HALL COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA
Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504
Streamed Live on Hall County Government's Website - www.hallcounty.org
Monday, April 22, 2024 - 03:00 PM

Call to Order

Fire Rescue

1 Approve the ratification of the purchase of Motorola Mobile Radios and Equipment for Fire Rescue to Motorola Solutions, Inc. of Chicago, IL, in the amount of $55,477.92.

2 Approve the purchase of one (1) Pierce Enforcer Squad Truck for Fire Rescue to Ten 8 Fire & Safety, LLC, of Bradenton, FL, in the amount of $1,242,909.00.

Human Resources

3 Approve the Employment Agreement for the Chief of Fire Rescue.

Planning and Development

4 Approve Change Order #3 for the purchase of additional professional services hours for the configuration of automatic notifications for inspection results of Accela Civic Applications software for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of $27,360.00.

5 Approve the purchase of upgrades to the existing Hall County Government Center video camera system for a new network video recorder (NVR) and thirty-two (32) network cameras for the Marshal's Office to Mobile Communications America (MCA) of Tucker, GA, in the amount of $109,198.90.

6 Public Hearing to transmit Hall County's updated short-term work program and capital improvement element to the Georgia Mountains Regional Commission.

7 **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** Note: Tabled at the March 14, 2024 Voting Meeting until the March 28, 2024 Voting Meeting. Note: Tabled at the March 28, 2024 Voting Meeting until the April 23, 2024 Voting Meeting.

8 **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B **| Proposed Use: 6-lot subdivision |** Commission District 2 **| Garry L. English, applicant**

9 **8545 Belton Bridge Road | Amend Conditions |** on an 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.**

10 **2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 **| Proposed Use: Used automobile sales and repair |** Commission District 3 **| Ramon Carrillo Jr, applicant**

11 **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 **| Proposed Use: Used automobile sales and repair |** Commission District 3 **| Ramon Carrillo Jr, applicant**

12 **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 **| Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 **| Karan Ahuja, applicant**

13 **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 **| Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 **| Karan Ahuja, applicant**

14 **4899 Browns Bridge Road | Rezone |** from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B **| Proposed Use: Office/warehouse buildings |** Commission District 2 **| Advantage Investment Properties, applicant**

Public Works and Utilities

15 Approve the award of RFQ/P #45-001 Cagle Road Improvements for Public Works & Utilities to Simpson's Trucking and Grading, Inc. of Gainesville, GA, in the amount of $3,417,713.14.

16 Approval and authorization for the Chairman to execute an Intergovernmental Agreement between Forsyth County, Gwinnett County, Hall County, and the City of Gainesville to continue the work of the Upper Chattahoochee Basin Group, subject to review and approval by the County Attorney.

17 Approval and authorization for the Board of Commissioners to execute a resolution to ratify and affirm all actions taken in furtherance of the Sardis Road Connector Project between April 24, 2023 and April 21, 2024, and authorize the execution of any and all documents necessary to effectuate the ratification and affirmation, subject to review and approval by the County Attorney.

18 Approve the acceptance of $1,536,277.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Ponderosa Farm Unit 1 Subdivision. Commission District 1.

19 Approve the acceptance of $609,086.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Falcon Landing Phase 1 Subdivision. Commission District 2.

20 Approval and authorization for the Chairman to execute the Georgia Department of Transportation (GDOT) FY 2024 Local Roads Assistance Grant (LRA) application and cover letter for 6.5 miles of road resurfacing on fourteen (14) various County roads, in the estimated amount of $2,841,848.00.

Sheriff's Office

21 Approve the ratification of the Congressionally Directed Spending application for the Hall County Jail to implement mental healthcare services to its inmates in the amount of $1,599,999.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. A match of $800,000.00 is required.

22 Approve the award of Task Order #2024-030 under RFQ/P #44-021 Demand Services for On-Call General Contractors and RFQ/P #44-004 Demand Services for Public Works Contractors for Sheriff's Complex Driveway Improvements for the Sheriff's Office to Simpson Trucking & Grading, Inc., of Gainesville, GA, in the amount of $226,141.00.

County Administrator

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

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

Fire Rescue

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 185/2024

SUBJECT: Approve the ratification of the purchase of Motorola Mobile Radios and Equipment for Fire Rescue to Motorola Solutions, Inc. of Chicago, IL, in the amount of $55,477.92.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: JS

Recommendation:
Approve.

Purpose of Request:
Approve the ratification of the purchase of Motorola Mobile Radios and Equipment for Fire Rescue to Motorola Solutions, Inc. of Chicago, IL, in the amount of $55,477.92.

History:
Purchased eight (8) APX 6500 enhanced 7/800 MHZ mobile radios for medical units.

Facts and Issues:

Options:

Funding Requested	$ 55,477.92
Are funds within current budget?	Yes
Source of Funds	Capital Projects
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?	2024-04-08

Approvals:

Buyer	submit	approve	Purchasing
AP	JS	JS	AP
Budget	**Finance**	**Attorney**	**Administration**
EW	WG	WLI	CR

Clerk
JR

Attachments:
Financial Supplement
Purchase Order
Invoice
Quote
Specifications Sheet

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 185/2024

Funds Requested: $ 55,477.92

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	3630-EMS	542500-OTHER EQUIPMENT	$55,477.92

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: JS

Phone: 404-597-0084

Hall County Board of Commissioners
Financial Services
PO Drawer 1435
Gainesville, GA 30503

PURCHASE ORDER

PURCHASE ORDER DETAILS

Purchase Order Number	**20240454-002**
Purchase Order Date	**08/23/2023**
Department	**FIRE RESCUE**
Required By	**08/16/2023**

Bill To
Please send all invoices to
accountspayable@hallcounty.org

Ship To
HALL CTY FIRE RESCUE
WAREHOUSE
3144 GILLSVILLE HWY
DELIVERIES BTW 9AM-3PM ONLY
GAINESVILLE, GA 30507

Vendor 10698
MOTOROLA SOLUTIONS INC
13104 COLLECTIONS CENTER DRIVE
CHICAGO, IL 60693

The Terms and Conditions printed on the back of this Purchase Order shall govern the terms of this purchase.

CHANGE ORDER

VENDOR PHONE NUMBER	VENDOR EMAIL	VENDOR NUMBER	REQUISITION NUMBER	REQUISITIONER NAME	BUYER NAME	DELIVERY REFERENCE
847-725-4362		10698	9240907	Beckie Sanders	Mike Hawkins	

NOTES

8 Radios for Med Units APX6500

ITEM #	DESCRIPTION	QUANTITY	UOM	UNIT PRICE	EXTENDED PRICE
1	Encumber funds for purchase of eight (8) APX6500 radios for med units. See attached quote for order details. GL #: 350-3630-542500-0000- $53,557.92 Commodity Code: -	1.0000	LOT	$53,557.9200	$53,557.92
2	Prepaid account GL #: 350-0000-113800-0000- $1,920.00 Commodity Code: -	1.0000	EACH	$1,920.0000	$1,920.00

Shipment of goods or delivery of services resulting from this Purchase Order constitutes acceptance by the Supplier of the Terms and Conditions of the Purchase Order. Not to exceed amount without written change order.

Approver Name: munis

Approval Date: 08/23/2023

Andy Penick
Authorized Signature

Purchase Order Total **$55,477.92**

HALL COUNTY, GEORGIA
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 arise between these Terms and Conditions herein and The Official Code of Hall County, the latter will govern.
3. The Terms and Conditions set herein shall supersede and govern over all Supplier's Terms and Conditions or Service Level Agreements.
4. Hall County, Georgia, herein referred to as '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 shall be deem as the Supplier's full and complete acceptance of the County's Terms and Conditions.
6. The terms; supplier, vendor, bidder, offeror, contractor, consultant, 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. The County may consider Prompt Pay Terms if offered at least five percent (5%) of the total and not less than fifteen (15) days terms. A supplier simply offering such a discount does not constitute the County's acceptance of such, and the County shall not be bound to the offer.
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 goods delivered or services rendered that were not ordered and specified in writing.
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 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. Exception may be given to custom cut (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. Delivery shall be made to the ship-to address(s) listed on the PO and within the time specified. The Supplier must note if multiple ship-to address are used and deliver goods to the appropriate ship-to address.
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. No right or interest in the contract shall be assigned by the Supplier without written permission of the County, and no delegation of any obligation owed or of the performance of any obligation by the Supplier shall be made without the written permission of the County. Any attempted assignment or delegation shall be wholly void and totally ineffective 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 this 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, conform exactly to all of the descriptions, specifications, and attachments contained in the Bid Solicitation, Request for Proposals, Invitation for Bid, or other advertisements, upon which this order is based; and 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, photo negatives, positives, artwork, plates, engravings, and other printed media materials owned by the County shall become and remain County property and shall be delivered to the County upon request.
32. Invoices should be submitted to the County as described on the PO, and each PO Number and/or Contract Number must be shown on each invoice submitted.
33. In the event that this PO is issued with 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 the Supplier and any of its subcontractors have 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 unless otherwise denoted, 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.
42. Any changes to the PO in quantity or dollar amount require a written change order issued by the County

MOTOROLA SOLUTIONS

ORIGINAL INVOICE

Motorola Solutions, Inc.
500 West Monroe
Chicago IL 60661
United States
Federal Tax ID: 36-1115800

Visit our website at www.motorolasolutions.com

Transaction Number	Transaction Date	Transaction Total
8281788447	21-DEC-2023	**55,477.92 USD**

P.O. Number	P.O. Date	Customer Account No
20240454	23-AUG-2023	1000065442

Payment Terms	Payment Due Date
Net Due in 30 Days	20-JAN-2024

Bill To Address

HALL COUNTY COMMISSIONERS
ATTN: Accounts Payable
PO BOX 1435
GAINESVILLE GA 30503
United States

Ship To Address

HALL COUNTY FIRE SERVICES
3144 GILLSVILLE HWY
GAINESVILLE GA 30507
United States

IMPORTANT INFORMATION

Ultimate Destination
United States

Freight Terms: FREIGHT PREPAID

Inco Term: CPT
NEAREST PORT OF IMPORT

Sales Order(s): 3203084806
Delivery Number(s): 9110563131

For all invoice payment inquiries contact
AccountsReceivable@motorolasolutions.com
Telephone: 800-247-2346
Fax: +1(631)883-4238

SPECIAL INSTRUCTIONS / COMMENTS

Line Item #	Item Number	Description	Qty.	Unit Price (USD)	Amount (USD)
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE **SO Line #:** 1.1 **Ship Date:** 21-DEC-2023 **SERIAL NUMBERS** 527CZZ2966 527CZZ2967 527CZZ2968 527CZZ2969 527CZZ2970 527CZZ2971 527CZZ2972 527CZZ2973	8	2,469.68	19,757.44
1.1	LSV01S00131A	G78AT - ENH: 3 YEAR ESSENTIAL SVC : Duration Service From: 23-DEC-2023 Service To: 22-DEC-2026	8	288.00	2,304.00
1.2	W969BG	ADD: MULTIKEY OPERATION	8	264.99	2,119.92
1.3	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	8	0.00	0.00
1.4	GA00250AA	ADD: BLUETOOTH/WIFI/GNSS FLEXIBLE CABLE LMR195	8	80.30	642.40

Please detach here and return the bottom portion with your payment

Payment Coupon

Transaction Number	Customer Account No	Payment Due Date	Transaction Total	Amount Paid
8281788447	1000065442	20-JAN-2024	**55,477.92 USD**	

Please put your Transaction Number and your Customer Account Number on your payment for prompt processing.

HALL COUNTY COMMISSIONERS
ATTN: Accounts Payable
PO BOX 1435
GAINESVILLE GA 30503
United States

Payment Transfer Details

Bank of America, Dallas
WIRE Routing Transit Number: 026009593
ACH/EFT Routing Transit Number: 111000012
SWIFT: BOFAUS3N
Bank Account No: 3756319806

Send Payments To:

MOTOROLA SOLUTIONS

Motorola Solutions, Inc.
13108 Collections Center
Chicago IL 60693
United States
Please provide your remittance details to:
US.remittance@motorolasolutions.com

DIVERSION CONTRARY TO EXPORT CONTROL LAW IS PROHIBITED

MOTOROLA SOLUTIONS

Motorola Solutions, Inc.
500 West Monroe
Chicago IL 60661
United States
Federal Tax ID: 36-1115800

ORIGINAL INVOICE

Transaction Number	Transaction Date	Transaction Total
8281788447	21-DEC-2023	**55,477.92 USD**

P.O. Number	P.O. Date	Customer Account No
20240454	23-AUG-2023	1000065442

Payment Terms	Payment Due Date
Net Due in 30 Days	20-JAN-2024

Visit our website at www.motorolasolutions.com

Line Item #	Item Number	Description	Qty.	Unit Price (USD)	Amount (USD)
1.5	G174AD	ADD: ANT 3DB LOW-PROFILE 762-870	8	34.31	274.48
1.6	GA09001AA	ADD: WI-FI CAPABILITY	8	240.90	1,927.20
1.7	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	8	0.00	0.00
1.8	GA09000AA	ADD: DIGITAL TONE SIGNALING	8	120.45	963.60
1.9	GA00580AA	ADD: TDMA OPERATION	8	361.35	2,890.80
1.10	GA01630AA	ADD: SMARTCONNECT	8	0.00	0.00
1.11	G892AB	ENH:HAND MIC,GCAI WTR RESISTANT APX	16	57.67	922.72
1.12	G67DT	ADD: REMOTE MOUNT E5 APXM	8	238.71	1,909.68
1.13	GA00092AU	ADD: APXM DUAL E5 CH	8	457.71	3,661.68
1.14	GA01670AA	ADD: APX E5 CONTROL HEAD	8	523.41	4,187.28
1.15	G444AH	ADD: APX CONTROL HEAD SOFTWARE	8	0.00	0.00
1.16	G831AD	ADD: SPKR 15W WATER RESISTANT	16	48.18	770.88
1.17	G628AC	ADD: REMOTE MOUNT CABLE 17 FT APX	16	12.41	198.56
1.18	G361AH	ENH: P25 TRUNKING SOFTWARE APX	8	240.90	1,927.20
1.19	G51AU	ENH: SMARTZONE OPERATION APX6500	8	963.60	7,708.80
1.20	G806BL	ENH: ASTRO DIGITAL CAI OP APX	8	413.91	3,311.28
1.21	G78AT	ENH: 3 YEAR ESSENTIAL SVC	8	0.00	0.00

USD Subtotal	**55,477.92**
USD Total Tax	**0.00**
USD Total	**55,477.92**
USD Amount Due	**55,477.92**

DIVERSION CONTRARY TO EXPORT CONTROL LAW IS PROHIBITED

MOTOROLA SOLUTIONS

HALL COUNTY COMMISSIONERS

APX6500

07/31/2023

The design, technical, pricing, and other information (" Information ") furnished with this submission is confidential proprietary information of Motorola Solutions, Inc. or the Motorola Solutions entity providing this quote (" Motorola ") and is submitted with the restriction that it is to be used for evaluation purposes only. To the fullest extent allowed by applicable law, the Information is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the Information without the express written permission of Motorola.
MOTOROLA, MOTO, MOTOROLA SOLUTIONS, and the Stylized M Logo are trademarks or registered trademarks of Motorola Trademark Holdings, LLC and are used under license. All other trademarks are the property of their respective owners. © 2020 Motorola Solutions, Inc. All rights reserved.

MOTOROLA SOLUTIONS

QUOTE-2252382

07/31/2023

HALL COUNTY COMMISSIONERS
PO BOX 1435
GAINESVILLE, GA 30503

RE: Motorola Quote for APX6500

Billing Address:
HALL COUNTY
COMMISSIONERS
PO BOX 1435
GAINESVILLE, GA 30503
US

Quote Date:07/31/2023
Expiration Date:10/29/2023
Quote Created By:
Amy Jenkins
Amy.Jenkins@
motorolasolutions.com

End Customer:
HALL COUNTY COMMISSIONERS
Jimmy Taggart
jtaggart@hallcounty.org
7705316772

Contract: 36273 - SOURCEWELL 042021-MOT

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6500 / Enh Series	ENHANCEDAPX6500				
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	8	$3,383.12	$2,469.68	$19,757.44
1a	G831AD	ADD: SPKR 15W WATER RESISTANT	16	$66.00	$48.18	$770.88
1b	GA00250AA	ADD: BLUETOOTH/WIFI/ GNSS FLEXIBLE CABLE LMR195	8	$110.00	$80.30	$642.40
1c	GA00580AA	ADD: TDMA OPERATION	8	$495.00	$361.35	$2,890.80
1d	G628AC	ADD: REMOTE MOUNT CABLE 17 FT APX	16	$17.00	$12.41	$198.56
1e	G51AU	ENH: SMARTZONE OPERATION APX6500	8	$1,320.00	$963.60	$7,708.80
1f	G67DT	ADD: REMOTE MOUNT E5 APXM	8	$327.00	$238.71	$1,909.68
1g	G78AT	ENH: 3 YEAR ESSENTIAL SVC	8	$288.00	$288.00	$2,304.00
1h	GA00092AU	ADD: APXM DUAL E5 CH	8	$627.00	$457.71	$3,661.68
1i	G892AB	ENH:HAND MIC,GCAI WTR RESISTANT APX	16	$79.00	$57.67	$922.72

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1j	G444AH	ADD: APX CONTROL HEAD SOFTWARE	8	$0.00	$0.00	$0.00
1k	G806BL	ENH: ASTRO DIGITAL CAI OP APX	8	$567.00	$413.91	$3,311.28
1l	GA01670AA	ADD: APX E5 CONTROL HEAD	8	$717.00	$523.41	$4,187.28
1m	W969BG	ADD: MULTIKEY OPERATION	8	$363.00	$264.99	$2,119.92
1n	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	8	$0.00	$0.00	$0.00
1o	G174AD	ADD: ANT 3DB LOW-PROFILE 762-870	8	$47.00	$34.31	$274.48
1p	G361AH	ENH: P25 TRUNKING SOFTWARE APX	8	$330.00	$240.90	$1,927.20
1q	GA09000AA	ADD: DIGITAL TONE SIGNALING	8	$165.00	$120.45	$963.60
1r	GA09001AA	ADD: WI-FI CAPABILITY	8	$330.00	$240.90	$1,927.20
1s	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	8	$0.00	$0.00	$0.00
1t	GA01630AA	ADD: SMARTCONNECT	8	$0.00	$0.00	$0.00

Grand Total $55,477.92(USD)

Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

MOTOROLA SOLUTIONS

Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead **(PO will not be processed without this)**
PO Number/ Contract Number
PO Date
Vendor = Motorola Solutions, Inc.
Payment (Billing) Terms/ State Contract Number
Bill-To Name on PO must be equal to the *Legal* Bill-To Name
Bill-To Address
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)
PO Amount must be equal to or greater than Order Total
Non-Editable Format (Word/ Excel templates cannot be accepted)
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept
Ship To Contact Name & Phone #
Tax Exemption Status
Signatures (As required)

APX 6500

SINGLE-BAND P25 MOBILE RADIO

STAY INFORMED. STAY SAFE.

You may not know what the next call will entail, but you do know that your team needs communication they can count on. Whether on a motorcycle, in a squad car or a fire truck, the rugged and compact design of the evolved APX™ 6500 mobile radio is designed to maximize the real estate in your vehicle and keep your entire agency safely connected. Now with integrated Wi-Fi, Bluetooth and SmartConnect, the APX 6500 gives you more ways to manage your radio and stay connected. And when your vehicle sustains a high impact, the radio can automatically alert dispatch.

Security is more important than ever. Criminals are testing you on the streets and over the air. Fight back with multiple levels of protection to encrypt and secure your voice and data communication against eavesdropping.

Stay connected, keep safe and secure your communications with the APX 6500 single-band mobile radio.

MOTOROLA SOLUTIONS

SMARTCONNECT

GET CONNECTED AND STAY CONNECTED

When the mission takes you out of range, you risk being left in the dark. The APX 6500, equipped with SmartConnect, can reroute P25 voice and data communication over broadband via built-in Wi-Fi or a tethered LTE/satellite router. Stay connected to your P25 radio system, even when outside of P25 coverage.

BUILT-IN Wi-Fi

VOICE AND DATA, ALL AT ONCE

Packed with all the connections you need, the APX 6500 keeps your team in touch and within reach of over-the-air updates. Receive new codeplugs, firmware updates and software features at the speed of Wi-Fi— without interruptions to voice communications.

DESIGNED TO SECURE AND PROTECT

KEEP VOICE AND DATA PROTECTED

The APX 6500 secures voice and data using multiple hardware encryption algorithms and the ability to rekey over the air, so it's protected from scanners and eavesdroppers. What's more, P25 Radio Authentication ensures only valid users can access the system while the available two-factor authentication secures database logins.

LIGHTWEIGHT, COMPACT DESIGN

FLEXIBLE, EASY INSTALLATION

The small and light form-factor of the APX 6500 allows for easy installation across a growing ecosystem of vehicles and installations. Users can choose one of several interchangeable control heads to best fit their need. Dual control head configuration enables radio operation from multiple locations within the same vehicle, such as a large fire truck.

DEVICE MANAGEMENT SERVICES

ALL THE SUPPORT YOU NEED

From simple support for technical troubleshooting to a complete transfer of optimization and maintenance services to Motorola Solutions, you choose the level of support that suits you best.

02 CONTROL HEAD

EXTREME USABILITY

The 02 control head provides rugged simplicity for efficient and confident communication. Extreme controls with easy to read color display and a built-in 7.5 watt speaker provides clear visual and audible user experiences. Available in high impact green or black.

03 HANDHELD CONTROL HEAD

HANDHELD FLEXIBILITY

The 03 corded control head fits all your mobile controls in your hand. With the 03 your radio controls are never out of reach.

APX 6500 COMPATIBLE CONTROL HEADS*

E5 CONTROL HEAD

UNMATCHED READABILTY. OPTIMIZED USABILITY.

A bright color display and intelligent lighting makes the E5 easy to read under any condition while the optimized tactility and button placement reduces inadvertent actuations.

07 CONTROL HEAD

INTEGRATED MULTI-FUNCTIONALITY

The 07 is a sophisticated control head with a color display and built-in keypad. It can integrate your radio vehicle control into a single ergonomic interface and supports dual radio installations.

* Compatible 05 control head is not shown.

FEATURES

GENERAL FEATURES	
Channel Capacity	1,000 channels standard, expandable to 3,000 channels
Encryption Algorithms	256-bit AES, ADP, DES, DES-XL, DES-OFB, DVP-XL

OPERATING MODES
Digital Trunking: 9600 Baud APCO P25 Phase 1 FDMA and Phase 2 TDMA
Analog Trunking: 3600 Baud SmartNet®, SmartZone®, Omnilink
Digital Conventional: APCO 25
Analog Conventional: Analog MDC 1200, Quik Call II System Configurations
SmartConnect Connectivity

INTEGRATED WI-FI, GPS AND DATA CONNECTIVITY
Wi-Fi 802.11 b/g/n with up to 20 Wi-Fi networks provisioned in the radio[1]
Data Modem Tethering[1]
ASTRO 25 Integrated Voice and Data
Enhanced Data[1]
Integrated GPS/GLONASS for Outdoor Location Tracking
Mission Critical Geofence[1]
Personnel Accountability[1]
SmartConnect[1]
Bluetooth (Version 4.2)

MANAGEMENT
Customer Programming Software (CPS)
Radio Management
Over-the-air Programming (OTAP)[1]

SECURITY
Tactical Inhibit[1]
P25 Authentication[1]
Software Key[1]
Single-key ADP Encryption[1]
Multikey for 128 keys and multi-algorithm[1]
Over-the-air Rekeying (OTAR)[1]

GPS/GNSS SPECIFICATIONS	
Channels	12
Tracking Sensitivity	-164 dBm
Accuracy[2]	<5 meters (95%)
Cold Start[2]	<60 seconds (95%)
Hot Start[2]	<5 seconds (95%)
Mode of Operation	Autonomous (Non-Assisted) GNSS or SBAS

[1] Optional
[2] Measured conductively with >6 satellites visible at a nominal -130 dBm signal strength
* SmartConnect not available in all countries.
Please check with your Motorola Solutions representative for availability in your country.

ENCRYPTION	
Supported Encryption Algorithms	ADP, 256-bit AES, DES, DES-XL, DES-OFB, DVP-XL
Encryption Algorithm Capacity	8
Encryption Keys per Radio	Module capable of storing 1024 keys. Programmable for 128 Common KeY Reference (CKR) or 16 Physicalldentifier (PID)
Encryption Frame Re-sync Interval	P25 CAI 300 mSec
Encryption Keying	Key Loader
Synchronization	XL – Counter Addressing | OFB – Output Feedback
Vector Generator	National Institute of Standards and Technology (NIST) approved random number generator
Encryption Type	Digital
Key Storage	Tamper protected volatile or non-volatile memory
Key Erasure	Keyboard command and tamper detection
Standards	FIPS 140-3 Level 3, FIPS 197

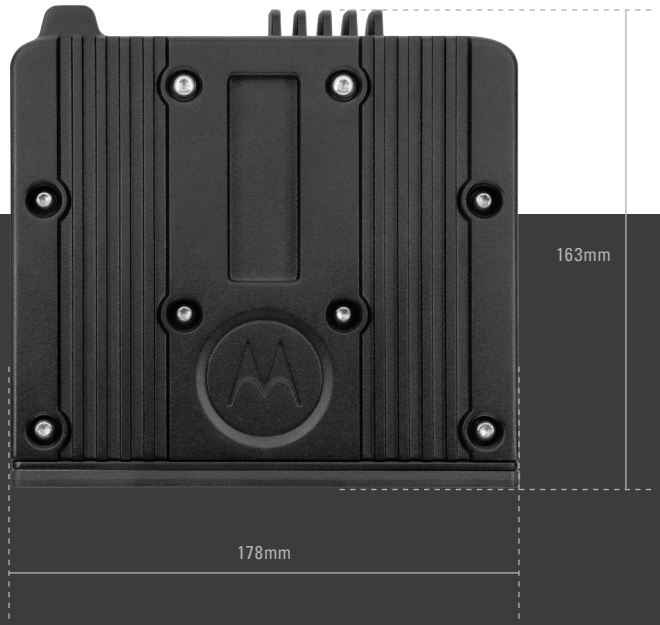
OTHER FEATURES
Text Messaging
Radio Profiles
Dynamic Zone
Intelligent Priority Scan
Unified Call List
Instant Recall
Data Modem Connection (wired or Wi-Fi)[1]
12 Character RFID Asset Tracking[1]
Digital Tone Signaling[1]

INTEGRATED WI-FI, GPS AND DATA CONNECTIVITY		
Frequency Range/Band splits	WLAN (Wi-Fi): 2412 - 2472 MHz; 5180 - 5320 MHz; 5500 - 5825 MHz	
WLAN (WiFi) 802.11 b/g/n (2.4GHz) 802.11 a/n/ac (5GHz)	Security protocols	WPA-2, WPA, WEP
	SSIDs	Up to 20 pre-provisioned
Data Modem Tethering[1]		
Bluetooth Version 4.2	2402-2480 MHz Supports MPP Pairing[2] and compatible with HSP, PAN, DUN and SPP Profiles found in Off-the-shelf Bluetooth accessories. Supports up to 6 data connections and 1 audio connection.	

SIGNALING (ASTRO 25 MODE)	
Signalling Rate	9.6 kbps
Digital ID Capacity	10,000,000 Conventional / 48,000 Trunking
Digital Network Access Codes	4,096 network site addresses
ASTRO Digital User Group Addresses	4,096 network site addresses
Project 25 – CAI Digital User Group Addresses	65,000 Conventional / 4,094 Trunking
Error Correction Techniques	Golay, BCH, Reed-Solomon codes
Data Access Control	Slotted CSMA: Utilizes infrastructure-sourced data status bits embedded in both voice and data transmissions

[1] Optional
[2] For E5 Control Head only

DIMENSIONS AND WEIGHT		
Radio Transceiver	51 x 178 x 163 mm (2.0 x 7.0 x 6.4 in)	2.18 kg (4.80 lbs)
Radio Transceiver and O2 Control Head - Dash Mount	69 x 207 x 223 mm (2.7 x 8.1 x 8.8 in)	2.43 kg (5.36 lbs)
Radio Transceiver and O5 Control Head - Dash Mount	51 x 178 x 202 mm (2 x 7 x 8.0 in)	2.24 kg (4.94 lbs)
Radio Transceiver and E5 Control Head - Dash Mount	51 x 178 x 209 mm (2.0 x 7.0 x 8.2 in)	2.24 kg (4.94 lbs)
Radio Transceiver and O7 Control Head - Dash Mount	51x 178 x 208 mm (2 x 7 x 8.2 in)	2.24 kg (4.94 lbs)
Radio Transceiver and Remote Mount	51 x 178 x 193.6 mm (2 x 7 x 7.6 in)	2.18 kg (4.80 lbs)
O2 Control Head Remote Mount	68 x 206 x 53 mm (2.7 x 8.1 x 2.1 in)	-
O5 Control Head Remote Mount	51 x 180.3 x 64 mm (2.0 x 7.0 x 2.5 in)	-
E5 Control Head Remote Mount	51 x 178.5 x 64 mm (2.0 x 7.0 x 2.5 in)	-
O7 Control Head Remote Mount	51 x 178 x 40 mm (2.0 x 7.0 x 1.5 in)	-



PERFORMANCE AND REGULATORY

TRANSMITTER

	VHF	UHF R1	UHF R2	700 MHz	800 MHz	900 MHz
Frequency Range/Bandsplits	136-174 MHz	380-470 MHz	450-520 MHz	764-776, 794-806 MHz	806-825, 851-870 MHz	896-902, 935-941 MHz
Rated RF Output Power (Adjustable)	1-50 W 1-25 W[3]	1-40 W 1-25 W[3]	1-45 W 1-25 W[3]	3-30 W	3-35 W	1-30 W
Frequency Stability (-30°C to +60°C; +25°C Ref.)	± 0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM
Emissions	Conducted -85 dBc Radiated -10 dBm	Conducted -85 dBc Radiated -20 dBm	Conducted -85 dBc Radiated -20 dBm	Conducted -75/-85 dBc Radiated -20/-40 dBm	Conducted -75 dBc Radiated -20 dBm	Conducted -70 dBc Radiated -20 dBm
Modulation Limiting (12.5/20/25 kHz)	±5/±2.5 kHz	±5/±2.5 kHz	±5/±2.5 kHz	±5/±2.5 kHz	±5/±2.5 kHz	±2.5 kHz (12.5kHz only)
Modulation Fidelity (C4FM) 12.5 kHz Digital Channel	2.5%	1.50%	1.50%	1.50%	1.50%	1.50%
Audio Response	+1, -3 dB (EIA)	+1, -3 dB (EIA)	+1, -3 dB (EIA)	+1, -3 dB (EIA)	+1, -3 dB (EIA)	+1, -3 dB (EIA)
FM Hum & Noise (12.5 kHz/25 kHz)	-52 dB / -53 dB	-50 dB / -53 dB	-50dB / -53dB	-48 dB / -50 dB	-48 dB / -50 dB	-45 dB (12.5kHz only)
Audio Distortion (12.5 kHz/25 kHz)	0.50%	0.50%	0.50%	0.50%	0.50%	0.80% (12.5kHz only)

RECEIVER

	VHF	UHF R1	UHF R2	700 MHz	800 MHz	900 MHz
Frequency Range/Bandsplits	136-174 MHz	380-470 MHz	450-520 MHz	764-776 MHz	851-870 MHz	935-941 MHz
Channel Spacing	12.5/25 kHz	12.5/25 kHz	12.5/25 kHz	12.5/25 kHz	12.5/25 kHz	12.5 kHz
Maximum Frequency Separation	Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit	Full Bandsplit
Audio Output Power at Rated/Max	7.5 / 15 W	7.5 / 15 W	7.5 / 15 W	7.5 / 15 W	7.5 / 15 W	7.5 / 15 W
Frequency Stability (-30 °C to +60 °C; +25 °C Ref.)	±0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM	±0.8 PPM
Analog Sensitivity (12db SINAD)	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	-121 dB (0.199 µV)	-121 dB (0.199 µV)	-120 dBm (0.224 µV)
5% BER	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	Pre-Amp -123 dBm (0.158 µV) Standard -119 dBm (0.251 µV)	-121.5 dB (0.188 µV)	-121.5 dB (0.188 µV)	-121 dBm (0.199 µV)
Selectivity (12.5 kHz / 25 kHz / 30 kHz)	77 dB / 89 dB / 90 dB	72 dB / 83 dB / -	72 dB / 83 dB / -	75 dB / 85 dB / -	75 dB / 85 dB / -	74 dB (12.5kHz only)
Intermodulation Rejection (12.5 kHz / 25 kHz)	Pre-Amp 84 dB Standard 86 dB	Pre-Amp 82 dB Standard 86 dB	Pre-Amp 82 dB Standard 86 dB	82 dB	82 dB	82 dB
Spurious Rejection	95 dB	93 dB	93 dB	91 dB	91 dB	91 dB
FM Hum & Noise (12.5 kHz / 25 kHz)	-50 dB / -59 dB	-50 dB / -55 dB	-50 dB / -55 dB	-50 dB / -59 dB	-50 dB / -59 dB	-50 dB (12.5kHz only)
Audio Distortion (12.5 kHz / 25 kHz)	1.20%	1.50%	1.50%	1.20%	1.20%	1.20% (12.5kHz only)

POWER AND BATTERY DRAIN

	VHF	UHF R1	UHF R2	700 MHz	800 MHz	900 MHz
Frequency Range / Bandsplits	136-174 MHz	380-470 MHz	450-520 MHz	764-775, 794-806 MHz	806-825, 851-870 MHz	896-902, 935-941 MHz
RF Power Output	1-50 W 1-25 W[3]	1-40 W 1-25 W[3]	450-485 MHz: 1-45 W 485-512 MHz: 1-40 W 512-520 MHz: 1-25 W	3-30 W	3-35 W	896-901 MHz: 1-30W 901-902 MHz: 1-3W 935-940 MHz: 1-30W 940-941MHz:1-3W
Operation	13.8 V DC ±20% Negative Ground	13.8 V DC ±20% Negative Ground	13.8 V DC ±20% Negative Ground	13.8 V DC ±20% Negative Ground	13.8 V DC ±20% Negative Ground	13.8 V DC ±20% Negative Ground
Standby at 13.8V	0.85 A	0.85 A	0.85 A	0.85 A	0.85 A	0.85 A
Receive Current at Rated Audio at 13.8V	3.2 A	3.2 A	3.2 A	3.2 A	3.2 A	3.2 A
Transmit Current (A) at Rated Power	8 A @ 15 W 13 A @ 50 W	11 A @ 40 W 8A @ 15 W	11 A @ 40 W 8A @ 15 W	8 A @ 15 W	8 A @ 15 W 12 A @ 35 W	10 A @ 30 W 5 A @ 3 W

[3] 1-25 W applies to countries with a maximum 25W limit.

