR OTHER WEIGHT MUST BE PLACED AT TOE OF CELL 3 DIVIDING BERM TO HOLD LINER PANELS AGAINST SLOPE WHILE OVERLAPPING PANELS ARE EXTRUSION WELDED.
  - CONTRACTOR SHALL SUPPLY 350 LINEAR FEET OF 3" INNER DIAMETER, YELLOW, DOUBLE JACKET FIREHOSE WITH SST TYPE C CAM LOCK FITTING. HOSE SHALL BE STORED AT ONSITE LOCATION DETERMINED BY OWNER.
  - LEACHATE DISCHARGE CLEANOUT DETAIL SHOWS ORIENTATION OF PIPING FOR CELL 3 SUMP 2 / MH-2. ORIENTATION IS MIRRORRED FOR CELL 3 SUMP 1 / MH-1. SEE DETAILS ON SHEETS C012 AND C013.
  - CONCRETE STORMWATER CHANNEL SHALL HAVE TRANSVERSE CONTRACTION JOINTS AT A MAXIMUM 15-FT SPACING. CONTRACTION JOINTS SHALL BE FILLED WITH A SILICONE JOINT SEALANT OR ENGINEER APPROVED ALTERNATIVE.

**BURNS MCDONNELL**

4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4776

Burns & McDonnell Engineering Co., Inc.  
COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

**HALL COUNTY**  
FLORISSA

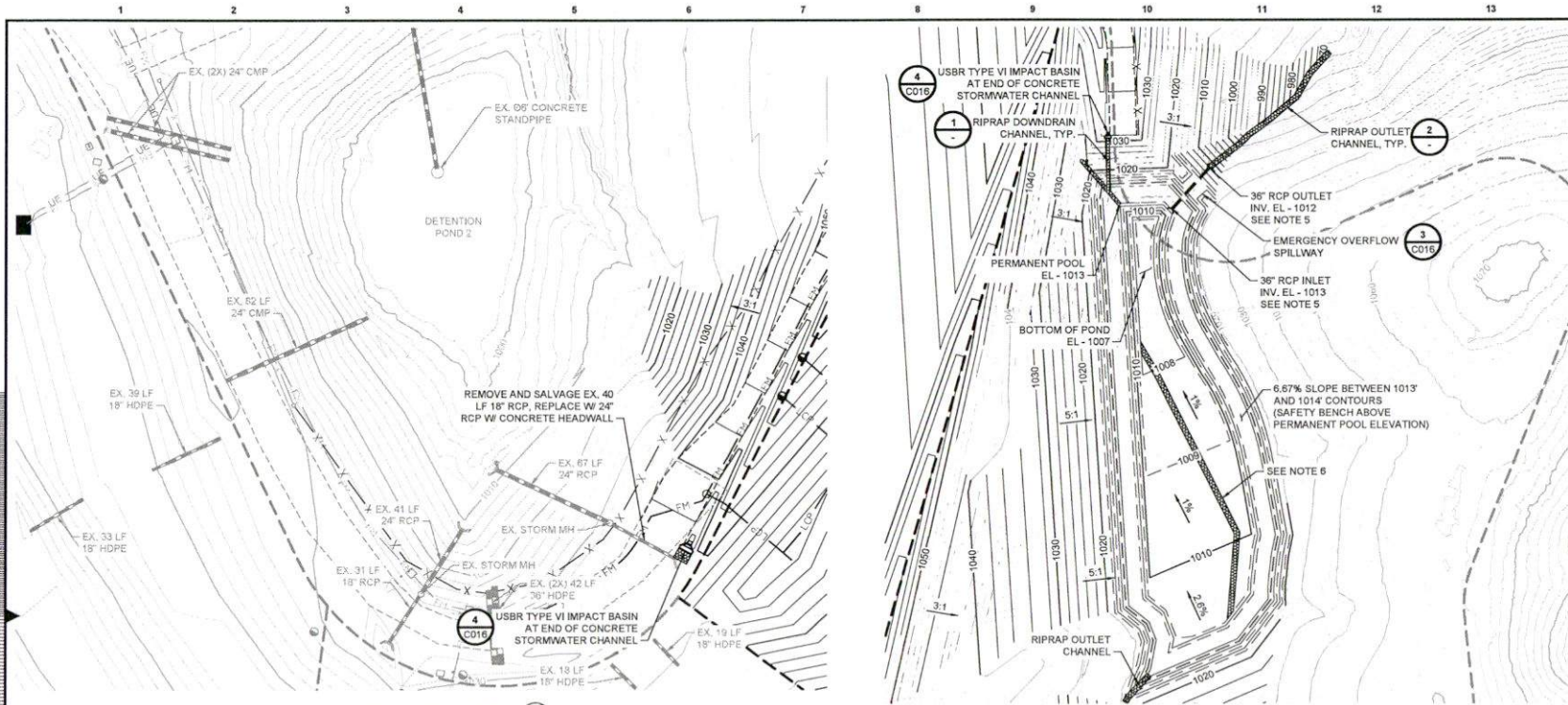
CANDLER ROAD LANDFILL  
PERMIT # 069-15D(MSWL)  
HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION**  
CELL 3 CONSTRUCTION DETAILS, 5 OF 5

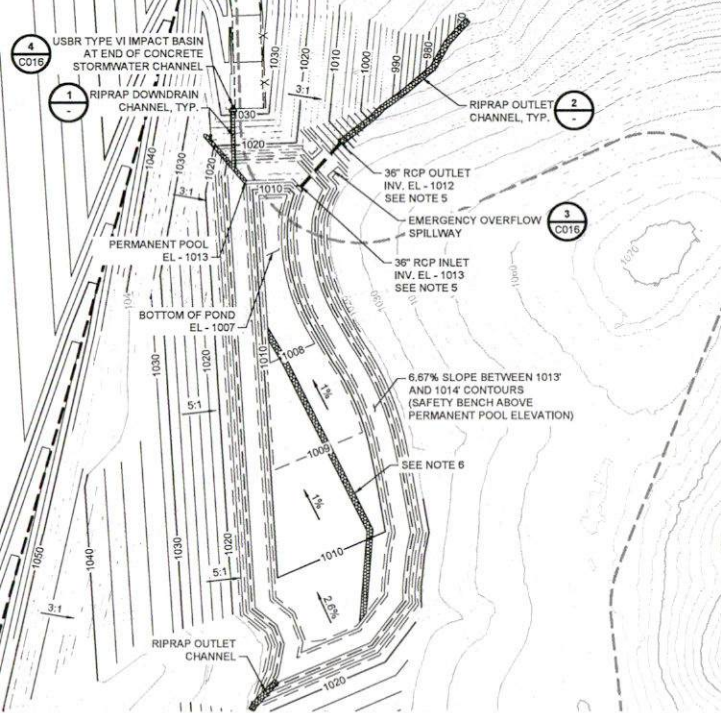
project	contract
152292	PO # 435114
drawing	rev.
<b>C014</b>	<b>0</b>
sheet 19 of 39 sheets	

file: C014 Cell 3 Construction Details, 5 of 5.dwg

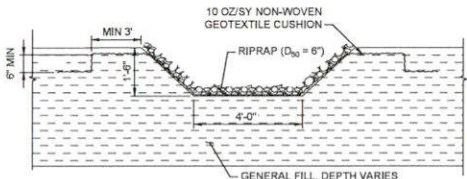




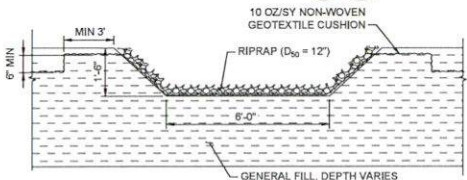
DETENTION POND 2 (EXISTING) PLAN  
SCALE IN FEET



NEW DETENTION POND PLAN  
SCALE IN FEET

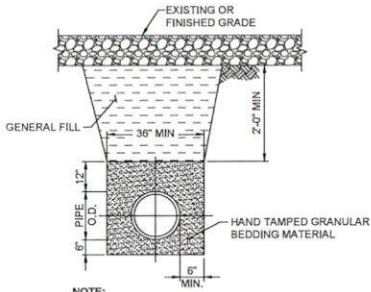


RIPRAP DOWNRAIN CHANNEL  
SCALE: NTS



RIPRAP OUTLET CHANNEL  
SCALE: NTS

POND					OUTLET PIPE					
BOTTOM ELEV	TOP OF BERM	PERMANENT POOL ELEV	100-YR STORM ELEV	SEDIMENT STORAGE VOL. REQ	SEDIMENT DEPTH AT CLEAN OUT	DIAMETER	MATERIAL	INLET INVERT ELEV	OUTLET INVERT ELEV	SLOPE
1007.00	1016.00	1013.00	1018.52	3.133 CY	1011.53	7"	RCP	1013.00	1012.00	1.76%



NOTE:  
COMPACT BACKFILL MATERIAL TO A MIN. 95% MAX. DRY DENSITY.

TYPICAL CULVERT TRENCH SECTION  
SCALE: NTS

no.	date	by	chkd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE, VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF LEACHATE DRAINAGE LAYER. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET. DASHED CONTOURS WITHIN THE TEMPORARY SEDIMENTATION BASIN REPRESENT ONE FOOT CONTOURS.
  - BOTH THE INLET AND OUTLET OF 36" RCP INSTALLED AT TEMPORARY DETENTION POND SHALL HAVE FLARED END SECTIONS WITH TRASH RACKS.
  - CONTRACTOR SHALL INSTALL A ONE FOOT TALL BY SIX FEET WIDE "WARNING MOUND" OF 5" RIPRAP MATERIAL AT SURFACE OF FINISHED POND GRADES AS SHOWN TO WARN THAT THE UNDERDRAIN PIPING LIES IMMEDIATELY BELOW.

**BURNS MEDONNELL**  
4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4776  
Burns & McDonnell Engineering Co., Inc.  
COA: PEF00100 (EXP. DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON



CANDLER ROAD LANDFILL  
PERMIT # 065-150(DMS/ML)  
HALL COUNTY, GEORGIA

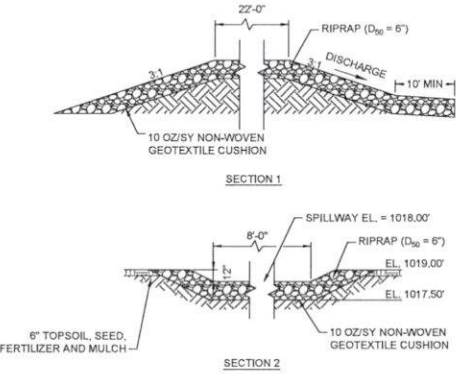
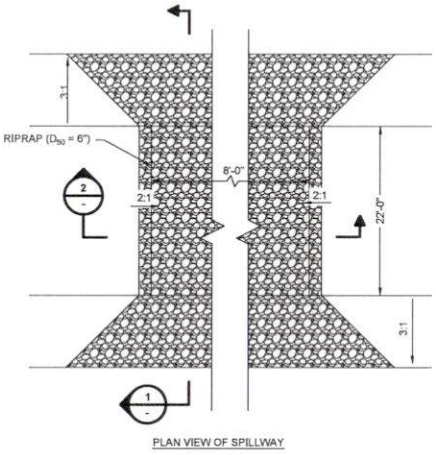
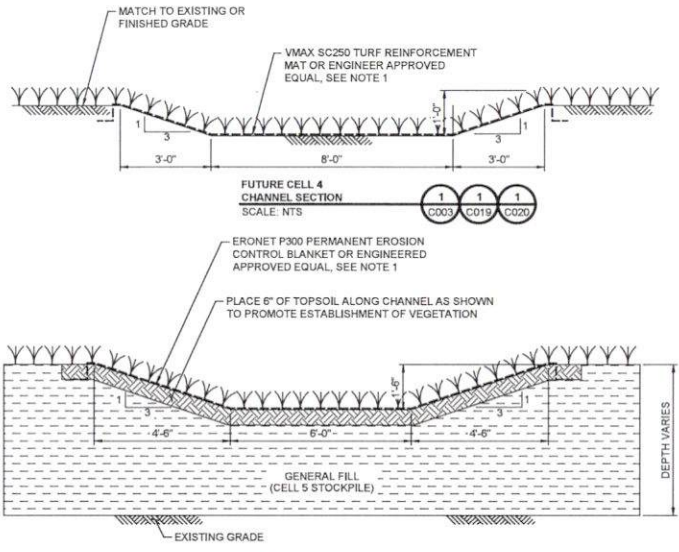
PHASE II CELL 3 CONSTRUCTION  
STORMWATER CONSTRUCTION  
DETAILS, 1 OF 2

project	contract
152292	PO # 435114
drawing	rev.
<b>C015</b>	<b>0</b>
sheet 20 of 39 sheets	
file C015 Stormwater Construction Details, 1 of 2.dwg	

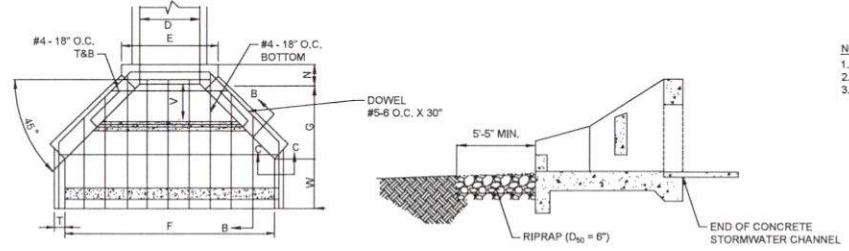




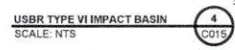
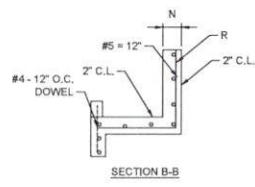
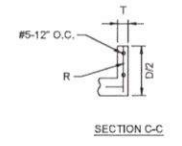
1 2 3 4 5 6 7 8 9 10 11 12 13



USBR TYPE VI IMPACT BASIN DIMENSIONS														
D	E	F	G	H	J	K	L	N	V	W	T	R	S	U
24"	3'-6"	6'-0"	3'-0"	3'-6"	2'-0"	6"	6"	6"	2'-0"	1'-6"	6"	# 5-12" O.C.	# 4-12" O.C.	# 4-8" O.C.



- NOTES:
1. HEADWALL SHALL BE FLARED-END.
  2. CONCRETE SHALL BE 3,000 PSI 28 DAY STRENGTH.
  3. WEEP HOLES SHALL BE 3" DIA. AT F/4 O.C.



no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
1. VMAX SC250 TURF REINFORCEMENT MAT AND ERONET P300 PERMANENT EROSION CONTROL BLANKET SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.



4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4775  
Burns & McDonnell Engineering Co., Inc.  
COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

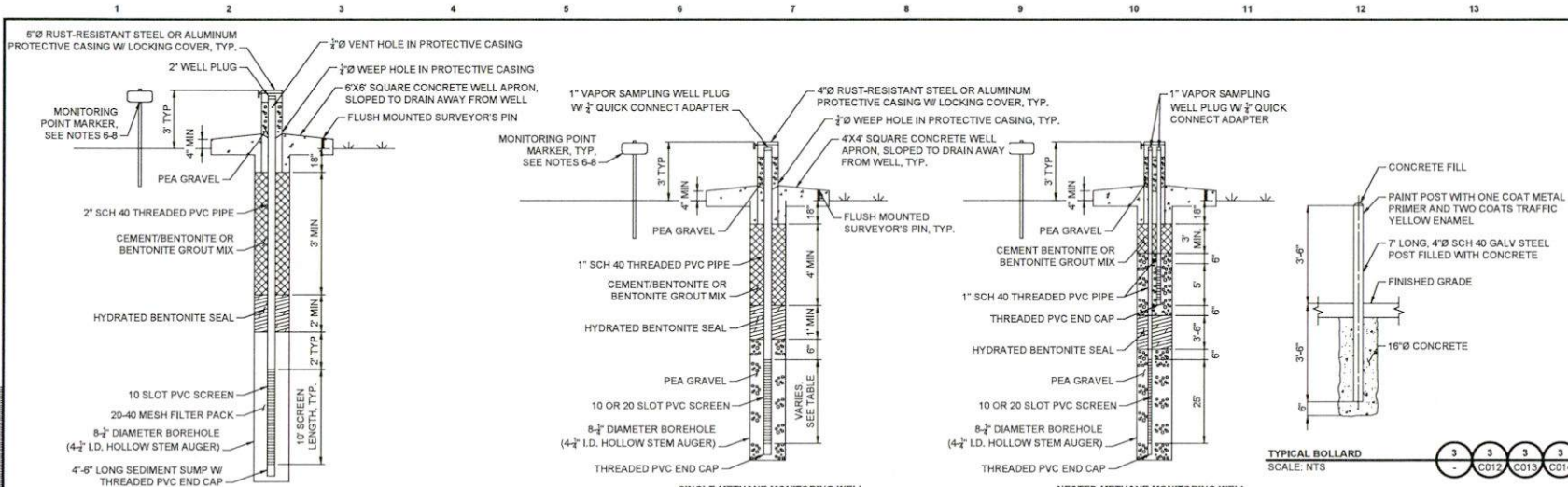


CANDLER ROAD LANDFILL  
PERMIT # 069-150(MSWL)  
HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION STORMWATER CONSTRUCTION DETAILS, 2 OF 2**

project	contract
152292	PO # 435114
drawing	rev.
<b>C016</b>	<b>0</b>
sheet 21	of 39 sheets





no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - FINAL LOCATIONS OF GROUNDWATER AND METHANE MONITORING WELLS SUBJECT TO CHANGE. COORDINATE WITH OWNER AND ENGINEER PRIOR TO INSTALLATION.
  - GROUNDWATER MONITORING WELLS ARE EXPECTED TO REQUIRE ROCK DRILLING.
  - METHANE MONITORING WELLS SHALL TERMINATE AT AUGER REFUSAL OR AT GROUNDWATER, WHICHEVER IS SHALLOWER.
  - LITTER FENCE NETTING SHALL BE EXTENDED TO GROUND SURFACE. ADDITIONAL FABRIC OR OTHER MATERIAL APPROVED BY ENGINEER MAY BE REQUIRED TO FILL GAPS.
  - SIGNS SHALL BE CONSTRUCTED OF A STANDARD ALUMINUM WITH A THICKNESS OF 0.04" OR APPROVED ALTERNATE.
  - FONT ON SIGNS SHALL BE "ARIAL" OR "ARIAL BLACK" OR APPROVED ALTERNATE. AT AN APPROPRIATE LEGIBLE FONT SIZE.
  - SIGNS SHALL BE INSTALLED ON FREESTANDING METAL U-CHANNEL SIGN POSTS OR APPROVED ALTERNATE.

- NOTES:
- BOLLARDS SHALL BE INSTALLED AT GWC-11RR, GWC-13, GWC-14, GWC-15, AND GWC-16R. SEE DETAIL 5 THIS SHEET.

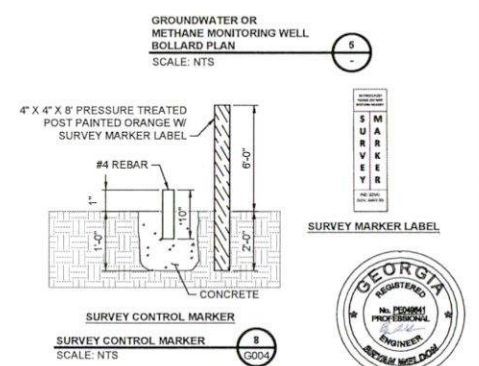
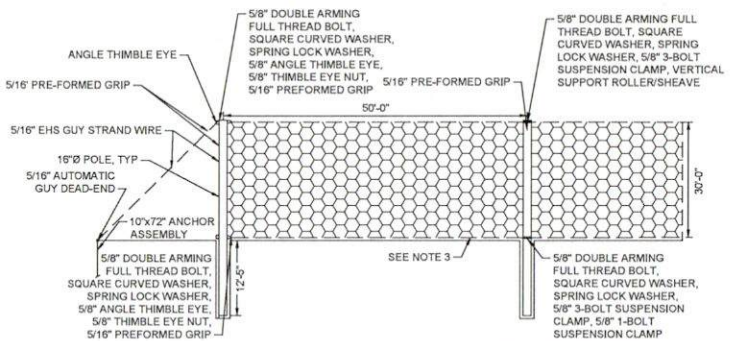
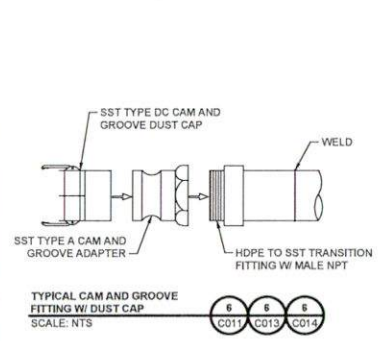
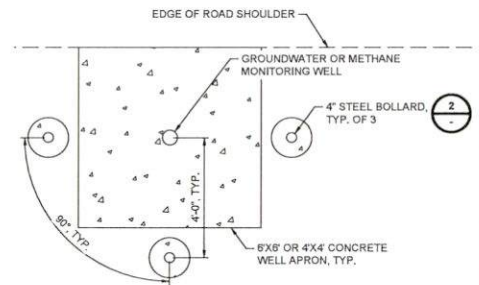
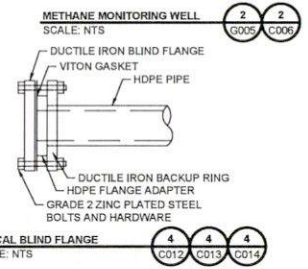
- NOTES:
- BOTTOM OF SCREEN SHALL BE SET AT TOP OF WATER TABLE OR AT TOP OF COMPETENT BEDROCK.
  - BOLLARDS SHALL BE INSTALLED AT MM-15N. SEE DETAIL 5 THIS SHEET.
  - MM-15N WILL CONSIST OF TWO NESTED CASINGS WITH DIFFERENT SCREENED INTERVALS. SEE WELL CONSTRUCTION TABLE THIS SHEET.

GROUNDWATER MONITORING WELL SCALE: NTS

GWC05, GWC09

GROUNDWATER AND METHANE MONITORING WELL CONSTRUCTION TABLE

WELL NO.	NORTHING (FT)	EASTING (FT)	SURFACE ELEVATION (NAVD 88)	BORING DEPTH (FT BGS)	SCREENED INTERVAL (FT BGS)	SCREENED INTERVAL (NAVD 88)
GWC-11RR	1542179.15	2410849.01	1030	80	70-80	950-960
GWC-12	1542982.36	2410040.25	1059	80	70-80	979-989
GWC-13	1542742.69	2410371.98	1062	80	70-80	962-992
GWC-14	1542518.79	2410638.39	1055	80	70-80	975-985
GWC-15	1542357.85	2410789.85	1043	80	70-80	963-973
GWC-16	1541989.05	2410867.61	970	80	70-80	890-900
GWC-16R	1542118.64	2410686.25	1032	80	70-80	952-962
MM-13	1542818.13	2410577.84	966	25	25-5	931-961
MM-14	1542831.67	2410931.72	954	25	25-5	929-949
MM-15N	1542238.90	2410856.06	932	40	40-15 AND 10-5	892-917 AND 922-927



**BURNS & MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEP00100 (EXP DATE: 6/30/2024)

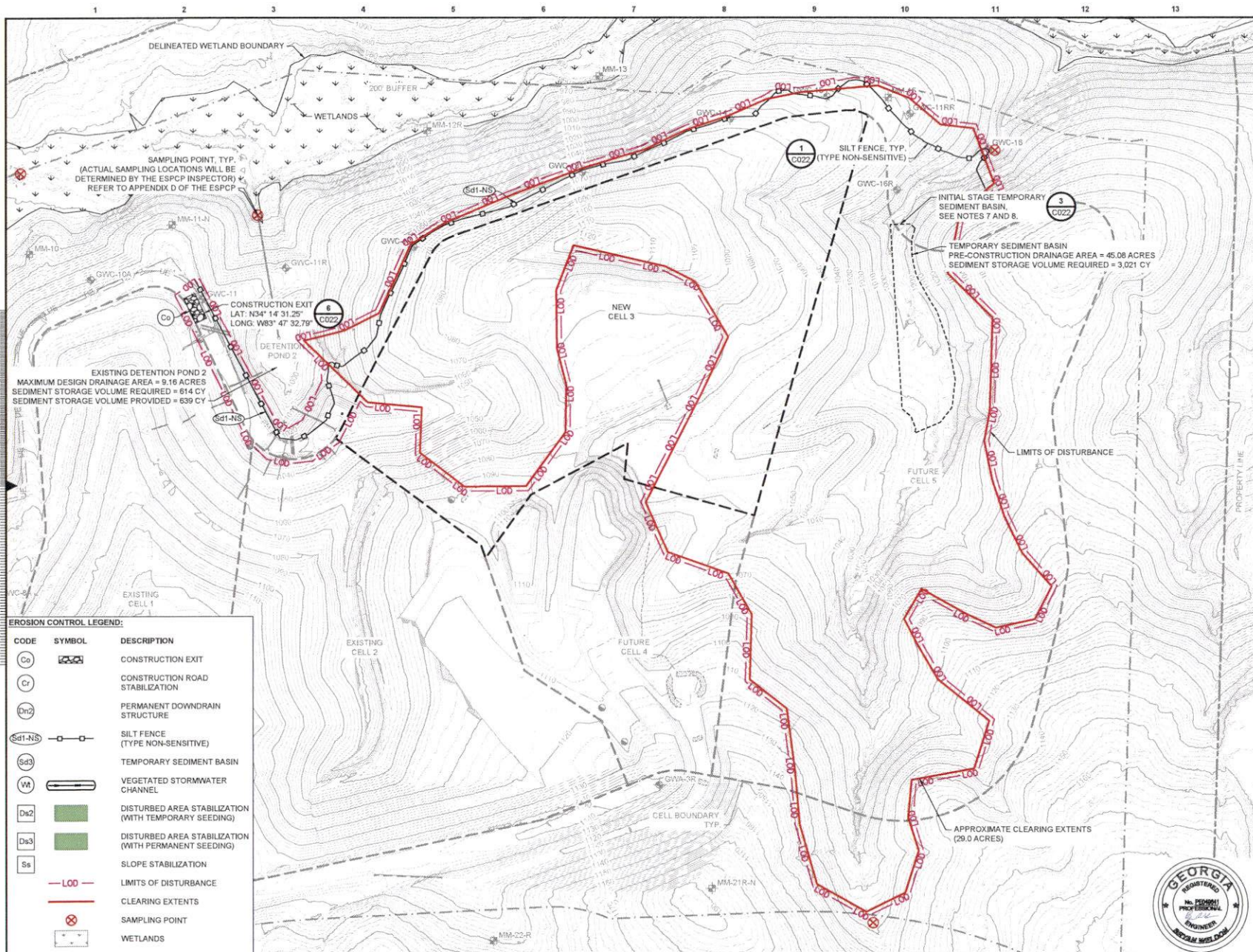
date: AUGUST 28, 2023  
 designed: M. AULT  
 checked: M. AULT  
 M. AULT  
 B. WELDON

**HALL COUNTY**  
 GEORGIA  
 Candler Road Landfill  
 PERMIT # 069-150(MSRL)  
 HALL COUNTY, GEORGIA

PHASE II CELL 3 CONSTRUCTION  
 MISCELLANEOUS CIVIL DETAILS

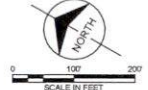
project: 152292 contract: PO # 435114  
 drawing: C017 rev: 0  
 sheet 22 of 39 sheets  
 file: C017 Miscellaneous Civil Details.dwg





no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF LEACHATE DRAINAGE LAYER. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - COMPLETE INFORMATION ON EROSION AND SEDIMENT CONTROL WILL BE PROVIDED IN THE ESPCP.
  - IN ADDITION TO EROSION AND SEDIMENTATION CONTROLS SHOWN ON THIS SHEET, OTHER EXCESS SOIL STOCKPILES SHALL BE SEEDED AND SILT FENCING SHALL BE INSTALLED AROUND THE PERIMETER OF EACH STOCKPILE.
  - CONTRACTOR SHALL CONSTRUCT INITIAL PHASE SEDIMENT BASIN BEFORE FULL CLEARING AND GRUBBING COMMENCES.
  - INITIAL STAGE TEMPORARY SEDIMENT BASIN WILL BE REMOVED WHEN UNDERDRAIN IS INSTALLED, AND REPLACED WITH THE NEW DETENTION POND AS SHOWN ON C019.



**EROSION CONTROL LEGEND:**

CODE	SYMBOL	DESCRIPTION
Co		CONSTRUCTION EXIT
Cr		CONSTRUCTION ROAD STABILIZATION
Dn2		PERMANENT DOWNDRAIN STRUCTURE
Sd1-NS		SILT FENCE (TYPE NON-SENSITIVE)
Sd3		TEMPORARY SEDIMENT BASIN
Vt		VEGETATED STORMWATER CHANNEL
Ds2		DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING)
Ds3		DISTURBED AREA STABILIZATION (WITH PERMANENT SEEDING)
Ss		SLOPE STABILIZATION
-LOO-		LIMITS OF DISTURBANCE
-		CLEARING EXTENTS
⊗		SAMPLING POINT
+		WETLANDS

**BURNS McDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-507-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	detailed
AUGUST 28, 2023	M. AULT
designed	checked
M. AULT	B. WELDON

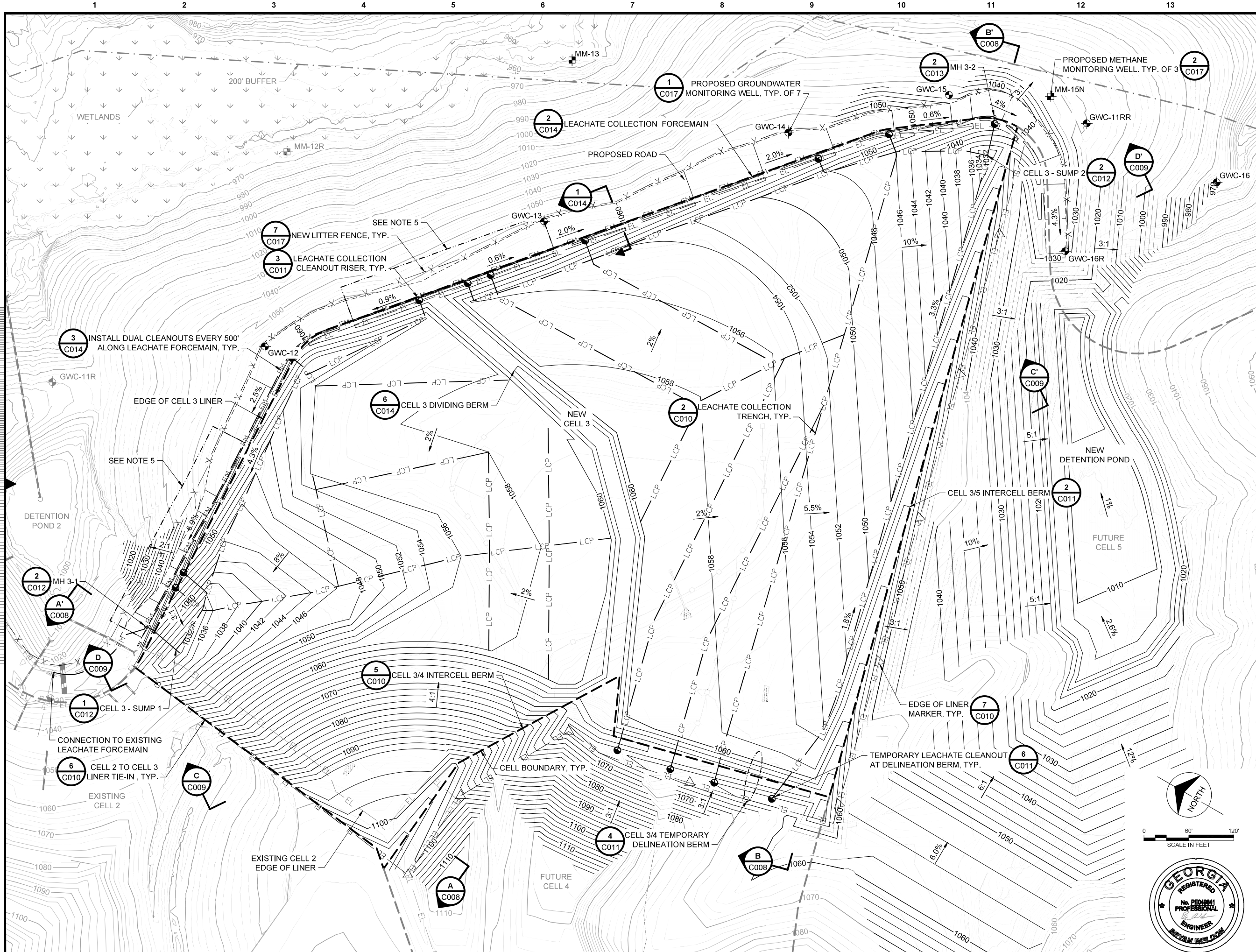
**HALL COUNTY**  
 Candler Road Landfill  
 PERMIT # 069-150(MSWL)  
 HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION  
 INITIAL EROSION & SEDIMENT  
 CONTROL PLAN**

project	contract
152292	PO # 435114
drawing	rev.
C018	0
sheet 23 of 39 sheets	
file: C018 Initial Erosion & Sediment Control Plan.dwg	







no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE. VERTICAL DATUM BASED ON NAVD 88.
  - DESIGN CONTOURS WITHIN CELL 3 REPRESENT TOP OF LEACHATE DRAINAGE LAYER. DESIGN CONTOURS OUTSIDE OF CELL 3 REPRESENT FINISHED GRADES.
  - CONTOUR INTERVAL IS TWO FEET.
  - ROAD GRADES SHOWN IN THE HIGHLIGHTED AREAS ARE INTENDED TO FACILITATE CONSTRUCTION ACCESS, BUT DO NOT REPRESENT FINAL FINISHED GRADES. PLAN FOR FINISHED GRADES IN THESE LOCATIONS WILL BE PROVIDED VIA FUTURE ADDENDA.
  - LIMIT MARKER POSTS SHALL BE PLACED EVERY 100-FEET ALONG THE WEST BOUNDARY OF CELL 3.
  - CONTRACTOR SHALL USE 45° LONG RADIUS SWEEP ELBOWS FOR PIPE CONSTRUCTION. 90° ELBOWS SHALL NOT BE USED ON PROJECT.

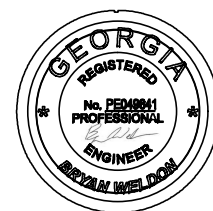
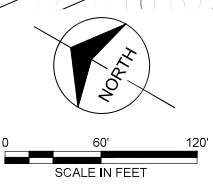
**BURNS  
MCDONNELL**  
 4004 SUMMIT BLVD NE, SUITE 1200  
 ATLANTA, GA 30319  
 770-587-4776  
 Burns & McDonnell Engineering Co., Inc.  
 COA: PEF00100 (EXP DATE: 6/30/2024)

date	AUGUST 28, 2023	detailed	M. AULT
designed	M. AULT	checked	B. WELDON

**HALL COUNTY  
GEORGIA**  
 CANDLER ROAD LANDFILL  
 PERMIT #: 069-15D(MSWL)  
 HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION  
LEACHATE COLLECTION SYSTEM PLAN**

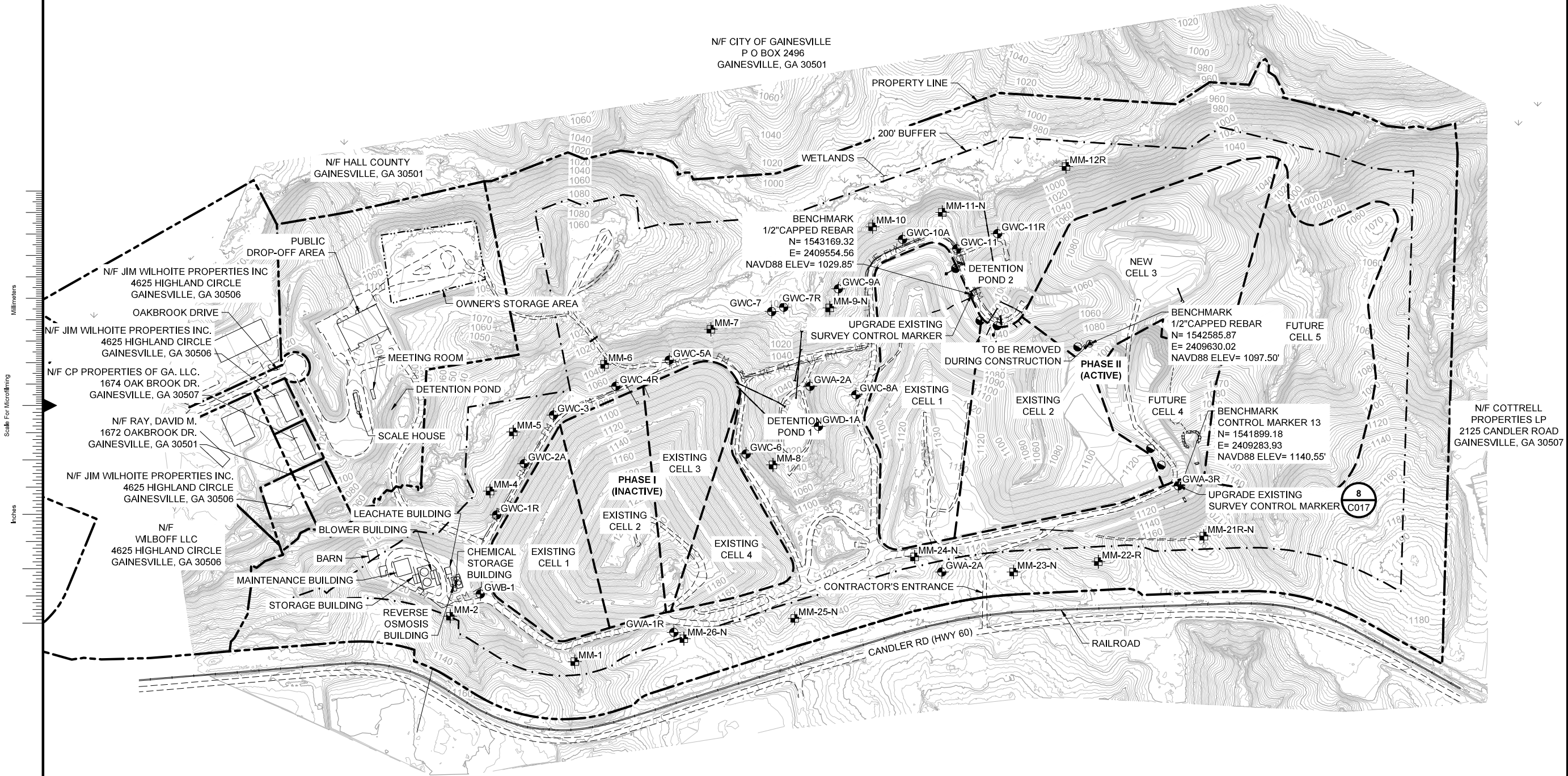
project	152292	contract	PO # 435114
drawing	<b>C006</b>	rev.	<b>0</b>
sheet	11	of	39 sheets
file	C006 Leachate Collection System Plan.dwg		



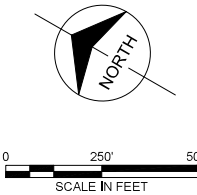
Scale For Microfitting  
Inches  
Millimeters

no.	date	by	ckd	description
0	8/28/23	MLA	BSW	ISSUED FOR BID

- NOTES:
- EXISTING TOPOGRAPHY BASED ON SURVEY COMPLETED BY ROCHESTER & ASSOCIATES, INC. DATED OCTOBER 2019 AND SUPPLEMENTAL SURVEY OF CELL 3 AND 4 AREA COMPLETED BY MAXWELL-REDDICK AND ASSOCIATES DATED APRIL 2023.
  - HORIZONTAL DATUM BASED ON NAD 83 GEORGIA STATE PLANES, WEST ZONE, VERTICAL DATUM BASED ON NAVD 88.
  - CONTOUR INTERVAL IS TWO FEET.
  - SITE TOPOGRAPHY MAY VARY DUE TO OWNER'S CONSTRUCTION, DAILY COVER MATERIAL EXCAVATION, STOCKPILING, AND WASTE DISPOSAL OPERATIONS.



Scale For Microfilming  
Millimeters  
Inches



**BURNS  
MCDONNELL**

4004 SUMMIT BLVD NE, SUITE 1200  
ATLANTA, GA 30319  
770-587-4776  
Burns & McDonnell Engineering Co., Inc.  
COA: PEF00100 (EXP DATE: 6/30/2024)

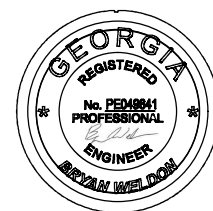
date	AUGUST 28, 2023	detailed	M. AULT
designed	M. AULT	checked	B. WELDON



HALL COUNTY  
GEORGIA  
CANDLER ROAD LANDFILL  
PERMIT #: 069-15D(MSWL)  
HALL COUNTY, GEORGIA

**PHASE II CELL 3 CONSTRUCTION  
EXISTING CONDITIONS**

project	152292	contract	PO # 435114
drawing	<b>G004</b>	rev.	<b>0</b>
sheet	4	of	39 sheets
file	G004 Existing Conditions.dwg		





**BID TABULATION SUMMARY**

**IFB #024-44**

**Hall County Candler Road Landfill Cell 3 Construction**

1/8/2024

<b>Bidder</b>	<b>Bid</b>
Morgan Corp, Duncan, S.C.*	\$ 13,676,000.00
T & K Construction, Vinemont, AL	\$ 14,748,584.00
Cooper Barnette Page (CBP), Statham GA	\$ 16,586,104.75
Simpson's Trucking & Grading, Gainesville, GA	No Bid
Chattahoochee Group, Inc., Clermont, GA	No Bid

\*Original bid was \$13,994,777. Removing the litter fence reduced the amount to \$13,676,000.00



## AGENDA ITEM

### Consent

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 671/2023

**SUBJECT:** Approval and authorization for the Chairman to execute a resolution relating to the removal of an at-grade road crossing of the Norfolk Southern Railroad at White Sulphur Road, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney. Commission District 3.

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** BN  
**Recommendation:** Approve.

**Purpose of Request:** Approval and authorization for the Chairman to execute a resolution relating to the removal of an at-grade road crossing of the Norfolk Southern Railroad at White Sulphur Road, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney. Commission District 3.

#### History:

**Facts and Issues:** Norfolk Southern (NS) Corporation, at its expense, would physically remove the crossing from the tracks and beyond the end of the crossties on each side erect an approved barricade.

#### Options:

Removal would occur in conjunction with the surrounding project and will not occur until the County and NS agree on a scheduled date.

**Funding Requested** \$ 0.00  
**Are funds within current budget?** No

**Source of Funds**

Capital 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:**

<b>Submit</b>	<b>Approve</b>	<b>Budget</b>	<b>Finance</b>
WS	JG	EW	WG
<b>Attorney</b>	<b>Administration</b>	<b>Clerk</b>	
WLI	CR	JR	

**Attachments:**

- Letter from Norfolk Southern
- Resolution
- DRAFT Agreement



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

**AGENDA ITEM 671/2023**

**Funds Requested:** \$ 0.00

**Request Budgeted:** No

**Proposed Source of Funding:**

**Budget Transfer Requested:**

Capital Funds

No

**Funding Source Items:**

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	4971-ENGINEERING	336002- INTERGOVERNMENTAL REIMBURSE	\$-100,000.00

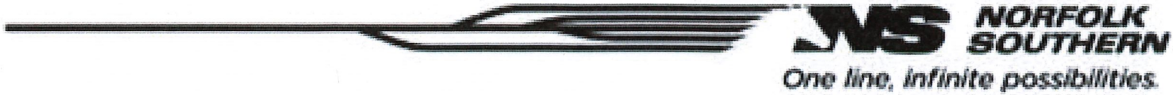
**Budget Transfer Items:**

**Additional Information/Comments:**

This agreement will result in the County receiving \$ 100K in incentive payments for future maintenance of this area once the rail crossing is eliminated.

**Contact for Questions:** BN

**Phone:** 770 531-6800



Government Relations Department  
650 W. Peachtree Street NW  
Atlanta, GA 30308

December 1, 2023

Bill Nash, PE  
Director of Public Works & Utilities  
Hall County Government  
2875 Browns Bridge Road  
Gainesville, GA 30504

SUBJECT: Northeast Georgia Inland Port/White Sulphur Rd. at-grade crossing

Mr. Nash,

I am asking for the County's support in permanently closing the at-grade crossing in Hall County at the northernmost crossing of White Sulphur Road, DOT# 717784N, as it intersects the Norfolk Southern tracks. It is understood that the crossing must remain for some time as the new Inland Port facility is constructed. As the facility begins operations, the crossing as it exists today, would be periodically, yet consistently, blocked by trains moving in and out of the facility. Projections are that 1-2 trains per day will enter the facility from the South and that these operations will go 5-6 days per week. Each train would likely block the crossing during normal switching operations for 45 minutes up to 2 hours. These are minimum projections that would likely increase with future facility growth.

Beyond the safety benefits of closing this crossing, there are benefits to mitigating frustration by the traveling public of the crossing being blocked. Roadway improvements to allow for access to other crossings, while closing the subject crossing before the facility begins operations helps to ensure that blockage issues are mitigated before they begin. Many of our most-blocked crossing locations that cause the most grief are right outside of terminals, very much like the White Sulphur Rd. crossing will be. Switching must occur, so there are often no feasible solutions to not blocking these types of crossings on a regular basis. We ask for the County's support in helping to solve an issue before it becomes one.

Sincerely,

A handwritten signature in black ink that reads "William F. Milk". The signature is written in a cursive style with a large, sweeping flourish at the end.

**A RESOLUTION PROVIDING FOR THE ELIMINATION OF A GRADE CROSSING,  
FOR THE REPEAL OF ALL PRIOR ACTIONS IN CONFLICT HEREWITH, AND FOR  
OTHER PURPOSES**

**WHEREAS**, In a letter dated December 1, 2023, Norfolk Southern Corporation has requested the permanent closing of an at-grade crossing in Hall County at the northernmost crossing of White Sulphur Road, known as DOT # 717 784N, as it intersects the Norfolk Southern tracks; and

**WHEREAS**, it is within the authority of the Hall County Board of Commissioners to initiate voluntarily elimination of grade crossings within the County road system; and

**WHEREAS**, it has been determined reasonably necessary in the interest of public safety to initiate the elimination of the highway grade crossing known as White Sulphur Rd. – DOT # 717 784N – RR Milepost 578.74; and

**WHEREAS**, it has been determined that the enhancement of public safety resulting from such elimination of the grade crossing will outweigh any inconvenience to the reasonable passage of public traffic, specifically including without limitation emergency vehicle traffic, caused by rerouting such traffic; and

**WHEREAS**, it has been determined that all existing utilities within the railroad property, in the corridor of the aforementioned highway grade crossing, can and will remain in place, post elimination of the grade crossing;

**NOW, THEREFORE, BE IT RESOLVED** by the Hall County Board of Commissioners, and it is hereby established by authority of the same, as follows:

**Section 1.** In response to the letter of Norfolk Southern Corporation dated December 1, 2023, the Hall County Board of Commissioners hereby agrees to initiate the elimination and



closing of the subject grade crossing as described in the above-referenced letter, wherein Norfolk Southern requested that the grade crossing be closed due to the projected periodic and consistent blocking of the grade crossing by trains moving into and out of the new Inland Port facility in Hall County, which would occur 5-6 days per week for multiple hours each day, thus necessitating the closing of the grade crossing for the benefit of the public's safety. The Board of Commissioners hereby directs the elimination of the highway grade crossing, White Sulphur Rd. – DOT # 717 784N – RR Milepost 578.74. The Board of Commissioners further authorizes the Chairman to sign all documents necessary to effectuate the transaction(s) described herein, subject to the review and approval of the County Attorney.

**Section 2.** A copy of this resolution shall be served on Norfolk Southern Corporation.

**Section 3.** Norfolk Southern Corporation shall at its expense physically remove the grade crossing from the tracks and beyond the ends of the crossties on each side and erect an approved barricade, to be maintained by Hall County thereafter, and the County or State may further remove any portion of the remaining approaches to the crossing. Removal will occur in conjunction with the surrounding project and will not occur until Hall County and Norfolk Southern Corporation agree on a scheduled date.

**Section 4.** Upon receipt of a signed resolution, Norfolk Southern Corporation will provide an incentive payment to Hall County in the amount of \$50,000 and work with the Georgia Department of Transportation (GDOT) in a matching fund amount of \$50,000 to be used for safety enhancements.

**Section 5.** All ordinances or parts of ordinances in conflict herewith are repealed.

(Signatures on the following page.)

This \_\_\_\_\_ day of January, 2024.

**HALL COUNTY BOARD OF  
COMMISSIONERS**

\_\_\_\_\_  
**By: Richard Higgins, Chairman**

ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
William J. Linkous, III, County Attorney

**AGREEMENT FOR THE ELIMINATION OF AN AT-GRADE CROSSING AND FOR  
INCENTIVE PAYMENTS TO BE MADE TO HALL COUNTY**

This Agreement for the Elimination of an At-Grade Crossing and For Incentive Payments to be Made to Hall County (hereinafter “Agreement”) is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_ by and between Hall County, Georgia, a political subdivision of the State of Georgia with its offices located at 2875 Browns Bridge Road, Gainesville, GA 30504 (hereinafter the “County”); Norfolk Southern Corporation, a for profit corporation organized and existing under the laws of the State of Virginia, registered to do business in the State of Georgia, and with offices located at 650 West Peachtree Street, NW, Atlanta, GA 30308 (hereinafter “NSC”); and the Georgia Department of Transportation, an agency of the State of Georgia with offices located at One Georgia Center, 600 West Peachtree, NW, Atlanta, GA 30308 (hereinafter “GDOT”);

**RECITALS**

**WHEREAS**, NSC has requested the permanent closing of an at-grade crossing in Hall County at the northernmost crossing of White Sulphur Road, known as DOT # 717 784N, RR Milepost 578.74, as it intersects the NSC tracks at that location; and

**WHEREAS**, it is within the authority of the Hall County Board of Commissioners to initiate voluntarily elimination of at-grade crossings within the County road system; and

**WHEREAS**, it has been determined reasonably necessary in the interest of public safety to initiate the elimination of the aforementioned at-grade crossing due to the projected periodic and consistent blocking of the crossing by trains moving into and out of the new Inland Port facility in Hall County; and

**WHEREAS**, it has been determined that the enhancement of public safety resulting from such elimination of the at-grade crossing will outweigh any inconvenience to the reasonable passage of public traffic, specifically including without limitation emergency vehicle traffic, caused by rerouting such traffic; and

**WHEREAS**, it has been determined that all existing utilities within the railroad property, in the corridor of the subject at-grade crossing, can and will remain in place post elimination of the crossing; and

**WHEREAS**, the Hall County Board of Commissioners has agreed to NSC's request to initiate the elimination of the subject at-grade crossing and has approved a Resolution dated January 25, 2024, for the closing of the same,

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, including the mutual agreement of the parties to cooperate in eliminating an at-grade crossing for the benefit of the public's safety, NSC, GDOT, and the County agree as follows:

**Section 1.** The County agrees to initiate the elimination of the at-grade crossing, White Sulphur Road, known as DOT # 717 784N, RR Milepost 578.74, in exchange for the removal of the at-grade crossing by NSC and the receipt of incentive payments from NSC and GDOT to effectuate the same.

**Section 2.** NSC shall at its own expense physically remove the at-grade crossing from the tracks and beyond the ends of the crossties on each side and erect an approved barricade, to be maintained by the County thereafter, and the County or GDOT may further remove any portion of the remaining approaches to the crossing. Removal will occur in conjunction with the surrounding project and will not occur until the County and NSC agree on a scheduled date.

**Section 3.** NSC will provide an incentive payment to the County in the amount of \$50,000 with respect to the closing of the subject at-grade crossing in accordance with 23 USCS § 130(i)(2).

**Section 4.** Upon payment of \$50,000 to the County for the closing of the subject at-grade crossing, GDOT will provide a matching incentive payment of \$50,000 to the County for the closing of the crossing pursuant to 23 USCS § 130(i)(3)(A).

IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be executed in its behalf by its respective and duly authorized representatives and its respective seal affixed hereto as of the day and year set forth above.

**HALL COUNTY, GEORGIA**

By: \_\_\_\_\_  
**Richard Higgins, Chairman**  
**Hall County Board of Commissioners**

ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
William J. Linkous, III, County Attorney

[Signatures continued on following page]

**NORFOLK SOUTHERN CORPORATION**

**By:** \_\_\_\_\_ (L.S.)

\_\_\_\_\_  
Printed Name/Title

ATTEST:

\_\_\_\_\_ (SEAL)

\_\_\_\_\_  
Printed Name/Title

**GEORGIA DEPARTMENT OF TRANSPORTATION**

**By:** \_\_\_\_\_

\_\_\_\_\_  
Printed Name/Title

ATTEST:

\_\_\_\_\_ (SEAL)

\_\_\_\_\_  
Printed Name/Title





## AGENDA ITEM

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

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 662/2023

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

---

#### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

#### Executive Summary:

**Presenter:** RD  
**Recommendation:**

Approval.

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**Purpose of Request:**

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

**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	Attorney	Administration
AD	RD	WLI	CR
<b>Clerk</b>			
JR			

**Attachments:**

Updated Board Memo  
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  
Public Comments (Post Planning Meeting)  
Updated Notice Sign Photos  
Notice Sign Photos



# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Srikanth Yamala**

PLANNING AND DEVELOPMENT  
DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** January 5, 2024

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone |** from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres | **Proposed Use: boat and RV storage and an office/warehouse | Dutton Properties, applicant.**

---

The request before you is the application of Dutton Properties to Rezone from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) to allow a boat and RV storage and an office/warehouse. This item is located within Commission District 3.

The item was tabled to the January 25, 2024, voting meeting for research regarding the proposed GDOT widening /realignment of U.S. Hwy 129/ Cleveland Highway and whether the structure located on 3419 Cleveland Highway is on a historic preservation registry.

Research performed by staff does not find the structure on any national or state registries. Staff researched the GA Trust for Historic Preservation, the GA State Historic Preservation Office (SHPO), National Register of Historic Places, and did not find the structure listed. It should also be noted that unless there are specific tax credits associated with a structure, being on a registry provides no protection against demolition or alterations. The only protection is through local district designations and design guidelines.

The only preliminary GDOT plan located by staff is dated November 2021 and does not propose to bisect the subject property.

The applicant has not submitted any additional information to the Planning staff since the voting meeting on November 9, 2023.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing**.

There have been no changes to the request since the Planning Commission took action.

**Planning Commission Conditions:**

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.



# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Srikanth Yamala**

PLANNING AND DEVELOPMENT  
DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** October 23, 2023

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) on 20.16± acres | Proposed Use: boat and RV storage and an office/warehouse | Dutton Properties, applicant.**

---

The request before you is the application of Dutton Properties to Rezone from Agricultural Residential III (AR-III) and Planned Commercial Development (PCD)/ Gateway Corridors Overlay District (GCOD) to Light Industrial (I-I) / Gateway Corridors Overlay District (GCOD) to allow a boat and RV storage and an office/warehouse. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing**.

There have been no changes to the request since the Planning Commission took action.

#### **Planning Commission Conditions:**

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development



standards. No variances are granted as part of this request other than those listed herein.

2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT

**Applicant** ..... Dutton Properties

**Request** ..... **(A)** Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)).  
**(B)** Use Subject to County Commission Approval | [17.420.050](#). Outdoor storage  
**(C)** Variance | [17.420.050.\(C\)\(2\)](#) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))

**Proposed Use** ..... **(A)** Boat and RV storage and an office/warehouse  
**(B)** Outdoor storage within Gateway Corridors Overlay District (GCOD, [17.420](#))  
**(C)** Reduce the required transitional buffer from 50 feet to 30 feet

**Size** ..... 20.16± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Light Industrial (I-I, [17.160](#)) and Gateway Corridors Overlay District (GCOD, [17.420](#)).