ENVIRONMENTAL	
Operating Temperature	-30°C/+60°C
Storage Temperature	-40°C/+85°C
Humidity	Per MIL-STD
ESD	IEC 61000-4-2
Water and Dust Intrusion (w/ O2 control head)	IP56, MIL-STD

RADIO MODEL NUMBER	
VHF	M25KSS9PW1BN
UHF R1	M25QSS9PW1BN
UHF R2	M25SSS9PW1BN
700/800	M25URS9PW1BN
800/900	M25VRS9PW1CN

FCC/IC TYPE ACCEPTANCE ID	
FCC/IC ID	**Band and Power Level**
FCC ID: AZ492FT7141 ISED ID: 109U-92FT7141	896-902MHz (1-30W)
	935-941MHz (1-30W)
FCC ID: AZ492FT7124 IC ID: 109U-92FT7124	764-776 MHz (3-30 W)
	794-806 MHz (3-30 W)
	806-824 MHz (3-35 W)
	851-870 MHz (3-35 W)
FCC ID: AZ492FT7130 IC ID: 109U-92FT7130	136-174 MHz (1-50 W)
FCC ID: AZ492FT7129 IC ID: 109U-92FT7129	380-470 MHz (1-40 W)
FCC ID: AZ492FT4967 ISED ID: 109U-92FT4967	450-520 MHz (1-45 W)
	485-512 MHz (1-40 W)
	512-520 MHz (1-25 W)

RED CERTIFICATION	
Designator	Band and Power Level
MMCR308PE	136-174MHz, (1-50W)
MMCR508PE	380-470MHz, (1-40W)

MOBILE MILITARY STANDARDS 810, C, D, E, F, G & H

	MIL-STD 810C		MIL-STD 810D		MIL-STD 810E		MIL-STD 810F		MIL-STD 810G		MIL-STD 810H	
	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.	Method	Proc./Cat.
Low Pressure	500.1	I	500.2	II	500.3	II	500.4	I/II	500.6	II	500.6	II
High Temperature	501.1	I, II	501.2	I/A1, II/A1	501.3	I/A1, II/A1	501.4	I/Hot, II/Hot	501.6	I/A1, II/A1	501.7	I/A1, II/A1
Low Temperature	502.1	I	502.2	I/C3, II/C1	502.3	I/C3, II/C1	502.4	I/C3, II/C1	502.6	I/C3, II/C1	502.7	I/C3, II/C1
Temperature Shock	503.1	I	503.2	1/A1C3	503.3	1/A1C3	503.4	I	503.6	I/C	503.7	I/C
Solar Radiation	505.1	II	505.2	I	505.3	I	505.4	I	505.6	I/A1	505.7	I/A1
Rain	506.1	I, II	506.2	I, II	506.3	I, II	506.4	I, III	506.6	I, III	506.6	I, III
Humidity	507.1	II	507.2	II	507.3	II	507.4	-	507.6	II/Aggravated	507.6	II/Aggravated
Salt Fog	509.1	I	509.2	I	509.3	I	509.4	-	509.6	-	509.7	-
Blowing Dust	510.1	I	510.2	I	510.3	I	510.4	I	510.6	I	510.7	I
Blowing Sand	-	-	510.2	II	510.3	II		II	510.6	II	510.7	II
Vibration	514.2	VIII, F, W	514.3	I/10, II/3	514.4	I/10, II/3	514.5	I/24	514.7	I/24	514.8	I/24, II/5
Shock	516.2	I, III, V	516.3	I, V, VI	516.4	I, V, VI	516.5	I, V, VI	516.7	I, V, VI	516.8	I, V, VI

For more information, please visit
www.motorolasolutions.com/apx

MOTOROLA SOLUTIONS

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AGENDA ITEM

Fire Rescue

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 191/2024

SUBJECT: Approve the purchase of one (1) Pierce Enforcer Squad Truck for Fire Rescue to Ten 8 Fire & Safety, LLC, of Bradenton, FL, in the amount of $1,242,909.00.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: CJS

Recommendation:
Approve

Purpose of Request:

Approve the purchase of one (1) Pierce Enforcer Squad Truck for Fire Rescue to Ten 8 Fire & Safety, LLC, of Bradenton, FL, in the amount of $1,242,909.00.

History:
Ten 8 Fire is the sole source dealer for Pierce Fire Apparatus in Georgia. Pierce Manufacturing is a world leader in fire service apparatus manufacturing. They are a single source manufacturer and build all their apparatus in-house. This will allow Hall County Fire Rescue to keep a standardized fleet and have a certified vendor on contract (Ten 8 Fire) to complete all work that meets or exceeds manufacturer requirements and also complete any warranty work. Hall County now has a total of twenty-four (24) Pierce apparatus and the specified squad/rescue apparatus will give Hall County Fire Rescue a leading edge apparatus that meet the needs of ISO requirements and the needs of the community. Ten 8 has been a vendor of Hall County for ten years and is in good standing.

Facts and Issues:
This apparatus was approved in our capital budget with the intent we would pay when this truck arrives in 2027-2028. This apparatus has a lead time of 44-47 months. The price is based on the NPPGov (LOC) consortium contract #PS20240 (ID # 5.04) and is valid until April 24, 2024. Please see (b) in the contract for the PPI clause due to the Persistent Inflationary Environment.

Options:

Funding Requested	$ 1,242,909.00
Are funds within current budget?	Yes
Source of Funds	Capital Projects
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	submit	approve	Purchasing
MH	JS	JS	AY
Budget	**Finance**	**Attorney**	**Administration**
EW	WG	WLI	CR
Clerk			
JR			

Attachments:

Financial Supplement
Contract
Overview
Specifications
Master Price Agreement
Sole Source Justification
Sole Source Letter

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 191/2024

Funds Requested: $ 1,242,909.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2028	350-CAPITAL PROJECTS FUND	3520-FIRE RESCUE	542200-MOTOR VEHICLES	$1,242,909.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: CJS

Phone: 770-531-6838

TEN-8
IN SERVICE TO SERVE YOU

Equipment Proposal

Proposal # 1171

This Equipment Proposal (the "Proposal") has been prepared by Ten-8 Fire & Safety, LLC ("Company") in response to the undersigned Customer's request for a proposal. This Proposal is comprised of the special terms set forth below, the Proposal Option List, Warranty, and Company's Purchasing Terms and Conditions. Through its signature below or other Acceptance (as defined below), Customer acknowledges having received, read and being bound by this Proposal, all attachments and Company's Purchasing Terms and Conditions.

Date: **March 8, 2024** ("Proposal Date") **Customer:** **Hall County Board of Commissioners** ("Customer")

Customer Address: **2875 Brown's Bridge Road, Gainesville, Ga. 30504**

Qty	Product Description & Options	Price
1	**Pierce Enforcer Squad based on the attached specifications**	**$1,242,909.00**
	Total:	**$1,242,909.00**

** Pricing is subject to change as follows:

(a) Commercial chassis price is an estimate; final chassis price will be determined when chassis is delivered by the manufacturer to the original equipment manufacturer ("OEM"). The OEM will notify Company of its final price, and Company will notify Customer of the final price.

(b) Persistent Inflationary Environment: If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] ("PPI") has increased at a compounded annual growth rate of 5.0% or more between the month the OEM accepts this order ("Order Month") and a month 14 months prior to the then predicted "ready for pick up" date ("Evaluation Month"), then Company may update the pricing in an amount equal to the increase in PPI over 5.0% in each year or fractional year between the Order Month and the Evaluation Month. Company will document any such updated price for Customer's approval, and Company will provide to Customer the option to cancel this Order for 45 days if Customer does not accept the updated price. If Customer accepts or fails to respond within such 45 day period, Customer will be obligated to complete the Product purchase at the updated Total price.

Delivery Timing: The Product described above in the Product Description and Options Section of this document will be built by and shipped from the manufacturer approximately **44-47** (months) after Company receives Customer's acceptance of this Proposal as defined below, subject to market and production conditions, Force Majeure, delays from the chassis manufacturer, changes to Order Specifications, or any other circumstances or cause beyond Company's or manufacturer's control.

Other: **Payment due upon final delivery and acceptance. Based on purchasing on NPPGov (LOC) consortium contract # PS20240 (ID # 5.04)**

Pricing valid through April 30, 2024.

Unless accepted within **53** days from date of proposal, the right is reserved to withdraw this proposal.

ACCEPTANCE OF THIS PROPOSAL CREATES AN ENFORCEABLE BINDING AGREEMENT BETWEEN COMPANY AND CUSTOMER. "ACCEPTANCE" MEANS THAT CUSTOMER DELIVERS TO COMPANY: (A) A PROPOSAL SIGNED BY AN AUTHORIZED REPRESENTATIVE, OR (B) A PURCHASE ORDER INCORPORATING THIS PROPOSAL, WHICH IS DULY APPROVED, TO THE EXTENT APPLICABLE, BY CUSTOMER'S GOVERNING BOARD. ACCEPTANCE OF THIS PROPOSAL IS EXPRESSLY LIMITED TO THE TERMS CONTAINED IN THIS PROPOSAL AND COMPANY'S PURCHASING TERMS AND CONDITIONS. ANY ADDITIONAL OR DIFFERENT TERMS, WHETHER CONTAINED IN CUSTOMER'S FORMS OR OTHERWISE PRESENTED BY CUSTOMER AT ANY TIME, ARE HEREBY REJECTED.

INTENDING TO CREATE A BINDING AGREEMENT, Customer and Company have each caused this Proposal to be executed by their duly authorized representatives as of date of the last signature below.

Customer: Hall County Board of Commissioners

By: _____

Title: _____

Print: _____

Date: _____

Ten-8 Fire & Safety, LLC

By: _____

Title: **Authorized Sales Representative**

Print: **Guy R. Binion**

Date: **March 8, 2024**

Attestment: _____
Board of Commissioners Clerk

Approved as to Form: _____

EXHIBIT A

PROPOSAL OPTION LIST

EXHIBIT B

WARRANTY

SEE SPECIFICATIONS PROVIDED

EXHIBIT C

PURCHASING TERMS AND CONDITIONS

PURCHASING TERMS AND CONDITIONS

These Purchasing Terms and Conditions, together with the Equipment Proposal and all attachments (collectively, the "Agreement") are entered into by and between Ten-8 Fire & Safety, LLC, a Florida company ("Company") and Customer (as defined in Ten-8 Fire & Safety LLC's Equipment Proposal document) and is effective as of the date specified in Section 3 of these Purchasing Terms and Conditions. Both Company and Customer may be referred throughout this document individually as a "party" or collectively as the "parties."

1. Definitions.
   a. **"Acceptance"** has the same meaning set forth in Company's Equipment Proposal.
   b. **"Company's Equipment Proposal"** means the Equipment Proposal provided by Company and prepared in response to Customer's request for proposal for a fire apparatus or associated equipment.
   c. **"Cooperative Purchasing Contract"** means an Agreement between Company and a public authority, including without limitation, a department, division, agency of a municipal, county or state government ("Public Authority"), that adopts or participates in an existing agreement between Company and another non-party customer (including, but not limited to such non-party customer's equipment proposal, its applicable exhibits, attachments and purchasing terms and conditions), often referred to as a "piggyback arrangement," which is expressly agreed to, in writing, by Company. Company has sole discretion to determine whether it will agree to such a Cooperative Purchasing Contract.
   d. **"Delivery"** means when Company delivers physical possession of the Product to Customer.
   e. **"Manufacturer"** means the Manufacturer of any Product.
   f. **"Prepayment Discount"** means the prepayment discounts, if any, specified in Company's Equipment Proposal.
   g. **"Product"** means the fire apparatus and any associated equipment manufactured or furnished for Customer by Company pursuant to the Specifications.
   h. **"Purchase Price"** means the Total price set forth in the Quotation, after applicable pricing adjustments set forth in the Quotation.
   i. **"Purchasing Terms and Conditions"** means these Purchasing Terms and Conditions; however, if the Company's Equipment Proposal or the Customer's related Purchase Order states that it is governed by a Cooperative Purchasing Agreement, "Purchasing Terms and Conditions" shall mean those terms and conditions set forth in the applicable Cooperative Purchasing Agreement.
   j. **"Specifications"** means the general specifications, technical specifications, training, and testing requirements for the Product contained in Company's Equipment Proposal and its Exhibit A (Proposal Option List), prepared in response to Customer's request for such a proposal.

2. Purpose. This Agreement sets forth the terms and conditions of Company's sale of the Product to Customer.

3. Term of Agreement. This Agreement will become effective on the date of Acceptance as defined in Company's Equipment Proposal ("Effective Date") and, unless earlier terminated pursuant to the terms of this Agreement, it will terminate upon Delivery and payment in full of the Purchase Price.

4. Purchase and Payment. Customer agrees to pay Company the Purchase Price for the Product(s). The Purchase Price is in U.S. dollars. Where Customer opts for a Prepayment Discount that specifies that Customer will tender one or more prepayments to Company, Customer must provide each prepayment within the time frame specified in the Equipment Proposal in order to receive the Prepayment Discount for that prepayment installment. To the extent permitted by applicable law, Company may in its sole discretion charge a convenience fee if Customer elects to pay the Purchase Price by means of a credit card.

5. Representations and Warranties. Customer hereby represents and warrants to Company that the purchase of the Product(s) has been approved by Customer in accordance with applicable general laws and, as applicable, Customer's charter, ordinances and other governing documents, and funding for the purchase has been duly budgeted and appropriated.

6. Cancellation/Termination. In the event this Agreement is cancelled or terminated by Customer before completion, Company may charge Customer a cancellation fee. The following charge schedule is based on costs incurred by

Manufacturer and Company for the Product, which may be applied and charged to Customer: (a) 12% of the Purchase Price after the order for the Product(s) is accepted and entered into Manufacturer's system by Company; (b) 22% of the Purchase Price after completion of approval drawings by Customer, and; (c) 32% of the Purchase Price upon any material requisition made by the Manufacturer for the Product. The cancellation fee will increase in excess of (c) in this Section 6, accordingly, as additional costs are incurred by Manufacturer and Company as the order progresses through engineering and into the manufacturing process.

7. Delivery. The Product is scheduled to be delivered as specified in the Delivery Timing section of the Equipment Proposal ("Delivery Timing"), which will be F.O.B. Company's facility. The Delivery Timing is an estimate, and Company is not bound to such date unless it otherwise agrees in writing. Company is not responsible for Delivery delays caused by or as the result of actions, omissions or conduct of the Manufacturer, its employees, affiliates, suppliers, contractors, and carriers. All right, title and interest in and to the Product, and risk of loss, shall pass to Customer upon Delivery of the Product(s) to Customer.

8. Standard Warranty. The manufacturer warranties applicable to this Agreement, if any, are attached to Company's Equipment Proposal as Exhibit B and are incorporated herein as part of the Agreement.

   a. Disclaimer. EXCEPT AS OTHERWISE SET FORTH IN THIS AGREEMENT, COMPANY, INCLUDING ITS PARENT COMPANY, AFFILIATES, SUBSIDIARIES, AND THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, SHAREHOLDERS, AGENTS OR REPRESENTATIVES DO NOT MAKE ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PRODUCTS PROVIDED UNDER THIS AGREEMENT, WHETHER ORAL OR WRITTEN, EXPRESS, IMPLIED OR STATUTORY. WITHOUT LIMITING THE FOREGOING DISCLAIMER, ANY IMPLIED WARRANTY OR CONDITION OF MERCHANTABILITY, IMPLIED WARRANTY AGAINST INFRINGEMENT, AND IMPLIED WARRANTY OR CONDITION OF FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED AND DISCLAIMED. STATEMENTS MADE BY SALES REPRESENTATIVES OR IN PROMOTIONAL MATERIALS DO NOT CONSTITUTE WARRANTIES.

9. Limitation of Liability. NEITHER PARTY WILL BE LIABLE TO THE OTHER FOR ANY INCIDENTAL, CONSEQUENTIAL, INDIRECT, ECONOMIC, PUNITIVE, SPECIAL OR EXEMPLARY DAMAGES ARISING FROM OR IN ANY WAY CONNECTED WITH THIS AGREEMENT WITHOUT REGARD TO THE NATURE OF THE CLAIM OR THE UNDERLYING THEORY OR CAUSE OF ACTION (WHETHER IN CONTRACT, TORT, STRICT LIABILITY, EQUITY OR ANY OTHER THEORY OF LAW) ON WHICH SUCH DAMAGES ARE BASED. COMPANY'S LIMIT OF LIABILITY UNDER THIS AGREEMENT SHALL BE CAPPED AT THE TOTAL AMOUNT OF THE MONIES PAID BY CUSTOMER TO COMPANY UNDER THIS AGREEMENT.

10. Force Majeure. Company shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond Company's control or which make Company's performance impracticable, including but not limited to wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, transportation or delivery delays or losses outside of Company's control, any act of government, inability or delay of Company or manufacture in obtaining necessary labor or adequate or suitable manufacturing components at reasonable prices, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy, terrorism, epidemics, quarantine restrictions, failure of vendors to perform their contracts or labor troubles of Company or a manufacturer causing cessation, slowdown, or interruption of work.

11. Customer's Obligations. Customer shall provide its timely and best efforts to cooperate with Company and Manufacturer during the manufacturing process to create the Product. Reasonable and timely cooperation includes, without limitation, Customer's providing timely information in response to a request from Manufacturer or Company and Customer's participation in traveling to Manufacturer's facility for inspections and approval of the Product.

12. Default. The occurrence of one or more of the following shall constitute a default under this Agreement: (a) Customer's failure to pay any amounts due under this Agreement or Customer's failure to perform any of its

obligations under this Agreement; (b) Company's failure to perform any of its obligations under this Agreement; (c) either party becoming insolvent or becoming subject to bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement, which is false in any material respect; (e) an action by Customer to dissolve, merge, consolidate or transfer a substantial portion of its property to another entity; or (f) a default or breach by Customer under any other contract or agreement with Company.

13. Manufacturer's Statement of Origin. Company shall retain possession of the manufacturer's statement of origin ("MSO") for the Product until the entire Purchase Price has been paid. If more than one Product is covered by this Agreement, Company shall retain the MSO for each individual Product until the Purchase Price for that Product has been paid in full.

14. Arbitration. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The Arbitration shall take place in Hall County, Georgia.

15. Miscellaneous. The relationship of the parties established under this Agreement is that of independent contractors and neither party is a partner, employee, agent, or joint venture of or with the other. Neither party may assign its rights and obligations under this Agreement without the prior written approval of the other party. This Agreement and all transactions between Ten-8 Fire & Safety, LLC will be governed by and construed in accordance with the laws of the State of Georgia. The delivery of signatures to this Agreement may be via facsimile transmission or other electronic means and shall be binding as original signatures. This Agreement shall constitute the entire agreement and supersede any prior agreement between the parties concerning the subject matter of this Agreement. This Agreement may only be modified by an amendment, in writing, signed by duly authorized representatives of both parties with authority to sign such amendments to this Agreement. In the event of a conflict between the Ten-8 Proposal and these Terms and Conditions, the Ten-8 Proposal shall control except in the case of a Cooperative Purchasing Contract as set forth in Section 1(c) and (i) of these Purchasing Terms and Conditions. If any term of this Agreement is determined to be invalid or unenforceable by a competent legal authority, such term will be either reformed or deleted, as the case may be, but only to the extent necessary to comply with the applicable law, regulation, order or rule, and the remaining provisions of the Agreement will remain in full force and effect.

Pierce

Fire Apparatus

Product Specifics

Pierce Manufacturing Inc. is North America's leading single source manufacturer that designs, engineers, and builds the complete fire appartus from bumper to bumper. The full spectrum of vehicles is available including:

- Aerial
- Pumper
- Rescue
- Tanker
- Custom Options

PUBLICLY SOLICITED CONTRACT & AWARDED

Lead Public Agency: League of Oregon Cities

RFP #1905

CONTRACT TERM

CONTRACT NUMBER: PS20240

Effective Date: 05/27/2020

Initial expiration: 05/27/2023

Pricing Details

Members receive discounted pricing on these products. For pricing and product details, log in to **nppgov.com**.

Contract Details

- Log into **nppgov.com**
- Forms, legal documentation, price lists and other information can be found on the Pierce vendor page
- Sign the Intergovernmental Agreement (IGA) and keep for your records
- Provide your NPPGov member number on the purchase order

NPPGov

NPPGov is a national cooperative procurement organization based in Seattle, WA offering publicly solicited contracts to government entities nationwide. Our contracts are created through a public solicitation by a Lead Public Agency. Access to our cooperative contracts is free and there are no purchasing obligations.

Benefits of cooperative contracts:

- Competitively bid, no additional RFP necessary
- Saves time and money in your procurement process
- Live contract support

Option List

3/10/2024

Customer:		**Bid Number:**	1171
Representative	Binion, Guy	**Job Number:**	
Organization:	Ten-8 Fire & Safety	**Number of Units:**	
Requirements Manager:		**Bid Date:**	
Description:	2023 Hall HDR (Squad 7 Dup)	**Stock Number:**	
Body:	HDR, Walk-In, Aluminum	**Price Level:**	48 (Current: 48)
Chassis:	Enforcer Chassis	**Lane:**	

Line	Option	Type	Option Description	Qty
1	0766614		Boiler Plates, Heavy Duty Rescue	1
			Fire Department/Customer - Hall County Operating/In conjunction W-Service Center - Operating Miles - 25 Miles Number of Fire Dept/Municipalities - 5 Bidder/Sales Organization - Ten-8 Fire and Safety, LLC Delivery - Delivery representative Dealership/Sales Organization, Service - Ten-8 Fire and Safety, LLC	
2	0661794		Single Source Compliance	1
3	0584456		Manufacture Location, Appleton, Wisconsin	1
4	0584452		RFP Location: Appleton, Wisconsin	1
5	0588609		Vehicle Destination, US	1
6	0670275		Unit to be Similar in some Aspects, Excluding Pump Panel	1
			Fill in Blank - Job # 31750	
7	0816491		Comply NFPA 1900 Changes Effective Jan 1, 2024, With Exceptions	1
8	0533352		Special Services (Rescue) Fire Apparatus	1
9	0588614		Vehicle Certification, Rescue	1
10	0681285		Agency, Apparatus Certification, Rescue, U.L.	1
11	0816495		Certification, Vehicle Inspection Program, NFPA 1900	1
12	0733614		Consortium, NPPGov (LOC)	1
13	0535579		Not Required, Unit of Measure, (no pump, no tank)	1
14	0529326		Bid Bond, 10%, Pierce Built Chassis	1
15	0816569		Performance Bond, Not Requested, PPI Terms	1
16	0000007		Approval Drawing	1
17	0002928		Electrical Diagrams	1
18	0649754		Enforcer Chassis	1
19	0000110		Wheelbase	1
			Wheelbase - 259"	
20	0000070		GVW Rating	1
			GVW rating - 49,800 lbs.	
21	0729280		Frame Rails, 13.38 x 3.50 x .375, Enforcer	1
22	0889469		Frame Liner, "C/Inv L" 12.50" x 3.00" x .25", AXT/Vel/Imp/Enf, 56" QVal	1
23	0629940		Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, Enforcer	1
24	0010427		Suspension, Front TAK-4, 22,800 lb, Qtm/AXT/Imp/Vel/Enf/SFR	1
25	0087572		Shock Absorbers, KONI, TAK-4, Qtm/AXT/Imp/Vel/DCF/Enf	1
26	0000322		Oil Seals, Front Axle	1
27	0899438		Tires, Front, Goodyear, Armor MAX MSA, 425/65R22.50, 20 ply	1
28	0019611		Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot	1
29	0530459		Axle, Rear, Meritor RS25-160, 27,000 lb, Saber/Enforcer	1
30	0544253		Top Speed of Vehicle, 68 MPH /109 KPH	1
31	0565380		Suspen, Rear, Single Slipper Spring, 27,000 lb, Saber/Enforcer	1
32	0000485		Oil Seals, Rear Axle	1
33	0782552		Tires, Rear, Goodyear, Endurance RSA, 12R22.50, LRH, Single	1
34	0654792		Wheels, Rear, Alcoa-Accuride, 22.50" x 8.25", Aluminum-Steel, Hub Pilot, Single	1
35	0568081		Tire Balancing, Counteract Beads	1
36	0620570		Tire Pressure Monitoring, RealWheels, AirSecure, Valve Cap, Single Axle	1
			Qty, Tire Pressure Ind - 6	
37	0801909		Lug Nut, Covers, Chrome	1
38	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1
39	0001960		Axle Hub Covers, Rear, S/S, High Hat (Pair)	1
40	0002045		Mud Flap, Front and Rear, Pierce Logo	1

Line	Option	Type	Option Description	Qty
41	0760675		Chains, Onspot, Automatic Tire, Custom	1
42	0759633		Switch, Rocker Style, Tire Chains, MUX Chassis	1
43	0544802		Chocks, Wheel, SAC-44-E, Folding, (Up to 44" Diameter Tires)	1
			Qty, Pair - 01	
44	0544806		Mounting Brackets, Chocks, SAC-44-E, Folding, Horizontal	1
			Qty, Pair - 01	
			Location, Wheel Chocks - Left Side Rear Tire, Forward	
45	0820509		ESC/ABS/ATC Wabco Brake System, Single Rear Axle, NFPA 1900	1
46	0030185		Brakes, Knorr/Bendix 17", Disc, Front, TAK-4	1
47	0509206		Brakes, Meritor, EX225, Disc Plus, Rear, Single Axle	1
48	0735527		Air Compressor, Brake, Wabco 26.8 CI, Paccar	1
49	0644232		Brake Reservoirs, 4,272 Cubic Inch Minimum Capacity, Saber FR/Enforcer	1
			Paint Color, Air Tanks - Frame color	
50	0790412		Air Dryer, Wabco System Saver 1200 IWT, Heated, SFR/Enf	1
51	0000790		Brake Lines, Nylon	1
52	0544415		Inlet/Outlet, Air, w/Disconnect Fitting, Location	1
			Location - DS stepwell	
			Qty, Air Coupling (s) - 1	
53	0586772		Box, Recessed, Alum Treadplate, for Air Fitting	1
			Location - DS stepwell	
			Qty, Air Coupling (s) - 1	
54	0014130		Air Tank, Additional for Extra Air Horn Capacity	1
			Paint Color, Air Tanks - Frame color	
55	0808515		Engine, Paccar MX, 510HP, 1850 lb-ftW/OBD, EPA 2027, Saber FR/Enforcer	1
56	0811409		Not Required, Engine Contingency Adjustment	1
57	0001244		High Idle w/Electronic Engine, Custom	1
58	0735687		Engine Brake, Fully Integrated, Paccar MX13 Engine	1
			Switch, Engine Brake - MX13	
59	0644227		Clutch, Fan, Air Actuated, Saber FR/Enforcer	1
60	0640477		Air Intake, Metal Screen, Saber FR/Enforcer	1
61	0814375		Exhaust System, Horizontal, Right Side	1
			Exhaust, Diffuser - Aluminized Steel (Standard)	
			Exhaust, Material/Finish - Aluminized Steel (Standard)	
			Location, Diffuser Termination - 2.00" Past Rub Rail (Standard)	
			Tip, Exhaust - Straight Tip (Standard)	
62	0788765		Radiator, Saber FR/Enforcer	1
63	0001090		Cooling Hoses, Rubber	1
64	0001125		Fuel Tank, 65 Gallon, Left Side Fill	1
65	0001129		Lines, Fuel	1
66	0889521		DEF Tank, 7.3 Gallon, LS Fill, Under Cab, Paccar, Lift Up Fill Dr, Spring, ENF	1
			Door, Material & Finish, DEF Tank - Brushed Stainless	
67	0552793		Not Required, Fuel Priming Pump	1
68	0552712		Not Required, Shutoff Valve, Fuel Line	1
69	0699437		Cooler, Chassis Fuel, Not Req'd.	1
70	0690880		No Selection Required From This Category	1
71	0887546		Trans, Allison 6th Gen, 4000 EVS P, w/Prognostics, Imp/Vel/SFR/Enf	1
72	0625331		Transmission, Shifter, 6-Spd, Push Button, 4000 EVS	1
73	0684459		Transmission Oil Cooler, Modine, External	1
74	0792887	SP	Mode, Auxiliary Preselect, (less aggressive) Set to 3rd Gear, 6 Speed	1
75	0801876		Fluid, 4000 Series Trans, Allison Approved TES-668 Synthetic, IPOS, Custom	1
76	0001375		Driveline, Spicer 1810	1
77	0734211		Steering, Sheppard M110 w/Tilt, TAK-4, Paccar Pump, w/Cooler, Paccar	1
78	0605356		Steering Wheel, 4 Spoke without Controls, Saber FR/Enforcer	1
79	0690274		Logo/Emblem, on Dash	1
			Text, Row (1) One - Hall	
			Text, Row (2) Two - County	
			Text, Row (3) Three - Fire	
80	0695359		Bumper, 26" Extended, Steel, Painted, Saber FR/Enforcer	1
81	0802624		Tray, Tool, Center, 26" Bumper w/Outside Air Horns, 15" Dp	1
			Grating, Bumper extension - Grating, None	
82	0614646		No Lift & Tow Package, Imp/Vel, AXT, SFR/Enf	1
83	0002270		Tow Hooks, Chrome	1

Line	Option	Type	Option Description	Qty
84	0067702		Receiver, Portable Winch, At Front Bumper, 10K Pull, w/Power	1
85	0611670		Equipment Tray, Full Width Cover, Tools In Center	1
			Make/Model - Genesis	
86	0698960		Coating, Top Flange, Front Bumper, Outside Exterior, UL-LX Coating, Black	1
87	0648332		Cab, Enforcer, 7010	1
88	0747442		Engine Tunnel, X12, MX13, Enforcer	1
89	0887601		Cab Insulation, Enforcer/Saber FR	1
90	0633594		Rear Wall, Interior, Adjustable Seating	1
91	0632103		Rear Wall, Exterior, Cab, Saber FR/Enforcer	1
			Material, Exterior Rear Wall - Painted	
92	0639727		Cab Lift, Elec/Hyd, Manual Override, Saber FR/Enforcer	1
93	0695930		Grille, Bright Finished, Front of Cab, Enforcer	1
94	0648912		Scuffplates, S/S At Cab Door Jambs and Handrails	1
			Material Trim/Scuffplate - b) S/S, Brushed	
95	0647932		Not Required, Trim, S/S Band, Across Cab Face, AXT/Saber/Enforcer	1
96	0015440		No Chrome Molding, On side of cab	1
97	0521669		Mirrors, Retrac, West Coast Style, Htd/Rmt, w/Htd/Rmt Convex	1
98	0648170		Door, Half-Height, Saber FR/Enforcer 4-Door Cab, Raised Roof	1
			Key Model, Cab Doors - 751	
			Cab, Exterior Door Handle, Finish - 4-Door, Chrome/Black	
99	0655543		Door Panel, Brushed Stainless Steel, Saber/Enforcer 4-Door Cab	1
100	0630636		Controls, Electric Roll-Up Windows, 4dr, 4 Driver Controls, Saber FR/Enforcer	1
101	0638310		Steps, 4-Door Cab, Saber FR/Enforcer	1
			Step Well Material - Brushed	
102	0770194		Handrail, Exterior, Knurled, Alum, 4-Door Cab	1
103	0892638		Lights, Cab & Crw Cab Acs Stps, P25, LED w/Bezel, 6lts	1
			Color, Trim - Chrome Housing	
104	0583698		Fenders, S/S on cab, Extra Wide, Saber/Enf	1
105	0557023		Handrail, 10", Below Cab Windshield, Pair	1
106	0637984		Window, Side of C/C, Fixed, Saber FR/Enforcer	1
107	0012090		Not Required, Windows, Front/Side of raised roof	1
108	0779033		Not Required, Windows Rear of Crew Cab, Saber FR/Enforcer	1
109	0032244		Enclosure Around Night Scan on Cab Roof, Painted	1
110	0722796		Dash, Poly, Saber FR/Enforcer	1
111	0607217		Mounting Provisions, 3/16" Alum, Full Engine Tunnel, Saber FR/Enforcer	1
			Mounting Provision Spacing - .75"	
			Material Finish, Cab Interior - Painted	
112	0797221		Cab Interior, Turnout Tuff Headliner, Saber FR/Enforcer	1
			Color, Cab Interior Vinyl/Fabric - c) Black	
			Engine Tunnel Cover - Black Turnout Tuff	
			Cab Interior Rear Wall Material - Painted Aluminum	
113	0753903		Cab Interior, Paint Color, Saber FR/Enforcer	1
			Color, Cab Interior Paint - i) fire smoke gray	
114	0052100		Floor, Rubber Padded, Cab & Crew Cab, Saber/Enforcer	1
115	0817805		HVAC, Heavy-Duty, Enforcer, Paccar, CARE	1
			Paint Color, A/C Condenser - Painted to Match Cab Roof	
			HVAC System, Filter Access - Removable Panel	
			Auxiliary Cab Heater - Both	
			HVAC System, Control Loc. - Panel Position #12	
			Plenum Cover Material - Formed Plastic	
116	0639675		Sun Visor, Smoked Lexan, AXT, Imp/Vel, Saber FR/Enforcer	1
			Sun Visor Retention - Thumb Latch	
117	0634328		Grab Handles, Driver and Officer Door Posts, Saber FR/Enforcer	1
118	0583938		Lights, Engine Compt, Custom, Auto Sw, Wln 3SC0CDCR, 3" LED, Trim	1
			Qty, - 01	
119	0631830		Fluid Check Access, Saber FR/Enforcer, Arrow XT	1
			Latch, Door, Storage - Southco C2 Chrome Raised	
120	0583042		Side Roll and Frontal Impact Protection	1
121	0622617		Seating Capacity, 6 Seats	1
122	0636955		Seat, Driver, Pierce PSV, Air Ride, High Back, Safety, PRIMARY, SFR/Enf	1
123	0632926		Seat, Officer, Pierce PSV, Air Ride, SCBA, Safety, PRIMARY, SFR/Enf	1
124	0002517		Not Required, Radio Compartment	1

Line	Option	Type	Option Description	Qty
125	0635973		Seat, Rr Fcng C/C, LS Otbrd, Pierce PSV, SCBA, Safety, PRIMARY, SFR/Enf	1
126	0102783		Not Required, Seat, Rr Facing C/C, Center	1
127	0635969		Seat, Rr Fcng C/C, RS Otbrd, Pierce PSV, SCBA, Safety, PRIMARY, SFR/Enf	1
128	0781672		Cabinet, Forward Facing, LS, 22 W x 50 H x 16.25 D, Roll, SFR/Enf	1
			Material Finish, Shelf - Painted - Cab Interior	
			Shelf/Tray, Cabinet - (2) Shelves, Adjustable, 1.25" Up-Turned Lip	
			Door, Cab Interior Cabinet - Rollup, Gortite, White, Locking #751	
			Light, Tall Cabinet - Pierce, Interior, Left Side	
			Louvers, Cabinet - 0-No Louvers	
129	0635957		Seat, Fwd Fcng C/C, Ctr, (2) Pierce PSV, SCBA, Safety, SECONDARY, SFR/Enf	1
130	0781307		Cabinet, Forward Facing, RS, 22 W x 50 H x 16.25 D, Roll, SFR/Enf	1
			Material Finish, Shelf - Painted - Cab Interior	
			Shelf/Tray, Cabinet - (2) Shelves, Adjustable, 1.25" Up-Turned Lip	
			Door, Cab Interior Cabinet - Rollup, Gortite, White, Locking #751	
			Light, Tall Cabinet - Pierce, Interior, Right Side	
			Louvers, Cabinet - 0-No Louvers	
131	0589269		Shelf, Adjustable, EMS Compt, .75" Lip	4
			Location - two each in the two forward facing EMS cabinets	
			Qty, Shelf - 04	
132	0566653		Upholstery, Seats In Cab, Turnout Tuff	1
			Color, Cab Interior Vinyl/Fabric - c) Black	
133	0543991		Bracket, Air Bottle, Hands-Free II, Cab Seats	5
			Qty, - 05	
134	0603866		Seat Belt, Dual Retractor, ReadyReach, Saber FR/Enforcer	1
			Seat Belt Color - Red	
135	0817557		Helmet Storage, Provided by Fire Department, NFPA 2024	1
136	0647647		Lights, Dome, FRP Dual LED 4 Lts	1
			Color, Dome Lt - Red & White	
			Color, Dome Lt Bzl - Black	
			Control, Dome Lt White - Door Switches and Lens Switch	
			Control, Dome Lt Color - Lens Switch	
137	0896451		Enhanced Software for Cab and Crew Cab Dome Lts	1
138	0816996		Portable Hand Light, Provided by Dealer, NFPA 2024	1
139	0622803		Cab Instruments, Black Gauges, Black Bezels, Enforcer MUX	1
			Emergency Switching - E-Master Only	
140	0509511		Air Restriction Indicator, Imp/Vel, AXT, Dash CF, Enf MUX	1
141	0567339		Pyrometer, Engine Exhaust	1
142	0673123		Light, Do Not Move Apparatus, Wln 3SR00FRR LED	1
			Alarm, Do Not Move Truck - Pulsing Alarm	
143	0614619		Messages, Open Dr/DNMT, MUX w/LCD Gauge Cluster Only	1
144	0622798		Switching, Cab Instrument Lower Console & Overhead, Rocker MUX, Enforcer	1
145	0802940		Wiper Control, 2-Speed with Intermittent, Saber FR/Enforcer	1
			Location, Wiper Control - Standard Location	
146	0820897		Wiring, Spare, 15 A 12V DC, Batt Dir, 2nd NFPA1900	1
			Location, Wiring - one in each EMS cabinet	
			12vdc power from - Battery direct	
			Wire termination - Butt Splice	
147	0820894		Wiring, Spare, 15 A 12V DC, Batt Dir, 1st NFPA1900	1
			Location, Wiring - officer's dash and walk-in area, right side at workspace	
			12vdc power from - Battery direct	
			Wire termination - 15 amp power point plug	
148	0820898		Wiring, Spare, 15 A 12V DC, Batt Dir, 3rd NFPA1900	1
			Location, Wiring - coiled at rear of engine tunnel under mounting plate	
			12vdc power from - Battery direct	
			Wire termination - Butt Splice	
149	0511422		Vehicle Information Center, LCD On Gauge Cluster Only	1
			System Of Measurement - US Customary	
150	0816633		Collision Mitigation, HAAS Alert (R2V), HA7	1
			Subscription, HAAS R2V - R2V - 5 Year Data Plan Subscription	
151	0610240		Vehicle Data Recorder w/Seat Belt Monitor	1
152	0696443		Antenna Mount, Custom Chassis, Cable Routed to Overhead Switch Area	1
			Location - lower portion on the right side	
			Qty, - 01	