**Location** ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

**Commission District** ..... Three

**Planning Commission Date** ..... October 2, 2023

**Staff Recommendation** ..... **(A) and (B) Denial** as the proposed use is inconsistent with the [Comprehensive Plan](#) future

land use classification of Lake Area Residential.  
**(C) Denial** of the requested variance from the transitional buffer requirements from [17.420.050.\(C\)\(2\)](#) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of [2.60.030](#).

**Planning Commission Recommendation..... (A) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(B) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(C) Denial**  
**Vote: 5-0**

**(A)& (B) Conditions:**

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

---

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville**, spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville**, spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O’Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Summary Analysis**

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor’s office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor’s business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). The GCOD provides supplemental development standards for non-residential development ([17.420.050](#)), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
<b>Total</b>	<b>44</b>

Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
<b>Total</b>	<b>439</b>
<b>Combined Total</b>	<b>483</b>

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by [17.240.040](#), setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table [17.240.010](#) for the Light Industrial (I-I, [17.160](#)) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from [17.420.050\(C\)\(2\)\(c\)](#), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in [17.420.050\(C\)\(2\)\(c\)](#).
  - *The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
    - *The applicant has not provided details as to how the buffer will be enhanced.*

Based on the future land-use plan, staff finds the zoning request inconsistent with the Lake Area Residential future land use classification in the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

### Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) and

(B) Use Subject to County Commission Approval | [17.420.050](#). outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, [17.60](#)). To the north is a PCD-zoned property Planned Commercial Development (PCD, [17.180.080](#)); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, [17.110](#)) properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, [17.160](#)) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, [17.160](#)).**
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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
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 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.**
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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on [3419 Cleveland Highway](#) will remain and serve as an office for the contractor's business.**
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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, [17.160](#)) would be a more intensive use than the existing Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**
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 close proximity to Lake Lanier and recent residential growth within the City of**

**Gainesville and the county may suggest there is a need for this sort of storage in this 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; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**
15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, [17.110](#)) or Planned Commercial Development (PCD, [17.180.080](#)) districts.**
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.**

**(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))**

Section [17.420.070](#), appeals and modifications states that “if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter.”

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, [17.420](#)).**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**
4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#).**

#### **17.380.050. - Submission requirements**

- 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 the Hall County Planning Commission.**
- 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 site plan but has not explicitly addressed the criteria listed in [17.350.120](#).**
  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 applicant submitted a site plan drawn to scale.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**
- D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

**Development Support and Constraints / Departmental Comments**

**Hall County Environmental Health**

In an email dated August 18, 2023, Emily McGahee stated “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 Marshal**

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

**Hall County Public Works and Utilities**

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

**Engineering:**

This 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 buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

**Traffic:**

Permit from GDOT will be required for connection to Cleveland Highway.

**Utilities**

No sewer connection within feasible distance.

**Georgia Department of Transportation**

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

➤ **Excerpts from the minutes of the October 2, 2023 meeting**

**Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

**Ed Myers, 752 Chattahoochee Place, Gainesville**, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about

700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

*Rebuttal*

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O'Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Planning Commission Comments:**

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

**A**

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

*Conditions:*

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**B**

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

*Conditions:*

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.



8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**C**

***Motion: A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***



**ZONING APPLICATION**

**Applicant (Name & Mailing Address)**

Dutton Properties  
Po Box 908387  
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

Proposed Use Boat & RV Storage & warehouse for contractor office

**Property Owner (Name & Mailing Address)**

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

**Contact Person (Name & Mailing Address)**

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Phone 770-351-7565

Email Address glennjdutton@aol.com

Tax Parcel Number 10144 <sup>000030</sup> <sup>000041</sup> <sup>000029</sup>  
~~3419~~ <sup>3505</sup> ~~000036~~ ~~000035~~

Location Address 3405 3443 Cleveland Hwy 3906 Donna Drive

**Status of Applicant**

- Owner
- Option to Purchase
- Area Resident
- Other

**Requested Action**

Existing Zoning: AR-III  
 Rezone to: 1-1 <sup>light</sup> <sub>Industrial</sub>  
 Fee: \$ 1,500  
 Receipt #: 011257  
 Check #: \_\_\_\_\_

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 7/20/23

**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: 7/21/23 Taken by: [Signature]  
 Tentative Planning Commission Date: 9/18 Tentative County Commission Date: 10/26  
 County Commission District: 1

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) Glenn Dutton

Address 3419 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address Po Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

---

**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 Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Exp. 11-16-2024

7-20-23  
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) Glenn Dutton

Address 3405 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address Po Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

**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

*Glenn J. Dutton*, owner Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

*Risa Little*  
Notary Public Exp. 11-16-2024

7-20-23  
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) Glenn Dutton

Address 3443 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

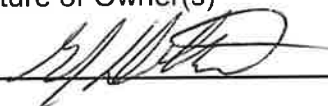
Address PO Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

---

**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  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp 11-16-2024

7.20.23  
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) Glenn Dutton  
Address 3505 Cleveland Highway  
Gainesville, GA 30506  
Phone Number 770 351-7565

Name of applicant(s) Dutton Properties  
Address PO Box 908387  
Gainesville, GA 30501  
Phone Number 770-351-7565

**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)  
[Handwritten Signature]

Personally appeared before me  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Lisa Little  
Notary Public Exp 11-16-2024

7-20-23  
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) Tanner Dutton

Address 3906 Donna Drive  
Gainesville, GA 30506

Phone Number 770-231-1905


Name of applicant(s) Dutton Properties

Address PO Box 408387  
Gainesville, GA 30501

Phone Number 770-351-7565

**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  
Tanner Dutton  
\_\_\_\_\_

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Lisa Latik  
Notary Public Exp. 11-16-2024

7-20-23  
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: \_\_\_\_\_

Date: 7/20/23

Applicant's/Owner's Name (Printed): TANNER DUTTON

### 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: 

Date: 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton

# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

#### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

#### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway

50' off Donna Drive r/w

**Side & Rear:** 20'

#### **Buffers**

50' Transition Buffer will be adjacent to all AR-III zoned properties.

## **Gateway Corridor Overlay District**

### **Conditional Use Request**

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

### **Building Materials**

#### **Boat & RV Canopy**

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.



Open sided parking with Landscaped frontage

#### **Warehouse**

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.



## **Frontage Style**

Proposed frontage fence and landscaping





# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway  
50' off Donna Drive r/w

**Side & Rear:** 20'

### **Buffers**

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

### **Gateway Corridor Overlay District**

#### Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

#### Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.

**Frontage Style**

Proposed frontage fence and landscaping





COVERED STORAGE CHART	
BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

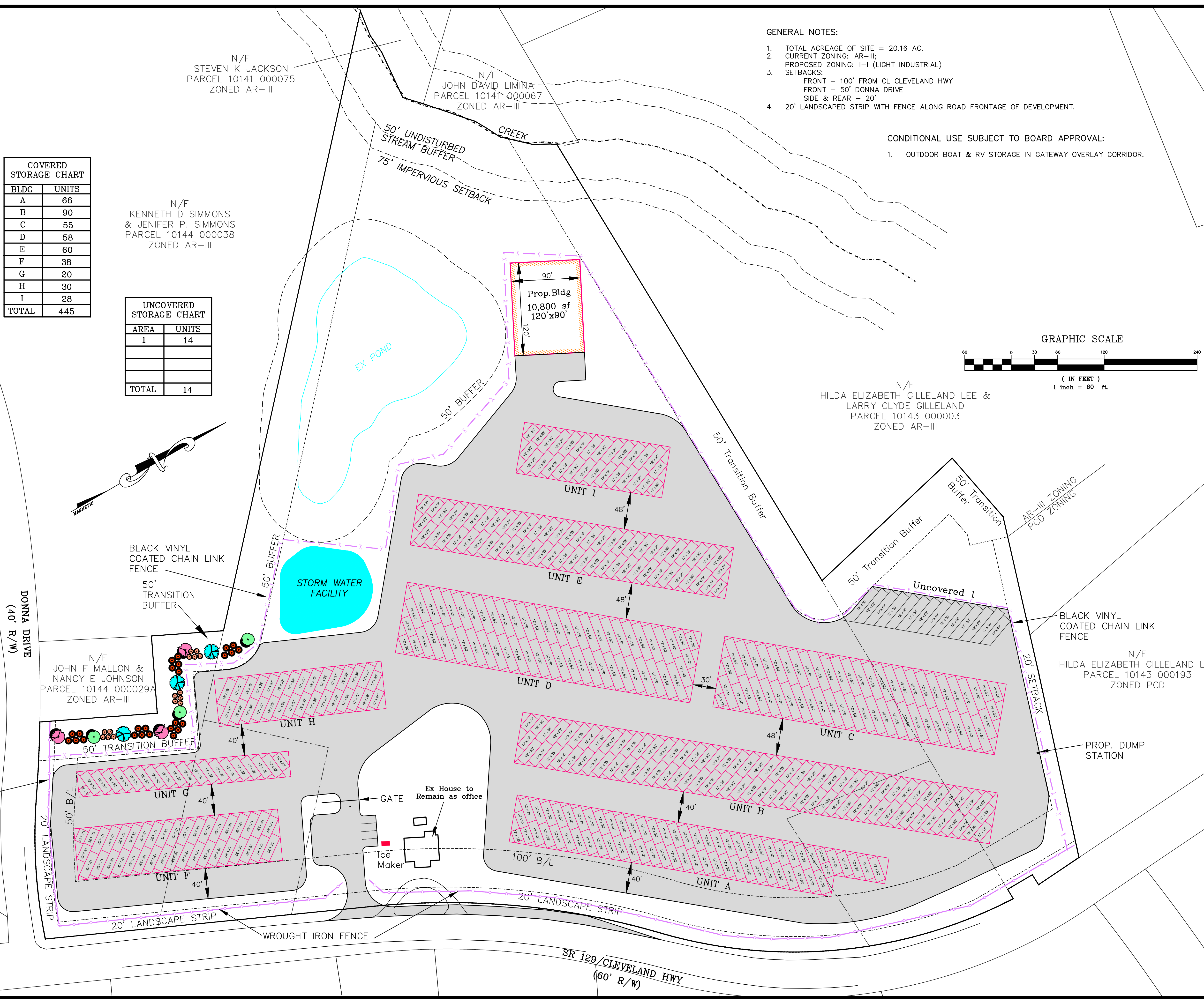
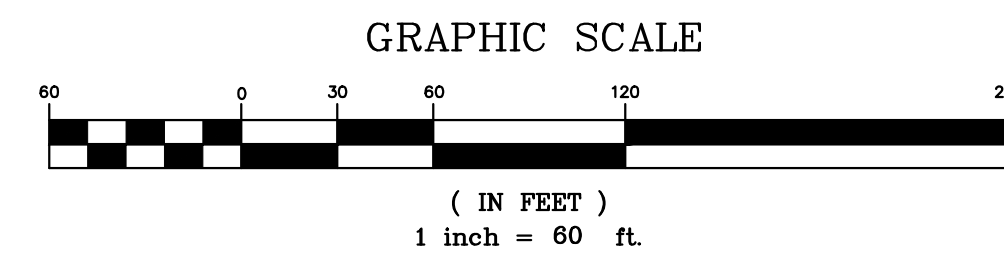
UNCOVERED STORAGE CHART	
AREA	UNITS
1	14
TOTAL	14

GENERAL NOTES:

- TOTAL ACREAGE OF SITE = 20.16 AC.
- CURRENT ZONING: AR-III; PROPOSED ZONING: I-I (LIGHT INDUSTRIAL)
- SETBACKS:  
FRONT - 100' FROM CL CLEVELAND HWY  
FRONT - 50' DONNA DRIVE  
SIDE & REAR - 20'
- 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:

- OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



Copyright  
2023  
MYERS & CO., INC.  
ALL RIGHTS RESERVED.  
This drawing is the sole property of Myers & Co., Inc. and shall not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or in any way without the prior permission of Myers & Co.

Seal

**MYERS & CO.**  
civil engineers

770-554-9172  
ed@myers-and-co.com

P.O. BOX 634  
GAINESVILLE, GA 30603

Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

DATE 8-1-23  
JOB NO. 23-03  
Sheet Title  
REZONING PLAN

Revisions

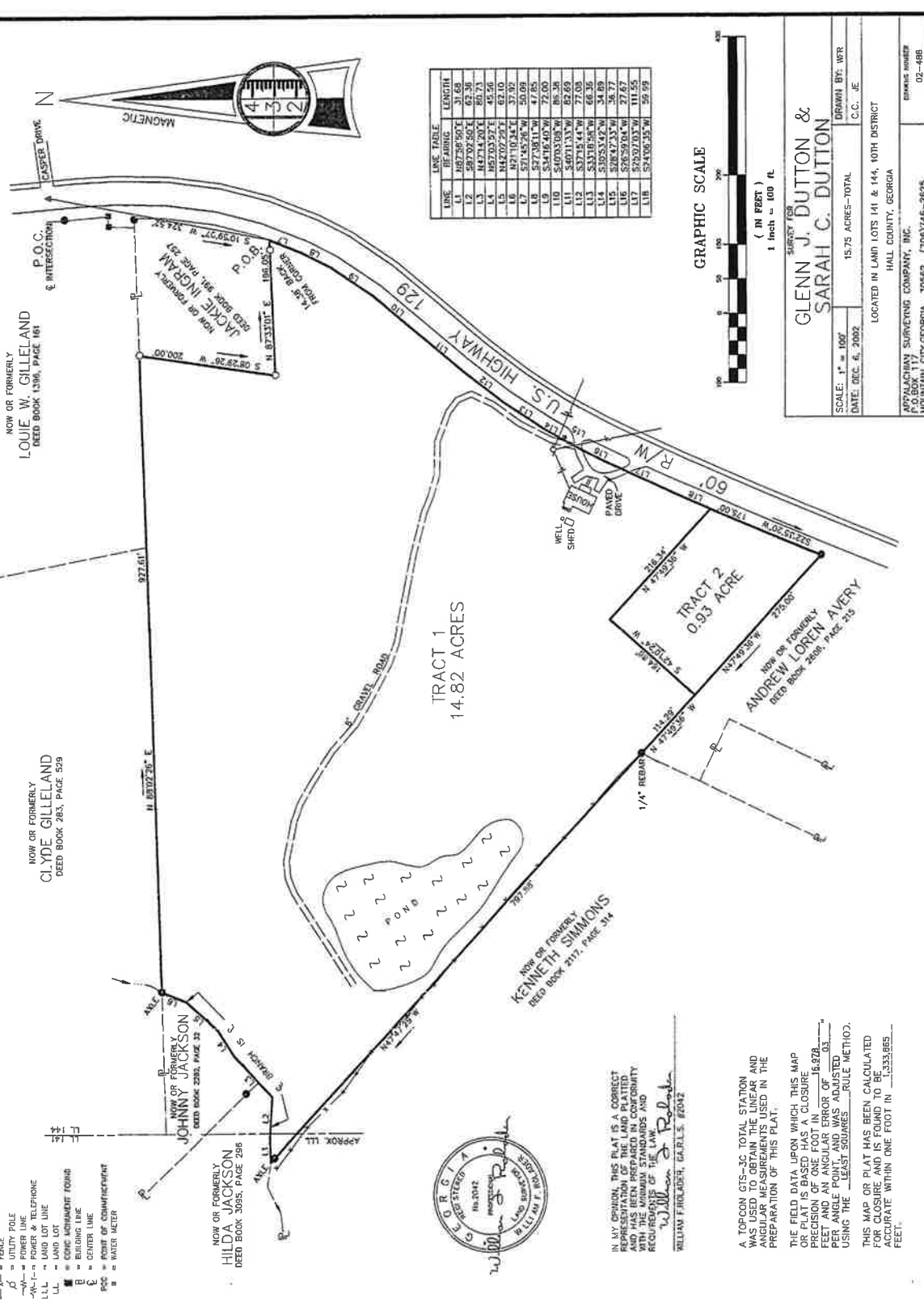
SHEET  
1



THIS PROPERTY IS NOT LOCATED IN A ZONE  
 REGULATED BY THE FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 150466 0020 B

ALL PINS ARE 1/2" REBAR  
 UNLESS OTHERWISE DESCRIBED

- LEGEND**
- POINT OF BEGINNING
  - BORN PIN BOUND (BP)
  - BORN PIN SET (PS)
  - PROPERTY LINE
  - FENCE
  - UTILITY POLE
  - POWER & TELEPHONE
  - LAND LOT LINE
  - LAND LOT
  - CONIC MONUMENT FOUND
  - BUILDING LINE
  - CENTER LINE
  - POINT OF COMMENCEMENT
  - WATER METER



**GLENN J. DUTTON & SARAH C. DUTTON**  
 SURVEY FOR  
 LOCATED IN LAND LOTS 141 & 144, 10TH DISTRICT  
 HALL COUNTY, GEORGIA

SCALE: 1" = 100'  
 DATE: DEC. 6, 2002  
 15.75 ACRES-TOTAL  
 DRAWN BY: WTR  
 C.C. JE

APPALACHIAN SURVEYING COMPANY, INC.  
 MOUNTAIN CITY, GEORGIA 30552 (706)746-2625  
 GINNEX NUMBER 02-488

IN MY OPINION, THIS PLAT IS A CORRECT  
 REPRESENTATION OF THE LAND PLATTED  
 AND HAS BEEN PREPARED IN CONFORMITY  
 WITH THE REQUIREMENTS OF THE  
 REQUIREMENTS OF THE LAW

*William F. Hildebrand*  
 WILLIAM F. HILDEBRAND, CARL S. #0042

A TOPCON GTS-3C 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 16,826.  
 THE FIELD MEASUREMENTS WERE  
 MADE AT THE POINT AND WAS ADJUSTED  
 USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
 AND FOUND TO BE ACCURATE  
 WITHIN ONE FOOT IN 16,826 FEET.





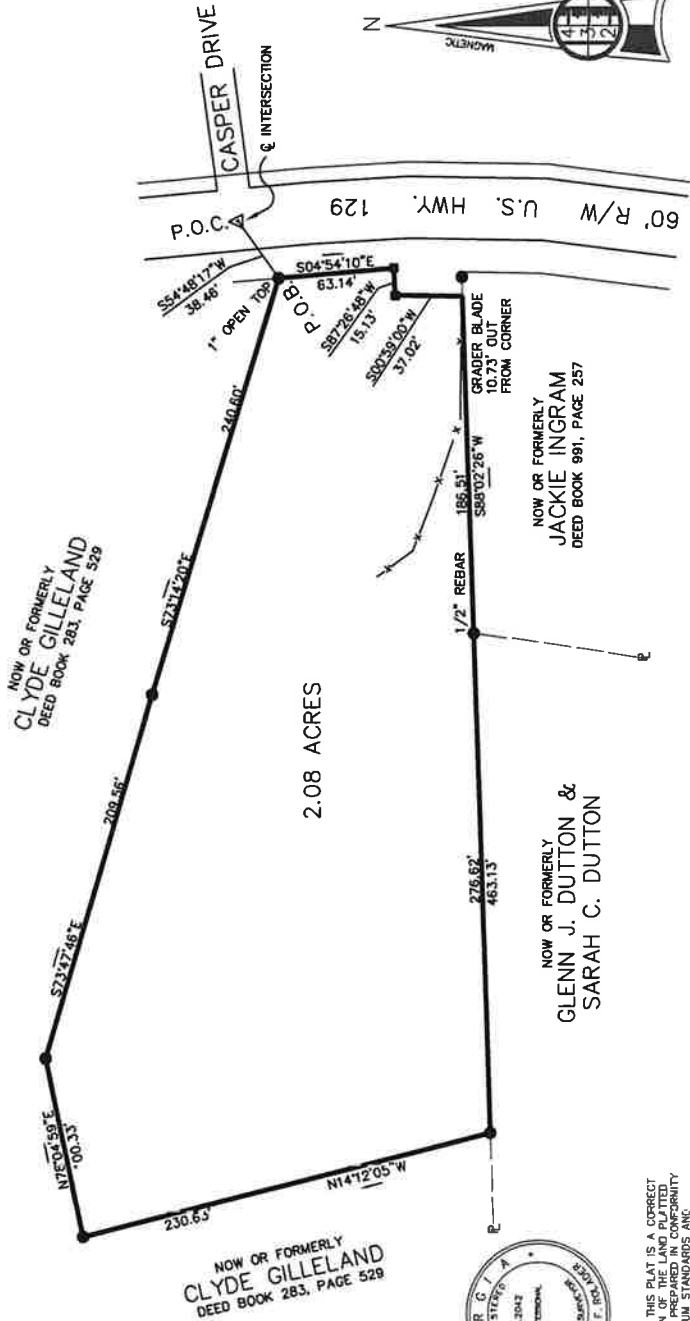
**LEGEND**

- POB = POINT OF BEGINNING
- RF = IRON PIN FOUND (I/P)
- Q = PROPERTY CORNER (C)
- Q = PROPERTY LINE (P)
- Q = RIGHT OF WAY
- = FENCE
- U = UTILITY POLE
- W- = POWER & TELEPHONE
- LLL = LAND LOT LINE
- = CONCRETE MORTAR FOUND
- B = BUILDING LINE
- C = CENTER LINE
- POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE  
 AS SHOWN ON THE FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 130466 0020 B

REFERENCE: PLAT BOOK 138, PAGE 204

ALL DIMS ARE 1/2" ROD  
 UNLESS OTHERWISE STATED.



GRAPHIC SCALE



<b>GLENN J. DUTTON &amp; SARAH C. DUTTON</b>	
SCALE: 1" = 60'	DRAWN BY: WAR
DATE: MAY 20, 2003	C.E. WFR
LOCATED IN LAND LOT 144, 10TH DISTRICT HALL COUNTY, GEORGIA	
APPALACHIAN SURVEYING COMPANY, INC. P.O. BOX 117 MOUNTAIN CITY, GEORGIA 30562 (706)746-2625	



IN MY OPINION, THIS PLAT IS A CORRECT  
 REPRESENTATION OF THE LAND PLATTED  
 HEREIN, AND I HAVE BEEN ADVISED BY THE  
 OWNER THAT THE SAME IS IN CONFORMITY  
 WITH THE BEING IN ACCORDANCE WITH THE  
 REQUIREMENTS OF THE LAW.

WILLIAM F. ROULAGER, CARLS #20142

A TOPCON GTS-3C 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  
 WAS BASED WAS OBTAINED WITH A  
 PRECISION OF ONE FOOT IN 14,718  
 FEET AND AN ANGULAR ERROR OF 0.3  
 PER ANGLE POINT, AND WAS ADJUSTED  
 USING THE LEAST SQUARES FULL METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
 FOR CLOSURE AND IS FOUND TO BE  
 ACCURATE WITHIN ONE FOOT IN 103,878  
 FEET.

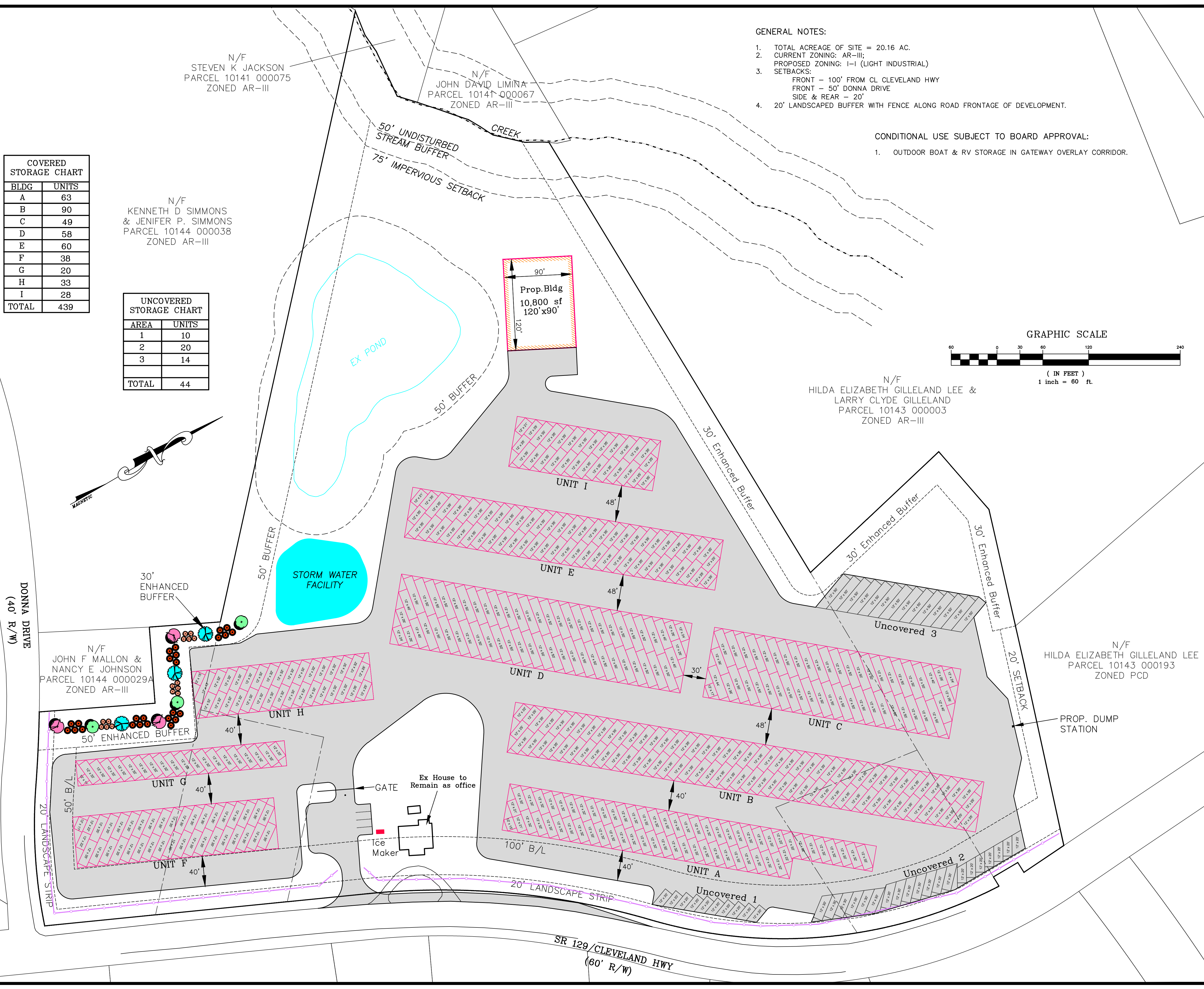
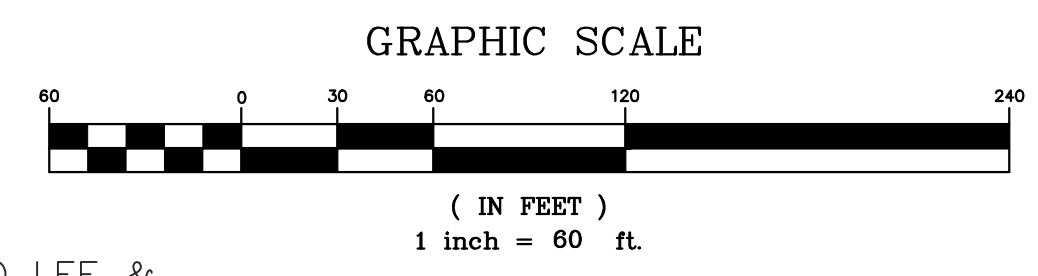


COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

- GENERAL NOTES:
- TOTAL ACREAGE OF SITE = 20.16 AC.
  - CURRENT ZONING: AR-III; PROPOSED ZONING: I-I (LIGHT INDUSTRIAL)
  - SETBACKS:  
FRONT - 100' FROM CL CLEVELAND HWY  
FRONT - 50' DONNA DRIVE  
SIDE & REAR - 20'
  - 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:  
1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



Copyright  
2023  
MYERS & CO. ENGINEERS  
ALL RIGHTS RESERVED  
This drawing is the sole property of Myers & Co. Engineers. It is to be used only for the specific project and location identified herein. It is not to be reproduced, stored in any retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or in any way without the prior permission of Myers & Co.

Seal

**MYERS & CO.**  
civil engineers

770-554-9172  
ed@myers-and-co.com  
P.O. BOX 634  
GAINESVILLE, GA 30603

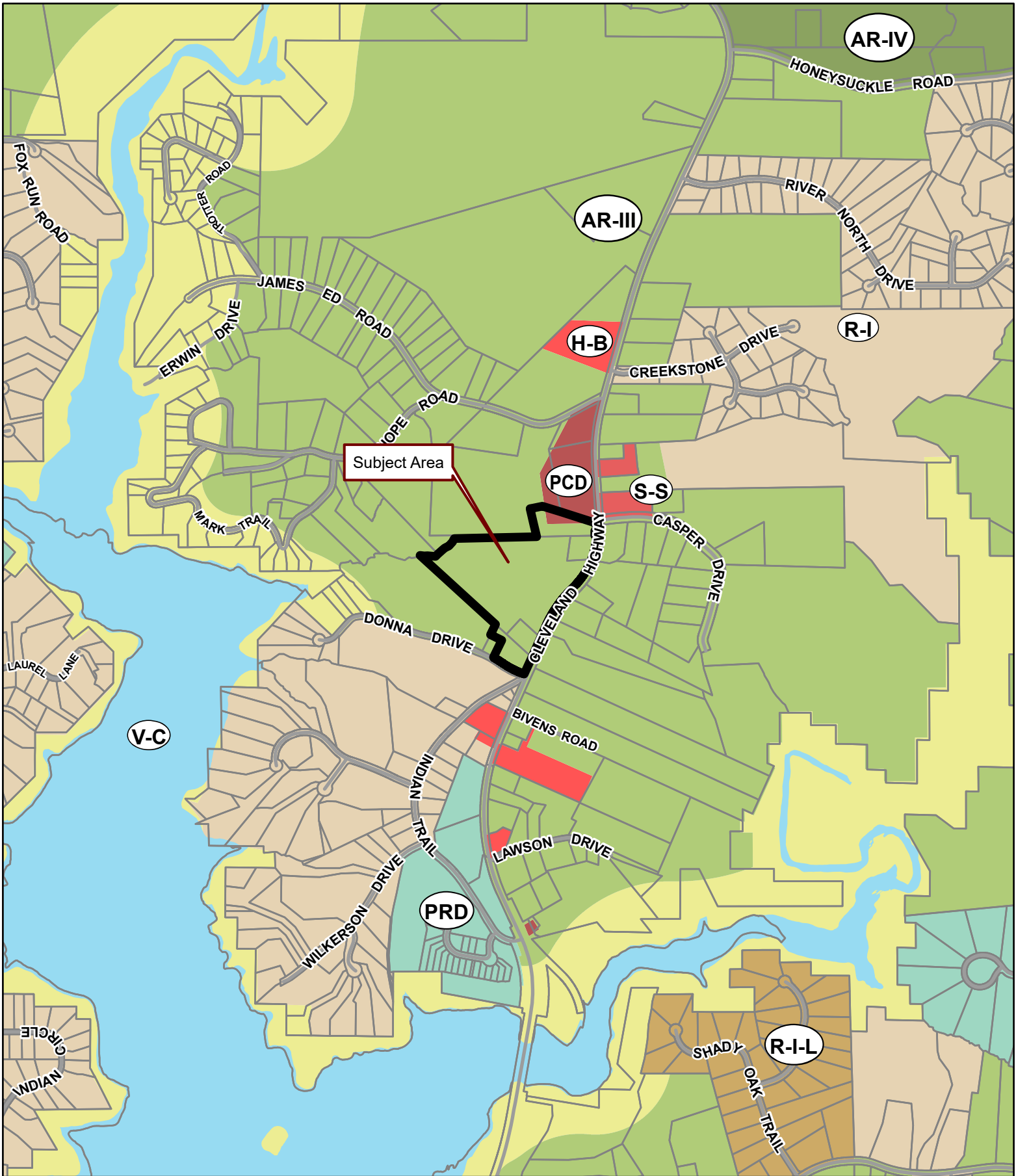
Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

DATE 8-1-23  
JOB NO. 23-03  
Sheet Title  
REZONING PLAN

Revisions

SHEET  
1



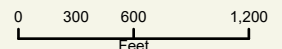


**Applicant:** DUTTON PROPERTIES

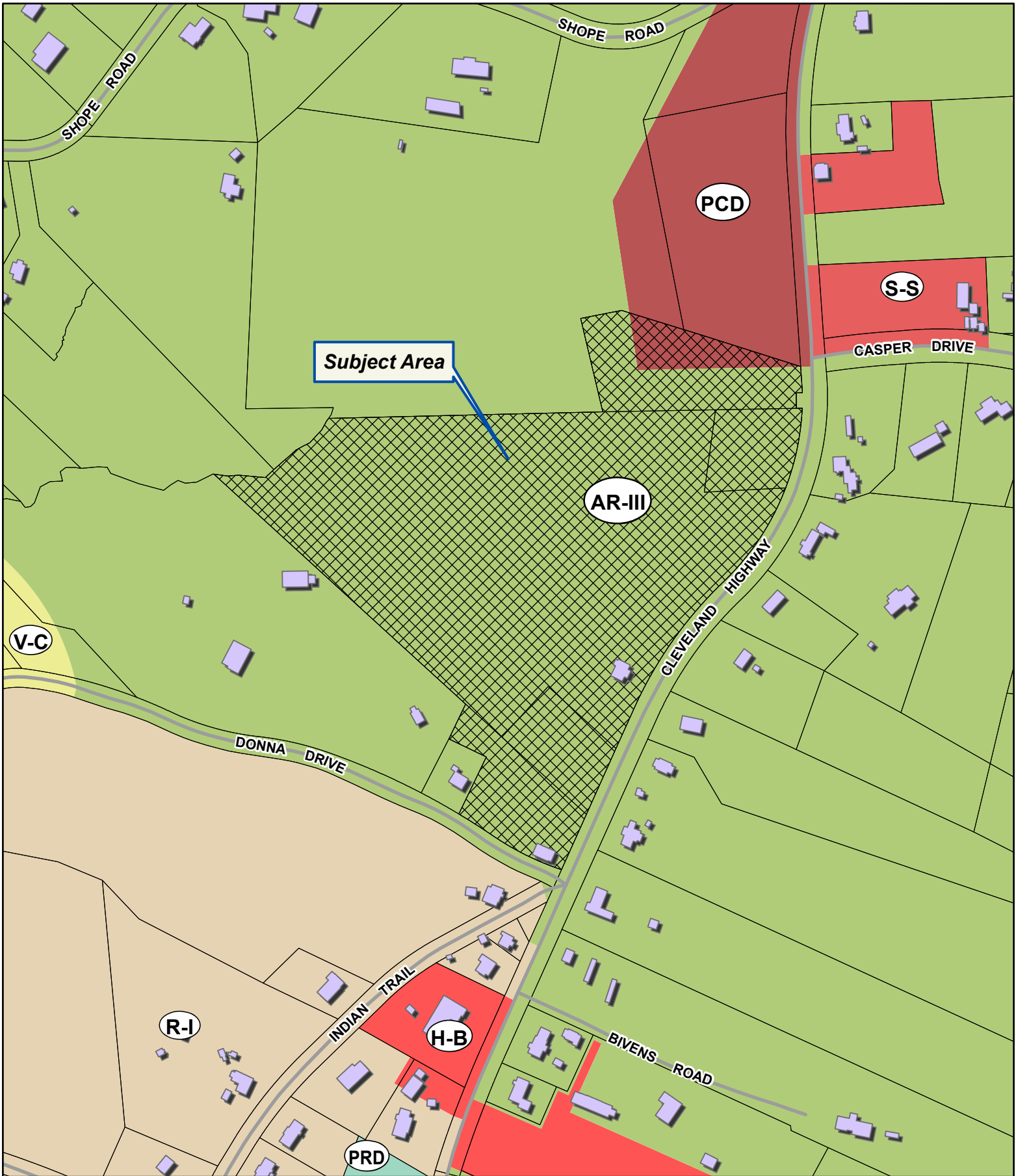
**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3      PC Mtg. Date: 09/18/23**



- Zoning Boundary
  - ▭ City Limits
  - Subject Area
  - Structure
- N  
↑



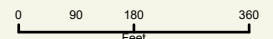
**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date: 09/18/23**



- Zoning Boundary
- City Limits
- ▨ Subject Area
- Structure





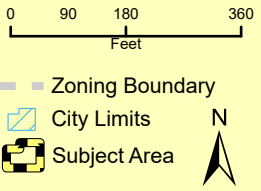


**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3      PC Mtg. Date: 09/18/23**





For Con. W.D see D.B. 1013 Pg. 207

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9<sup>th</sup> day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of DEED OF GIFT

In hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha S granted, bargained, sold and conveyed, and by these presents

do ES grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that ~~CERTAIN TRACT AND PARCEL~~ certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book       , Page       , of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Georgia, Hall County, Clerk Superior Court  
Filed in office, this 10 day of June  
19 86 at 11 M. Recorded in Book 591  
Page 574 this 11 day of June, 1986  
Dwight S. Wood  
DWIGHT S. WOOD, Clerk

Paid \$ 0-  
Date June 10, 1986  
DWIGHT S. WOOD  
Clerk of Superior Court  
By Rashy Lewis

Chris Corey H. W. & Stradberg



## 129 Boat & RV Storage

### **Legal Description:**

**All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:**

**Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;**

**Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;**

**Thence following U.S. Highway 129 the following courses:**

**Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;  
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;  
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;  
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;  
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;  
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;  
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;  
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;  
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;  
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;  
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;  
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;  
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;  
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;  
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;  
Thence South 28 degrees 47 minutes 33 seconds West for a distance of 36.77 feet to a point;  
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;  
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;  
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;  
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;  
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point  
at the intersection of the northwestern right of way between U.S. Highway 129 and Donna  
Drive; Turning west along the right of way of Donna Drive;**

**Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;  
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;  
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;  
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;  
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;  
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;  
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;**

**Thence leaving Donna Drive the following courses:**

**Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;**

**Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;**

**Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;**

**Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;**

**Thence along a creek the following courses:**

**Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;**

**Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;**

**Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;**

**Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;**

**Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;**

**Thence leaving the creek the following course:**

**Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;**

**Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;**

**Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;**

**Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;**

**Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point**

**and said point being the TRUE POINT OF BEGINNING**

**Said property contains 20.16 acres more or less.**

## Anael Dominguez (CDI: Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, August 18, 2023 12:02 PM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: 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 Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: 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)  
<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)

## Anael Dominguez (CDI: Planning)

---

**From:** Chavers, Veronica E <VChavers@dot.ga.gov>  
**Sent:** Tuesday, August 15, 2023 10:37 AM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Subject:** RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

**Veronica Chavers**  
*DITO Civil Engineer 3*



District 1 Traffic Operations  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8488 office

---

**From:** Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>  
**Sent:** Friday, August 11, 2023 10:52 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mil>; Ellis Still (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for September 18, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – September 5, 2023**

## **OLD BUSINESS**

1. [3922 Green Drive | Amend Conditions of R-I | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#) Requires GDOT coordination for driveway access on Clarks Bridge Rd.

## **NEW BUSINESS**

1. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#) No GDOT coordination required
- 2.
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#) No GDOT coordination required
4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, applicant.](#) No GDOT coordination required
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#) No GDOT coordination required
2. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) Requires GDOT coordination for driveway access on Cleveland Hwy.
- 6.
3. [\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) Requires GDOT coordination for driveway access on Cleveland Hwy.



4. [\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant. No GDOT coordination required](#)
  
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)  
[\(B\) 4053 Cleveland Highway | Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
10. [\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
11. [\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | Proposed Use: 185-unit multi-family development and permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)

\*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, October 26, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> 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, October 26, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
 Ana Dominguez  
 Planning Commission Clerk  
 Hall County Community Development and Infrastructure  
 (770) 531-6810 | [www.hallcounty.org](http://www.hallcounty.org)



---

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.



Hall County Government  
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PUBLIC WORKS AND UTILITIES

MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

**From:** Bill Nash, Director of Public Works and Utilities

t: 770.531.6800 | f: 770.531.3945

**Date:** August 18, 2023

DIRECTOR  
Srikanth Yamala

**Subject:** September 18, 2023 - Hall County Planning Commission Agenda

PUBLIC WORKS AND  
UTILITIES DIRECTOR  
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. [3922 Green Drive | Amend Conditions of R-1 | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-1, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#)
  - a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.  
Show stream buffer and impervious setback from wretched vegetation not centerline of stream.
  - b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
  - c. **Utilities:** No sewer connection available in the area.
  
2. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment

4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream.  
FEMA and Hall County studied Flood plains present on site.
  - b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
  - c. **Utilities:** No sewer available
  
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
6. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. \(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant. \(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)
  - a. **Engineering:** This 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 buffer and impervious setback from wretched vegetation not centerline of stream.  
Proposed GDOT project goes right through this parcel.
  - b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
  - c. **Utilities:** No sewer connection within feasible distance

7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant.](#)
- 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. Show stream buffer and impervious setback from wretched vegetation not centerline of stream  
Floodplain present on site.
- b. **Traffic:** Traffic impact study hasn't been submitted  
Improvements to Antioch Campground Road may be required.  
Recommend a condition that all lots access internal subdivision roads only.  
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.
- c. **Utilities:** City of Gainesville sewer district.
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant.](#)  
[\(B\) 4053 Cleveland Highway| Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.
- c. **Utilities:** No sewer connection within a feasible distance.
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |](#)

Proposed Use: 185-unit multi-family development and permitted uses within H-B | \*\* Commission District 1 | Tim Wilbanks, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
- c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.



## Anael Dominguez (CDI: Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Friday, August 18, 2023 2:46 PM  
**To:** Anael Dominguez (CDI: Planning)  
**Cc:** Randi Doveton (CDI: Planning)  
**Subject:** Fire Comments

**Monday, September 18, 2023** Hall County Planning Commission Meeting.

1. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

[\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)  
[\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
Lieutenant, Hall County Fire Rescue  
Hall County Government  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)



Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Amanda

**Last Name\***

McNair

**Address1\***

3475 Big View Rd

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.

If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.

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

amward33@yahoo.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.

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

First Name\*

Eric

Last Name\*

McNair

Address1\*

3475 Big View Rd

Address2

City\*

Gainesville

State\*

Ga

Zip\*

30506

Item for Comment\*

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments\*

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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**

mac1576@yahoo.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.

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

JOHN

**Last Name\***

CIANCIOLO

**Address1\***

3438 Big View Road

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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**

jcianciolo47@yahoo.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.



Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83994**

**Date Submitted: 11/7/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

John

**Last Name\***

Mallon

**Address1\***

4014 Donna Drive

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 wife and I have lived on Donna Drive for 27 years. We am against the rezoning of this property from Agricultural Residential to Light Industrial because this is a residential area as specified in the Hall County Comprehensive Plan and a light industrial complex does not belong in the middle of a residential area. We also believe the increase in traffic along an already busy corridor will be a problem. We also own the house that abuts the property on Donna Dr and believe it will be an eyesore and greatly disturb the people living there and interfere with their privacy.

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 Voting Meeting Comments - November 9, 2023 - Submission #83434

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Ken

**Last Name\***

Coggins

**Address1\***

3471 Big View Road

**Address2**

**City\***

Gainesville

**State\***

Georgia

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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**

cogginsk@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.

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83820**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

A new petition that was signed Friday evening after the 3 pm deadline. Please add to BOC packet for Thursday, Nov 9.

Please write your comments in the box above.

**File Upload**

IMG\_20231106.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**

404-272-7273

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.

# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME	ADDRESS
<u>Glenda Gregor</u>	<u>3723 James Ed Rd</u>
<u>Paul Johnson</u>	<u>3723 James Ed Rd</u>
<u>Peter Urban</u>	<u>3418 Cleveland Hwy.</u>
<u>Hua Gao</u>	<u>3339 Nottingham Forest Drive</u>
<u>Dutch Sievert</u>	<u>3420 Cleveland Hwy</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83817**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Attached are signatures for our petition opposing the rezoning project submitted by Dutton Properties

Please write your comments in the box above.

**File Upload**

Scan.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**

404-272-7273

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.



## HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

### 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, we would ask you to consider personally contacting The Board of Commissioners website which lists their phone number as 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is the same 770-535-8288.**

NAME	ADDRESS
Susan M. Aliga	3346 Nottingham Forest Drive
Tab E. Aliga	3346 Nottingham Forest Drive
Mary Alice Smith	3342 Nottingham Forest Drive
Richard M. Rice	3342 Nottingham Forest Dr.
Lynne Young	3339 Nottingham Forest Dr.
Belenia Sweet	3240 Cleveland Hwy
Richard J. Faille	3432 Cleveland Hwy



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83872**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Additional petitions with signatures for opposition against rezoning of property on Cleveland Hwy for boat and RV storage.

Please write your comments in the box above.

**File Upload**

rezoningpetitionsignature petition 8 11-6-23.jpg

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**

404-272-7273

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 Voting Meeting Comments - November 9, 2023 - Submission #83873**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Count of online signatures for petition as of 11-6-23 showing 111 signatures from online only.

Please write your comments in the box above.

**File Upload**

online Petition · 11-6-23 Halt the Re-zoning Change  
org.docx

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.



# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier

Started October 25, 2023



**111** Signatures **200** Next Goal

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83874**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 strongly opposed to the request for rezoning. Please see attached letter for details.

Please write your comments in the box above.

**File Upload**

MAS letter to BOC with signature.docx  
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.



3342 Nottingham Forest Drive

Gainesville, GA 30506

November 3, 2023

Dear Hall County Board of Commissioners:

In regards to the rezoning application by Dutton Properties on Cleveland Hwy (129), I am strongly opposed to this rezoning from Agricultural/Residential and Planned Commercial to Light Industrial. The major reasons for my opposition are as follows:

- A. Rezoning this property to Light Industrial is not in keeping with the Hall County Comprehensive Plan and the Lake Area Residential future land use classification. Quoting from the Comprehensive Plan, "Intent: PRESERVE established neighborhoods and CREATE opportunities for permanent and vacation residences similar in land use patterns to Residential Areas but at lower residential densities." The property described in the application is surrounded by residential communities that either border Lake Lanier or are near Lake Lanier. There are no Community Crossroads in our neighborhood. Locating an RV and boat storage facility in an area where there is no other Light Industrial would deviate from the Hall County Comprehensive Plan and would negatively affect our neighborhood. This project would not add value to our residential neighborhood.
- B. The Planning Committee Staff Report recommended DENIAL for all parts of the application (A, B and C). I agree with their assessment and conclusions.
- C. Traffic is heavy on Cleveland Hwy (Hwy 129) and adding additional traffic, if this application is approved, would make this area more congested. I am particularly concerned that many counties in northeast Georgia use Hwy 129 as the major corridor to Gainesville. For many EMS ambulances from these areas, Hwy 129 is the only route to Northeast Georgia Medical Center and trauma level 1 and emergency care.
- D. I am very concerned about the ecological and environmental damage that this project could cause. The property currently has many trees and is a natural habitat for wildlife in the area. If these trees are clear cut and the land leveled as was stated at the October 2 Planning Committee meeting, this would remove the habitat and displace most of the wildlife. I have recently seen two bald eagles in this area—what a wonderful sight! I would request that an environmental impact study be done on this property due to the potential damage this plan could do to plants and animals on this 20 acre parcel.

I respectfully request that the Board of Commissioners deny this application.

*Mary Alice Smith*

Mary Alice Smith, PhD  
Professor Emeritus  
University of Georgia  
Department of Environmental Health Science

**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

**File Upload**

Scan.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**

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Ronald Pike

3320 Wilkerson Dr Gainesville GA 30506

Diana Pike

3320 Wilkerson Dr. Gainesville GA 30506

Michael O'Sheary  
Sue O'Sheary

3342 Wilkerson Dr.  
" "



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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.

# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties  
applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Stan Bomstein

3533 Wilkerson Dr 30506

Mark Kinler

3338 WILKERSON DR 30506

Val W.

3338 Wilkerson Dr 30506

Angie M. Scott

3332 Wilkerson Dr. 30506

Sam H. Jones

3332 Wilkerson Drive 30506



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

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 - November 6, 2023 - Submission #83477**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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 - November 6, 2023 - Submission #83479**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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.

# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

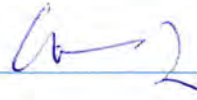
3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.


The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME


ADDRESS

Dr. Erin Lipp 

Dept of Environmental Health Science, UGA, Athens

Dr. Anne Marie Zimeri 

2016 Environmental Health Sci. Bldg. UGA Athens

Dr. Martha C Black 

Dept Environmental Health Sci, Univ GA, Athens, GA


**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83484**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

**File Upload**

Online petition signers.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**

404-272-7273

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone,  
Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the [Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville.](#) **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on [chnq.org](https://chnq.org).



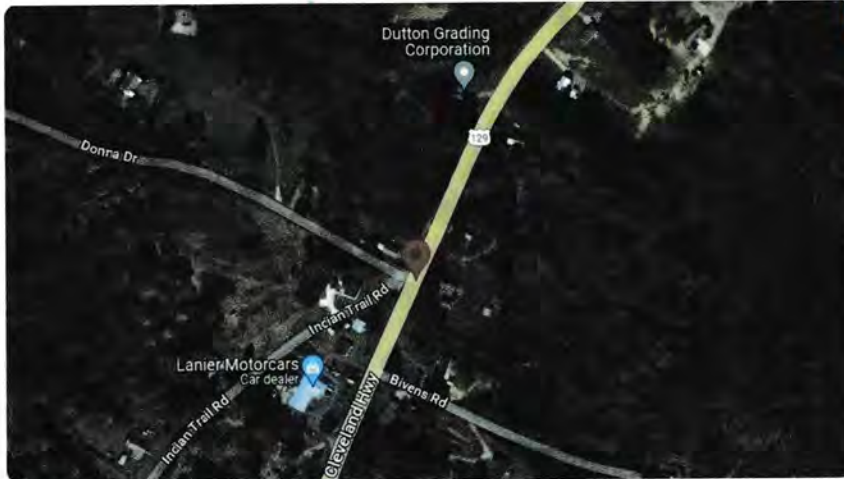
<https://chnq.it/cCbDZr6R54>

**PLEASE COME TO THE NOVEMBER 9th  
MEETING TO VOICE YOUR OPPOSITION TO  
THIS REZONING PROPOSAL!**

**PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND  
NEIGHBORS IN HALL COUNTY!!**



# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

## Why this petition matters



Started by [Ken Coggins](#)

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

101 Signatures 200 Next Goal

73 people signed this week

## Sign this petition

First name

Last name

Email

Gainesville, 30501 United States

Display my name and comment on this petition

[Sign this petition](#)

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	#####
Nancy Bab	Atlanta	GA	30312	US	#####
Dennis But	Gainesville	GA	30506	US	#####
John Riley	Gainesville	GA	30506	US	#####
Terri Riley	Gainesville	GA	30507	US	#####
Denise Ver	Gainesville	GA	30506	US	#####
Mark Versl	Gainesville	GA	30506	US	#####
Cole Pace	Gainesville	GA	30506	US	#####
Eric McNai	Gainesville	GA	30506	US	#####
Richard Ba	Gainesville	GA	30501	US	#####
Mandy Mc	Gainesville	GA	30506	US	#####
Emilee Pac	Gainesville	GA	30506	US	#####
Paul Geert	Gainesville	GA	30506	US	#####
Derrick Coj	Gainesville	GA	30501	US	#####
Mary Ann l	Gainesville	GA	30504	US	#####
Tracy Butt	Gainesville	GA	30506	US	#####
Bret Logsd	Gainesville	GA	30506	US	#####
Stacy Logsl	Atlanta	GA	30312	US	#####
Ediverto G	Panorama City		91402	US	#####
John Cianc	Gainesville	GA	30504	US	#####
Joshua Cur	Peterborough		PE7	US	#####
Sahara Wh	Virginia Beach		23452	US	#####
Raymond s	Gainesville	GA	30506	US	#####
Nancy Aha	North Versailles		15137	US	#####
Jon Inwoo	Brooklyn	NY	11226	US	#####
Mike Bash	Buford	GA	30519	US	#####
JodiAnne C	Flowery Br	GA	30542	US	#####
Brandi Ost	Flowery Br	GA	30542	US	#####
Annabelle	Greensboro		21639	US	#####
Charles Sai	Gainesville	GA	30506	US	#####
Dennis Gre	Orlando		32806	US	#####
Scott Gree	Gainesville	GA	30506	US	#####
Joh Flynn	Gainesville	GA	30501	US	#####
Maia Saqu	Oswego		60543	US	#####
Narvella Tl	Riverbank		95367	US	#####
Rachel Lee	Gainesville		32605	US	#####
ray	Oak Park		60302	US	#####
Aziza Gafu	Waltham		2453	US	#####
Candy Fisc	Alton		62002	US	#####
Taylor Hibl	Cincinnati		45241	US	#####
Makara Cu	Fenton		48430	US	#####
Kathleen H	Schwenksville		19473	US	#####
Anon Y. Ml	Beaverton			US	#####
Natalie Po	Raeford		28376	US	#####
Sonic Son	Oroville		95966	US	#####
pablo ruiz	burluson		76028	US	#####

Anna Laidl East Stroudsburg	18301 US	#####
Erica Rose New York	10023 US	#####
Lena Thom Mokena	60448 US	#####
Grady Davi Gainesville GA	30506 US	#####
Diane Davi Gainesville GA	30506 US	#####
Melisa Ho Orlando FL	32808 US	#####
Alex Weiss Gainesville GA	30506 US	#####
Rosalee W Gainesville GA	30506 US	#####
Clayton Sh Gainesville GA	30506 US	#####
Russell We Gainesville GA	30506 US	#####
Dana Verr Gainesville GA	30501 US	#####
Baylee Tur Gainesville GA	30506 US	#####
Addie Ech Gainesville GA	30506 US	#####
Ann Gilles Cleveland GA	30528 US	#####
Tasha Low Gainesville GA	30506 US	#####
Melissa Cl Gainesville GA	30506 US	#####
Sharon Sm Gainesville GA	30506 US	#####
Nancy Johr Atlanta GA	30303 US	#####
Wes Turne Gainesville GA	30506 US	#####
Ari Jay Las Vegas	89111 US	#####
Kim Jackso Suwanee GA	30024 US	#####
George Jac Gainesville GA	30506 US	#####
K Shakir Roslyn NY	11576 US	#####
Onaiza Kh Plainview NY	11803 US	#####
Erika Rikh Clermont	34711 US	#####
Alexandria Indianapolis	46254 US	#####
Robert Sim Gainesville GA	30506 US	#####
Dawn Simr Gainesville GA	30506 US	#####
Christophe Sanford	27330 US	#####
Melvic Cos Los Angele CA	90060 US	#####
Lee Burrell Gainesville GA	30306 US	#####
Ethan Frec Springfield	97477 US	#####
John Mallo Gainesville GA	30506 US	#####
Dedrick At Birmingham	35205 US	#####
Connie Ha Wyckoff NJ	7481 US	#####
Austin Wai Corvallis OR	97330 US	#####
Аминат Ас Wilmington	19801 US	#####
Kyah W. Belleville	48111 US	#####
Debra Kerr Lansing	48913 US	#####
Ileen must Panama City	32405 US	#####
Ibtisam Be Houston TX	77009 US	#####
Ruben Koch (Student)	US	#####
Zainab Ma Clifton	7014 US	#####
Michael Fr Bronx NY	10461 US	#####
Christie Ca Biloxi	39532 US	#####
Nick Lamb Lemont IL	60439 US	#####
Adam Kalu Burleson	76028 US	#####

Mandy Kur Claymont

19703 US

#####



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

**File Upload**

Rezoning Hearing Combined TOC Txt 11-3-23 rmp  
mas.docx.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**

404-272-7273

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.

**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**November 3, 2023**

Submitted by the following on behalf of local residents:

Mark Kirves [mkirves@plastekwerks.com](mailto:mkirves@plastekwerks.com)

Michael O'Sheasy [mtosheas@gmail.com](mailto:mtosheas@gmail.com)

Richard Prior [richard.prior@ung.edu](mailto:richard.prior@ung.edu)

Mary Alice Smith [smith.maryalice@gmail.com](mailto:smith.maryalice@gmail.com)

**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**TABLE OF CONTENTS**

**INTRODUCTION: WHO WE ARE AND WHY OUR OPPOSITION..... 1**

- A. Rezoning would place significant burden upon congested Hwy 129.....1**
- B. Increase number of accidents on Cleveland Hwy .....2**
- C. Rerouting of Hwy 129 by GDOT will divide property into 2 sections.....2**
- D. Creation of an isolated district unrelated to surrounding districts.....2**
- E. Residential property values are likely to decrease.....2**
- F. Site plan for boat and RV storage and additionally office/warehouse.....3**
- G. Planning Committee Staff Report recommended DENIAL of rezoning proposal.....3**
- H. Has an Environmental Impact Statement study been completed.....3**
- I. Disruption of neighborhood.....4**
- J. Additional and still pertinent questions for opposing rezoning.....4**

**COMMENTS PERTAINING TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT**

- K. Recommended Condition 4. Approval needed from Georgia DOT.....5**
- L. "Summary Analysis", "A 10,800 sq ft warehouse building proposed for storage items related to the contractor's business." .....5**
- M. "Zoning Analysis" item 2. Could impact nearby residential agricultural parcels.....5**
- N. "Zoning Analysis" item 4. Will rezoning cause burdensome use of existing streets..... 5**
- O. "Zoning Analysis" item 7. We request a full market analysis be conducted.....5**
- P. "Zoning Analysis" item 10. GDOT plans for future realignment of Cleveland Hwy (Map 2) show subject property will be affected ..... 6**
- Q. Under Zoning Analysis" item 13. What is justification for locating storage facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan?.....6**
- R. Submission requirements item D. We request a Traffic Impact study be completed.....6**

**MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER**

**MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING**

**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties**

**October 30, 2023**

**We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting.** After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 “shortly” after hearing the witnesses.

**However, the Planning Committee hearing did not abide by their own published procedures.** After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department’s ‘Application & Procedures’ brochure: “The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision.” Please note there is no mention of a number of allowed witnesses nor duration.

**We oppose the Planning Committee’s recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a “boat and RV storage and an office/warehouse” facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:**

- A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville’s vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.



- B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by traileed boats, RVs, and construction equipment.** This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow traileed boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital** (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia), **EMS transport of trauma patients will likely be impacted.**
- C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels,** one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.
- D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "...and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."
- E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning

Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

- F. **The site plan is for more than simply the use for boat and RV storage as it states additionally “...office/warehouse”.** The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes “Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions.” We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.
- G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is “...to preserve established neighborhoods and create opportunities for permanent vacation residencies...” (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, “The request to rezone the property is inconsistent with the future land use classification.”
- H. **Has an Environmental Impact Statement study been completed for this project?** This area of proposed development is part of the territory of the Northern Long

**Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species.** During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

**In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property.** At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

- I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway.** If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.
  
- J. **Additional and still pertinent questions for opposing:**
  - a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
  - b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.

**THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:**

- K. **Recommended Condition 4. “The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.” Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says “Proposed GDOT project goes right through this project” and in fact appears to bifurcate the storage project such that two “spot zones” would be created with only residential agricultural and planned commercial zone areas surrounding them.
- L. **Within the “Summary Analysis”, it states “A 10,800 square foot warehouse building is proposed for storage items related to the contractor’s business.” Why must the contractor’s other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage?** The same question is asked for item 9. Beneath “Zoning Analysis” regarding the “...office for the contractor’s business”.
- M. **Under “Zoning Analysis” item 2. Staff asserts that the request “..could have an impact on nearby residential agricultural parcels.” We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.
- N. **Under “Zoning Analysis” item 4, Staff states “The proposed use should not cause an excessive or burdensome use of existing streets..” We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**
- O. **Under “Zoning Analysis” item 7. Staff report states “Staff is unable to comment on the impact of property values without a full market analysis.” Staff suggests “Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.”** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values. **We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?



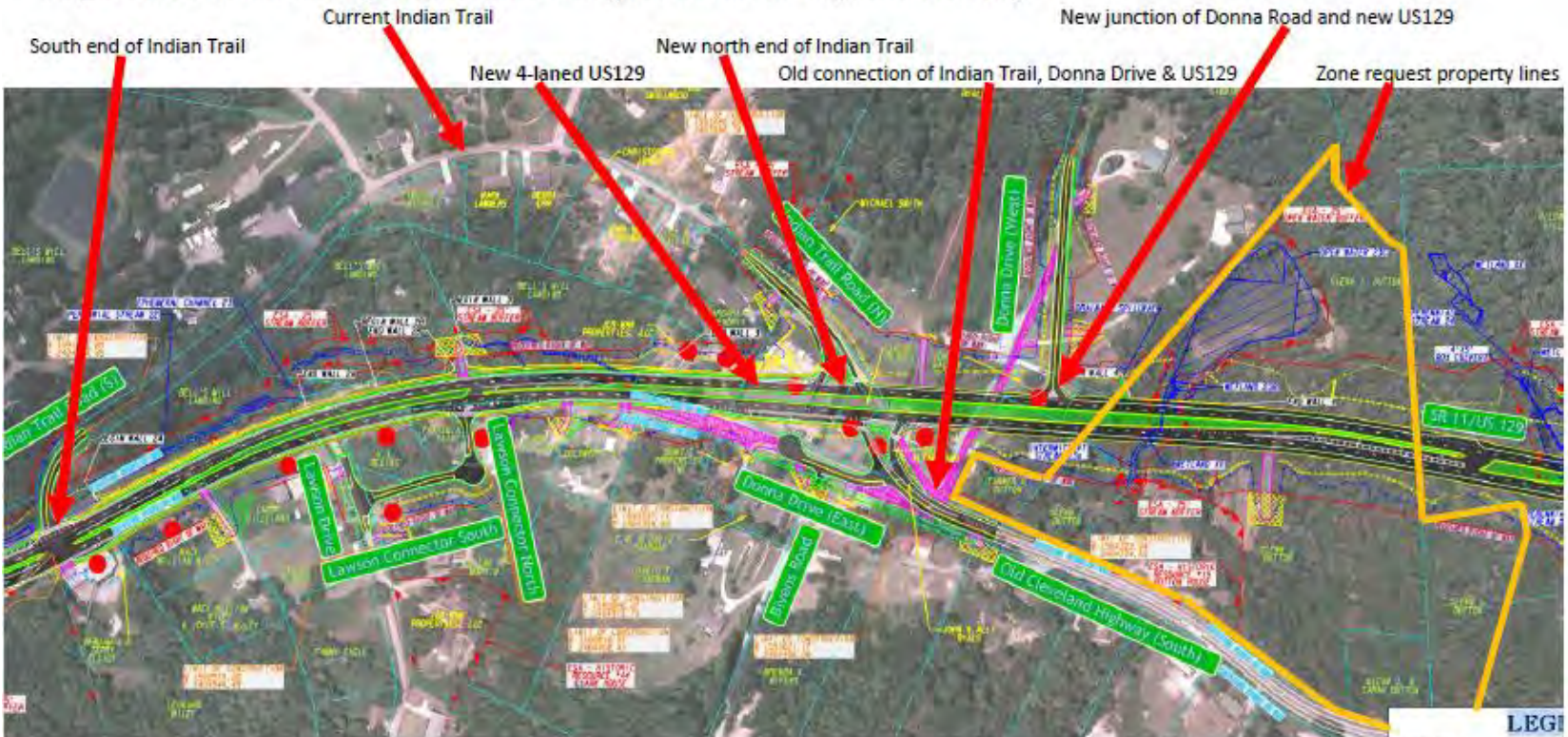
- P. **“Zoning Analysis” item 10 which states “GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.”** This realignment will essentially cut through the widest part of the property (see attached site views). GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.
- Q. **Under Zoning Analysis” item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville.** This may or may not be a valid cause and effect. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement. Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor’s business and equipment requiring a 10,000 square foot building. **In addition, even if there’s a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**
- R. **Under Submission requirements item D, Staff Report states “As there are not 100 or more residential dwelling units proposed this criteria is not applicable.”** The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application. This Submission Requirement may strictly relate to the need for a traffic study due to “more residential dwellings” on the site. However, isn’t it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

**Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road.** There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectfully request that a traffic impact study be done for this application.**





Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	

PRELIMINARY



Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Nancy

**Last Name\***

Babcock

**Address1\***

3463 Big View Rd.

**Address2**

**City\***

Gainseville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

**File Upload**

Bat document.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**

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.

Dear Hall County Commissioners,

I am writing you today to ask you to please vote “no” to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a **critically endangered** species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat’s existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from [federalregister.gov](http://federalregister.gov) : “We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (*Myotis septentrionalis*), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act).”

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat’s territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in **forested areas**. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. **Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat.** Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. **All of these forest changes permanently remove habitat,** disturb or destroy hibernacula, and are activities prevalent in many areas of this bat’s range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

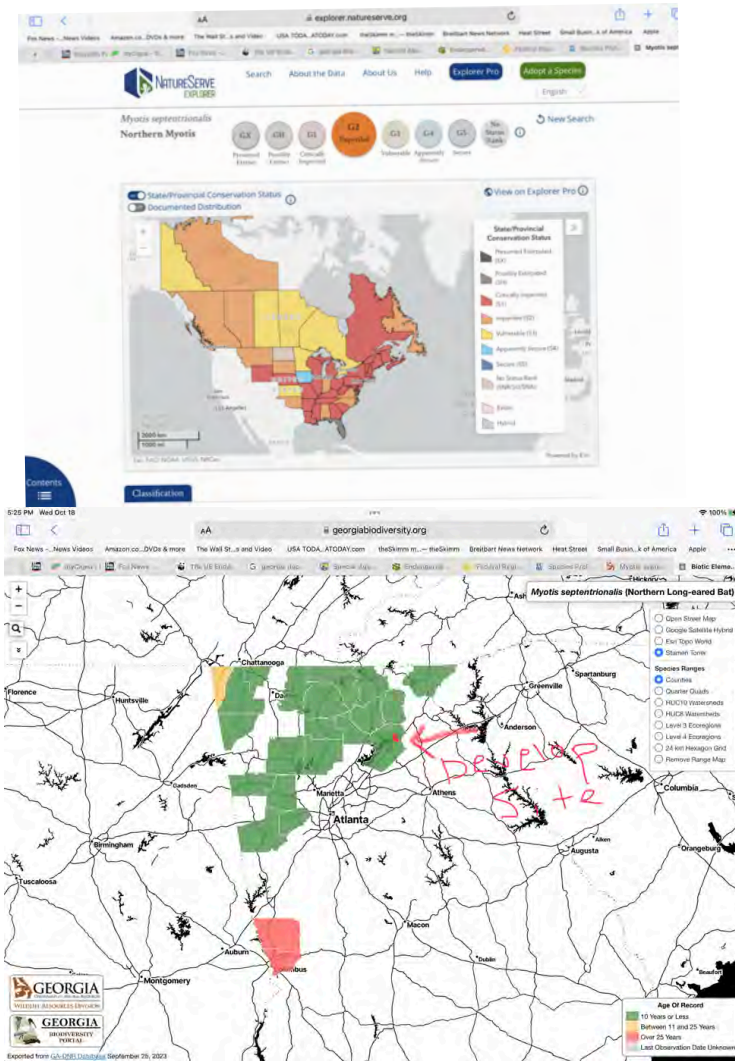
**For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.**

**\*\*In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (*Perimyotis subflavus*) that is proposed for listing as federally endangered. The habitat for the tricolored bat is “almost certainly” (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the *Cambaris howardi*, or Chattahoochee Crayfish) and a snake species (the *Pituophis melanoleucus*, or Northern Pine Snake) that is of concern in that area.**

\*\*\*\*I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock  
949-422-0403

(See below for Northern Long Eared Bat Territory)





**Print**

**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Richard

**Last Name\***

Prior

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

GAINESVILLE

**State\***

GA

**Zip\***

305064421

**Your Comments\***

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

**File Upload**

US129 map.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**

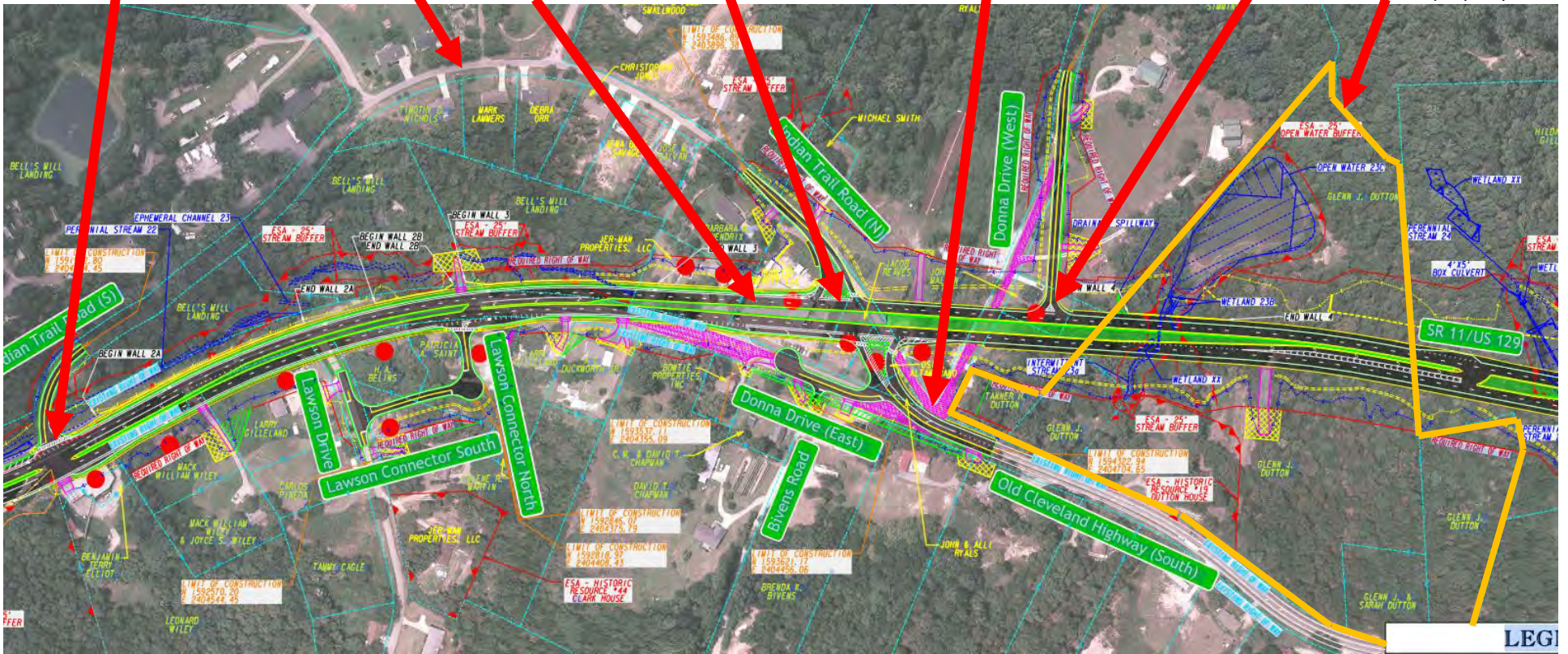
richard.prior@ung.edu

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.

# Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail      Current Indian Trail      New north end of Indian Trail      New junction of Donna Road and new US129      Zone request property lines

**New 4-laned US129**      Old connection of Indian Trail, Donna Drive & US129



## LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	

PRELIMINARY

Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.

3342 Nottingham Forest Drive  
Gainesville, GA 30506  
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,



Richard M. Prior



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83996**

**Date Submitted: 11/7/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Robert

**Last Name\***

Simmons

**Address1\***

4010 Donna Dr.

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 are several compelling reasons (traffic safety, environmental impact, run-off into Lake Lanier, residential impact, etc.) not to vote for this rezoning request. Irrespective of whether those reasons are valid concerns, the most crucial fact that needs to be considered is that the overwhelming number of residents in the area do not want this request approved. As an elected representative of Hall County, I respectfully ask that you vote no on this request and do what you were elected to do: represent the wishes of the residents of Hall County.

Thank you!

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**

770-355-9461

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: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date:

Date: JAN 25, 2024

Time:

P.M.

Time:

6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:09  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



# ZONING NOTICE

APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	COUNTY COMMISSION
Date: <u>11/14/23</u>	Date: <u>JAN 25, 2024</u>
Time: <u>2:00 P.M.</u>	Time: <u>6:00 P.M.</u>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:13  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: **DUESSON PROPERTIES**

REQUEST: **REZONE FROM A-1 & H-B TO H-1 FOR BOAT & RECREATION STORAGE AND OFFICE/WAREHOUSE**

PLANNING COMMISSION MEETING HELD ON: \_\_\_\_\_

Date: \_\_\_\_\_ COUNTY COMMISSION

Time: \_\_\_\_\_ Date: **JAN 25, 2024**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA Time: **6:00 p.m.**

FOR MORE INFORMATION CALL (770) 531-6809

Nov 14, 2023 10:20:17  
 3436 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 PM**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:26:24  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION      COUNTY COMMISSION  
Date: **OCT 24, 2023**      &      Date: **JAN 25, 2024**  
Time: **5:15 p.m.**      &      Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION      COUNTY COMMISSION  
Date: **OCT 24, 2023**      &      Date: **JAN 25, 2024**  
Time: **5:15 p.m.**      &      Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION      COUNTY COMMISSION  
Date: **OCT 24, 2023**      &      Date: **JAN 25, 2024**  
Time: **5:15 p.m.**      &      Time: **6:00 p.m.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:31:02  
3906 Donna Drive  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **REZONE FROM AR-III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 24, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

**ZONING NOTI**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PRO  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF TRANSITIONAL BUFFER REQUIRED IN**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:10  
3363 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
**DUTTON PROPERTIES**  
REZONE FROM AR-III & HB TO I-1 FOR  
RV STORAGE & AN OFFICE / WAREHOUSE  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 23, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 24, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
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: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 24, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:14  
3363 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: DUTTON PROPERTIES  
 REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 12:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:44:30  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 2, 2023** Time: **2:15 p.m.**  
&  
COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **REZONE FROM AM III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 24, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39  
3405 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





## AGENDA ITEM

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

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 663/2023

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

---

### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

### Executive Summary:

**Presenter:** RD  
**Recommendation:**



Approval

Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**Purpose of Request:**

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

**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	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

**Attachments:**



Updated Board Memo  
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  
Public Comments (Post Planning Commission Meeting)  
Updated Notice Sign Photos  
Notice Sign Photos





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Srikanth Yamala

PLANNING AND DEVELOPMENT  
DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** January 5, 2024

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres | Proposed Use: outdoor storage within Gateway Corridors Overlay District | Dutton Properties, applicant.**

---

The item was tabled to the January 25, 2024 voting meeting for research regarding the proposed GDOT widening /realignment of U.S. Hwy 129/ Cleveland Highway and whether the structure located on 3419 Cleveland Highway is on a historic preservation registry.

Research performed by staff does not find the structure on any national or state registries. Staff researched the GA Trust for Historic Preservation, the GA State Historic Preservation Office (SHPO), National Register of Historic Places, and did not find the structure listed. It should also be noted that unless there are specific tax credits associated with a structure, being on a registry provides no protection against demolition or alterations. The only protection is through local district designations and design guidelines.

The only preliminary GDOT plan located by staff is dated November 2021 and does not propose to bisect the subject property.

The applicant has not submitted any additional information to the Planning staff since the voting meeting on November 9, 2023.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing.**

There have been no changes to the request since the Planning Commission took action.



### Planning Commission Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Srikanth Yamala

PLANNING AND DEVELOPMENT  
DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** October 23, 2023

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres | Proposed Use: outdoor storage within Gateway Corridors Overlay District | Dutton Properties, applicant.**

---

The request before you is the application of Dutton Properties for a Use Subject to County Commission Approval to allow outdoor storage within Gateway Corridors Overlay District. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Pilcher opposed)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing**.

There have been no changes to the request since the Planning Commission took action.

#### Planning Commission Conditions:

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been



stored on the property shall be properly disposed of or stored in accordance with applicable regulations.

3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Dutton Properties

**Request** ..... **(A)** Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)).  
**(B)** Use Subject to County Commission Approval | [17.420.050](#). Outdoor storage  
**(C)** Variance | [17.420.050.\(C\)\(2\)](#) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))

**Proposed Use** ..... **(A)** Boat and RV storage and an office/warehouse  
**(B)** Outdoor storage within Gateway Corridors Overlay District (GCOD, [17.420](#))  
**(C)** Reduce the required transitional buffer from 50 feet to 30 feet

**Size** ..... 20.16± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Light Industrial (I-I, [17.160](#)) and Gateway Corridors Overlay District (GCOD, [17.420](#)).

**Location** ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

**Commission District** ..... Three

**Planning Commission Date** ..... October 2, 2023

**Staff Recommendation** ..... **(A) and (B) Denial** as the proposed use is inconsistent with the [Comprehensive Plan](#) future



land use classification of Lake Area Residential.  
**(C) Denial** of the requested variance from the transitional buffer requirements from [17.420.050.\(C\)\(2\)](#) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of [2.60.030](#).

**Planning Commission Recommendation.....** **(A) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(B) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(C) Denial**  
**Vote: 5-0**

**(A)& (B) Conditions:**

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

---

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.



**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O’Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Summary Analysis**

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor’s office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor’s business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). The GCOD provides supplemental development standards for non-residential development ([17.420.050](#)), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
<b>Total</b>	<b>44</b>



Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
<b>Total</b>	<b>439</b>
<b>Combined Total</b>	<b>483</b>

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by [17.240.040](#), setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table [17.240.010](#) for the Light Industrial (I-I, [17.160](#)) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from [17.420.050\(C\)\(2\)\(c\)](#), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in [17.420.050\(C\)\(2\)\(c\)](#).
  - *The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
    - *The applicant has not provided details as to how the buffer will be enhanced.*



Based on the future land-use plan, staff finds the zoning request inconsistent with the Lake Area Residential future land use classification in the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

### Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) and

(B) Use Subject to County Commission Approval | [17.420.050](#). outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, [17.60](#)). To the north is a PCD-zoned property Planned Commercial Development (PCD, [17.180.080](#)); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, [17.110](#)) properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, [17.160](#)) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, [17.160](#)).**
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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
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 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.**
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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on [3419 Cleveland Highway](#) will remain and serve as an office for the contractor's business.**
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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, [17.160](#)) would be a more intensive use than the existing Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**
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 close proximity to Lake Lanier and recent residential growth within the City of**



**Gainesville and the county may suggest there is a need for this sort of storage in this 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; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**
15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, [17.110](#)) or Planned Commercial Development (PCD, [17.180.080](#)) districts.**
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.**

**(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))**

Section [17.420.070](#), appeals and modifications states that “if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter.”

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, [17.420](#)).**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**



3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**
4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#).**

#### **17.380.050. - Submission requirements**

- 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 the Hall County Planning Commission.**
- 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 site plan but has not explicitly addressed the criteria listed in [17.350.120](#).**
  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 applicant submitted a site plan drawn to scale.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**
- D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

**Development Support and Constraints / Departmental Comments**

**Hall County Environmental Health**

In an email dated August 18, 2023, Emily McGahee stated “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 Marshal**

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

**Hall County Public Works and Utilities**

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

**Engineering:**

This 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 buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

**Traffic:**

Permit from GDOT will be required for connection to Cleveland Highway.

**Utilities**

No sewer connection within feasible distance.

**Georgia Department of Transportation**

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

➤ **Excerpts from the minutes of the October 2, 2023 meeting**

**Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

**Ed Myers, 752 Chattahoochee Place, Gainesville**, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about



700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

*Rebuttal*

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O'Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Planning Commission Comments:**

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

**A**

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

*Conditions:*



1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**B**

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

*Conditions:*

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.



8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**C**

***Motion: A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***



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)**

**Property Owner (Name & Mailing Address)**

Dutton Properties  
Po Box 908387  
Gainesville, GA 30501

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Phone 770-351-7565

Phone 770-351-7565

Email Address glennjdutton@aol.com

Email Address glennjdutton@aol.com

Proposed Use Boat & RV outdoor storage

**Contact Person (Name & Mailing Address)**

**Status of Applicant**

**Requested Action**

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Owner

Permissive Use:

Phone 770-351-7565

Option to Purchase

HCPC  HCC

Email Address glennjdutton@aol.com

Area Resident

Fee: \$ 1,500

Tax Parcel Number 10144 000030 000041

Zoning: \_\_\_\_\_ Check #: \_\_\_\_\_

Location Address 3419 3505 Cleveland Hwy 3906 Donna Dr.

Acreage 20.16 Ac

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 7-24-23

**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: 7/21/23

Taken by: Kate [Signature]

Tentative Planning Commission Date: 9/18

Tentative County Commission Date: 10/26

County Commission District: 1



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) Glenn Dutton

Address 3419 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address Po Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

---

**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  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp. 11-16-2024

7-20-23  
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) Glenn Dutton  
Address 3405 Cleveland Highway  
Gainesville, GA 30506  
Phone Number 770-351-7565

Name of applicant(s) Dutton Properties  
Address Po Box 908387  
Gainesville, GA 30501  
Phone Number 770-351-7565

---

**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

*Glenn J. Dutton*, owner Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

*Risa Little*  
Notary Public Exp. 11-16-2024

7-20-23  
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) Glenn Dutton

Address 3443 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties


Address PO Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

---

**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  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp 11-16-2024

7.20.23  
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) Glenn Dutton  
Address 3505 Cleveland Highway  
Gainesville, GA 30506  
Phone Number 770 351-7565

Name of applicant(s) Dutton Properties  
Address PO Box 908387  
Gainesville, GA 30501  
Phone Number 770-351-7565

**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)  
[Handwritten Signature]

Personally appeared before me  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Lisa Little  
Notary Public Exp 11-16-2024

7-20-23  
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) Tanner Dutton

Address 3906 Donna Drive  
Gainesville, GA 30506

Phone Number 770-231-1905


Name of applicant(s) Dutton Properties

Address PO Box 408387  
Gainesville, GA 30501

Phone Number 770-351-7565


**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  
Tanner Dutton  
\_\_\_\_\_

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp. 11-16-2024

7-20-23  
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: \_\_\_\_\_

Date: 7/20/23

Applicant's/Owner's Name (Printed): TANNER DUTTON



### 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:  \_\_\_\_\_

Date: 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton



# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

#### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

#### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway

50' off Donna Drive r/w

**Side & Rear:** 20'

#### **Buffers**

50' Transition Buffer will be adjacent to all AR-III zoned properties.



## **Gateway Corridor Overlay District**

### **Conditional Use Request**

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

### **Building Materials**

#### **Boat & RV Canopy**

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.



Open sided parking with Landscaped frontage

#### **Warehouse**

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.



## **Frontage Style**

Proposed frontage fence and landscaping





# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.



### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway  
50' off Donna Drive r/w

**Side & Rear:** 20'

### **Buffers**

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

### **Gateway Corridor Overlay District**

#### Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

#### Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.



**Frontage Style**

Proposed frontage fence and landscaping



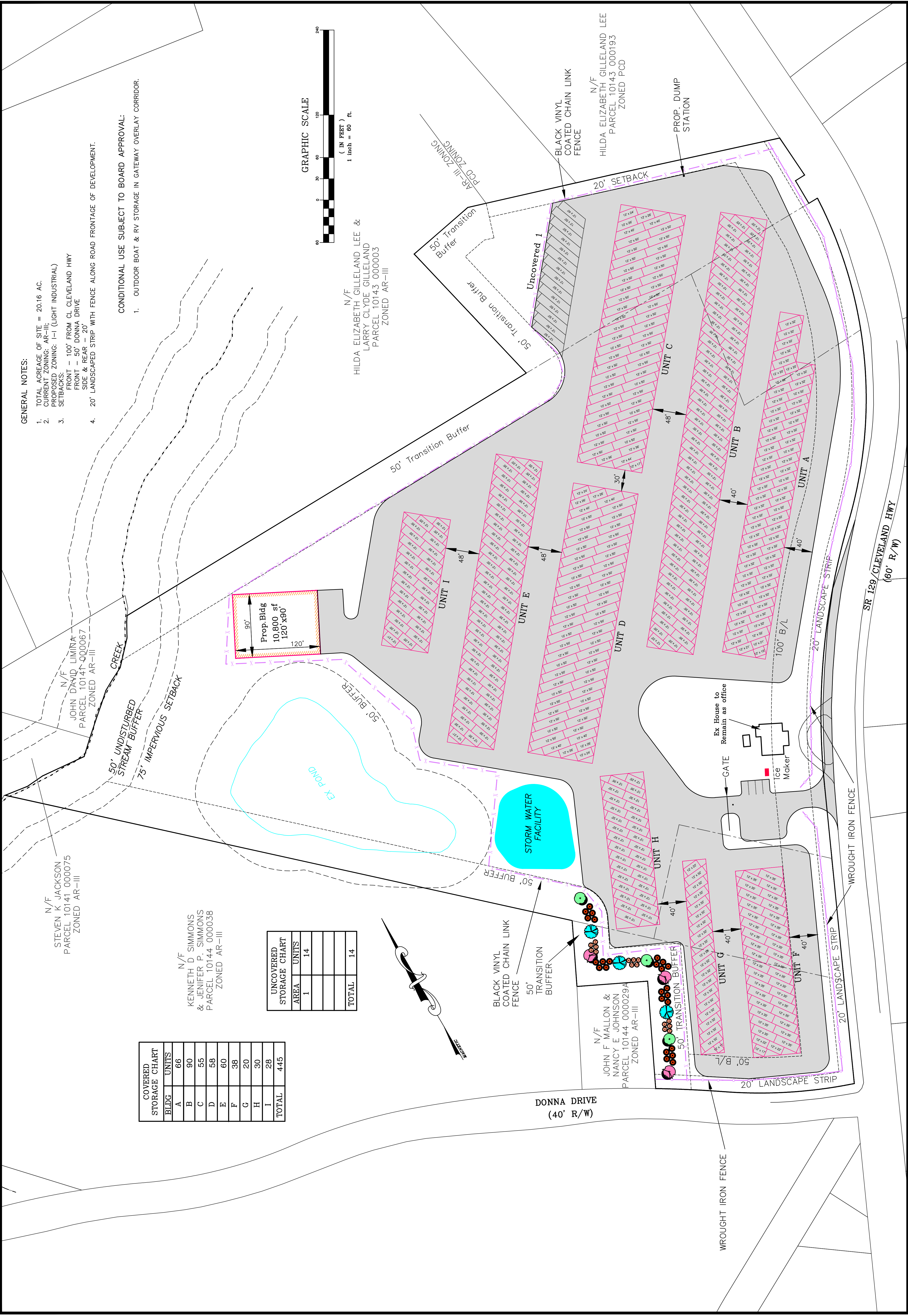


DATE	8-1-23
JOB NO.	23-03
SHEET TITLE	REZONING PLAN

Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

**MYERS & CO.** *civil engineers*  
P.O. BOX 634  
GAINESVILLE, GA 30603  
770-654-9172  
ed@myers-and-co.com

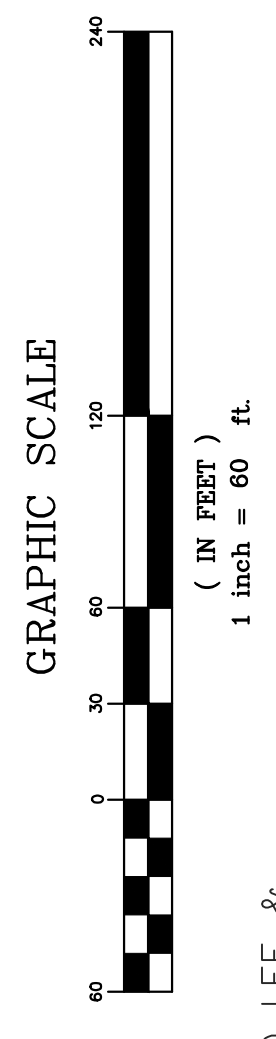
Copyright  
2023  
MERS & COMPANY, INC.  
ALL RIGHTS RESERVED.  
This drawing is the sole property of Myers & Co. It is to be used for the specific project and location identified herein. Any use for other projects, reproduction, or storage in any format, electronic or mechanical, without the written permission of Myers & Co. is prohibited.



- GENERAL NOTES:**
- TOTAL ACREAGE OF SITE = 20.16 AC.
  - CURRENT ZONING: AR-III;
  - PROPOSED ZONING: I-1 (LIGHT INDUSTRIAL)
  - SETBACKS:  
FRONT = 100' FROM CL CLEVELAND HWY  
FRONT = 50' DONNA DRIVE  
SIDE & REAR = 20'
  - 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

**CONDITIONAL USE SUBJECT TO BOARD APPROVAL:**

- OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

AREA	UNITS
1	14
TOTAL	14

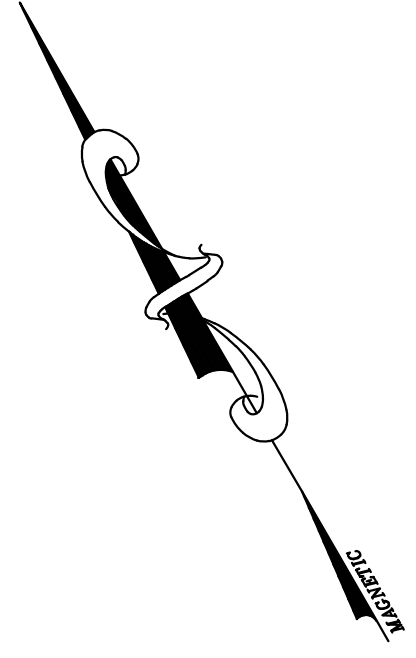
N/F  
STEVEN K JACKSON  
PARCEL 10141 000075  
ZONED AR-III

N/F  
KENNETH D SIMMONS  
& JENIFER P. SIMMONS  
PARCEL 10144 000038  
ZONED AR-III

N/F  
HILDA ELIZABETH GILLELAND LEE &  
LARRY CLYDE GILLELAND  
PARCEL 10143 000005  
ZONED AR-III

N/F  
JOHN F MALLON &  
NANCY E JOHNSON  
PARCEL 10144 000029A  
ZONED AR-III

N/F  
HILDA ELIZABETH GILLELAND LEE  
PARCEL 10143 000193  
ZONED PCD

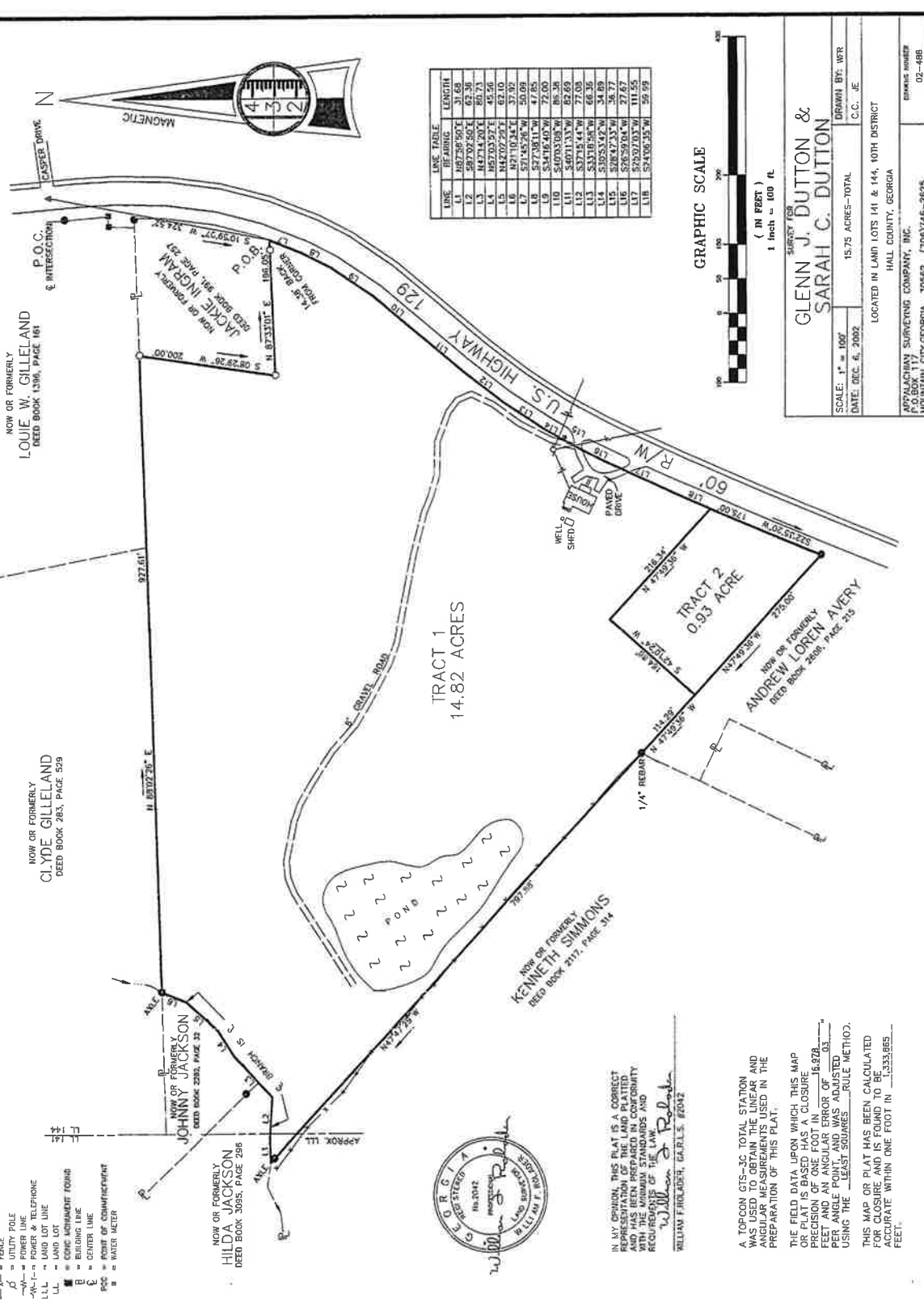




THIS PROPERTY IS NOT LOCATED IN A ZONE  
 REGULATED BY THE FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 150466 0020 B

ALL PINS ARE 1/2" REBAR  
 UNLESS OTHERWISE DESCRIBED

- LEGEND**
- POINT OF BEGINNING
  - BORN PIN BOUND (BP)
  - BORN PIN SET (PPS)
  - PROPERTY LINE
  - FENCE
  - UTILITY POLE
  - POWER & TELEPHONE
  - LAND LOT LINE
  - LAND LOT
  - CONIC MONUMENT FOUND
  - BUILDING LINE
  - CENTER LINE
  - POINT OF COMMENCEMENT
  - WATER METER



**GLENN J. DUTTON & SARAH C. DUTTON**  
 SURVEY FOR  
 LOCATED IN LAND LOTS 141 & 144, 10TH DISTRICT  
 HALL COUNTY, GEORGIA

SCALE: 1" = 100'  
 DATE: DEC. 6, 2002  
 15.75 ACRES-TOTAL  
 DRAWN BY: WTR  
 C.C. JE

APPALACHIAN SURVEYING COMPANY, INC.  
 MOUNTAIN CITY, GEORGIA 30552 (706)746-2625  
 GINNEX NUMBER 02-488

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE REQUIREMENTS OF THE LAW AND REQUIREMENTS OF THE L.A.S. AND R.S. OF GEORGIA.

*William F. Hildebrand*  
 WILLIAM F. HILDEBRAND, G.A.R.L.S. #2042

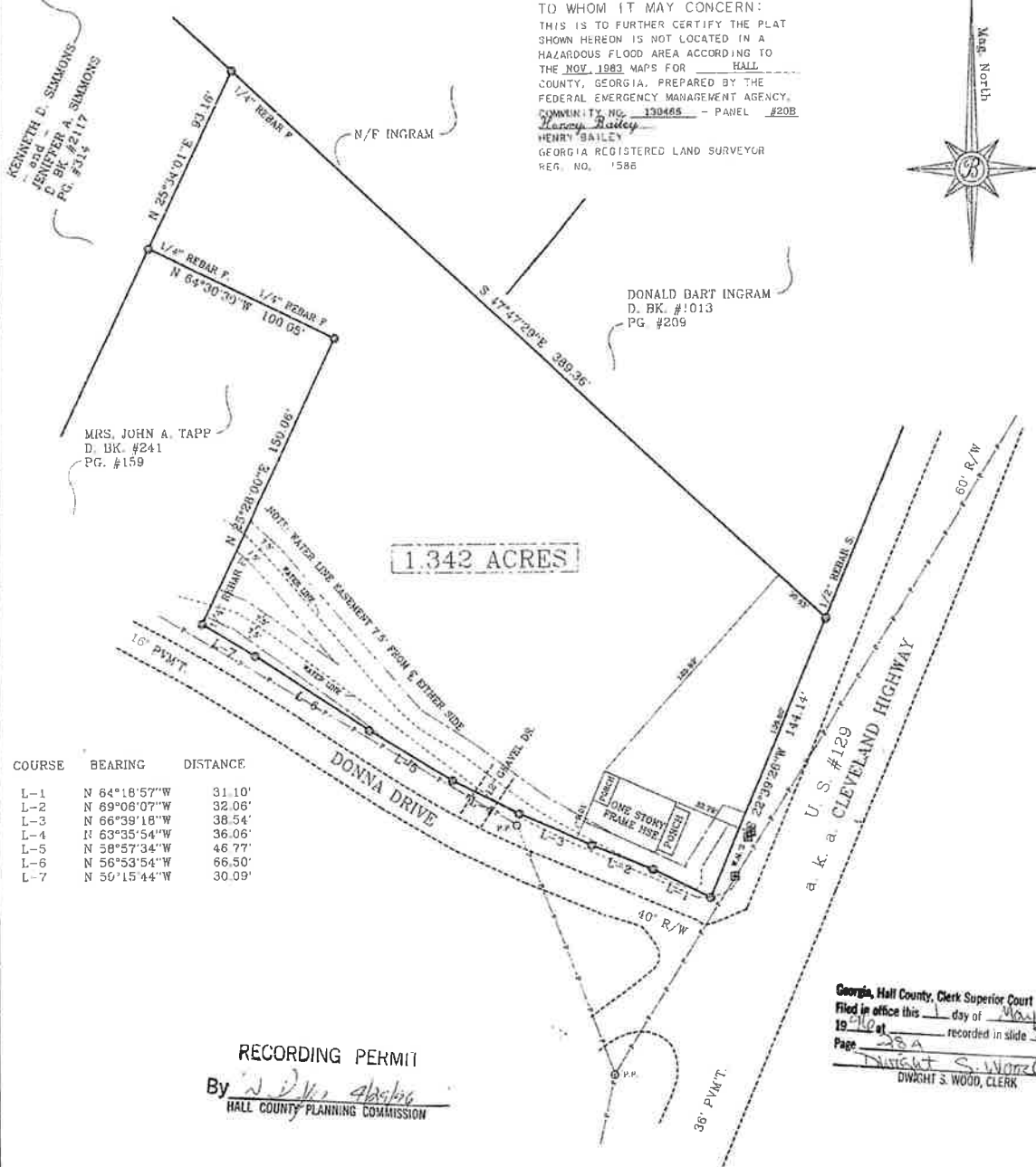
A TOPCON GTS-3C TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 16,826 FEET FOR EACH SIDE OF THE CLOSURE. THE ANGLES WERE ADJUSTED USING THE LEAST SQUARES RULE METHOD.

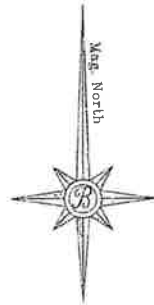
THIS MAP OR PLAT HAS BEEN CALCULATED AND CHECKED AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.







TO WHOM IT MAY CONCERN:  
 THIS IS TO FURTHER CERTIFY THE PLAT  
 SHOWN HEREON IS NOT LOCATED IN A  
 HAZARDOUS FLOOD AREA ACCORDING TO  
 THE NOV. 1983 MAPS FOR HALL  
 COUNTY, GEORGIA, PREPARED BY THE  
 FEDERAL EMERGENCY MANAGEMENT AGENCY.  
 COMMUNITY NO. 130465 - PANEL #208  
 Henry Bailey  
 HENRY BAILEY  
 GEORGIA REGISTERED LAND SURVEYOR  
 REG. NO. 1588



1.342 ACRES

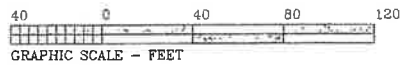
COURSE	BEARING	DISTANCE
L-1	N 64°18'57"W	31.10'
L-2	N 89°06'07"W	32.06'
L-3	N 66°39'18"W	38.54'
L-4	N 63°35'54"W	36.06'
L-5	N 58°57'34"W	46.77'
L-6	N 56°53'54"W	66.50'
L-7	N 50°15'44"W	30.09'

Georgia, Hall County, Clerk Superior Court  
 Filed in office this 1 day of May  
 1996 at \_\_\_\_\_ recorded in slide SA  
 Page 28A  
 DWIGHT S. WOOD, CLERK

RECORDING PERMIT  
 By H. D. Wood  
 HALL COUNTY PLANNING COMMISSION

- REFERENCES :
- D. BK. #241 - PG. #159
  - D. BK. #264 - PG. #295
  - P. BK. #27 - PG. #252
  - P. BK. #121 - PG'S. #252 and #253
  - P. S. #312 - PG. #214A

SURVEYED BY:  
 HENRY BAILEY  
 P. O. BOX 286  
 GAINESVILLE, GEORGIA 30503-0286  
 PHONE: (770) 536-6425



GRAPHIC SCALE - FEET

SURVEY FOR:  
**ANDREW LOREN AVERY**  
 WHELCHER G.M.D. #570  
 LAND LOT #144 - 10th LAND DISTRICT  
 HALL COUNTY, GEORGIA  
 APRIL 29, 1996 - SCALE 1" = 40' 96-04-19



THE ANGULAR AND LINEAR MEASUREMENT UPON WHICH THIS MAP OR PLAT IS BASED WAS PERFORMED WITH A TOPCON GTS - 3B ELECTRONIC DISTANCE METER AND A 100' STEEL TAPE. HAS AN ANGULAR ERROR OF 08.7" PER ANGLE POINT. A CLOSURE OF ONE FOOT IN 14,382 FEET AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 78,528 FEET.



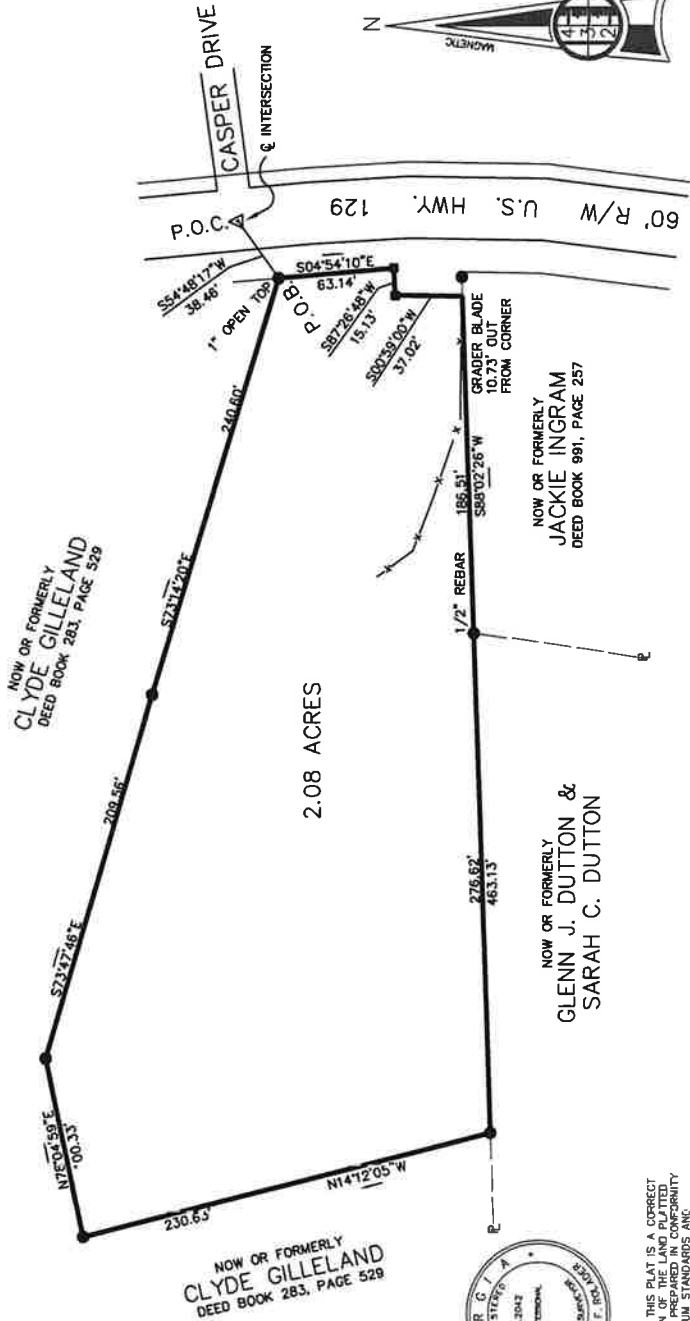
**LEGEND**

- POB = POINT OF BEGINNING
- RF = IRON PIN FOUND (IF)
- Q = PROPERTY CORNER
- Q' = PROPERTY LINE
- Q'' = RIGHT OF WAY
- = FENCE
- U = UTILITY POLE
- = UTILITY POLE
- = POWER & TELEPHONE
- = LAND USE LINE
- = CONC. MONUMENT FOUND
- B = BUILDING LINE
- C = CENTER LINE
- POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE  
 AS SHOWN ON A FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 130466 0020 B

REFERENCE: PLAT BOOK 138, PAGE 204

ALL DIMS ARE 1/2" ROD  
 UNLESS OTHERWISE STATED.



IN MY OPINION, THIS PLAT IS A CORRECT  
 REPRESENTATION OF THE LAND PLATTED  
 HEREIN, AND I HAVE PREPARED THE SAME IN  
 ACCORDANCE WITH THE REQUIREMENTS OF THE LAW.

WILLIAM F. ROLANDER, CARLS #20142

A TOPCON GTS-3C 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  
 WAS BASED WAS OBTAINED WITH A  
 PRECISION OF ONE FOOT IN 14,718  
 FEET AND AN ANGULAR ERROR OF .03  
 PER ANGLE POINT, AND WAS ADJUSTED  
 USING THE LEAST SQUARES-FULL METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
 FOR CLOSURE AND IS FOUND TO BE  
 ACCURATE WITHIN ONE FOOT IN 103,878  
 FEET.

SURVEY FOR	
GLENN J. DUTTON & SARAH C. DUTTON	
SCALE: 1" = 60'	DRAWN BY: WAR
DATE: MAY 20, 2003	C.E. WFR
LOCATED IN LAND LOT 144, 10TH DISTRICT HALL COUNTY, GEORGIA	
APALACHIAN SURVEYING COMPANY, INC. P.O. BOX 117 MOUNTAIN CITY, GEORGIA 30562 (706)746-2625	
CREATED NUMBER 03-225	

GRAPHIC SCALE



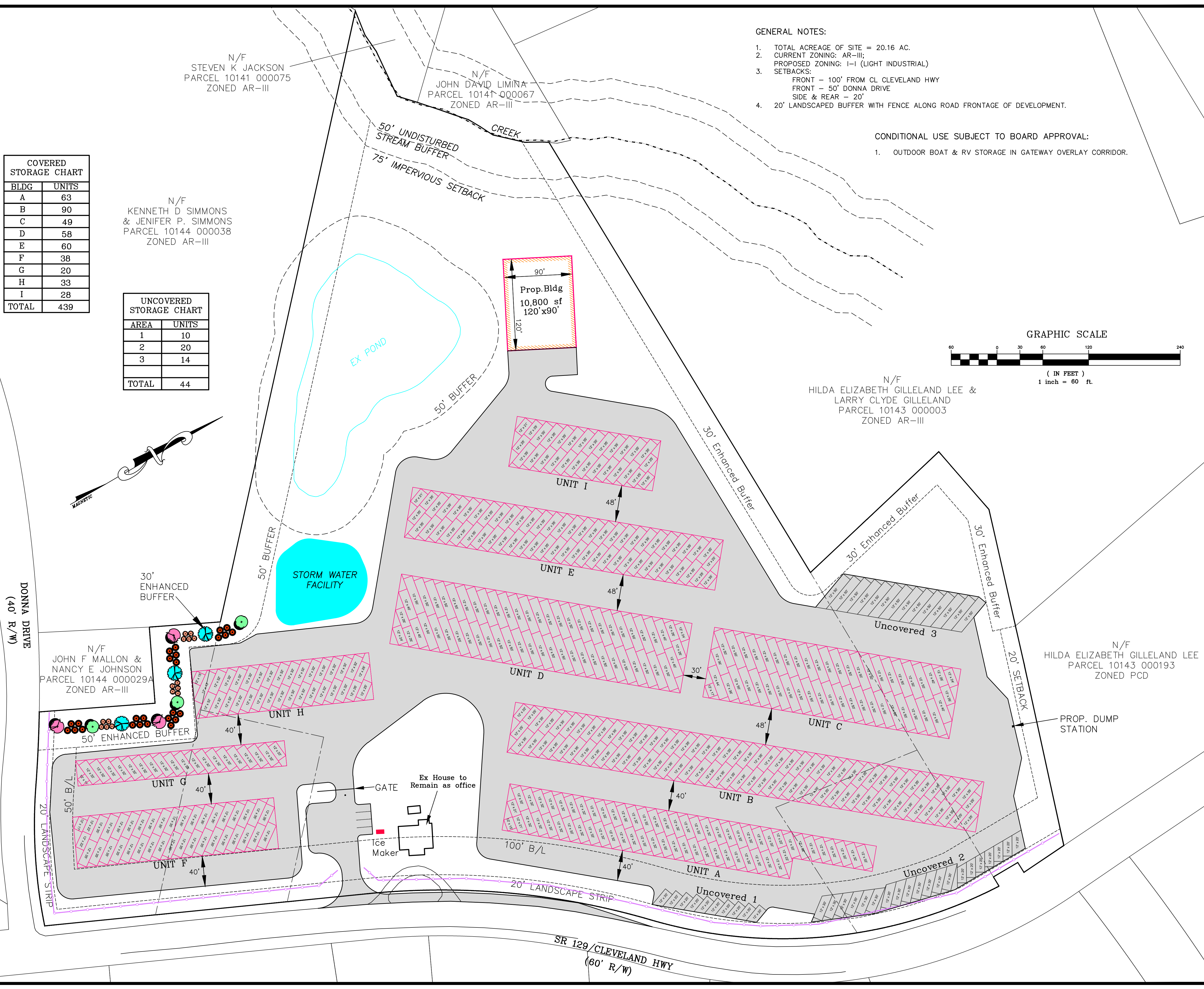
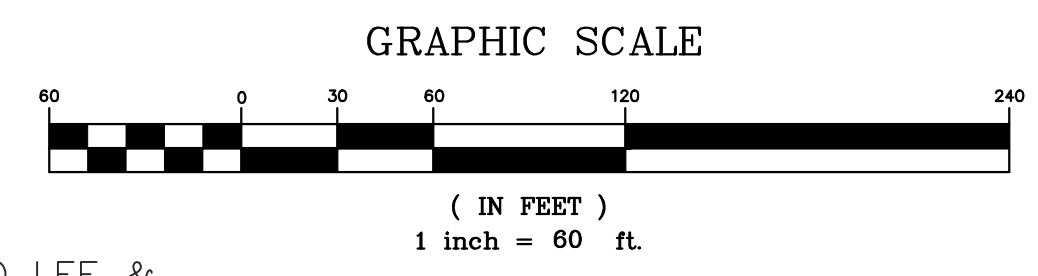


COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

- GENERAL NOTES:
- TOTAL ACREAGE OF SITE = 20.16 AC.
  - CURRENT ZONING: AR-III; PROPOSED ZONING: I-I (LIGHT INDUSTRIAL)
  - SETBACKS:  
FRONT - 100' FROM CL CLEVELAND HWY  
FRONT - 50' DONNA DRIVE  
SIDE & REAR - 20'
  - 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:  
1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



Copyright  
2023  
MYERS & CO. INC.  
ALL RIGHTS RESERVED.  
This drawing is the sole property of Myers & Co. Inc. and shall not be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or in any way without the prior written permission of Myers & Co.