Line	Option	Type	Option Description	Qty
153	0808099		Camera, Pierce, 7" HD, R, Camera, AHD	1
			Color - 1) black	
			Location, Camera Monitor - Driver Side Dash	
154	0814831		Not Required, Camera Switcher	1
155	0890416		Pierce Command Zone, Advanced Electronics & Control System, Enforcer, WiFi CZT	1
			Color, Antenna - Black Antenna	
			Module Housings - Black Housing with Power and Status Ind	
156	0896456		Prognostics, Electrical System	1
157	0624253		Electrical System, Enforcer MUX	1
158	0079211		Batteries, (6) Stryten/Exide Grp 31, 950 CCA each, Threaded Stud	1
159	0008621		Battery System, Single Start, All Custom Chassis	1
160	0002698		Battery Compartment, Saber/Enforcer	1
161	0813848		Charger, Sngl Sys, IOTA, DLS-75, 75 amp, IQ4 Controller	1
162	0814869		Location, Cab, Charger, Behind Driver Seat	1
163	0814965		Location, Cab, Ind/Remote, LS Behind Cab Door	1
164	0816871		Inverter, Xantrex Freedom X, 817-1000, Non-NFPA 2024 Batt Sw	1
165	0814953		Location, Body, Inverter, LS Forward Compartment	1
			Location, Comp Body - High On Left Wall	
166	0016857		Shoreline, 20A 120V, Kussmaul Auto Eject, 091-55-20-120, Super	1
			Qty, - 01	
			Color, Kussmaul Cover - b) red	
			Shoreline Connection - battery charger and receptacles	
167	0026800		Shoreline Location	1
			Location, Shoreline(s) - DS Cab Side	
168	0783395		Transfer Switch, Generator to Shoreline 30 Amp and Under	1
169	0009429		Electric Power Only, Portable Winch	3
			Location - one each side and rear	
			Qty, Receptacles - 03	
170	0647728		Alternator, 430 amp, Delco Remy 55SI	1
171	0092582		Load Manager/Sequencer, MUX	1
			Enable/Disable Hi-Idle - e)High Idle enable	
172	0783153		Headlights, Rect LED, JW Spkr Evo 2, AXT/DCF/Enf/Imp/Sab/Vel	1
			Color, Headlight Bez - Chrome Bezel	
173	0802935		Light, Directional, Wln M62T* LED, Cmn Bzl, Above Headlights, Sab/Enf	1
			Color, Lens, LED's - Clear	
			Color, Q Bezel and Trim - Polished Chrome	
			Flash Pattern, Directional Lts - Steady On (Arrow)	
174	0620054		Light, Directional/Marker, Intermediate, Weldon 9186-8580-29 LED 2lts	1
175	0615971		Lights, Clearance/Marker/ID, Front, P25 LED 5 Lts,Saber FR/Enforcer, Visor Brkt.	1
176	0647899		Lights, Directional/Marker, Cab Front Side, Weldon 9186-8580-29 LED, Sab/Enf	1
177	0511569		Lights, Clearance/Marker/ID, Rear, P25 LED 7Lts	1
			Light Guard - Without Guard	
178	0804514		Lights, Tail, Wln M62BTT* Red Stop/Tail & M62T* Amber Dir Arw For Hsg	1
			Color, Lens, LED's - Clear	
			Flash Pattern, Directional Lts - Steady On (Arrow)	
179	0806466		Lights, Backup, Wln M62BU, LED, For Tail Lt Housing	1
180	0889577		Bracket, License Plate & Light, P25 LED, Stainless Brkt	1
			Color, Trim - Chrome Housing	
181	0556842		Bezels, Wln, (2) M6 Chrome Pierce, For mtg (4) Wln M6 lights	1
182	0589905		Alarm, Back-up Warning, PRECO 1040	1
183	0769420		Lights, Perimeter Cab, Amdor AY-LB-12HW020 LED 4Dr	1
184	0616293		Not Required, Lights Perimeter Pump House, No Pump	1
185	0770056		Lights, Perimeter Body, Amdor AY-LB-12HW020 LED 2lts, Rear Step	1
			Control, Perimeter Lts - Parking Brake Applied	
186	0769570		Lights, Perimeter, Amdor AY-LB-12HW020 20", Brkt	6
			Qty, - 06	
			Location, Additional Perimeter Lights - Each Side Under Front Bumper, 2lts, Under Compt LS1, 1lt, Under Compt RS1, 1lt, Under Compt LS4, 1lt and Under Compt RS4, 1lt	
187	0896454		Enhanced Software for Perimeter Lts	1
188	0556343		Lights, Step, P25 LED, HDR Walk-In, Dr Sw	1

Line	Option	Type	Option Description	Qty
189	0698584		Lights, Side Scene, Wln M9LZC Gradient LED, 3rd	2
			Location, Lights - Two on DS of body. One forward on upper section and one rearward on upper section	
			Qty, - 02	
			Switch, Lt Control 1 DC,1 - a) DS Switch Panel	
			Switch, Lt Control 2 DC,2 - c) DS Rear of Apparatus	
			Switch, Lt Control 3 DC,3 - d) No Control	
			Switch, Lt Control 4 DC,4 - d) No Control	
190	0698589		Lights, Side Scene, Wln M9LZC Gradient LED, 1st	1
			Qty, - 01	
			Switch, Lt Control 1 DC,1 - a) DS Switch Panel	
			Switch, Lt Control 2 DC,2 - b) DS Cab Doors	
			Switch, Lt Control 3 DC,3 - d) No Control	
			Switch, Lt Control 4 DC,4 - d) No Control	
			Location, Scene Lights - DS Rear Of Crew Cab Door, 1lt	
191	0674004		Lights, Side Scene, Wln M9LZC Gradient LED, 4th	2
			Location, Lights - Two on PS of body. One forward on upper section and one rearward on upper section	
			Qty, - 02	
			Switch, Lt Control 1 DC,1 - a) DS Switch Panel	
			Switch, Lt Control 2 DC,2 - i) PS Rear of Apparatus	
			Switch, Lt Control 3 DC,3 - d) No Control	
			Switch, Lt Control 4 DC,4 - d) No Control	
192	0698585		Lights, Side Scene, Wln M9LZC Gradient LED, 2nd,	1
			Location, Lights - PS Rear of crew cab door	
			Qty, - 1	
			Switch, Lt Control 1 DC,1 - a) DS Switch Panel	
			Switch, Lt Control 2 DC,2 - h) PS Cab Doors	
			Switch, Lt Control 3 DC,3 - d) No Control	
			Switch, Lt Control 4 DC,4 - d) No Control	
193	0776357		Light, Visor, Wln, 12V P*H2* Pioneer, Cnt Feature, 1st	1
			Qty, - 01	
			Location, driver's/passenger's/center - Centered	
			Color, Wln Lt Housing - Black Paint	
			Control, Scene Lts - Cab Sw Panel DS and Cab Sw Panel PS	
			Scene Light Optics - Flood	
194	0004961		Not Required, Work Lights, Alt. Rear Lights, HDR/Encore, No Hose Bed	1
195	0746931		Lights, Rear Scene, Wln, M9LZC LED, 30" - 102" High	1
			Control, Rear Scene Lts - Cab Switch Panel DS, Body Switch, DS Rear Bulkhead and Reverse w/E-Master	
			Color, Trim - Chrome Trim	
196	0797313		Not Required, No Walking Surface, NFPA	1
197	0559733		Buzzer, Two-way, Cab to Body, NOT REQUIRED	1
198	0026117		HDR, Walk-In, Aluminum	1
199	0548529	SP	23.5' Body Length, 24.60.60.57.60, WI	1
200	0632263		96" Body Width, WI	1
201	0026136		75" Interior Height, 100.25" Body Height, WI	1
202	0026146		WI, 100.25"H, Flat Roof	1
203	0692726		Doors, Gortite, Roll-up, Side Compartments	10
			Qty, Door Accessory - 10	
			Color, Roll-up Door, Gortite - Painted to Match Lower Body	
			Latch, Roll-up Door, Gortite - Locking, J236, Match Compartments	
204	0548531	SP	23.5' Body Roll Doors, 24.60.60.57.60, WI	1
205	0773561	SP	Left Forward Compt, 24" W x 84" H Roll (Transverse) & 60" & 60", Roll, WI	1
206	0026097		Left Over Wheel Compt, 57", Roll, WI	1
			Compt Height 1 - 28.25" High Over Wheel, Roll	
207	0026105		Left Rear Compt, 60" Roll, WI	1
			Compt Height 1 - 56" High, Roll	
208	0773560	SP	Right Forward Compt, 24" W x 84" H (Transverse) & 60" & 60", Roll, WI	1
209	0026101		Right Over Wheel Compt, 57" Roll, WI	1
			Compt Height 1 - 28.25" High Over Wheel, Roll	
210	0026109		Right Rear Compartment, 60" Roll, WI	1
			Compt Height 1 - 56" High, Roll	
211	0026151		Entrance, Rear, 75" Interior Height, WI	1

Line	Option	Type	Option Description	Qty
212	0797082		Interior, Walk-In Body, Floor, Walls, Ceiling, Countertop	1
			Material, Interior Lower Wall - Aluminum Treadplate	
			Material, Interior Upper Wall - Brushed Stainless Steel	
			Material, Interior Ceiling - Brushed Stainless Steel	
			Material, Interior Countertop - Brushed Stainless Steel	
			Material, Interior Flooring - Aluminum Treadplate	
213	0761298	SP	MODIFICATION, Drop Down Basement Compt Door, Add Cable	1
214	0044063		Intermediate Step w/o Compt, HDR-WI	1
215	0644245		Lights, Interior, 12 VDC, Rom Durolumen R03851, White LED	6
			Qty, - 06	
216	0554033		Switch, Ceiling Lights, HDR Walk-In	1
			Switch, Interior - 2) Walk in	
217	0770299		Air Conditioning(15K) w/Heat(6K), 120V Coleman Mach 8, Roughneck, Rooftop, BLK	1
			Location - Body roof	
			Qty, - 01	
			Thermostat - Coleman ceiling unit	
			AC Power Source - Generator	
218	0534871		Cabinet, Interior, Upper Wall, Aluminum, Heavy Nylon Web Door, Up To 48" Wide	6
			Location - FIVE (5) ON THE DS BODY INTERIOR AND ONE (1) PS BODY INTERIOR JUST REAR OF WINDOW	
			Qty, - 06	
			Finish, Interior Cabinet - Brushed Aluminum	
219	0768461	SP	Cabinet, Interior, Upper Wall, Aluminum, Heavy Nylon Web Door, Up To 96" Wide	1
			Location - PASSENGER SIDE INTERIOR JUST FORWARD OF REFRIGERATOR	
			Qty, - 1	
			Finish, Interior Cabinet - Brushed Aluminum	
220	0534542		Cabinet, Interior, Upper Wall, Aluminum, Heavy Nylon Web Door, Up To 72" Wide	1
			Location - PS WALK-IN FORWARD	
			Qty, - 1	
			Finish, Interior Cabinet - Brushed Aluminum	
221	0516936	SP	Escape Hatch, Alum Treadplate	1
			Location - forward end of walk-in area to access roof and rope hooks	
			Qty, - 1	
222	0773994	SP	Rack, Ladder/Equipment Storage, Interior Walkway, Hall County	1
			Location - DS WALK IN BODY	
			Configuration - BEST FIT	
			Make/Model - AS PRICED IN PROPOSAL	
			Pike Pole Make and Model - STANDARD HEADS	
223	0045020		Shelf, Adjustable, Interior	7
			Location - FIVE (5) DS WALK IN BODY AND TWO (2) PS WALK IN BODY	
			Qty, - 07	
224	0583283		Window, Sliding w/Escape Feature, 34" x 20"	1
			Location - PS FORWARD	
			Qty, - 01	
225	0503436		Not Req'd, Telephone Network, Command Interior	1
226	0503432		Audio/Video Network Not Provided	1
227	0079578	SP	Enclosure, Treadplate, Over A/C Unit, w/Knockouts	1
			Location - roof top A/C unit	
			Qty, - 1	
228	0557786		Hitch, Receiver, Rear/Sides, Through Body, No Ball or Wiring	1
229	0602549		Rope Anchors, Pair, 3,000 lb Rating, Roof Mounted, Corners, Non-NFPA 2016	2
			Qty, Pair - 02	
			Location, Rope Anchors, First Pair - Roof Top, Front Corners	
			Location, Rope Anchors, Second Pair - Roof Top, Rear Corners	
230	0078804		Trim, Body Seams, Painted IPO Std.	1
231	0043762		Divider, Compt, Vertical	2
			Location - ONE (1) IN D1 LEAVING 33" CLEAR DOOR OPENING REARWARD, ONE (1) IN P4 CENTERED (JUST FORWARD OF SLIDE OUT TOOLBOARDS),	
			Qty, - 02	
232	0809402		Compt, Under Body, Slide Drawer w/Slam Latch, 8" H, Up to 84" W, RS	1
			Location - PS forward	

Line	Option	Type	Option Description	Qty
232			Qty, - 01 Front, Under Body Compt - Aluminum Treadplate	
233	0809378		Compt, Under Body, Slam Latch, 8" H, Up to 84" W, LS Location - Ds forward Qty, - 01 Front, Under Body Compt - Aluminum Treadplate	1
234	0023359		Floor Extension, Compt Location - ONE (1) IN P3, ONE (1) IN P5 AND ONE (1) IN D5 Qty, - 03	3
235	0516992		Netting, Retention, 2.00" Location - OVER ENTIRE D4 COMPARTMENT AND OVER SPARE BOTTLE RACK IN D2 Qty, - 02	2
236	0523428		Rack, Air Bags, Horizontal Slot(s) Location - TBD Qty, - 11 Dimensions - TBD	11
237	0505577	SP	Rack, SCBA Bottles, 7.50" x 7.50", No Slant Location - D2 Qty, - 21 Configuration - 3 HIGH x 7 ACROSS	21
238	0793822		Not Required, Water Tank, Rescue	1
239	0023410		Not Required, Overflow	1
240	0028107		Not Required, Foam Cell Modification	1
241	0553729		Not Required, Restraint, Water Tank, Heavy Duty	1
242	0013534		Not Required, Running Boards	1
243	0690026		Wall, Rear, Body Material	1
244	0003541		Tow Eyes, Chrome (2) (Tanker/Rescue)	1
245	0019845		Guard, Drip Pan, S/S, Rollup Door Qty, Door Accessory - 10 Location, Door Accessory - all roll up doors	10
246	0641356		Cut-Out, Rollup Door Flange, Gortite Provided Cutout Qty, Door Accessory - 10 Location, Compartment, Predefined - LS1, LS2, LS3, LS4, LS5, RS1, RS2, RS3, RS4 and RS5	10
247	0732709		Pull Strap for Rollup Doors, Special Length Qty, Door Accessory - 02 Location, Door Accessory - TBD Color, Strap - Orange Length, Pull Strap - 14.00"	2
248	0689547		Lights, Compt, Pierce LED, Dual Light Strips, Each Side of Door, HDR Qty, - 10	10
249	0606056		Lights, Hatch Compt, Not Required, HDR	1
250	0652247		Shelf, Adjustable, 500 lb Capacity, Standard Depth, HDR Qty, Shelf - 06 Location, Shelf - ONE (1) IN D4, TWO (2) IN D1 (1 FORWARD AND 1 REAR OF DIVIDER), TWO (2) IN P1, ONE (1) IN P4 FORWARD OF DIVIDER Material Finish, Shelf - Painted - Spatter Gray	6
251	0652283		Tray, 250 lb Slide-Out, 2" Sides - Adj. Height, Standard Depth Compt, HDR Location - ONE (1) IN D3, ONE (1) IN P2 Qty, Tray (slide-out) - 02 Material Finish, Tray - Painted - Spatter Gray	2
252	0652263		Tray, 200 lb, Tilt/Slide-out, 30 Deg, Adj, Standard Depth compt, HDR Location - ONE (1) IN D3, ONE (1) IN P3 AND ONE (1) IN P1 UPPER Qty, Tray (slide-out) - 03 Material Finish, Tray - Painted - Spatter Gray	3
253	0646980		Tray, Floor Mounted, Slide-Out, Standard Depth Compt, 500lb, 2.00" Sides, HDR Qty, - 03 location - ONE (1) IN D3, ONE (1) IN P1, ONE (1) IN P4 FORWARD OF DIVIDER Material Finish, Tray - Painted - Spatter Gray	3
254	0783665	SP	Toolboard, Slide-out, Alum, .188", Peg Board, Std Depth, w/Pan Underneath, HDR Finish - Painted, Compt Interior, Spatter Gray location - TWO (2) IN P4 TO THE REAR WITH 8" TRAYS	2

Line	Option	Type	Option Description	Qty
254			Qty - 2	
255	0648484		Toolboard, Slide-out,Alum,.188",Peg Board,w/6" Wide Adj Tray Underside,1/2 Trans	2
			Finish - Painted, Compt Interior, Spatter Gray	
			location - ONE (1) IN D5 AND ONE (1) IN P5	
			Qty - 2	
256	0054014		Floor, Aluminum Treadplate, Angled for Cribbing	1
			Location - D4 LOWER FLOOR	
			Qty, Comp. Accessory - 01	
257	0004016		Rub Rail, Aluminum Extruded, Side of Body	1
258	0004024		Fender Crowns, Rear, S/S	1
259	0519848		Not Required, Hose, Hard Suction, No Pump	1
260	0004150		Handrail, Extra - 15-20" Long	2
			Qty, Handrails - 02	
			Location, Handrail Additional - Adjacent to folding steps at forward end of walkin area to access roof hatch	
261	0004225		Ladder, 24' Duo-Safety 900A 2-Section	1
262	0595251		Ladder, 16' Duo-Safety 875-DR Roof, Hooks Both Ends	1
			Qty, - 01	
263	0034245		Ladder, 10' Duo-Safety Folding 585A, HDR	1
264	0540739		Not Required, Rack, Equipment Storage, Rear Compt	1
265	0092155		Ladder, 14' Duo-Safety Combo, 35-B	1
			Location, Folding Ladder - Ladder Compartment	
266	0622227	SP	Label, Load Rating	4
			Location - at each roof top mounted rope anchor (4 places)	
			Qty, - 04	
			Fill in Blank - "CAUTION" 3,000 # Rating	
267	0044067		Step, HDR Pull-Out Rear	1
			Location, driver's/passenger's/center - Center	
268	0023276		Step, Folding, South Park LFS46Z - Extra, Body Only	4
			Qty, Folding Step - 04	
			Location, Additional Step - Forward wall of the walk-in area to access the roof hatch.	
269	0518339		Not Required, Pump House, Rescue	1
270	0092531		Not Required, Pump House Structure	1
271	0796159		Not Required, Pump, Rescue	1
272	0012216		No Seal/Packing Required	1
273	0012690		Not Required, Trans, Pump	1
274	0669703		Not Required, Pumping Mode	1
275	0024484		Not Required, Pump Shift	1
276	0046295		Transmission Lock-up, Not Req'd, NO PUMP	1
277	0046296		Not Required, Auxiliary Cooling System, NO PUMP	1
278	0046283		Not Required, Transfer Valve, NO PUMP	1
279	0024513		Not Required, Intake Relief Valve	1
280	0046403		No Relief Valve Req'd, No Pump	1
281	0012336		No Pump Primer Req'd	1
282	0012816		Not Required, Pump Manuals	1
283	0090789		Not Required, Plumbing, No Pump	1
284	0046371		Not Required, No Plumbing or Foam System	1
285	0796254		No Main Inlet Required, Rescue No Pump	1
286	0584002		Not Required, Cap, Main Pump Inlet, No Side Inlet Caps Required, No Pump	1
287	0089389		No Valves, (No Pump)	1
288	0074685		Not Required, Inlet Installation	1
289	0064700		Not Required, Inlet Control	1
290	0055600		Not Required, Auxiliary Inlet, Left Side	1
291	0029147		Not Required, Inlet, Right Side	1
292	0681723		No Bleeder Valve, No Pump	1
293	0681730		Not Required, Tank to Pump, No Pump	1
294	0074900		Not Required, Tank Fill	1
295	0089394		Not Required, Outlet Control, No Pump	1
296	0551181		Not Required, Outlet, Left Side, Rescue	1
297	0055095		Not Required, Elbow, Left Side Outlets, 2.50"	1

Line	Option	Type	Option Description	Qty
298	0092570		Not Required, Outlets, Left Side Additional	1
299	0021143		Not Required, Outlet, Right Side	1
300	0021134		Not Required, Elbow, Right Side Outlets	1
301	0092571		Not Required, Outlets, Right Side Additional	1
302	0545326		Not Required, Outlet, Large Diameter, No Pump	1
303	0007308		Not Required, Elbow, Large Diameter Outlet	1
304	0092572		Not Required, Outlet, Front	1
305	0728255		Not Required, Caps/Plugs for 1.00" to 3.00" Discharges/Inlets	1
306	0089391		Valve, Bleeder - None Req'd, (No Pump)	1
307	0029106		Not Required, Deluge Outlet	1
308	0029302		No Monitor Requested	1
309	0029304		No Nozzle Req'd	1
310	0029107		No Deluge Mount	1
311	0723726		Speedlay Module Not Required	1
312	0722432		Hose Restraint Not Required, No Speedlay Module	1
313	0723395		Speedlays, Not Required	1
314	0723394		Speedlays, Not Required	1
315	0519936		Not Required, 1.50" Crosslays, Rescue	1
316	0500535		Not Required, Hose Restraint, Crosslay	1
317	0029260		Not Required, Speedlays	1
318	0750536		Hose Restr, Spdly, Not Required, No Spdly	1
319	0046372		Not Required, Foam System, Pump, or Plumbing	1
320	0012126		Not Required, CAF Compressor	1
321	0552517		Not Required, Refill, Foam Tank	1
322	0042573		Not Required, Foam System Demonstration	1
323	0045465		Not Required, Foam Tanks	1
324	0091110		Not Required, Foam Tank Drain	1
325	0091079		Not Required, Foam Tank #2	1
326	0091112		Not Required, Foam Tank #2 Drain	1
327	0738072		Approval Dwg, Pump Panel(s), Not Required	1
328	0000261		Not Required, Pump Panel Layout	1
329	0030701		Not Required, Material, Pump Panels, No Panel	1
330	0046495		Not Required, Pump Access, No Pump	1
331	0002624		Not Required, No Chassis Engine Gauges @ Pump Panel	1
332	0046400		Throttle, Engine, Not Required, No Pump/Skid Pump	1
333	0892618		Not Required, Indicator Light, Pump Panel, No Pump or Skid Pump	1
334	0046378		Not Required, Gauges, Vac/Pressure, No Pump	1
335	0046375		Not Required, Gauges, No Pump	1
336	0035650		Not Required, Water Level Gauge	1
337	0006774		Not Required, Foam Level Gauge	1
338	0046280		Not Required, Light Shield, No Pump	1
339	0758186		Air Horns, (2) Hadley, 6" Round, eTone, Below Bumper	1
340	0606833		Location, Air Horns, Bumper, Each Side, Inside Frame (Pos #3 & #5)	1
341	0757092		Control, Air Horn, Multi Select	1
342	0757084		Control, Air Horn, Horn Ring	1
343	0525667		Siren, Wln 295SLSA1, 100 or 200 Watt	1
344	0510206		Location, Elect Siren, Recessed Overhead In Console	1
			Location, Elec Siren - Overhead, DS Inside Sw Pnl	
345	0076157		Control, Elec Siren, Horn Ring	1
346	0601304		Speaker, (2) Wln, SA315P, w/Pierce Polished Stainless Steel Grille, 100 watt	1
			Connection, Speaker - siren head	
347	0601558		Location, Speaker, Frt Bumper, Recessed, Ea Side, Outside Frame, Inbrd (Pos 2/6)	1
348	0895310		Siren, Federal Q2B	1
			Finish, Q2B Siren - Chrome	
349	0006095		Siren, Mechanical, Mounted Above Deckplate	1
			Location, Siren, Mech - a) Left	
350	0748305		Control, Mech Siren, Multi Select	1
351	0748282		Control Mech Siren, Ft Sw LS	1
352	0740391		Sw, Siren Brake, Momentary Chrome Push Button, RS	1
353	0746353		Not Required, Warning Lights Intensity	1

Line	Option	Type	Option Description	Qty
354	0607496		Lightbar, Wln, Freedom IV-Q, 81", RRRRRRRWRRWRRRRRRR	1
			Filter, Whl Freedom Ltbrs - No Filters	
355	0016380		No Additional Lights Req'd, Side Zone Upper	1
356	0540384		Lights, Front Zone, Wln M6*C LED, Clear Lens, in Common Bzl	1
			Color, Lt DS Front - Red	
			Color, Lt PS Front - Red	
357	0558676		Daytime Running Lights, Headlights, Qtm, Vel/Imp, Enf/AXT-MUX, DCF (Low Beam)	1
358	0653937		Flasher, Headlight Alternating	1
			Headlt flash deactivation - a)w/high beam	
359	0540692		Lights, Side Zone Lower, Wln M6*C LED, Clear Lens, 3pr, Ovr 25	1
			Location, Lights Front Side - b)each side bumper	
			Color, Lt Side Front - Red	
			Color, Lt Side Middle - Red	
			Color, Lt Side Rear - Red	
			Location, Lights Mid Side - Rearward of Crew Cab Doors	
			Location, Lights Rear Side - Rear Fender Panel	
360	0896616		Lights, Door Interior Flash, 4 Dr Cab, Weldon 8401-0000-20 Strip Light	1
			Control, Door Int Flash - None (Doors only)	
			Location, Light, Door Int Flash - Over Window	
361	0815847		Connectors, Door Interior Flash, All Cabs, Weatherproof	1
362	0745867		Lights, Side, Wln M9** LED, Trm Fet 1st	2
			Location, Lights - TBD	
			Qty, - 02	
			Color, Lights, Warning - Red	
			Control, Light - b) side warning	
			Color, Lens, LED's - Clear	
			Color, Trim - Chrome Trim	
363	0564655		Lights, Rear Zn Lwr, Wln M6*C LED, Clear Lens, For Tail Lt Housing	1
			Color, Lt DS Rear - r) DS Rear Lt Red	
			Color, Lt PS Rear - r) PS Rear Lt Red	
364	0541155		Lights, Rear/Side Up Zone, Wln M9*C LED, Clear Lens 4lts	1
			Color, Lt, Side Rear Upper DS - Side Rear Upper Red	
			Color, Lt, Side Rear Upper PS - Side Rear Upper Red	
			Color, Lt, Rear Upper DS - r) DS Rear Upper Red	
			Color, Lt, Rear Upper PS - r) PS Upper Rear Red	
365	0006551		Not Required, Lights, Rear Upper Zone Blocking	1
366	0633079		Refrigerator, Norcold NR751BB, 2.7 cf AC/DC	1
			Location - PS INTERIOR BODY ON COUNTER TOP AS FAR REARWARD AS POSSIBLE	
367	0006646		Electrical System, 120/240VAC, General Design	1
368	0888995		Generator, MagnaPlus, 80kW Continuous, 120/240Vac, 60Hz, 3 Phase, PTO	1
369	0016645		Location, PTO Generator, Between the Frame Rails	1
370	0016752		Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1
371	0016757		Not Required, Remote Start, Generator	1
372	0016740		Not Required, Fuel System	1
373	0016767		Not Required, Oil Drain Extension, Generator	1
374	0036738		Circuit Breaker Panel, Included With PTO Generator	1
			Location, Circuit Breaker Panel - LS4, Left Wall High	
375	0016771		Not Required, Routing Exhaust, Generator	1
376	0648976		Light Twr, W-B Pow NS4.5-900 WHL, 6-PCP2 120AC Lts Cld 15'	1
			Detector, AC Lt Tower - n) Not Include AC Detector	
			Color, Tower, Wlb - White Paint	
377	0664474		Location, Light Tower, Cab Roof	1
378	0617738		Controller, Lt Twr, W-B, Wired Hndhld, E-STOP Pow, Pow X, Vrt	1
379	0664785		Location, Light Tower Controller, Near the Circuit Breaker Panel	1
380	0006825		Reel, Elect Cable, Hannay, 1600, (3) Wire	2
			Qty, Cord Reels - 2	
			Reel Guide - b) Captive roller	
			Finish, Reel - Painted Gray	
			Location, Electric Cord Reel - RS1, High & Right, 1 Reel and LS1 High and Left	
381	0006828		Cord, Electric, 10/3 Yellow, 3 Wire	2
			Lengths of Elect Cord - 2	

Line	Option	Type	Option Description	Qty
381			Feet of Yellow Cord - c)150	
			Connection, Cord - Hubbell 20A 120V Twst Lock	
382	0783678		Receptacle, 15/20A 120V 3-Pr 3-Wr, NEMA 5-20R SB Dup, 1st	5
			Location, Receptacles - ONE (1) ON THE REAR (LEFT) WALL OF P2 JUST ABOVE SLIDE OUT, ONE (1) PS WALK IN BELOW WINDOW, ONE (1) IN EACH EMS CABINET IN CAB AND ONE (1) ADDED AT POST PAINT BODY INTERIOR REAR DS PER POST PAINT LIST AND PHOTO	
			Qty, - 05	
			AC Power Source - Inverter	
			Cover, Receptacle - Exterior Flip Up Duplex Cover(s)	
383	0016795		Receptacle, 30A 240V 3-Pr 3-Wr TL, L6-30R Wtrprf	1
			Location, Receptacles - LOCATE BY GUSSETTED SHELF IN P1 THIS WAS FOR CUSTOMER INSTALLED HYDRAULIC POWER UNIT BUT THEY DECIDED TO USE BATTERY OPERATED TOOLS INSTEAD. PER [POST PAINT LIST WE HAVE DELETED OPTION 0690200 ONLY BECAUSE THEY DO NOT WANT THE SWITCH ANYMORE.	
			Qty, - 01	
			AC Power Source - Generator	
384	0519555		Brand, Hydraulic Tool System, Genesis	1
385	0649753		Not Required, PTO Driven Hydraulic Tool System	1
386	0007150		Bag of Nuts and Bolts	1
			Qty, Bag Nuts and Bolts - 1	
387	0816517		NFPA Required Loose Equipment, Special Services, NFPA 2024,Provided by Fire Dept	1
388	0796255		Not Required, Soft Suction, Rescue No Pump	1
389	0816939		Extinguisher, Dry Chemical, NFPA 2024, Provided by Fire Department	1
390	0816937		Extinguisher, 2.5 Gal. Pressurized Water, NFPA 2024, Provided by Fire Department	1
391	0741569		Paint Process / Environmental Requirements, Appleton	1
392	0709566		Paint, Two-Tone Color, Enforcer	1
			Paint Color, Upper Area, Predefined - #90 red	
			Shield, Cab - Standard Shield	
			Paint Color, Lower Area, Predefined - #101 Black	
			Paint Break, Cab - Standard Two-Tone Cab Break	
393	0709833		Paint, Two-Tone Color, Body	1
			Paint Break, Body - Above Body Compt Doors	
			Paint, Lower Body - Match Cab Lower	
			Paint, Upper Body - Match Cab Upper	
394	0646901		Paint Chassis Frame Assy, With Liner, E-Coat, Standard	1
			Paint Color, Frame Assembly, Predefined - Standard Black	
395	0693797		No Paint Required, Aluminum Front Wheels	1
396	0687653		Paint, Rear Wheels, Single Axle, Alum-Stl	1
			Paint, Wheels - Powder Coat Black #101	
397	0733739		Paint, Axle Hubs	1
			Paint, Axle Hub - Lower Job Color	
398	0007230		Compartment, Painted, Spatter Gray	1
399	0544129		Reflective Band, 1"-6"-1"	1
			Color, Reflect Band - A - a) white	
			Color, Reflect Band - B - p) black	
			Color, Reflect Band - C - w) white	
400	0007356		Reflective across Cab Face	1
401	0536955		Stripe, Chevron, Rear, Diamond Grade, Rescue	1
			Color, Rear Chevron DG - fluorescent yellow green	
402	0087342		Jog, "Z"-Shaped, In Reflective Stripe	1
			Qty, - 1	
403	0552453		Stripe, Reflective, Chevron, Cab and Crew Cab Doors Interior, Diamond Grade	1
			Color, Reflect Band - A - p) fluorescent yellow green diamond grade	
			Size, Chevron Striping - 04	
			Color, Reflect Chev - A - r) red diamond grade	
404	0680197		Stripe, Reflective, Diamond Grade, HDR Walk-In Rear/Side Door	1
			Color, Reflect Band - A - p) fluorescent yellow green diamond grade	
			Qty, - 01	
405	0680371		Stripe, Gold Leaf, Two-Tone Paint Break with Shield, IPO Chrome Molding	1
406	0027372		Lettering Specifications, (GOLD STAR Process)	1

Line	Option	Type	Option Description	Qty
407	0686428		Lettering, Gold Leaf, 3.00", (41-60)	1
			Outline, Lettering - Outline and Shade	
408	0067290		Stripe, Gold Leaf, Side of Body, High	1
409	0686192		Lettering, Gold Leaf, 12.00", (1-20)	1
			Outline, Lettering - Outline and Shade	
410	0686202		Lettering, Gold Leaf, 10.00", Each	12
			Qty, Lettering - 12	
			Outline, Lettering - Outline and Shade	
411	0686236		Lettering, Gold Leaf, 5.00", Each	5
			Qty, Lettering - 05	
			Outline, Lettering - Outline and Shade	
412	0686221		Lettering, Gold Leaf, 7.00", Each	3
			Qty, Lettering - 03	
			Outline, Lettering - Outline and Shade	
413	0686229		Lettering, Gold Leaf, 6.00", Each	10
			Qty, Lettering - 10	
			Outline, Lettering - Outline and Shade	
414	0686187		Lettering, Gold Leaf, 16.00", Each	1
			Qty, Lettering - 01	
			Outline, Lettering - Outline and Shade	
415	0623765	SP	Emblem, Ribbon, Gold leaf, Pair	1
			Location, Emblem - crew cab doors	
416	0039298		Emblem, "Smoke Detectors Save Lives", Each	2
			Qty, - 02	
			Location, Emblem - match existing fleet. Job # 27500	
417	0695610		Emblem, Reflective, Per Dept. Submittal, Each	4
			Qty, - 04	
			Location, Emblem - match previous Job # 30167	
			Size, Dept Seal, Reflect - 20" - 22"	
418	0769753		Emblem, American Flag Painted on Cab Grille, All Custom Chassis	1
419	0529225		Manuals, Two (2) CD, Fire Apparatus Parts, Custom Chassis	1
420	0531636		Manual, (2) CD, Chassis Service, Custom	1
421	0531638		Manual, Two (2) CD, Chassis Operation, Custom	1
422	0030008		Warranty, Basic, 1 Year, Apparatus, WA0008	1
423	0735523		Warranty, Engine, Paccar MX13, 5 Year, WA0386	1
424	0684953		Warranty, Steering Gear, Sheppard M110, 3 Year WA0201	1
425	0596017		Warranty, Frame, 50 Year, Custom Chassis, WA0013	1
426	0595698		Warranty, Axle, 3 Year, TAK-4, WA0050	1
427	0733306		Warranty, Single Axle, 5 Year, Meritor, General Service, WA0384	1
428	0652758		Warranty, ABS Brake System, 3 Year, Meritor Wabco, WA0232	1
429	0019914		Warranty, Structure, 10 Year, Custom Cab, WA0012	1
430	0744240		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1
431	0524627		Warranty, Electronics, 5 Year, MUX, WA0014	1
432	0695416		Warranty, Pierce Camera System, WA0188	1
433	0647720		Warranty, Pierce LED Strip Lights, WA0203	1
434	0046369		Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1
435	0685945		Warranty, Transmission Cooler, WA0216	1
436	0033401		Not Required, Tank Warranty	1
437	0596024		Warranty, Structure, 15 Year, HDR, WA0010	1
438	0690936		Warranty, Roll up Doors, Not Required	1
439	0012599		Warranty, Pump, Not Required	1
440	0046370		Not Required, Warranty, No Plumbing	1
441	0641372		Warranty, Foam System, Not Available	1
442	0595820		Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1
443	0595421		Warranty, Goldstar, 3 Year, Apparatus, WA0018	1
444	0819254		Certification, Vehicle Stability, CD0196	1
445	0808565		Certification, Engine Installation, Enf, Paccar MX, 2027	1
446	0686786		Certification, Power Steering, CD0098	1
447	0892691		Certification, Cab Integrity, Saber FR/Enforcer, CD0189	1
448	0631973		Certification, Cab Door Durability, Saber FR/Enforcer, CD0137	1
449	0631978		Certification, Windshield Wiper Durability, Saber FR/Enforcer, CD0132	1
450	0631974		Certification, Electric Window Durability, Saber FR/Enforcer, CD0133	1

Line	Option	Type	Option Description	Qty
451	0631977		Certification, Seat Belt Anchors and Mounting, Saber FR/Enforcer, CD0134	1
452	0735949		Certification, Cab HVAC System Performance, SFR/Enf, CD0165/CD0167/CD0174/CD0175	1
453	0545073		Amp Draw Report, NFPA Current Edition	1
454	0002758		Amp Draw, NFPA/ULC Radio Allowance	1
455	0799248		Appleton/Florida BTO	1
456	0000031		HDR BODY	1
457	0000012		PIERCE CHASSIS	1
458	0735525		PACCAR MX13 ENGINE	1
459	0046396		EVS 4000 Series TRANSMISSION	1
460	0020037		NO PUMP	1
461	0020013		NO WATER TANK	1
462	0028047		NO FOAM SYSTEM	1
463	0046282		Not Required, Control Panel, No Pump	1
464	0020007		AKRON VALVES	1
465	0020015		ABS SYSTEM	1
466	0658751		PUMPER BASE	1

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Tenth Amendment to Master Price Agreement for FIRE APPARATUS

Pricing Update

This Amendment to the Master Price Agreement is entered into this 11th day of September 2023 by LEAGUE OF OREGON CITIES LOC ("Purchaser") and PIERCE MANUFACTURING, INC. ("Vendor") based upon the sales and/or service of Fire Apparatus.

RECITALS

WHEREAS, Purchaser and Vendor entered into a Master Price Agreement numbered PS20240 on or about May 27, 2020, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the First Amendment to the Master Price Agreement on or about June 4, 2020, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Second Amendment to the Master Price Agreement on or about February 12, 2021, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Third Amendment to the Master Price Agreement on or about August 10, 2021, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Fourth Amendment to the Master Price Agreement on or about January 17, 2022, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Fifth Amendment to the Master Price Agreement on or about May 6, 2022, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Sixth Amendment to the Master Price Agreement on or about September 29, 2022, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Seventh Amendment to the Master Price Agreement on or about October 27, 2022, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Eighth Amendment to the Master Price Agreement on or about February 1, 2023, and by this reference incorporated herein; and

WHEREAS, Purchaser and Vendor entered into the Ninth Amendment to the Master Price Agreement on or about May 5, 2023, and by this reference incorporated herein; and

WHEREAS, Vendor desires to update Attachment A to reflect Vendor's new list price with a 5.5% discount as permitted under the terms of the Master Price Agreement; and

WHEREAS, Vendor has provided notice, on or about September 11, 2023, to update the pricing in the price list on Attachment A of the Master Price Agreement; and

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WHEREAS, Purchaser and Vendor desire that the Master Price Agreement shall be amended in part to reflect the updated price list.

NOW, THEREFORE, Purchaser and Vendor enter into the following:

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AMENDMENT TO MASTER PRICE AGREEMENT

1. **Pricing Update**. Attachment A to the Master Price Agreement shall be amended in part to reflect the following new price list:

ATTACHMENT A
to Master Price Agreement by and between VENDOR and PURCHASER.
PRODUCTS, SERVICES, SPECIFICATIONS AND PRICES

npp gov	NPPGOV CONTRACT **#PS20240** PIERCE MFG INC. : PRODUCT & PRICE LISTING Base specification pricing is as shown below while any customization receives additional discounting. Option pricing is 5.5% off List as noted in our RFP response. *Prices subject to change. Pricing will be determined at the time of invoicing based upon the NPPGOV contact.	Effective 08/04/2023

1.0 AERIAL PRODUCTS			
Bid	ID #	Description	Effective 08/04/2023
222	1.01	Enforcer, Alum, Single, 1500 Pump, 75' HAL Aluminum Ladder	$1,191,212.84
235	1.02	Enforcer, Alum, Single, 1500 Pump, 107' ASL Steel Ladder	$1,337,853.06
236	1.03	Arrow XT, Alum, Single, 1500 Pump, 107' ASL Steel Ladder	$1,419,106.86
223	1.04	Enforcer, Alum, Tandem, 1500 Pump, 107' ASL Steel Ladder	$1,422,606.62
224	1.05	Arrow XT, Alum, Tandem, 1500 Pump, 107' ASL Steel Ladder	$1,494,586.77
225	1.06	Arrow XT, Alum, Tandem, 1500 Pump, 100' Platform Steel Ladder	$1,736,374.16
226	1.07	Arrow XT, Alum, Tandem, 2000 GPM, 100' Steel Tower	$1,811,120.48
227	1.08	Arrow XT, Alum, Tandem, NPNT, 100' Steel Tower	$1,713,998.75
228	1.09	Enforcer, Alum, Tandem, 1500 Pump, 105' HDL Steel Ladder	$1,417,529.17
242	1.10	Enforcer, Alum, Single, 2000 GPM, 110' Platform	$1,456,530.29
260	1.11	Enforcer, Alum, Tandem, 2000 GPM, 110' Platform	$1,600,604.72
243	1.12	Enforcer, Alum, Single, NPNT, Tiller	$1,743,090.15
264	1.13	Enforcer, Alum, Single, 2000 GPM, Skyboom	$1,276,039.45
2.0 Pumper Products			
Bid	ID #	Description	Effective 08/04/2023
229	3.01	Enforcer, 750 Gallon, 1500 GPM CSU, Husky 3	$745,370.27
230	3.02	Arrow XT, 750 Gallon, 1500 GPM CSU, Husky 3	$835,300.56
234	3.03	Saber FR, 750 Gallon, 1500 GPM CSU, Husky 3	$684,244.95
265	3.04	Freightliner, 1000 Gallon, 1250 GPM, Husky 3	$392,068.81
231	3.05	Enforcer, 500 Gallon, 1500 GPM, Husky 3, PUC	$810,971.56
232	3.06	Arrow XT, 500 Gallon, 1500 GPM, Husky 3, PUC	$912,270.13
248	3.07	Freightliner, 1000 Gallon, 1250 GPM, FXP	$341,935.56
247	3.08	Enforcer, 1500 GPM, Husky 3, Rescue Pumper	$811,773.03
249	3.09	Ford, 250 Gallon, 1500 GPM, Mini Pumper	$338,080.81
263	3.10	Enforcer, Alum, 2000 GPM, HDRP	$980,521.97
3.0 Tanker Products			
Bid	ID #	Description	Effective 08/04/2023
237	4.01	Freightliner, Tandem, 3000 Gallon, 1000 GPM, FXT	$369,833.82
266	4.02	Enforcer, 2000 Gallon, 1500 GPM, PUC	$363,429.90
250	4.03	Freightliner, Tandem, 3000 Gallon, 1000 GPM, Dryside	$1,150,793.99
252	4.04	Arrow XT, Tandem, 2500 Gallon, 1250 GPM, Pumper/Tanker	$1,027,384.35
4.0 Special Service Apparatus			

Bid	ID #	Description	Effective 08/04/2023
238	5.01	Enforcer, Single, Non-Walk-In, HDR	$748,492.35
239	5.02	Arrow XT, Single, Non-Walk-In, HDR	$817,063.40
256	5.03	Enforcer, Tandem, Combination, HDR	$1,025,896.16
255	5.04	Enforcer, Single, Walk-In, HDR	$1,015,207.94
254	5.05	Freightliner, Single Axle, ENCORE	$409,609.32
5.0 Wildland Fire Apparatus (Brush Fire)			
Bid	ID #	Description	Effective 08/04/2023
258	7.01	Freightliner, 500 Gallon, 1000 GPM, Wildland	$507,461.46
6.0 Other			
Bid	ID #	Description	Effective 08/04/2023
	8.01	Ford, Critical Response Unit, CRU-22	$333,739.00

2. **Full Force and Effect**. In each and every other respect, the terms of the Master Price Agreement, as amended, entered into between the parties on or about May 27, 2020, shall remain in full force and effect during the term of the agreement and the parties hereto hereby ratify said Master Price Agreement in its entirety, as if fully set out herein, along with the modifications identified herein.

IN WITNESS WHEREOF, the parties have hereto signed this Amendment on the day and year first above written.

LEAGUE OF OREGON CITIES

DocuSigned by:
Patricia M. Mulvihill
0BD4F25C35F54D0...

Date September 21, 2023 | 8:36 AM PDT

BY: Patricia M. Mulvihill
ITS: Executive Director

PIERCE MANUFACTURING, INC.

DocuSigned by:
Charley Hopp
62EC739C45CD428...

Date September 26, 2023 | 7:54 AM PDT

BY: Charley Hopp
ITS: Manager - Contracts and Sales Support

DocuSign

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Suite 900
SeaTac, WA 98188
marshall.stiles@mynpp.com
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Charley Hopp chopp@piercemfg.com Manager - Contracts and Sales Support Security Level: Email, Account Authentication (None)	DocuSigned by: Charley Hopp 62EC739C45CD428... Signature Adoption: Pre-selected Style Using IP Address: 198.190.231.15	Sent: 9/21/2023 8:29:00 AM Resent: 9/21/2023 9:01:54 AM Viewed: 9/26/2023 7:52:04 AM Signed: 9/26/2023 7:54:58 AM

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Patricia M. Mulvihill pmulvihill@orcities.org Executive Director Security Level: Email, Account Authentication (None)	DocuSigned by: Patricia M. Mulvihill 0BD4F25C35F54D0... Signature Adoption: Pre-selected Style Using IP Address: 76.138.189.90	Sent: 9/21/2023 8:29:01 AM Viewed: 9/21/2023 8:36:47 AM Signed: 9/21/2023 8:36:56 AM

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In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Emily Dorcey edorcey@piercemfg.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 9/21/2023 1:01:49 PM

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Not Offered via DocuSign

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
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Envelope Updated	Security Checked	9/21/2023 9:01:53 AM
Envelope Updated	Security Checked	9/21/2023 9:01:53 AM
Envelope Updated	Security Checked	9/21/2023 1:01:49 PM
Certified Delivered	Security Checked	9/21/2023 8:36:47 AM
Signing Complete	Security Checked	9/21/2023 8:36:56 AM
Completed	Security Checked	9/26/2023 7:54:58 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, National Purchasing Partners (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact National Purchasing Partners:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: marshall.stiles@mynpp.com

To advise National Purchasing Partners of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at bruce.busch@mynpp.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from National Purchasing Partners

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to marshall.stiles@mynpp.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with National Purchasing Partners

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to marshall.stiles@mynpp.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify National Purchasing Partners as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by National Purchasing Partners during the course of your relationship with National Purchasing Partners.

Sole-Source/Brand Justification

Request Submitted By

Name:	
Job Title:	
Department:	
E-Mail Address:	
Date of Request:	

Request Details

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

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

Identify efforts made to locate other possible sources.
Desired Supplier Name:
Desired Supplier Email:
Desired Supplier Phone Number:

Scope of Work

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

Exclusive Capability: Justifying a Sole Source/Sole Brand

Provide an explanation why only a particular style, model, type or manufacturer is required (i.e. why the commodity is the only commodity which will meet the County needs).
Provide a detailed description of proposed source's unique capabilities and/or personnel to perform the work and why this is the only source.
Letter from Original Equipment Manufacturer (required): Attached

Purchasing Use Only	
Buyer:	
Buyer E-Mail Address:	
Buyer Telephone:	
Contract #:	
Contract Name:	
If publicly solicited, number of protests:	
Outcome:	
Bid # (if competitively bid):	
Purchase Order #:	

PIERCE MANUFACTURING INC.

AN OSHKOSH CORPORATION COMPANY • ISO 9001 CERTIFIED

2600 AMERICAN DRIVE
POST OFFICE BOX 2017
APPLETON, WISCONSIN 54912-2017
920-832-3000 • FAX 920-832-3208
www.piercemfg.com

January 13, 2023

RE: Sole Source

To whom it may concern:

To provide you with the personalized level of sales, service, and warranty you deserve, Pierce has established a network of authorized dealers throughout the country. Ten-8 Fire & Safety, LLC. is the exclusive dealer for the sale, service, parts, and warranty of custom and commercial fire apparatus manufactured by Pierce in the states of Florida and Georgia.

Ten-8 Fire & Safety, LLC. is extremely qualified to provide you with the support you have come to expect from Pierce and has service and warranty facilities located in both states they serve.

Please contact Ten-8 Fire & Safety, LLC. direct for sales and service support or visit their website for more information at www.ten8fire.com.

Sincerely,

Charley Hopp

Charley Hopp
Manager – Contracts and Sales Support
Pierce Manufacturing Inc.

AGENDA ITEM

Human Resources

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 209/2024

SUBJECT: Approve the Employment Agreement for the Chief of Fire Rescue.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: DLJ

Recommendation:
Approve

Purpose of Request:
The purpose of this request is to approve the Employment Agreement for the Chief of Fire Rescue.

History:

Facts and Issues:

Options:

Funding Requested	$ 248,827.44
Are funds within current budget?	Yes
Source of Funds	Fire Services Fund
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
LJ	LJ	EW	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement
Employment Agreement
Cost Worksheet

HALL COUNTY
GEORGIA We have it all in Hall

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 209/2024

Funds Requested: $ 248,827.44

Request Budgeted: Yes

Proposed Source of Funding:

Fire Services Fund

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	511100-SALARIES	$39,848.31
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512200-FICA	$3,048.40
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512400-RETIREMENT	$6,375.73
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512100-HEALTH INSURANCE	$7,655.89
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512103-CONTRACT EE INSURANCE	$361.41
2024	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512102-LIFE INSURANCE	$131.98
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	511100-SALARIES	$132,827.69
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512200-FICA	$10,161.32
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512400-RETIREMENT	$21,252.43
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512100-HEALTH INSURANCE	$25,519.65
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512103-CONTRACT EE INSURANCE	$1,204.71
2025	270-FIRE SERVICES FUND	3520-FIRE RESCUE	512102-LIFE INSURANCE	$439.92

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: DLJ

Phone: 770-531-6712

EMPLOYMENT AGREEMENT

Chief of Fire Rescue

THIS AGREEMENT made and entered into this 23rd day of April, 2024, by and between **HALL COUNTY, STATE OF GEORGIA,** hereinafter called "the County", as party of the first part, and **Jerry Smith**, herein called "Employee", as part of the second part, both of whom agree as follows:

WITNESSETH

WHEREAS, the County desires to employ the services of said **Jerry Smith** as the **Chief of Fire Rescue** of Hall County; and

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

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

WHEREAS, the Employee desires to accept employment as **Chief of Fire Rescue** for Hall County**;**

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

SECTION 1. **Duties**

The County hereby agrees to employ **Jerry Smith** as **Chief of Fire Rescue**, to perform legally permissible functions and duties specified and assigned by the County Administrator or his or her designee.

_____Initials

SECTION 2. Term

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

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

SECTION 3. Termination and Severance Pay

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

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

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

SECTION 4. Termination Due to Disability

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

SECTION 5. Salary

The County agrees to pay the Employee for his services rendered, pursuant hereto, an annual base salary of **$172,676.00,** payable in installments at the same time as other employees of the County are paid, except that the county may put in place cost reduction measures at any time and for any duration as required by a lack of financial resources. The base annual salary and benefits may be reviewed annually by the County Administrator and consideration for increases may be determined based upon the performance of the employee or consideration of providing a Cost of Living Adjustment (COLA).

SECTION 6. Performance Evaluation

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

SECTION 7. Hours of Work

It is generally recognized that the position of **Chief of Fire Rescue** involves the devotion of a great deal of time beyond typically recognized business hours.

SECTION 8. Outside Activities

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

SECTION 9. Political Activity

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

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

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

C. Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person a job or other advantage for the purpose of influencing the vote or political action of any person.

_____Initials

SECTION 10. Vehicle and Phone

When the Employee's duties require the use of an automobile during the term of employment, one will be provided by the Employer. The Employer shall be responsible for paying liability, property damage, and comprehensive insurance in addition to the expenses for purchase, operation, maintenance, repair, and replacement of said vehicle. A cellular phone dedicated solely for business usage may be provided by the Employer. In such case, the Employer shall be responsible for paying for and maintaining regular monthly service. Should the Employee desire to use his personal cellular phone for business purposes, Employer shall reimburse the Employee the amount of $50 per month.

SECTION 11. Insurance Benefits

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

SECTION 12. Retirement Benefits

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

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

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

_____Initials

SECTION 14. Dues, Subscriptions and Professional Development

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

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

SECTION 15. Indemnification

The County shall defend, save harmless and indemnify the Employee against any claim or demand or legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Employee's duties as **Chief of Fire Rescue**. The County or its insurance carrier will pay the amount of any settlement or judgment agreed to or rendered against the Employee and the County may agree to such settlement or the payment of a judgment with or without the express consent of the Employee. Any defense and/or indemnification of the Employee by the County shall be subject to all of the terms and conditions found in the County's Defense and Indemnification ordinance/policy.

SECTION 16. General Provisions

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

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

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

_____Initials

D. This agreement will become effective on the 15th day of April, 2024, and shall continue thereafter unless or until the agreement is terminated by either party as set forth herein.

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

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS_____DAY OF_____2024.

HALL COUNTY, GEORGIA

_____

County Administrator

ATTEST:

_____

County Commission Clerk

(Seal)

_____

Employee

APPROVAL AS TO FORM

_____

William J. Linkous III

County Attorney

_____Initials

HALL COUNTY
GEORGIA *We have it **all** in Hall*

Please complete the tab that correlates with the type of position change you are requesting. Only include ONE request per worksheet. If requesting multiple personnel changes, please prioritize each worksheet in order of importance. For each personnel request, submit this form, along with the "New Position Request."

REQUEST TYPE: NEW FULL-TIME POSITION

3520	Fire Services
Department #	**Department Name**
Chief of Fire Rescue	
Requested Position Title	**Priority #**

ADDITIONAL PERSONNEL COST CALCULATION

New Position	
$172,676.00	Salary Requested (use midpoint of paygrade)
13,209.71	Taxes
27,628.16	Retirement
32,508.48	Health
1,566.12	Dental & Vision
447.58	Life
124.33	AD&D
667.06	Short Term Disability
$248,827.44	**Total Additional Personnel Costs**

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

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

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

EQUIPMENT DESCRIPTION (uniform, gun, fire safety suit, vehicle, computer, cell phone etc.)	ESTIMATED COST
Cell Phone Reimbursement	$ 600.00
	$ -

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 207/2024

SUBJECT: Approve Change Order #3 for the purchase of additional professional services hours for the configuration of automatic notifications for inspection results of Accela Civic Applications software for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of $27,360.00.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: RD

Recommendation:
Approve.

Purpose of Request:

Approve Change Order #3 for the purchase of additional professional services hours for the configuration of automatic notifications for inspection results of Accela Civic Applications software for Planning & Development to Accela, Inc. of San Ramon, CA, in the amount of $27,360.00.

History:
This request is to add hours to the Accela Civic Application implementation and upgrade project, originally approved in 2020, to migrate off of legacy Accela Tidemark software that was originally implemented in 1999. The Tidemark system is an Accela legacy product with a client/server architecture and is no longer under support.

This software implementation is shared across multiple jurisdictions that were historically using the Accela Tidemark software. Hall County and Gainesville have been Tidemark partners since 1999. In 2006 Oakwood joined the group using the system for their building permit and planning functions.

Previous change orders totaling $138,320 were previously issued and approved. Approving this change order will bring the total value of the change orders with Accela to $165,680.

Facts and Issues:

Options:

This change order for PO # 20240432 is necessary in order to further tailor the build out of the software utilized by the teams within Community Development and Infrastructure and the jurisdictions of Gainesville and Oakwood. These jurisdictions are included in this software implementation and are contributing to the cost, Gainesville 25% (Accela Professional Services: $6,840 and SMS Subscription: $657) and Oakwood 4% (Accela Professional Services: $1,094.40 and SMS Subscription: $105.12), as is specified in their intergovernmental agreements.

Further tailoring of the product is requested of the jurisdictions to provide the best customer service possible. The jurisdictions are requesting automatic notifications being sent out when inspections are resulted for Building Inspections' records. Currently, citizens would need to follow-up on the Citizens Access Portal to see the inspections results.

In order to have the automation through emails and SMS constructed for all jurisdictions, it will take an estimated 144 hours (48 hours estimated per jurisdiction) from the Accela Professional Services Team at the hourly rate of $190 for a total of $27,360.00 and an additional subscription monthly cost of $249 from henceforth on to support the SMS text functionality. The monies for the Accela Change Order will be allocated to the Capital Improvement Project accounts, and the monthly subscription for the SMS text functionality will be out of the GIS account.

Funding Requested	$ 27,360.00
Are funds within current budget?	Yes
Source of Funds	Capital Projects, SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Purchasing
AD	RD	EW	AP
Finance	**Attorney**	**Administration**	**Clerk**
TS	WLI	CR	JR

Attachments:

Financial Supplement
Change Order

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 207/2024

Funds Requested: $ 27,360.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects, SPLOST VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	7410-PLANNING	542400-COMPUTERS AND SOFTWARE	$7,934.40
2024	324-SPLOST VIII	7410-PLANNING	542400-COMPUTERS AND SOFTWARE	$19,425.60

Budget Transfer Items:

Additional Information/Comments:

Funding for additional hours will come from SPLOST VIII surplus dollars, and intergovernmental reimbursements from municipalities per the agreed upon IGA's.

Contact for Questions: RE

Phone: 770-531-6781

Change Order

Date:	04/09/2024	CO#:	07
Agency Name:	Hall County, GA		
Approving Agency Manager:	Rebecca Evans		
Accela Manager:	Maurelis Leon-Pereira		
Project Name / Code:	Hall County, GA - Tidemark Upgrade (PS) / HALLCOUPG		
Contract / Agreement #:			
Initiating Department:	Accela Professional Services	Initiated By:	Maurelis Leon-Pereira

A. PROJECT CHANGE DESCRIPTION/TASK SUMMARY:

Purpose:

The purpose of this change order is to add hours to the existing Hall County project to complete several enhancements requested by Hall County, City of Gainesville, and City of Oakwood as part of the Phase 2 implementation.

This change order will add 144 hours to complete the configuration, development, testing and deployment of the enhancements requested.

Total Project Schedule Impact: No impact.
Total Project Resource Impact: No impact.
Total Project Cost Impact: 144 hours at the hourly rate of $190 for a total of $27,360.00.

B. BILLING TERMS:

Billing Terms will follow the terms of the Statement of Work. Accela will send invoices to the Agency monthly for the completed Services work.

C. EXPIRATION:

Expiration will follow the terms of the Statement of Work.

Proprietary and Confidential © 2022 Accela

Signature and Acceptance

The above Services will be performed in accordance with this Change Order/Work Authorization and the provisions of the Contract for the purchase, modification, and maintenance of the Accela systems. The approval of this Change Order will act as a Work Authorization for Accela and/or Agency to perform work in accordance with this Change Order, including any new payment terms identified in this Change Order. This Change Order takes precedent and supersedes all other documents and discussions regarding this subject matter. Notwithstanding anything to the contrary, Accela is not creating or developing any intellectual property under this CO for Agency.

Accepted By: Hall County, GA	**Accepted By:** Accela, Inc.
By:	By: DocuSigned by: Brenda DeGregory 73C9EA2105844E6...
Print Name:	Print Name: Brenda DeGregory
Title:	Title: Vice President, Delivery
Date:	Date: 4/12/2024

Proprietary and Confidential
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AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 140/2024

SUBJECT: Approve the purchase of upgrades to the existing Hall County Government Center video camera system for a new network video recorder (NVR) and thirty-two (32) network cameras for the Marshal's Office to Mobile Communications America (MCA) of Tucker, GA, in the amount of $109,198.90.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: BS

Recommendation:
Approve.

Purpose of Request:

Approve the purchase of upgrades to the existing Hall County Government Center video camera system for a new network video recorder (NVR) and thirty-two (32) network cameras for the Marshal's Office to Mobile Communications America (MCA) of Tucker, GA, in the amount of $109,198.90.

History:
Mobile Communications is a trusted partner with a long history of quality service to Hall County Government. They have been a sole source for a variety of Motorola products including the Avigilon Camera systems that have become the standard for video surveillance in our environment. MCA has consistently provided Hall County with prompt sales, service and support for IP based camera systems, network video recorders and necessary accessories. They are familiar with our standard requirements for retention, cabling, installation, and our security practices.

Facts and Issues:

Options:

Hall County has chosen to upgrade the Camera System at the Government Center for several reasons. The current coax based camera system does not meet our newly adopted policies, it is very dated, out of support, and poses a security risk because the software can no longer be updated. The new IP based cameras and NVR offer many more features, comes with support, falls within the newly adopted security policies, and has the retention capabilities that we require.

Funding Requested	$ 109,198.90
Are funds within current budget?	Yes
Source of Funds	Capital Projects
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?	2024-03-28

Approvals:

Submit	Approve	Purchasing	Budget
RD	RD	AP	EW
Finance	**Attorney**	**Administration**	**Clerk**
WG	WLI	CR	JR

Attachments:

Financial Supplement
Quote

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 140/2024

Funds Requested: $ 109,198.90

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	7420-MARSHAL'S OFFICE	542500-OTHER EQUIPMENT	$109,198.90

Budget Transfer Items:

Additional Information/Comments:

Mobile Comm State Contract # 99999-SPD0000172-011.

Contact for Questions: BS

Phone: 770-519-0801

Hall County Government

Hall County Government Center CCTV Upgrade

Q4120000254

Provided By:

Roger Watson

rogerwatson@callmc.com

(770) 841-2374

Date:
4/14/2024

Quote:
Q4120000254

Expiration Date:
5/14/2024

Table of Contents

Scope of Work

Bill of Materials

System Investment

Payment Terms

Customer Acceptance

DCJS No.: 11-17936 and NC 2610-CSA

VA DCJS # 11-17936

CONFIDENTIALITY STATEMENT

THIS DOCUMENT CONTAINS INFORMATION THAT IS CONFIDENTIAL PERTAINING TO MOBILE COMMUNICATIONS AMERICA, INC. (MCA), THE SECURITY, FACILITIES, IT AND OTHER DEPARTMENTS OF THE REVIEWING ORGANIZATION. IT SHALL BE NEITHER DUPLICATED NOR DISCLOSED TO ANY PERSON OR PERSONS OUTSIDE THE RESPECTIVE COMPANIES WITHOUT PRIOR WRITTEN CONSENT.

MCA FURTHER AGREES TO MAINTAIN COMPLETE CONFIDENTIALITY AND AGREES ANY INFORMATION FURNISHED WILL BE KEPT IN THE STRICTEST CONFIDENCE. MCA WILL FURTHER NOT DISCLOSE TO ANYONE WHO IS NOT A DIRECT PARTICIPANT IN THE POSSIBLE PROJECT, THE FACT THAT NEGOTIATIONS ARE TAKING PLACE OR ANY TERMS OF THE POSSIBLE TRANSACTION.

Scope of Work

Contact Information:

- Kevin York (Hall County Sr. Network Admin) 770.531.6702
- Roger Watson (MCA Acct Manager) 770.841.2374
- David R. Cooper (MCA Sales Engineer) 678.236.3699

Summary of Opportunity:

A representative from Hall County asked MCA to provide a 24 camera one-for-one like kind replacement plus 8 new location camera redesign of the existing Video Surveillance System at the Hall County Government Center at 2875 Browns Bridge Rd., Gainesville, GA 30504. In response to this request, an account manager visited the site and gathered the details necessary for an MCA engineer/estimator to generate the attached proposal.

System Operation:

- MCA or subcontractor working on behalf of MCA, will supply and install 1 new Network Video Recorder. The new unit will replace the existing unit.
  - Network Switch will be supplied, tested, and installed by others.
- MCA or subcontractor working on behalf of MCA, will supply and install 24 new network cameras on a one-for-one basis in place of existing cameras, and will also install 8 new cameras based in new locations provided by customer where no camera currently exists. All network cabling provided by others.
- 17 Existing network cameras to be replaced with new network cameras.
  - Cabling supplied, tested, and installed by others.
  - Switches will be supplied, tested, and installed within 100 meters of cameras by others.
  - Patch Cable will be provided by MCA.
- 07 Existing analog cameras to be replaced with new network cameras.
  - Cabling supplied, tested, and installed by others.
  - Switches will be supplied, tested, and installed within 100 meters of cameras by others.
  - Patch Cable will be provided by MCA.
- 8 new IP cameras installed in new locations where no cameras currently exist.
- MCA will supply 32 camera licenses.
- MCA will provide and install POE Surge Protection Devices for 5 exterior cameras.
  - Additional miscellaneous equipment for such installations
- All CAT-6 Cable, Fiber Optic Cable, Fiber modules, patch panels, and backboxes are to be provided by others.

Programming Info:

- MCA will assist with basic level programming.
- MCA will program camera system in accordance with the supplied calculations.
  - Note: Calculations are set to motion driven recording.

Site Conditions:

Existing multi-level facility, with hard and drop ceilings in the path of installations. The exterior consists of brick walls.

Existing Equipment:

MCA will not remove existing wire, wall devices, and other equipment if not required for change-out of existing video Surveillance system.

Customer Expectations:

- Upgrade of existing Video Surveillance System.
- Achieving required video storage thresholds.

Training Expectations:

MCA or subcontractor working on behalf of MCA will train the customer after the installation. All system users should be present for the training/demo.

General Comments:

- All cable end-to-end will be supplied, tested, and installed by others.
- The site has both Exterior and Interior cameras that might require high reach equipment.
- All replacement camera mounts or required back boxes for new camera change-outs, will require a separate change order and is not included in this quote.

Documentation Needs:

Pertinent photo, floor plan, SOW, calculation details and contact information.

Additional Information:

- Project doesn't require weekly contractor meetings,
- Project doesn't require prior safety training.
- Project does require any video licenses.
- Project doesn't require the use of a lift.
- Project might require 2 techs for lift work – (Pending review with install)

Inclusions:

Installation of field devices

Video recorders/servers

Video surveillance system licenses

Installation of video patch cords

Exclusions:

Installation of system cabling

Conduits and junction boxes

CAT6 cabling

CAT6 patch panels

CAT6 cable testing/certification

Fiber optic cabling

Fiber optic patch panels

Network racks

Network switches

Assumption is the work area will be readily available during MCA's normal business hours of Monday through Friday 08:00 A.M. to 05:00 P.M.

Customer will provide network support for project where applicable.

Any materials or services not listed in this proposal shall be considered excluded and not part of the project.

All replacement camera mounts or required back boxes for new camera change-outs, will require a separate change order and is not included in this quote.

*Customer acknowledges and understands that the 128TB NVR was originally designed for the 24 one-for-one existing camera replacements allowing for Hall County standard 180 day retention.. Adding 8 new cameras reduces the allowable retention period to under 180 days and a larger NVR will be need in the future to obtain retention standard.

Bill of Materials

SKU	Description	Quantity
00196177	Avigilon AINVR-PRM-PLUS-128TB-NA AI NVR Premium+; 128TB; NA	1
144600	Avigilon 4.0C-H6A-DO1-IR 4MP H6A Outdoor IR Dome Camera with 4.4-9.3mm Lens	5
00204373	Avigilon 15C-H5A-3MH H5A Multisensor 15MP Camera Module 3.3-5.7mm	1
00199212	Avigilon 2.0C-H5M-DO1-IR 2.0 MP WDR; LightCatcher; Day/Night; Outdoor Dome; 2.8mm f/1.2; IR	5
00204503	Avigilon 8.0C-H5A-FE-DO1-IR 8MP H5A Fisheye IR Dome Camera	2
144581	Avigilon 4.0C-H6A-BO1-IR 4MP H6A Bullet IR Camera with 4.4-9.3mm Lens	2
143924	Avigilon 8.0C-H6A-BO1-IR 8MP H6A Bullet IR Camera with 4.4-9.3mm Lens	2
00197127	Avigilon 2.0C-H6M-D1-IR 2.0 MP; H6 Mini Dome Camera; WDR; LightCatcher; Day/Night; 2.9mm f/2.0; IR	7
144588	Avigilon 2.0C-H6A-D1-IR 2MP H6A Indoor IR Dome Camera with 2.8-12mm Lens	1
00204374	Avigilon 20C-H5A-4MH H5A Multisensor 20MP Camera Module 3.3-5.7mm	1
00204367	Avigilon 5.0C-H6SL-DO1-IR 5MP H6SL Outdoor IR Dome Camera with 3.4-10.5mm Lens	2
00204365	Avigilon 5.0C-H6SL-D1 5MP H6SL Indoor Dome Camera with 3.4-10.5mm Lens	4
145232	Avigilon ACC7-ENT-BUNDLE-1YR ACC7 Enterprise camera channel w/ Smart Plan; 1Yr ACC7 Enterprise camera channel w/ Smart Plan; 1Yr	32
00143960	Optional IR illuminator ring; up to 30m (100ft); for use with H4AMH-DO-COVR1.	1
00204091	Avigilon H5AMH-AD-PEND1 Outdoor pendant mount adapter	1
00204094	Avigilon H5AMH-DO-COVR1 Dome bubble and cover; for outdoor surface mount or pendant mount; clear	1
00203675	WLMT-1001 Wall Mount for large pendant camera	1
00197277	ICC ICPCST10BL ICPCST10BL CAT6 Clear Boot Patch Cord, 10 feet, Blue	64
00204188	Avigilon SLSPCIL-1001 In-ceiling mount for 6.1" (156mm) Dome camera	3
00204092	Avigilon H5AMH-DC-COVR1 Dome bubble and cover; for in-ceiling mount; clear	1
141835	Avigilon H5AMH-AD-CEIL1 ADAPTER, IN CEILING MOUNT, H5MH	1
00204106	Avigilon H6SL-MT-NPTA1 NPT Adapter for H6SL Dome Cameras	1
00204110	Avigilon POE60U-1BTE Gigabit 802.3bt 60 W PoE Injector; Indoor; single port	1
00194901	BELDEN/ENT AX104132 KEYCONNECT SIDE-ENTRY BOX WITH SHUTTER DOOR, 1 PORT ALMOND	32
00194899	BELDEN/ENT AX101326 1-PORT MOD JACK 8W8P UTP T568A/B CAT6 IP5 KEYCONNECT TIA606 BLUE	32
00154563	Ditek DTK-MRJPOES Ethernet Surge Protector PoE+/HiPoE Cat 5E/6/6A Shielded RJ45 Connector	5
MISC-HARDWARE	Miscellaneous Hardware	1
MCA-SEC-IN-CONFIG-R2	Programming and Configuration	14
MCA-SEC-PM-LABOR-R1	Project Management Labor	15
MCA-SEC-IN-LABOR-R1	Initial Installation Labor	142.2

Subtotal: $109,198.90

System Investment

Purchase Price, Excluding Taxes:	**$109,198.90**
Estimated Taxes:	**$0.00**
Purchase Price, Including Taxes:	**$109,198.90**

Payment Terms

Payment Terms:

Except as provided below, all contracted services require payment in full, due upon receipt of invoice. Installation contracts or services in excess of $5,000 require:

1. 30% down payment.
2. 100% payment of stored materials upon receipt at MCA's warehouse. Inspection of billed products by Customer at MCA's warehouse will be permitted
3. Progress labor billing will occur each month based upon the percentage of completion of whole project up to 90% of total labor charges.
4. Final charges will be billed upon final completion of the job. All billings shall be net due upon receipt of invoice.

Customer is responsible for all taxes; except if the Customer represents that it is tax exempt under sections 501(a) and 501(c) of the Internal Revenue Code of the United States, and under the applicable laws of any State due any tax. If Customer represents that all sales, use or business taxes or personal property taxes and all fees imposed by municipal, state, and/or federal authorities in connection with the systems and services to be performed or sold by MCA are tax exempt, then Customer agrees to hold MCA harmless from and to indemnify MCA against any of the foregoing charges if the exempt status is incorrect, discontinued, or modified.

Assumptions:

MCA's proposal is based on the basic investigation of your site together with the available information provided. MCA's goal is to provide the system solution desired; however, MCA reserves the right to make adjustments should we discover that material facts or circumstances relating to the project or specification have been omitted or inadvertently missed at the time of project design, engineering, or during the installation. All adjustments will be formally documented on a revised MCA proposal document if the job has not commenced; or a MCA "Additional Work Authorization" or "Change Order" document if the adjustments are discovered after the work has begun. These documents will be presented for your review and approval.

Post-Installation Service and Support:

Each item of equipment purchased under this agreement is covered by the manufacturer's warranty. MCA's sole warranty is for its labor which is warranted for 90 days on new equipment and services. Warranty will begin upon completion of the installation, or at a time where "beneficial use" of the system occurs; or of any of its' component sub-systems. Upon request, MCA can also provide a customized maintenance plan that fits the customers application and budget. Our value-added service maintenance plans can include all parts and labor to correct system failures, as well as a preventative maintenance program to minimize system downtime.

Customer Acceptance

IN WITNESS WHEREOF, the Parties hereto execute and accept this proposal and agree to be bound by all parts, including the terms and conditions, which together form the complete agreement (hereinafter the "Agreement") between the Parties. The terms and conditions are incorporated by reference as fully set forth herein and available at Terms and Conditions (the "Terms"). This Agreement is in effect on the date proposal is signed. Customer agrees that it has read the Terms prior to customer's acceptance of this proposal. MCA hereby reserves the right to amend the Terms from time to time and without notice to Customer. This Agreement shall not be binding to MCA unless approved in writing by an officer of MCA. In the event of non- approval, the sole liability of MCA shall be to refund to buyer the deposit amount that has been paid to MCA by Customer.