Seal

**MYERS & CO.**  
civil engineers

770-554-9172  
ed@myers-and-co.com  
P.O. BOX 634  
GAINESVILLE, GA 30603

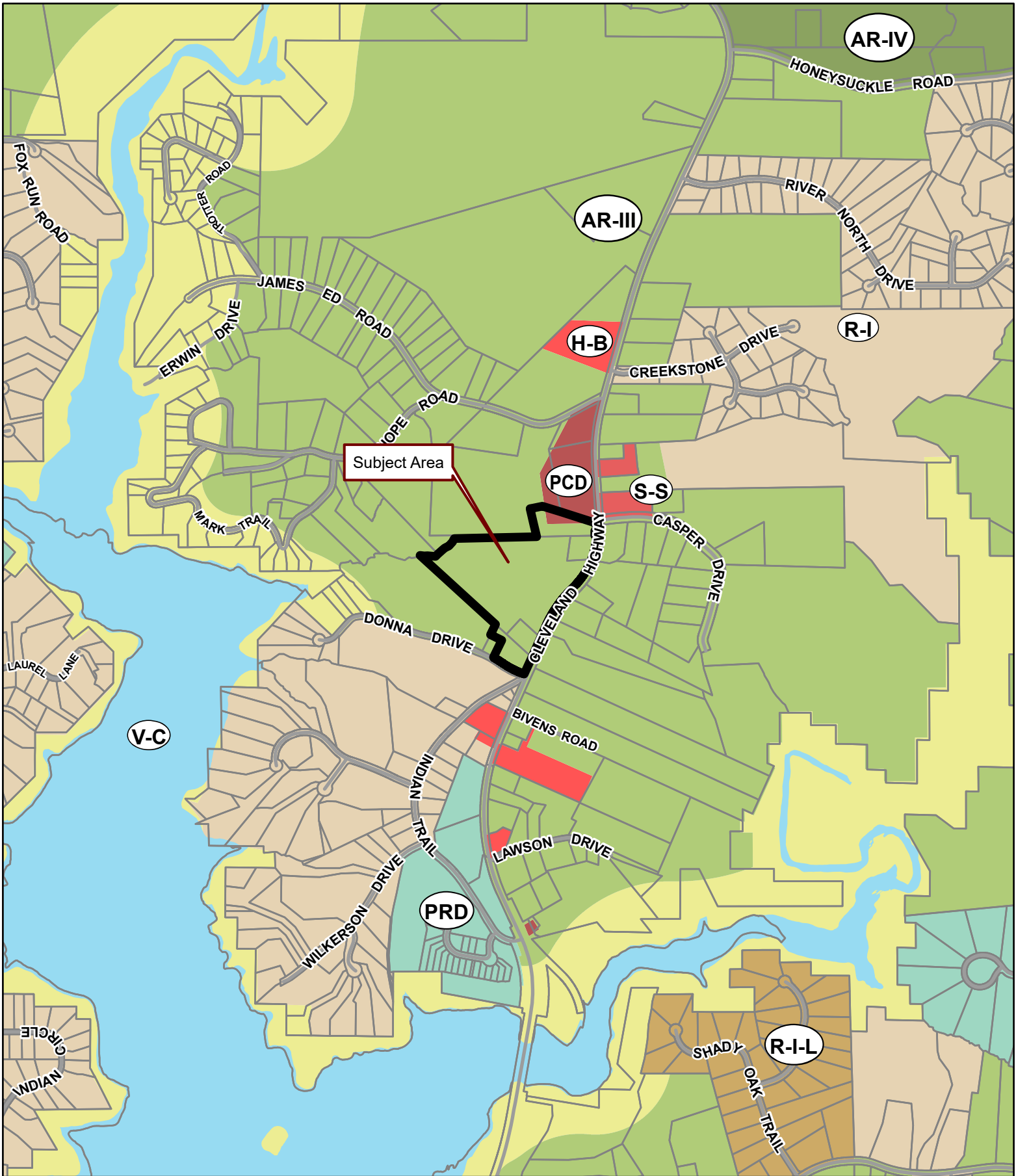
Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

DATE 8-1-23  
JOB NO. 23-03  
Sheet Title  
REZONING PLAN

Revisions

SHEET  
1



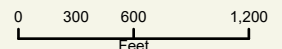


**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

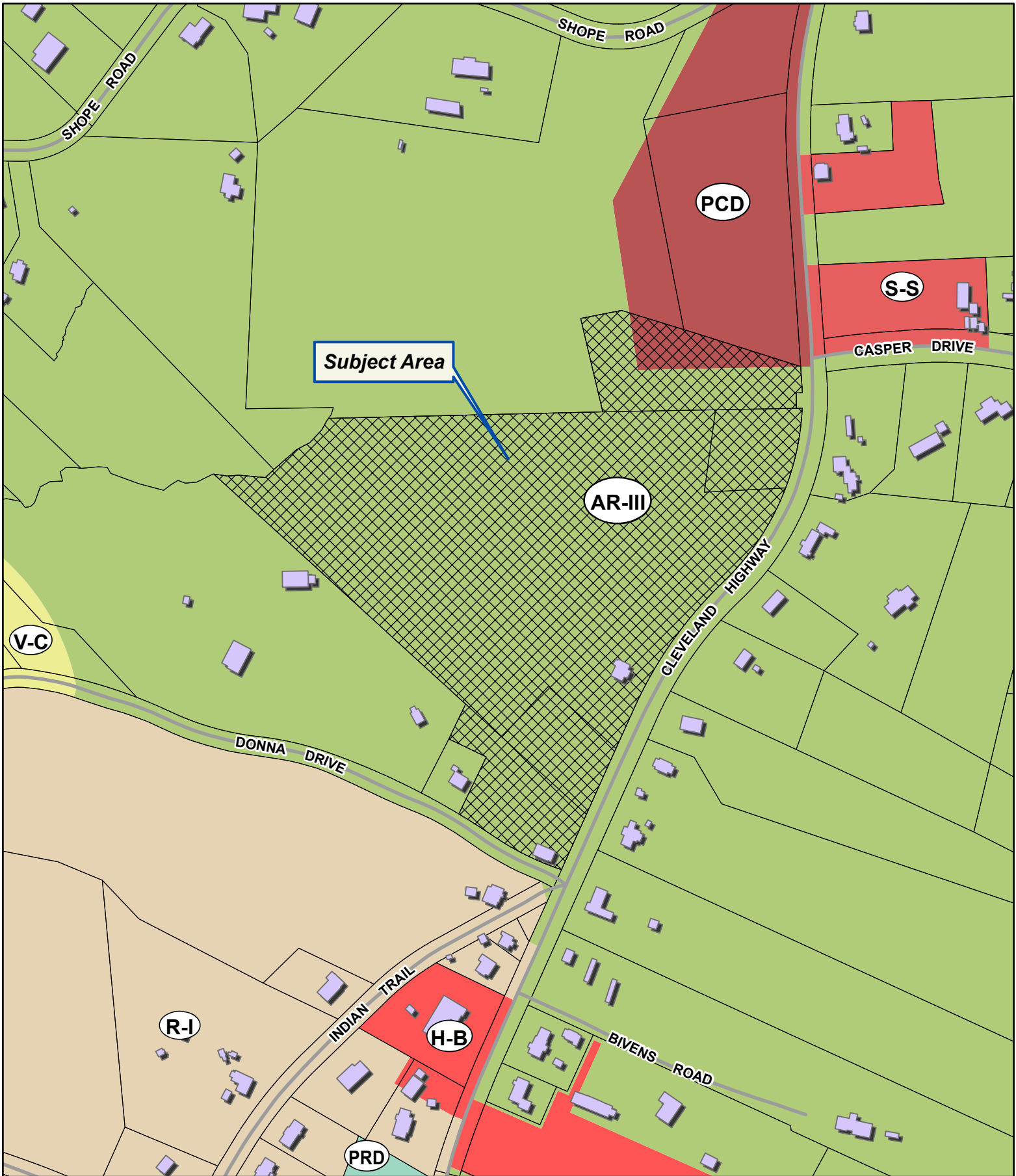
**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3      PC Mtg. Date: 09/18/23**



- Zoning Boundary
  - ▭ City Limits
  - Subject Area
  - Structure
- N  
↑





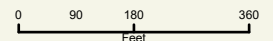
**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date: 09/18/23**



- Zoning Boundary
- City Limits
- ▣ Subject Area
- Structure





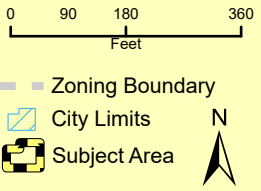


**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3      PC Mtg. Date: 09/18/23**





For Con. W.D see D.B. 1013 Pg. 207

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9<sup>th</sup> day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of DEED OF GIFT

In hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha S granted, bargained, sold and conveyed, and by these presents

do ES grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that ~~CERTAIN TRACT AND PARCEL~~ certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book         , Page         , of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Georgia, Hall County, Clerk Superior Court  
Filed in office, this 10 day of June  
19 86 at 11 M. Recorded in Book 591  
Page 574 this 11 day of June, 1986  
Dwight S. Wood  
DWIGHT S. WOOD, Clerk

Paid \$ 0-  
Date June 10, 1986  
DWIGHT S. WOOD  
Clerk of Superior Court  
By Rashy Lewis

Chris Corey H. W. & Stradberg



## 129 Boat & RV Storage

### **Legal Description:**

**All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:**

**Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;**

**Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;**

**Thence following U.S. Highway 129 the following courses:**

**Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;  
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;  
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;  
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;  
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;  
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;  
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;  
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;  
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;  
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;  
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;  
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;  
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;  
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;  
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;  
Thence South 28 degrees 47 minutes 33 seconds West for a distance of 36.77 feet to a point;  
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;  
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;  
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;  
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;  
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point  
at the intersection of the northwestern right of way between U.S. Highway 129 and Donna  
Drive; Turning west along the right of way of Donna Drive;**

**Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;  
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;  
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;  
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;  
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;  
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;  
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;**



**Thence leaving Donna Drive the following courses:**

**Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;**

**Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;**

**Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;**

**Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;**

**Thence along a creek the following courses:**

**Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;**

**Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;**

**Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;**

**Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;**

**Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;**

**Thence leaving the creek the following course:**

**Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;**

**Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;**

**Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;**

**Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;**

**Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point**

**and said point being the TRUE POINT OF BEGINNING**

**Said property contains 20.16 acres more or less.**



## Anael Dominguez (CDI: Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, August 18, 2023 12:02 PM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: 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 Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: 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)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)



## Anael Dominguez (CDI: Planning)

---

**From:** Chavers, Veronica E <VChavers@dot.ga.gov>  
**Sent:** Tuesday, August 15, 2023 10:37 AM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Subject:** RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

**Veronica Chavers**  
*DITO Civil Engineer 3*



District 1 Traffic Operations  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8488 office

---

**From:** Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>  
**Sent:** Friday, August 11, 2023 10:52 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbaswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for September 18, 2023

Good morning –



Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – September 5, 2023**

## **OLD BUSINESS**

1. [3922 Green Drive | Amend Conditions of R-I | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#) Requires GDOT coordination for driveway access on Clarks Bridge Rd.

## **NEW BUSINESS**

1. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#) No GDOT coordination required
- 2.
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#) No GDOT coordination required
4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, applicant.](#) No GDOT coordination required
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#) No GDOT coordination required
2. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) Requires GDOT coordination for driveway access on Cleveland Hwy.
- 6.
3. [\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) Requires GDOT coordination for driveway access on Cleveland Hwy.



4. [\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant. No GDOT coordination required](#)
  
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)  
  
[\(B\) 4053 Cleveland Highway | Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
10. [\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
11. [\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | Proposed Use: 185-unit multi-family development and permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)

\*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, October 26, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> 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, October 26, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
 Ana Dominguez  
 Planning Commission Clerk  
 Hall County Community Development and Infrastructure  
 (770) 531-6810 | [www.hallcounty.org](http://www.hallcounty.org)





Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.





Hall County Government  
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PUBLIC WORKS AND UTILITIES

MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development

**From:** Bill Nash, Director of Public Works and Utilities

**Date:** August 18, 2023

**Subject:** September 18, 2023 - Hall County Planning Commission Agenda

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR  
Srikanth Yamala

PUBLIC WORKS AND  
UTILITIES DIRECTOR  
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. [3922 Green Drive | Amend Conditions of R-1 | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-1, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#)
  - a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.  
Show stream buffer and impervious setback from wooded vegetation not centerline of stream.
  - b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
  - c. **Utilities:** No sewer connection available in the area.
  
2. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment



4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream.  
FEMA and Hall County studied Flood plains present on site.
  - b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
  - c. **Utilities:** No sewer available
  
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
6. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. \(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant. \(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)
  - a. **Engineering:** This 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 buffer and impervious setback from wretched vegetation not centerline of stream.  
Proposed GDOT project goes right through this parcel.
  - b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
  - c. **Utilities:** No sewer connection within feasible distance



7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant.](#)
- 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. Show stream buffer and impervious setback from wretched vegetation not centerline of stream  
Floodplain present on site.
- b. **Traffic:** Traffic impact study hasn't been submitted  
Improvements to Antioch Campground Road may be required.  
Recommend a condition that all lots access internal subdivision roads only.  
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.
- c. **Utilities:** City of Gainesville sewer district.
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant.](#)  
[\(B\) 4053 Cleveland Highway | Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.
- c. **Utilities:** No sewer connection within a feasible distance.
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |](#)



Proposed Use: 185-unit multi-family development and permitted uses within H-B | \*\* Commission District 1 | Tim Wilbanks, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
- c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.



## Anael Dominguez (CDI: Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Friday, August 18, 2023 2:46 PM  
**To:** Anael Dominguez (CDI: Planning)  
**Cc:** Randi Doveton (CDI: Planning)  
**Subject:** Fire Comments

**Monday, September 18, 2023** Hall County Planning Commission Meeting.

1. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

[\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)  
[\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
Lieutenant, Hall County Fire Rescue  
Hall County Government  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Amanda

**Last Name\***

McNair

**Address1\***

3475 Big View Rd

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.

If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.

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

amward33@yahoo.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.



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Eric

**Last Name\***

McNair

**Address1\***

3475 Big View Rd

**Address2**

**City\***

Gainesville

**State\***

Ga

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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**

mac1576@yahoo.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.



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

JOHN

**Last Name\***

CIANCIOLO

**Address1\***

3438 Big View Road

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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**

jcianciolo47@yahoo.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.



**Print**

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83994**

**Date Submitted: 11/7/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

John

**Last Name\***

Mallon

**Address1\***

4014 Donna Drive

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 wife and I have lived on Donna Drive for 27 years. We am against the rezoning of this property from Agricultural Residential to Light Industrial because this is a residential area as specified in the Hall County Comprehensive Plan and a light industrial complex does not belong in the middle of a residential area. We also believe the increase in traffic along an already busy corridor will be a problem. We also own the house that abuts the property on Donna Dr and believe it will be an eyesore and greatly disturb the people living there and interfere with their privacy.

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 Voting Meeting Comments - November 9, 2023 - Submission #83434

Date Submitted: 11/3/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Ken

**Last Name\***

Coggins

**Address1\***

3471 Big View Road

**Address2**

**City\***

Gainesville

**State\***

Georgia

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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**

cogginsk@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.



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83820**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

A new petition that was signed Friday evening after the 3 pm deadline. Please add to BOC packet for Thursday, Nov 9.

Please write your comments in the box above.

**File Upload**

IMG\_20231106.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**

404-272-7273

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.



# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME	ADDRESS
<u>Glenda Gregor</u>	<u>3723 James Ed Rd</u>
<u>Paul Johnson</u>	<u>3723 James Ed Rd</u>
<u>Petra Nyban</u>	<u>3418 Cleveland Hwy.</u>
<u>Hua Gao</u>	<u>3339 Nottingham Forest Drive</u>
<u>Dutch Sievert</u>	<u>3420 Cleveland Hwy</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83817**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Attached are signatures for our petition opposing the rezoning project submitted by Dutton Properties

Please write your comments in the box above.

**File Upload**

Scan.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**

404-272-7273

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.



## HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

### 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, we would ask you to consider personally contacting The Board of Commissioners website which lists their phone number as 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is the same 770-535-8288.**

NAME	ADDRESS
Susan M. Aliga	3346 Nottingham Forest Drive
Tab E. Aliga	3346 Nottingham Forest Drive
Mary Alice Smith	3342 Nottingham Forest Drive
Richard M. Rice	3342 Nottingham Forest Dr.
Lynne Young	3339 Nottingham Forest Dr.
Belenia Sweet	3240 Cleveland Hwy
Richard J. Faille	3432 Cleveland Hwy



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83872**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Additional petitions with signatures for opposition against rezoning of property on Cleveland Hwy for boat and RV storage.

Please write your comments in the box above.

**File Upload**

rezoningpetitionsignature petition 8 11-6-23.jpg  
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**

404-272-7273

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 Voting Meeting Comments - November 9, 2023 - Submission #83873**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Count of online signatures for petition as of 11-6-23 showing 111 signatures from online only.

Please write your comments in the box above.

**File Upload**

online Petition · 11-6-23 Halt the Re-zoning Change  
org.docx

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.





# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier

Started October 25, 2023



**111** Signatures **200** Next Goal



## Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83874

Date Submitted: 11/6/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 strongly opposed to the request for rezoning. Please see attached letter for details.

Please write your comments in the box above.

**File Upload**

MAS letter to BOC with signature.docx

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.



3342 Nottingham Forest Drive

Gainesville, GA 30506

November 3, 2023

Dear Hall County Board of Commissioners:

In regards to the rezoning application by Dutton Properties on Cleveland Hwy (129), I am strongly opposed to this rezoning from Agricultural/Residential and Planned Commercial to Light Industrial. The major reasons for my opposition are as follows:

- A. Rezoning this property to Light Industrial is not in keeping with the Hall County Comprehensive Plan and the Lake Area Residential future land use classification. Quoting from the Comprehensive Plan, "Intent: PRESERVE established neighborhoods and CREATE opportunities for permanent and vacation residences similar in land use patterns to Residential Areas but at lower residential densities." The property described in the application is surrounded by residential communities that either border Lake Lanier or are near Lake Lanier. There are no Community Crossroads in our neighborhood. Locating an RV and boat storage facility in an area where there is no other Light Industrial would deviate from the Hall County Comprehensive Plan and would negatively affect our neighborhood. This project would not add value to our residential neighborhood.
- B. The Planning Committee Staff Report recommended DENIAL for all parts of the application (A, B and C). I agree with their assessment and conclusions.
- C. Traffic is heavy on Cleveland Hwy (Hwy 129) and adding additional traffic, if this application is approved, would make this area more congested. I am particularly concerned that many counties in northeast Georgia use Hwy 129 as the major corridor to Gainesville. For many EMS ambulances from these areas, Hwy 129 is the only route to Northeast Georgia Medical Center and trauma level 1 and emergency care.
- D. I am very concerned about the ecological and environmental damage that this project could cause. The property currently has many trees and is a natural habitat for wildlife in the area. If these trees are clear cut and the land leveled as was stated at the October 2 Planning Committee meeting, this would remove the habitat and displace most of the wildlife. I have recently seen two bald eagles in this area—what a wonderful sight! I would request that an environmental impact study be done on this property due to the potential damage this plan could do to plants and animals on this 20 acre parcel.

I respectfully request that the Board of Commissioners deny this application.

*Mary Alice Smith*

Mary Alice Smith, PhD  
Professor Emeritus  
University of Georgia  
Department of Environmental Health Science



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

**File Upload**

Scan.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**

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Ronald Pike

3320 Wilkerson Dr Gainesville GA 30506

Diana Pike

3320 Wilkerson Dr. Gainesville GA 30506

Michael O'Sheary

3342 Wilkerson Dr.

Sue O'Sheary

// //



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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.



# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties  
applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Stan Bomstein

3533 Wilkerson Dr 30506

Mark Kinler

3338 WILKERSON DR 30506

Val W.

3338 Wilkerson Dr 30506

Angie M. Scott

3332 Wilkerson Dr. 30506

Sam H. [Signature]

3332 Wilkerson Drive 30506

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

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 - November 6, 2023 - Submission #83477**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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 - November 6, 2023 - Submission #83479**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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.



# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

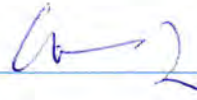
As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville.


Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.

NAME


ADDRESS

Dr. Erin Lipp 

Dept of Environmental Health Science, UGA, Athens

Dr. Anne Marie Zimeri 

2016 Environmental Health Sci. Bldg. UGA Athens

Dr. Martha C Black 

Dept Environmental Health Sci, Univ GA, Athens, GA




**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83484**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

**File Upload**

Online petition signers.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**

404-272-7273

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone,  
Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the [Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville.](#) **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on [chnq.org](https://chnq.org).



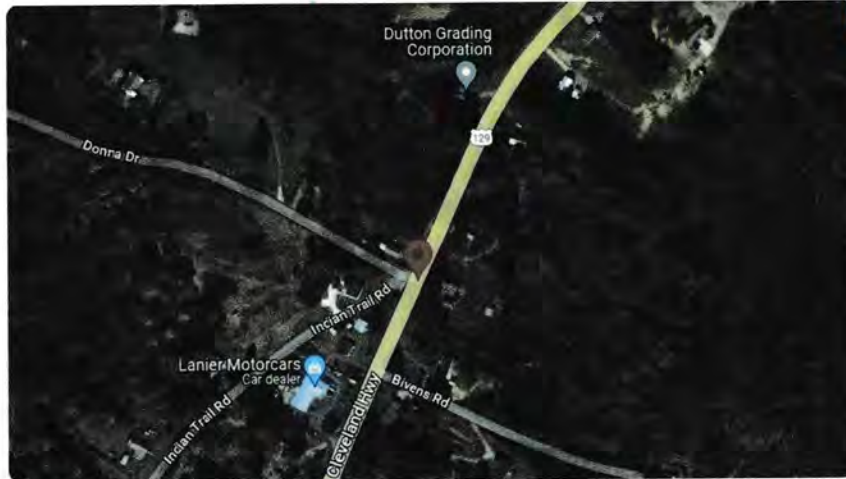
<https://chnq.it/cCbDZr6R54>

**PLEASE COME TO THE NOVEMBER 9th  
MEETING TO VOICE YOUR OPPOSITION TO  
THIS REZONING PROPOSAL!**

**PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND  
NEIGHBORS IN HALL COUNTY!!**



# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

## Why this petition matters



Started by [Ken Coggins](#)

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

101

Signatures

200

Next Goal

73 people signed this week

## Sign this petition

First name

Last name

Email

Gainesville, 30501  
United States

Display my name and comment on this petition

Sign this petition

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.



Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	#####
Nancy Bab	Atlanta	GA	30312	US	#####
Dennis But	Gainesville	GA	30506	US	#####
John Riley	Gainesville	GA	30506	US	#####
Terri Riley	Gainesville	GA	30507	US	#####
Denise Ver	Gainesville	GA	30506	US	#####
Mark Versl	Gainesville	GA	30506	US	#####
Cole Pace	Gainesville	GA	30506	US	#####
Eric McNai	Gainesville	GA	30506	US	#####
Richard Ba	Gainesville	GA	30501	US	#####
Mandy Mc	Gainesville	GA	30506	US	#####
Emilee Pac	Gainesville	GA	30506	US	#####
Paul Geert	Gainesville	GA	30506	US	#####
Derrick Coj	Gainesville	GA	30501	US	#####
Mary Ann l	Gainesville	GA	30504	US	#####
Tracy Butt	Gainesville	GA	30506	US	#####
Bret Logsd	Gainesville	GA	30506	US	#####
Stacy Logsl	Atlanta	GA	30312	US	#####
Ediverto G	Panorama City		91402	US	#####
John Cianc	Gainesville	GA	30504	US	#####
Joshua Cur	Peterborough		PE7	US	#####
Sahara Wh	Virginia Beach		23452	US	#####
Raymond s	Gainesville	GA	30506	US	#####
Nancy Aha	North Versailles		15137	US	#####
Jon Inwoo	Brooklyn	NY	11226	US	#####
Mike Bash	Buford	GA	30519	US	#####
JodiAnne C	Flowery Br	GA	30542	US	#####
Brandi Ost	Flowery Br	GA	30542	US	#####
Annabelle	Greensboro		21639	US	#####
Charles Sai	Gainesville	GA	30506	US	#####
Dennis Gre	Orlando		32806	US	#####
Scott Gree	Gainesville	GA	30506	US	#####
Joh Flynn	Gainesville	GA	30501	US	#####
Maia Saqu	Oswego		60543	US	#####
Narvella Tl	Riverbank		95367	US	#####
Rachel Lee	Gainesville		32605	US	#####
ray	Oak Park		60302	US	#####
Aziza Gafu	Waltham		2453	US	#####
Candy Fisc	Alton		62002	US	#####
Taylor Hibl	Cincinnati		45241	US	#####
Makara Cu	Fenton		48430	US	#####
Kathleen H	Schwenksville		19473	US	#####
Anon Y. Ml	Beaverton			US	#####
Natalie Po	Raeford		28376	US	#####
Sonic Son	Oroville		95966	US	#####
pablo ruiz	burluson		76028	US	#####



Anna Laidl East Stroudsburg	18301 US	#####
Erica Rose New York	10023 US	#####
Lena Thom Mokena	60448 US	#####
Grady Davi Gainesville GA	30506 US	#####
Diane Davi Gainesville GA	30506 US	#####
Melisa Ho Orlando FL	32808 US	#####
Alex Weiss Gainesville GA	30506 US	#####
Rosalee W Gainesville GA	30506 US	#####
Clayton Sh Gainesville GA	30506 US	#####
Russell We Gainesville GA	30506 US	#####
Dana Verr Gainesville GA	30501 US	#####
Baylee Tur Gainesville GA	30506 US	#####
Addie Ech Gainesville GA	30506 US	#####
Ann Gilles Cleveland GA	30528 US	#####
Tasha Low Gainesville GA	30506 US	#####
Melissa Cl Gainesville GA	30506 US	#####
Sharon Sm Gainesville GA	30506 US	#####
Nancy Johr Atlanta GA	30303 US	#####
Wes Turne Gainesville GA	30506 US	#####
Ari Jay Las Vegas	89111 US	#####
Kim Jackso Suwanee GA	30024 US	#####
George Jac Gainesville GA	30506 US	#####
K Shakir Roslyn NY	11576 US	#####
Onaiza Kh Plainview NY	11803 US	#####
Erika Rikh Clermont	34711 US	#####
Alexandria Indianapolis	46254 US	#####
Robert Sim Gainesville GA	30506 US	#####
Dawn Simr Gainesville GA	30506 US	#####
Christophe Sanford	27330 US	#####
Melvic Cos Los Angele CA	90060 US	#####
Lee Burrell Gainesville GA	30306 US	#####
Ethan Frec Springfield	97477 US	#####
John Mallo Gainesville GA	30506 US	#####
Dedrick At Birmingham	35205 US	#####
Connie Ha Wyckoff NJ	7481 US	#####
Austin Wai Corvallis OR	97330 US	#####
Аминат Ас Wilmington	19801 US	#####
Kyah W. Belleville	48111 US	#####
Debra Kerr Lansing	48913 US	#####
Ileen must Panama City	32405 US	#####
Ibtisam Be Houston TX	77009 US	#####
Ruben Koch (Student)	US	#####
Zainab Ma Clifton	7014 US	#####
Michael Fr Bronx NY	10461 US	#####
Christie Ca Biloxi	39532 US	#####
Nick Lamb Lemont IL	60439 US	#####
Adam Kalu Burleson	76028 US	#####



Mandy Kur Claymont

19703 US

#####



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

**File Upload**

Rezoning Hearing Combined TOC Txt 11-3-23 rmp  
mas.docx.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**

404-272-7273

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.



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**November 3, 2023**

Submitted by the following on behalf of local residents:

Mark Kirves [mkirves@plastekwerks.com](mailto:mkirves@plastekwerks.com)

Michael O'Sheasy [mtosheas@gmail.com](mailto:mtosheas@gmail.com)

Richard Prior [richard.prior@ung.edu](mailto:richard.prior@ung.edu)

Mary Alice Smith [smith.maryalice@gmail.com](mailto:smith.maryalice@gmail.com)



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**TABLE OF CONTENTS**

**INTRODUCTION: WHO WE ARE AND WHY OUR OPPOSITION..... 1**

- A. Rezoning would place significant burden upon congested Hwy 129.....1**
- B. Increase number of accidents on Cleveland Hwy .....2**
- C. Rerouting of Hwy 129 by GDOT will divide property into 2 sections.....2**
- D. Creation of an isolated district unrelated to surrounding districts.....2**
- E. Residential property values are likely to decrease.....2**
- F. Site plan for boat and RV storage and additionally office/warehouse.....3**
- G. Planning Committee Staff Report recommended DENIAL of rezoning proposal.....3**
- H. Has an Environmental Impact Statement study been completed.....3**
- I. Disruption of neighborhood.....4**
- J. Additional and still pertinent questions for opposing rezoning.....4**

**COMMENTS PERTAINING TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT**

- K. Recommended Condition 4. Approval needed from Georgia DOT.....5**
- L. “Summary Analysis”, “A 10,800 sq ft warehouse building proposed for storage items related to the contractor’s business.” .....5**
- M. “Zoning Analysis” item 2. Could impact nearby residential agricultural parcels.....5**
- N. “Zoning Analysis” item 4. Will rezoning cause burdensome use of existing streets..... 5**
- O. “Zoning Analysis” item 7. We request a full market analysis be conducted.....5**
- P. “Zoning Analysis” item 10. GDOT plans for future realignment of Cleveland Hwy (Map 2) show subject property will be affected ..... 6**
- Q. Under Zoning Analysis” item 13. What is justification for locating storage facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan?.....6**
- R. Submission requirements item D. We request a Traffic Impact study be completed.....6**

**MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER**

**MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING**



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties**

**October 30, 2023**

**We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting.** After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 “shortly” after hearing the witnesses.

**However, the Planning Committee hearing did not abide by their own published procedures.** After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department’s ‘Application & Procedures’ brochure: “The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision.” Please note there is no mention of a number of allowed witnesses nor duration.

**We oppose the Planning Committee’s recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a “boat and RV storage and an office/warehouse” facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:**

- A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville’s vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.



- B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by traileed boats, RVs, and construction equipment.** This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow traileed boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia), EMS transport of trauma patients will likely be impacted.**
- C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels,** one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.
- D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "...and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."
- E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning



Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

- F. **The site plan is for more than simply the use for boat and RV storage as it states additionally “...office/warehouse”.** The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes “Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions.” We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.
- G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is “...to preserve established neighborhoods and create opportunities for permanent vacation residencies...” (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, “The request to rezone the property is inconsistent with the future land use classification.”
- H. **Has an Environmental Impact Statement study been completed for this project?** This area of proposed development is part of the territory of the Northern Long



**Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species.** During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

**In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property.** At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

- I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway.** If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.
- J. **Additional and still pertinent questions for opposing:**
  - a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
  - b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.



**THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:**

- K. **Recommended Condition 4. “The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.” Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says “Proposed GDOT project goes right through this project” and in fact appears to bifurcate the storage project such that two “spot zones” would be created with only residential agricultural and planned commercial zone areas surrounding them.
- L. **Within the “Summary Analysis”, it states “A 10,800 square foot warehouse building is proposed for storage items related to the contractor’s business.” Why must the contractor’s other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage? The same question is asked for item 9. Beneath “Zoning Analysis” regarding the “...office for the contractor’s business”.**
- M. **Under “Zoning Analysis” item 2. Staff asserts that the request “...could have an impact on nearby residential agricultural parcels.” We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.
- N. **Under “Zoning Analysis” item 4, Staff states “The proposed use should not cause an excessive or burdensome use of existing streets..” We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**
- O. **Under “Zoning Analysis” item 7. Staff report states “Staff is unable to comment on the impact of property values without a full market analysis.” Staff suggests “Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.”** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values. **We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?



- P. **“Zoning Analysis” item 10 which states “GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.”** This realignment will essentially cut through the widest part of the property (see attached site views). GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.
- Q. **Under Zoning Analysis” item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville.** This may or may not be a valid cause and effect. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement. Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor’s business and equipment requiring a 10,000 square foot building. **In addition, even if there’s a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**
- R. **Under Submission requirements item D, Staff Report states “As there are not 100 or more residential dwelling units proposed this criteria is not applicable.”** The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application. This Submission Requirement may strictly relate to the need for a traffic study due to “more residential dwellings” on the site. However, isn’t it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

**Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road.** There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectfully request that a traffic impact study be done for this application.**



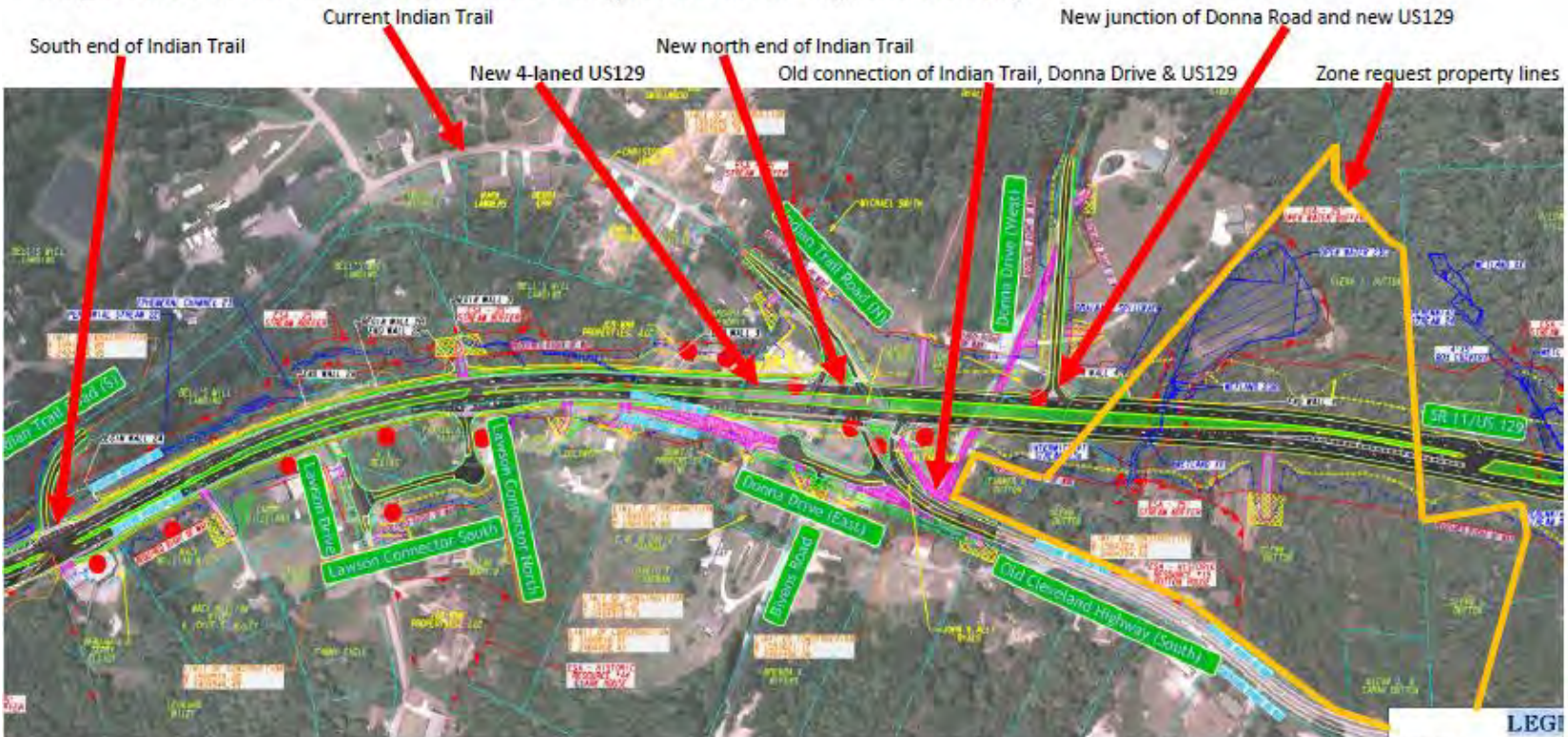








Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	

PRELIMINARY



Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.



Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Nancy

**Last Name\***

Babcock

**Address1\***

3463 Big View Rd.

**Address2**

**City\***

Gainseville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

**File Upload**

Bat document.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**

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.



Dear Hall County Commissioners,

I am writing you today to ask you to please vote “no” to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a **critically endangered** species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat’s existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from [federalregister.gov](http://federalregister.gov) : “We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (*Myotis septentrionalis*), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act).”

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat’s territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in **forested areas**. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. **Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat.** Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. **All of these forest changes permanently remove habitat,** disturb or destroy hibernacula, and are activities prevalent in many areas of this bat’s range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

**For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.**

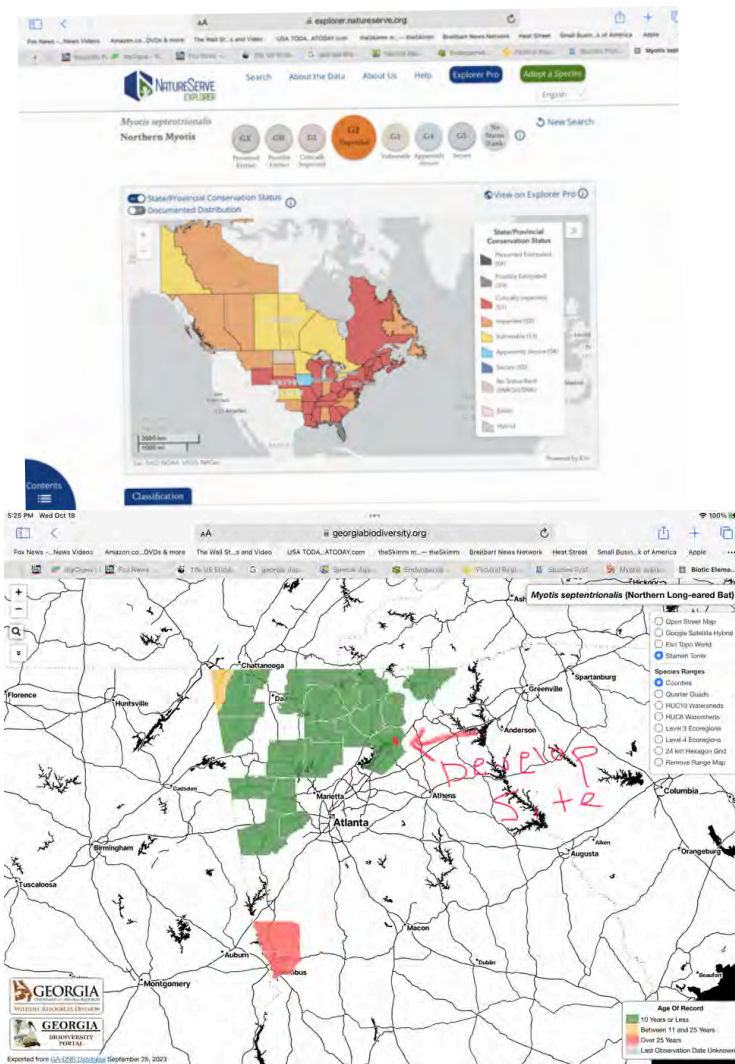
**\*\*In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (*Perimyotis subflavus*) that is proposed for listing as federally endangered. The habitat for the tricolored bat is “almost certainly” (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the *Cambaris howardi*, or Chattahoochee Crayfish) and a snake species (the *Pituophis melanoleucus*, or Northern Pine Snake) that is of concern in that area.**



\*\*\*\*I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock  
949-422-0403

(See below for Northern Long Eared Bat Territory)





**Print**

**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Richard

**Last Name\***

Prior

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

GAINESVILLE

**State\***

GA

**Zip\***

305064421

**Your Comments\***

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

**File Upload**

US129 map.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**

richard.prior@ung.edu

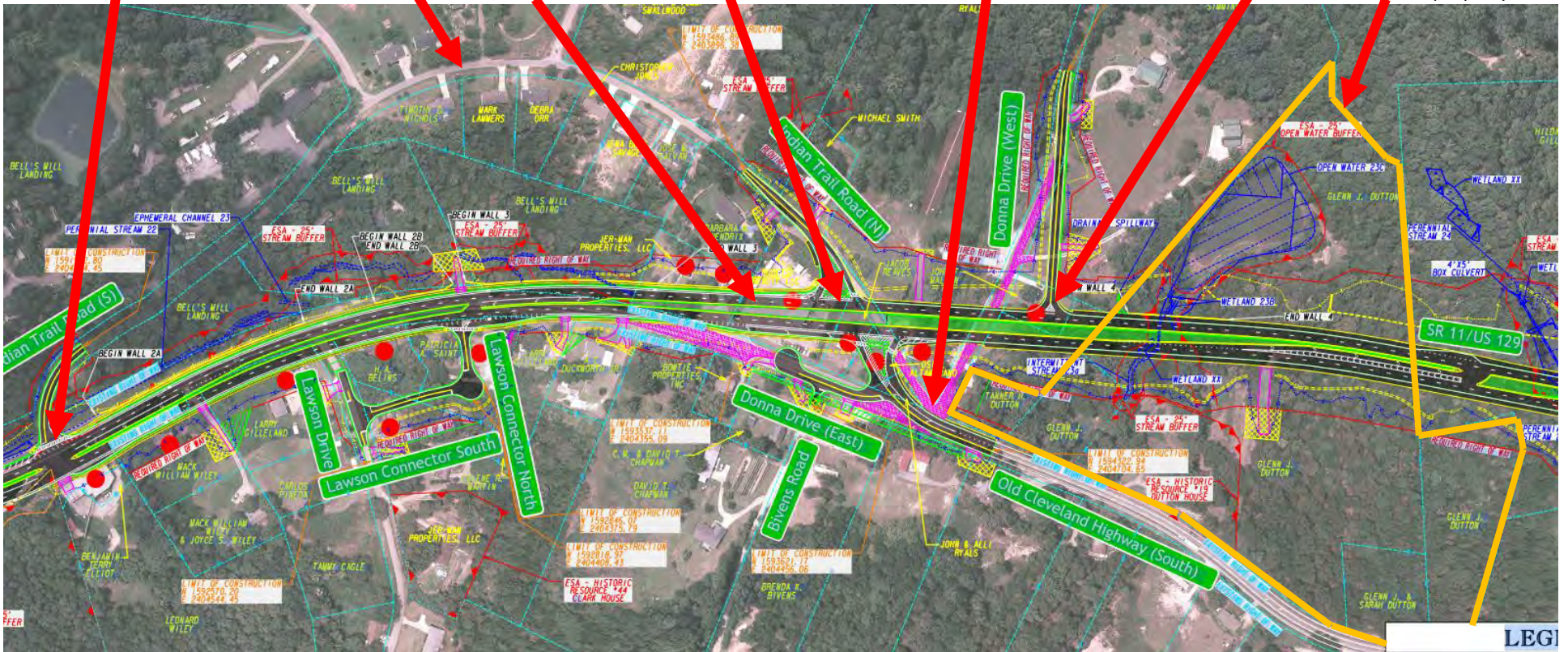
Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.



# Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail      Current Indian Trail      New north end of Indian Trail      New junction of Donna Road and new US129      Zone request property lines

**New 4-laned US129**      Old connection of Indian Trail, Donna Drive & US129



## LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	
	<b>PRELIMINARY</b>



Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.



3342 Nottingham Forest Drive  
Gainesville, GA 30506  
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,



Richard M. Prior



## Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83996

Date Submitted: 11/7/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Robert

**Last Name\***

Simmons

**Address1\***

4010 Donna Dr.

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 are several compelling reasons (traffic safety, environmental impact, run-off into Lake Lanier, residential impact, etc.) not to vote for this rezoning request. Irrespective of whether those reasons are valid concerns, the most crucial fact that needs to be considered is that the overwhelming number of residents in the area do not want this request approved. As an elected representative of Hall County, I respectfully ask that you vote no on this request and do what you were elected to do: represent the wishes of the residents of Hall County.

Thank you!

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**

770-355-9461

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: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date:

Date: JAN 25, 2024

Time:

P.M.

Time:

6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:09  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



# ZONING NOTICE

APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	COUNTY COMMISSION
Date: <u>11/14/23</u>	Date: <u>JAN 25, 2024</u>
Time: <u>6:00 P.M.</u>	Time: <u>6:00 P.M.</u>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:13  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



# ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: **DUESSON PROPERTIES**

REQUEST: **REZONE FROM A-1 & H-B TO H-1 FOR BOAT & RECREATION STORAGE AND OFFICE/WAREHOUSE**

PLANNING COMMISSION MEETING HELD ON: \_\_\_\_\_

Date: \_\_\_\_\_ COUNTY COMMISSION

Time: \_\_\_\_\_ Date: **JAN 25, 2024**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA Time: **6:00 p.m.**

FOR MORE INFORMATION CALL (770) 531-6809

Nov 14, 2023 10:20:17  
 3436 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 PM**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:26:24  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia







**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 24, 2023** Time: **5:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF TRANSITIONAL BUFFER REQUIRED IN**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:10  
 3363 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
**DUTTON PROPERTIES**  
 REZONE FROM AR-III & HB TO I-1 FOR  
 PAT & RV STORAGE & AN OFFICE / WAREHOUSE  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION & COUNTY COMMISSION  
 Date: OCT 23, 2023 & Date: JAN 25, 2024  
 Time: 5:15 p.m. & Time: 6:00 p.m.  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION & COUNTY COMMISSION  
 Date: OCT 24, 2023 & Date: JAN 25, 2024  
 Time: 5:15 p.m. & Time: 6:00 p.m.  
 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: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD.**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION & COUNTY COMMISSION  
 Date: OCT 24, 2023 & Date: JAN 25, 2024  
 Time: 5:15 p.m. & Time: 6:00 p.m.  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:14  
 3363 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: DUTTON PROPERTIES  
 REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 2, 2023      &      Date: JAN 25, 2024  
 Time: 12:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 2, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 2, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION ON CALL: (770) 531-6809

Nov 14, 2023 10:44:30  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
Time: **2:15 P.M.** & Time: **6:00 P.M.**  
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: **DUTTON PROPERTIES**  
REQUEST: **REZONE FROM AM III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
Time: **5:15 P.M.** & Time: **6:00 P.M.**  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 24, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
Time: **5:15 P.M.** & Time: **6:00 P.M.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39  
3405 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





## AGENDA ITEM

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

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 664/2023

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

---

### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

### Executive Summary:

**Presenter:** RD  
**Recommendation:** Denial.

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

### 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	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			

**Attachments:**

- Updated Board Memo
- 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
- Public Comments (Post Planning Commission Meeting)
- Updated Notice Sign Photos
- Notice Sign Photos





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Srikanth Yamala**

PLANNING AND DEVELOPMENT  
DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** January 5, 2024

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres | Proposed Use: boat and RV storage and office/warehouse | Dutton Properties, applicant.**

---

The item was tabled to the January 25, 2024 voting meeting for research regarding the proposed GDOT widening /realignment of U.S. Hwy 129/ Cleveland Highway and whether the structure located on 3419 Cleveland Highway is on a historic preservation registry.

Research performed by staff does not find the structure on any national or state registries. Staff researched the GA Trust for Historic Preservation, the GA State Historic Preservation Office (SHPO), National Register of Historic Places, and did not find the structure listed. It should also be noted that unless there are specific tax credits associated with a structure, being on a registry provides no protection against demolition or alterations. The only protection is through local district designations and design guidelines.

The only preliminary GDOT plan located by staff is dated November 2021 and does not propose to bisect the subject property.

The applicant has not submitted any additional information to the Planning staff since the voting meeting on November 9, 2023. The request before you is the application of Dutton Properties for a Variance from [17.420.050.C.2](#) to reduce the required transitional buffer in Gateway Corridors Overlay District. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend denial **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing**.



There have been no changes to the request since the Planning Commission took action.





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Srikanth Yamala**

PLANNING AND DEVELOPMENT  
DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** October 23, 2023

**Subject:** **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres | Proposed Use: boat and RV storage and office/warehouse | Dutton Properties, applicant.**

---

The request before you is the application of Dutton Properties for a Variance from [17.420.050.C.2](#) to reduce the required transitional buffer in Gateway Corridors Overlay District. This item is located within Commission District 3.

At their October 2, 2023 meeting, the Hall County Planning Commission voted to recommend denial **(5-0)**.

There were **no comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke during the public hearing**.

There have been no changes to the request since the Planning Commission took action.



HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT

**Applicant** ..... Dutton Properties

**Request** ..... **(A)** Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)).  
**(B)** Use Subject to County Commission Approval | [17.420.050](#). Outdoor storage  
**(C)** Variance | [17.420.050.\(C\)\(2\)](#) to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))

**Proposed Use** ..... **(A)** Boat and RV storage and an office/warehouse  
**(B)** Outdoor storage within Gateway Corridors Overlay District (GCOD, [17.420](#))  
**(C)** Reduce the required transitional buffer from 50 feet to 30 feet

**Size** ..... 20.16± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Light Industrial (I-I, [17.160](#)) and Gateway Corridors Overlay District (GCOD, [17.420](#)).

**Location** ..... **3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive** | Tax Parcels 10144 000036, 000030, 000035, 000041, and 000029

**Commission District** ..... Three

**Planning Commission Date** ..... October 2, 2023

**Staff Recommendation** ..... **(A) and (B) Denial** as the proposed use is inconsistent with the [Comprehensive Plan](#) future



land use classification of Lake Area Residential.  
**(C) Denial** of the requested variance from the transitional buffer requirements from [17.420.050.\(C\)\(2\)](#) as the applicant has failed to demonstrate that hardship exist pursuant to the criteria of [2.60.030](#).

**Planning Commission Recommendation..... (A) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(B) Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**  
**(C) Denial**  
**Vote: 5-0**

**(A)& (B) Conditions:**

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

---

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.



**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O’Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Summary Analysis**

The applicant is requesting to **(A)** rezone 20.16± acres from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) to Light Industrial (I-I, [17.160](#)) for the purpose of developing the site with a boat and RV storage business. Additionally, the applicant intends to use one of two existing residences on the property as a contractor’s office. A 10,800 square foot warehouse building is proposed for storage of items related to the contractor’s business. **(B)** Concurrent to this request is a Use Subject to County Commission Approval to permit outdoor storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). The GCOD provides supplemental development standards for non-residential development ([17.420.050](#)), and the applicant is requesting a **(C)** variance to reduce the required transitional buffer in the GCOD.

The submitted site plan shows an existing residence located to the north of the proposed site access. The submitted narrative states that the residence is registered as a historic place, and the intention is to preserve and renovate the structure for an office use. A 90-foot by 120-foot warehouse is proposed in the rear of the property, adjacent to the existing farm pond. Much of the remaining property is proposed to be utilized as covered or uncovered storage for boats and RVs, for a total of 483 storage spaces, access to which is gated. There is no information regarding the architectural style of the covered storage buildings, and it is unknown if the structure will be open sided or if it will be enclosed. The submitted narrative states that non-spill LED lighting will be used for the covered storage spots.

The breakdown is detailed in the following charts:

Uncovered Storage	
Area	Units
1	10
2	20
3	14
<b>Total</b>	<b>44</b>



Covered Storage	
Building	Units
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
<b>Total</b>	<b>439</b>
<b>Combined Total</b>	<b>483</b>

The canopy structures will be located a minimum of 100 feet from the centerline of Cleveland Highway, as required by [17.240.040](#), setbacks from arterial streets. The setback adjacent to Donna Drive is 50 feet. The proposed side and rear yard setbacks are each 20 feet, consistent with the setback requirements found in table [17.240.010](#) for the Light Industrial (I-I, [17.160](#)) district.

The submitted site plan and narrative describe the proposed transitional buffers and landscaping standards for the development. The applicant is requesting relief from [17.420.050\(C\)\(2\)\(c\)](#), transitional buffers, which requires where an industrial zoning district abuts property zoned for residential or agricultural use the transitional buffer shall be 50 feet. The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) to 30 feet but is proposing to provide an enhanced buffer. It is unclear as to how the buffer will be enhanced, as the application does not provide those details. The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and screen the project from the highway. Per the narrative, one monument sign, compliant with the sign ordinance, is proposed at the entrance on Cleveland Highway.

One (1) **variance** related to landscaped buffer requirements will be necessary if the site plan, as presented, is approved because the proposal does not meet the requirements.

- 50-foot landscaped buffer where a commercial zoning district abuts property zoned for residential use as found in [17.420.050\(C\)\(2\)\(c\)](#).
  - *The applicant is requesting to reduce the transitional buffer along tax parcels [10143 000003](#), [10144 000029A](#), and a small portion of parcel [10144 000038](#) from 50 feet to 30 feet and is proposing to provide an enhanced buffer for the reduction.*
    - *The applicant has not provided details as to how the buffer will be enhanced.*



Based on the future land-use plan, staff finds the zoning request inconsistent with the Lake Area Residential future land use classification in the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification.

### Zoning Analysis

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:

(A) Rezone from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) to Light Industrial (I-I, [17.160](#)) / Gateway Corridors Overlay District (GCOD, [17.420](#)) and

(B) Use Subject to County Commission Approval | [17.420.050](#). outdoor storage

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 rezoning and use of the property as boat and RV storage and an office/warehouse is inconsistent with the development pattern of nearby properties. To the south is an adjacent 13.43± acre parcel zoned Residential I (R-I, [17.60](#)). To the north is a PCD-zoned property Planned Commercial Development (PCD, [17.180.080](#)); this rezoning was approved in 1992 for a shopping center, but remains undeveloped. The remainder of the adjacent parcels on the subject side of the street are other Agricultural Residential III (AR-III, [17.110](#)) properties.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed zoning classification of Light Industrial (I-I, [17.160](#)) is inconsistent with the existing development along Cleveland Highway and could have an impact on nearby residential and agricultural parcels.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the properties have reasonable economic use as currently zoned, from Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)), but the proposed business cannot occur as described without approval of the rezoning request to Light Industrial (I-I, [17.160](#)).**
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 use should not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public 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 parcels fall within the Lake Area Residential future land use category of the [Comprehensive Plan](#). This land use category is characterized by low-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent vacation residences similar in land use patterns to Residential Areas but at lower residential densities. Future development is envisioned to continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the land use classification. The request to rezone the property is inconsistent with the future land use classification.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
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 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.**
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; **Aerial imagery shows that the property is primarily undeveloped, though there are various residential and/or agricultural structures located on the parcels. If approved, the existing residence located on [3419 Cleveland Highway](#) will remain and serve as an office for the contractor's business.**
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; **GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The rezoning of the property to Light Industrial (I-I, [17.160](#)) would be a more intensive use than the existing Agricultural Residential III (AR-III, [17.110](#)) and Planned Commercial Development (PCD, [17.180.080](#)) classification and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area.**
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 close proximity to Lake Lanier and recent residential growth within the City of**



**Gainesville and the county may suggest there is a need for this sort of storage in this 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; **There may be other industrially zoned properties in the county where the proposed use would be permitted without zoning action.**
15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance as the proposed uses are not permitted within the Agricultural Residential III (AR-III, [17.110](#)) or Planned Commercial Development (PCD, [17.180.080](#)) districts.**
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.**

**(C) Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District (GCOD, [17.420](#))**

Section [17.420.070](#), appeals and modifications states that “if substantial modifications or changes are necessary, any person, firm, group or organization may apply for relief from the requirements set forth in this chapter to the Hall County Planning Commission, unless otherwise specified in this chapter.”

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **There does not appear to be extraordinary or exceptional conditions pertaining to the subject property. There are no physical characteristics of the property that would prevent the applicant from meeting the transitional buffer requirements as required by the Gateway Corridors Overlay District (GCOD, [17.420](#)).**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The applicant would have to make modification to the proposed site layout, to meet the transitional buffer requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)). As a result, there may be a reduction in the number of covered storage spaces for the proposed development, though it is unlikely this would create an unusual hardship.**



3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **No, the conditions are not peculiar to the subject parcel but the result of the proposed use of the property.**
4. Such conditions are not the result of any actions of the property owner; **the proposed site layout has been proposed by the applicant.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#).**

#### **17.380.050. - Submission requirements**

- 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 the Hall County Planning Commission.**
- 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 site plan but has not explicitly addressed the criteria listed in [17.350.120](#).**
  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 applicant submitted a site plan drawn to scale.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable as the site will be served by an onsite septic system.**
- D. 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. **As there are not 100 or more residential dwelling units proposed, this criteria is not applicable.**

**Development Support and Constraints / Departmental Comments**

**Hall County Environmental Health**

In an email dated August 18, 2023, Emily McGahee stated “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 Marshal**

In an email dated August 18, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s).