☐ Agree to MCA's Terms

☐ Agree to Other Terms: _____

MCA Location

Mobile Communications America, Inc.
2241 Tucker Industrial Rd
Tucker GA 30084
(800) 596-8205
United States

Delivery Address

Hall County Government
470 Crescent Drive
Gainsville GA 30501
(770) 531-6702
United States

Billing Address

Hall County Government
470 Crescent Drive
Gainsville GA 30501
(770) 531-6702
United States

Seller

Roger Watson
MCA Representative

Acct. Exec.
Title

Approved MCA Authorized Officer

Customer

Printed Name

Title

Signature Authorized Officer Date

Date:
4/14/2024

Quote:
Q4120000254

Expiration Date:
5/14/2024

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 197/2024

SUBJECT: Public Hearing to transmit Hall County's updated short-term work program and capital improvement element to the Georgia Mountains Regional Commission.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:
Conduct public hearing.

Purpose of Request:
Conduct a Public Hearing to transmit Hall County's updated short-term work program and capital improvement element to the Georgia Mountains Regional Commission.

History:
This is an annual requirment by DCA to maintain Qualified Local Covernment (QLG) status.

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	BG	WLI	CR
Clerk			
JR			

Attachments:
Resolution
Annual Impact Fee Report
Annual Short Term Work Program Revised

Hall County
Transmittal Resolution

WHEREAS, Hall County has prepared an annual update to a Capital Improvements Element and Short-Term Work Program; and

WHEREAS, the annual update of the Capital Improvements Element and Short-Term Work Program was prepared in accordance with the Development Impact Fee compliance requirements and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and a Public hearing was held on April 23, 2024.

BE IT THEREFORE RESOLVED, that the Chairman and Board of Commissioners of Hall County does hereby submit the annual update of the Capital Improvements Element and Short-Term Work covering the five-year period from 2024-2029 to the Georgia Mountains Regional Commission for review, as per the requirements of the Georgia Planning Act.

Adopted this _____ day of _____, 2024.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman

ATTEST:

_____
Commission Clerk
Hall County Board of Commissioners

APPROVED AS TO FORM:

_____
County Attorney

HALL COUNTY	Annual Impact Fee Financial Report - 2022/2023							Draft as of 1-29-2024
Public Facility	**Libraries**	**Fire Protection**	**Sheriff's Patrol**	**Public Safety Facility**	**Parks/Recreation**	**Admin**	**CIE Prep**	**TOTAL**
Impact Fee Balance June 30, 2022**	$ 1,164,837.25	$ 531,169.29	$ 121,435.18	$ 248,384.62	$ 4,909,776.52	$ 231,653.32	$ (5,388.32)	$ 7,201,867.86
Impact Fees Collected (July 1, 2022 through June 30, 2023)	420,122.16	54,825.87	15,053.64	66,910.13	827,810.83	32,118.40	1,092.45	1,417,933.48
Interest Earned*	-	-	-	-	-	-	-	-
(Impact Fee Refunds)	-	-	-	-	-	-	-	-
(Project Expenditures)	(200,000.00)	(125,000.00)	-	(4,173.75)	(593,841.01)	-	-	(923,014.76)
Impact Fee Fund Balance June 30, 2023	$ 1,384,959.41	$ 460,995.16	$ 136,488.82	$ 311,121.00	$ 5,143,746.34	$ 263,771.72	$ (4,295.87)	$ 7,696,786.58
Impact Fees Available	$ 1,384,959.41	$ 460,995.16	$ 136,488.82	$ 311,121.00	$ 5,143,746.34	$ 263,771.72	$ (4,295.87)	$ 7,696,786.58
Impact Fees Obligated	$ -	$ 460,995.16	$ -	$ -	$ 800,214.14	$ -	$ -	$ 1,261,209.30
This annual report covers the last completed fiscal year - July 1, 2022 to June 30, 2023. The Hall County Impact Fee Program began March, 2003								
There was no interest earned in FY 2023. However, impact fee funds are housed in an interest bearing account. The interest for this account is minimal for the County as a whole.								

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility:	**Libraries**
Service Areas:	**County-wide**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Project Status
Prior Year Expenditures	2004	2012	$ 1,266,744.22	100.000%		$ 1,266,744.22	$ -	Complete
Collection Materials	2011	2012	164,225.00	60.892%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials NH Libr.	2011	2012	54,512.00	100.000%		54,512.00	-	Complete
North Hall Branch Library	2011	2014	2,897,152.00	18.062%	SPLOST	523,275.00	-	Complete
Collection Materials	2012	2013	180,586.00	55.375%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2013	2014	305,420.00	32.742%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2014	2015	428,611.00	23.331%	General Fund, State of GA	100,000.00	-	Complete
Collection Materials	2015	2016	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2016	2017	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2017	2018	130,000.00	100.000%		130,000.00		Complete
Collection Materials	2018	2019	135,000.00	100.000%		135,000.00	-	Complete
Collection Materials	2019	2020	100,000.00	100.000%		100,000.00	-	Complete
Collection Materials	2020	2021	100,000.00	100.000%		150,000.00	-	Complete
Collection Materials	2021	2022	190,000.00	100.000%		190,000.00	-	Complete
Collection Materials	2022	2023	200,000.00	100.000%		200,000.00	-	In process
Collection Materials	2023	2024	200,000.00	100.000%		-	200,000.00	
Expansion of Gainesville Library	2018	2021	5,350,000.00	21.691%	SPLOST, State of GA Grant	1,160,460.59	-	Complete
New East Hall Library	2025	2027	5,000,000.00	23.699%	SPLOST, State of GA Grant	-	1,184,959.41	Planning Phase
Total of Costs, Expenditures & Impact Fees Encumbered			**$ 16,902,250.22**			**$ 4,509,991.81**	**$ 1,384,959.41**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.

** Denotes the amount of impact fee funds available as of 6-30-2023

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility: **Fire Protection**

Service Areas: **County-wide except the City of Gainesville**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Impact Fees Obligated***	Project Status
Fire Station #16	2012	2014	$ 1,408,338.00	12.725%	SPLOST	$ 179,216.50	$ -	$ -	Complete
Fire Station #17	2020	2024	6,705,795.00	6.875%	SPLOST	-	460,995.16	460,995.16	Construction in Progress
Fire Apparatus #17	2020	2022	1,133,269.00	0.000%	SPLOST	-	-		Complete
Unidentified Projects	TBD	TBD	-			-	-		To be Determined
			-			-	-		
Total of Costs, Expenditures & Impact Fees Encumbered			**$ 9,247,402.00**			**$ 179,216.50**	**$ 460,995.16**	**$ 460,995.16**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.

** Impact Fee Funds Available as of 6-30-2023

***This is the balance of encumbrances to date in FY2024 for Fire Projects funded with impact fees.

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility:	**Sheriff's Patrol**
Service Areas:	**County-wide**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Project Status
South Hall Precinct	2014	2015	$ 979,000.00	21.9%	SPLOST	$ 168,626.24	$ -	Complete
Construction of New North Hall Precinct	2026	2028	3,000,000.00	4.5%	Capital / SPLOST	-	136,488.82	Not Started Yet; Planning Phase
Unidentified Projects			-			-	-	To be Determined
			-			-	-	
Total of Costs, Expenditures & Impact Fees Encumbered			**$ 3,979,000.00**			**$ 168,626.24**	**$ 136,488.82**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceedthe percentage impact fee eligible from the adopted Capital Improvement Plan

** Impact Fee Funds Available as of 6-30-2023

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility:	**Public Safety Facility**
Service Areas:	**County-wide**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fees Funds Available **	Project Status
Expansion of Visitation Room^	2014	2017	$ 407,402.00	100.000%		$ 407,401.97	$ -	Complete
Expansion of Jail Parking	2018	2018	83,737.50	100.000%		83,737.50	-	Complete
Expansion of Sheriff's Headquarters	2021	2022	1,042,461.00	28.778%	Capital Projects Fund	300,000.00	-	Complete
Construction of new Sheriff Training Facility	2024	2026	5,000,000.00	6.222%	SPLOST / Capital Projects Fund	-	311,121.00	In Design Phase
Unidentified Projects	TBD	TBD	-			-	-	To be Determined
Total of Costs, Expenditures & Impact Fees Encumbered			**$ 6,533,600.50**			**$ 791,139.47**	**$ 311,121.00**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan

** Impact Fee Funds Available as of 6-30-2023

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility:	**Parks & Recreation**
Service Areas:	**County-wide except the City of Gainesville**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Impact Fees Obligated***	Project Status
Ball Fields	2010	2011	$ 1,666,999.00	4.244%	General Fund	$ 70,746.91	$ -	$ -	Complete
Clermont Gymnasium	2012	2013	1,025,846.00	18.820%	SPLOST	193,067.00	-	-	Complete
Albert Banks Park (Field of Dreams	2013	2014	400,000.00	56.788%	Grant, General Fund	227,151.02	-	-	Complete
Cherokee Bluffs Park	2015	2021	3,212,958.00	86.438%	SPLOST	2,777,217.13	-	-	Complete
Purchase of Future Greenspace for Healan's Mill Greenway	2018	2018	669,533.02	50.712%	Grant, General Fund	339,533.02	-	-	Complete
Tadmore Park Renovation	2021	2023	1,824,421.51	19.693%	SPLOST	359,290.94	-	-	Complete
Alberta Banks Renovation	2022	2024	1,033,330.00	54.449%	SPLOST	62,640.79	500,000.00	400,750.00	In process
Laurel Park Restoration	2022	2026	2,130,250.00	17.299%	SPLOST / Capital Projects	27,516.00	341,000.00	334,557.00	In process
AG Center Renovation	2022	2024	1,699,000.00		SPLOST / Capital Projects	-	450,000.00	64,907.14	In process
Healan's Mill Park Construction	2022	2025	3,036,197.00	19.283%	N/A	85,462.66	500,000.00	-	In Design Phase
Senior Center	2025	2027	10,000,000.00	30.000%	SPLOST / Capital Projects		3,000,000.00	-	Planning Phase
Unidentified Projects	TBD	TBD	-				352,746.34	-	Not Started
Total of Costs, Expenditures & Impact Fees Encumbered			**$ 26,698,534.53**			**$ 4,142,625.47**	**$ 5,143,746.34**	**$ 800,214.14**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceed the percentage impact fee eligible from the adopted Capital Improvement Plan.

** Impact Fee Funds Available as of 6-30-2023

***This is the balance of encumbrances to date in FY2024 for Parks Projects funded with impact fees.

HALL COUNTY **Capital Improvements Project Update 2013-2023***

Public Facility:	**Administration**
Service Areas:	**County-wide**

Project Description	Project Start Date	Project End Date	Cost of Project*	Percentage of Funding from Impact Fees	Other Funding Sources	Impact Fee Expenditures	Impact Fee Funds Available **	Project Status
						$ -	$ -	
Unidentified Projects							263,771.72	To be Determined
							-	
Total of Costs, Expenditures & Impact Fees Encumbered			**$ -**			**$ -**	**$ 263,771.72**	

* For Completed Projects, actual amounts expended are shown instead of the originally estimated costs, while assuring that the Percentage of Funding from Impact Fees does not exceedthe percentage impact fee eligible from the adopted Capital Improvement Plan

** Impact Fee Funds Available as of 6-30-2023

HALL COUNTY

Short-Term Work Program

The following section lists the Short Term Work Program for Hall County. The relevant short-term items are listed in each component of the plan as part of the implementation section.

The update of the Short-Term Work Program is provided to supplement the Impact Fee Update per Department of Community Affairs requirements. The Short-Term Work program provided here is a component of the adopted Comprehensive Plan adopted in June 2004 and amended in May 2005. A minor updated Comprehensive Plan was approved in June 2022. The STWP is intended to provide the status of the respective items. The language in the Comments section of the Short-Term Work Program indicates the list of accomplishments. The Comments section indicates Completed, In Progress, Canceled, or Postponed with a brief explanation. Where appropriate the expected time frame of the work task is listed. The County is currently preparing a major update to the Comprehensive Plan with an anticipated adoption of July 2024.

Economic Development

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Prepare a Unified Development Code to update, consolidate and streamline land use and development regulations to support the goals of the Comprehensive Plan	2019-25	$245,000	County staff and Consultants	None	Dev. Services Fund	TSW was hired in April 2019 to work on developing a new UDC. The estimated adoption date is August 2024.
2. Draft County preservation plan with implementation tools	2019-25	N/A	County staff	N/A	N/A	County will be working on developing a joint historic preservation ordinance with City of Gainesville in conjunction with the UDC.
3. Extend sewer to targeted development locations	2020-24	$10-12 Million	County	None	SPLOST & Connection Charges	Complete
4. Work with Convention and Visitors Bureau re tourism infrastructure support	2020-25	N/A	Convention and Visitors Bureau with County staff	N/A	N/A	In Progress – ongoing coordination/discussions to provide support.
5. Cooperate with business/ educational community to create closer education/job training ties	2020-25	N/A	Greater Hall Chamber, local colleges, County staff	N/A	N/A	In Progress – Ongoing work with the Chamber.

Housing

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Comprehensively revise county UDC—new residential uses and zone districts, residential quality and protection standards.	2019-24	N/A	County staff and consultants	N/A	Dev. Services Fund	In progress. Code changes will be evaluated on an ongoing basis and/ or in conjunction with UDC.
2. Study revisions to county zoning maps to implement the comprehensive plan.	2020-24	N/A	County staff	N/A	N/A	Ongoing activity – In conjunction with current Comprehensive Plan and future UDC.
3. Undertake housing analysis tied to economic development goals	2020-25	N/A	County staff and consultants	N/A	N/A	In Progress – County staff is now providing direct oversight of ongoing housing programs within the county. The County has reinitiated the GICH program and the committee.

Natural and Cultural Resources

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Comprehensively revise county UDC—tree protection, open space, PD regulations priorities for revision. Address other environmental standards in Phase 2.	2019-24	N/A	County staff and consultants	N/A	Dev. Services Fund	In Progress – tree ordinance and other code changes will be evaluated on an ongoing basis and/or in conjunction with the new UDC.
2. Study revisions to county zoning maps to bring them into accord with the comprehensive plan.	2019-24	N/A	County staff	N/A	N/A	In Progress – In conjunction with current UDC development process.
3. Identify key natural and cultural resources and consider for acquisition	2020-24	N/A	County staff	N/A	Dev. Services Fund	In Progress – County is working on restoration of the Healan's Head's Mill and development of a 100 acre park associated with it. Greenspace planning is included in the Comprehensive Plan and the UDC.
4. Extend sewer to targeted development locations in comprehensive plan; avoid service in sensitive natural areas	2020-26	$35-50 Million	County	None	SPLOST & Connection Charges	In Progress – County is extending sewer service in targeted areas per the most recent Sewer Master Plan updated in December 2021.
5. Adopt coordinated intergovernmental annexation policy that includes resource protection provisions	2020-25	N/A	County staff	N/A	N/A	In Progress – Continue implementation of the Service Delivery Strategy adopted in July 2017.

Community Facilities

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Comprehensively revise county UDC—new residential uses and zone districts; fiscal impact analysis regulations.	2020-24	N/A	County staff and consultants	N/A	N/A	TSW was hired in April 2019 to work on developing a new UDC. The estimated adoption date is August 2024.
2. Revise county zoning maps to bring into accord with comprehensive plan location of development and infrastructure availability.	2020-24	N/A	County staff	N/A	N/A	In Progress – In conjunction with current Comprehensive Plan and future UDC.
3. Extend sewer to targeted development locations.	2020-26	$35-50 Million	County	None	SPLOST & Connection Charges	In Progress – County is extending sewer service in targeted areas per the most recent Sewer Master Plan updated in December 2021.
4. Adopt coordinated intergovernmental annexation policy and agreement.	2020-24	N/A	County	N/A	N/A	In Progress – Continue implementation of the Service Delivery Strategy adopted in July 2017.

Land Use

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Comprehensively revise county UDC—quality regulations, environmental standards, fiscal impact assessment, etc.	2019-24	N/A	County staff and consultants	N/A	Dev. Services Fund	TSW was hired in April 2019 to work on developing a new UDC. The estimated adoption date is August 2024.
2. Study revisions to county zoning maps to bring into accord with comprehensive plan.	2019-24	N/A	County staff	N/A	N/A	In Progress – ongoing implementation with current Comprehensive Plan and future UDC.
3. Extend sewer to targeted development locations.	2020-26	$35-50 Million	County	None	SPLOST & Connection Charges	In Progress – County is extending sewer service in targeted areas per the most recent Sewer Master Plan updated in December 2021.
4. Improve regional marketing.	2020-25	N/A	County/Greater Hall Chamber	N/A	N/A	In Progress – Ongoing work with the Chamber of Commerce.
5. Adopt coordinated intergovernmental annexation policy and agreement.	2020-24	N/A	County	N/A	N/A	Completed – Continue implementation of the Service Delivery Strategy adopted in July 2017. Implement the policy with of any new annexation requests.
6. Comprehensive Plan Update	2024	$150,000	County	NA	Dev. Services Fund	Ongoing. The minor update to the comprehensive plan was adopted in June 2022. Major Comprehensive Plan update adoption is anticipated in July 2024.

Intergovernmental Actions

Major Actions	Time Frame	Estimated Cost	Responsible Party	Portion Chargeable to Impact Fees	Sources of Funds	Comments
1. Revise County development codes/consider complementary design and other standards with Cities.	2019-24	N/A	County staff and consultants	N/A	Dev. Services Fund	TSW was hired in April 2019 to work on developing a new UDC. The estimated adoption is August 2024.
2. Draft county/city preservation plan with implementation tools.	2019-25	N/A	County staff	N/A	N/A	County has developed a joint historic preservation ordinance with City of Gainesville. The County intends to adopt the ordinance in the next year.
3. Identify key natural and cultural resources and consider for acquisition.	2020-24	N/A	County staff	N/A	N/A	In Progress – County updated the Park Master Plan in 2019 in conjunction with the CORPS Master Plan. Ongoing discussions/public involvement regarding park locations should take place.
4. Extend sewer to targeted development locations in comprehensive plan; avoid service in sensitive natural areas.	2020-26	$35-50 Million	County	None	SPLOST & Connection Charges	In Progress – County is extending sewer service in targeted areas per the most recent Sewer Master Plan updated in December 2021.
5. Draft and adopt coordinated intergovernmental annexation policy. Use as countywide model.	2020-24	N/A	County staff	N/A	N/A	Completed – Continue implementation of the Service Delivery Strategy adopted in July 2017.

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 172/2024

SUBJECT: **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** Note: Tabled at the March 14, 2024 Voting Meeting until the March 28, 2024 Voting Meeting. Note: Tabled at the March 28, 2024 Voting Meeting until the April 23, 2024 Voting Meeting.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:
Denial.

Purpose of Request:
0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324-unit residential development |** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

History:

Facts and Issues:

Options:

Funding Requested $ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Attorney	Administration
BG	BG	WLI	CR
Clerk			
JR			

Attachments:

2nd Request to Table
Request to Table
Change of Representation Letter
Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan (as of 3/25/2024
Updated Site Plan
Original Site Plans Combined
Maps
Renderings
Sewer Application
Sewer Route
Revised Traffic Impact Study
Original Traffic Impact Study
Environmental Health Comments
GDOT Comments
Public Works Comments
Tax Assessors Comments
Fire Comments
Community Meeting Report
Public Comments
Public Comment - Opposition - from Gary & Darlene Long
Public Comment - Opposition - from Bill Doucher
Public Comment - Opposition - from Mark Faul
Response Letter to Public Comment (Mark Faul) from Applicant
Public Comment - Opposition - from Bob Carlson
Public Comment - Opposition - from Mark Dunn
Public Comment - Opposition - from Mike Morton
Public Comment - Opposition - from Gary McClung
Public Comment - Opposition - from Steven Cornelison
Public Comment - Opposition - from Dorothy Nieto
Public Comment - Opposition - from Darlene Long
Public Comment - Opposition - from Carole Branum
Public Comment - Opposition - from Christina Nguyen & Constitutional Objection
Public Comment - Opposition - from Devender Katkoori & Constitutional Objection
Constitutional Objection - Erik and Kathleen Conley
Constitutional Objection - Steven Clark
Constitutional Objection - Robert Carlson
Constitutional Objection - Janice Phillips
Constitutional Objection - Ben Tule and Trinh Pham
Constitutional Objection - Meghan Lifsey
Updated Notice Sign Photos 4-23-2024
Notice Sign Photos
Updated Notice Sign Photos

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, March 27, 2024 12:02 PM
To: Jennifer Rivera (Administration)
Subject: FW: Updated site plan PDF
Attachments: JM Turk and Guth Road Rezoning

Hi Jennifer,

Would you please add this email and attachment to the JM Turk file?

Thanks,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
We have it all in Hall

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Wednesday, March 27, 2024 12:00 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bret Clark <atldevelopment@bellsouth.net>
Subject: RE: Updated site plan PDF

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.

FYI—I did let the neighbors know that we are requesting that the item be tabled.

William (Bill) Diehl
Associate

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Smith Gambrell Russell

From: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Sent: Wednesday, March 27, 2024 11:48 AM
To: Diehl, William <wdiehl@sgrlaw.com>; Bret Clark <atldevelopment@bellsouth.net>
Subject: RE: Updated site plan PDF

You don't often get email from bgarmon@hallcounty.org. Learn why this is important

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Okay, thank you for letting me know.

Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
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We have it all in Hall

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Wednesday, March 27, 2024 11:42 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Bret Clark <atldevelopment@bellsouth.net>
Subject: RE: Updated site plan PDF

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Beth—

We've been talking on our end for this project. We are going to request that the item be tabled to the April 23rd meeting. We are working through a couple of comments made by Commissioners Powell and Poole and have told them that we'd be requesting that the item be tabled so that we could look into few items.

I will be letting a few of the neighbors know of our request.

Thank you,

William (Bill) Diehl
Associate

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Smith Gambrell Russell

From: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Sent: Monday, March 25, 2024 1:14 PM
To: Bret Clark <atldevelopment@bellsouth.net>
Cc: Diehl, William <wdiehl@sgrlaw.com>
Subject: RE: Updated site plan PDF

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Received – thank you.

Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
GEORGIA
We have it all in Hall

From: Bret Clark <atldevelopment@bellsouth.net>
Sent: Monday, March 25, 2024 12:36 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: 'Diehl, William' <wdiehl@sgrlaw.com>
Subject: RE: Updated site plan PDF

You don't often get email from atldevelopment@bellsouth.net. Learn why this is important

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Happy Monday Beth,

Attached is the revised site plan, Bill is working on the narrative as we speak.

Thanks

Bret Clark

From: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Sent: Friday, March 22, 2024 8:49 AM
To: Bret Clark <atldevelopment@bellsouth.net>
Subject: Updated site plan PDF

Good morning, Bret.

Thank you for dropping the hard copies off yesterday of the updated site plan for JM Turk. Could you please send the digital file over so that I can update our records? Also, are you planning on updating the narrative or any other supporting materials?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
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We have it all in Hall

Jennifer Rivera (Administration)

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Wednesday, March 27, 2024 11:59 AM
To: Diehl, William
Cc: Reynolds, Jeffrey A.
Subject: JM Turk and Guth Road Rezoning

Good afternoon,

I wanted inform you that we will be requesting that the JM Turk and Guth Road rezoning be tabled to the April 23rd meeting. We are asking that the item be tabled so that we can analyze revisions to the plan.

The request will be made at the public hearing tomorrow and we expect that the item will not be heard. Please note, however, that although we are requesting that the item be tabled, that decision is up to the board of commissioners and we have no control over whether the item moves forward or is tabled.

Please let me know if you have any questions.

Thank you,

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Monday, December 11, 2023 12:14 PM
To: Diehl, William <wdiehl@sgrlaw.com>
Subject: Community Meeting // JM Turk and Guth Road Development

Dear Neighbor,

You are receiving this communication because you expressed concerns to the planning department about the proposed development off of JM Turk Road. I represent the developer in this rezoning process.

Please let this serve as an invitation to one of the meetings discussed below. We have sent post card invitations to neighbors in the surrounding area, inviting them to the meeting. However, we encourage you to share this email with others that might also have concerns or questions about this project.

Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved.* Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

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p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Monday, March 11, 2024 12:02 PM
To: Jennifer Rivera (Administration)
Subject: FW: JM Turk

Jennifer,

JM Turk is requesting to table from this week's BOC meeting to 3/28/24. Please see email below and add the request to their file.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
GEORGIA
We have it all in Hall

From: Bret Clark <atldevelopment@bellsouth.net>
Sent: Monday, March 11, 2024 11:54 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; 'Diehl, William' <wdiehl@sgrlaw.com>
Cc: keithrbreedlove@gmail.com; 'Reynolds, Jeffrey A.' <jreynolds@tokn.com>
Subject: RE: JM Turk

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.

Beth,

Happy Monday, I hope you are doing well.

We're to need to table this to March 28th, we need a little more time to adjust the plans per our last meeting with Jeff Stowe. Let me know if this email is sufficient to do that or if you require something more formal.

Thanks

Bret Clark

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

Beth Garmon, Hall County Zoning Director

Hall County Government Center

2875 Browns Bridge Road

Gainesville, Georgia 30504

bgarmon@hallcounty.org

RE: 4611, 4627 Guth Road, 4561, 4613 J M Turk Road, & 4590, 4601, 4610 Stanley Road

Dear Beth,

Tyler Smith and I have been retained by the applicants in the above referenced rezoning to represent them. Could you please change their contact information to us at our law firm address and via e-mail sgilliam@sgwmfirm.com, tsmith@sgwmfirm.com, and copy agraham@sgwmfirm.com? Please remove Jeffrey A. Reynolds and William J. Diehl from your contact list for this rezoning project. Please let me know if you need anything further regarding this request.

With cordial regards, I remain,

Sincerely,

Steven P. Gilliam

Cc: Katie Greenway klgreenway@hallcounty.org

Bret Clark atldevelopment@bellsouth.net

Jeffrey A. Reynolds jreynolds@tokn.com

William J. Diehl wdiehl@sgrlaw.com

Street Address:
Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

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HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

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DIRECTOR
Srikanth Yamala

PLANNING AND DEVELOPMENT
DIRECTOR
Randi Doveton

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: February 26, 2024

Subject: **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres **| Proposed Use: 324 lot residential development | Thompson O'Brien Kappler & Nasuti PC, applicant**

The request before you is the request of Thompson O'Brien Kappler & Nasuti PC to Rezone from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) to allow a 324 lot residential development. This item is located within Commission District 1.

At their February 5, 2024 meeting, the Hall County Planning Commission voted to recommend denial **(5-0)**.

There were **twenty five (25) comments submitted** in advance of the Planning Commission meeting and **seven (7) people spoke in opposition 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 ..... Thompson O'Brien Kappler & Nasuti PC

Request ..... Rezone from Agricultural Residential III (AR-III, 17.110) to Planned Residential Development (PRD, 17.180.060)

Proposed Use ..... 324-lot residential development

Size ..... 117.31± acres

Zoning ..... Current Agricultural Residential III (AR-III, 17.110) | Proposed Planned Residential Development (PRD, 17.180.060)

Location ..... **0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road** | Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, and 000127

Commission District ..... One

Planning Commission Date ..... February 5, 2024

Staff Recommendation ..... **Denial** as the proposed use exceeds the maximum density of 2 dwelling units per acre for the Residential future land use classification in the Comprehensive Plan**.**

Planning Commission Recommendation.....**Denial**
Vote: 5-0

Staff recommends DENIAL of the applicant's request. However, if the Planning Commission sees fit to approve this application, staff recommends the following conditions:

1. Development is approved generally as depicted on the site plan dated January 22, 2024 and as detailed in the project narrative dated January 22. 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The minimum heated floor area (HFA) shall be 1,800 square feet for single-family detached homes and 1,300 square feet for townhomes.

3. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with brick or stone accents on the front façade of the homes. The balance of the home may be the same materials or of fiber-cement material. Vinyl siding is prohibited. Homes shall be consistent with the submitted renderings. Final review and approval of building elevations is subject to the Director of Community Development and Infrastructure, or their designee.

4. The development shall have a 50-foot exterior buffer per the requirements of 17.180.060, Planned Residential Development along all exterior boundaries.

5. The recommendations of the most recent traffic study shall be implemented as part of the development process. Such improvements will be the financial responsibility of the developer.

6. The development shall be limited to a maximum of three (3) model homes prior to recording of the final plat.

7. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

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 narrative and site plan:

- 17.180.060.B.2.C Setbacks
  - Minimum front yard setback from the property line of 25 feet.
    - The applicant has proposed a 20-foot setback for Pods A, B, and C for single-family residences.
    - The applicant has proposed a 10-foot setback for Pod D for multi-family residences.

- 17.180.060(B) Recessed Garage Doors
  - Garage doors shall be oriented towards the street. Garage doors shall be positioned between five and 20 feet behind the front wall plane of the residence, extending no more than 40 percent of the width of the residence.
    - The applicant has submitted renderings that do not appear to comply with this standards.

- 17.180.060(B) Recessed Garage Doors
  - Garage doors shall constitute no more than 50 percent of the width of the individual townhouse unit. A minimum of 20 feet is required between the garage and the back of sidewalk.
    - The applicant is proposing that garage doors shall not exceed 80% of the width of the individual townhouse façade.
- 17.180.060(B) Minimum Lot Area
  - Minimum lot area of 8,000 square feet on sanity sewer.
    - The applicant is proposing a minimum lot area of 5,000 square feet for single-family detached residences.

- 17.180.060(B) Minimum lot width
    - Minimum lot width of 50 feet for a single-family detached residence.
        - The applicant is proposing a 40-foot minimum lot width for single-family detached residences.

11-20-2023 Public Forum:

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the proximity to subdivision, character, density, water runoff, and townhomes.

Andy Carter, 4430 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density, sewer connection, traffic, safety, and sewage influx.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were mosquitos, wildlife, safety, inconsistency with the comprehensive plan, property value, and land lock.

Jamie Phillips, 4607 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the entrances, traffic, noise and road widening.

Tommy Channell, 4737 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were sewage connection, septic tanks, and water contamination.

Darlene Long, 4655 Quailwood Drive, Flowery Branch, spoke in opposition. Addressed the 80 signatures signed by her neighborhood in opposition.

Todd Philips, 4526 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were traffic, road widening, and sewage.

2-5-2024 Public Forum:

Janet Myers, 4859 Wildlife Way, Flowery Branch, spoke in opposition. Concerns were long and short term effects like traffic, density, disruption of bridge structures, and inadequate emergency vehicle access.

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density and inconsistency with the surrounding development.

Peggy Proctor-Matos, 4751 Falling Brooke Drive, Flowery Branch, spoke in opposition. Concerns were location, density, dimensions, storm water management, public safety, schools, and traffic.

Albert Guth, 4589 Guth Road, Flowery Branch, spoke in opposition. Concerns were emergency vehicle access and right of way.

Mark Dunn, 4781 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were surrounding density, sewer system, and safety.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were the emergency vehicle entrance, excessive variances requested, inconsistency with the area, devaluing neighboring property, and flooding.

Byron Purvis, 4944 Feather Lane, Flowery Branch, spoke in opposition. Concerns were traffic, density, and development.

Summary Analysis

The applicant is requesting to rezone a combined 117.31± acres of Agricultural Residential (AR-III, 17.110) zoned property to Planned Residential Development (PRD, 17.180.060) for the purpose of constructing a 324-unit residential development. The total density of the development will be 2.80 units per acre, containing a total of 197 detached homes and 127 attached townhomes. An existing residence (4621 Stanley Road, tax parcel 15044 000035D) located on Stanley Road will remain, with shared access through the proposed development. This parcel is not included with the rezoning request.

Per the applicant's letter of intent, and represented in the submitted zoning site plan, the development will be constructed in a series of four pods. Pods A, B, and C will be developed with detached single-family residences with Pod D developed with attached single-family residences (townhomes). Per the letter of intent, each unit "…will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings."

Pod A will feature 13 estate-style lots, with each consisting of a minimum of 21,780 square feet (equivalent to half an acre) and a minimum heated floor area of 1,800 square feet. Pods B and C will consist of a total 184 detached single-family homes, with a proposed minimum lot size of 5,000 square feet and a minimum heated floor area of 1,800 square feet. Specifically, Pod B will contain 52 front-entry and 13 rear-entry homes, while all Pod C homes will be front-entry. Lots with front entry garages will be a minimum of 50 feet in width with rear-entry residences having a lot width of 40 feet. Pod D will be exclusively townhomes, with 86 of the units being rear-entry and 41 front-entry. The front-entry units will be 24 feet wide with the rear-entry being 22 feet in width and the minimum townhome size will be 1,300 square feet. As stated previously, overall density for the development is 2.8 dwelling units per acre. The density for the detached single-family residential portion of the development is 1.99 dwelling units per acre while the attached single-family residences are proposed at a density of 8.25 units per acre.

The development will include a minimum of 30% of open space, which will include streams and associated buffers, replanted buffers, pocket/linear parks, and an amenity area. The main amenity site will serve both the single-family attached and detached pods, and is located within Pod C. The site includes the mail kiosk, playing fields, and a pool and clubhouse with adjacent parking. The development will include 5-foot-wide sidewalks on both sides of the street, ensuring pedestrian connectivity within the development.

Access to the subdivision will be provided by reconfiguring where Stanley Road currently intersects with JM Turk Road. Guth Road will be improved and utilized as a gated emergency-only entrance with a cul-de-sac between lots 142 and 142. Pods A, B and C will be served by public streets with 50-foot rights-of-way. The townhomes in Pod D will be served by a series of private streets and alleyways, with one primary entrance connecting to a public street within the new development. The zoning plan notes that the applicant may

choose to place gates at the development entrance, and therefore privatize all proposed streets. The concept plan shows that two existing residences will remain as outparcels within the development, although the site plan proposes a new driveway for access to the homes off of the reconfigured Stanley Road (parcel 15044 000035D and 15044 000034.

A traffic impact study was conducted by Marc R. Acampora Traffic Engineering in May of 2023. The study, which was based on a proposed 216 detached single-family homes and 125 attached townhomes for a total of 341 homes, was slightly higher than what was submitted for the rezoning request. The study found the proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips. The report found that the three studied intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study confirms the need for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance. The applicant has notified staff that a new traffic impact study has been commissioned and the results are expected within the next month.

The development standards for the project are described in the table below and are compared with the PRD requirements, (17.180.060):

Standard	**PRD Requirement (17.180.060)**	**Proposed Development**				
		Overall	**Pod A (single-family detached)**	**Pod B (single-family detached)**	**Pod C (single-family detached)**	**Pod D (single-family attached)**
Site Area	5 acre minimum	117.31± acres (GIS calculated)	21.4 acres	24.4 acres	53.0 acres	15.3 acres
Number of Units	–	324 units	Total – 13	Front Entry – 52 Rear Entry – 13 Total – 65	Front Entry – 119	Front Entry – 41 Rear Entry – 86 Total – 127
Density (dwelling units per acre)	2 du/a	2.80 du/a*	0.60 du/a	2.66 du/a*	2.24 du/a*	8.25 du/a*
Min. Lot Area	8,000 square feet	–	21,780 sq. ft.	5,000 sq. ft.*	5,000 sq. ft.*	650,000 sq. ft. (35,000 + (5,000 sf/unit x 123)
Min. Lot/Unit Width	50 feet	–	50 feet	40 feet* (Front Entry – 50 feet Rear Entry – 40 feet)	50 feet	Front Entry – 24 ft. Rear Entry – 22 ft.
Front Yard Setback	25 feet	–	20 feet*	20 feet*	20 feet*	10 feet*
Front Side Yard Setback (corner lot)	DSF - 25 feet	–	10 feet*	10 feet*	10 feet*	10 feet*
Side Yard Setback	5 feet	–	5 feet	5 feet	5 feet	–

Rear Yard Setback	20 feet	–	20 feet	20 feet	20 feet	–
Building Separation	–	–	10 feet (foundation to foundation)	10 feet (foundation to foundation)	10 feet (foundation to foundation)	20 feet (side) 40 feet (rear)
Max. Building Height	–	40 feet	–	–	–	–
Exterior Buffer	50 feet	50 feet	–	–	–	–
Min. Open Space	30%	30% (34.23 acres)	–	–	–	–
Parking	2 spaces for each dwelling unit (17.250.020)	2 spaces per each dwelling unit	–	–	–	–
Min. Heated Floor Space	–	–	1,800 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	1,300 sq. ft.
Garage – % of front façade	55% when recessed a minimum of 20 feet behind front wall plan of residence	–	–	–	–	80%* (Front Entry)
*These figures do not meet the standards of 17.180.060.						

Note: The open space calculation of 34.23 acres is based off the total acreage of 115.6 acres, which deviates from the advertised acreage of 117.31 acres. The site acreage will need to be confirmed to ensure that there is a minimum of 30% of open space, as required by the PRD requirements, (17.180.060).