**Hall County Public Works and Utilities**

In a memo dated August 18, 2023, Bill Nash, Director of Public Works and Utilities, provided the following comments:

**Engineering:**

This 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 buffer and impervious setback from wrested vegetation not centerline of stream. Proposed GDOT project goes right through this parcel.

**Traffic:**

Permit from GDOT will be required for connection to Cleveland Highway.

**Utilities**

No sewer connection within feasible distance.

**Georgia Department of Transportation**

In an email dated August 15, 2023 from Veronica Chavers, D1TO Civil Engineer 3, she confirmed that the project will require GDOT coordination for access on Cleveland Highway.

➤ **Excerpts from the minutes of the October 2, 2023 meeting**

**Applicant’s Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request. Ms. Doveton stated that due to the modification to the site plan the variance request is no longer applicable.

**Ed Myers, 752 Chattahoochee Place, Gainesville**, presented the request. The applicant explained the modified site plan and narrative. The applicant requested a variance for a metal building in the rear about



700 feet behind the state highway. The applicant stated that the hours of operation would be from 6:00 am to 12:00 am.

*Rebuttal*

The applicant stated that customers store their boats/RVs and let them sit there for a long time so there will not be a significant amount of traffic. The applicant stated that GDOT has had talks of widening the road but they have been in talks of the project for many years now. The applicant stated that they will install non-spill lights.

**Public Forum:**

**John Carter, 3432 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, egress/ingress, traffic, hours of operation, grading, noise, clear cutting trees, lights, view, and buffer.

**Dutch Sievert, 3420 Cleveland Highway, Gainesville,** spoke in opposition. Concerns were property value, development placement, intense use, view, and traffic.

**Petra Urban, 3418 Cleveland Hwy, Gainesville,** spoke in opposition. Concerns were property value, zoning, traffic, and safety.

**John Mallen, 4014 Donna Drive, Gainesville,** spoke in opposition. Concerns were zoning, light pollution, traffic, and new highway.

**Richard Prior, 3343 Nottingham Forest Dr, Gainesville,** spoke in opposition. Concerns were traffic, safety, new highway, major residential area, and environmental impact.

**Michael O'Chasey, 3340 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were number of bays, traffic, number of boats on lake, traffic on the Little River, and safety.

**Mark Kirves, 3338 Wilkerson Drive, Gainesville,** spoke in opposition. Concerns were property value, traffic, and safety.

**Planning Commission Comments:**

Mr. Braswell requested clarification on the fencing and landscaping. The applicant stated that they will install bushes and trees along the frontage as well as having a fence to help shield the view. Mr. Braswell questioned how access will be controlled. The applicant stated that it will be controlled electronically by a phone app. Mr. Hunt questioned if the applicant is willing to change the closing time to 11:00 pm. The applicant agreed. Mr. Hunt requested clarification on buffers. Mr. Braswell stated that the new narrative stated there will be a vinyl chain link fence around the entire perimeter. The applicant stated that was correct and it is for security purposes. Mr. Braswell stated that the updated site plan removed the need for uncovered parking towards the frontage. Ms. Pilcher stated that the speed limit poses a safety hazard for anyone coming in or out of the development.

**A**

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)**

*Conditions:*



1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.
8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**B**

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Pilcher opposed)***

*Conditions:*

1. The development shall occur as depicted on the site plan dated September 29, 2023 and described in the updated project narrative dated September 29, 2023, modified for compliance with zoning conditions and Hall County regulations. Minor changes can be approved by the Planning Director, provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. No variances are granted as part of this request other than those listed herein.
2. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.
3. The development, including any signage, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, [17.420.050](#)). No variances are granted from these standards.
4. The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.
5. All parking and storage areas shall be paved with either asphalt or concrete.
6. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
7. All conditions of zoning shall be made part of any plans created for the property.



8. The hours of operation for the self-storage facility shall be 6:00am-11:00pm, Monday through Sunday.
9. The roof material for the covered parking shall be standing seam architectural metal roof panels, with the color to be approved by the Planning and Development Director.
10. The 10,800 sq. ft. warehouse at the rear of the property as shown on the concept plan shall be allowed to utilize metal siding.

**C**

***Motion: A motion to deny was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0***



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)**

**Property Owner (Name & Mailing Address)**

Dutton Properties  
Po Box 908387  
Gainesville, GA 30501

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Phone 770-351-7565

Phone 770-351-7565

Email Address glennjdutton@aol.com

Email Address glennjdutton@aol.com

Proposed Use Boat & RV outdoor storage

**Contact Person (Name & Mailing Address)**

**Status of Applicant**

**Requested Action**

Glenn Dutton  
Po Box 908387  
Gainesville, GA 30501

Owner

Permissive Use:

Phone 770-351-7565

Option to Purchase

HCPC  HCC

Email Address glennjdutton@aol.com

Area Resident

Fee: \$ 1,500

Tax Parcel Number 10144 000030 000041

Zoning: \_\_\_\_\_ Check #: \_\_\_\_\_

Location Address 3419 3505 Cleveland Hwy 3906 Donna Dr.

Acreage 20.16 Ac

I hereby certify that the above information and all attached information are true and correct.

Sign [Signature] Date: 7-24-23

**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: 7/21/23

Taken by: Kate [Signature]

Tentative Planning Commission Date: 9/18

Tentative County Commission Date: 10/26

County Commission District: 1



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) Glenn Dutton

Address 3419 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties

Address Po Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

**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 Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Exp. 11-16-2024

7-20-23  
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) Glenn Dutton  
Address 3405 Cleveland Highway  
Gainesville, GA 30506  
Phone Number 770-351-7565

Name of applicant(s) Dutton Properties  
Address Po Box 908387  
Gainesville, GA 30501  
Phone Number 770-351-7565

---

**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  
*[Signature]*, owner Glenn J. Dutton

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 Exp. 11-16-2024

7-20-23  
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) Glenn Dutton

Address 3443 Cleveland Highway  
Gainesville, GA 30506

Phone Number 770-351-7565

Name of applicant(s) Dutton Properties


Address PO Box 908387  
Gainesville, GA 30501

Phone Number 770-351-7565

---

**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  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp 11-16-2024

7.20.23  
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) Glenn Dutton  
Address 3505 Cleveland Highway  
Gainesville, GA 30506  
Phone Number 770 351-7565

Name of applicant(s) Dutton Properties  
Address PO Box 908387  
Gainesville, GA 30501  
Phone Number 770-351-7565

**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  
Glenn J. Dutton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Lisa Little  
Notary Public Exp 11-16-2024

7-20-23  
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) Tanner Dutton

Address 3906 Donna Drive  
Gainesville, GA 30506

Phone Number 770-231-1905

Name of applicant(s) Dutton Properties

Address PO Box 408387  
Gainesville, GA 30501

Phone Number 770-351-7565

**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  
Tanner Dutton  
\_\_\_\_\_

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

  
Notary Public Exp. 11-16-2024

7-20-23  
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:  Date: 7/20/23

Applicant's/Owner's Name (Printed): TANNER DUTTON



### 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:  \_\_\_\_\_

Date: 7/20/23

Applicant's/Owner's Name (Printed): Glenn Dutton



# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 100 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway. The remainder of the development will be surrounded by a black vinyl coated chain link fence for security purposes.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.

#### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

#### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway

50' off Donna Drive r/w

**Side & Rear:** 20'

#### **Buffers**

50' Transition Buffer will be adjacent to all AR-III zoned properties.



## **Gateway Corridor Overlay District**

### **Conditional Use Request**

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

### **Building Materials**

#### **Boat & RV Canopy**

The covered parking is proposed to be open on all side and will not have any walls as vehicles will be entering and exiting the units on all sides due to the angled parking. To mitigate the appearance from the street, a landscaped strip with wrought iron fencing and brick columns every 100 feet will provide a visual break between the street and the parked units. Trees and shrubs will be planted in front of the fence. This combination will provide an appealing external appearance to the facility.



Open sided parking with Landscaped frontage

#### **Warehouse**

Since the proposed warehouse is in the back of the development and is over 700 feet off of Cleveland Highway, the building will not be visible from the public road. This application is requesting to allow all the sides of the building be metal.



## **Frontage Style**

Proposed frontage fence and landscaping





# Narrative

## 129 Boat & RV Storage

### I-I Zoning

#### Existing Site Description

The proposed development consists of 5 existing parcels that total 20.16 acres. It is located on the western side of Cleveland Highway (S.R. 129) just north of the intersection with Donna Drive. The current zoning is AR-III. The surrounding adjacent properties are zoned AR III & PCD. There are 2 existing residential houses on the development. One is a house on the historic registry that will remain as part of the project. There is an existing farm pond that will remain on the site.

#### Proposed Development

The proposed property will be used for boat and RV storage and have a 10,800 s.f. warehouse for a contractor's office. Access will be controlled by an automated gate. A turnaround will be provided outside of the gate in case someone is not able to access and needs to leave. An existing historic home will remain as an office at the entrance to the development. Lighting will be LED non-spill fixtures under the canopy or attached to the structures.

One monument sign will be placed at the entrance on Cleveland Highway. All signs will comply with the current county sign requirements.

The entrance and frontage will be landscaped with a 6-foot-tall wrought iron style fence accented with brick columns every 200 feet and at the corners. Landscaping will be planted in front of this fence to further enhance the aesthetics and help screen the project from the highway.

The proposed use will provide a low impact, low traffic use along the Cleveland Highway corridor and the surrounding residential properties.

The boat & RV storage will be a lake supportive land use as recommended by the county's Comprehensive Future Land Use Plan.



### Storm Water Detention

Storm water will be detained in a combination of a proposed pond and infiltration trenches. The pond discharges into an existing farm pond which eventually flows into an existing creek along the western property line. The pond will comply with all current storm water regulations for Hall County.

### Building Setbacks and Buffers

**Front:** 100' from centerline of Cleveland Highway  
50' off Donna Drive r/w

**Side & Rear:** 20'

### **Buffers**

50' Buffer to adjacent to parcel 10144 000038 as shown on the Rezoning Plan on the south side of the development. This buffer is mostly covered by an existing farm pond that will remain on the property. This gives plenty of separation between the existing residential property.

A 50' – 30' Enhanced Buffer adjacent to Parcel 10144 000029A as shown on the south side of the Rezoning Plan will provide screening adjacent to the residential area.

A 30' Enhanced Buffer will be provided along the northern side adjacent to the AR-III property.

The western boundary will have a 50' Undisturbed Stream Buffer and a 75' Impervious Setback to buffer those adjacent properties.

### **Gateway Corridor Overlay District**

#### Conditional Use Request

This application is requesting approval for outdoor storage use inside the Gateway Corridor Overlay District.

#### Buffer Reduction

This application is requesting a reduction of the transitional buffer on the northern and small strip of the southern property line that is adjacent it to the AR-III property as shown on the Rezoning Plan.



**Frontage Style**

Proposed frontage fence and landscaping



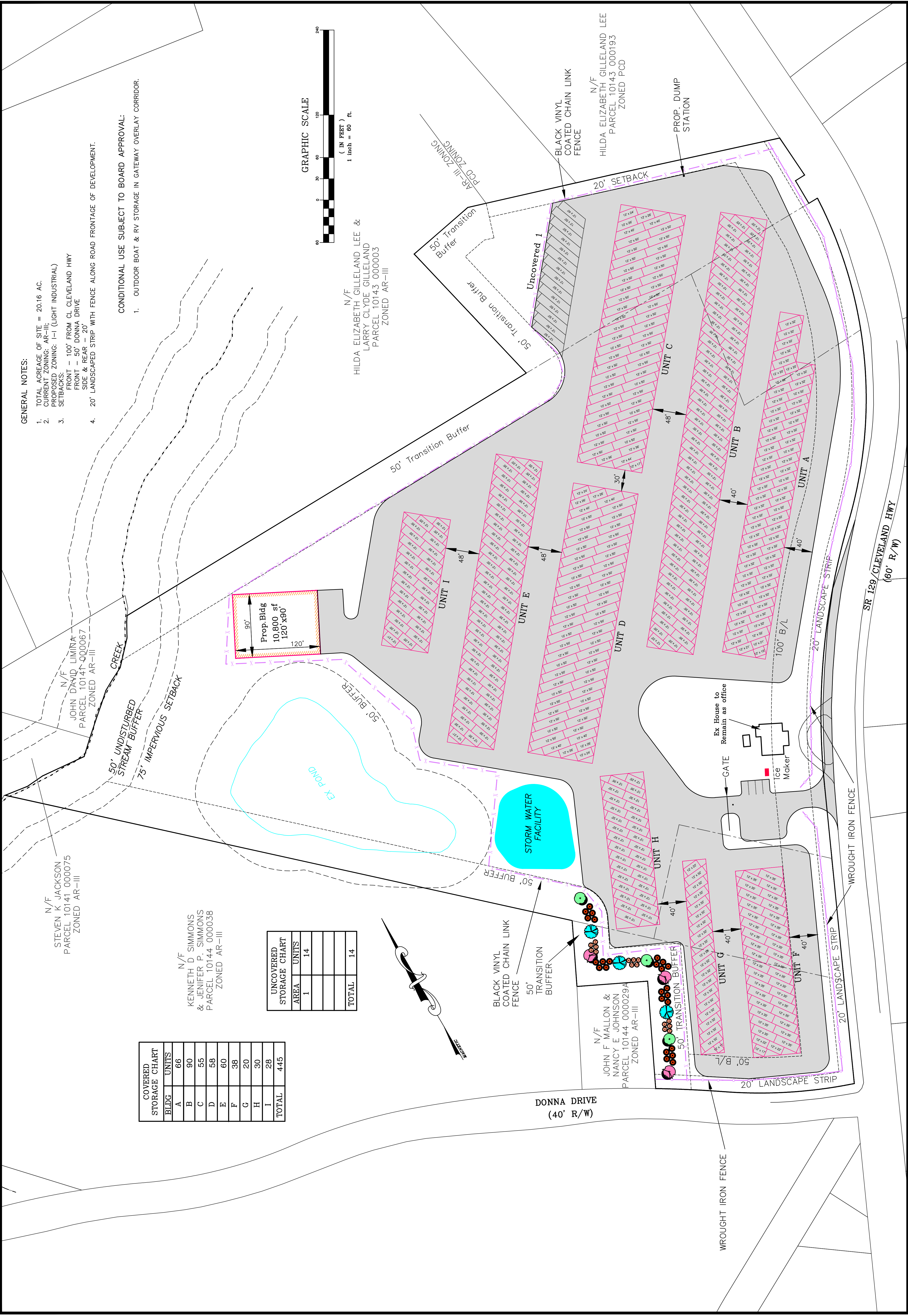


DATE	8-1-23
JOB NO.	23-03
SHEET TITLE	REZONING PLAN

Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

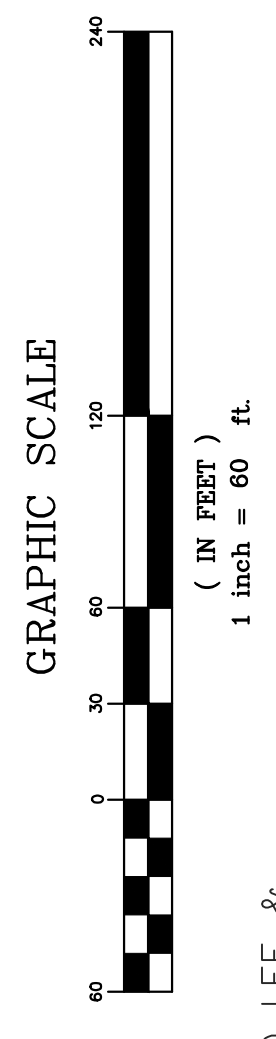
**MYERS & CO.** *civil engineers*  
P.O. BOX 634  
GAINESVILLE, GA 30603  
770-654-9172  
ed@myers-and-co.com

Copyright  
2023  
MERS & COMPANY, INC.  
ALL RIGHTS RESERVED.  
This drawing is the sole property of Myers & Company, Inc. It is to be used for the specific project and location identified herein. Any use for other projects, reproduction, or storage in any format, electronic or mechanical, without the written permission of Myers & Company, Inc. is prohibited.



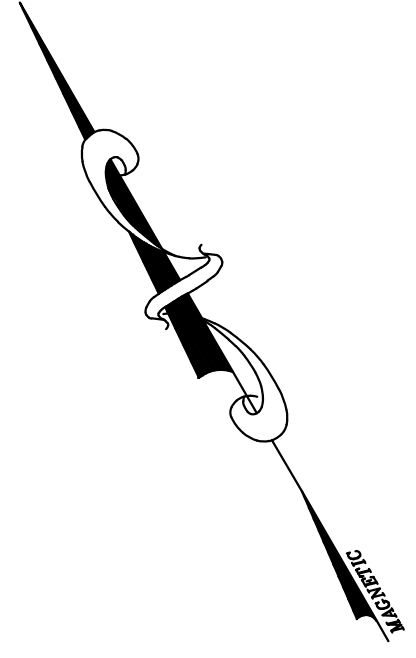
- GENERAL NOTES:
- TOTAL ACREAGE OF SITE = 20.16 AC.
  - CURRENT ZONING: AR-III;
  - PROPOSED ZONING: I-1 (LIGHT INDUSTRIAL)
  - SETBACKS:  
FRONT = 100' FROM CL CLEVELAND HWY  
FRONT = 50' DONNA DRIVE  
SIDE & REAR = 20'
  - 20' LANDSCAPED STRIP WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:  
1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



BLDG	UNITS
A	66
B	90
C	55
D	58
E	60
F	38
G	20
H	30
I	28
TOTAL	445

AREA	UNITS
1	14
TOTAL	14

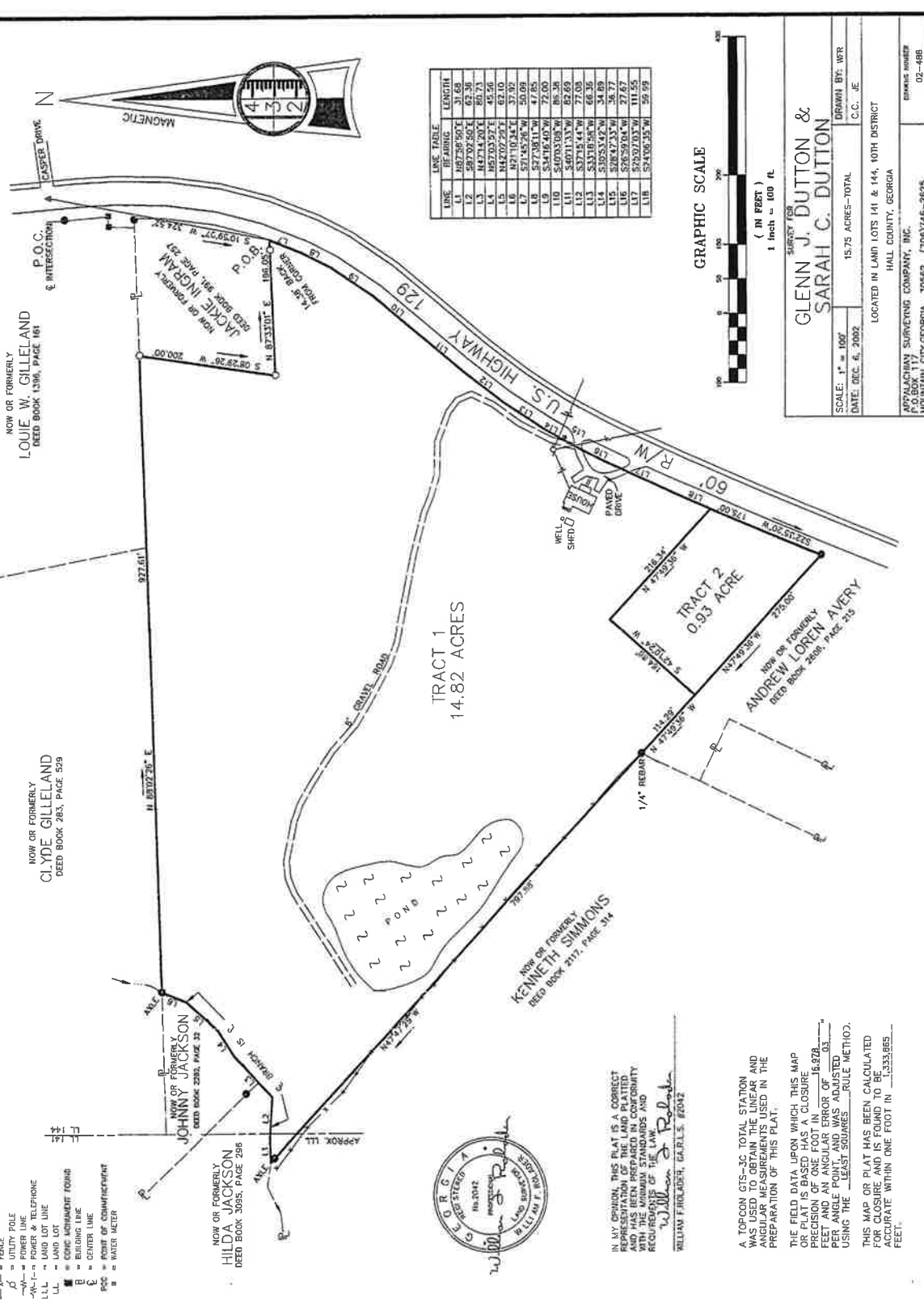




THIS PROPERTY IS NOT LOCATED IN A ZONE  
 REGULATED BY THE FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 150466 0020 B

ALL PINS ARE 1/2" REBAR  
 UNLESS OTHERWISE DESCRIBED

- LEGEND**
- POINT OF BEGINNING
  - BORN PIN BOUND (BP)
  - BORN PIN SET (PS)
  - PROPERTY LINE
  - FENCE
  - UTILITY POLE
  - POWER & TELEPHONE
  - LAND LOT LINE
  - LAND LOT
  - CONIC MEASUREMENT FORM
  - BUILDING LINE
  - CENTER LINE
  - POINT OF COMMENCEMENT
  - WATER METER



**GLENN J. DUTTON & SARAH C. DUTTON**  
 SURVEY FOR  
 LOCATED IN LAND LOTS 141 & 144, 10TH DISTRICT  
 HALL COUNTY, GEORGIA

SCALE: 1" = 100'  
 DATE: DEC. 6, 2002  
 15.75 ACRES-TOTAL  
 DRAWN BY: WTR  
 C.C. JE

APPALACHIAN SURVEYING COMPANY, INC.  
 MOUNTAIN CITY, GEORGIA 30552 (706)746-2625  
 GINNEX NUMBER 02-488

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE REQUIREMENTS OF THE LAW AND REQUISITES OF THE LAW.

*William F. Hildebrand*  
 WILLIAM F. HILDEBRAND, CARL S. #0042

A TOPCON GTS-3C 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 16,826 FEET FOR ANGLES AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED AND CHECKED AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 16,333 FEET.







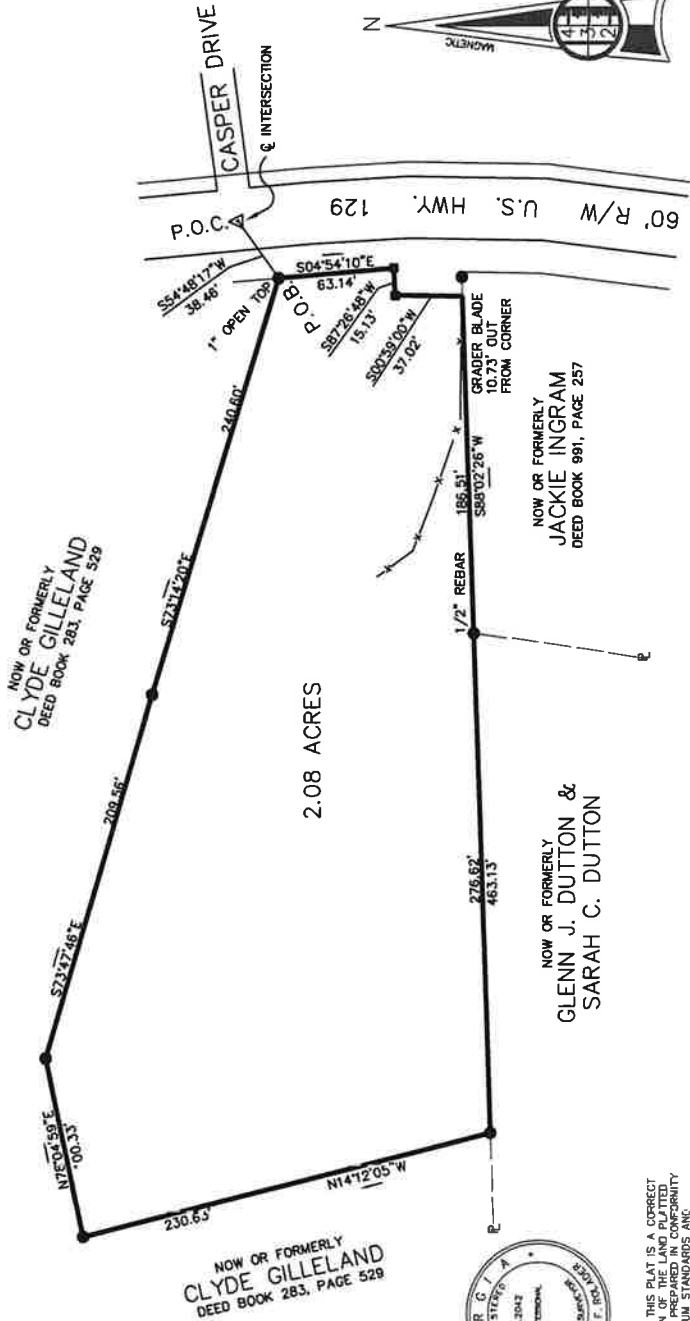
**LEGEND**

- POB = POINT OF BEGINNING
- RF = IRON PIN FOUND (IPF)
- Q = PROPERTY CORNER (PC)
- Q = PROPERTY LINE (PL)
- Q = RIGHT OF WAY (R/W)
- = FENCE
- U = UTILITY POLE
- W- = POWER & TELEPHONE
- LLL = LAND LOT LINE
- = CONCRETE MONUMENT FOUND
- B = BUILDING LINE
- C = CENTER LINE
- POC = POINT OF COMMENCEMENT

THIS PROPERTY IS NOT LOCATED IN A ZONE  
 AS SHOWN ON THE FLOOD INSURANCE RATE MAP BY  
 F.E.M.A., EFFECTIVE NOVEMBER 2, 1983.  
 COMMUNITY PANEL # 130466 0020 B

REFERENCE: PLAT BOOK 138, PAGE 204

ALL DIMS ARE 1/2" ROD  
 UNLESS OTHERWISE STATED.



IN MY OPINION, THIS PLAT IS A CORRECT  
 REPRESENTATION OF THE LAND PLATTED  
 HEREIN, AND I HAVE PREPARED THE SAME  
 IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW.

WILLIAM F. ROLANDER, CARLS #20142

A TOPCON GTS-3C 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  
 WAS BASED WAS OBTAINED WITH A  
 PRECISION OF ONE FOOT IN 14,718  
 FEET AND AN ANGULAR ERROR OF 0.3  
 PER ANGLE POINT, AND WAS ADJUSTED  
 USING THE LEAST SQUARES FULL METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
 FOR CLOSURE AND IS FOUND TO BE  
 ACCURATE WITHIN ONE FOOT IN 103,878  
 FEET.

SURVEY FOR	
GLENN J. DUTTON & SARAH C. DUTTON	
SCALE: 1" = 60'	DRAWN BY: WAR
DATE: MAY 20, 2003	C.E. WFR
LOCATED IN LAND LOT 144, 10TH DISTRICT HALL COUNTY, GEORGIA	
APALACHIAN SURVEYING COMPANY, INC. P.O. BOX 117 MOUNTAIN CITY, GEORGIA 30562 (706)746-2625	
CREATING NUMBER 03-225	

GRAPHIC SCALE



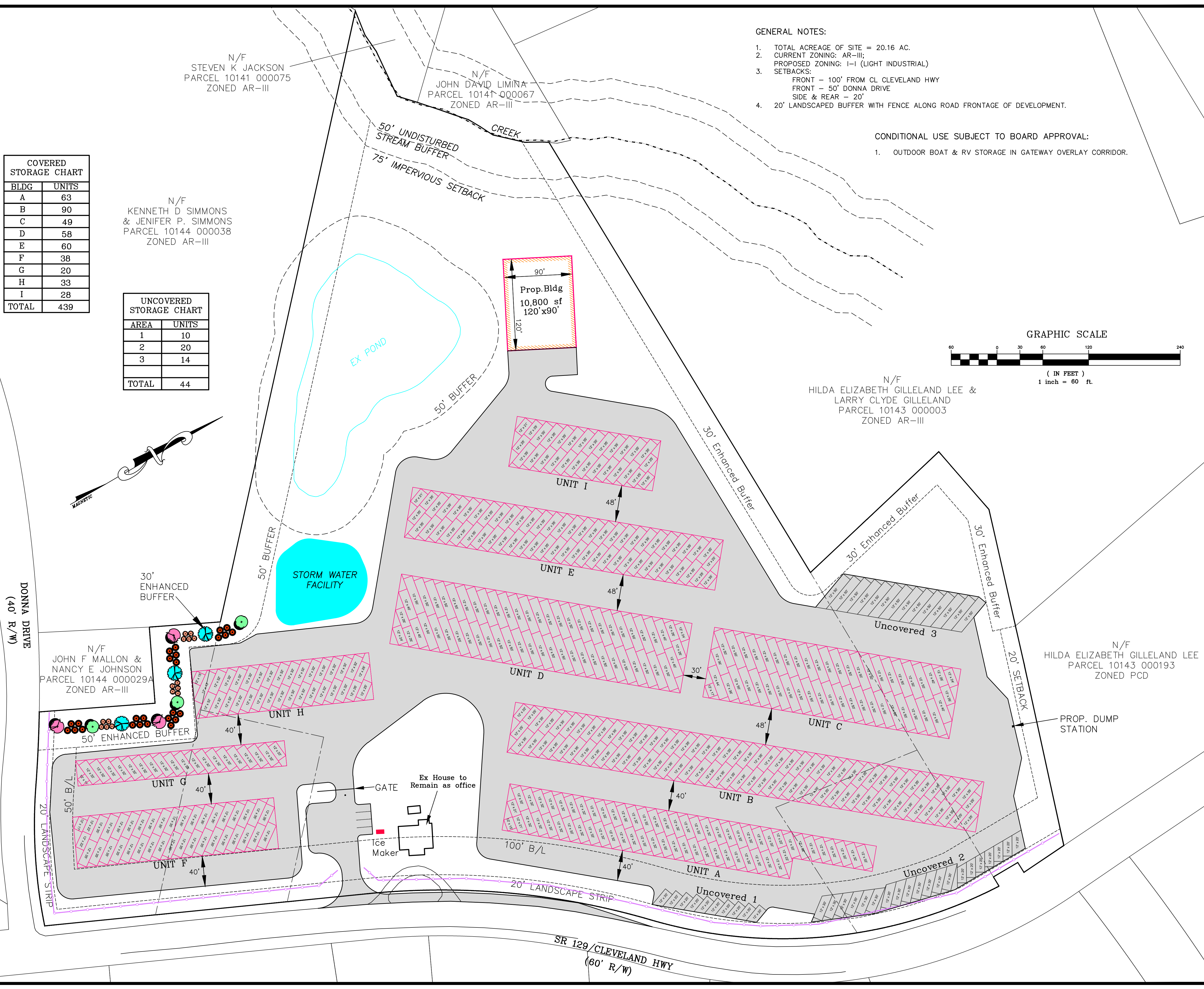
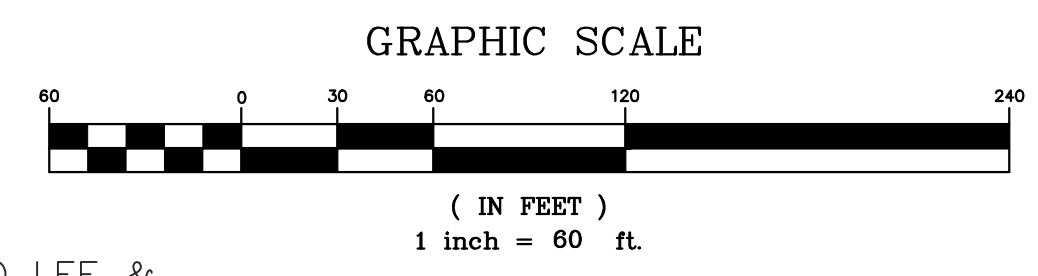


COVERED STORAGE CHART	
BLDG	UNITS
A	63
B	90
C	49
D	58
E	60
F	38
G	20
H	33
I	28
TOTAL	439

UNCOVERED STORAGE CHART	
AREA	UNITS
1	10
2	20
3	14
TOTAL	44

- GENERAL NOTES:
- TOTAL ACREAGE OF SITE = 20.16 AC.
  - CURRENT ZONING: AR-III; PROPOSED ZONING: I-I (LIGHT INDUSTRIAL)
  - SETBACKS:  
FRONT - 100' FROM CL CLEVELAND HWY  
FRONT - 50' DONNA DRIVE  
SIDE & REAR - 20'
  - 20' LANDSCAPED BUFFER WITH FENCE ALONG ROAD FRONTAGE OF DEVELOPMENT.

CONDITIONAL USE SUBJECT TO BOARD APPROVAL:  
1. OUTDOOR BOAT & RV STORAGE IN GATEWAY OVERLAY CORRIDOR.



Copyright  
2023  
MYERS & CO. ENGINEERS  
ALL RIGHTS RESERVED  
This drawing is the sole property of Myers & Co. Engineers. It is to be used only for the specific project and location identified herein. It is not to be reproduced, stored in any retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or in any way without the prior permission of Myers & Co.

Seal

**MYERS & CO.**  
civil engineers

770-554-9172  
ed@myers-and-co.com  
P.O. BOX 634  
GAINESVILLE, GA 30603

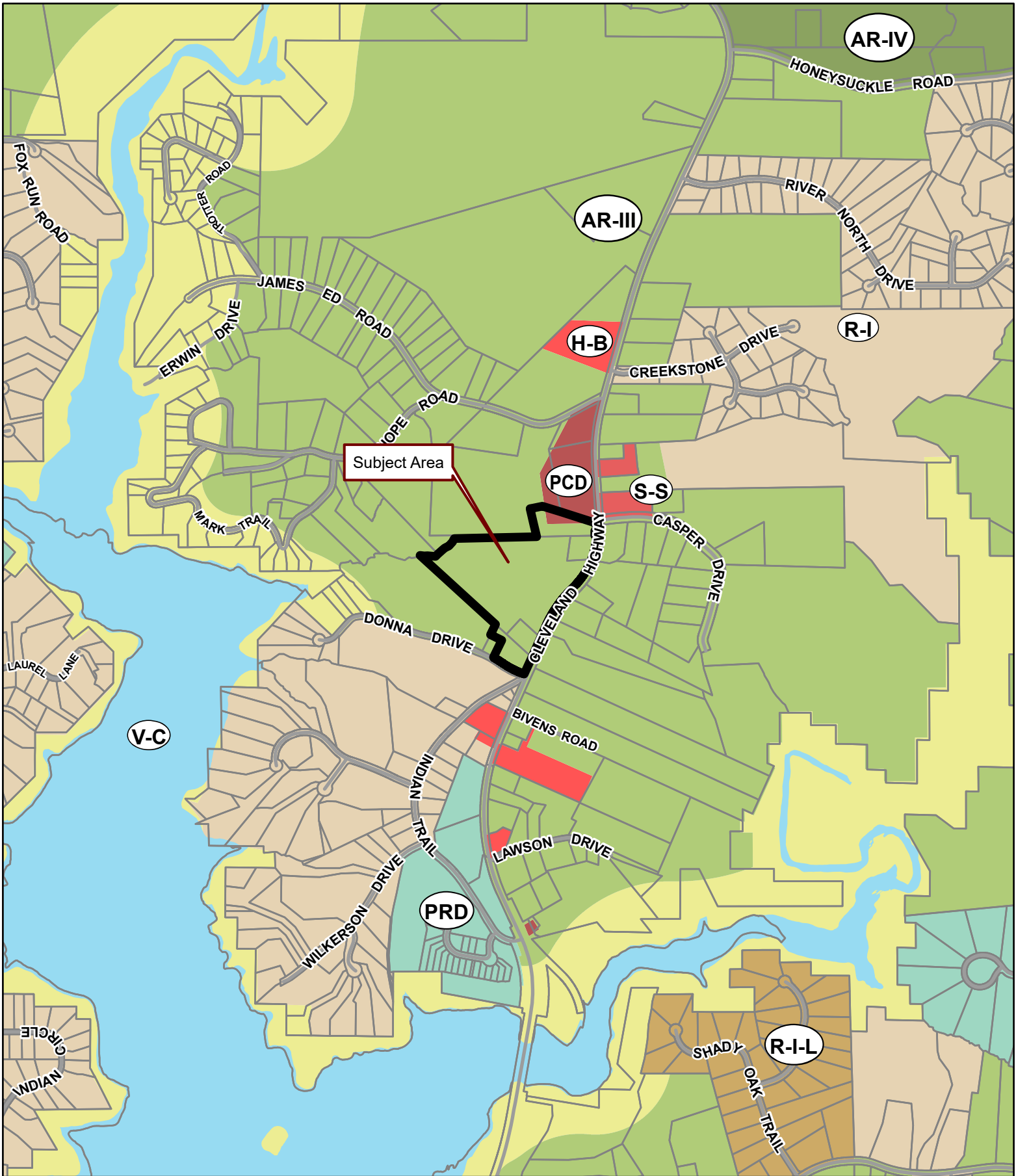
Project Description  
129 BOAT & RV STORAGE  
HALL COUNTY, GEORGIA

DATE 8-1-23  
JOB NO. 23-03  
Sheet Title  
REZONING PLAN

Revisions

SHEET  
1



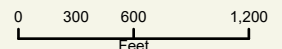


**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

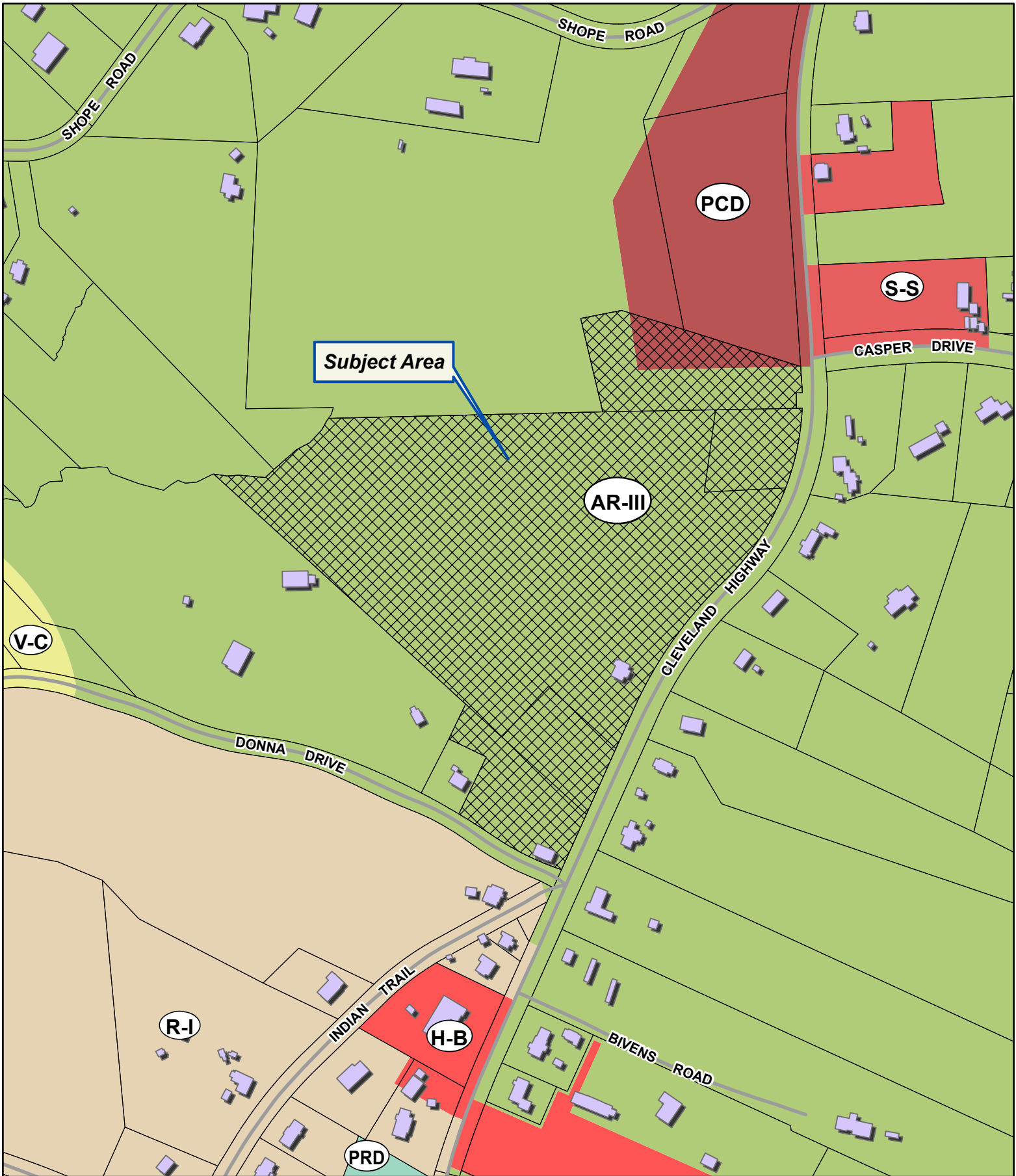
**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3      PC Mtg. Date: 09/18/23**



- Zoning Boundary
  - ▭ City Limits
  - Subject Area
  - Structure
- N  
↑





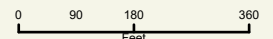
**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date: 09/18/23**



- Zoning Boundary
- City Limits
- ▣ Subject Area
- Structure







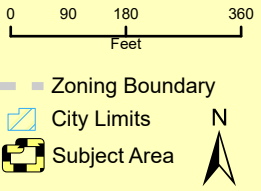
**Applicant:** DUTTON PROPERTIES

**Tax Parcel #:** 10144 000036, 000030, 000035, 000041, & 000029

**Location:** 3405, 3419, 3443, 3505 CLEVELAND HWY &  
3906 DONNA DRIVE GAINESVILLE, GA 30506

**Commission District 3**

**PC Mtg. Date: 09/18/23**





For Con. W.D see D.B. 1013 Pg. 207

STATE OF GEORGIA, County of Hall

THIS INDENTURE, Made this 9<sup>th</sup> day of June in the Year of Our Lord One Thousand Nine Hundred and Eighty-Six (1986) between

SILAS LEON INGRAM

of the State of Georgia and County of Hall of the first part, and

JACKIE LEON INGRAM

of the State of Georgia and County of Hall of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of DEED OF GIFT

In hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha S granted, bargained, sold and conveyed, and by these presents

do ES grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that ~~CERTAIN TRACT AND PARCEL~~ certain tract and parcel of land lying and being in Land Lot 144, 10th District of Hall County, Georgia, and being 0.93 acres, more or less, as shown on a plat for Jackie Leon Ingram, prepared by H. G. Jarrard, Registered Land Surveyor, dated May 16, 1986, and filed for record in Plat Book         , Page         , of the Hall County Plat Records, said plat being incorporated herein by reference. Said property being more particularly described as follows:

BEGINNING at an iron pin located on the Westerly right of way of U. S. Highway 129 at a point 115 feet South of the intersection of said right of way with the centerline of Casper Drive Extended; thence, along said right of way South 00 32 West 57.66 feet; thence South 10 09 West 58.91 feet; thence South 15 56 West 50.97 feet; thence South 21 22 West 32.46 feet to an iron pin set on the Westerly right of way of U. S. Highway 129; thence South 89 38 35 West 200 feet along the property of grantor herein to an iron pin set; thence North 10 35 00 East 200 feet along the property of grantor herein to an iron pin set; thence South 89 52 00 East 200 feet to the point of beginning.

This being part of the property described in a Warranty Deed from the Executors of the Estate of Mrs. W. Harve Ingram to Silas Leon Ingram, filed for record December 8, 1967 in Deed Book 360, pages 45-46 of the Hall County Deed Records.

DEED PREPARATION ONLY WITHOUT TITLE EXAMINATION OR CERTIFICATION BY ATTORNEY.

HALL COUNTY, Georgia  
Real Estate Transfer Tax

Georgia, Hall County, Clerk Superior Court  
Filed in office, this 10 day of June  
19 86 at 11 M. Recorded in Book 591  
Page 574 this 11 day of June, 1986  
Dwight S. Wood  
DWIGHT S. WOOD, Clerk

Paid \$ 0-  
Date June 10, 1986  
DWIGHT S. WOOD  
Clerk of Superior Court  
By Rashy Lewis

Chris Corey H. W. & Stradley



## 129 Boat & RV Storage

### **Legal Description:**

**All that tract or parcel of land lying and being in Land Lots 141 & 144, 10th Land District, Hall County, Georgia and being more particularly described as follows:**

**Beginning at the intersection of the centerlines of U.S. Highway 129 and Casper Drive as shown on multiple surveys;**

**Thence South 54 degrees 48 minutes 17 seconds West for a distance of 38.46 feet to the TRUE POINT OF BEGINNING on the northeastern corner;**

**Thence following U.S. Highway 129 the following courses:**

**Thence South 04 degrees 54 minutes 10 seconds East for a distance of 63.14 feet to a point;  
Thence South 87 degrees 26 minutes 48 seconds West for a distance of 15.13 feet to a point;  
Thence South 00 degrees 59 minutes 00 seconds West for a distance of 37.02 feet to a point;  
Thence South 89 degrees 52 minutes East for a distance of 13.49 feet to a point;  
Thence South 00 degrees 32 minutes West for a distance of 57.66 feet to a point;  
Thence South 10 degrees 09 minutes West for a distance of 58.91 feet to a point;  
Thence South 15 degrees 56 minutes West for a distance of 50.97 feet to a point;  
Thence South 21 degrees 22 minutes West for a distance of 32.46 feet to a point;  
Thence South 27 degrees 38 minutes 11 seconds West for a distance of 47.85 feet to a point;  
Thence South 34 degrees 16 minutes 40 seconds West for a distance of 72.00 feet to a point;  
Thence South 40 degrees 03 minutes 08 seconds West for a distance of 86.38 feet to a point;  
Thence South 40 degrees 11 minutes 33 seconds West for a distance of 82.69 feet to a point;  
Thence South 37 degrees 15 minutes 44 seconds West for a distance of 77.08 feet to a point;  
Thence South 33 degrees 18 minutes 58 seconds West for a distance of 66.36 feet to a point;  
Thence South 30 degrees 53 minutes 42 seconds West for a distance of 34.89 feet to a point;  
Thence South 28 degrees 47 minutes 33 seconds West for a distance of 36.77 feet to a point;  
Thence South 26 degrees 59 minutes 04 seconds West for a distance of 27.67 feet to a point;  
Thence South 25 degrees 07 minutes 03 seconds West for a distance of 111.55 feet to a point;  
Thence South 24 degrees 06 minutes 35 seconds West for a distance of 59.99 feet to a point;  
Thence South 22 degrees 35 minutes 20 seconds West for a distance of 175.00 feet to a point;  
Thence South 22 degrees 39 minutes 26 seconds West for a distance of 144.14 feet to a point  
at the intersection of the northwestern right of way between U.S. Highway 129 and Donna  
Drive; Turning west along the right of way of Donna Drive;**

**Thence North 64 degrees 18 minutes 57 seconds West for a distance of 31.10 feet to a point;  
Thence North 69 degrees 06 minutes 07 seconds West for a distance of 32.06 feet to a point;  
Thence North 66 degrees 39 minutes 18 seconds West for a distance of 38.54 feet to a point;  
Thence North 63 degrees 35 minutes 54 seconds West for a distance of 36.06 feet to a point;  
Thence North 58 degrees 57 minutes 34 seconds West for a distance of 46.77 feet to a point;  
Thence North 56 degrees 53 minutes 54 seconds West for a distance of 66.50 feet to a point;  
Thence North 59 degrees 15 minutes 44 seconds West for a distance of 30.09 feet to a point;**



**Thence leaving Donna Drive the following courses:**

**Thence North 25 degrees 28 minutes 00 seconds East for a distance of 150.06 feet to a point;**

**Thence North 64 degrees 30 minutes 30 seconds West for a distance of 100.05 feet to a point;**

**Thence North 25 degrees 34 minutes 01 seconds East for a distance of 93.16 feet to a point;**

**Thence North 47 degrees 47 minutes 29 seconds West for a distance of 797.88 feet to a point;**

**Thence along a creek the following courses:**

**Thence North 87 degrees 58 minutes 50 seconds East for a distance of 31.68 feet to a point;**

**Thence South 87 degrees 02 minutes 50 seconds East for a distance of 62.36 feet to a point;**

**Thence North 57 degrees 03 minutes 57 seconds East for a distance of 45.56 feet to a point;**

**Thence North 42 degrees 02 minutes 29 seconds East for a distance of 62.10 feet to a point;**

**Thence North 21 degrees 10 minutes 34 seconds East for a distance of 37.92 feet to a point;**

**Thence leaving the creek the following course:**

**Thence North 88 degrees 02 minutes 26 seconds East for a distance of 741.10 feet to a point;**

**Thence North 41 degrees 12 minutes 05 seconds West for a distance of 230.63 feet to a point;**

**Thence North 78 degrees 04 minutes 59 seconds West for a distance of 100.33 feet to a point;**

**Thence South 73 degrees 47 minutes 46 seconds East for a distance of 209.56 feet to a point;**

**Thence South 73 degrees 14 minutes 20 seconds East for a distance of 240.60 feet to a point**

**and said point being the TRUE POINT OF BEGINNING**

**Said property contains 20.16 acres more or less.**



## **Anael Dominguez (CDI: Planning)**

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Friday, August 18, 2023 12:02 PM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 9.18.23

Item 1, 3922 Green Drive, Poole: 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 Environmental Health can approve the subdivision plat of Lot 5 into 3 parcels as currently proposed. Any reconfigurations of currently submitted plat due to other county department requirements will require further review; additional requirements/fees may apply and approval of changes/reconfigurations is not implied.

Item 2, 3268 Whidby Road, Bazemore: Please note that Zoning approval does not imply approval from other county departments. All proposed structures must meet required setbacks to the existing septic system. An existing system evaluation will be required to verify setbacks and area available for full future repair of septic system. Due to age of existing septic system, it cannot be modified, only replaced. Replacement of existing septic system will require Level 3 soil evaluation and area available to relocate system and have full, feasible future repair of septic system. Application for an existing system evaluation and/or completion of additional requirements for Environmental Health does not guarantee approval.

Item 3, 5991 Circle Four Ranch, Loyd: Must meet all Environmental Health residential septic system permitting requirements.

Item 4, 7042 Baker Lane, Labovitz: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Septic Permit OSC-7948 was issued on February 24, 2023 to accommodate a 36' x 60' barn with bathroom.

Item 5, 8545 Belton Bridge Road, Mallard View: No comment.

Items 6A-D, 3405/3419/3505 Cleveland Hwy/3906 Donna Drive, Dutton Properties: 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.

Item 7, 3302/3212 Antioch Campground Church/3446/3450/3456 Looper Lake Road: No comment. Public sewer.

Items 8A&B, 4053 Cleveland Hwy, Hunt: Non-domestic wastewater treatment and disposal must be permitted by EPD.

Items 9A-C, 1731 Friendship Road, Wilbanks: 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)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)



## Anael Dominguez (CDI: Planning)

---

**From:** Chavers, Veronica E <VChavers@dot.ga.gov>  
**Sent:** Tuesday, August 15, 2023 10:37 AM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Subject:** RE: Tentative Planning Agenda for September 18, 2023

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.

See comments below, in red.

**Veronica Chavers**  
*DITO Civil Engineer 3*



District 1 Traffic Operations  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8488 office

---

**From:** Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>  
**Sent:** Friday, August 11, 2023 10:52 AM  
**To:** Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bill Nash (CDI: Public Works) <bnash@hallcounty.org>; Bill Schmid <weschmid@rochester-assoc.com>; Brandi Smith (CDI: Business License) <bsmith@hallcounty.org>; Brent Holloway (Parks and Leisure) <bholloway@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbaswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (CDI: Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (CDI: Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (CDI: Engineering) <jskarda@hallcounty.org>; Jeremy Wills (jeremy.wills@gainesvillega.gov) <jeremy.wills@gainesvillega.gov>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Karen Martinez (CDI: Public Works - Sewer) <kmartinez@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Millie Perez (Community Development & Infrastructure) <mperez@hallcounty.org>; Nick Swafford <NSwafford@gainesvillega.gov>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (CDI) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (CDI: Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Chavers, Veronica E <VChavers@dot.ga.gov>; Wanda Sutton (CDI: Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>  
**Subject:** Tentative Planning Agenda for September 18, 2023

Good morning –



Here is the Tentative Agenda and Maps for the **Monday, September 18, 2023** 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 **Friday, August 18<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

## **CALL TO ORDER**

## **AGENDA REVIEW**

## **APPROVAL OF MINUTES – September 5, 2023**

## **OLD BUSINESS**

1. [3922 Green Drive | Amend Conditions of R-I | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-I, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#) **Requires GDOT coordination for driveway access on Clarks Bridge Rd.**

## **NEW BUSINESS**

1. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#) **No GDOT coordination required**
- 2.
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#) **No GDOT coordination required**
4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, applicant.](#) **No GDOT coordination required**
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#) **No GDOT coordination required**
2. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) **Requires GDOT coordination for driveway access on Cleveland Hwy.**
- 6.
3. [\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#) **Requires GDOT coordination for driveway access on Cleveland Hwy.**



4. [\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant. No GDOT coordination required](#)
  
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)  
[\(B\) 4053 Cleveland Highway | Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, applicant. Requires GDOT coordination for driveway access on Cleveland Hwy.](#)
  
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
10. [\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)
  
11. [\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 | Proposed Use: 185-unit multi-family development and permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant. Requires GDOT coordination for driveway access on Friendship Rd](#)

\*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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, October 26, 2023** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> 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, October 26, 2023**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
 Ana Dominguez  
 Planning Commission Clerk  
 Hall County Community Development and Infrastructure  
 (770) 531-6810 | [www.hallcounty.org](http://www.hallcounty.org)





---

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.





Hall County Government  
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PUBLIC WORKS AND UTILITIES

MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

**From:** Bill Nash, Director of Public Works and Utilities

t: 770.531.6800 | f: 770.531.3945

**Date:** August 18, 2023

DIRECTOR  
Srikanth Yamala

**Subject:** September 18, 2023 - Hall County Planning Commission Agenda

PUBLIC WORKS AND  
UTILITIES DIRECTOR  
Bill Nash, P.E.

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 18, 2023 meeting. Upon review, we provide the following comments.

1. [3922 Green Drive | Amend Conditions of R-1 | on a 16.00± acre parcel located on the south side of Green Drive at its intersection with Clarks Bridge Road | Zoned R-1, Tax Parcel 10156 000009 | Proposed Use: 9-lot subdivision | \\*\\* Commission District 3 | Larry Poole, applicant.](#)
  - a. **Engineering:** As this subdivision is greater than 6 lots on an existing road a stormwater management report prepared by a professional engineer will be required.  
Show stream buffer and impervious setback from wooded vegetation not centerline of stream.
  - b. **Traffic:** Permit will be required from GDOT for driveway connection to Clarks Bridge Road.
  - c. **Utilities:** No sewer connection available in the area.
  