Based on the future land-use plan, staff finds the *requested zoning designation* is not consistent with the Hall County Comprehensive Plan future land use designation. Although the proposed use is consistent with the "Residential" designation in general, the Residential designation envisions a maximum density of 2 dwelling unit per acre, similar to the maximum density requirement within a Planned Residential Development (PRD, 17.180.060). The development has proposed a density of 2.80 du/acre, exceeding the recommended maximum. The Residential land use category is characterized by moderate-density residential development and neighborhoods. The intent of this land use category is to preserve established neighborhoods and create new residential development consistent to surrounding suburban densities, which range from low to moderate. Future development will continue to be detached, single family homes at moderate densities.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the Hall County Commission pursuant to 17.380.060:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The zoning proposal may be suitable given the context of the surrounding area, though the proposed development is more dense than the surrounding developments with an overall density of 2.80 du/acre.**

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 residential use will adversely affect adjacent properties. A traffic study found that the three studied intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study confirms the requirement for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance. Another traffic study has been commissioned by the applicant, but the results are not yet available for review.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. The properties appear to have reasonable economic use as currently zoned. **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, or utilities; **A traffic study found that the three study intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study does confirm the need for a northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the proposed project entrance. Water service to be provided by the City of Gainesville has been confirmed by a letter dated September 28, 2023 from Nick Swafford, Permitting Services Manager with Gainesville Department of Water Resources.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **Although consistent with the "Residential" land use designation, the proposed use is not consistent with the Comprehensive Plan recommended maximum density of two dwelling units per acre. The proposed development is proposing a density of 2.80 dwelling units per acre.**

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; **Hall County property tax records show the properties are a mixture of vacant and developed parcels, which include a number of residential structures and accessory building that will be removed during the development of the project.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall**

County, Planned Development Districts (17.180) are to be utilized as a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is higher than that found on surrounding properties.

12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**

13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is higher than that found on immediately surrounding properties; however, the use does not appear to be out of scale with the needs of the county as a whole, as there is a need for additional and varied housing types.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that are currently zoned to support the type of mixed-use development being proposed without requiring zoning action.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**

17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

A Planned Residential Development (PRD, 17.180.080) allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.

17.380.050. - Submission requirements for a rezoning request

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter].

Proposal provides a narrative outlining the intent of the development 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**. Proposal meets the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development will utilize public sewer and water; as such, this is not applicable.**

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. **Proposal does meet the requirement. The traffic study found that the three study intersections will continue to operate acceptably when the proposed development is complete. As a result, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision. The study does confirm the requirement for a northbound right turn lane and a southbound left turn lane on JM Turk Road at the proposed project entrance.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated January 4, 2024, Emily McGahee stated "The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled"

Hall County Fire Marshal

In an email dated August 31, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

Hall County Fire Marshal's comments: Current concept plan will need to be modified to meet the below fire code requirements.

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply

with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. This code requirement applies to the townhome buildings.

Appendix D 107.1, as follows:
Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Appendix D 107.2, as follows:
Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Hall County Public Works and Utilities
In a memorandum from Public Works and Utilities dated January 5, 2024, Bill Nash, Director, stated the following:

Engineering:
No dead end streets.
Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

Traffic:
A left turn lane and decel lane will be required for the entrance.
Any required roadway improvements will be the financial responsibility of the developer
A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance

Utilities:
No sanitary sewer in area.

Hall County Tax Assessor
In an email dated August 24, 2023, Nicole Griffin, Appraisal Systems Coordinator, provided the following comment:

15043 000027- CUVA- starting 2022
15043 000128- CUVA starting 2022
15044 000035- CUVA starting in 2019

The re-zoning application itself would not cause a breach but if the property is sold or developed with the proposed 324 lot residential development after the re-zoning then the conservation covenant could/would be breached and result in a penalty on each parcel.

Georgia Department of Transportation
In an email dated August 25, 2023, Veronica Chavers, D1TO Civil Engineer 3, did not indicate that GDOT coordination would be required for the request.

- **Excerpts from the minutes of the November 20, 2023 meeting**

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

William Diehl, 1105 West Peachtree Street, Atlanta, presented the request. The applicant described the open space within the development, as well as the intention to connect to county sewer, and the different styles of the homes to be constructed throughout the development including estate, traditional, and townhomes.

Rebuttal

The applicant stated that the development will be consistent with the suburban developments that are in the area including Sterling on the Lake and Royal Lakes. The applicant stated that they will comply with water runoff regulations in place. The applicant explained that the sewer line will connect from J M Turk Road through an easement.

Public Forum:

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the proximity to subdivision, character, density, water runoff, and townhomes.

Andy Carter, 4430 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density, sewer connection, traffic, safety, and sewage influx.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were mosquitos, wildlife, safety, inconsistency with the comprehensive plan, property value, and land lock.

Jamie Phillips, 4607 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were the entrances, traffic, noise and road widening.

Tommy Channell, 4737 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were sewage connection, septic tanks, and water contamination.

Darlene Long, 4655 Quailwood Drive, Flowery Branch, spoke in opposition. Addressed the 80 signatures signed by her neighborhood in opposition.

Todd Philips, 4526 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were traffic, road widening, and sewage.

Planning Commission Comments:

Mr. Hunt questioned whose property the sewer line would go through to reach J M Turk Road. The applicant stated that there is still no agreement to an easement but there are other ways to get to J M Turk Road. Mr. Braswell stated that there has been a lack of response to Planning staff by the applicants. Mr. Braswell stated that the site plan suggests land-locking property which cannot be done. Mr. Sosebee recommended that the applicant meet with the nearby communities and address their concerns. Mr. Hunt stated his concern with the site plan only having one entrance and not meeting County or Fire Code. Mr. Braswell stated that the Hall County code requires that more than one vehicular entrance needs to be provided when there is a development greater than 150 lots. Ms. Pilcher stated that the elevations presented are not consistent with the neighboring communities as stated earlier. Mr. Hunt stated that the applicant needs to show county access to all detention ponds on the site plan. Mr. Varner stated that there needs to be a better traffic study. Ms. Pilcher stated that this proposal will create an impact on the school system. Mr. Braswell stated the applicant also needs to meet traffic engineer requirements for a decel lane.

Motion: ***A motion to table to February 5, 2024 was made by Mr. Sosebee and seconded by Ms. Pilcher. Vote: 5-0***

- **Excerpts from the minutes of the February 5, 2024 meeting**

Applicant's Presentation:

Beth Garmon, Planning and Zoning Administrator, presented a summary of the request.

William Diehl, 1105 West Peachtree Street, Atlanta, presented the request. The applicant stated that surrounding development is similar to this proposal providing consistency with increased density in the area. The applicant stated that there will be two entrances to the development but one will be for emergency vehicles only and residents would use the entrance at Stanley Road. The applicant stated that the lots backing up to the stream buffers have been removed and will be incorporated as green space.

Rebuttal

The applicant stated that the detention pond will help alleviate the existing storm water conditions. The applicant stated that the density is consistent with the development in the county with the growing population. The applicant stated that the variances requested will help shape the development. The applicant stated that obtaining sewer for the development requires the requested density.

Public Forum:

Janet Myers, 4859 Wildlife Way, Flowery Branch, spoke in opposition. Concerns were long and short term effects like traffic, density, disruption of bridge structures, and inadequate emergency vehicle access.

Bill Doucher, 4789 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were density and inconsistency with the surrounding development.

Peggy Proctor-Matos, 4751 Falling Brooke Drive, Flowery Branch, spoke in opposition. Concerns were location, density, dimensions, storm water management, public safety, schools, and traffic.

Albert Guth, 4589 Guth Road, Flowery Branch, spoke in opposition. Concerns were emergency vehicle access and right of way.

Mark Dunn, 4781 J M Turk Road, Flowery Branch, spoke in opposition. Concerns were surrounding density, sewer system, and safety.

Mark Faul, 4567 Stanley Road, Flowery Branch, spoke in opposition. Concerns were the emergency vehicle entrance, excessive variances requested, inconsistency with the area, devaluing neighboring property, and flooding.

Byron Purvis, 4944 Feather Lane, Flowery Branch, spoke in opposition. Concerns were traffic, density, and development.

Planning Commission Comments:

Mr. Sosebee questioned if the applicant met with the community. The applicant stated that they did and they discussed increasing the landscape buffers with evergreen planting, conducting an updated traffic study, elevations, and quality. Mr. Hunt requested the percentage of brick on homes. The applicant stated that it would be brick up to the first floor and above it will be cement fiber for the front façade. The applicant went over the variances being requested: 1. Section 17.180.060 B.7.—Allow for the development of the property with only one access point to the development, while also conditioning the variance or development on the installation of an emergency-access; 2. Section 17.180.060 B.2.a.—Reduce minimum lot area of single-family detached residences to 5,000 square feet from 8,000 square feet; 3. Section 10.180.060 B.2.b.—Reduce minimum lot width of single-family detached residences to 40 feet from 50 feet; 4. Chapter 10.180.060 B.2.c.i.—Reduce minimum front yard setback to 20 feet for single family detached residences from 25 feet; 5. Chapter 10.180.060 B.9.c.ii.—Increase width of garage door to 80% of the width of the individual townhouse units from 50%; 6. Allow eyebrow cul-de-sacs to be utilized 7. Allow dead-end streets within townhome portion of development (as permitted by fire code), to be conditioned on the property being developed with hammerhead turnarounds. Ms. Pilcher stated that the developments the applicant referred to as similar to this proposal are not relevant because they are off state highways. Mr. Varner questioned if the applicant researched the proposed development's effect on the school system. The applicant stated that the two elementary schools designated to the area still have capacity available. Mr. Sosebee stated his concerns were density, emergency entrance access, storm water management, and traffic.

Motion: ***A motion to deny was made by Mr. Sosebee and seconded by Ms. Pilcher. Vote: 5-0***

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD GAINESVILLE GA 30504
MAILING ADDRESS PO BOX 1435 GAINESVILLE GA 30503
[illegible] 770-531-3902

HALL COUNTY
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ZONING APPLICATION

Applicant (Name & Mailing Address)

Thompson, O'Brien, Kappler & Nasuti, PC
2 Sun Court, Suite 400
Peachtree Corners, GA 3009
Phone 770 925-0111
Email Address wdiehl@tokn.com

Property Owner (Name & Mailing Address)

See attached "property owner list".
Phone —
Email Address —

Proposed Use Single family Residential Subdivision

Contact Person (Name & Mailing Address)

Thompson O'Brien Kappler & Nasuti, P.C.
Att: William J. Diehl 2 Sun Court, Suite 400 Peachtree Corners Georgia 30092
Phone 770-925-0111
Email Address wdiehl@tokn.com

Status of Applicant

Owner
Option to Purchase
Area Resident
Other

Requested Action

Existing Zoning: AR-111
Rezone to: PRD
Fee:$
Receipt #:
Check #:

Tax Parcel Number 15043 000027, 000109, 128, 201 15044 000035, 358, 43, 000100, 127 Acreage
Location Address 0, 4611, 4627 Guth Road & 0, 4561, 4613 JM Turk Rd & 4590, 4601, 4610 Stanley Rd.

I hereby certify that the above information and all attached information are true and correct.

Sign _____ Date: 8/17/23

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 Distnct _____

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Roger & Cathy Little

Address 4627 Guth Road
Flowery Branch GA 30542

Phone Number 770-654-9307

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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) Cathy Little Roger Little

Personally appeared before me

Rebecca Foote

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Rebecca Foote
Notary Public

6-29-23
Date

REBECCA FOOTE
NOTARY PUBLIC
HALL COUNTY, GEORGIA
MY COMMISSION EXPIRES
JANUARY 08, 2027

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Travis Lee Little

Address 4611 Guth Road
Flowery Branch, GA 30542

Phone Number 678-865-6181

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)
TLL

Personally appeared before me
Travis Lee Little

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Stephany L. Cantrell
Notary Public

STEPHANY L. CANTRELL NOTARY PUBLIC BARROW COUNTY MY COMM. EXPIRES May. 9th, 2025

6/30/23
Date

Revised December 2019

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

HALL COUNTY
We have it all in Hall

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Randy JONES TAMMY JONES

Address 204 Beechnut Ave
South Mills N.C 27976

Phone Number 252 619 1627

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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

Jennifer L. Prayer-Pendleton

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public My Comm. Exp. 1.08.27

JENNIFER L PRAYER-PENDLETON NOTARY PUBLIC CAMDEN COUNTY, NC

7.3.23
Date

Revised December 2019

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
We have it all in Hall

AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Buddy Stanley

Address 4561 JM Turk Rd
Flowery Branch, Ga

Phone Number 678-878-6596

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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
Buddy Allen Stanley

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

10/30/2023
Date

OFFICIAL SEAL
LAURA MOORE STUMPFF
NOTARY PUBLIC - GEORGIA
JACKSON COUNTY
My Commission Expires Feb. 22, 2026

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Gloria Stanley

Address 4590 Stanley Road
Flowery Branch, GA 30542

Phone Number 678 - 316 - 5338

Name of applicant(s) Thompson O'Brien Kappler & Nasuti, PC

Address 2 Sun Court, Suite 400, Peachtree Corners, GA 30092

Phone Number (770) 925 - 0111

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)
Gloria Stanley

Personally appeared before me
Shelby Hope

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Shelby Hope
Notary Public

July 3, 2023
Date

SHELBY HOPE NOTARY PUBLIC COMMISSION EXPIRES MARCH 22, 2021 HALL COUNTY, GEORGIA

Revised December 2019

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HALL COUNTY
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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: Roger L. Little **Date:** 7/1/2023

Applicant's/Owner's Name (Printed): Roger Little

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Cathy Little **Date:** 7/1/2023

Applicant's/Owner's Name (Printed): CATHY LITTLE

PLANNING AND DEVELOPMENT DEPARTMENT
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 6-30-2023

Applicant's/Owner's Name (Printed): Travis Little

PLANNING AND DEVELOPMENT DEPARTMENT
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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: Randy Jones **Date:** 9-4-2023

Applicant's/Owner's Name (Printed): RANDY JONES

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 6/30/2023

Applicant's/Owner's Name (Printed): _____

TOKN | THOMPSON O'BRIEN

Thompson, O'Brien, Kappler & Nasuti, P.C.
Attorneys at Law

January 22, 2024

To the Planning Department of Hall County
Hall County Government Center
2875 Browns Bridge Road
Gainesville, Georgia 30504

RE: Rezoning and Concurrent Variance Requests for 0, 4611, 4627 Guth Road, 0, 4561, 4613 J M Turk Road, & 4590, 4601, 4610 Stanley Road

Please allow this letter of intent to supplement and amend the previous letter of intent provided in connection with the above application. After the Planning Commission meeting on November 20, 2023, the developer and applicant have worked to address concerns raised in the public hearing. Those concerns are addressed in this amended letter of intent as follows:

I. Secondary Entrance

The PRD standards in the Hall County Zoning Ordinance (the "Ordinance") require that all PRD developments over 150 units provide at least two vehicular entrances connecting to a county-maintained road. Hall County Code 17.180.060(B)(7). After extensive discussions with County staff, it was determined that, rather than developing Guth Road as a full secondary entrance, Guth Road was better left as an emergency access road with an emergency-access gate (knox box controlled). This will allow for emergency vehicle access, as intended by the Ordinance, while also addressing the Guth Road development concerns raised by the County's traffic engineer.

Although the two-entrance provision is a requirement of the PRD section, many other developments in the County with greater than 150 units have been constructed with less than two entrances. Those include, the surrounding neighborhoods of Quailwood and Grandview, which do not have the emergency-access accommodations that this project proposes. The development team believes the emergency-access gate meets the intent of the Ordinance and is consistent with the existing development of surrounding neighborhoods.

II. Sewer Connectivity

This project envisions the expansion of sanitary sewer connectivity from the proposed development to connections into a Hall County sewer on Union Church Road, which will require a forcemain extending from the Development to the discharge collection system. All homes within the development will be connected to sewer. The sewer line is now proposed to exit the development from Stanley Road, where it will connect to right of way along JM Turk Road. This route was selected over the route presented to the Planning Commission showing sewer connection from a small tangent of the subject property connecting it to JM Turk Road.

The development cost, which is substantial, will be borne by the developer with the sewer lines, of course, dedicated to the County.

III. Stanley Road and Connectivity to Adjoining Parcels

The site plan presented to the Planning Commission previously did not show an access easement to be dedicated to surrounding property owners. That was in error. Considering the issues presented to the Planning Commission and those raised at community meetings, the plan was revised to show the original path of Stanley Road, except where improved at its intersection with JM Turk Road. Accordingly, the adjoining property owner's access will not be moved from their current location, although the neighboring property owners will benefit from the improvement of JM Turk Road.

IV. Access to Detention Ponds

The site plan was revised to more clearly show access to all detention ponds and the proposed lift station.

V. Traffic Study

At the Planning Commission Meeting and at both community meetings held, there were concerns expressed about the traffic study that was performed. A new traffic study has been commissioned. The study's findings will be available before the Board of Commissioners. The study will be performed according to industry standards and will assess traffic patterns at the main entrance of the development, at the intersection of Stanley Road and JM Turk Road.

VI. Community Feedback

Members of the community were invited to two community meetings held in December. A few concerns were raised about the development's impact on Quailwood, the neighborhood to the northeast of the Property. To alleviate concerns with sight-lines between the development and surrounding properties, the developer is willing to proffer conditions that it will ensure sufficient evergreen planting along the boundaries with Quailwood to provide additional screening.

In response to concerns about the design features of the homes in the development, the developer is willing to proffer conditions that the buildings will be constructed with cementitious fiber siding and/or brick used in the facades of the home. Furthermore, the development team will update the results of its traffic study, including performing a new traffic count.

V. All Lots are Developable

At the public hearing, the Planning Commission requested that the site plan show that certain lots with large percentages of appliable stream buffers were developable. The site plan has been revised to show that the lots are developable. The rendering shows the following:

The lots will include the impervious and undisturbed buffers, however, the buildings will not infringe on those buffers. The buffer restrictions can be enforced by both the County and, likely, by the covenants and restrictions which will limit the development of structures in the residents' backyards without County and homeowner's association approval.

VII. Variance Requests

The following variance requests are being made to the PRD requirements in the Hall County Code:

1. Section 17.180.060 B.7.—Allow for the development of the property with only one access point to the development, while also conditioning the variance or development on the installation of an emergency-access
2. Section 17.180.060 B.2.a.—Reduce minimum lot area of single-family detached residences to 5,000 sq. ft. from 8,000 sq. ft.
3. Section 10.180.060 B.2.b.—Reduce minimum lot width of single-family detached residences to 40 from 50' sq. ft.
4. Chapter 10.180.060 B.2.c.i.—Reduce minimum front yard setback to 20 feet for single family detached residences from 25 feet.
5. Chapter 10.180.060 B.9.c.ii.—Increase width of garage door front door to 80% of the width of the individual townhouse units from 50%.
6. Allow eyebrow cul-de-sacs to be utilized
7. Allow dead-end streets within townhome potion of development (as permitted by fire code), to be conditioned on the property being developed with hammerhead turnarounds.

PRESERVATION OF CONSTITUTIONAL RIGHTS AND OBJECTIONS

As agent for the owner of the property, the Applicant respectfully submits that the current zoning classification of and rules relative to the intended use of the Property as established in the Hall County's Zoning Ordinance, to the extent they prohibit this use, are unconstitutional, and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights of the Applicant guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use

would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the County's failure to approve the requested Rezoning would be unconstitutional and would discriminate in an arbitrary, capricious, and unreasonable manner between the Property Owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States. A refusal to allow the development in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The practical effect of a denial of the Rezoning will be to drive up the cost of housing which will have the effect of discriminating on the basis of age and/or race in violation of the Fair Housing Act of the United States and Georgia. Opponents to this request, if any, lack standing; have failed to exhaust administrative remedies; and have waived their rights to appeal by failing to assert legal and constitutional objections.

Very truly yours,

THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.

Jeffrey A. Reynolds
jreynolds@tokn.com

SMITH GAMBRELL & RUSSELL

William J. Diehl
wdiehl@sgrlaw.com

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
AN LJA COMPANY

4525 South Lee Street, Buford, Georgia 30518
t 770.225.4730 Allianceco.com LJA.com

Applicant's Letter of Intent
PRD – 324 Units
Parcels:(15043 000027, 000109, 000128, 15044 000035G, 000127, 000035, 000043, 000035B, 000100)

The Applicant requests to rezone an assemblage of nine parcels totaling approximately 114 acres on J M Turk Road to develop a residential community. The site sits between the Grandview Estates subdivision on JM Turk Road, the Quailwood subdivision on Martin Road, and a PRD-zoned subdivision to the east on Union Church Road. To develop the site as proposed, the applicant requests to rezone the subject site from AR-II to PRD.

As planned, the development will include a maximum of 324 units that will be divided into four separate PODs. Throughout, the development will feature a variety of unique lot sizes and housing types including single-family detached homes and attached townhomes. Site access will be provided where Stanley Road currently abuts JM Turk Road. Once the new Stanley Road is constructed and dedicated to Hall County as a public right of way, then the old Stanley Road will be abandoned. An existing residence that is located on Stanley Road will remain, with shared access through the proposed development. The developer shall bring Guth road up to standards sufficient for to provide the necessary fire and emergency services as written in the Hall County ordinance. POD A will include a total of 13 single-family detached homes on large lots, which range from at least 21,000 square feet to over an acre in size. The estate lot homes will range between 2,800 square feet to 4,000 square feet. PODs B and C will include a total of 187 single-family detached homes. 174 will be 50-feet wide front entry lots, and 13 will be 40-feet wide rear entry lots. The 50-feet wide lots will have homes ranging from 1,800 square feet to 3,300 square feet. POD D will include 124 townhomes, 38 of which are to be front entry and 86 will be rear entry. The front entry units will be 24-feet wide, and the rear entry will be 22-feet wide. Townhomes will range from 1,300 square feet to 2,100 square feet. Each unit will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings. As illustrated on the plan, the development will include abundant open space. Included in the open space are streams and accompanying buffers, replanted buffers, pocket/linear parks, and the amenity area. Although the site will have sufficient parking and vehicular circulation, the development will also include five-feet-wide sidewalks on both sides of the internal streets, providing safe and efficient walkability for residents to access various parts of the community, including the amenities. Other site improvements will include parking adjacent to the main amenity area, and site access improvements to be determined by the department of transportation. The site is within the residential character area of the Hall County comprehensive plan. The planned development will meet the intent of the character, which encourages moderate density residential uses (around 2 units per acre) with large swaths of open space. As proposed, the subdivision will have a density of 2.8 units per acre and will incorporate approximately 34.7 acres of open space. Further, the site is off the highly desirable 985 corridor, which has produced similar density residential development in proximity of the subject site. In addition to the rezoning request, the Applicant requests variances to allow "eyebrow" cul-de-sacs throughout the single-family detached portion of the development and allow dead-end streets within the townhouse portion of the development, as shown on the submitted site plan.

The Applicant looks forward to meeting with staff and the community to answer all questions or concerns and is excited to be able to provide exceptional housing in a highly desirable area of Hall County.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment

to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

DEVELOPMENT STANDARDS - PODS A AND B SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
PROPOSED DENSITY	1.99 UNITS/ AC
MINIMUM LOT SIZE	5,000 SF
MINIMUM LOT WIDTH	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD C MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	76
MINIMUM LOT SIZE	410,000 SF (9.42 AC)
35,000 + (5,000 SF/ UNIT X 75)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF
OWNER PARKING CALCULATIONS	
GARAGE (2 PER UNIT)	152
GUEST PARKING CALCULATIONS	
DRIVEWAY	152
OFF STREET	38
TOTAL (2.5 PER UNIT)	190

POD ANALYSIS			
	POD A	POD B	POD C
SITE AREA	45.8 AC	58.8 AC	9.5 AC
TOTAL NUMBER OF LOTS/ UNITS	61	147	76
	50' FRONT-ENTRY DETACHED	50' FRONT-ENTRY DETACHED	24' FRONT-ENTRY TOWNHOMES
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A AND B)		8.0

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
L41	S18°27'03"W	57.52'
L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.
   This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.
   The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

NOTE : Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE

BUDDY STANLEY
GLORIA STANLEY

Travis Pruitt & Associates, Inc.
4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
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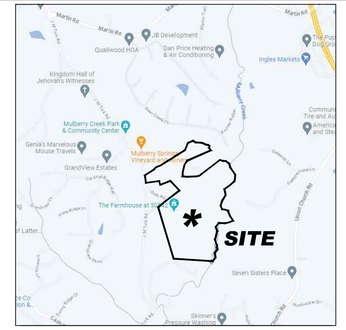

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	114.1± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	208
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	76
TOTAL DENSITY	2.49 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.23 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	45.64 ACRES (40%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit
- Allow eyebrow cul-de-sacs to be utilized

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201, 15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT No. 1393 EDWARD J. ANDERSON

For The Firm
Travis Pruitt & Associates, Inc.

DATE: 3-25-2024
SCALE: 1" = 150'
CN:230151CP23
LSV:
JN:
FN:

1 of 1

N:\2023\230151\Engineering\Civil\Drawings\230151CP23.dwg Mar 26, 2024 - 8:29am

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	127
MINIMUM LOT SIZE	665,000 SF (15.27 AC)
35,000 + (5,000 SF/ UNIT X 126)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF
OWNER PARKING CALCULATIONS	
GARAGE (2 PER UNIT)	254
GUEST PARKING CALCULATIONS	
DRIVEWAY	254
OFF STREET	64
TOTAL (2.5 PER UNIT)	318

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	21.4 AC	24.4 AC	53.0 AC	15.3 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	119	127
	13 ESTATE LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 119	24' FRONT-ENTRY TOWNHOMES - 41
	(GRAVITY & LOW PRESSURE SEWER)	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.25

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
L41	S18°27'03"W	57.52'
L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.

This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.

The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

NOTE : Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE

BUDDY STANLEY
GLORIA STANLEY

Travis Pruitt & Associates, Inc.
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VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	114.1± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	197
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	127
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.23 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.23 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit
- Allow eyebrow cul-de-sacs to be utilized
- Allow dead-end streets within townhome portion of development. Dead ends to meet fire code.

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT EDWARD J. ANDERSON No. 1303

For The Firm
Travis Pruitt & Associates, Inc.

DATE: 1-22-2024
SCALE: 1" = 150'
CN:2301S1CP19
LSV:
JN:
FN:

1 of 1

N:\2023\230151CP\Engineering\CAD\Drawings\230151CP19.dwg Jan 25, 2024 - 8:24am

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	122	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 122	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
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L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
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L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.

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REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

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Property Assemblage

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CATHY LITTLE
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TRAVIS LITTLE

BUDDY STANLEY
GLORIA STANLEY

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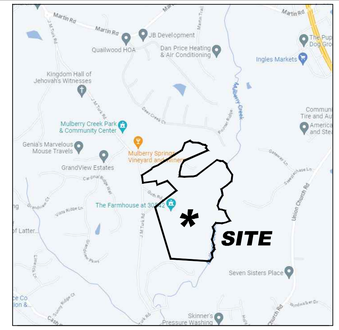

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	200
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
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VARIANCES:

FROM CHAPTER 17.180.060 -

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- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201, 15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT No. 1395 EDWARD J. ANDERSON

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	08-02-2023
SCALE:	1" = 150'
CN:	23D151CP11
LSV:	
JN:	
FN:	

1 of 1

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Submitted 11-16-2023

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	122	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 122	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.99 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
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L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
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L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
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L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
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L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.
   This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.
   The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

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REFERENCE DOCUMENTS:

1. See Retracement Survey by Earth Pro Land Surveying, dated 08/19/2022.

OWNERS

Property Assemblage

RANDY JONES
TAMMY JONES
CATHY LITTLE
ROGER LITTLE
TRAVIS LITTLE
BUDDY STANLEY
GLORIA STANLEY

Travis Pruitt & Associates, Inc.
SURVEYORS · SURVEYING · LAND PLANNERS · LANDSCAPE ARCHITECTS · ENVIRONMENTAL · CIVIL ENGINEERS
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Norcross, Georgia 30093
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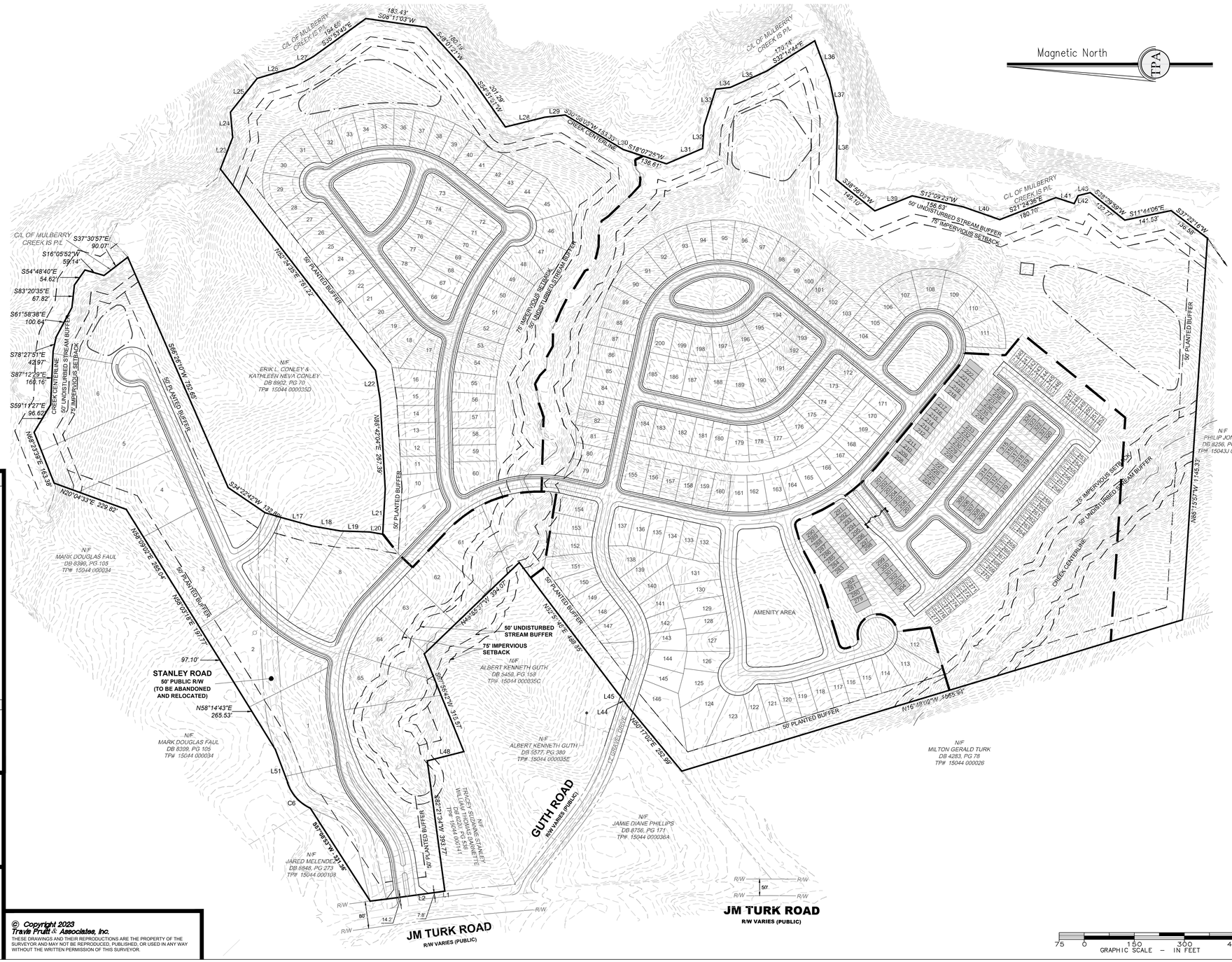

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	200
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.80 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

1. SPEED LIMIT OF J M TURK ROAD IS 45 MPH.
2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR HALL COUNTY 13139C0311G, DATED 12/01/2022, THE PROPERTY DOES FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
4. WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
6. HALL COUNTY FIRE RESCUE SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
7. WATER SERVICE SHALL BE PROVIDED BY CITY OF GAINESVILLE. EXISTING WATER SERVICE WILL BE USED.
8. SANITARY SEWER SERVICE WILL BE PROVIDED BY HALL COUNTY. ON-SITE PUMP STATION AND OUTFALL FORCE MAIN WILL BE REQUIRED.
9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

FROM CHAPTER 17.180.060 -

- Sec B.2.a - Reduce minimum lot area of single-family detached residences to 5,000 sf
- Sec B.2.b - Reduce minimum lot width of single-family detached residences to 40'
- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT EDWARD J. ANDERSON No. 1305

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	10-26-2023
SCALE:	1" = 150'
CN:	230151CP13
LSV:	
JN:	
FN:	

1 of 1

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Received 11-20-2023

DEVELOPMENT STANDARDS - PODS A, B, AND C SINGLE-FAMILY RESIDENCES	
MAX DENSITY	2 UNITS/ AC
MINIMUM LOT SIZE	
POD A	21,780 SF
PODS B AND C	5,000 SF
MINIMUM LOT WIDTH	
POD A	50'
PODS B AND C	40'
BUILDING SETBACKS	
FRONT	20'
REAR	20'
SIDE	5'
SIDE CORNER	10'
MINIMUM BLDG SEPARATION	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,800 SF

DEVELOPMENT STANDARDS - POD D MULTI-FAMILY RESIDENCES	
NUMBER OF UNITS	124
MINIMUM LOT SIZE	650,000 SF (14.92 AC)
35,000 + (5,000 SF/ UNIT X 123)	
BUILDING SETBACKS	
FRONT	10'
REAR	0' (40' BETWEEN BUILDINGS)
SIDE	0' (20' BETWEEN BUILDINGS)
SIDE CORNER	10'
MAXIMUM BUILDING HEIGHT	40'
MAXIMUM BLDG COVERAGE	80%
MIN HEATED FLOOR AREA	1,300 SF

POD ANALYSIS				
	POD A	POD B	POD C	POD D
SITE AREA	22.9 AC	24.4 AC	53.2 AC	15.1 AC
TOTAL NUMBER OF LOTS/ UNITS	13	65	120	124
	8 SEPTIC LOTS	50' FRONT-ENTRY DETACHED - 52	50' FRONT-ENTRY DETACHED - 120	24' FRONT-ENTRY TOWNHOMES - 38
	5 ESTATE LOTS	40' REAR-ENTRY DETACHED - 13		22' REAR-ENTRY TOWNHOMES - 86
DENSITY	1.97 UNITS/ AC (TOTAL SINGLE-FAMILY RESIDENCES IN PODS A, B, AND C)			8.21

LINE	BEARING	DISTANCE
L1	N07°06'09"W	14.21'
L2	N07°39'01"W	162.65'
L17	S15°39'07"W	95.86'
L18	S09°44'20"W	86.43'
L19	S02°11'49"W	87.15'
L20	S09°29'18"W	39.98'
L21	S86°38'12"E	135.51'
L22	N81°05'59"E	89.25'
L23	S69°00'55"E	101.39'
L24	N84°55'16"E	75.64'
L25	S51°26'21"E	129.38'
L26	S16°51'26"E	115.49'
L27	S29°13'09"E	65.34'
L28	S13°57'00"E	120.94'
L29	S06°17'21"E	62.40'
L30	S30°56'05"W	48.63'
L31	S22°49'42"E	117.09'

LINE	BEARING	DISTANCE
L32	S86°17'55"E	67.97'
L33	S72°05'37"E	115.60'
L34	S07°29'46"E	43.95'
L35	S23°56'45"E	118.65'
L36	S69°35'51"W	126.36'
L37	S77°42'14"W	112.50'
L38	N88°42'55"W	186.76'
L39	S21°45'40"E	120.85'
L40	S19°14'23"W	115.53'
L41	S18°27'03"W	57.52'
L42	S63°24'39"E	26.78'
L43	S14°12'27"E	36.92'
L44	N52°45'40"E	39.67'
L45	N52°51'46"E	10.68'
L48	N14°10'51"W	113.07'
L51	S69°28'59"W	106.91'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C6	129.24'	104.67'	S48°36'39"W	101.83'

SURVEY NOTES:

1. Site Area: Total Area of Assemblage - 114.147 Acres
2. All survey data taken from the Retracement Survey by Earth Pro Land Surveying dated 08/19/2022. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 297,158 feet.

This plat has been prepared using a TRIMBLE S6 Total Station for angle and distance measurements.

The field data upon which this map or plat is based has a closure precision of one (1) foot in 11,408 feet and an average angular error of 04 seconds per angle point, and was adjusted using Compass Rule.