2. [3268 Whidby Road | Variance | 17.240.010 to reduce the right yard setback from 10 feet to 5 feet | on a 0.30± acre tract located on the north side of Whidby Road, approximately 1,815 feet from its intersection with Lanier Islands Parkway | Zoned V-C Tax Parcel 07330 004001D | Proposed Use: detached garage | \\* Commission District 2 | Sheridan Bazemore, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
3. [5991 Circle Four Ranch | Use Subject to Planning Commission Approval | 17.110.030. caretaker and/or employee residences | on a 3.03± acre tract located approximately 686 feet south of its intersection with Blackjack Road | Zoned AR-III; Tax Parcel 15048 000034C | Proposed use: caretaker residence | \\* Commission District 1 | Greg Loyd, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment



4. [7042 Baker Lane | Use Subject to County Commission Approval | 17.215.020. agri-entertainment | on a 31.02± acre tract located on the terminus of Baker Lane | Zoned AR-IV; Tax Parcel 12037 000003 | Proposed use: agri-entertainment business | \\*\\* Commission District 3 | Laura Labovitz, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream.  
FEMA and Hall County studied Flood plains present on site.
  - b. **Traffic:** Improvements along Baker Lane and Baker Circle may be required
  - c. **Utilities:** No sewer available
  
5. [8545 Belton Bridge Road | Amend Conditions of AR-IV | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | Proposed Use: Amenity area | \\*\\* Commission District 3 | Mallard View Homeowners Association, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
6. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant. \(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant. \(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance| 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)
  - a. **Engineering:** This 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 buffer and impervious setback from wretched vegetation not centerline of stream.  
Proposed GDOT project goes right through this parcel.
  - b. **Traffic:** Permit from GDOT will be required for connection to Cleveland Highway.
  - c. **Utilities:** No sewer connection within feasible distance



7. [3302 and 3212 Antioch Campground Church and 3446, 3450, and 3456 Looper Lake Road | Rezone | from Agricultural Residential III \(AR-III\) to Planned Residential Development \(PRD\) on 55.16± acres located on the south side of Antioch Campground Road at its intersection with Looper Lake Road | Zoned AR-III; Tax Parcels 10096 000006 \(pt.\), 000004, 000059, 000061, and 000062 | Proposed Use: 108 unit single-family development | \\*\\* Commission District 2 | Carole Freeman, applicant.](#)
- 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. Show stream buffer and impervious setback from wretched vegetation not centerline of stream  
Floodplain present on site.
- b. **Traffic:** Traffic impact study hasn't been submitted  
Improvements to Antioch Campground Road may be required.  
Recommend a condition that all lots access internal subdivision roads only.  
Applicant should verify that required intersection sight distance for proposed entrance can be achieved.
- c. **Utilities:** City of Gainesville sewer district.
8. [\(A\) 4053 Cleveland Highway | Rezone | from Agriculture-Residential-III \(AR-III\) to Suburban-Shopping \(S-S\) / Gateway Corridors Overlay District \(GCOD\) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: grocery store, convenience store with gas & restaurant | \\*\\* Commission District 3 | Donnie Hunt, applicant.](#)  
[\(B\) 4053 Cleveland Highway | Use Subject to Planning Commission Approval | 17.140.020. shopping centers | on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | Proposed use: Shopping Center | \\* Commission District 3 | Donnie Hunt, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** Permit from GDOT will be required for access from Cleveland Highway.
- c. **Utilities:** No sewer connection within a feasible distance.
9. [\(A\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Planned Commercial Development \(PCD\) / Gateway Corridors Overlay District \(GCOD\) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: 185-unit multi-family development | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(B\) 1731 Friendship Road | Rezone | from Agricultural Residential IV \(AR-IV\) to Highway Business \(H-B\) / Gateway Corridors Overlay District \(GCOD\) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 \(pt.\) | Proposed Use: permitted uses within H-B | \\*\\* Commission District 1 | Tim Wilbanks, applicant.](#)  
[\(C\) 1731 Friendship Road | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV; Tax Parcel 15041 000190 |](#)



Proposed Use: 185-unit multi-family development and permitted uses within H-B | \*\* Commission District 1 | Tim Wilbanks, 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 stream buffer and impervious setback from wretched vegetation not centerline of stream
- b. **Traffic:** GDOT permit will be required for connection to Friendship Road.
- c. **Utilities:** Hall County sewer district – sewer connection is within a feasible distance.



## Anael Dominguez (CDI: Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Friday, August 18, 2023 2:46 PM  
**To:** Anael Dominguez (CDI: Planning)  
**Cc:** Randi Doveton (CDI: Planning)  
**Subject:** Fire Comments

**Monday, September 18, 2023** Hall County Planning Commission Meeting.

1. [\(A\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Rezone | from Agricultural Residential III \(AR-III\) and Planned Commercial Development \(PCD\)/ Gateway Corridors Overlay District \(GCOD\) to Light Industrial \(I-I\) / Gateway Corridors Overlay District \(GCOD\) on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and an office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

[\(B\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Use Subject to County Commission Approval | 17.420.050. outdoor storage | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: outdoor storage within Gateway Corridors Overlay District | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)  
[\(D\) 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive | Variance | 17.420.050.C.2 to reduce the required transitional buffer in Gateway Corridors Overlay District | on 20.16± acres located on the north side of Cleveland Highway, at its intersection with Donna Drive | Zoned AR-III and PCD / GCOD, Tax Parcels: 10144 000036, 000030, 000035, 000041, and 000029 | Proposed Use: boat and RV storage and office/warehouse | \\*\\* Commission District 3 | Dutton Properties, applicant.](#)

Hall County Fire Marshal's Comments: Additional fire hydrant(s) will be required to be installed inside the development to meet the International Fire Code requirement of Section 507.5.1 including state modification(s)

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
Lieutenant, Hall County Fire Rescue  
Hall County Government  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83388**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Amanda

**Last Name\***

McNair

**Address1\***

3475 Big View Rd

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 agree with the proposal to rezone 3405,3419,3443,3505 of Cleveland Highway and 3906 of Donna Drive in Gainesville, GA from agricultural residential to light industrial. This is a residential section of Cleveland hwy that does not need to be changed to industrial. At the last planning meeting the planning staff did not recommend this to happen. All but one voted for this to happen. What is the point of the planning staff if they are not going to even take into consideration what was recommended. I am so sick and tired of all these commissioners that we vote into position that they do NOT take in to consideration of what the actual voters and residents of Hall County want. The way the property lays, they would have to clear cut the majority of the property to add a boat and rv storage plus his own "storage" warehouse for this personal construction equipment. I would like to know if an environmental impact statement study has been conducted? I am all for growth that benefits the county and community, but this is something that we do NOT need. This storage facility will add on extra traffic to the already busy 129. It take me at least 5 minutes in the morning and afternoon to turn left onto 129. I do NOT want for this time to be increased. Not only adding to traffic, it will cause accidents on this already congested part of 129. Speeding with a boat, construction equipment, and rv coming around the corner is not a good combination. There is a long range plan for Lake Lanier living and this does NOT fit the long range plan. In my opinion, someone is getting their pockets padded by getting this rezoning to happen. When the widening of 129 happens, the road will go right through the middle of said property.

If this happens, the I think all the homes in the surrounding area should get a significant property tax deduction because it will cause our home values to decrease. But I am sure that wont happen because the people we vote in do not care about the citizens of hall county, they only care about what benefits them. I have seen it happen first hand in south hall. They tell you one thing and then vote the other way. I'm sure this comment will not get read and was probably a waste of my time, but I had to at least try to stop something that is NOT needed. Please on Thursday November 9th, vote NO on the rezoning of 3405, 3419,3443, 3505 Cleveland Hwy and 3906 Donna drive.

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

amward33@yahoo.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.



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83486**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Eric

**Last Name\***

McNair

**Address1\***

3475 Big View Rd

**Address2**

**City\***

Gainesville

**State\***

Ga

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Good afternoon, I would like comment on the proposed rezoning of 3405, 3419, 3443, 3505 Cleveland Hwy and 3906 Donna Drive. The building of this proposed boat and RV storage with an office/warehouse will place an unnecessary and significant burden upon this already congested area. Questions I would like to have answered is has an environmental impact study been conducted, does this go along with the long range plan for Lake Lanier living and would you approve this if you or loved ones lived near the area wanting to be rezoned.

I really feel the owner of this property simply wants to get it rezoned (knowing a new road is possibly coming through) so they can reap the financial benefits of doing so without any regard for what it will do to the area.

Lastly why did the Planning Committee overrule the Planning Committee Staff's recommendation to deny the proposal?

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**

mac1576@yahoo.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.



## Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83378

Date Submitted: 11/2/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

JOHN

**Last Name\***

CIANCIOLO

**Address1\***

3438 Big View Road

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Is the Commission certain that this is ready for a rezoning vote? The proposed outdoor storage facility would be bisected by the future path of a 4-lane US129. Thus, a storage facility in that location makes no sense. The rezoning should be delayed until a plausible use of the property is proposed.

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**

jcianciolo47@yahoo.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.



**Print**

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83994**

**Date Submitted: 11/7/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

John

**Last Name\***

Mallon

**Address1\***

4014 Donna Drive

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 wife and I have lived on Donna Drive for 27 years. We am against the rezoning of this property from Agricultural Residential to Light Industrial because this is a residential area as specified in the Hall County Comprehensive Plan and a light industrial complex does not belong in the middle of a residential area. We also believe the increase in traffic along an already busy corridor will be a problem. We also own the house that abuts the property on Donna Dr and believe it will be an eyesore and greatly disturb the people living there and interfere with their privacy.

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 Voting Meeting Comments - November 9, 2023 - Submission #83434**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Ken

**Last Name\***

Coggins

**Address1\***

3471 Big View Road

**Address2**

**City\***

Gainesville

**State\***

Georgia

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please do not approve this re-zoning. It will be an environmental problem. We do not need boat and RV storage. Storage places north and south of this area have rentals available. Grading of lots will damage shoreline management down to the lake.

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**

cogginsk@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.



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83820**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

A new petition that was signed Friday evening after the 3 pm deadline. Please add to BOC packet for Thursday, Nov 9.

Please write your comments in the box above.

**File Upload**

IMG\_20231106.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**

404-272-7273

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.



# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME	ADDRESS
<u>Glenda Gregor</u>	<u>3723 James Ed Rd</u>
<u>Paul Johnson</u>	<u>3723 James Ed Rd</u>
<u>Petra Nyban</u>	<u>3418 Cleveland Hwy.</u>
<u>Hua Gao</u>	<u>3339 Nottingham Forest Drive</u>
<u>Dutch Sievert</u>	<u>3420 Cleveland Hwy</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83817**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Attached are signatures for our petition opposing the rezoning project submitted by Dutton Properties

Please write your comments in the box above.

**File Upload**

Scan.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**

404-272-7273

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.



## HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

### 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, we would ask you to consider personally contacting The Board of Commissioners website which lists their phone number as 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is the same 770-535-8288.**

NAME	ADDRESS
Susan M. Aliga	3346 Nottingham Forest Drive
Tab E. Aliga	3346 Nottingham Forest Drive
Mary Alice Smith	3342 Nottingham Forest Drive
Richard M. Rice	3342 Nottingham Forest Dr.
Lynne Young	3339 Nottingham Forest Dr.
Belenia Sweet	3240 Cleveland Hwy
Richard J. Faille	3432 Cleveland Hwy



**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83872**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Additional petitions with signatures for opposition against rezoning of property on Cleveland Hwy for boat and RV storage.

Please write your comments in the box above.

**File Upload**

rezoningpetitionsignature petition 8 11-6-23.jpg

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**

404-272-7273

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 Voting Meeting Comments - November 9, 2023 - Submission #83873**

**Date Submitted: 11/6/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Count of online signatures for petition as of 11-6-23 showing 111 signatures from online only.

Please write your comments in the box above.

**File Upload**

online Petition · 11-6-23 Halt the Re-zoning Change  
org.docx

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.





# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier

Started October 25, 2023



**111** Signatures **200** Next Goal



## Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83874

Date Submitted: 11/6/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Mary Alice

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 strongly opposed to the request for rezoning. Please see attached letter for details.

Please write your comments in the box above.

**File Upload**

MAS letter to BOC with signature.docx

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.



3342 Nottingham Forest Drive

Gainesville, GA 30506

November 3, 2023

Dear Hall County Board of Commissioners:

In regards to the rezoning application by Dutton Properties on Cleveland Hwy (129), I am strongly opposed to this rezoning from Agricultural/Residential and Planned Commercial to Light Industrial. The major reasons for my opposition are as follows:

- A. Rezoning this property to Light Industrial is not in keeping with the Hall County Comprehensive Plan and the Lake Area Residential future land use classification. Quoting from the Comprehensive Plan, "Intent: PRESERVE established neighborhoods and CREATE opportunities for permanent and vacation residences similar in land use patterns to Residential Areas but at lower residential densities." The property described in the application is surrounded by residential communities that either border Lake Lanier or are near Lake Lanier. There are no Community Crossroads in our neighborhood. Locating an RV and boat storage facility in an area where there is no other Light Industrial would deviate from the Hall County Comprehensive Plan and would negatively affect our neighborhood. This project would not add value to our residential neighborhood.
- B. The Planning Committee Staff Report recommended DENIAL for all parts of the application (A, B and C). I agree with their assessment and conclusions.
- C. Traffic is heavy on Cleveland Hwy (Hwy 129) and adding additional traffic, if this application is approved, would make this area more congested. I am particularly concerned that many counties in northeast Georgia use Hwy 129 as the major corridor to Gainesville. For many EMS ambulances from these areas, Hwy 129 is the only route to Northeast Georgia Medical Center and trauma level 1 and emergency care.
- D. I am very concerned about the ecological and environmental damage that this project could cause. The property currently has many trees and is a natural habitat for wildlife in the area. If these trees are clear cut and the land leveled as was stated at the October 2 Planning Committee meeting, this would remove the habitat and displace most of the wildlife. I have recently seen two bald eagles in this area—what a wonderful sight! I would request that an environmental impact study be done on this property due to the potential damage this plan could do to plants and animals on this 20 acre parcel.

I respectfully request that the Board of Commissioners deny this application.

*Mary Alice Smith*

Mary Alice Smith, PhD  
Professor Emeritus  
University of Georgia  
Department of Environmental Health Science



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83474**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached are scanned copies of original petitions for Hall County Residents Against Rezoning Project.

Please write your comments in the box above.

**File Upload**

Scan.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**

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Ronald Pike

3320 Wilkerson Dr Gainesville GA 30506

Diana Pike

3320 Wilkerson Dr. Gainesville GA 30506

Michael O'Shaughnessy

3342 Wilkerson Dr.

Sue O'Shaughnessy

// //



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83475**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

I am submitting scanned copies of petition documents separately. I cannot tell if it will accept multiple files from the one upload.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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.



# HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone, Dutton Properties  
applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville. **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

NAME

ADDRESS

Stan Bomstein

3533 Wilkerson Dr 30506

Mark Kinler

3338 WILKERSON DR 30506

Val W.

3338 Wilkerson Dr 30506

Angie M. Scott

3332 Wilkerson Dr. 30506

Sam H. Jones

3332 Wilkerson Drive 30506



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83476**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

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 - November 6, 2023 - Submission #83477**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copy of petitions. This should be 5 of 6 pages.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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 - November 6, 2023 - Submission #83479**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Scanned copies of petition.

Please write your comments in the box above.

**File Upload**

IMG\_20231103.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**

404-272-7273

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 - November 6, 2023 - Submission #83484**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a copy of an online petition with 101 signatures. I'm sorry that some of the names were cut short, we will try to have a complete copy of those names for by deadline on Monday.

Please write your comments in the box above.

**File Upload**

Online petition signers.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**

404-272-7273

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.



HALL COUNTY RESIDENTS AGAINST REZONING PROJECT

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive Rezone,  
Dutton Properties applicant

As residents and voters, we strongly oppose the proposed rezoning and development project of 20.16 acres along Cleveland Highway beginning at Donna Drive and extending north and including the 'rock house' which is registered as a historical site. If approved the developer's (Dutton Properties) request would rezone the current property from Agricultural Residential and Planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, an office, and a 10,800 sq ft storage building for construction equipment.

The primary bases for our opposition include creation of an isolated industrial zone surrounded by our present residential and agricultural neighborhoods which will change the character of the area; negatively impact already heavy traffic; decrease property values; negatively impact environmentally sensitive areas and wildlife; and its non-conformity with the Hall County Comprehensive Plan especially the Lake Area Residential Future Land Use. The complete petition with further details will be transmitted to the [Hall County Board of Commissioners for their 6 p.m. Nov 9 meeting open to the public at 2875 Browns Bridge Road, Gainesville.](#) **Please complete this petition by Nov 1st and return to your neighborhood representative. Also, please consider personally contacting The Board of Commissioners at 770-535-8288. Our district commissioner is Gregg Poole (District 3) and his phone number listed on the website is also 770-535-8288.**

Please sign our petition to say NO to this rezoning and development project which may impact your property values, make traffic on Cleveland highway worse, negatively impact the environment of the forest area, contribute to water runoff pollution and much more. Every signature makes a difference! This QR code will take you right to our petition on [chnq.org](https://chnq.org).



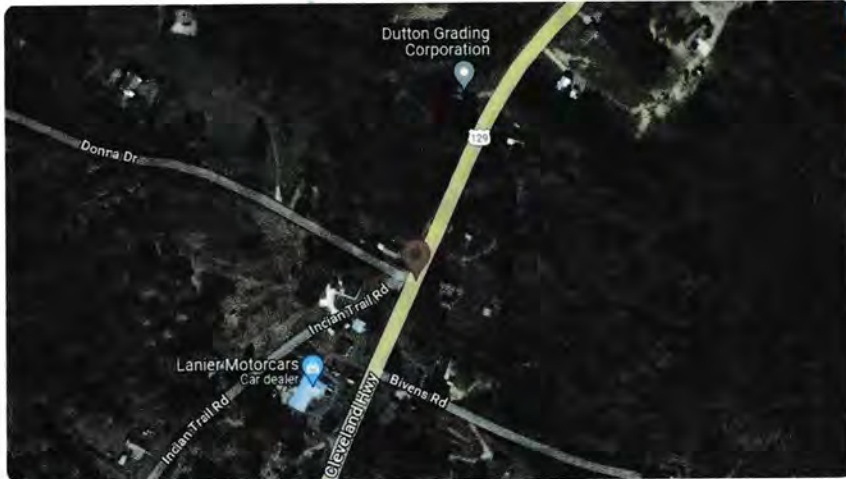
<https://chnq.it/cCbDZr6R54>

**PLEASE COME TO THE NOVEMBER 9th  
MEETING TO VOICE YOUR OPPOSITION TO  
THIS REZONING PROPOSAL!**

**PLEASE PLEASE SHARE THIS WITH ALL YOUR FRIENDS AND  
NEIGHBORS IN HALL COUNTY!!**



# Halt the Re-zoning of Agricultural Residential Property Near Lake Lanier



Started October 25, 2023

## Why this petition matters



Started by [Ken Coggins](#)

I am a resident of Gainesville, GA, and I am deeply concerned about the proposed re-zoning of agricultural residential property near Lake Lanier in Hall County. This is not just a matter of land use; it's about preserving the character and quality of life in our community.

The proposal to change this property to industrial zoning threatens to disrupt our peaceful neighborhood. The increase in industrial activity will inevitably lead to heavier traffic, adding stress and danger to our daily commutes. Moreover, it could potentially decrease property values for those who have invested their lives into building homes here.

Beyond these immediate impacts on residents, there are broader environmental concerns at stake. The land around Lake Lanier is home to diverse wildlife and sensitive ecosystems that could be severely disrupted by industrial operations. According to data from the U.S Environmental Protection Agency (EPA), such changes can lead not only to habitat loss but also water pollution due to runoff from industrial sites.

We must consider what we stand to lose if this re-zoning goes ahead - not just as individual homeowners but as stewards of our local environment. We urge Hall County officials to reject this re-zoning proposal and preserve our agricultural residential lands for future generations.

101 Signatures 200 Next Goal

73 people signed this week

## Sign this petition

First name

Last name

Email

Gainesville, 30501 United States

Display my name and comment on this petition

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.



Name	City	State	Postal Cod	Country	Signed On
Ken Coggir	Dacula	GA		US	#####
Nancy Bab	Atlanta	GA	30312	US	#####
Dennis But	Gainesville	GA	30506	US	#####
John Riley	Gainesville	GA	30506	US	#####
Terri Riley	Gainesville	GA	30507	US	#####
Denise Ver	Gainesville	GA	30506	US	#####
Mark Versl	Gainesville	GA	30506	US	#####
Cole Pace	Gainesville	GA	30506	US	#####
Eric McNai	Gainesville	GA	30506	US	#####
Richard Ba	Gainesville	GA	30501	US	#####
Mandy Mc	Gainesville	GA	30506	US	#####
Emilee Pac	Gainesville	GA	30506	US	#####
Paul Geert	Gainesville	GA	30506	US	#####
Derrick Coj	Gainesville	GA	30501	US	#####
Mary Ann l	Gainesville	GA	30504	US	#####
Tracy Butt	Gainesville	GA	30506	US	#####
Bret Logsd	Gainesville	GA	30506	US	#####
Stacy Logsl	Atlanta	GA	30312	US	#####
Ediverto G	Panorama City		91402	US	#####
John Cianc	Gainesville	GA	30504	US	#####
Joshua Cur	Peterborough		PE7	US	#####
Sahara Wh	Virginia Beach		23452	US	#####
Raymond s	Gainesville	GA	30506	US	#####
Nancy Aha	North Versailles		15137	US	#####
Jon Inwoo	Brooklyn	NY	11226	US	#####
Mike Bash	Buford	GA	30519	US	#####
JodiAnne C	Flowery Br	GA	30542	US	#####
Brandi Ost	Flowery Br	GA	30542	US	#####
Annabelle	Greensboro		21639	US	#####
Charles Sai	Gainesville	GA	30506	US	#####
Dennis Gre	Orlando		32806	US	#####
Scott Gree	Gainesville	GA	30506	US	#####
Joh Flynn	Gainesville	GA	30501	US	#####
Maia Saqu	Oswego		60543	US	#####
Narvella Tl	Riverbank		95367	US	#####
Rachel Lee	Gainesville		32605	US	#####
ray	Oak Park		60302	US	#####
Aziza Gafu	Waltham		2453	US	#####
Candy Fisc	Alton		62002	US	#####
Taylor Hibl	Cincinnati		45241	US	#####
Makara Cu	Fenton		48430	US	#####
Kathleen H	Schwenksville		19473	US	#####
Anon Y. Ml	Beaverton			US	#####
Natalie Po	Raeford		28376	US	#####
Sonic Son	Oroville		95966	US	#####
pablo ruiz	burluson		76028	US	#####



Anna Laidl East Stroudsburg	18301 US	#####
Erica Rose New York	10023 US	#####
Lena Thom Mokena	60448 US	#####
Grady Davi Gainesville GA	30506 US	#####
Diane Davi Gainesville GA	30506 US	#####
Melisa Ho Orlando FL	32808 US	#####
Alex Weiss Gainesville GA	30506 US	#####
Rosalee W Gainesville GA	30506 US	#####
Clayton Sh Gainesville GA	30506 US	#####
Russell We Gainesville GA	30506 US	#####
Dana Verr Gainesville GA	30501 US	#####
Baylee Tur Gainesville GA	30506 US	#####
Addie Ech Gainesville GA	30506 US	#####
Ann Gilles Cleveland GA	30528 US	#####
Tasha Low Gainesville GA	30506 US	#####
Melissa Cl Gainesville GA	30506 US	#####
Sharon Sm Gainesville GA	30506 US	#####
Nancy Johr Atlanta GA	30303 US	#####
Wes Turne Gainesville GA	30506 US	#####
Ari Jay Las Vegas	89111 US	#####
Kim Jackso Suwanee GA	30024 US	#####
George Jac Gainesville GA	30506 US	#####
K Shakir Roslyn NY	11576 US	#####
Onaiza Kh Plainview NY	11803 US	#####
Erika Rikh Clermont	34711 US	#####
Alexandria Indianapolis	46254 US	#####
Robert Sim Gainesville GA	30506 US	#####
Dawn Simr Gainesville GA	30506 US	#####
Christophe Sanford	27330 US	#####
Melvic Cos Los Angele CA	90060 US	#####
Lee Burrell Gainesville GA	30306 US	#####
Ethan Frec Springfield	97477 US	#####
John Mallo Gainesville GA	30506 US	#####
Dedrick At Birmingham	35205 US	#####
Connie Ha Wyckoff NJ	7481 US	#####
Austin Wai Corvallis OR	97330 US	#####
Аминат Ас Wilmington	19801 US	#####
Kyah W. Belleville	48111 US	#####
Debra Kerr Lansing	48913 US	#####
Ileen must Panama City	32405 US	#####
Ibtisam Be Houston TX	77009 US	#####
Ruben Koch (Student)	US	#####
Zainab Ma Clifton	7014 US	#####
Michael Fr Bronx NY	10461 US	#####
Christie Ca Biloxi	39532 US	#####
Nick Lamb Lemont IL	60439 US	#####
Adam Kalu Burleson	76028 US	#####



Mandy Kur Claymont

19703 US

#####



**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83487**

**Date Submitted: 11/3/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Mary

**Last Name\***

Smith

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Your Comments\***

Attached is a document detailing the opposition of neighborhood to the application of Dutton Properties for Rezoning of property on Cleveland Hwy. Please note that page 7 of the document was intentionally left blank.

Please write your comments in the box above.

**File Upload**

Rezoning Hearing Combined TOC Txt 11-3-23 rmp  
mas.docx.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**

404-272-7273

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.



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**November 3, 2023**

Submitted by the following on behalf of local residents:

Mark Kirves [mkirves@plastekwerks.com](mailto:mkirves@plastekwerks.com)

Michael O'Sheasy [mtosheas@gmail.com](mailto:mtosheas@gmail.com)

Richard Prior [richard.prior@ung.edu](mailto:richard.prior@ung.edu)

Mary Alice Smith [smith.maryalice@gmail.com](mailto:smith.maryalice@gmail.com)



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND  
PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT  
DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by  
Dutton Properties**

**TABLE OF CONTENTS**

**INTRODUCTION: WHO WE ARE AND WHY OUR OPPOSITION..... 1**

- A. Rezoning would place significant burden upon congested Hwy 129.....1**
- B. Increase number of accidents on Cleveland Hwy .....2**
- C. Rerouting of Hwy 129 by GDOT will divide property into 2 sections.....2**
- D. Creation of an isolated district unrelated to surrounding districts.....2**
- E. Residential property values are likely to decrease.....2**
- F. Site plan for boat and RV storage and additionally office/warehouse.....3**
- G. Planning Committee Staff Report recommended DENIAL of rezoning proposal.....3**
- H. Has an Environmental Impact Statement study been completed.....3**
- I. Disruption of neighborhood.....4**
- J. Additional and still pertinent questions for opposing rezoning.....4**

**COMMENTS PERTAINING TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT**

- K. Recommended Condition 4. Approval needed from Georgia DOT.....5**
- L. "Summary Analysis", "A 10,800 sq ft warehouse building proposed for storage items related to the contractor's business." .....5**
- M. "Zoning Analysis" item 2. Could impact nearby residential agricultural parcels.....5**
- N. "Zoning Analysis" item 4. Will rezoning cause burdensome use of existing streets..... 5**
- O. "Zoning Analysis" item 7. We request a full market analysis be conducted.....5**
- P. "Zoning Analysis" item 10. GDOT plans for future realignment of Cleveland Hwy (Map 2) show subject property will be affected ..... 6**
- Q. Under Zoning Analysis" item 13. What is justification for locating storage facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan?.....6**
- R. Submission requirements item D. We request a Traffic Impact study be completed.....6**

**MAP 1. RESIDENTIAL AREA SURROUNDING PROPOSED REZONING AND POXIMITY TO LAKE LANIER**

**MAP 2. EFFECTS OF GDOT REALIGNMENT AND FOUR-LANING OF US129 ON THE REQUESTED REZONING**



**OPPOSITION TO A REZONING OF SAID PROPERTY FROM AGRICULTURAL RESIDENTIAL AND PLANNED COMMERCIAL DEVELOPMENT TO LIGHT INDUSTRIAL AND SUBSEQUENT DEVELOPMENT OF BOAT AND RV STORAGE AND OFFICE/WAREHOUSE STORAGE FACILITY**

**Applicant for Rezoning of 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive by Dutton Properties**

**October 30, 2023**

**We are residential homeowners surrounding and across Cleveland Highway from the said property. (See Map 1). We comprise approximately 100 taxpayers and voters. We voiced our opposition at the October 2, 2023, Planning Committee meeting.** After a presentation by the Planning Committee Staff Report recommending DENIAL of this application and seven opposing witnesses were heard, our opposition was voted down, and a resolution was approved by the Planning Committee 4-1 “shortly” after hearing the witnesses.

**However, the Planning Committee hearing did not abide by their own published procedures.** After each of the seven witnesses were selected to be heard, they were constrained to a maximum of 3 minutes each. There were more citizens wishing to express their opposition but were not allowed to speak. This does not follow the procedures in the Hall County Planning Department’s ‘Application & Procedures’ brochure: “The applicant and any other citizens concerned with the request are given an opportunity to speak during the hearing. After all comments are heard, the Planning Commission makes its decision.” Please note there is no mention of a number of allowed witnesses nor duration.

**We oppose the Planning Committee’s recommendation for approval to rezone from agricultural residential and planned commercial development to light industrial zoning and placement of a “boat and RV storage and an office/warehouse” facility on the 20.16 acres of undeveloped land within the residential surroundings. We do so for the following reasons:**

- A. **This proposed Rezoning would place an unnecessary and significant burden upon the already congested Hwy 129 which is designated as a Gateway Corridor Overlay District leading into Gainesville as described in the Hall County Comprehensive Plan.** Traffic in this 1 mile stretch of 129 Cleveland Highway is already congested. Homeowners presently experience a wait time to enter north or south upon Cleveland Highway especially during rush hours in the morning and evening. With Gainesville’s vital importance to the poultry industry, there are often truckloads of chickens being transported along this stretch as well as growing numbers of employees going back and forth from North Georgia to their worksites in Gainesville. The wait to enter the highway is much more extensive than it was a few years ago. For example, a resident of this area recently counted 17 cars coming south on Cleveland Highway that he had to await before turning right to enter this southern caravan to Gainesville – it would have been much more difficult to turn left to enter heading north.



- B. **Additional traffic entering the highway and traveling upon it will invariably add to the number of accidents on this stretch of highway especially since this additional traffic will be composed in large part by trailed boats, RVs, and construction equipment.** This stretch of Cleveland Highway ends in a curving pattern onto the Bells Mill bridge over the east bank of the Little River. Several years ago, a truck load of chickens overturned before entering the bridge stopping traffic in both directions. This is not to suggest that even without an advent of the proposed facility there will be no accidents; it's merely to offer that the likelihood of increasing numbers of accidents will occur with an addition of relatively slow trailered boats, RVs, and construction equipment. Note there is presently (see next point of opposition) no relatively easy alternative to enter Gainesville from this section of North Georgia including traffic and EMS emergency vehicles from White, Lumpkin, Habersham and other counties which NGMC serves. **With NE Georgia Medical Center's designation as a Trauma I hospital (Grady Hospital in Atlanta is the only other Trauma I hospital in Georgia), EMS transport of trauma patients will likely be impacted.**
- C. **There is currently a planned rerouting of this area of Hwy 129 by the Georgia DOT to change and improve this section (and beyond) of Cleveland Highway. The change and improvement will divide the Dutton property into two parcels,** one on each side of the new route of Hwy 129 (see Map 2). This GDOT change is forthcoming, and the rezoning may impair, alter, and cost considerably more to undergo if the proposed rezoning and development goes through as proposed. A review of the DOT site and planned rerouting view is attached to underscore its conflict with the said proposal.
- D. **If the rezoning is approved, it would create an isolated district unrelated to surrounding districts, furthermore the GDOT planned rerouting of Hwy 129 and the dividing of this property by a 4-lane highway, will create two 'spot zones' of Light Industrial on opposite sides of the new highway surrounded by the currently zoned residential and agricultural properties.** In either case, it is undesirable to have an isolated district (Light Industrial) surrounded by unrelated districts (Agricultural Residential and Planned Commercial). The Planning Commission Staff Report specifically addresses this issue on page 6, Item 10 and 11 "...and it would create an isolated district unrelated to the surrounding districts, as there is no I-I zoning established in the area."
- E. **Residential property values are likely to decrease from what they would otherwise be if the said proposal is approved.** It is difficult to envision a residential area value being anything but damaged by an adjacent property being rezoned "industrial". To emphasize this negative result on this community, at the 10/2/23 Planning



Committee meeting, an opposing resident tearfully asserted that she had recently taken out a 30-year mortgage on a home she purchased for her and her children along this stretch of Cleveland Highway and she feared that the property would now be worth less than her mortgage as a consequence of an acceptance of the said proposal. This rezoning would have a negative impact on individual citizens, taxpayers, and neighborhoods even if this proposed development results in greater Hall County taxes than presently collected for the 20.16 acres of undeveloped property.

- F. **The site plan is for more than simply the use for boat and RV storage as it states additionally “...office/warehouse”.** The plan proposes a 10,000 square foot facility for construction equipment. The definition of Light Industrial in Hall County code for zoning includes “Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards or other objectionable conditions.” We are naturally concerned about the boat and RV storage adherence to these requirements, but because the application is not clear about the use of the warehouse, we are additionally concerned that the construction business would include the large and obnoxious noise, smoke, gas fumes etc. The proposal does not state whether the owner of the facility may be planning for this new building to house construction equipment for another work purpose than simply the stated boat and RV storage; yet we hope this is not the case. The engineer for the proposal stated during the 10/2/23 hearing that they did not anticipate significant additional traffic congestion. However, even if accurate, with the many residences on Shope Road and the large mobile home park across Hwy 129 from the property that already incur significant traffic congestion, why not use a site further from the lake rather than this one with ever-growing residential development.
- G. **The Planning Committee Staff report for this application recommended to DENY A, B and C of the proposal. We fully agree and support their recommendation which is detailed in their Report. Among their stated reasons which we firmly agree with are that this zoning request is not consistent with the Hall County Comprehensive Plan which specifically addresses the Lake Area Residential future land use classification.** One stated purpose of this category is “...to preserve established neighborhoods and create opportunities for permanent vacation residencies...” (page 4, Planning Committee Staff Report). Additionally, as staff states on page 5, issue 5, “The request to rezone the property is inconsistent with the future land use classification.”
- H. **Has an Environmental Impact Statement study been completed for this project?** This area of proposed development is part of the territory of the Northern Long



**Eared Bat which is listed as Critically Endangered on the Federal list for Endangered Species.** During summer, spring, and fall, The Northern Long Eared Bat depends on forested area for roosting sites underneath bark, in crevices and cavities of both dead and live trees. Destruction of the forest areas in its roosting and foraging territories will push this fragile species to the point of no return. Along with the Northern Long Eared Bat, Georgia DNS communicate that the Tricolored Bat is almost certainly at this site and is proposed to go on the endangered species list as well. The Northern Pine Snake and the Chattahoochee Crayfish are also of concern in this area. Elimination of habitat for these animals would have a devastating impact.

**In addition, Eagles including Bald Eagles and numerous other wildlife including foxes, deer, ground hogs, raccoons, and numerous bird species have been sighted by neighbors surrounding this area, and it is likely that many occupy these 20 acres and the small pond on the property.** At the Planning Committee meeting on 10/2/23, the engineer stated that the hill on the property would be cut down ostensibly to level the property. This would mean that most of the trees on the land would be cut down which would have devastating impacts on the area wildlife. Currently there are road kills of deer along highway 129 from this area and into Gainesville. As habitat for deer and other wildlife are removed, there will likely be more car accidents involving deer and other wildlife.

- I. **Disruption of neighborhood. This community will contend with several years of disruption for the realignment of Hwy 129 Cleveland highway.** If this rezoning is approved, it will add more time of disruption including more traffic disruption and air pollution with the movement of land, cutting of trees and pavement of large areas to level the property for RV and boat storage as described at the Planning Committee meeting on Oct 2, 2023, all of which will decrease the desirability of this residential neighborhood and is inconsistent with the Hall County Comprehensive Plan and Lake Area Residential.
- J. **Additional and still pertinent questions for opposing:**
  - a. Could **run-off water** carrying with it any spilled oil or fuel from the boats and transportation vehicles and from the added asphalt and concrete surface-covering enter the adjacent creek and subsequently enter and possibly contaminate and pollute Lake Lanier?
  - b. Could future use of the proposed plan be to **purchase abutting property** enabling dock-access to the lake? Will this increase the boat use of an already heavily used Little River area of Lake Lanier.



**THE FOLLOWING COMMENTS PERTAIN TO THE HALL COUNTY PLANNING COMMISSION STAFF REPORT:**

- K. **Recommended Condition 4. “The applicant shall coordinate and receive approval from the Georgia Department of Transportation for the site access and proposed location of the covered storage areas.” Even if such approval is provided, it says nothing to any additional cost thereby incurred and consequential to a GDOT approval which would have to be borne by taxpayers for this unnecessary rezoning project.** This is underscored by a statement within the Engineering section which says “Proposed GDOT project goes right through this project” and in fact appears to bifurcate the storage project such that two “spot zones” would be created with only residential agricultural and planned commercial zone areas surrounding them.
- L. **Within the “Summary Analysis”, it states “A 10,800 square foot warehouse building is proposed for storage items related to the contractor’s business.” Why must the contractor’s other business activities and related transportation requirements such as equipment transportation along Cleveland Highway have to be done on this undeveloped, natural site close to Lake Lanier requested for boat and RV storage?** The same question is asked for item 9. Beneath “Zoning Analysis” regarding the “...office for the contractor’s business”.
- M. **Under “Zoning Analysis” item 2. Staff asserts that the request “..could have an impact on nearby residential agricultural parcels.” We wholeheartedly agree.** Additionally, this would create a type of spot zoning in which one industrial zone would be entirely surrounded by agricultural residential zoning begging the question as to whether there might be a movement later to encroach upon adjacent agricultural residential property to expand this industrial zone.
- N. **Under “Zoning Analysis” item 4, Staff states “The proposed use should not cause an excessive or burdensome use of existing streets..” We strongly disagree and would like to see the traffic impact study to which the staff bases this assertion.**
- O. **Under “Zoning Analysis” item 7. Staff report states “Staff is unable to comment on the impact of property values without a full market analysis.” Staff suggests “Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.”** Needless to say, at that juncture it is too late to undo the development if a market analysis study indicates that it would have a negative impact on property values. **We suggest that a market analysis be conducted.** Could a large local residential realtor conduct such a study?



- P. **“Zoning Analysis” item 10 which states “GDOT plans for a future realignment of Cleveland Highway show that the subject property is anticipated to be affected.”** This realignment will essentially cut through the widest part of the property (see attached site views). GDOT has confirmed that this realignment is planned and approved. As stated above, this will create two smaller parcels on either side of Cleveland Hwy that would be surrounded by agricultural residential and planned commercial. We would hope that this would not cause additional harm to taxpayers and the neighborhood.
- Q. **Under Zoning Analysis” item 13. Staff suggests that there may be a need for this sort of storage in this portion of the county and bases this suggestion upon residential growth within the City of Gainesville.** This may or may not be a valid cause and effect. It seems like a percent occupancy investigation of present storage facilities in the area is needed to justify this statement. Also, regardless of this issue, it fails to justify the need for the site to be used for the contractor’s business and equipment requiring a 10,000 square foot building. **In addition, even if there’s a need for more storage facilities, this does not justify locating the facility in a Lake Area Residential neighborhood as defined in the Comprehensive Plan for future growth of Hall County.**
- R. **Under Submission requirements item D, Staff Report states “As there are not 100 or more residential dwelling units proposed this criteria is not applicable.”** The criteria relate to the requirement of a traffic impact study to be submitted prior to consideration of the application. This Submission Requirement may strictly relate to the need for a traffic study due to “more residential dwellings” on the site. However, isn’t it reasonable to assume that 483 trailered boats & RVs plus construction equipment could increase traffic as would 100 residential dwellings? Clearly, the addition of traffic from RVs, boat transports and construction equipment from storage would impact this already congested traffic area. We believe it could negatively impact the entire area.

**Rezoning to Light Industrial will place further complications for residents returning to their homes along Shope Road and its side streets (Mark Trail, Bills Circle, James Ed Drive, Trotter Road, Dairy Lane and Edwin Drive) whose only access to Hwy 129 Cleveland Hwy is on Shope Road.** There are numerous residential homes off Shope Road which begins at Cleveland Highway and adjacent to or near the proposed zoning change. Presently when traveling north along Cleveland Highway out of Gainesville during the afternoon hours, it is common to sit in backup traffic for turning left onto Shope Road from Cleveland Highway. There is no turning lane for Shope road. This congestion will certainly get worse. **We respectfully request that a traffic impact study be done for this application.**



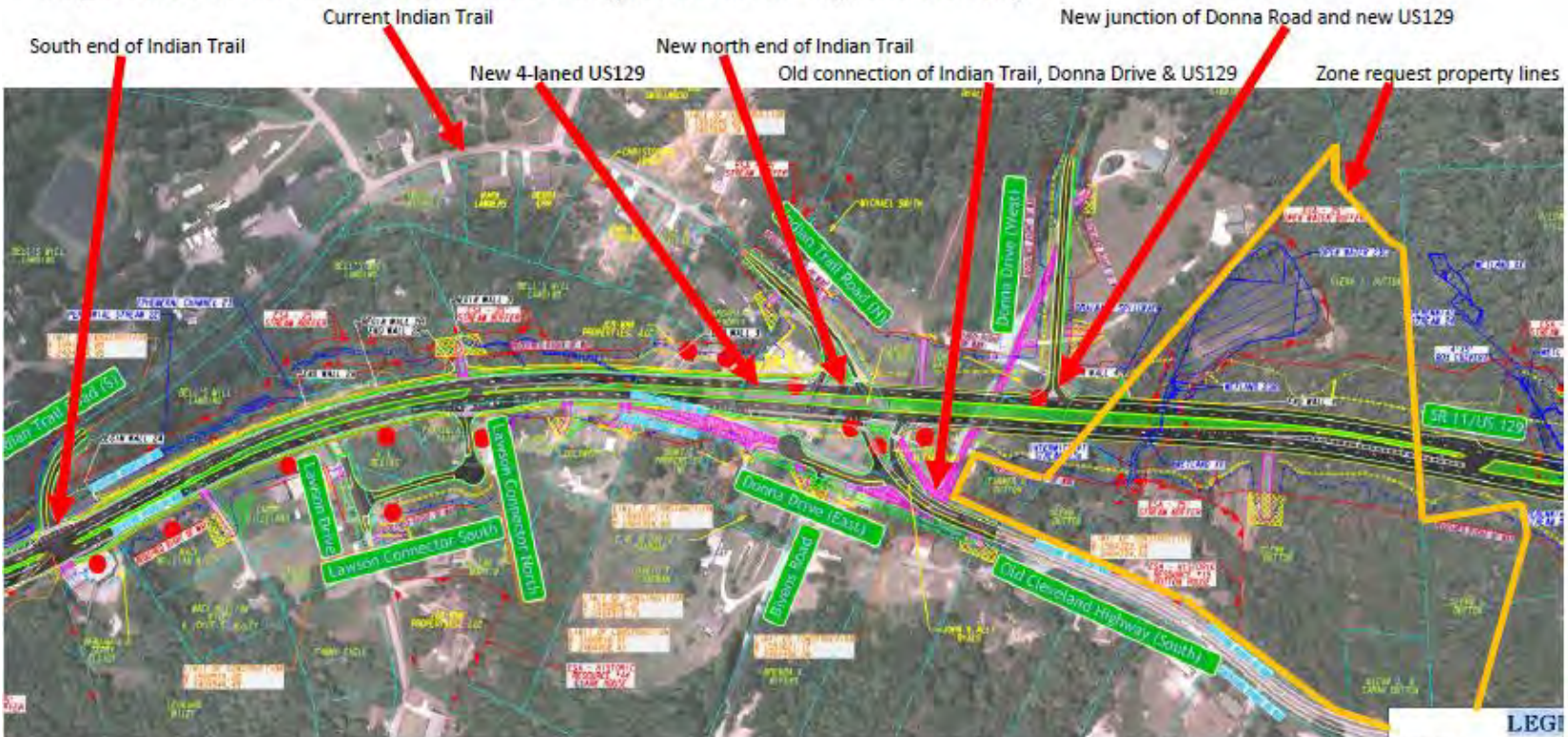








Map 2: Effects of DGOT Realignment and Four-laning of US129 on the Requested Rezoning



LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	
	<b>PRELIMINARY</b>



Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.



Print

**Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83392**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Nancy

**Last Name\***

Babcock

**Address1\***

3463 Big View Rd.

**Address2**

**City\***

Gainseville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

**Your Comments\***

Please please vote NO on the rezoning project for Cleveland Hwy and Donna Drive in Gainesville. There are endangered species whose territory is in this area. Eliminating forest areas in these territories of extremely fragile and endangered species could contribute to irreparable harm to more than one species. Please see the attachment for more information and maps that show that the proposed property lies within endangered species territories. Thank you so so much for considering this important matter when voting on this proposal.

Please write your comments in the box above.

**File Upload**

Bat document.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**

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.



Dear Hall County Commissioners,

I am writing you today to ask you to please vote “no” to a land rezoning proposal for 3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive. Dutton Properties is the applicant for this project. If approved, Dutton Properties would rezone the current property from Agricultural Residential and planned Commercial Development to Light Industrial with a planned RV and boat storage for 483 units, and office and a 10,800 sq ft storage building for construction equipment. My understanding of the project after reading the plan submitted to Hall County, is that the forest area will be basically razed, the topography flattened, and a huge paved parking lot with a giant warehouse will be put on this property. While I have many objections to this project and why it is a bad idea for this area, I would like to give you my main objection today.

It has come to my attention that on the land for the proposed project, there is a **critically endangered** species called the Long Eared Northern Bat (the Northern Myotis) that may well occupy this area as its habitat. The Long Eared Northern Bat’s existence is incredibly fragile and loss of more of its habitat territory would be devastating.

Except from [federalregister.gov](http://federalregister.gov) : “We, the U.S. Fish and Wildlife Service, propose to reclassify the northern long-eared bat (*Myotis septentrionalis*), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the Endangered Species Act of 1973, as amended (Act).”

North Georgia, which includes the areas surrounding Lake Lanier is part of the Northern Long Eared Bat’s territory in the United States. During the summer and portions of the fall and spring, northern long-eared bats may be found roosting singly or in colonies underneath bark, in cavities or in crevices of both live trees and snags, or dead trees in **forested areas**. Males and non-reproductive females may also roost in cooler places, like caves and mines. Northern long-eared bats seem to be flexible in selecting roosts, choosing roost trees based on suitability to retain bark or provide cavities or crevices. **Northern long-eared bats use forested areas not only for roosting, but also for foraging and commuting between summer and winter habitat.** Conditions that contribute to the loss of this species are summer habitat losses: Highway construction, commercial development, surface mining/forest conversion and wind facility construction. **All of these forest changes permanently remove habitat,** disturb or destroy hibernacula, and are activities prevalent in many areas of this bat’s range. Summer habitat loss may result in longer flights between suitable roosting and foraging habitat, fragmentation of maternity colonies and direct injury or mortality.

Available evidence, including both winter and summer data, indicates northern long-eared bat abundance has and will continue to decline substantially under current demographic and stressor conditions.

**For the sake of this critically endangered species alone, I strongly believe that razing this forested area for the proposed industrial use is wrong and irresponsible to the ecosystems that depend on the forested area.**

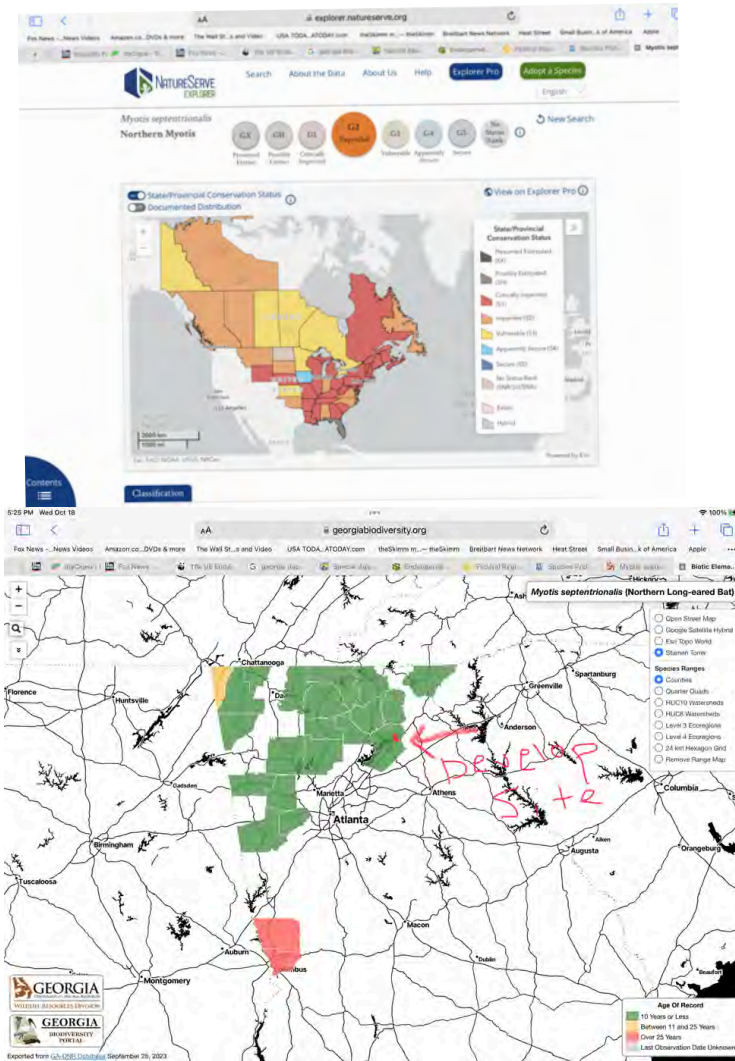
**\*\*In researching information on the Northern Long Eared Bat, I have been in contact with Katrina Morris, project manager of wildlife conservation in the Wildlife Resources Division of the Georgia Department of Natural Resources. In my communications with Ms. Morris, she has also informed me that in addition to the critically endangered Northern Long Eared Bat, they have records for a tricolored bat (*Perimyotis subflavus*) that is proposed for listing as federally endangered. The habitat for the tricolored bat is “almost certainly” (to quote Ms Morris) at that site for the proposed industrial development. Ms. Morris also stated there is a state threatened crayfish (the *Cambaris howardi*, or Chattahoochee Crayfish) and a snake species (the *Pituophis melanoleucus*, or Northern Pine Snake) that is of concern in that area.**



\*\*\*\*I sincerely ask you as commissioners who are charged with decisions that can save our critically endangered species, please do not allow this vital tract of land to become a parking lot with a giant warehouse for machinery that will leak oil and fuel onto the ground where rainwater runoff will drain into fragile water and ecosystems, and most importantly, create forest loss which will eliminate habitat for these endangered species. There are other areas in Hall County where such a development would be far better suited. Please, please, please vote NO to allowing this areas to be rezoned for industrial development.

Nancy Babcock  
949-422-0403

(See below for Northern Long Eared Bat Territory)





**Print**

**Board of Commissioners Work Session Comments - November 6, 2023 - Submission #83393**

**Date Submitted: 11/2/2023**

Comments completed in the form below will be submitted into the record for the November 6, 2023 Work Session of the Hall County Board of Commissioners.

**First Name\***

Richard

**Last Name\***

Prior

**Address1\***

3342 NOTTINGHAM FOREST DR

**Address2**

**City\***

GAINESVILLE

**State\***

GA

**Zip\***

305064421

**Your Comments\***

I am uploading a document of a letter and a map document related to my letter

Please write your comments in the box above.

**File Upload**

US129 map.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**

richard.prior@ung.edu

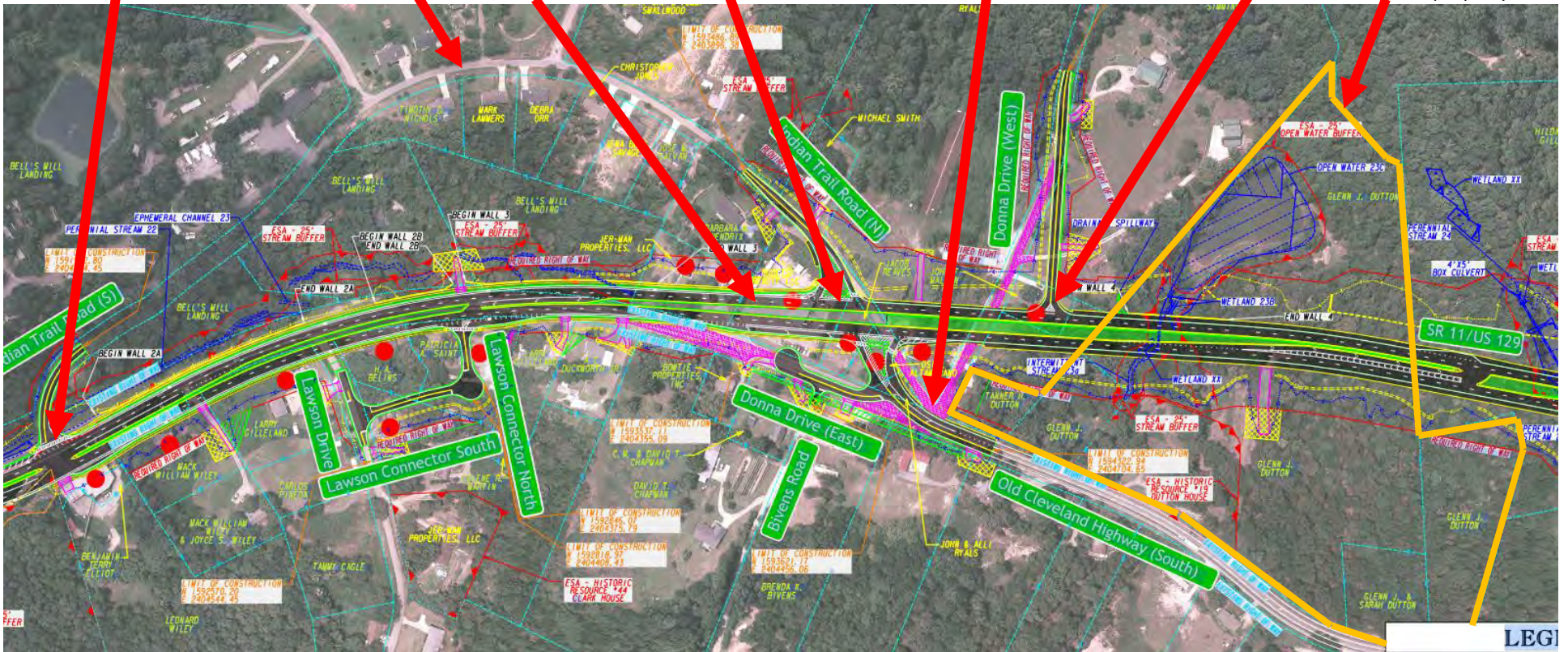
Would you like a Hall County staff member to follow up with you? If so, please leave your email address or phone number in the box above. Otherwise, leave this box blank.



# Effects of the Planned Four-laning of US129 on the Requested Rezoning

South end of Indian Trail      Current Indian Trail      New north end of Indian Trail      New junction of Donna Drive and new US129      Zone request property lines

**New 4-laned US129**      Old connection of Indian Trail, Donna Drive & US129



## LEGEND - HALL COUNTY, GEORGIA

EDGE OF PAVEMENT	
PROPOSED DRIVEWAY	
PROPOSED PAVEMENT	
CONCRETE ISLAND AND SIDEWALKS	
GRASSED MEDIAN OR ISLAND	
DRIVEWAY EASEMENT	
WALL	
REQUIRED RIGHT OF WAY	
EXISTING RIGHT OF WAY PROPERTY LINE	
EXISTING PERMANENT EASEMENT LINE	
ENVIRONMENTALLY SENSITIVE AREA (ESA) BOUNDARY	
LIMITS OF CONSTRUCTION	
PAVEMENT ERADICATION	
PERMANENT EASEMENT	
POTENTIAL DISPLACEMENT	
	<b>PRELIMINARY</b>



Map source: GDOT (annotated by R. Prior)

### Comments on map

1. The four-lane and rerouted US129 cuts through the middle of the property. The solid red line on each side of the new highway is the Required Right of Way for the new road.
2. Removing this right of way property takes a significant portion of the property in the rezoning request, meaning that the proposed plan is not feasible.
3. The Environmentally Sensitive Area (ESA) Boundary lines shown on the map also significantly affect the usability of the proposed use of the property.
4. The end of Donna Drive that currently junctions with the current path of US129 will be Subject to Pavement Eradication. The new Donna Drive junction to the new path of US129 means there will be no access from Donna Drive to either half of the property in question.
5. Access to the Historic Resource House will be from the old path of US129, and that house is also located within the Environmentally Sensitive Area (ESA) Boundary.
6. The wrought iron fence and landscaping discussed in the rezoning application to shelter the view of the property from the highway will have to be built on both sides of the new path of US129 as well as on the side of the old path of US129 adjacent to the property.
7. If the rezoning is approved, the property in question will effectively become two separate pieces of property, each with the new zoning and each needing a separate entrance onto both sides of the new US129. This would mean that two different, and unspecified at this point in time, businesses could be built without any further zoning changes. This could further cause negative undesirable impact on the surrounding community as well as causing more traffic problems in the area.