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Property Assemblage

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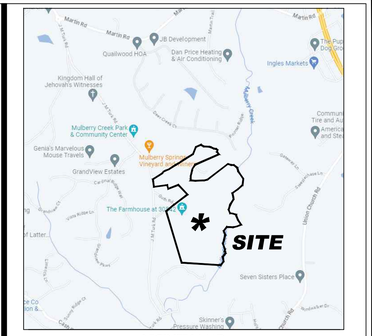

VICINITY MAP
not to scale

SITE DATA:

TOTAL SITE AREA	115.6± ACRES
FLOODPLAIN, CREEK BUFFERS	15.2± ACRES
ZONING	
EXISTING ZONING	AR-III
PROPOSED ZONING	PRD
ZONING JURISDICTION	HALL COUNTY
DEVELOPMENT TYPE	
TOTAL DETACHED RESIDENTIAL UNITS	198
TOTAL ATTACHED RESIDENTIAL TOWNHOMES	124
TOTAL DENSITY	2.79 U/A
OPEN SPACE CALCULATIONS	
TOTAL OPEN SPACE REQUIRED	34.7 ACRES (30%)
TOTAL OPEN SPACE PROVIDED	34.7 ACRES (30%)
BUFFERS	
PLANTED BUFFER (EXTERIOR)	50'

NOTES

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FROM CHAPTER 17.180.060 -

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- Sec B.2.c.i - Reduce minimum front yard setback to 20' for single-family detached residences
- Sec B.9.c.ii - Increase width of garage door of front-loaded townhouses to 80% of the width of the individual townhouse unit
- Allow eyebrow cul-de-sacs to be utilized
- Allow dead-end streets within townhome portion of development. Dead ends to meet fire code.

ZONING PLAN

JM Turk Road Assemblage

Tax Parcels: 15043 000027, 15043 000109, 15043 000128, 15043 000201,

15044 000035, 15044 000035B, 15044 000043, 15044 000100, and 15044 000127

G.M.D 1270

HALL COUNTY, GEORGIA

GEORGIA REGISTERED LANDSCAPE ARCHITECT No. 1303 EDWARD J. ANDERSON

For The Firm
Travis Pruitt & Associates, Inc.

DATE:	11-17-2023
SCALE:	1" = 150'
CN:	23051CP15
LSV:	
JN:	
FN:	

1 of 1

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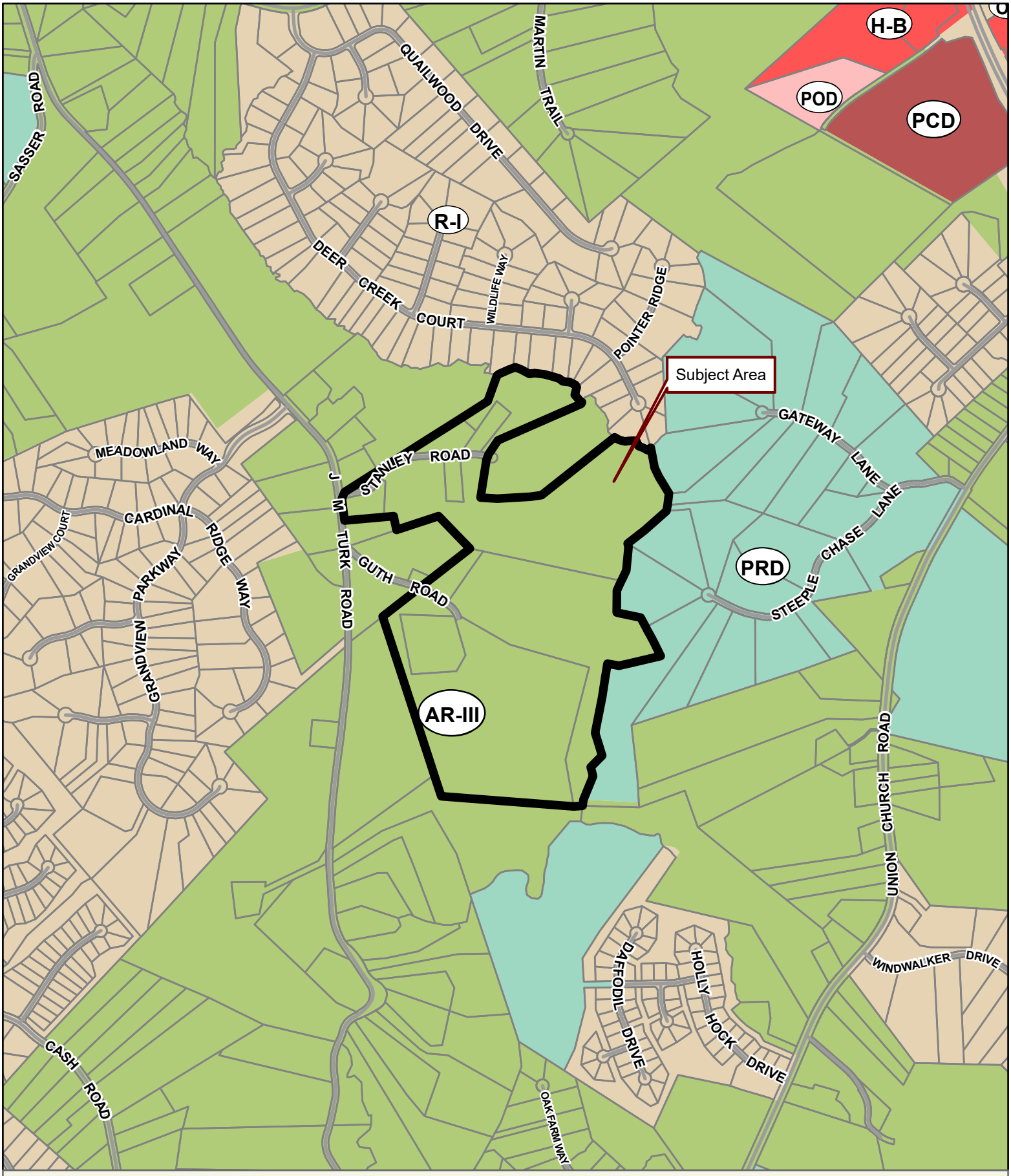


Applicant: THOMAS O'BRIEN KAPPLER & NASUTI PC

Tax Parcel #: 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127

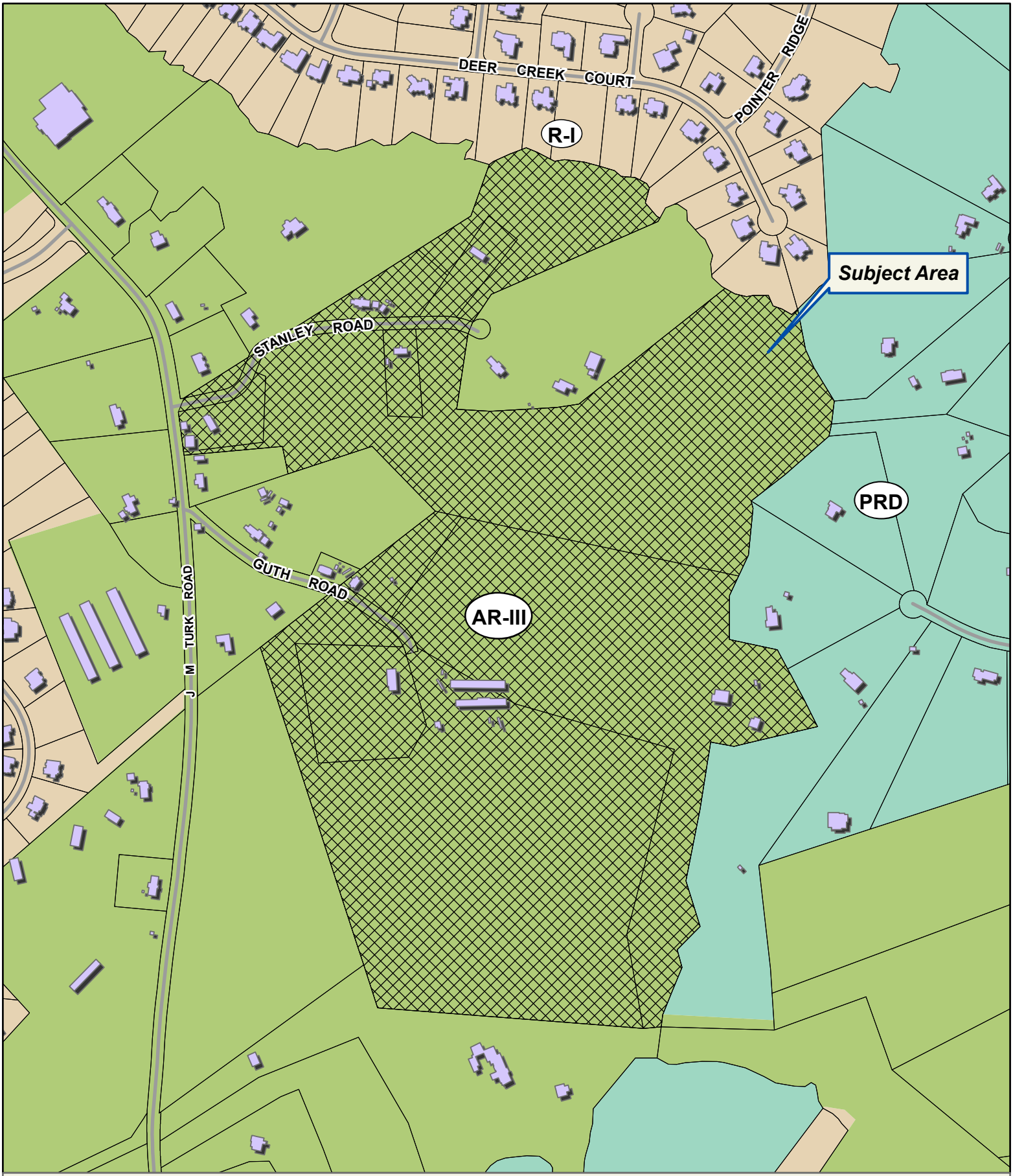
Location: 0, 4611, 4627 GUTH ROAD & 0, 4561, 4613 J M TURK ROAD
& 4590, 4601, 4610 STANLEY ROAD, FLOWERY BRANCH, GA 30542

Commission District 1 **PC Mtg. Date: 10/2/23**

0 300 600 1,200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
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Commission District 1 **PC Mtg. Date: 10/2/23**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area

N

Proposed Elevations—Estate Lots

Proposed Elevations—Traditional Neighborhood Lots

Proposed Elevations—Townhouses

Application for Sewer Availability Letter

Date: 9/27/2023

Name of Applicant: Alliance Engineering and Planning Contact Number: 770.225.4730 ext.819

Address of Applicant: 299 S. Main Street

City: Alpharetta State: GA Zip: 30009 E-mail: tylerl@allianceco.com

Name of Agent: Alliance Engineering and Planning Contact Number: 770.225.4730 ext.819

Address of Agent: 299 S. Main Street

City: Alpharetta State: GA Zip: 30092 E-mail: tylerl@allianceco.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT FOR THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (Please check the purpose of letter request and fill in all applicable information legibly and completely.)

AVAILABILITY: ☐ General Availability ☒ Rezoning ☐ Conditional Use Permit

Availability letters will require a minimum of one week from the date of application submittal.

Request from AR-III (Present Zoning) to PRD (Requested Zoning)

For the Purpose of Residential Subdivision (Type of Development)

Address of Property: JM Turk Road

Nearest Intersection to Property: JM Turk Road and Stanley Road

Size of Tract: 34.2 acre(s), Lane Lot Number(s): 000027, 000109, 000128, 000035G, 000127, 000035, 000043, 000035B, 000100, District(s): 15

Development Estimate Average Daily Sewer Flow (GPD): 65,000GPD (324+1 X 200gpd)

Property Tax Parcel Number: 15043 000027, 15043 000109, 15043 000128, 15044 000035G, 15044 000127, 15044 000035, 15044 000043, 15044 000035B, 15044 000100 Proposed number of Lots: 324

(Below: For properties within protected watershed districts only)

Gross Density: 2.84 units per acre Net Density: _____ units per acre

Estimated amount of impervious surface: _____ Minimum Lot Size: _____

Notary

Signature of Owner(s)/Agent(s)

Holt Persinger

Printed Name of Owner(s)/Agent(s)

Planner

Title of Agent

LYNN PASS NOTARY PUBLIC GWINNETT COUNTY, GEORGIA COMMISSION EXPIRES SEPTEMBER 28, 2025

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
AN LJA COMPANY

4525 South Lee Street, Buford, Georgia 30518
t 770.225.4730 Allianceco.com LJA.com

Applicant's Letter of Intent
PRD – 324 Units
Parcels:(15043 000027, 000109, 000128, 15044 000035G, 000127, 000035, 000043, 000035B, 000100)

The Applicants requests to rezone an assemblage of nine parcels totaling approximately 114 acres on J M Turk Road to develop a residential community. The site sits between the Grandview Estates subdivision on JM Turk Road, the Quailwood subdivision on Martin Road, and a PRD-zoned subdivision to the east on Union Church Road. To develop the site as proposed, the applicant requests to rezone the subject site from AR-III to PRD.

As planned, the development will include a maximum of 324 units that will be divided into four separate PODs. Throughout, the development will feature a variety of unique lot sizes and housing types including single-family detached homes and attached townhomes. Site access will be provided where Stanley Road currently abuts JM Turk Road. Stanley Road will be abandoned, and the new road will be realigned for vehicular circulation throughout the site. An existing residence that is located on Stanley Road will remain, with shared access through the proposed development. POD A will include a total of 13 single-family detached homes on large lots, which range from at least 21,000 square feet to over an acre in size. The estate lot homes will range between 2,800 square feet to 4,000 square feet. PODs B and C will include a total of 187 single-family detached homes. 174 will be 50-feet wide front entry lots, and 13 will be 40-feet wide rear entry lots. The 50-feet wide lots will have homes ranging from 1,800 square feet to 3,300 square feet. POD D will include 124 townhomes, 38 of which are to be front entry and 86 will be rear entry. The front entry units will be 24-feet wide, and the rear entry will be 22-feet wide. Townhomes will range up to 2,100 square feet. Each unit will have garage and driveway space and will be constructed with a variety of high-end materials consisting of variations of brick, stone, and cement sidings. As illustrated on the plan, the development will include abundant open space. Included in the open space are streams and accompanying buffers, replanted buffers, pocket/linear parks, and the amenity area. Although the site will have sufficient parking and vehicular circulation, the development will also include five-feet-wide sidewalks on both sides of the internal streets, providing safe and efficient walkability for residents to access various parts of the community, including the amenities. Other site improvements will include parking adjacent to the main amenity area, and site access improvements to be determined by the department of transportation. The site is within the residential character area of the Hall County comprehensive plan. The planned development will meet the intent of the character, which encourages moderate density residential uses (around 2 units per acre) with large swaths of open space. As proposed, the subdivision will have a density of 2.8 units per acre and will incorporate approximately 34.7 acres of open space. Further, the site is off the highly desirable 985 corridor, which has produced similar density residential development in proximity of the subject site. The applicants are proposing to use The City of Gainesville as the water provider. The applicants are currently working with Hall County and the City of Oakwood to determine the most appropriate and responsible access to sanitary sewer.

The Applicant looks forward to meeting with staff and the community to answer all questions or concerns and is excited to be able to provide exceptional housing in a highly desirable area of Hall County.

Constitutional Objections

Facially and as applied to the Property, the specific portions of the Hall County Comprehensive Plan and zoning ordinance which restrict the Property to any zoning classification, conditions, uses, or to any development other than those proposed by the Applicant are unconstitutional because they would abolish or damage the Applicant's property rights without paying adequate, fair, and just compensation for such rights, in violation of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

Facially and as applied to the Property, the application of Hall County ordinances or Comprehensive Plan which restrict the Property to any zoning classification, conditions, uses, or to any development other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking and/or damaging of Applicant's Property by denying the Applicant all economically viable use of its land while not substantially advancing legitimate state interests in violation of the United States Constitution's Just Compensation Clause of the Fifth Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment and the Constitution of the State of Georgia of 1983.

The denial of this application would be an arbitrary and capricious act by Hall County without any rational basis, thus constituting an abuse of discretion in violation of the Constitution of the State of Georgia of 1983 and Due Process Clauses of the Fourteenth Amendment to the United States Constitution.

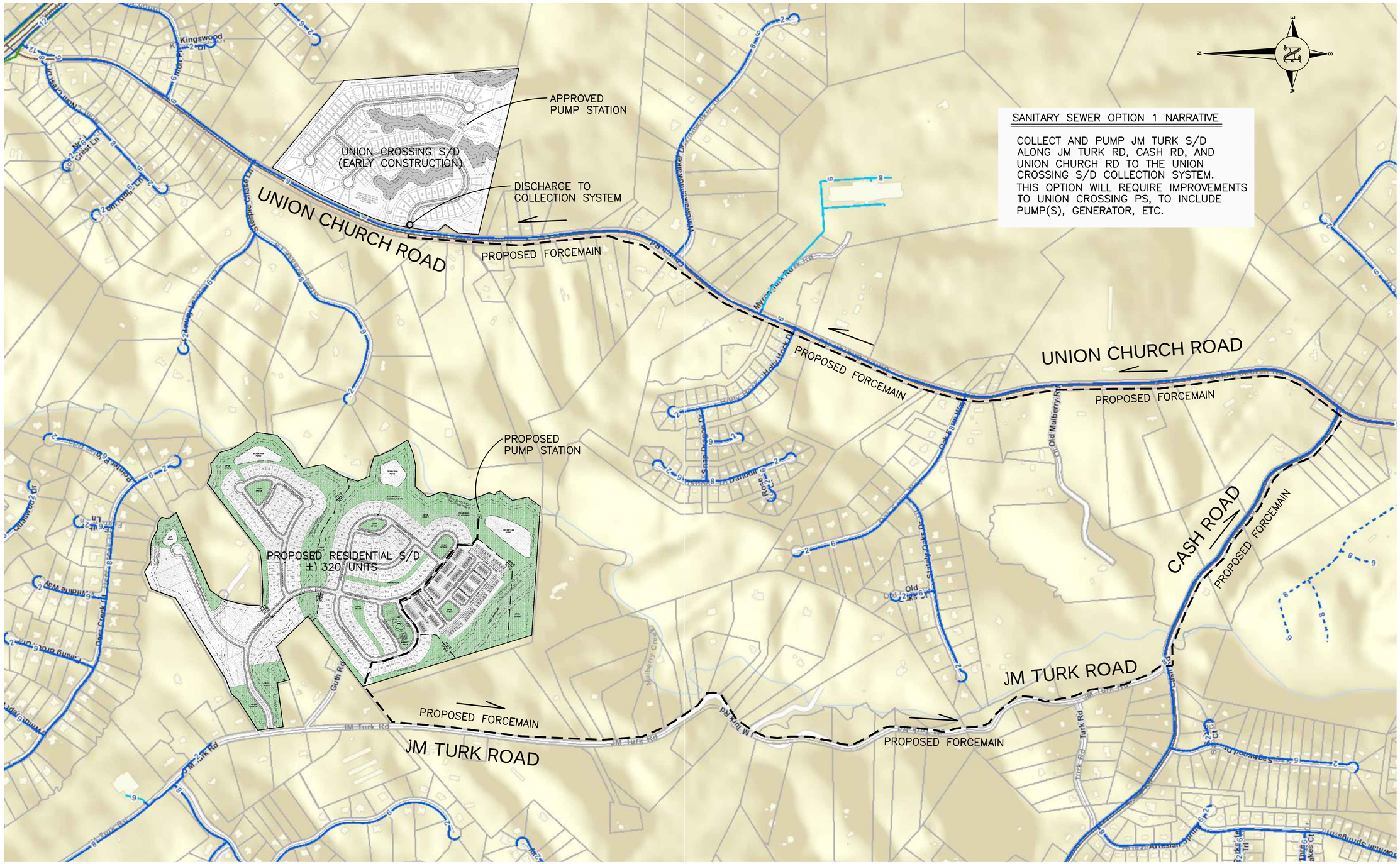
A refusal by Hall County to approve this application for the Property would be unconstitutional and discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated property in violation of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the United
States Constitution.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Hall County Board of Commissioners because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections."

The applicant and stakeholders respectfully request approval of this application and welcome the opportunity to meet with Hall County Planning and Development staff, Planning Commission, and Board of Commissioners to discuss any questions or concerns regarding the application.

Sincerely,

Holt Persinger, PLA



SANITARY SEWER OPTION 1 NARRATIVE

COLLECT AND PUMP JM TURK S/D ALONG JM TURK RD, CASH RD, AND UNION CHURCH RD TO THE UNION CROSSING S/D COLLECTION SYSTEM. THIS OPTION WILL REQUIRE IMPROVEMENTS TO UNION CROSSING PS, TO INCLUDE PUMP(S), GENERATOR, ETC.

SANITARY SEWER CONCEPT PLAN

SCALE: 1" = 400'

GRAPHIC SCALE 400 0 400 800 — 1" = 400'

THIS LINE ——— IS ONE INCH LONG WHEN PLOTTED FULL SCALE

NO.	DATE	DESCRIPTION OF REVISION
0	10-05-23	INITIAL RELEASE

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1-800-282-7411

LAUDERDALE PROPERTIES,LLC
4705 HAMILTON MILL ROAD
BUFORD, GEORGIA 30518
(770) 533-3303
Contact: BRET CLARK
atldevelopment@bellsouth.net

the ENGINEERING GROUP
p.o. box 1224 • Watkinsville, georgia 30677
(770) 815-7193 email mpb@tegi-ga.com

PRELIMINARY SANITARY SEWER PLAN OPTION 1

JM TURK ROAD ASSEMBLAGE

Hall County, Georgia

DESIGNED: MPB	CHECKED: MPB	DATE: OCT 5, 2023	1	0
DRAWN: MPB	JOB NO. 395.2303.01	SCALE: AS SHOWN	SHEET	REV

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

May 23, 2023

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

study prepared for:

Mr. Bret Clark

May 23, 2023

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

858 Myrtle Street, NE
Atlanta, Georgia 30308
(678) 637-1763

e-mail: acamporatraffic@comcast.net

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Introduction

This study assesses the traffic impact of a proposed residential subdivision in Hall County, Georgia. The site is located along the east side of JM Turk Road at Stanley Road, as shown in Figure 1. The development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.

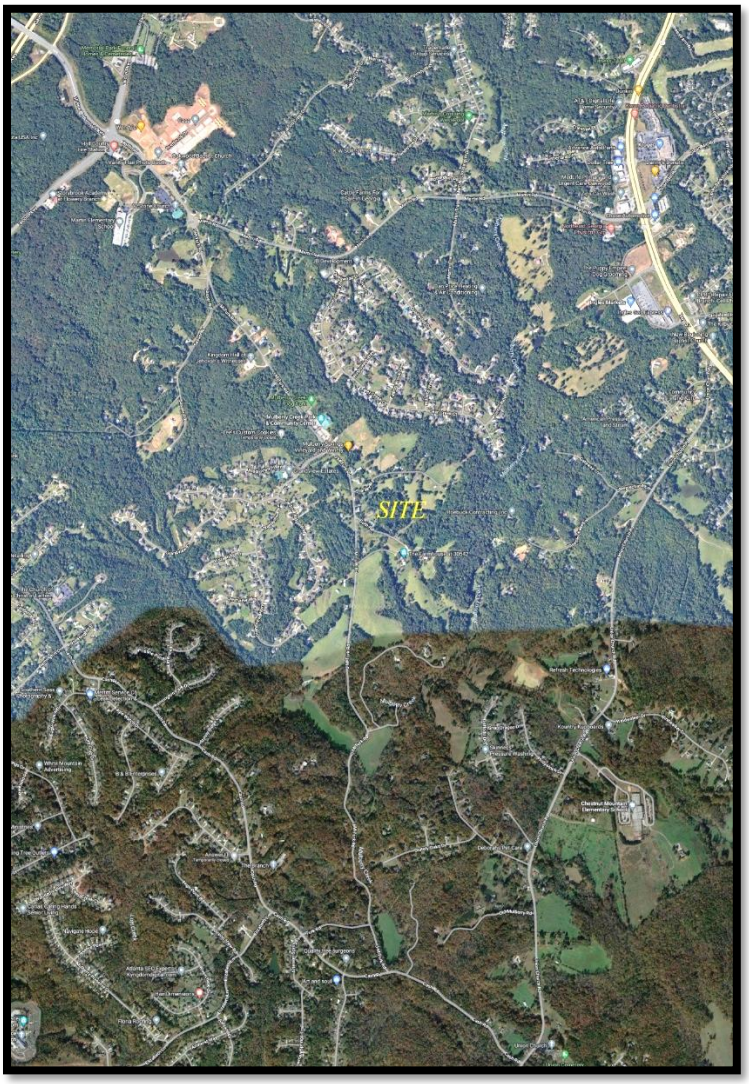

Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed subdivision were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

JM Turk Road is a two lane north-south road classified by the Georgia DOT as an urban major collector. The road begins at a roundabout at Martin Road, passes the subject site, and terminates at a side street stop sign controlled T-intersection at Cash Road. The road is winding, the terrain is gently rolling, and the posted speed limit is 45 mph. The cross section is rural with no shoulders, curb-and-gutter, or sidewalks. The road primarily serves accesses to homes and undeveloped land, with a community center and a winery a short distance north of the subject development site. A 24-hour bi-directional traffic volume count collected for this study on JM Turk Road at the project frontage revealed a northbound volume of 692 vehicles, a southbound volume of 724 vehicles, for a two-way volume of 1,416 vehicles.

Pedestrian, Bicycle, and Transit Accessibility

There are no sidewalks or dedicated bicycle lanes along the adjacent roadway and there is no regularly scheduled mass transit in the area.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Martin Road at JM Turk Road
2. JM Turk Road at Grandview Parkway
3. Cash Road at JM Turk Road

In addition to the intersection counts, a 24-hour bi-directional count was collected on JM Turk Road adjacent to the site.

The counts were collected on Tuesday, May 16, 2023, from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. The locations of the traffic counts are presented in Figure 2.

From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 3. The raw count data is found in Appendix A.

Figure 2 – Traffic Volume Count Locations

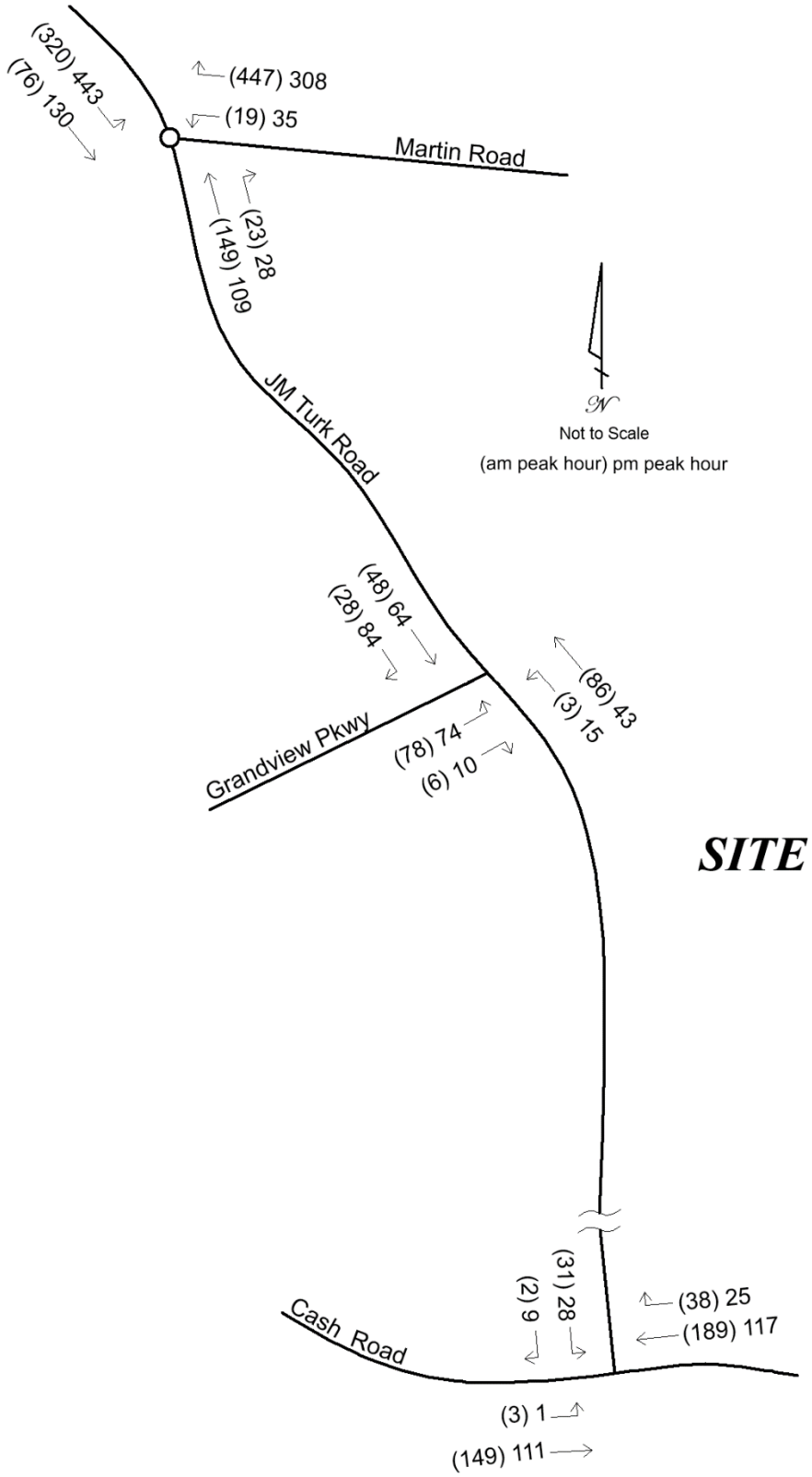

Figure 3 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual* (*HCM 6*). This methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	7.3	A	6.8
northbound approach	A	6.7	A	6.5
southbound approach	A	6.7	A	7.4
westbound approach	A	8.1	A	6.1
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.5	A	3.6
northbound left turn	A	7.4	A	7.6
eastbound approach	B	10.1	A	10.0
3. Cash Road at JM Turk Road (side street stop sign)	A	1.4	A	1.3
southbound approach	B	12.1	B	10.3
eastbound left turn	A	7.8	A	7.6

The existing analysis reveals acceptable operating conditions at the three study intersections. No mitigation is identified for the existing condition.

No-Build Traffic Conditions

A 2028 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of the build-out of the subdivision, but not including the subdivision's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the subdivision is under construction.

In order to develop no-build volumes, background growth factors were developed using historic Georgia DOT 24-hour traffic counts that were collected in this area for the years 2017 through 2021 (the latest year for which data was available at the time of this study), as shown in Table 2.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Cash W of JM Turk	Annual Growth	Union Church S of Winder Hwy	Annual Growth	Winder Hwy S of Martin	Annual Growth
Station ID	139-0779		139-7386		139-0287	
2017	2,420		3,420		25,200	
2018	2,810	16.1%	3,470	1.5%	25,000	-0.8%
2019	2,870	2.1%	4,410	27.1%	31,600	26.4%
2020	2,660	-7.3%	4,100	-7.0%	28,600	-9.5%
2021	2,830	6.4%	4,360	6.3%	30,100	5.2%
avg growth		*3.2%*		*5.0%*		*3.6%*

Growth in the area has been moderately positive. Each intersection experienced a decrease in volumes from 2019 to 2020. This is attributable to the COVID-19 pandemic. The latest year saw solid positive growth. However, most of that is attributable to a return to pre-pandemic levels. Based on the growth trends identified in Table 2, and taking the pandemic into consideration, a modest 3.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for five years, for a total of 15.9% growth that will occur while the proposed subdivision is under construction. The existing traffic volumes were increased by the 15.9% growth factor. The results are the 2028 no-build traffic volumes that will be on the roadway network in the future when the proposed subdivision is completely developed, but excluding the subdivision's trips.

Programmed Transportation Infrastructure Improvements

The Gainesville-Hall Regional Transportation Plan 2020 and the Georgia DOT projects website were reviewed for programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development. No projects were identified.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above. These were entered into the Synchro model and the 2028 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	8.6	A	7.9
northbound approach	A	7.9	A	7.6
southbound approach	A	7.7	A	8.6
westbound approach	A	9.8	A	6.9
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.6	A	3.7
northbound left turn	A	7.5	A	7.6
eastbound approach	B	10.4	B	10.3
3. Cash Road at JM Turk Road (side street stop sign)	A	1.5	A	1.3
southbound approach	B	13.0	B	10.8
eastbound left turn	A	7.9	A	7.7

The no-build analysis shows a slight deterioration in operations due to anticipated growth in this area. However, operations and delays will continue to be acceptable and no mitigation is necessary for the no-build condition.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed subdivision, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The proposed development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The site plan is presented in Figure 4.

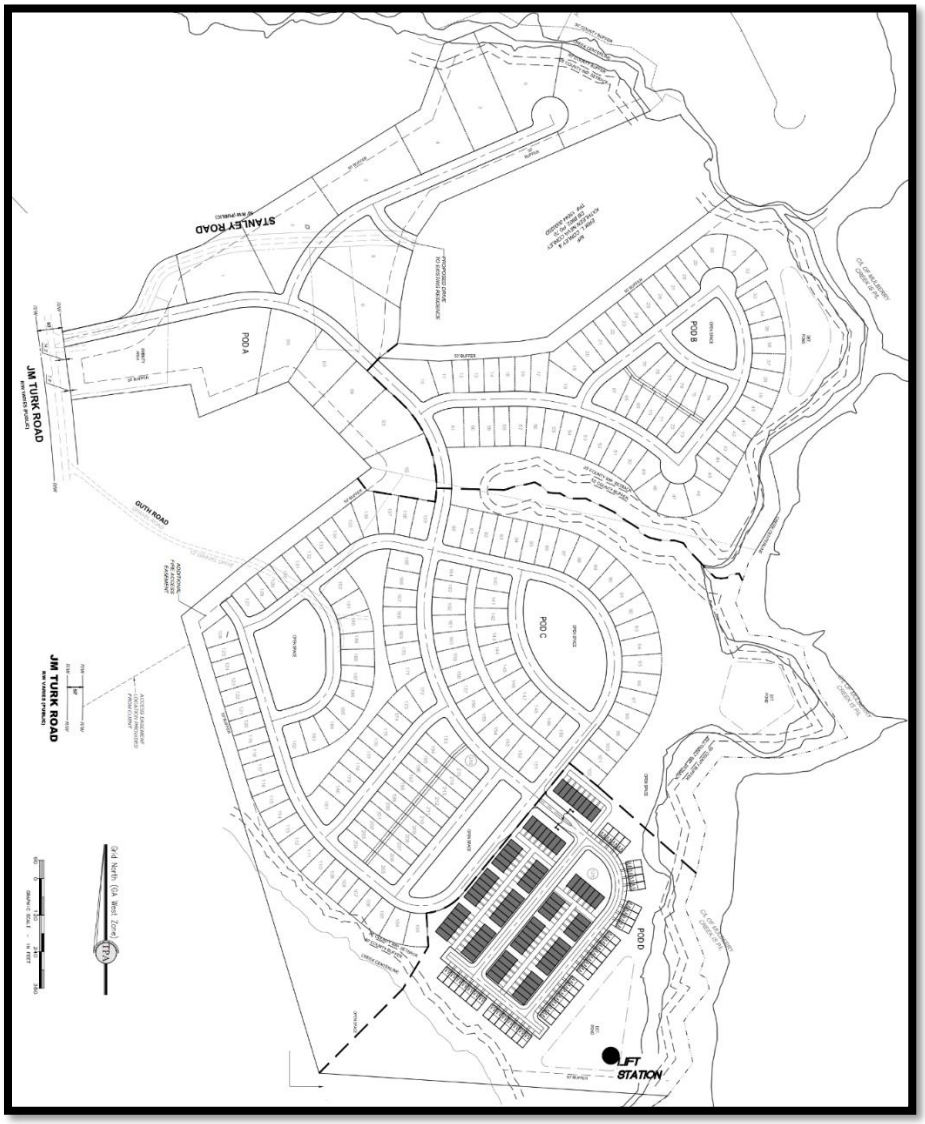

Figure 4 – Site Plan for Proposed Subdivision

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the detached houses and ITE Land Use 215 – Single Family Attached Housing was chosen for the townhomes. The trip generation is summarized in Table 4.

Table 4 – Proposed Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
Detached Houses	210	216 homes	38	112	150	129	76	205	1,025	1,025	2,050
Townhomes	215	125 homes	15	44	59	42	29	71	451	451	902
Total		*341 homes*	*53*	*156*	*209*	*171*	*105*	*276*	*1,476*	*1,476*	*2,952*

The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area, notably Interstate 985, Spout Springs Road, and SR 53. The new project trips, shown in Table 4, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 5.