3342 Nottingham Forest Drive  
Gainesville, GA 30506  
November 1, 2023

Hall County Commission

I strongly oppose the requested rezoning by Dutton Properties of 5 parcels totaling 20.6 acres located on the western side of Cleveland Highway (US129) just north of the intersection of the highway with Donna Drive. This property and all surrounding parcels are currently zoned AR-III except for one parcel along Cleveland Highway just north of the proposed rezoning that is currently vacant and zoned PCD. The requested rezoning is clearly out of character and use of the surrounding properties. The Hall County Planning Commission staff evaluated the proposal and recommended against it in an extensive detailed report.

I attended the Hall Planning Commission meeting on October 2, 2023, when they approved the rezoning by a 4-1 vote. They first allowed a representative of the developer to speak for 10 minutes in favor of the rezoning. Then they allowed 7 persons each to speak for 3 minutes against the rezoning, despite that the Hall County Zoning Application Process and Procedures document specifically states that "after **all** comments are heard" the decision will be made. This clearly did not happen at the Planning Commission meeting. The 7 persons speaking against the proposal were randomly selected from hands raised in the audience with several persons beyond the seven denied a chance to speak against the proposal. After a response from the developer's representative, the vote was immediately taken with no real discussion or questions about the opposition to the proposal. It seemed to me that the discussions and decisions by the committee already been made before the public meeting.

There are numerous reasons that the rezoning is undesirable, including environmental, traffic volume and safety, the existing nature of the surrounding community, the principles of the Hall County Comprehensive Plan and other valid objections.

I want to specifically address a situation that is important and was not addressed in the rezoning application or in any discussion the Planning Commission at the meeting. The Georgia Department of Transportation (GDOT) has already planned and approved the 4-laning of a several mile section of Cleveland Highway (US129) that now passes adjacent to the requested rezoning property, The GDOT plan includes a re-routing of the highway that begins just south of that property. The re-routed 4-lane highway will cut through the middle of the property for which the rezoning is requested. That will make the plans for covered storage for 483 boats and RVs and the construction of a 10,800 square-foot storage building for construction equipment not feasible. Additionally, the rezoned property would be divided into two properties on opposite sides of the new 4-lane highway, both zoned light industrial. Who knows how those separate properties could then be used? A copy of the GDOT map that I have annotated for clarity is also submitted.

I and the others in this community all request that you do not approve this rezoning.

Sincerely,



Richard M. Prior



## Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83996

Date Submitted: 11/7/2023

Comments completed in the form below will be submitted into the record for the November 9, 2023 Voting Meeting of the Hall County Board of Commissioners.

**First Name\***

Robert

**Last Name\***

Simmons

**Address1\***

4010 Donna Dr.

**Address2**

**City\***

Gainesville

**State\***

GA

**Zip\***

30506

**Item for Comment\***

3405, 3419, 3443, 3505 Cleveland Highway and 3906 Donna Drive

Select from the list below which 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 are several compelling reasons (traffic safety, environmental impact, run-off into Lake Lanier, residential impact, etc.) not to vote for this rezoning request. Irrespective of whether those reasons are valid concerns, the most crucial fact that needs to be considered is that the overwhelming number of residents in the area do not want this request approved. As an elected representative of Hall County, I respectfully ask that you vote no on this request and do what you were elected to do: represent the wishes of the residents of Hall County.

Thank you!

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**

770-355-9461

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: DUTTON PROPERTIES

REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION

COUNTY COMMISSION

Date:

Date: JAN 25, 2024

Time:

P.M.

Time:

6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:09  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



# ZONING NOTICE

APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: DUTTON PROPERTIES

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.

PLANNING COMMISSION

Date: 11/14/23

Time: 10:00 AM

PUBLIC HEARINGS WILL BE HELD ON:

COUNTY COMMISSION

Date: JAN 25, 2024

Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:20:13  
3436 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.

APPLICANT: **DUESSON PROPERTIES**

REQUEST: **REZONE FROM A-1 & H-B TO H-1 FOR BOAT & RECREATION STORAGE AND OFFICE/WAREHOUSE**

PLANNING COMMISSION MEETING HELD ON: \_\_\_\_\_

Date: \_\_\_\_\_ COUNTY COMMISSION

Time: \_\_\_\_\_ Date: **JAN 25, 2024**

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

Time: **6:00 p.m.**

FOR MORE INFORMATION CALL (770) 531-6809

Nov 14, 2023 10:20:17  
 3436 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 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: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **JAN 25, 2024**  
 Time: **5:15 PM** & Time: **6:00 PM**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:26:24  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia







**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
APPLICANT: **DUTTON PROPERTIES**  
REQUEST: **REZONE FROM AR-III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 24, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
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: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF TRANSITIONAL BUFFER REQUIRED IN**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
&  
COUNTY COMMISSION Date: **JAN 25, 2024** Time: **6:00 p.m.**  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:10  
3363 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
**DUTTON PROPERTIES**  
REZONE FROM AR-III & HB TO I-1 FOR  
RV STORAGE & AN OFFICE / WAREHOUSE  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 23, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
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: **DUTTON PROPERTIES**  
REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 24, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
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: **DUTTON PROPERTIES**  
REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD.**  
PUBLIC HEARINGS WILL BE HELD ON:  
PLANNING COMMISSION & COUNTY COMMISSION  
Date: OCT 24, 2023 & Date: JAN 25, 2024  
Time: 5:15 p.m. & Time: 6:00 p.m.  
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:36:14  
3363 Cleveland Highway  
Gainesville  
Hall County  
Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: DUTTON PROPERTIES  
 REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 12:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 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: DUTTON PROPERTIES  
 REQUEST: VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION      COUNTY COMMISSION  
 Date: OCT 22, 2023      &      Date: JAN 25, 2024  
 Time: 5:15 P.M.      &      Time: 6:00 P.M.  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Nov 14, 2023 10:44:30  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** & COUNTY COMMISSION Date: **NOV 9, 2023**  
 Time: **5:15 p.m.** & Time: **6:00 p.m.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:48:41  
 3384 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 2, 2023** Time: **2:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AM III & HB TO I-1 FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 23, 2023** Time: **5:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION Date: **OCT 24, 2023** Time: **5:15 p.m.**  
 &  
 COUNTY COMMISSION Date: **NOV 9, 2023** Time: **6:00 p.m.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 14:51:39  
 3405 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**  
 AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY.  
 APPLICANT: **DUTTON PROPERTIES**  
 REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 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: **DUTTON PROPERTIES**  
 REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**  
 PUBLIC HEARINGS WILL BE HELD ON:  
 PLANNING COMMISSION  
 Date: **OCT 2, 2023**  
 Time: **5:15 P.M.**  
 &  
 COUNTY COMMISSION  
 Date: **NOV 9, 2023**  
 Time: **6:00 P.M.**  
 HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA  
 FOR MORE INFORMATION CALL (770) 531-6809

Sep 20, 2023 14:56:21  
 3419 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **DUTTON PROPERTIES**

REQUEST: **VARIANCE TO REDUCE THE WIDTH OF THE TRANSITIONAL BUFFER REQUIRED IN GCOD**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>3:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **REZONE FROM AR-III & H-B TO H FOR BOAT & RV STORAGE & AN OFFICE/WAREHOUSE**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

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: **DUTTON PROPERTIES**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR OUTDOOR STORAGE IN GCOD.**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION	&	COUNTY COMMISSION
Date: <b>OCT 2, 2023</b>		Date: <b>NOV 9, 2023</b>
Time: <b>5:15 P.M.</b>		Time: <b>6:00 P.M.</b>

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Sep 20, 2023 15:00:34  
 3443 Cleveland Highway  
 Gainesville  
 Hall County  
 Georgia





## AGENDA ITEM

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

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 4/2024

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

---

### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

### Executive Summary:

**Presenter:** RD

**Recommendation:**



Approval, with conditions:

1. Development shall be as generally depicted on the revised plan and narrative submitted, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Hours of operation shall be limited to proposed business hours only. Monday to Wednesday closed to customers, Thursday through Saturday 9:00am - 5:00pm, Sunday 1:00pm - 5:00pm.
3. Any site improvements related to the commercial kennel shall be subject to the Hall County Development Review process along with any applicable regulations at the time of development.
4. The applicant shall obtain a retroactive building permit for all unpermitted structures associated with the commercial kennel.
5. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
6. The existing vegetative buffer as described in the submitted narrative, shall be maintained.
7. All conditions of zoning shall be made a part of any plat created for the property.
8. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
9. Pursuant to section 17.380.13 of the Official Code of Hall County, the approval of any application for a use subject to approval of the County Commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.
10. The 36 foot by 60 foot building which encroaches on the western property line shall not be used for kennel business, including housing of dogs and/or supplies. Hall County personnel is required to inspect the building annually prior to the renewal of the business license.

**Purpose of Request:**

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

**History:**

**Facts and Issues:**

**Options:**

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

**Approvals:**

Submit	Approve	Attorney	Administration
AD	RD	WLI	CR
Clerk			
JR			



---

**Attachments:**

Board Memo

Recommendation Report

Application

Updated Narrative

Original Narrative

Updated Site Plan

Original Site Plan

Maps

Environmental Health Comments

GDOT Comments

Public Works Comments

Fire Comments

Notice Sign Photo





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
**Srikanth Yamala**

PLANNING AND DEVELOPMENT  
DIRECTOR  
**Randi Doveton**

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** January 8, 2024

**Subject:** **2595 Gillsville Highway | Use Subject to County Commission Approval | 17.110.040(M) for a commercial kennel | on a 10.14± acre parcel | Proposed use: commercial kennel | Sue Ann Buchanan, applicant.**

---

The request before you is the request of Sue Ann Buchanan for a Use Subject to County Commission Approval to allow a commercial kennel. This item is located within Commission District 3.

At their December 18, 2023 meeting, the Hall County Planning Commission voted to recommend approval with ten (10) conditions **(4-1, Sosebee opposed).**

There was **no comments 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 Conditions:**

1. Development shall be as generally depicted on the revised plan and narrative submitted, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Hours of operation shall be limited to proposed business hours only. Monday to Wednesday closed to customers, Thursday through Saturday 9:00am - 5:00pm, Sunday 1:00pm - 5:00pm.
3. Any site improvements related to the commercial kennel shall be subject to the Hall County Development Review process along with any applicable regulations at the time of development.
4. The applicant shall obtain a retroactive building permit for all unpermitted structures associated with the commercial kennel.



5. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
6. The existing vegetative buffer as described in the submitted narrative, shall be maintained.
7. All conditions of zoning shall be made a part of any plat created for the property.
8. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
9. Pursuant to section 17.380.13 of the Official Code of Hall County, the approval of any application for a use subject to approval of the County Commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.
10. The 36 foot by 60 foot building which encroaches on the western property line shall not be used for kennel business, including housing of dogs and/or supplies. Hall County personnel is required to inspect the building annually prior to the renewal of the business license.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Sue Ann Buchanan

**Request** ..... Use Subject to County Commission Approval | [17.110.040\(M\)](#) for a commercial kennel

**Proposed Use** ..... Commercial Kennel

**Size** ..... 10.14± acres

**Zoning** ..... Agricultural Residential III (AR-III, [17.110](#)),  
Agricultural Residential IV (AR-IV, [17.120](#))

**Location** ..... **2595 Gillsville Highway** | Tax Parcel 15023 000015

**Commission District** ..... Three

**Planning Commission Date** ..... December 4, 2023

**Staff Recommendation** ..... **Denial**, as the proposed development does not meet the setback requirements for a commercial kennel ([17.240.060](#)).

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 4-1 (Sosebee opposed)**

**Conditions:**

1. Development shall be as generally depicted on the revised plan and narrative submitted, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Hours of operation shall be limited to proposed business hours only. Monday to Wednesday closed to customers, Thursday through Saturday 9:00am - 5:00pm, Sunday 1:00pm - 5:00pm.
3. Any site improvements related to the commercial kennel shall be subject to the Hall County Development Review process along with any applicable regulations at the time of development.
4. The applicant shall obtain a retroactive building permit for all unpermitted structures associated with the commercial kennel.
5. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
6. The existing vegetative buffer as described in the submitted narrative, shall be maintained.
7. All conditions of zoning shall be made a part of any plat created for the property.



8. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
9. Pursuant to section 17.380.13 of the Official Code of Hall County, the approval of any application for a use subject to approval of the County Commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.
10. The 36 foot by 60 foot building which encroaches on the western property line shall not be used for kennel business, including housing of dogs and/or supplies. Hall County personnel is required to inspect the building annually prior to the renewal of the business license.

---

**The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted site plan and narrative:**

- 17.240.060 of the Hall County Zoning Regulations states that in a commercial kennel, no structure, including outside runs, for the keeping of dogs or cats shall be constructed closer than 200 feet to a property line.
  - The submitted site plan depicts outdoor dog runs approximately 9 feet from closest property lines and a shed for expecting dogs approximately 182 feet from the closest property line.

---

**Public Forum:**

**Lorene Grogan, 3853 Coker Road, Gainesville,** spoke in favor. She is aware of the business, and believes the business is run well.

**Summary Analysis**

The applicant is requesting a Use Subject to County Commission approval for an existing commercial kennel on a 10.14± acre lot zoned Agricultural-Residential III (AR-III, [17.110](#)) and Agricultural Residential IV (AR-IV, [17.120](#)).

The applicant is seeking retroactive approval to continue operation of a commercial kennel. The submitted site plan reflects the current conditions of the property, including two structures and several pens on the property. The outdoor dog runs are located approximately 9 feet from the closest property line and structures utilized for the breeding and keeping of dogs are located approximately 24 feet from the closest property line.

Section [17.24.060](#). states that "in a commercial kennel, no structure, including outside runs, for the keeping of dogs or cats shall be constructed closer than 200 feet to a property line."



- None of the structures or outdoor dog runs for the breeding and keeping of dog meet the 200-foot setback.

The lot also contains three separate residences, two of which are manufactured homes. All of the homes are occupied by the applicant or their family members, and have been present on the property since 1999 or earlier. Per Hall County records, one of the manufactured homes appears to have been previously approved as a Hardship Mobile Home on July 27, 1999; however, it does not appear that this approval was ever renewed.

Per Hall County aerial imagery, the shed utilized for expecting dogs (labeled number 2 on the submitted site plan) appears to have been recently located on the property and will require a retroactive building permit.

Access to the site is from Gillsville Highway via an existing driveway. Customer and employee parking areas are not detailed on the site plan.

The submitted narrative and site plan indicate that the focus of the business is the breeding of dogs and the sale of puppies. The applicant has stated that customer pick up hours will be limited to Thursday through Saturday, 9:00am - 5:00pm and Sunday, 1:00pm -5:00pm. Sales take place online, limiting customer visits to the site for pick up only. Staffing needs and hours for the full-time operation of the business have not been specified in the application.

**Based on the future land use plan, staff finds the requested zoning designation is consistent with the Hall County [Comprehensive Plan](#). The [Comprehensive Plan's](#) future land use designation for the subject parcel is "Rural Residential". The intent of this land use category is to preserve the established residential/rural character and create a transition between Rural Areas and development in Residential Areas.**

### **Zoning Analysis**

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; **Yes, the proposed use is suitable in view of the use and development of adjacent and nearby property. It should be noted, the commercial kennel is an existing use, and the request is retroactive.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties as the commercial kennel is already established and no expansion has been specified in the application. Its impact on the parcel immediately to the west, which is located within the City of Gainesville, is difficult to determine. This property is zoned for single-family homes and townhomes.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The subject property appears to have reasonable economic use as currently zoned.**
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 should not cause an excessive or burdensome use of existing streets, transportation facilities, or utilities.**

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; **Yes, the requested zoning designation is consistent with the future land use classification of Rural Residential in the [Comprehensive Plan](#).**
6. The extent to which property values are diminished by the existing zoning restrictions; **Absent a market study, staff is unable to determine whether property values are diminished by the existing zoning restrictions.**
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 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.**
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 site has been developed with three single family homes since 1999. The original home which is located on the parcel was built in 1977. It is unclear when the commercial kennel was established.**
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; **There are no known changing conditions affecting the use or development of the property.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is to retroactively approve a conditional use for a commercial kennel within the existing Agricultural Residential III (AR-III, [17.110](#)) and Agricultural Residential IV (AR-IV, [17.120](#)) zoning districts. All neighboring parcels are zoned similarly, with the exception of the parcel to the west, located in the City of Gainesville and zoned [Planned Unit Development](#).**
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; **In general, the use does not appear to be out of scale with the needs of the County as a whole.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Because a commercial kennel within the Agricultural Residential III (AR-**



III, [17.110.](#)) and Agricultural Residential IV (AR-IV, [17.120](#)) zoning districts requires conditional use approval, it would necessitate the same request elsewhere.

15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **No, 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; **There are no significant changes proposed to the site. Further, 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.**

**[17.350.040.](#) - Submission requirements for a conditional use request**

An application shall be submitted to the Planning Department at least 30 working days prior to the date of the Planning Commission meeting at which the application is to be considered. The completed application shall be accompanied by payment of such fee prescribed in [chapter 17.30](#) hereof to cover administrative and advertising costs. The following items of information shall be supplied by the applicant as set forth in [chapter 17.350](#). **The applicant submitted to the Planning Department more than 30 days prior to the meeting date and has paid the application fee.**

**[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. **The proposal meets the requirement. The 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 proposal does provide a narrative outlining the intent of condition amendments; however, the applicant has not prepared a response to each of 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 applicant has submitted a scaled site plan, however, the information provided about adjacent parcels is limited.**

- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable to the applicant's request.**
- D. 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 standard is not applicable to the applicant's request.**

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In an email dated October 30, 2023, Emily McGahee stated "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 Marshal**

In an email dated November 2, 2023, from John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, "The Hall County Fire Marshal's Office has no comments as proposed."

#### **Hall County Public Works and Utilities**

In a memorandum from Public Works and Utilities dated November 2, 2023, Director Bill Nash stated the following:

##### **Engineering:**

This 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 permit from GDOT will be required.

##### **Utilities:**

Gainesville/ Hall sewer district- no sewer connection within feasible distance.

#### **Georgia Department of Transportation**

In an email dated November 6, 2023, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would be required for driveway access to Gillsville Highway.

- **Excerpts from the minutes of the December 18, 2023 meeting**



**Applicant's Presentation:**

**Katie Greenway, Principal Planner**, presented a summary of the request.

**Sue Ann Buchanan, 2595 Gillsville Highway, Gainesville**, presented a summary of the request. The business is for only small dogs, and are not caged. They are provided outdoor runs. There is a request to vary the setbacks for the portable buildings.

**Public Forum:**

**Lorene Grogan, 3853 Coker Road, Gainesville**, spoke in favor. She is aware of the business, and believes the business is run well.

**Planning Commission Comments:**

Mr. Hunt inquired how many dogs were used for breeding. Ms. Buchanan answered that there are 2 males and 8 females. Mr. Hunt asked about the intent of the building on the western property line. Ms. Buchanan stated that the building was previously used as a car repair garage and was not aware that it was too close to the property line. Mr. Hunt asked if she would continue to use it. Ms. Buchanan answered that she was willing to use another building in another location, further from the property line. Discussion of location and use of building to follow, including whether there could be inspections to verify that the building is not being used for the dogs.

***Motion: A motion was made to approve with conditions by Mr. Hunt and seconded by Ms. Pilcher. Vote: 4-1 (Commissioner Sosebee opposed)***

***Conditions:***

1. Development shall be as generally depicted on the revised plan and narrative submitted, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Hours of operation shall be limited to proposed business hours only. Monday to Wednesday closed to customers, Thursday through Saturday 9:00am - 5:00pm, Sunday 1:00pm - 5:00pm.
3. Any site improvements related to the commercial kennel shall be subject to the Hall County Development Review process along with any applicable regulations at the time of development.
4. The applicant shall obtain a retroactive building permit for all unpermitted structures associated with the commercial kennel.
5. Any and all further expansion of the facility or kennel activity will be subject to further review and approval of the Board of Commissioners, and appropriate permits obtained upon approval.
6. The existing vegetative buffer as described in the submitted narrative, shall be maintained.
7. All conditions of zoning shall be made a part of any plat created for the property.
8. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
9. Pursuant to section 17.380.13 of the Official Code of Hall County, the approval of any application for a use subject to approval of the County Commission shall be effective for a period of no



longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.

10. The 36 foot by 60 foot building which encroaches on the western property line shall not be used for kennel business, including housing of dogs and/or supplies. Hall County personnel is required to inspect the building annually prior to the renewal of the business license.



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)**

Sue Ann Buchanan  
2595 Grillsville Hwy  
Gainesville Ga. 30507

Phone 678 314 1750

Email Address pawsgville@yahoo.com

Proposed Use Commercial Kennel

**Property Owner (Name & Mailing Address)**

Sue Ann Grogan Buchanan  
2595 Grillsville Hwy  
Gainesville Ga 30507

Phone 678 314 1750

Email Address pawsgville@yahoo.com

**Contact Person (Name & Mailing Address)**

Sue Ann Grogan Buchanan  
2595 Grillsville Hwy  
Gainesville Ga. 30507

Phone 678 314 1750

Email Address pawsgville@yahoo.com

Tax Parcel Number 15023 000015

Location Address 2595 Grillsville Hwy, Gainesville Ga. 30507

**Status of Applicant**

- Owner
- Option to Purchase
- Area Resident
- Other

**Requested Action**

- Permissive Use:
- HCPC
  - HCC
- Fee: \$ \_\_\_\_\_
- Receipt #: \_\_\_\_\_
- Check #: \_\_\_\_\_

Zoning: FR 111  
 Acreage 10.209

I hereby certify that the above information and all attached information are true and correct.

Sign Sue Ann Grogan Buchanan

Date: 8/25/23

**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) Sue Ann Grogan Buchanan  
Address 2595 Grillsville Hwy  
Gainesville Ga. 30507  
Phone Number 6783141750

Name of applicant(s) Sue Ann Grogan Buchanan  
Address 2595 Grillsville Hwy  
Gainesville Ga. 30507  
Phone Number 6783141750

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)  
Sue Ann Grogan Buchanan

Personally appeared before me  
Sue Ann Grogan Buchanan

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Betty Lorene Grogan  
Notary Public

Aug 29, 2023  
Date



Betty Lorene Grogan  
NOTARY PUBLIC  
Hall County, Georgia  
My Commission Expires  
July 22, 2025

blgrogan4@bellsouth.net



## 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: *SA [Signature]*

Date: *8/29/23*

Applicant's/Owner's Name (Printed): \_\_\_\_\_



## Description of Building

- #1 10x20 Portable Shed
  - #2 3 Runs 5x30 **#1 and #2 Go together**
- Shed is used for Whelping Puppies  
Holding of Expecting Moms
- #3 Backyard which in fenced in  
For adult dogs 20x45
  - #4 10x20 Portable building  
Used for Adult Dogs
  - #5 4 runs 5x30
- #4 and #5 Go together**

If needed we can make it to where we can put all dogs inside at night time.  
We mainly will be breeding Toy to Mini sized dogs

Also we don't need any parking spaces because we are only a small pet breeding business we will mainly meet our customers in public places when they purchase a pup they feel safer plus this is also my home makes us feel safer too.  
We really won't have hours of operation for the public.



## **NARRATIVE**

**Zoning District: Zone AR111**

**Description and Operating  
Hours: 8:00am to 5:00pm  
Pet Breeder Of Dogs**

**Not Applicable restrictions  
Use of Property Density  
Number of Lots  
Set back requirements**

**No Signs and specification**

**Proposed Lighting  
Lights on outside of Buildings**

**Water  
City Water**

**Waste Water Disposal  
Not Applicable**

**Plan Fpr Protecting Abutting Properties  
Trees that have been in place for 20++ years  
used as buffers on both sides of the property lines**

**Business within quarter mile radius**

**Ga Dot Road Maintence Building  
Ga Dot Office Building  
Dollar General  
Exxon Gas station  
Event Venue  
Ellys Salon**



# SITE PLAN

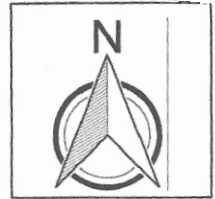
2595 Gillsville Hwy

Gainsville, GA 30507

Parcel ID: 15-023 -000-015

Lot area: 10.2 Acres

Paper Size: 11"x17"



scale 1"=100'





# SITE PLAN

2595 Gillsville Hwy  
Gainesville, GA 30507

Parcel ID: 15-023 -000-015

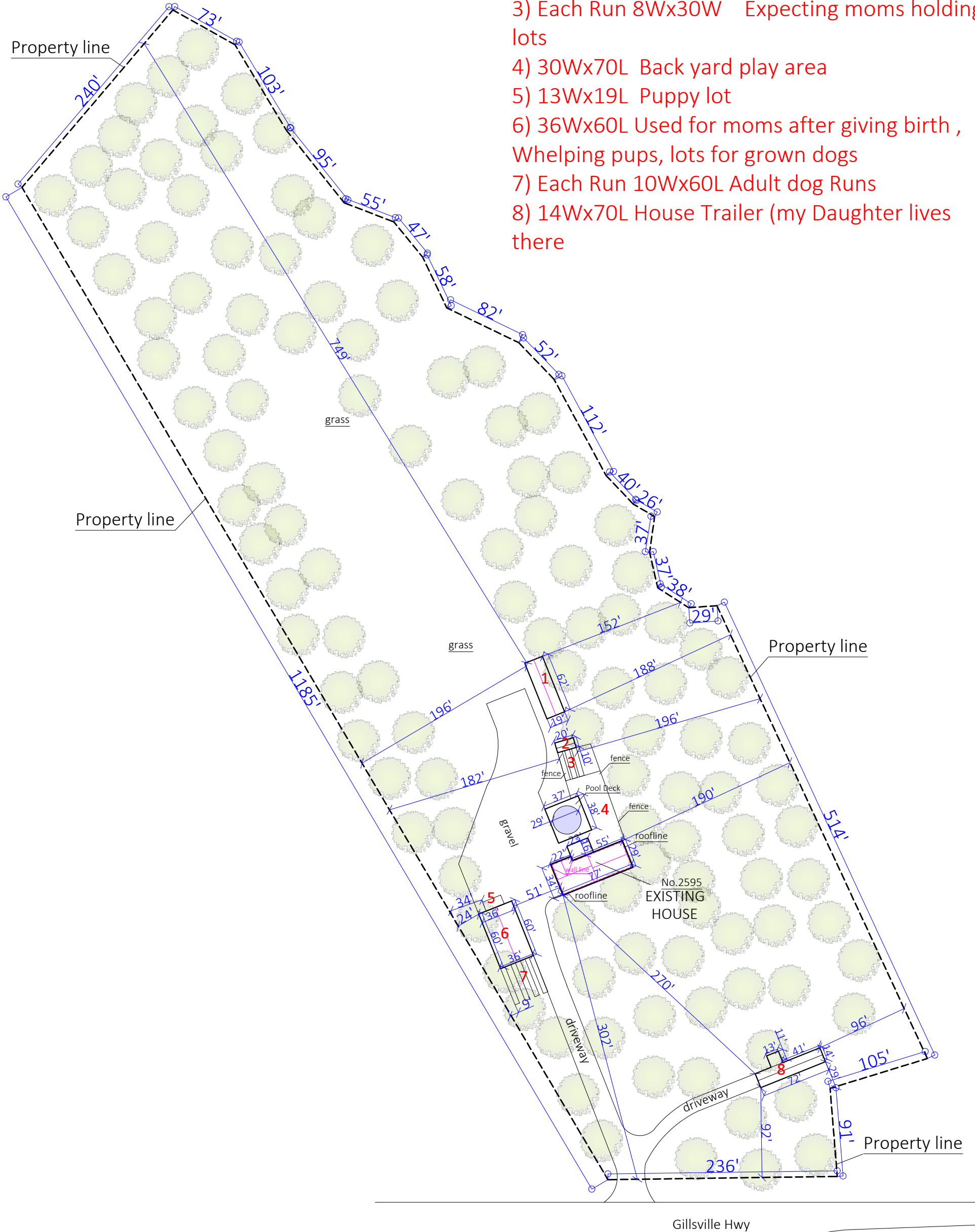
Lot area: 10.2 Acres

Paper Size: 11"x17"

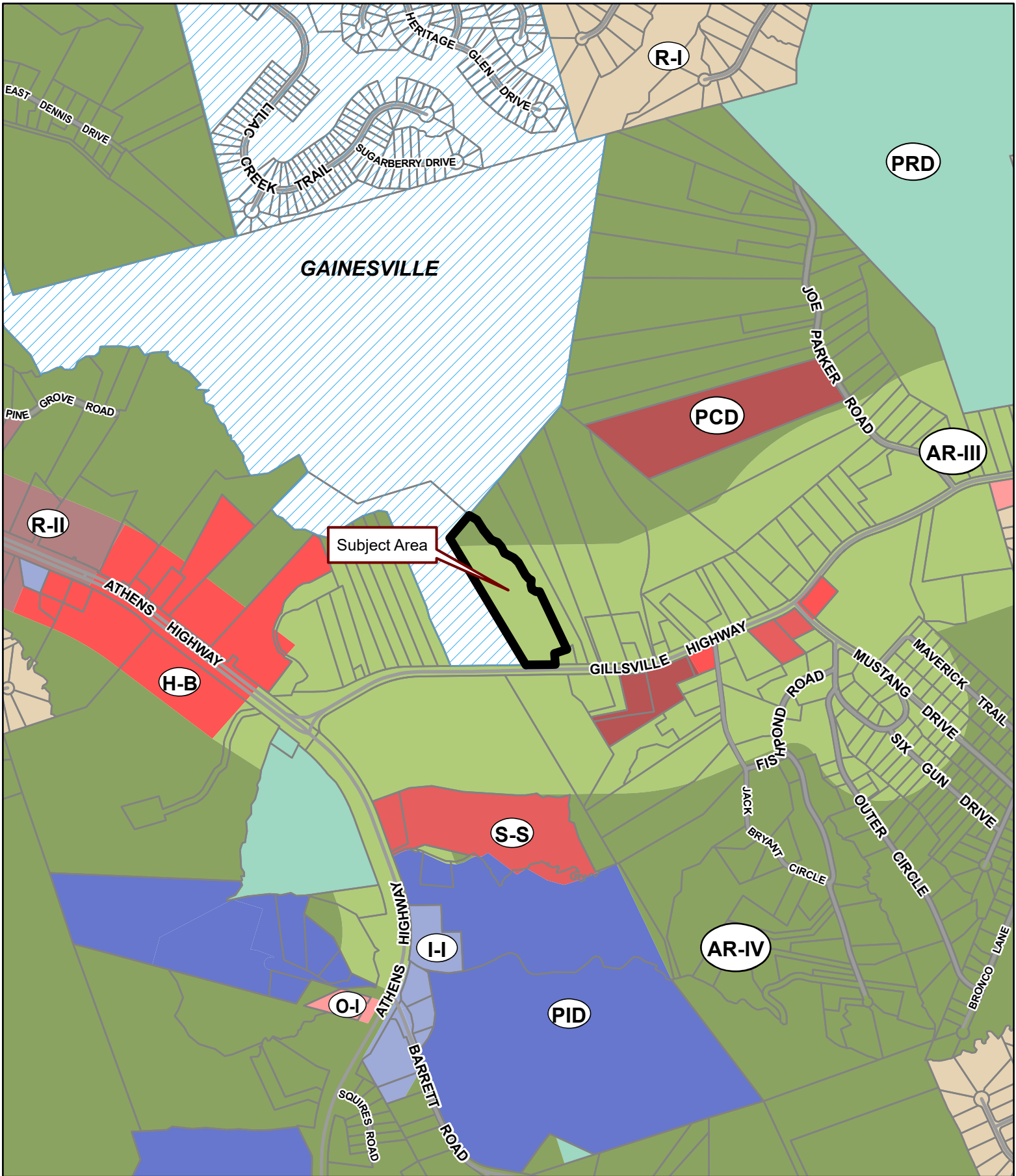


scale 1"=100'

- 1) 16Wx70L House trailer (Mom lives there)
- 2) 10Wx20L She shed used for expecting moms
- 3) Each Run 8Wx30W Expecting moms holding lots
- 4) 30Wx70L Back yard play area
- 5) 13Wx19L Puppy lot
- 6) 36Wx60L Used for moms after giving birth , Whelping pups, lots for grown dogs
- 7) Each Run 10Wx60L Adult dog Runs
- 8) 14Wx70L House Trailer (my Daughter lives there)







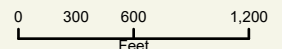
**Applicant:** SUE ANN BUCHANAN

**Tax Parcel #:** 15023 000015

**Location:** 2595 GILLSVILLE HIGHWAY, GAINESVILLE, GA 30507

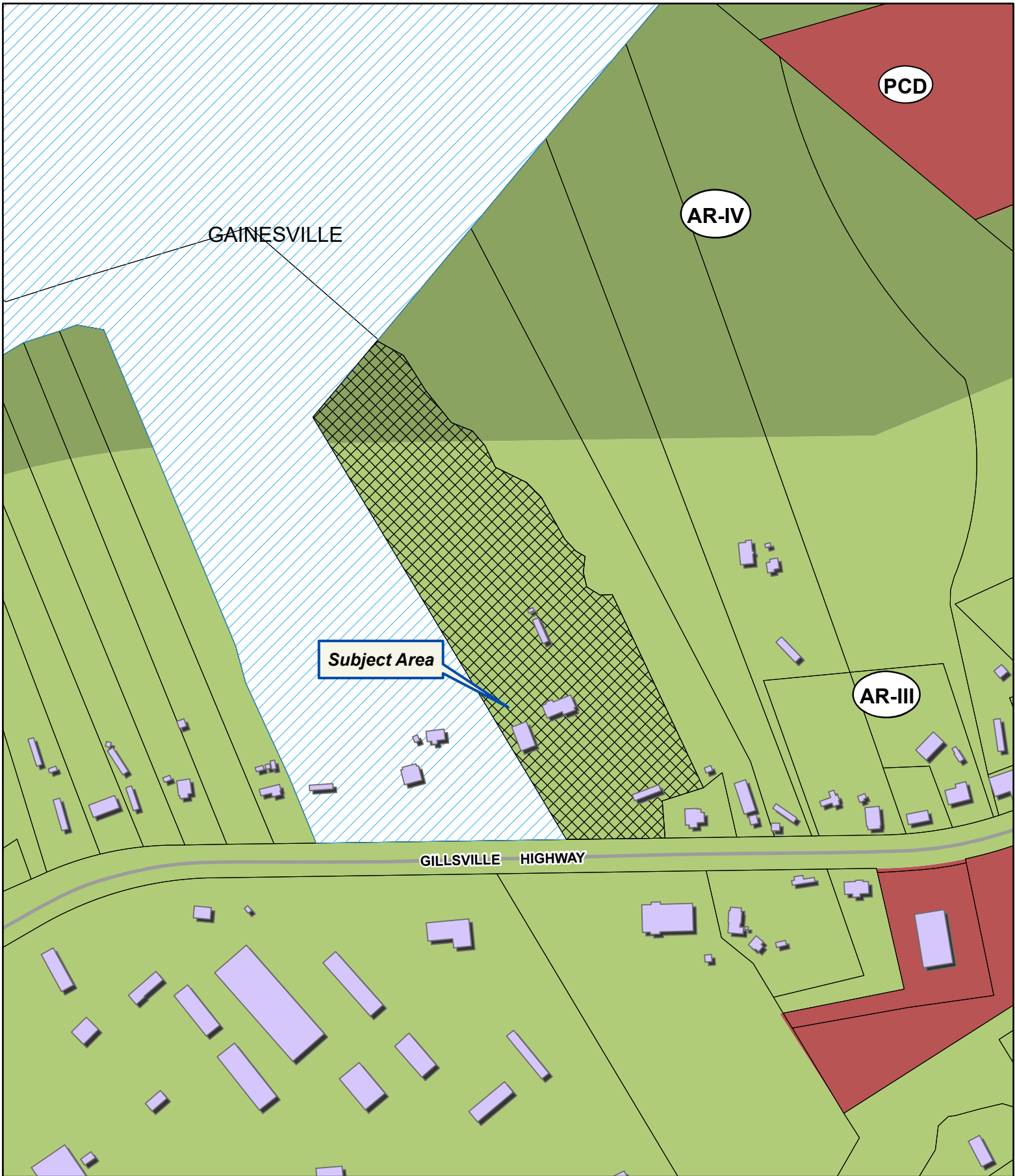
**Commission District 3**

**PC Mtg. Date:** 12/04/23



- Zoning Boundary
  - ▨ City Limits
  - ◻ Subject Area
  - Structure
- N  
↑





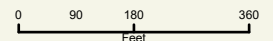
**Applicant:** SUE ANN BUCHANAN

**Tax Parcel #:** 15023 000015

**Location:** 2595 GILLSVILLE HIGHWAY, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date: 12/04/23**



- Zoning Boundary
- ▨ City Limits
- ▩ Subject Area
- Structure







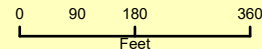
**Applicant:** SUE ANN BUCHANAN

**Tax Parcel #:** 15023 000015

**Location:** 2595 GILLSVILLE HIGHWAY, GAINESVILLE, GA 30507

**Commission District 3**

**PC Mtg. Date: 12/04/23**



— Zoning Boundary

▨ City Limits

▣ Subject Area





## Anael Dominguez (CDI: Planning)

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Monday, October 30, 2023 9:42 AM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)  
**Cc:** Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)  
**Subject:** HCPC Tentative Agenda 12.4.23

Please find Environmental Health comments below:

Item 1, 6143 White Oak Drive, Biggers: Must meet all residential permitting requirements. A septic permit cannot be issued to this property until the reconfiguration plat submitted to the Hall County Plat Review Team has been revised according to provided comments, the plat approved, and recorded with the Clerk of Courts.

Item 2, 4917 Gilstrap Circle, Cardoso: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available. An existing system evaluation/site visit will be required for system serving existing home on property. Additional requirements apply if increasing the number of bedrooms. Any future permits issued to this property (Tract 1) according to the attached recorded plat does not imply approval for the adjacent parcel in its current configuration, labeled as Tract 2.

Item 3, 3536 Atlanta Hwy, Chapman: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. An onsite sewage management system (and bathroom structure) will be required on the property if it is to be occupied for two hours or more.

Item 4, 3210 Joe Parker, El Alamo: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Please be advised that revised civil plans will be required (including revised septic system design) to accommodate the additional flows (575 people). A Food Service permit/plan review may be required after review of business plan.

Item 5, 2595 Gillsville Hwy, Buchanan: 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.

Item 6, 5348 Grant Road, Bark Camp Farm: Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. 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.



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)

<https://www.hallcounty.org/192/Environmental-Health> (County Website & Forms)



## Anael Dominguez (CDI: Planning)

---

**From:** Chavers, Veronica E <VChavers@dot.ga.gov>  
**Sent:** Monday, November 6, 2023 9:44 AM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Subject:** RE: Tentative Planning Agenda for December 4, 2023

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.

See responses in red below.

**Veronica Chavers**  
*DITO Civil Engineer 4*



District 1 Traffic Operations  
1475 Jesse Jewell Pkwy  
Suite 100  
Gainesville, GA, 30501  
770.533.8488 office  
706.818.4828 cell

---

**From:** Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, October 26, 2023 10:24 AM  
**Subject:** Tentative Planning Agenda for December 4, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, December 4, 2023** 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, November 2<sup>nd</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

**CALL TO ORDER**

**AGENDA REVIEW**

**APPROVAL OF MINUTES – November 20, 2023**

**NEW BUSINESS**

1. [6143 White Oak Drive | Variance | 17.240.010 to reduce the front yard setback requirement from 55 feet from centerline to 40 feet from centerline | on a 0.73± acre tract located on the south side of White Oak Drive, at its](#)



intersection with Oak Hill Drive | Zoned R-I, Tax Parcel 08102A000065 | **Proposed Use: single-family residence** | \* Commission District 2 | **Nikki Biggers – LVG Investments, LLC, applicant. No GDOT coordination required.**

2. **4917 Gilstrap Circle | Variance** | 17.240.010 to reduce the front yard setback requirement from 55 feet from centerline to 49 feet from centerline | on a 0.42± acre parcel located on the south side of Gilstrap Circle, approximately 315 feet west of its intersection with Cleveland Highway | Zoned AR-IV; Tax Parcel 12020 000016A | **Proposed use: single-family residence** | \* Commission District 3 | **Jarica Cardoso, applicant. No GDOT coordination required.**
  
3. **3536 Atlanta Highway | Variance** | 17.420.050 to vary the Gateway Corridors Overlay District (GCOD) standards | on a 2.99± acre parcel located on the north side of Atlanta Highway, approximately 170 feet west of its intersection with Wallis Road | Zoned H-B / GCOD, Tax Parcel 08047 001004 | **Proposed Use: office building** | \* Commission District 1 | **Gail Chapman, applicant. No GDOT coordination required.**
  
4. **3210 Joe Parker Road | Amend conditions of PCD** | on a 20.19± acre parcel located on the west side of Joe Parker Road, approximately 1,150 feet north of its intersection with Gillsville Highway | Zoned PCD; Tax Parcel 15023 000055 | **Proposed use: event facility** | \*\* Commission District 3 | **EI Alamo Properties, LLC, applicant. No GDOT coordination required.**
  
5. **2595 Gillsville Highway | Use Subject to County Commission Approval** | 17.110.040(M) for a commercial kennel | on a 10.14± acre parcel located on the north side of Gillsville Highway, approximately 1,300 feet west of its intersection with Jack Bryant Circle | Zoned AR-III & AR-IV; Tax Parcel 15023 000015 | **Proposed use: commercial kennel** | \*\* Commission District 3 | **Sue Ann Buchanan, applicant. GDOT coordination required for driveway access to Gillsville Hwy**
  
6. **5348 Grant Road | Use Subject to County Commission Approval** | 17.110.040(M) for a commercial kennel | on a 10.69± acre parcel located on the north side of Grant Road, approximately 590 feet west of its intersection with Lee Road | Zoned AR-III; Tax Parcel 11085 000005B | **Proposed use: commercial kennel** | \*\* Commission District 2 | **Megan Partrick – Bark Camp Farm, applicant. No 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, January 11, 2024** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> 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, January 11, 2024**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Community Development and Infrastructure  
(770) 531-6810 | [www.hallcounty.org](http://www.hallcounty.org)







Hall County Government  
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PUBLIC WORKS AND UTILITIES

MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

**From:** Bill Nash, Director of Public Works and Utilities

**Date:** November 2, 2023

t: 770.531.6800 | f: 770.531.3945

**Subject:** December 4, 2023 - Hall County Planning Commission Agenda

DIRECTOR  
Srikanth Yamala

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the December 4, 2023 meeting. Upon review, we provide the following comments.

PUBLIC WORKS AND  
UTILITIES DIRECTOR  
Bill Nash, P.E.

**NEW BUSINESS**

1. [6143 White Oak Drive | Variance | 17.240.010 to reduce the front yard setback requirement from 55 feet from centerline to 40 feet from centerline | on a 0.73± acre tract located on the south side of White Oak Drive, at its intersection with Oak Hill Drive | Zoned R-1, Tax Parcel 08102A000065 | Proposed Use: single-family residence | \\* Commission District 2 | Nikki Biggers – LVG Investments, LLC, applicant.](#)
  - a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site  
Variance will be needed for encroachment into 75' stream buffer  
It would be difficult to construct as shown without encroaching and distributions within the 50' stream buffer.
  - b. **Traffic:** No Comment
  - c. **Utilities:** permit from Environmental Health will be required for proposed septic system.
  
2. [4917 Gilstrap Circle | Variance | 17.240.010 to reduce the front yard setback requirement from 55 feet from centerline to 49 feet from centerline | on a 0.42± acre parcel located on the south side of Gilstrap Circle, approximately 315 feet west of its intersection with Cleveland Highway | Zoned AR-IV; Tax Parcel 12020 000016A | Proposed use: single-family residence | \\* Commission District 3 | Jarica Cardoso, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
  
3. [3536 Atlanta Highway | Variance | 17.420.050 to vary the Gateway Corridors Overlay District \(GCOD\) standards | on a 2.99± acre parcel located on the north side of Atlanta Highway, approximately 170 feet west of its intersection with Wallis Road | Zoned H-B / GCOD, Tax Parcel](#)



[08047 001004 | Proposed Use: office building | \\* Commission District 1 | Gail Chapman, applicant.](#)

- a. **Engineering:** No Comment
- b. **Traffic:** No Comment
- c. **Utilities:** No Comment

4. [3210 Joe Parker Road | Amend conditions of PCD | on a 20.19± acre parcel located on the west side of Joe Parker Road, approximately 1,150 feet north of its intersection with Gillsville Highway | Zoned PCD; Tax Parcel 15023 000055 | Proposed use: event facility | \\*\\* Commission District 3 | El Alamo Properties, LLC, applicant.](#)

- a. **Engineering:** This 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 buffer and impervious setback from wooded vegetation not centerline of stream.
- b. **Traffic:** No Comment
- c. **Utilities:** Gainesville/ Hall sewer district- no sewer connection within feasible distance. Septic system requires permit from Environmental Health.

5. [2595 Gillsville Highway | Use Subject to County Commission Approval | 17.110.040\(M\) for a commercial kennel | on a 10.14± acre parcel located on the north side of Gillsville Highway, approximately 1,300 feet west of its intersection with Jack Bryant Circle | Zoned AR-III & AR-IV; Tax Parcel 15023 000015 | Proposed use: commercial kennel | \\*\\* Commission District 3 | Sue Ann Buchanan, applicant.](#)

- a. **Engineering:** This 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 buffer and impervious setback from wooded vegetation not centerline of stream.
- b. **Traffic:** Driveway permit from GDOT will be required.
- c. **Utilities:** Gainesville/ Hall sewer district: no sewer connection within feasible distance.

6. [5348 Grant Road | Use Subject to County Commission Approval | 17.110.040\(M\) for a commercial kennel | on a 10.69± acre parcel located on the north side of Grant Road, approximately 590 feet west of its intersection with Lee Road | Zoned AR-III; Tax Parcel 11085 000005B | Proposed use: commercial kennel | \\*\\* Commission District 2 | Megan Partrick – Bark Camp Farm, applicant.](#)

- a. **Engineering:** This 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:** No Comment
- c. **Utilities:** No Comment



## Anael Dominguez (CDI: Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, November 2, 2023 10:13 AM  
**To:** Anael Dominguez (CDI: Planning)  
**Cc:** Randi Doveton (CDI: Planning)  
**Subject:** Fire Comments

**Monday, December 4, 2023** Hall County Planning Commission Meeting.

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

**The Hall County Fire Marshal's Office has no comments as proposed.**

Regards,

**John Hornick, NPQ Fire Service Plans Examiner 1**  
Lieutenant, Hall County Fire Rescue  
Hall County Government  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://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:  
SUEANN BUCHANAN

REQUEST:  
USE SUBJECT TO COUNTY COMMISSION APPROVAL  
FOR A COMMERCIAL KENNEL

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION  
Date: DEC 18, 2023  
Time: 5:15 P.M.

COUNTY COMMISSION  
Date: Jan 25 2024  
Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Dec 5, 2023 12:07:30  
2617 Gillsville Highway  
Gainesville  
Hall County  
Georgia





## AGENDA ITEM

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

---

**REPORT TO:** Work Session (01/22/24)

**REPORT TO:** Voting Meeting (01/25/24)

**ITEM NO:** 5/2024

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

---

### Meetings:

**Work Session Date:** 01/22/24

**Voting Meeting Date:** 01/25/24

### Executive Summary:

**Presenter:** RD

**Recommendation:**



Approval, with conditions:

1. Development is approved as described in the concept plan dated December 10, 2023 and the project narrative dated December 18, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, including but not limited to water quality and hydrology study per Hall County Public Works requirements.
2. The property shall be subdivided into a maximum of 21 building lots in accordance with the requirements of the Vacation Cottage (V-C, [17.50](#)) zoning district as detailed in 17.240, area and setback requirements.
3. The development shall be connected to the City of Gainesville public water at the developer's expense. There shall be no cost to the county for this connection. Per the City of Gainesville's Department of Water Resources, the 2" PVC pipe along Rip Road shall be upgraded to a 6" DIP at the developer's expense, and service to the existing customer at the end of Rip Road shall remain uninterrupted.
4. All residences shall have a minimum heated floor area (HFA) of 2,500 square feet and have a minimum of 4 bedrooms and 3 bathrooms. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.
5. A fire hydrant shall be constructed to serve the 21-lot subdivision. This shall be reviewed and approved by the Hall County Fire Marshal.
6. A cul-de-sac shall be constructed at the termination of Rip Road as depicted on the submitted site plan dated December 18, 2023. Improvements shall be made at the developer's expense.
7. All roads shall be constructed with asphalt paving to county standards, with 20 foot wide pavement width and curb and gutter. All improvements to be made from Lights Ferry Road to the corner of Lot 21 and including a turnaround to be approved by Hall County Engineering.
8. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
9. Those lots which do not front Lights Ferry Road shall access either Rip Road or Ford Road. Those lots which front Lights Ferry Road shall access via common access driveways per 12.40 Driveway Construction at a minimum of 2 access driveway per 3 lots. Only Lots 5-7 and 15-17 may front Lights Ferry Road, as shown on the site plan.
10. A 5 foot perpetual utility easement shall be included on all lots, to be located adjacent to the right-of-way.
11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
  
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
12. During roadway construction, at no time shall access to existing residences be impeded. All utilities shall remain uninterrupted during development.

**Purpose of Request:**

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

**History:**

**Facts and Issues:**

**Options:**

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



**Approvals:**

<b>Submit</b>	<b>Approve</b>	<b>Attorney</b>	<b>Administration</b>
AD	RD	WLI	CR
<b>Clerk</b>			
JR			

**Attachments:**

- Board Memo
- Recommendation Report
- Application
- Narrative
- Updated 12.10.23 Site Plan
- Updated 12.7.23 Site Plan
- Original Site Plan
- Maps
- Renderings
- Environmental Health Comments
- GDOT Comments
- Public Works Comments
- Fire Comments
- Public Comment
- Notice Sign Photos





# Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PLANNING AND DEVELOPMENT

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR  
Srikanth Yamala

PLANNING AND DEVELOPMENT  
DIRECTOR  
Randi Doveton

**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1 Commissioner  
Billy Powell, District 2 Commissioner  
Gregg Poole, District 3 Commissioner  
Jeff Stowe, District 4 Commissioner

**From:** Randi Doveton, Director of Planning & Development

**Date:** January 8, 2024

**Subject:** **6409 Lights Ferry Road | Use Subject to County Commission Approval | on a 19.18± acre tract | Proposed Use: 22-lot subdivision | Bret Muetzelfeld, applicant.**

---

The request before you is the request of Bret Muetzelfeld for a Use Subject to County Commission Approval to allow a 22-lot subdivision. This item is located within Commission District 2.

At their December 18, 2023 meeting, the Hall County Planning Commission voted to recommend approval with twelve (12) conditions **(4-1, Pilcher opposed)**.

There was **one (1) comment submitted** in advance of the Planning Commission meeting and **six (6) people spoke during the public hearing**.

There have been no changes to the request since the Planning Commission took action.

#### Planning Commission Conditions:

1. Development is approved as described in the concept plan dated December 10, 2023 and the project narrative dated December 18, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, including but not limited to water quality and hydrology study per Hall County Public Works requirements.
2. The property shall be subdivided into a maximum of 21 building lots in accordance with the requirements of the Vacation Cottage (V-C, [17.50](#)) zoning district as detailed in 17.240, area and setback requirements.
3. The development shall be connected to the City of Gainesville public water at the developer's expense. There shall be no cost to the county for this connection. Per the City of Gainesville's Department of Water Resources, the 2" PVC pipe along Rip Road shall be upgraded to a 6" DIP at the developer's expense, and service to the existing customer at the end of Rip Road shall remain uninterrupted.



4. All residences shall have a minimum heated floor area (HFA) of 2,500 square feet and have a minimum of 4 bedrooms and 3 bathrooms. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.
5. A fire hydrant shall be constructed to serve the 21-lot subdivision. This shall be reviewed and approved by the Hall County Fire Marshal.
6. A cul-de-sac shall be constructed at the termination of Rip Road as depicted on the submitted site plan dated December 18, 2023. Improvements shall be made at the developer's expense.
7. All roads shall be constructed with asphalt paving to county standards, with 20 foot wide pavement width and curb and gutter. All improvements to be made from Lights Ferry Road to the corner of Lot 21 and including a turnaround to be approved by Hall County Engineering.
8. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
9. Those lots which do not front Lights Ferry Road shall access either Rip Road or Ford Road. Those lots which front Lights Ferry Road shall access via common access driveways per 12.40 Driveway Construction at a minimum of 2 access driveway per 3 lots. Only Lots 5-7 and 15-17 may front Lights Ferry Road, as shown on the site plan.
10. A 5 foot perpetual utility easement shall be included on all lots, to be located adjacent to the right-of-way.
11. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:  
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
12. During roadway construction, at no time shall access to existing residences be impeded. All utilities shall remain uninterrupted during development.



**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Bret Muetzelfeld

**Request** ..... Use Subject to County Commission Approval | [17.50.040](#) 22-lot subdivision

**Proposed Use** ..... 22-lot detached single-family development

**Size** ..... 19.18± acres

**Zoning** ..... Vacation Cottage (V-C, [17.50](#))

**Location** ..... **6409 Lights Ferry Road** | Tax Parcel 08120 000003

**Commission District** ..... Two

**Planning Commission Date** ..... December 18, 2023

**Staff Recommendation** ..... **Approval, with conditions** as the proposed use is consistent with the development pattern of Vacation-Cottage (V-C) and the Lake Area Residential future land use classification in the [Comprehensive Plan](#)

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 4-1 (Pilcher opposed)**

**Conditions:**

1. Development is approved as described in the concept plan dated December 18, 2023 and the project narrative dated December 10, 2023, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, including but not limited to water quality and hydrology study per Hall County Public Works requirements.
2. The property shall be subdivided into a maximum of 21 building lots in accordance with the requirements of the Vacation Cottage (V-C, [17.50](#)) zoning district as detailed in 17.240, area and setback requirements.
3. The development shall be connected to the City of Gainesville public water at the developer’s expense. There shall be no cost to the county for this connection. Per the City of Gainesville’s Department of Water Resources, the 2” PVC pipe along Rip Road shall be upgraded to a 6” DIP at the developer’s expense, and service to the existing customer at the end of Rip Road shall remain uninterrupted.



4. All residences shall have a minimum heated floor area (HFA) of 2,500 square feet and have a minimum of 4 bedrooms and 3 bathrooms. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.
5. A fire hydrant shall be constructed to serve the 21-lot subdivision. This shall be reviewed and approved by the Hall County Fire Marshal.
6. A cul-de-sac shall be constructed at the termination of Rip Road as depicted on the submitted site plan dated December 18, 2023. Improvements shall be made at the developer's expense.
7. All roads shall be constructed with asphalt paving to county standards, with 20 foot wide pavement width and curb and gutter. All improvements shall be made from Lights Ferry Road to the corner of Lot 21 and include a turnaround to be approved by Hall County Engineering. These improvements shall be made at the developer's expense.
8. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
9. Those lots which do not front Lights Ferry Road shall access either Rip Road or Ford Road. Those lots which front Lights Ferry Road shall access via common access driveways per 12.40 Driveway Construction at a minimum of 2 access driveway per 3 lots. Only Lots 5-7 and 15-17 may front Lights Ferry Road, as shown on the site plan.
10. A 5 foot perpetual utility easement shall be included on all lots, to be located adjacent to the right-of-way.
11. During roadway construction, at no time shall access to existing residences be impeded. All utilities shall remain uninterrupted during development.
12. 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."

---

**Public Forum:**

**Jon Hayes, 6488 Ford Road, Flowery Branch,** spoke in opposition. Mr. Hayes stated that he was not aware that the road would be paved; asked if the remainder of the road being improved could be conditioned.

**Andrea Bergdoll, 6400 Lights Ferry Road, Flowery Branch,** spoke in opposition. Ms. Bergdoll purchased land for agricultural operations, and has a goat farm. Her questions include: runoff, waterway protection, preventing impact to nearby properties, best management practices (BMP) regarding erosion, sidewalks, lighting.

**Deborah Williams, 6517 Rip Road, Flowery Branch,** spoke in opposition. Ms. Williams stated that the property has encroached upon hers. The walkway was cut back on her property to address the encroachment when she purchased the property.

**Charles Cureton, 6484 Ford Road, Flowery Branch,** spoke in opposition. Mr. Puritan is concerned that his property would be affected by the development as the proposed homes are significantly smaller than other homes in the area. He would like to see the proposed homes



**Sandy LaPlante, 6485/6486 Ford Road, Flowery Branch,** spoke in opposition. She is concerned about the effects on the surrounding homes’ property values, and the future maintenance of Ford Road.

**Lisa Gethers, 6440 Ford Road, Flowery Branch,** spoke in opposition. She is concerned about the effect of the development on her property value, as well as the effects on the environment and nature. Ms. Gathers asked about the improvement to Ford Road and the extent of the improvements, as well as how improvements could be made without restricting access to properties further along the road.

**Summary Analysis**

The applicant is requesting county commission approval to subdivide a 19.18± acre tract zoned Vacation Cottage (V-C, [17.50](#)) for the purpose of constructing a 22- lot single-family subdivision with a total density of 1.12± units per acre. The proposed 19.18± acres to be subdivided is a portion of a larger 43.14± acre lot that is located south of Lights Ferry Road and is bisected by Ford Road and Rip Road.

The property is undeveloped, heavily forested, and includes a small area of flood zone and two springheads which feature a 50-foot undisturbed buffer and 75-foot impervious surface setback. Three of the twenty-two (22) proposed lots (lots 20, 21, and 22 on the concept plan) are subject to a 100-foot septic buffer from a neighboring well. Additionally, there are two power lines that run through a portion of the property. However, the applicant has not provided an easement for either power line. It will be the applicant’s responsibility to adhere to any power line easement restrictions.

The project narrative states that the proposed residences will be a minimum of 2,500 square feet with a minimum of 4 bedrooms and 3 bathrooms. As part of the application materials, the applicant provided two different renderings to illustrate the style of homes proposed for the development. The homes feature board and batten siding with accents of stone and brick. According to the narrative, each proposed lot will have a connection to municipal water service and include individual septic system sanitary disposal.

The submitted site plan shows access to the proposed twenty-two lots along Lights Ferry Road, Ford Road, and Rip Road. Additionally, the submitted site plan includes improvements to Rip Road in the form of a proposed cul-de-sac located at the terminus of the road. This cul-de-sac would provide access to Lights Ferry Road for several lots within the proposed development, as well as allow for the continued access by existing adjacent lots. The Hall County Traffic Engineering has recommended that Ford Road be widened to meet the requirement of a minimum 20-foot wide travel way.

The development standards for the project are described in the table below and are compared with the current V-C requirements, ([17.240.010](#)):

<b>Standard</b>	<b>V-C Requirement (<a href="#">17.180.060</a>)</b>	<b>Proposed Development</b>
Site Area	–	19.18± acres
Number of Units	–	22 single-family residences
Density	1 unit per 35,000 sq ft	1 unit per 49,965(1.15 acres)
Min. Lot Area	35,000 sq ft	35,000 sq ft
Min. Lot Frontage	50 ft	50 ft
Front Setback	55 feet from center line of road or 30 feet from property line, whichever is greater	30 feet from property line
Side Setback	10 feet	10 feet
Rear Setback	20 feet	20 feet



No variances have been submitted or identified as part of this request; therefore, any deficiencies identified as part of the plan will be required to comply with the requirements of Vacation-Cottage (V-C).

**Based on the future land-use plan, staff finds the requested zoning designation is consistent with the Hall County [Comprehensive Plan](#). The [Comprehensive Plan's](#) future land use designation for the subject parcels is "Lake Area Residential." The intent of this land use category is to preserve established neighborhoods and create opportunities for permanent and vacation residences. Future development is envisioned to consist of detached single-family homes at a density of no greater than one unit per acre; the proposal meets this standard.**

### **Zoning Analysis**

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 proposed use is similar in use, development, and zoning of adjacent and nearby properties. Most of the nearby properties are developed with detached housing units similar to the proposal.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed subdivision will adversely affect nearby properties. It is recommended that Ford Road be widened to 20 feet to meet the travel way minimum requirement and for a cul-de-sac to be constructed at the end of Rip Road; all improvements shall be at the developer's expense.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property appears to have reasonable economic use as currently zoned.**
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 development of twenty-two single family homes should not cause an excessive or burdensome use of the existing streets, utilities or public 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 use is consistent with the [Comprehensive Plan's](#) future land use classification of Lake Area Residential. In this land use classification, development is envisioned to consist of detached, single-family homes at a low density, not to exceed 1 dwelling unit per acre. The applicant is proposing single family residences at a density of 1 dwelling unit per 1.15± acres.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**



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 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.**
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 currently undeveloped, with no record of previous improvements upon the land.**
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 affecting the use or development of the property; however, existing stream buffers and flood zones limit the space for development of these lots.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The request is for conditional use approval and is intended to subdivide the parcel into twenty-two single-family lots. The change would not create an isolated district unrelated to the surrounding districts.**
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; **No, the request is not out of scale with the needs of the neighborhood or the county.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The subdivision of land within the Vacation-Cottage (V-C, [17.180.060](#)) requires County Commission approval.**
15. Whether the need for rezoning could be handled instead by a variance request to the zoning board of adjustment; **No, the request could not be handled instead 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; **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 are no anticipated ecological or pollution impacts 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.**

**17.350.040. - Submission requirements for a conditional use request**

An application shall be submitted to the planning department at least 30 working days prior to the date of the Planning Commission meeting at which the application is to be considered. The completed application shall be accompanied by payment of such fee prescribed in [chapter 17.30](#) hereof to cover administrative and advertising costs. The following items of information shall be supplied by the applicant as set forth in [chapter 17.350](#). **The applicant submitted to the planning department more than 30 days prior to the meeting date and has paid the application fee.**[17.380.050.](#) - Submission requirements

- 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. **The proposal meets the requirement. The 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 proposal does provide a narrative outlining the intent of condition amendments; however, the applicant has not prepared a response to each of 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 applicant has submitted a scaled site plan, however, there is no information provided on adjacent parcels.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable to the applicant's request.**
- D. 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 standard is not applicable to the applicant's request.**



## **Development Support and Constraints**

### **Hall County Environmental Health**

In an email dated November 15, 2023, Emily McGahee stated “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.”

### **Hall County Fire Marshal**

In an email dated November 16, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

#### *503.2.1 Dimensions. International Fire Code 2018 Edition*

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. Ford road will be required by fire code to have a minimum 20-foot-wide fire apparatus access throughout the length of the subdivision.

#### *503.2.2 Authority. International Fire Code 2018 Edition*

The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

#### *503.2.3 Surface. International Fire Code 2018 Edition*

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

#### *503.2.5 Dead ends. International Fire Code 2018 Edition*

Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. At the end of Ford Road an approved turnaround Cul-de-Sac will be required per fire code to turn fire apparatus around.

#### *507.5.1 Where Required. International Fire Code 2018 Edition as modified by the State Fire Commissioner*

Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet from a hydrant on a fire apparatus access road on-site fire hydrant(s) and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency Expansion of the underground water main and fire hydrant(s) may be required along Rip road to meet the above fire code requirement.

### **Hall County Public Works and Utilities**

In a memorandum from Public Works and Utilities dated November 20, 2023, Bill Nash, Director, stated the following:

#### **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. Show stream buffer and impervious setback from wrested vegetation not centerline of stream. Show FEMA and Hall County studied Flood plains that are present on site.

#### **Traffic:**



Recommend that Ford Road (private) be widened to provide a 20-foot minimum travel way from Lights Ferry Road to the far property line of proposed lot #22 as shown on the concept plan. Proposed Rip Road will need to meet Hall County subdivision regulations unless specific variances are requested/ approved during the zoning process. Existing lots at the end of Rip Road will need to touch the proposed right-of-way in order to provide road frontage. Minimum frontage required on a cul-de-sac is 40 feet measured on the chord.

**Utilities:**

Flowery Branch sewer district.

**Georgia Department of Transportation**

In an email dated November 16, 2023, Veronica Chavers, D1TO Civil Engineer 3, stated “No GDOT coordination required.”

➤ **Excerpts from the minutes of the December 18, 2023 meeting**

**Applicant’s Presentation:**

**Katie Greenway, Principal Planner**, presented a summary of the request.

**Bret Muetzelfeld, 505 East Main Street, Buford, and David Sonders, 100 Drake Street, Buford**, presented a slideshow presentation showing the location of the subject property and surrounding zoning, listing proposed standards of the development, and identifying variances. Lots will be connected to public water and utilize individual septic systems. Rip Road is proposed to be improved to a cul-de-sac that meets county standards, including paving and curb and gutter. Ford Road would be paved with asphalt and include curb and gutter. Mr. Sonders clarified the revision numbers on the site plan.

**Public Forum:**

**Jon Hayes, 6488 Ford Road, Flowery Branch**, spoke in opposition. Mr. Hayes stated that he was not aware that the road would be paved; asked if the remainder of the road being improved could be conditioned.

**Andrea Bergdoll, 6400 Lights Ferry Road, Flowery Branch**, spoke in opposition. Ms. Bergdoll purchased land for agricultural operations, and has a goat farm. Her questions include: runoff, waterway protection, preventing impact to nearby properties, best management practices (BMP) regarding erosion, sidewalks, lighting.

**Deborah Williams, 6517 Rip Road, Flowery Branch**, spoke in opposition. Ms. Williams stated that the property has encroached upon hers. The walkway was cut back on her property to address the encroachment when she purchased the property.

**Charles Cureton, 6484 Ford Road, Flowery Branch**, spoke in opposition. Mr. Puritan is concerned that his property would be affected by the development as the proposed homes are significantly smaller than other homes in the area. He would like to see the proposed homes

**Sandy LaPlante, 6485/6486 Ford Road, Flowery Branch**, spoke in opposition. She is concerned about the effects on the surrounding homes’ property values, and the future maintenance of Ford Road.



**Lisa Gethers, 6440 Ford Road, Flowery Branch**, spoke in opposition. She is concerned about the effect of the development on her property value, as well as the effects on the environment and nature. Ms. Gathers asked about the improvement to Ford Road and the extent of the improvements, as well as how improvements could be made without restricting access to properties further along the road.

**Planning Commission Comments:**

Mr. Braswell asked the applicant about the effects on properties further along Ford Road; Mr. Muetzelfeld and Mr. Sonders acknowledged that a turnaround could be designed to accommodate traffic, and that improvements could be staged to prevent any obstructions for the current property owners. Mr. Hunt asked that the applicant meet with Ms. Williams to discuss the boundaries. Mr. Braswell asked about street lights; the applicant responded that the lighting plan would be part of the land disturbance permit process if required. Mr. Braswell asked about the home elevations, and the applicants reviewed the floorplans and square footage. Mr. Hunt asked if the homes may be larger; the applicant answered that this is certainly possible. Mr. Braswell asked about the lots which front along Lights Ferry Road, and the applicant responded that these lots would typically have an eyebrow driveway to minimize the need to back into the road. Mr. Braswell asked if they had considered common access drives; the applicant responded that they have also used shared driveways. Ms. Pilcher asked about the dimensions of the home; the applicant responded that the home would be approximately 55 feet by 70 feet. Ms. Pilcher clarified that some lot layouts did not seem to accommodate the proposed footprints due to springheads and buffers. Mr. Braswell asked if the applicants had considered the need to add fire hydrants for the development. The applicants agreed. Mr. Braswell clarified that BMPs must be observed during development.

**Motion: A motion was made to approve with conditions by Mr. Hunt and seconded by Mr. Varner. Vote: 4-1 (Commissioner Pilcher opposed)**

**Conditions:**

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



the corner of Lot 21 and include a turnaround to be approved by Hall County Engineering. These improvements shall be made at the developer's expense.

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



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)**

Bret Muetzelfeld  
37 E Main Street, Ste B, Buford, GA 30518

Phone 678-665-1266

Email Address BretMuetz@gmail.com

Proposed Use Single Family Residential Development

**Property Owner (Name & Mailing Address)**

Harold Lee Smith  
5811 Tanner Street, Flowery Branch, GA 30542

Phone 404-932-6754

Email Address lvsdaily@gmail.com

**Contact Person (Name & Mailing Address)**

David Sonders, Key Engineering Solutions-US, Inc.  
3282 Elmer Hill Lane, Buford, GA 30519

Phone 561-504-2224

Email Address dsonders@kes-us.com

Tax Parcel Number 08120 000003

Location Address 6409 Lights Ferry Road, Flowery Branch, GA 30542

**Status of Applicant**

- Owner
- Option to Purchase
- Area Resident
- Other

Zoning: VC  
Acreage 19

**Requested Action**

Permissive Use:  
 HCPC     HCC  
Fee: \$ \_\_\_\_\_  
Receipt #: \_\_\_\_\_  
Check #: \_\_\_\_\_

**I hereby certify that the above information and all attached information are true and correct.**

Sign  Date: 9/7/23

**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) Harold Lee Smith & John Ernest Smith

Address 5811 Tanner Street, Flowery Branch, GA 30542

Phone Number 404-932-6754

Name of applicant(s) Bret Muetzelfeld

Address 37 E Main Street, Ste B

Buford, GA 30518

Phone Number 678-665-1266

**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)  
*John Ernest Smith* *Harold Lee Smith*

Personally appeared before me  
September 8, 2023

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

*Kimberly Carter*  
Notary Public



9-8-23  
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: John Ernest Smith Harold Lee Smith Date: 9/8/23

Applicant's/Owner's Name (Printed): Harold Lee Smith & John Ernest Smith



## 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: 9/17/23

Applicant's/Owner's Name (Printed): Bret Muetzelfeld





Ms. Katie Greenway  
Hall County Planning and Development  
Principal Planner  
2875 Browns Bridge Road  
Gainesville, GA 30504

Arcadis U.S., Inc.  
PO Box 971482  
Boca Raton, FL 33428  
Tel 561.504.2224  
[www.arcadis.com](http://www.arcadis.com)

Subject:  
Conceptual Site Plan – Residential Subdivision  
6409 Lights Ferry Road  
Flowery Branch, GA 30542

Date:  
September 7, 2023

Ms. Greenway:

Contact:  
David M. Sonders, P.E.

This Letter of Intent is to request review of the conceptual site plan for the conditional use request to create a single-family home subdivision. The subject parcel is located at 6409 Lights Ferry Road, Flowery Branch, GA 30543. The parcel ID is 08120 00003. The property consists of 43 acres. However, the property will be subdivided and the single-family home subdivision will be developed on 19 acres (Parcels B and C). Please see attached survey for reference.

Phone:  
561.504.2224

Email:  
[dsonders@kes-us.com](mailto:dsonders@kes-us.com)

The subject property is currently zoned Vacation Cottage (VC). No rezoning is requested. This request is for a conditional use of the VC zoning for the development of single-family homes.

Access to the home sites will be along existing roads, Lights Ferry Road, Ford Road, and RIP Road.

The proposed subdivision is to develop the subject property into 22 single family home lots. Each lot will be a minimum of 35,000 square feet with connection to municipal water and septic system sanitary disposal. The single-family homes will be a minimum of 2,500 square feet of heated living space, with minimum 4-bedroom, 3 bathroom models. The anticipated price will \$500,000+ per unit.

No variances or special conditions are requested at this time.

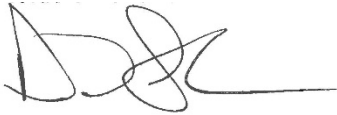


Ms. Greenway  
9/7/2023

Please direct any questions, comments, or correspondence regarding letter to David M. Sonders, P.E.,  
Principal Engineer, at 561.504.2224 or [dsonders@kes-us.com](mailto:dsonders@kes-us.com).

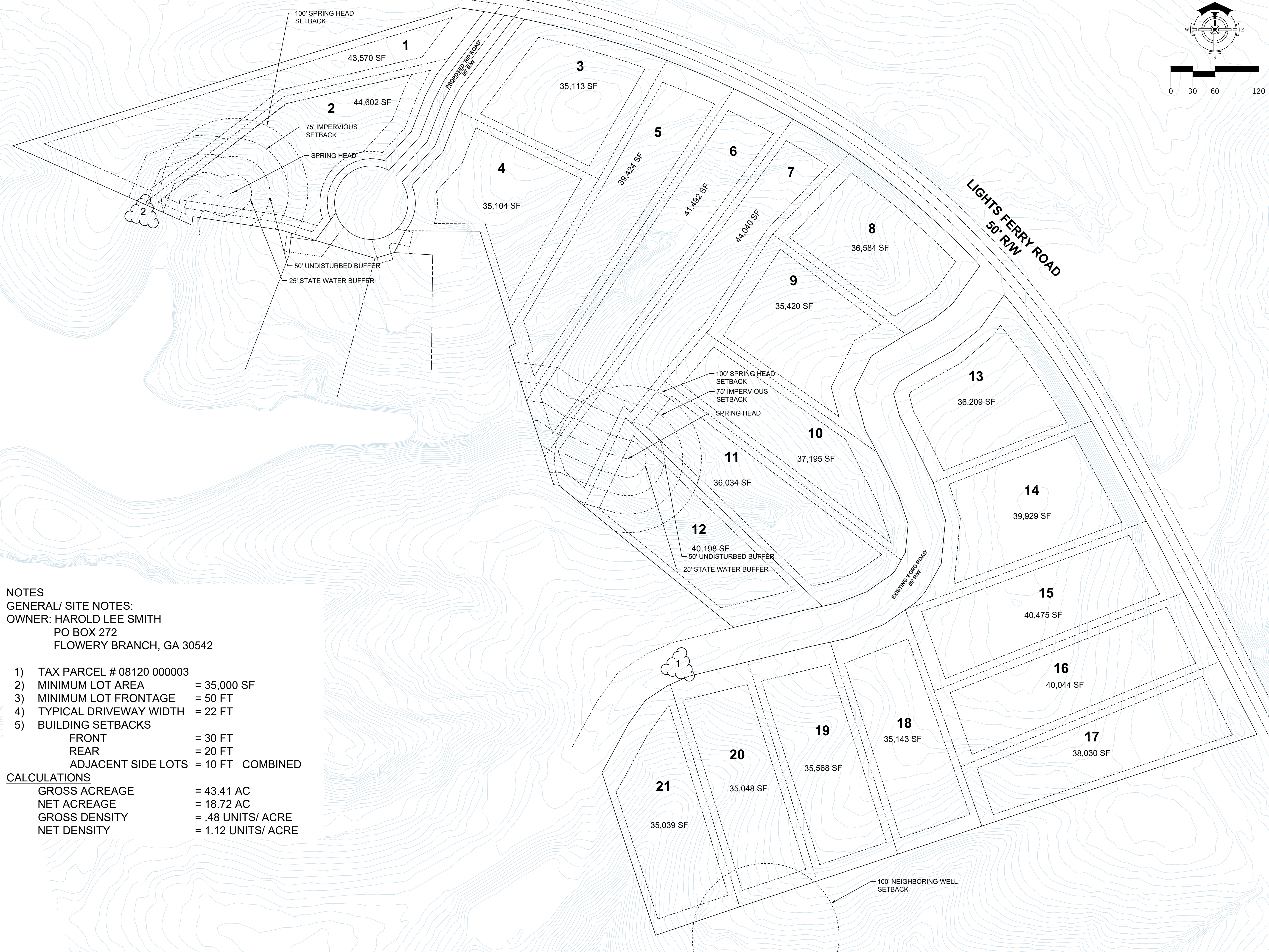
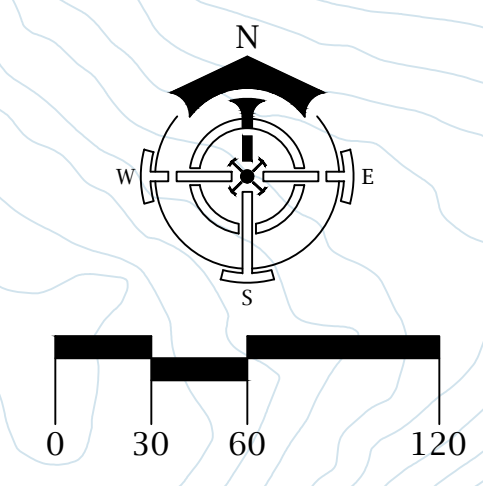
Sincerely,

Key Engineering Solutions – US, Inc.

A handwritten signature in black ink, appearing to read 'D. Sonders', with a long horizontal line extending to the right.

David M. Sonders, P.E.  
Principal Engineer



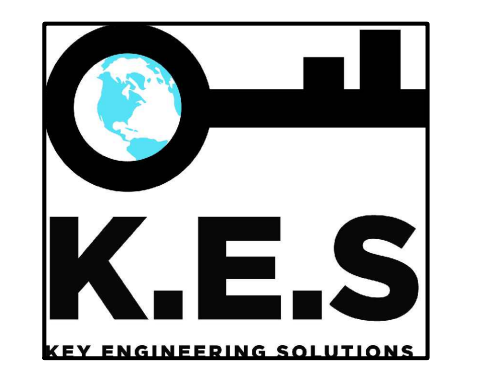


NOTES  
 GENERAL/ SITE NOTES:  
 OWNER: HAROLD LEE SMITH  
 PO BOX 272  
 FLOWERY BRANCH, GA 30542

- 1) TAX PARCEL # 08120 000003
- 2) MINIMUM LOT AREA = 35,000 SF
- 3) MINIMUM LOT FRONTAGE = 50 FT
- 4) TYPICAL DRIVEWAY WIDTH = 22 FT
- 5) BUILDING SETBACKS
  - FRONT = 30 FT
  - REAR = 20 FT
  - ADJACENT SIDE LOTS = 10 FT COMBINED

CALCULATIONS  
 GROSS ACREAGE = 43.41 AC  
 NET ACREAGE = 18.72 AC  
 GROSS DENSITY = .48 UNITS/ ACRE  
 NET DENSITY = 1.12 UNITS/ ACRE

CONCEPTUAL SITE PLAN  
 6409 LIGHTS FERRY ROAD  
 FLOWERY BRANCH, GA 30542

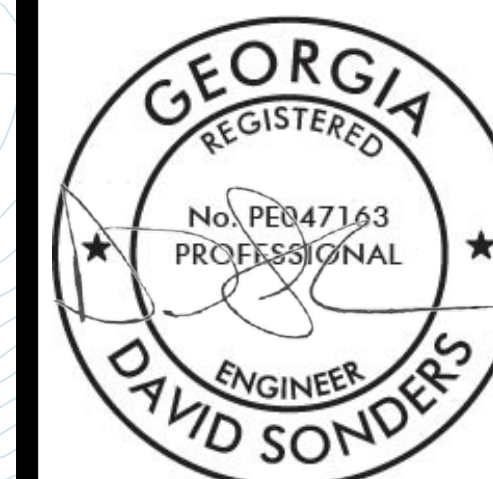


3282 Elmer Hill Lane  
 Buford, GA 30519  
 Phone: 561-504-2224

THESE CONSTRUCTION DOCUMENTS AND REPRODUCTIONS, IN WHOLE OR IN PART, ARE THE SOLE PROPERTY OF KEY ENGINEERING SOLUTIONS, INC. THEY SHALL NOT BE REPRODUCED OR CONVEYED IN ANY MANNER NOR ARE THEY TO BE USED FOR ANY OTHER PROJECTS OTHER THAN THAT SPECIFICALLY INDICATED HEREIN WITHOUT WRITTEN PERMISSION FROM AND DUE COMPENSATION TO KEY ENGINEERING SOLUTIONS, INC.

DATE	NO.	REVISION
12/7/23	1	
12/10/23	2	





12/7/2023

CONCEPTUAL SITE PLAN  
6409 LIGHTS FERRY ROAD  
FLOWERY BRANCH, GA 30542

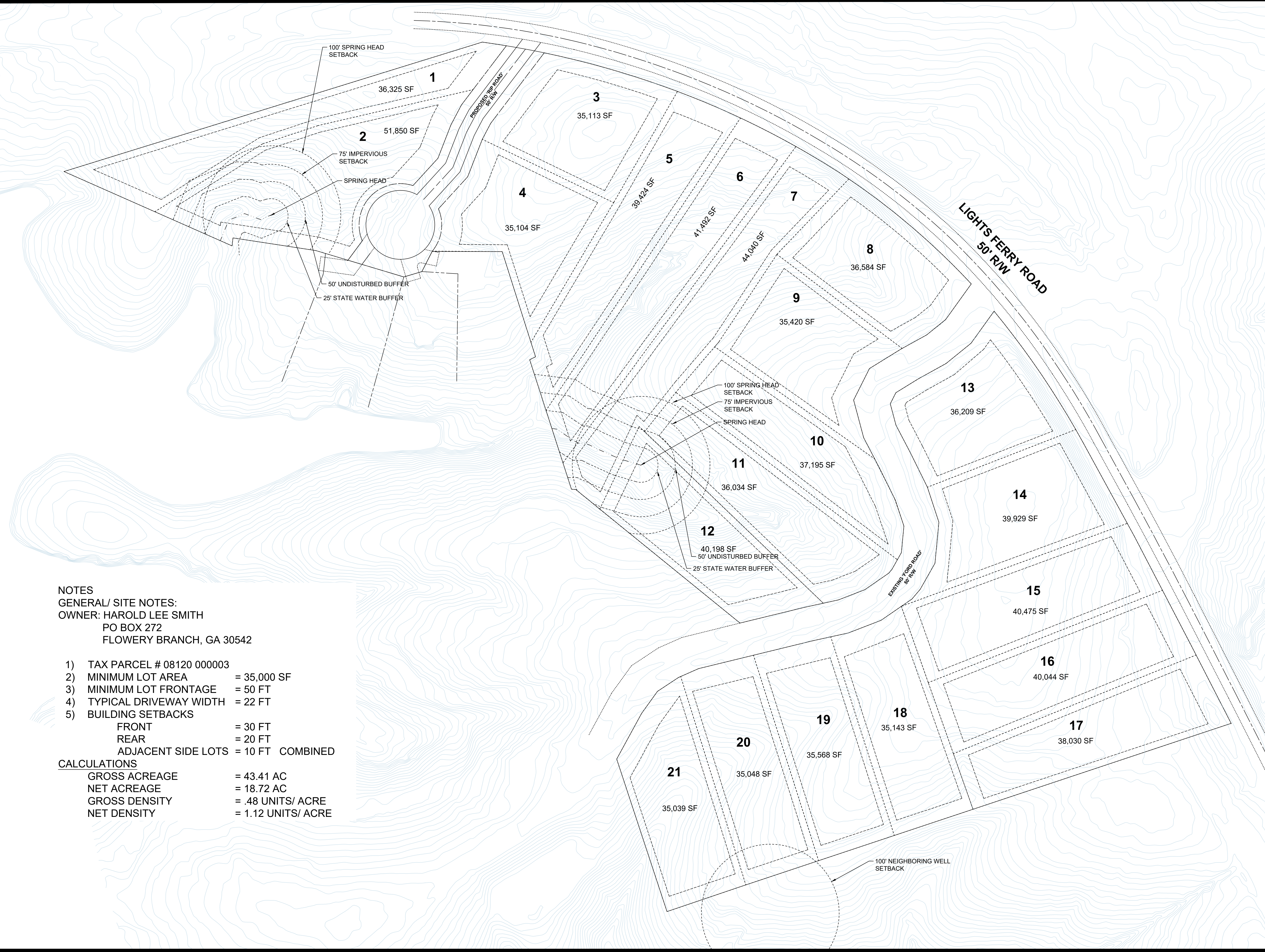


3282 Elmer Hill Lane  
Buford, GA 30519

Phone: 561-504-2224

THESE CONSTRUCTION DOCUMENTS AND REPRODUCTIONS, IN WHOLE OR IN PART, ARE THE SOLE PROPERTY OF KEY ENGINEERING SOLUTIONS, INC. THEY SHALL NOT BE REPRODUCED OR CONVEYED IN ANY MANNER NOR ARE THEY TO BE USED FOR ANY OTHER PROJECTS OTHER THAN THAT SPECIFICALLY INDICATED HEREIN WITHOUT WRITTEN PERMISSION FROM AND DUE COMPENSATION TO KEY ENGINEERING SOLUTIONS, INC.

DATE	NO.	REVISION
12/7/23	1	



NOTES  
GENERAL/ SITE NOTES:  
OWNER: HAROLD LEE SMITH  
PO BOX 272  
FLOWERY BRANCH, GA 30542

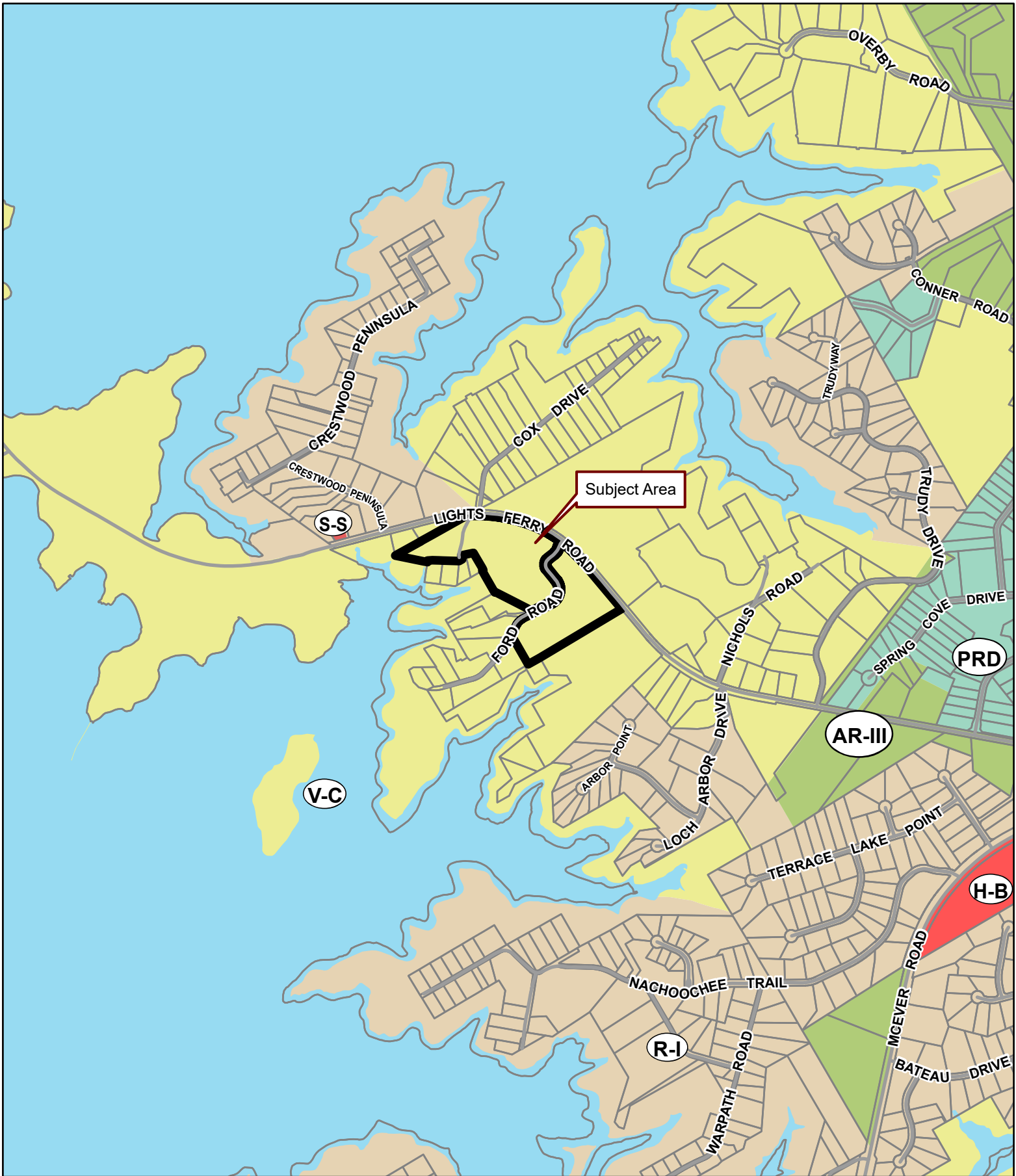
1) TAX PARCEL # 08120 000003  
2) MINIMUM LOT AREA = 35,000 SF  
3) MINIMUM LOT FRONTAGE = 50 FT  
4) TYPICAL DRIVEWAY WIDTH = 22 FT  
5) BUILDING SETBACKS  
FRONT = 30 FT  
REAR = 20 FT  
ADJACENT SIDE LOTS = 10 FT COMBINED

CALCULATIONS  
GROSS ACREAGE = 43.41 AC  
NET ACREAGE = 18.72 AC  
GROSS DENSITY = .48 UNITS/ ACRE  
NET DENSITY = 1.12 UNITS/ ACRE









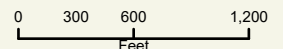
**Applicant:** BRET MUETZELFELD

**Tax Parcel #:** 08120 000003 (PT.)

**Location:** 6409 LIGHTS FERRY ROAD, FLOWERY BRANCH, GA 30542

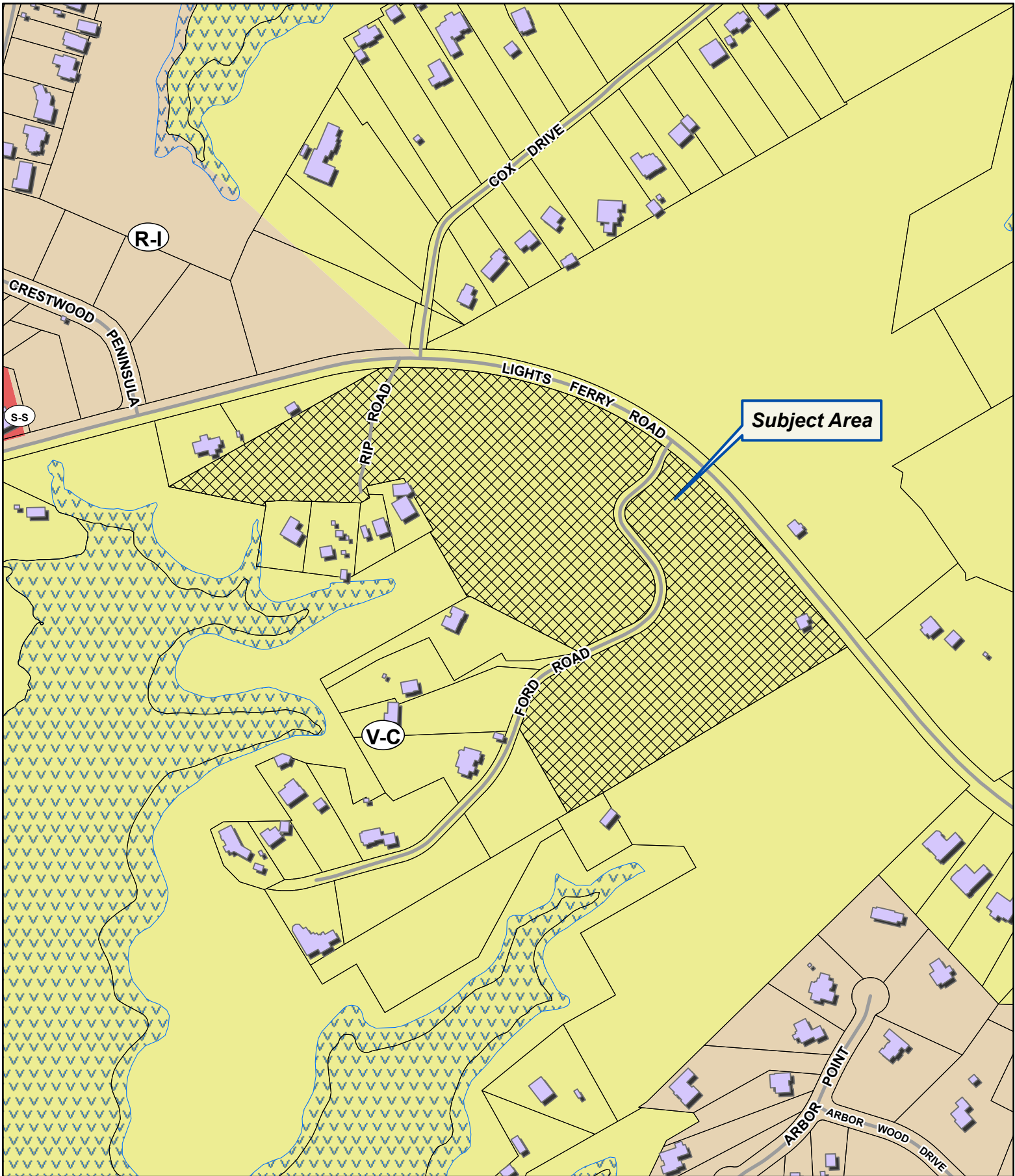
**Commission District 2**

**PC Mtg. Date: 12/18/23**



- Zoning Boundary
  - ▭ City Limits
  - ◻ Subject Area
  - Structure
- N  
↑





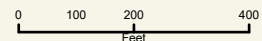
**Applicant:** BRET MUETZELFELD

**Tax Parcel #:** 08120 000003 (PT.)

**Location:** 6409 LIGHTS FERRY ROAD, FLOWERY BRANCH, GA 30542

**Commission District 2**

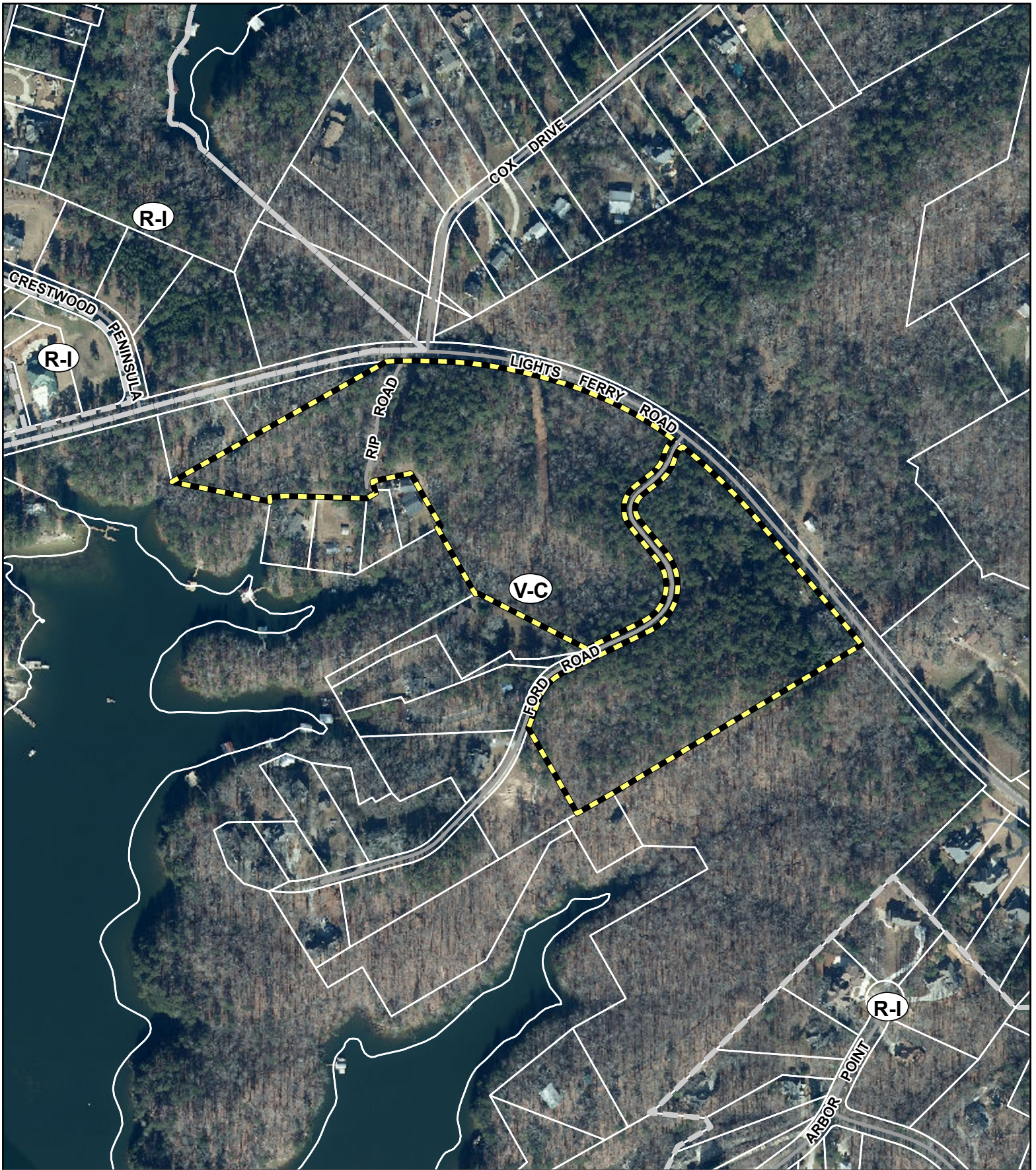
**PC Mtg. Date: 12/18/23**



- Zoning Boundary
- ▨ City Limits
- ▧ Subject Area
- Structure







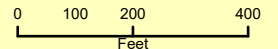
**Applicant:** BRET MUETZELFELD




**Tax Parcel #:** 08120 000003 (PT.)

**Location:** 6409 LIGHTS FERRY ROAD, FLOWERY BRANCH, GA 30542

**Commission District 2**

**PC Mtg. Date: 12/18/23**



-  Zoning Boundary
-  City Limits
-  Subject Area













## **Anael Dominguez (CDI: Planning)**

---

**From:** Emily McGahee (Environmental Health)  
**Sent:** Wednesday, November 15, 2023 2:10 PM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Cc:** Kelly Hairston (Environmental Health); Chad Harper (Environmental Health)  
**Subject:** HCPC Tentative Agenda 12.18.23

Please find Environmental Health comments below:

Item 1, 4917 Gilstrap Circle, Cardoso: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available. An existing system evaluation/site visit will be required for system serving existing home on property. Additional requirements apply if increasing the number of bedrooms. Any future permits issued to this property (Tract 1) according to the attached recorded plat does not imply approval for the adjacent parcel in its current configuration, labeled as Tract 2.

Item 2, 2392/2388 Ford White Road, Thompson: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Additional requirements apply if increasing the number of bedrooms.

Item 3, 6570 Bermuda Lane, Pridemore: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system. Area for a feasible, full conventional recovery system must be available.

Item 4, 6409 Lights Ferry Road, Muetzelfeld: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Please note that Zoning approval does not imply approval from other county departments. Further determination will be made during the plat review process. All proposed plats must be submitted to the Hall County Plat Review Team for review and approval prior to submittal to Clerk of Courts for recordation.

Item 5, 2455 Floyd Road, Dye: All components of the existing wastewater disposal system must be properly decommissioned per Regulations. Please contact the Environmental Protection Division of the Department of Natural Resources for requirements. The entire development must be developed on public or EPD permitted sewer/septic system. No onsite sewage management systems to be permitted by Environmental Health.

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)



## Anael Dominguez (CDI: Planning)

---

**From:** Chavers, Veronica E <VChavers@dot.ga.gov>  
**Sent:** Thursday, November 16, 2023 2:37 PM  
**To:** Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)  
**Subject:** RE: Tentative Planning Agenda for December 18, 2023

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.

See comments below.

---

**From:** Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>  
**Sent:** Thursday, November 9, 2023 11:12 AM  
**Subject:** Tentative Planning Agenda for December 18, 2023

Good morning –

Here is the Tentative Agenda and Maps for the **Monday, December 18, 2023** 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, November 16<sup>th</sup>**. Email comments to Randi ([rdoveton@hallcounty.org](mailto:rdoveton@hallcounty.org)) and Ana ([adominguez@hallcounty.org](mailto:adominguez@hallcounty.org)).

### **CALL TO ORDER**

### **AGENDA REVIEW**

### **APPROVAL OF MINUTES – December 4, 2023**

### **OLD BUSINESS**

1. [4917 Gilstrap Circle | Variance | 17.240.010 to reduce the front yard setback requirement from 65 feet from centerline to 49 feet from centerline of road | on a 0.42± acre parcel located on the south side of Gilstrap Circle, approximately 315 feet west of its intersection with Cleveland Highway | Zoned AR-IV; Tax Parcel 12020 000016A | Proposed use: single-family residence | \\* Commission District 3 | Jarica Cardoso, applicant. No GDOT coordination required.](#)

### **NEW BUSINESS**

1. [2392 and 2388 Ford White Road | Variance | 17.240.010 to reduce the front yard setback requirement from 55 feet to 35 feet from centerline of road | on a 1.00± acre tract located on the south side of the terminus of Ford White Road | Zoned V-C, Tax Parcel 10094A000024 & 10094A000025 \(pt.\) | Proposed Use: residential addition | \\* Commission District 2 | Margaret M. Thompson, applicant. No GDOT coordination required.](#)
2. [6570 Bermuda Lane | Variance | 17.240.010 to reduce the side yard setback requirement from 10 feet to 0.5 feet from property line | on a 0.49± acre tract located on the north side of the terminus of Bermuda Lane | Zoned R-1, Tax Parcel 08131 009004 | Proposed Use: carport | \\* Commission District 2 | Tyler Pridemore, applicant. No GDOT coordination required.](#)



3. [6409 Lights Ferry Road | Use Subject to County Commission Approval | on a 19.18± acre tract located on the south west side of Lights Ferry Road, approximately 1,000 feet from its intersection with Ford Road | Zoned V-C, Tax Parcel 08120 000003 \(pt.\) | Proposed Use: 22-lot subdivision | \\*\\* Commission District 2 | Bret Muetzelfeld, applicant. No GDOT coordination required.](#)
  
4. [2455 Floyd Road | Rezone | from Residential II \(R-II\) to Planned Residential Development \(PRD\) on a 5.74± acre tract located on the north side of Floyd Road, approximately 300 feet from its intersection with Barnes Drive | Zoned R-II, Tax Parcel 15022 000037 | Proposed Use: 44-unit townhome development | \\*\\* Commission District 4 | Jason Dye, applicant. No GDOT coordination required.](#)
  
- 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, January 25, 2024** at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> 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, January 25, 2024**. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2<sup>nd</sup> Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,  
Ana Dominguez  
Planning Commission Clerk  
Hall County Community Development and Infrastructure  
(770) 531-6810 | [www.hallcounty.org](http://www.hallcounty.org)



---

Human trafficking impacts every corner of the globe, including our state and local communities. Georgia DOT is committed to end human trafficking in Georgia through education enabling its employees and the public to recognize the signs of human trafficking and how to react in order to help make a change. To learn more about the warning signs of human trafficking, visit <https://doas.ga.gov/human-resources-administration/human-trafficking-awareness>. To report any suspicious activity, call the Georgia Human Trafficking Hotline at 866-363-4842. Let's band together to end human trafficking in Georgia.





Hall County Government  
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE  
PUBLIC WORKS AND UTILITIES

MEMORANDUM

**To:** Randi Doveton, Director of Planning and Development

POST OFFICE DRAWER 1435  
GAINESVILLE, GA 30503

**From:** Bill Nash, Director of Public Works and Utilities

**Date:** November 20, 2023

t: 770.531.6800 | f: 770.531.3945

**Subject:** December 18, 2023 - Hall County Planning Commission Agenda

DIRECTOR  
Srikanth Yamala

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the December 18, 2023 meeting. Upon review, we provide the following comments.

PUBLIC WORKS AND  
UTILITIES DIRECTOR  
Bill Nash, P.E.

**OLD BUSINESS**

1. [4917 Gilstrap Circle | Variance | 17.240.010 to reduce the front yard setback requirement from 65 feet from centerline to 49 feet from centerline of road | on a 0.42± acre parcel located on the south side of Gilstrap Circle, approximately 315 feet west of its intersection with Cleveland Highway | Zoned AR-IV; Tax Parcel 12020 000016A | Proposed use: single-family residence | \\* Commission District 3 | Jarica Cardoso, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment

**NEW BUSINESS**

2. [2392 and 2388 Ford White Road | Variance | 17.240.010 to reduce the front yard setback requirement from 55 feet to 35 feet from centerline of road | on a 1.00± acre tract located on the south side of the terminus of Ford White Road | Zoned V-C, Tax Parcel 10094A000024 & 10094A000025 \(pt.\) | Proposed Use: residential addition | \\* Commission District 2 | Margaret M. Thompson, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment
3. [6570 Bermuda Lane | Variance | 17.240.010 to reduce the side yard setback requirement from 10 feet to 0.5 feet from property line | on a 0.49± acre tract located on the north side of the terminus of Bermuda Lane | Zoned R-I, Tax Parcel 08131 009004 | Proposed Use: carport | \\* Commission District 2 | Tyler Pridemore, applicant.](#)
  - a. **Engineering:** No Comment
  - b. **Traffic:** No Comment
  - c. **Utilities:** No Comment



4. [6409 Lights Ferry Road | Use Subject to County Commission Approval | on a 19.18± acre tract located on the south west side of Lights Ferry Road, approximately 1,000 feet from its intersection with Ford Road | Zoned V-C, Tax Parcel 08120 000003 \(pt.\) | Proposed Use: 22-lot subdivision | \\*\\* Commission District 2 | Bret Muetzelfeld, applicant.](#)
  - 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.  
Show stream buffer and impervious setback from wretched vegetation not centerline of stream.  
Show FEMA and Hall County studied Flood plains that are present on site
  - b. **Traffic:** Recommend that Ford Road (private) be widened to provide a 20 foot minimum travel way from Lights Ferry Road to the far property line of proposed lot #22 as shown on the concept plan.  
Proposed Rip Road will need to meet Hall County subdivision regulations unless specific variances are requested/ approved during the zoning process. Existing lots at the end of Rip Road will need to touch the proposed right f way in order to provide road frontage. Minimum frontage required on a cul-de-sac is 40 feet measured on the chord.
  - c. **Utilities:** Flowery Branch sewer district.
  
5. [2455 Floyd Road | Rezone | from Residential II \(R-II\) to Planned Residential Development \(PRD\) on a 5.74± acre tract located on the north side of Floyd Road, approximately 300 feet from its intersection with Barnes Drive | Zoned R-II, Tax Parcel 15022 000037 | Proposed Use: 44-unit townhome development | \\*\\* Commission District 4 | Jason Dye, applicant.](#)
  - a. **Engineering:** This 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:** No Comment
  - c. **Utilities:** City of Gainesville sewer district.



## Anael Dominguez (CDI: Planning)

---

**From:** John Hornick (Fire Services)  
**Sent:** Thursday, November 16, 2023 11:06 AM  
**To:** Anael Dominguez (CDI: Planning)  
**Cc:** Randi Doveton (CDI: Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)  
**Subject:** Fire Comments

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

### Hall County Fire Marshal's Comments:

#### 503.2.1 Dimensions. International Fire Code 2018 Edition

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches.

Ford road will be required by fire code to have a minimum 20 foot wide fire apparatus access throughout the length of the subdivision.

#### 503.2.2 Authority. International Fire Code 2018 Edition

The *fire code official* shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

#### 503.2.3 Surface. International Fire Code 2018 Edition

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

#### 503.2.5 Dead ends. International Fire Code 2018 Edition

Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an *approved* area for turning around fire apparatus.

At the end of Ford road an approved turnaround Cul-de-Sac will be required per fire code to turn fire apparatus around.

#### 507.5.1 Where Required. International Fire Code 2018 Edition as modified by the State Fire Commissioner

**Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet from a hydrant on a fire apparatus access road on-site fire hydrant(s) and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency

Expansion of the underground water main and fire hydrant(s) may be required along Rip road to meet the above fire code requirement.

Regards,



**John Hornick, NPQ Fire Service Plans Examiner 1**  
**Lieutenant, Hall County Fire Rescue**  
**Hall County Government**  
Main: 770-531-6838 | Cell: 404-597-0083  
Website: [www.Hallcounty.org](http://www.Hallcounty.org)





## Katie L. Greenway (CDI: Planning)

---

**From:** Vivian DuBose <vivian@nobleprop.com>  
**Sent:** Sunday, December 17, 2023 5:10 PM  
**To:** Katie L. Greenway (CDI: Planning)  
**Subject:** FW: Conceptual site plan comments

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.

---

**From:** Vivian DuBose  
**Sent:** Friday, December 15, 2023 7:01 PM  
**To:** klgreenway@hallcounty.org  
**Cc:** gomezjumper63@gmail.com; lisagethers@hotmail.com  
**Subject:** Conceptual site plan comments

RE: 6409 Lights Ferry Road conceptual site plan from Peach State Realty/Bret Muetzelfeld -Applicant  
Katie:

Thanks for sending the info on the proposed rezoning above. I will be submitting these comments on-line tomorrow. I am unable to attend the meeting in person Monday for medical reasons.

Thank you,  
Vivian DuBose

I own three parcels, one on Ford Rd and one adjacent to the proposed development: 1) Tract 1 - Deed Bk 617, pg 597 and 2) Tract 2- Deed Bk 617, pg 597 and 3) Tract 3- Deed Bk 68, pg.392 .

My land will be potentially negatively impacted by this development, so I have several questions and/or concerns that it be a quality development:

- 1) Have topos been submitted or will they be required showing how water runoff will affect existing Ford road lands and my adjacent land?
- 2) Is the proposed development required to keep or replant a certain number of trees (i.e., what would be the landscaping requirements)?
- 3) Ford road appears to be the only access to the project. That is problematic on several levels. I should think the developer should have better ingress/egress for 22 homes to be built than via our narrow Ford Rd. Will the developer pave Ford Road in its entirety to county standards?
- 4) Will the county acquire Ford road and make it a regular (30') width, paved road? It is not appropriate for the developer to use our private road without improving the road to county standards with the county assuming road maintenance or the abutting future homeowners after a certain date. Ford Rd. appears to be the proposed development's only access. Ford Road has no turn around and no way to add one, so the developer would need to provide one within its development for a county road as I understand.
- 5) The proposed homes appear to be small family homes, not lake vacation cottages as is the current zoning. Is that a correct statement?
- 6) What requirements would be added, if rezoning is required to single family housing?
- 7) It seems appropriate for the developer to be required put in fencing approved by the neighboring properties and along Ford Road and along my adjacent property to separate its development and provide maintenance for a



grass strip along the road to its curb at least until the properties sell out and perhaps even lighting such as lamp posts. There should be appropriate setbacks to any lots sold along Ford Rd.

- 8) How far away is the county sewer?
- 9) The lots are quite small and the houses as well. At a lesser density there could be nicer homes similar to some of those already built on Ford Rd and in nearby Loch Arbor neighborhood.
- 10) What examples does the developer have of successful, comparable home development?

Thank you for all you do for our community,

*Vivian DuBose*  
404.735.4545 c  
404.233.3011 o



**ZONING NOTICE**

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: **BRETT MUETZELFELD**

REQUEST: **USE SUBJECT TO COUNTY COMMISSION**

**APPROVAL FOR A 22-LOT SUBDIVISION**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION		COUNTY COMMISSION
Date: <b>Dec 18, 2023</b>	<i>&amp;</i>	Date: <b>Jan 25, 2024</b>
Time: <b>5:15 PM</b>		Time: <b>6:00 PM</b>

HALL COUNTY GOVERNMENT CENTER, 305 BROWN'S BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809