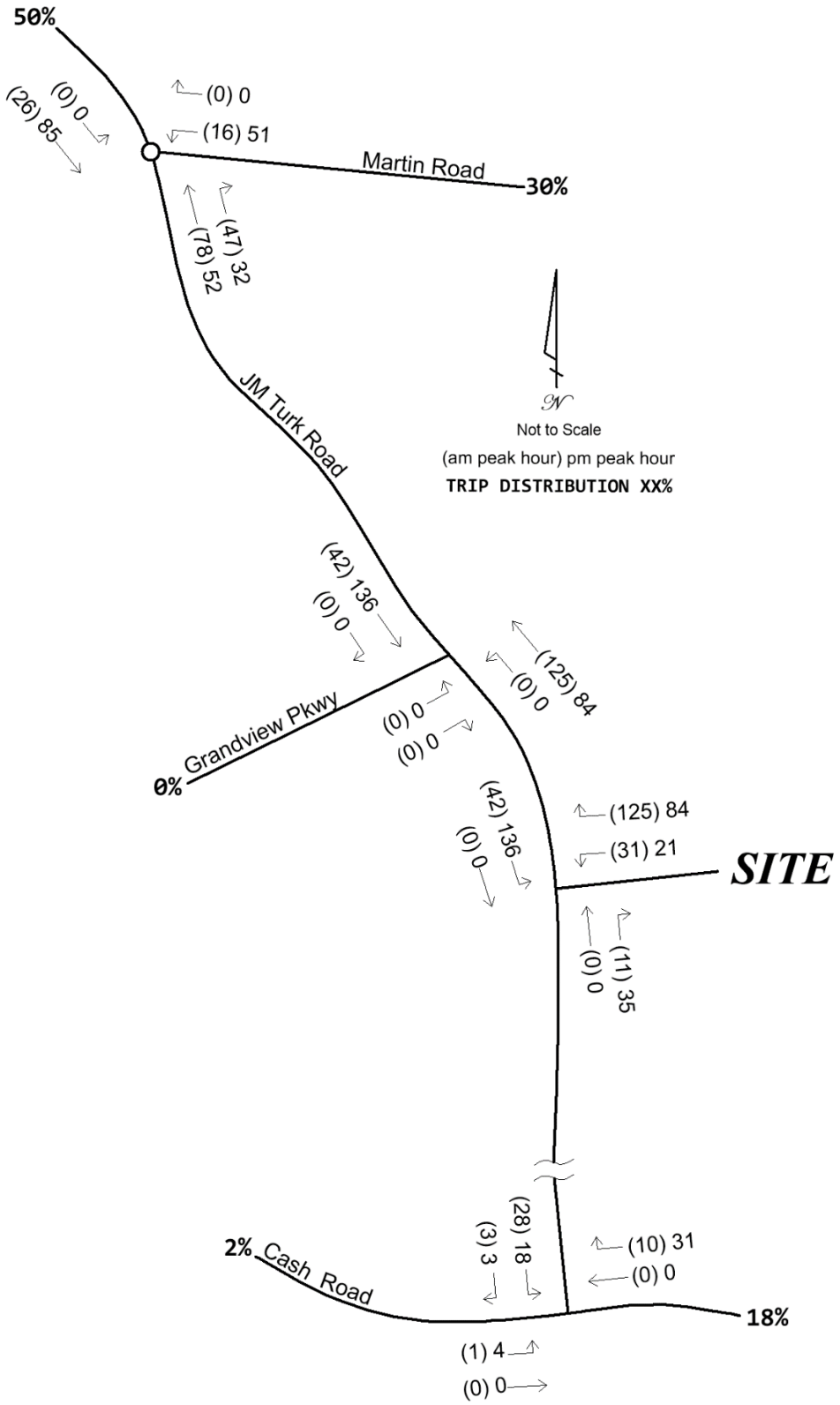

Figure 5 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed subdivision. The future volumes are shown in Figure 6.

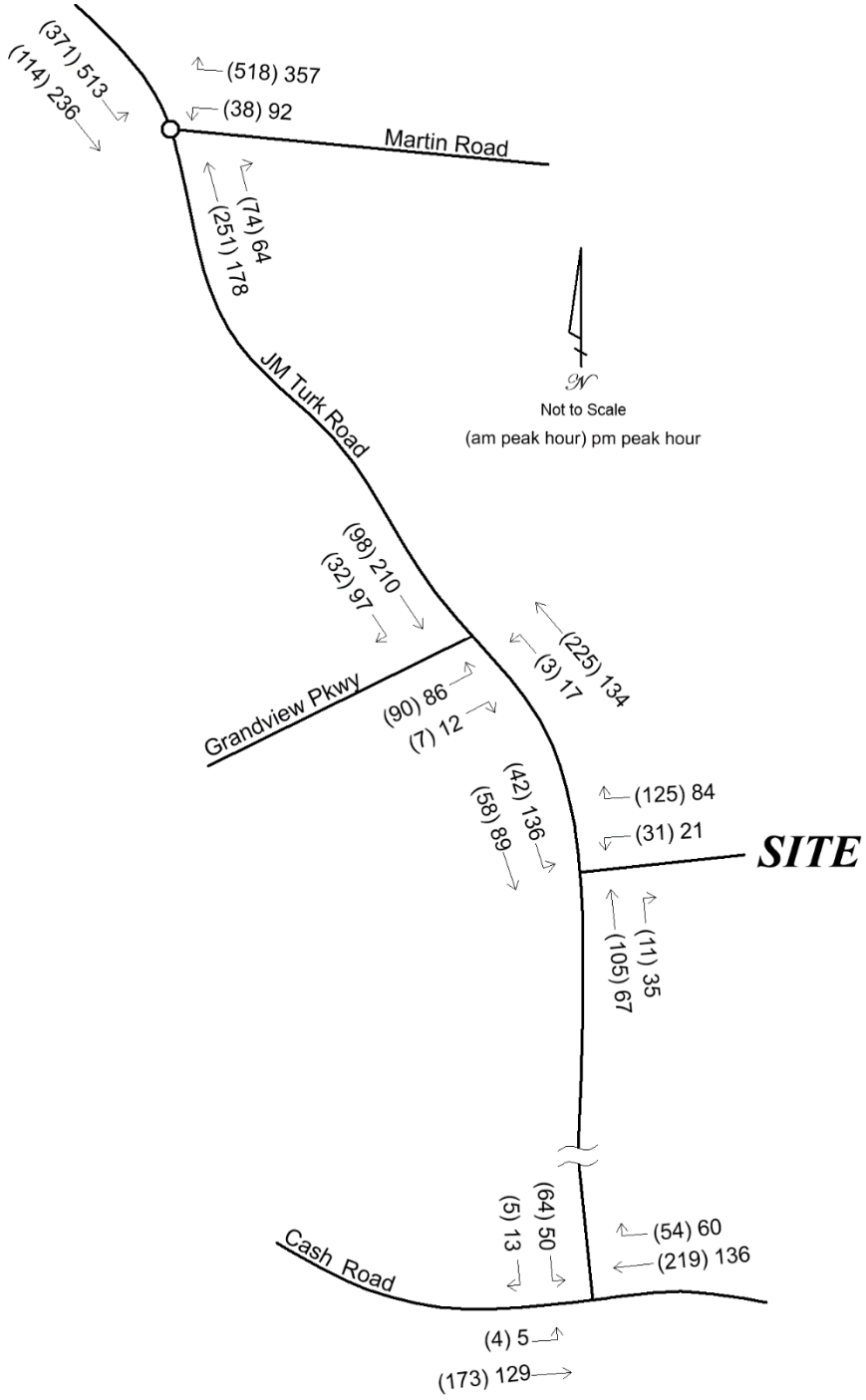

Figure 6 – Future Weekday A.M. and P.M. Peak Hour Volumes

Auxiliary Lane Requirements at Project Access

The Hall County Code was reviewed to determine auxiliary turn lane requirements at the project access on JM Turk Road. Code Section 16.60.290. – Deceleration lanes and left-turn lanes states:

A. Subdivisions with greater than 24 lots will be required to have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may waive or require the installation of a deceleration lane for subdivisions regardless of lot number based upon traffic and safety considerations.

B. Left-turn lanes will be constructed in accordance with current Hall County Engineering and Traffic Engineering when warranted by the following table:

Table 5 – Hall County Turn Lane Thresholds

Average Daily Traffic (ADT)	Number of Lots (equal to or greater than the following)
>6,000	100
4,001—6,000	125
2,001—4,000	150
1,000—2,000	175
<1,000	200

C. The Hall County Traffic Engineer may waive or require the installation of a left-turn lane, regardless of average daily traffic (ADT) or number of lots, based upon traffic and safety considerations.

D. For those developments that a turn lane is required and the development is proposed in phases, construction of the turn lane is required prior to platting 100 lots or more.

E. Additional right-of-way and/or easements necessary for the installation of decel and/or left-turn lanes will be acquired by and will be the financial responsibility of the developer.

F. A signed and recorded frontage and/or radius encroachment agreement with applicable property owners will be required if any portion of the access extends beyond the development's road frontage.

Based on 341 proposed homes, a northbound right turn lane is required on JM Turk Road at the project access and this study agrees with that requirement.

The counted 24-hour volume on JM Turk Road is 1,416 vehicles, so the number of lots above which a left turn lane is required is 175 lots. The proposed subdivision will include 341 homes with one access. Therefore, a southbound left turn lane will be required at the project access and this study agrees with that requirement.

One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out at the study intersections and the project access. Table 6 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 6 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	B	10.3	A	10.0
northbound approach	B	11.0	A	9.7
southbound approach	A	8.4	B	11.1
westbound approach	B	12.1	A	8.5
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	2.7	A	2.8
northbound left turn	A	7.6	A	8.0
eastbound approach	B	12.5	B	12.8
3. Cash Road at JM Turk Road (side street stop sign)	A	2.7	A	1.8
southbound approach	B	14.3	B	11.3
eastbound left turn	A	8.0	A	7.8
4. JM Turk Road at Project Access (side street stop sign)	A	5.6	A	5.3
southbound left turn (entering project)	A	7.6	A	7.7
westbound approach (exiting project)	B	10.7	B	10.4

The future analysis with the addition of the proposed subdivision's trips reveals continued acceptable traffic operations and delays at the three study intersections, as well as the project access.

The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Hall County. The site is located along the east side of JM Turk Road at Stanley Road and the development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The following are the findings and recommendations of this study:

1. Existing traffic operations and delays are acceptable at the three study intersections. No mitigation is identified for the existing condition.

2. Traffic volume growth in this area has been positive and modest and this is expected to continue into the future.

3. No programmed or planned roadway improvement projects were identified in this vicinity.

4. With the growth in background traffic volumes, delays will increase moderately in the no-build condition. However, all delays will continue to be acceptable and no mitigation is identified for the no-build condition.

5. The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

6. The future analysis with the addition of the proposed subdivision's trips reveals modest increases in delays at the study intersections. The three study intersections will continue to operate acceptably. Therefore, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision.

7. A northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the project access and this study agrees with those requirements.

8. One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

9. The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data and Volume Worksheets

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 1. Martin Road at JM Turk Road

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**149**	**23**	**172**	**320**	**76**	**396**		**19**	**447**	**466**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**173**	**27**	**199**	**371**	**88**	**459**		**22**	**518**	**540**
Proposed JM Turk Road Subdivision Trips	**78**	**47**	**125**	**0**	**26**	**26**		**16**	**0**	**16**
Build Volumes	**251**	**74**	**324**	**371**	**114**	**485**		**38**	**518**	**556**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**109**	**28**	**137**	**443**	**130**	**573**		**35**	**308**	**343**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**126**	**32**	**159**	**513**	**151**	**664**		**41**	**357**	**398**
Proposed JM Turk Road Subdivision Trips	**52**	**32**	**84**	**0**	**85**	**85**		**51**	**0**	**51**
Build Volumes	**178**	**64**	**243**	**513**	**236**	**749**		**92**	**357**	**449**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 2. JM Turk Road at Grandview Parkway

Weekday A.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**3**	**86**	**89**	**48**	**28**	**76**	**78**	**6**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**3**	**100**	**103**	**56**	**32**	**88**	**90**	**7**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**125**	**125**	**42**	**0**	**42**	**0**	**0**	**0**	
Build Volumes	**3**	**225**	**228**	**98**	**32**	**130**	**90**	**7**	**97**	

Weekday P.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**15**	**43**	**58**	**64**	**84**	**148**	**74**	**10**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**17**	**50**	**67**	**74**	**97**	**172**	**86**	**12**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**84**	**84**	**136**	**0**	**136**	**0**	**0**	**0**	
Build Volumes	**17**	**134**	**151**	**210**	**97**	**308**	**86**	**12**	**97**	

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 3. Cash Road at JM Turk Road

Weekday A.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)		**31**	**2**	**33**	**3**	**149**	**152**	**189**	**38**	**227**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**36**	**2**	**38**	**3**	**173**	**176**	**219**	**44**	**263**
Proposed JM Turk Road Subdivision Trips		**28**	**3**	**31**	**1**	**0**	**1**	**0**	**10**	**10**
Build Volumes		**64**	**5**	**69**	**4**	**173**	**177**	**219**	**54**	**273**

Weekday P.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 5:00-6:00)		**28**	**9**	**37**	**1**	**111**	**112**	**117**	**25**	**142**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**32**	**10**	**43**	**1**	**129**	**130**	**136**	**29**	**165**
Proposed JM Turk Road Subdivision Trips		**18**	**3**	**21**	**4**	**0**	**4**	**0**	**31**	**31**
Build Volumes		**50**	**13**	**64**	**5**	**129**	**134**	**136**	**60**	**196**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 4. JM Turk Road at Project Access

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:00-8:00)	**91**		**91**		**50**	**50**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**105**		**105**		**58**	**58**				
Proposed JM Turk Road Subdivision Trips	**0**	**11**	**11**	**42**	**0**	**42**		**31**	**125**	**156**
Build Volumes	**105**	**11**	**116**	**42**	**58**	**100**		**31**	**125**	**156**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**58**		**58**		**77**	**77**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**67**		**67**		**89**	**89**				
Proposed JM Turk Road Subdivision Trips	**0**	**35**	**35**	**136**	**0**	**136**		**21**	**84**	**105**
Build Volumes	**67**	**35**	**102**	**136**	**89**	**225**		**21**	**84**	**105**

JM Turk Road at project access location **Tuesday, May 16, 2023**
Peak Hour Calculation

	NB		SB		2-Way	
Begin Time	**15 min**	**Hourly**	**15 min**	**Hourly**	**15 min**	**Hourly**
7:00 AM	21		10		31	
7:15 AM	21		13		34	
7:30 AM	20		16		36	
7:45 AM	***29***	***91***	***11***	***50***	***40***	***141***
8:00 AM	14	84	15	55	29	139
8:15 AM	24	87	5	47	29	134
8:30 AM	8	75	6	37	14	112
8:45 AM	13	59	8	34	21	93
4:00 PM	13		25		38	
4:15 PM	12		22		34	
4:30 PM	14		13		27	
4:45 PM	11	50	19	79	30	129
5:00 PM	9	46	20	74	29	120
5:15 PM	18	52	19	71	37	123
5:30 PM	***20***	***58***	***19***	***77***	***39***	***135***
5:45 PM	8	55	16	74	24	129
6:00 PM	7	53	22	76	29	129
6:15 PM	14	49	17	74	31	123
24-Hour	**692**		**724**		**1416**	

Reliable Traffic Data Services

Tel: (770) 578-8158 I Fax: (770) 578-8159
Info@reliabletraffic.org I www.reliabletraffic.org

TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	33	2	0	35	58	7	0	0	65	0	0	0	0	0	5	0	94	0	99	199
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	110	25	0	0	135	0	0	0	0	0	4	0	109	0	113	287
07:45 AM	0	40	9	0	49	59	17	0	0	76	0	0	0	0	0	7	0	120	0	127	252
Total	0	148	18	0	166	322	66	0	0	388	0	0	0	0	0	22	0	416	0	438	992
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	125	0	127	241
08:15 AM	0	28	6	0	34	54	15	0	0	69	0	0	0	0	0	3	0	75	0	78	181
08:30 AM	0	15	7	0	22	61	17	0	0	78	0	0	0	0	0	6	0	77	0	83	183
08:45 AM	0	18	2	0	20	35	27	0	0	62	0	0	0	0	0	7	0	72	0	79	161
Total	0	95	22	0	117	206	76	0	0	282	0	0	0	0	0	18	0	349	0	367	766
*** BREAK ***																					
04:00 PM	0	16	5	0	21	116	33	0	0	149	0	0	0	0	0	6	0	55	0	61	231
04:15 PM	0	13	5	0	18	125	35	0	0	160	0	0	0	0	0	3	0	82	0	85	263
04:30 PM	0	16	2	0	18	114	29	0	0	143	0	0	0	0	0	13	0	72	0	85	246
04:45 PM	0	20	8	0	28	115	28	0	0	143	0	0	0	0	0	10	0	77	0	87	258
Total	0	65	20	0	85	470	125	0	0	595	0	0	0	0	0	32	0	286	0	318	998
05:00 PM	0	27	6	0	33	112	34	0	0	146	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	36	8	0	44	101	37	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	83	0	91	269
05:45 PM	0	16	2	0	18	107	34	0	0	141	0	0	0	0	0	6	0	75	0	81	240
Total	0	105	22	0	127	435	136	0	0	571	0	0	0	0	0	31	0	306	0	337	1035
Grand Total	0	413	82	0	495	1433	403	0	0	1836	0	0	0	0	0	103	0	1357	0	1460	3791
Apprch %	0	83.4	16.6	0		78.1	21.9	0	0		0	0	0	0		7.1	0	92.9	0		
Total %	0	10.9	2.2	0	13.1	37.8	10.6	0	0	48.4	0	0	0	0	0	2.7	0	35.8	0	38.5	

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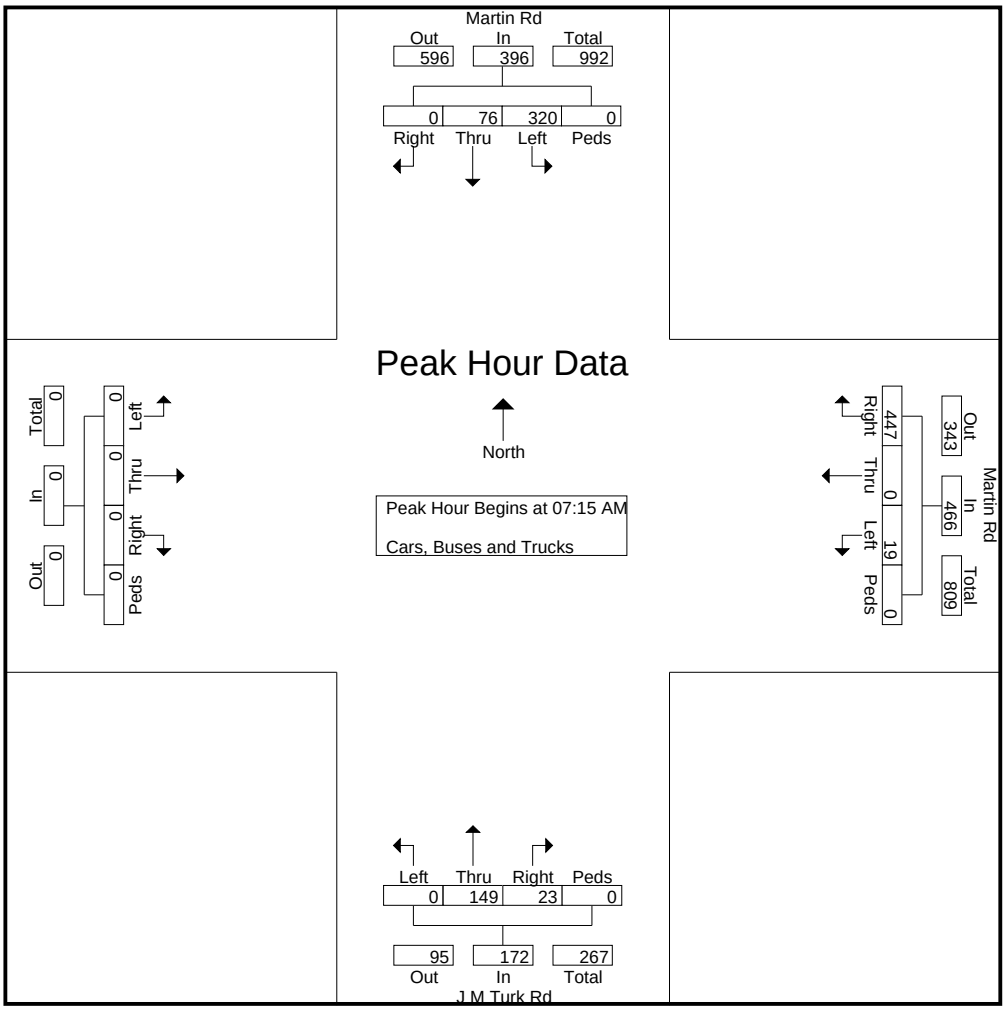
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	**110**	**25**	0	0	**135**	0	0	0	0	0	4	0	109	0	113	**287**
07:45 AM	0	**40**	**9**	0	**49**	59	17	0	0	76	0	0	0	0	0	**7**	0	120	0	**127**	252
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	**125**	0	127	241
Total Volume	0	149	23	0	172	320	76	0	0	396	0	0	0	0	0	19	0	447	0	466	1034
% App. Total		86.6	13.4			80.8	19.2											95.9			
PHF	.000	.931	.639	.000	.878	.727	.760	.000	.000	.733	.000	.000	.000	.000	.000	.679	.000	.894	.000	.917	.901



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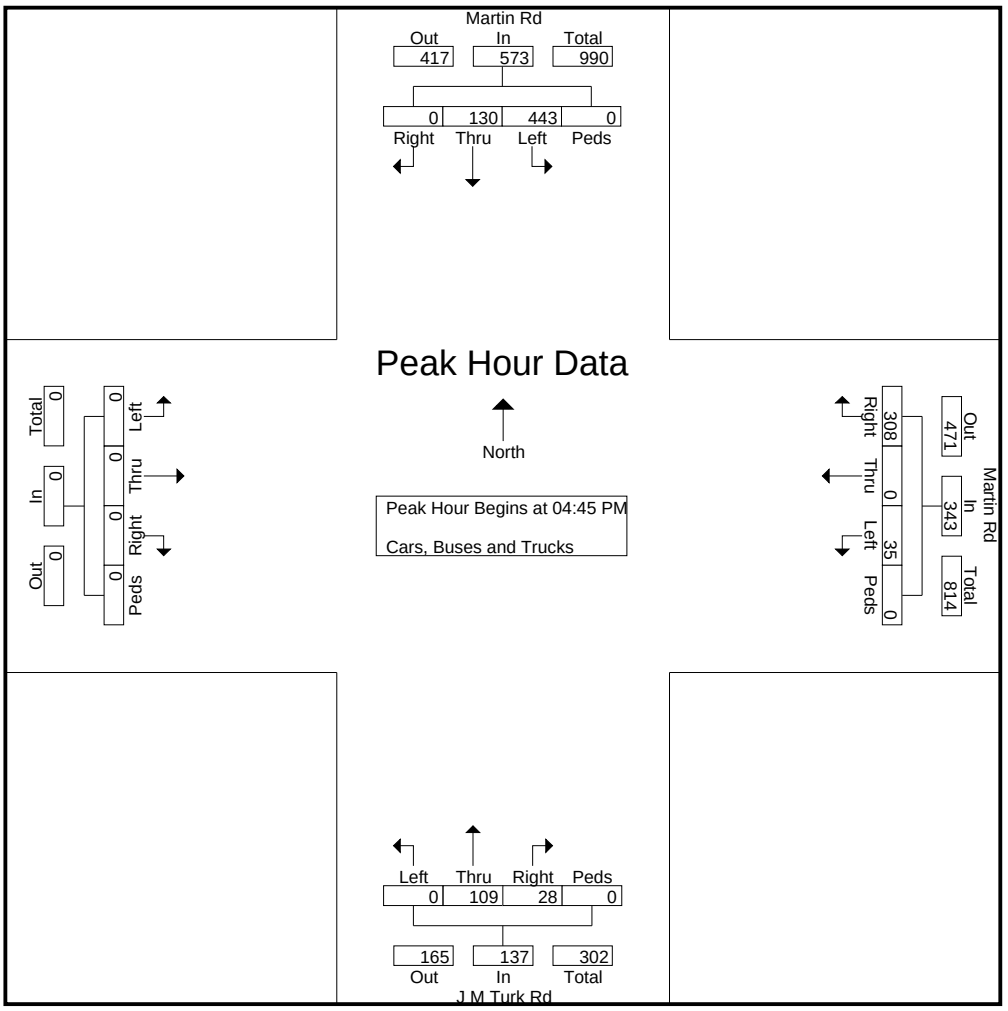
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	0	20	**8**	0	28	**115**	28	0	0	143	0	0	0	0	0	**10**	0	77	0	87	258
05:00 PM	0	27	6	0	33	112	34	0	0	**146**	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	**36**	8	0	**44**	101	**37**	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	**83**	0	**91**	**269**
Total Volume	0	109	28	0	137	443	130	0	0	573	0	0	0	0	0	35	0	308	0	343	1053
% App. Total		79.6	20.4			77.3	22.7									10.2		89.8			
PHF	.000	.757	.875	.000	.778	.963	.878	.000	.000	.981	.000	.000	.000	.000	.000	.875	.000	.928	.000	.942	.979



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TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	18	0	0	18	0	6	3	0	9	17	0	5	0	22	0	0	0	0	0	49
07:15 AM	2	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	15	10	0	25	23	0	4	0	27	0	0	0	0	0	74
07:45 AM	0	28	0	0	28	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
Total	3	88	0	0	91	0	40	25	0	65	75	0	10	0	85	0	0	0	0	0	241
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
08:15 AM	4	21	0	0	25	0	3	7	0	10	11	0	2	0	13	0	0	0	0	0	48
08:30 AM	0	8	0	0	8	0	5	9	0	14	8	0	2	0	10	0	0	0	0	0	32
08:45 AM	1	13	0	0	14	0	6	5	0	11	7	0	1	0	8	0	0	1	0	1	34
Total	5	58	0	0	63	0	28	27	0	55	46	0	6	0	52	0	0	1	0	1	171
*** BREAK ***																					
04:00 PM	2	12	0	0	14	0	22	17	0	39	9	0	2	0	11	0	0	0	0	0	64
04:15 PM	2	7	0	0	9	0	18	17	0	35	8	0	4	0	12	1	0	0	0	1	57
04:30 PM	6	9	0	0	15	0	14	18	0	32	9	0	1	0	10	0	0	0	0	0	57
04:45 PM	1	10	0	0	11	0	13	27	0	40	14	0	2	0	16	0	0	0	0	0	67
Total	11	38	0	0	49	0	67	79	0	146	40	0	9	0	49	1	0	0	0	1	245
05:00 PM	5	8	0	0	13	0	21	21	0	42	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	14	0	0	17	0	17	20	0	37	26	0	2	0	28	0	0	0	0	0	82
05:30 PM	6	11	0	0	17	1	13	16	0	30	15	0	4	0	19	0	0	0	0	0	66
05:45 PM	0	6	0	0	6	0	12	15	0	27	14	0	4	0	18	0	0	0	0	0	51
Total	14	39	0	0	53	1	63	72	0	136	74	0	12	0	86	0	0	0	0	0	275
Grand Total	33	223	0	0	256	1	198	203	0	402	235	0	37	0	272	1	0	1	0	2	932
Apprch %	12.9	87.1	0	0		0.2	49.3	50.5	0		86.4	0	13.6	0		50	0	50	0		
Total %	3.5	23.9	0	0	27.5	0.1	21.2	21.8	0	43.1	25.2	0	4	0	29.2	0.1	0	0.1	0	0.2	

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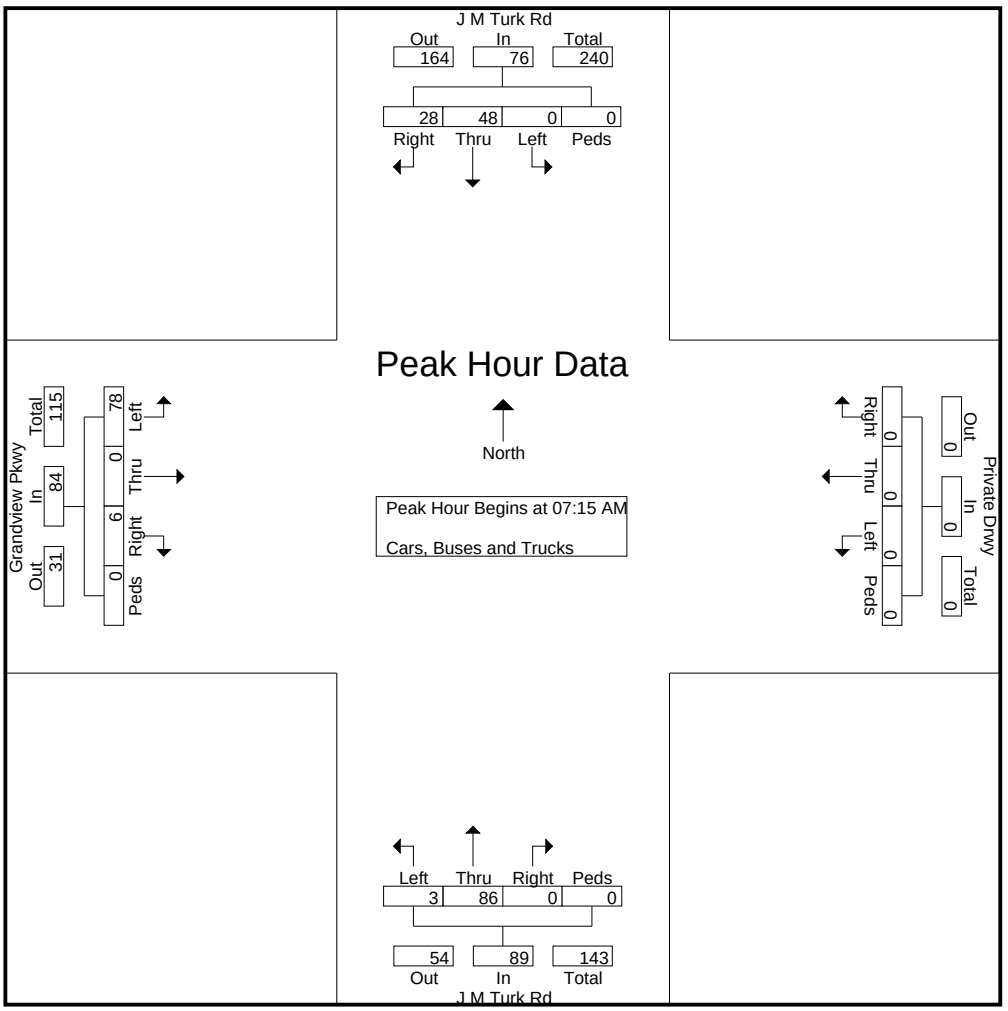
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	**2**	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	**15**	**10**	0	**25**	**23**	0	**4**	0	**27**	0	0	0	0	0	**74**
07:45 AM	0	**28**	0	0	**28**	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
Total Volume	3	86	0	0	89	0	48	28	0	76	78	0	6	0	84	0	0	0	0	0	249
% App. Total		96.6					63.2	36.8			92.9										
PHF	.375	.768	.000	.000	.795	.000	.800	.700	.000	.760	.848	.000	.375	.000	.778	.000	.000	.000	.000	.000	.841



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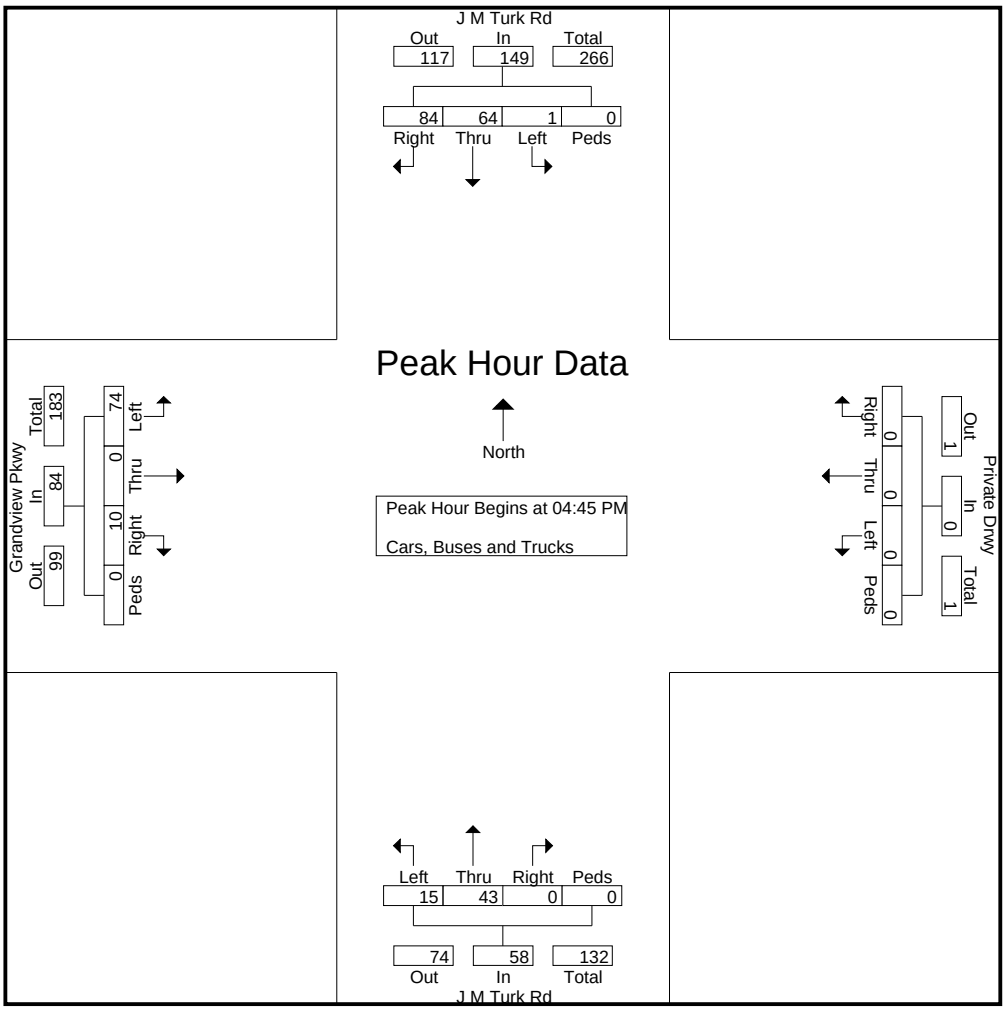
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	10	0	0	11	0	13	**27**	0	40	14	0	2	0	16	0	0	0	0	0	67
05:00 PM	5	8	0	0	13	0	**21**	21	0	**42**	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	**14**	0	0	**17**	0	17	20	0	37	**26**	0	2	0	**28**	0	0	0	0	0	**82**
05:30 PM	**6**	11	0	0	17	**1**	13	16	0	30	15	0	**4**	0	19	0	0	0	0	0	66
Total Volume	15	43	0	0	58	1	64	84	0	149	74	0	10	0	84	0	0	0	0	0	291
% App. Total	25.9	74.1						56.4			88.1		11.9								
PHF	.625	.768	.000	.000	.853	.250	.762	.778	.000	.887	.712	.000	.625	.000	.750	.000	.000	.000	.000	.000	.887



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TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	4	0	0	0	4	1	22	0	0	23	0	15	9	0	24	51
07:15 AM	0	0	0	0	0	5	0	1	0	6	1	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	14	0	1	0	15	1	48	0	0	49	0	56	14	0	70	134
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
Total	0	0	0	0	0	31	0	2	0	33	4	144	0	0	148	0	150	43	0	193	374
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
08:15 AM	0	0	0	0	0	5	0	0	0	5	1	34	0	0	35	0	32	11	0	43	83
08:30 AM	0	0	0	0	0	1	0	0	0	1	0	15	0	0	15	0	12	0	0	12	28
08:45 AM	0	0	0	0	0	5	0	1	0	6	4	14	0	0	18	0	17	6	0	23	47
Total	0	0	0	0	0	15	0	1	0	16	5	90	0	0	95	0	115	21	0	136	247
*** BREAK ***																					
04:00 PM	0	0	0	0	0	15	0	0	0	15	2	27	0	0	29	0	34	5	0	39	83
04:15 PM	0	0	0	0	0	9	0	1	0	10	0	23	0	0	23	0	25	5	0	30	63
04:30 PM	0	0	0	0	0	5	0	1	0	6	2	24	0	0	26	0	16	7	0	23	55
04:45 PM	0	0	0	0	0	7	0	4	0	11	0	17	0	0	17	0	26	9	0	35	63
Total	0	0	0	0	0	36	0	6	0	42	4	91	0	0	95	0	101	26	0	127	264
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	8	0	3	0	11	0	36	0	0	36	0	28	5	0	33	80
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	37	9	0	46	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	1	22	0	0	23	0	27	6	0	33	65
Total	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
Grand Total	0	0	0	0	0	110	0	18	0	128	14	436	0	0	450	0	483	115	0	598	1176
Apprch %	0	0	0	0		85.9	0	14.1	0		3.1	96.9	0	0		0	80.8	19.2	0		
Total %	0	0	0	0	0	9.4	0	1.5	0	10.9	1.2	37.1	0	0	38.3	0	41.1	9.8	0	50.9	

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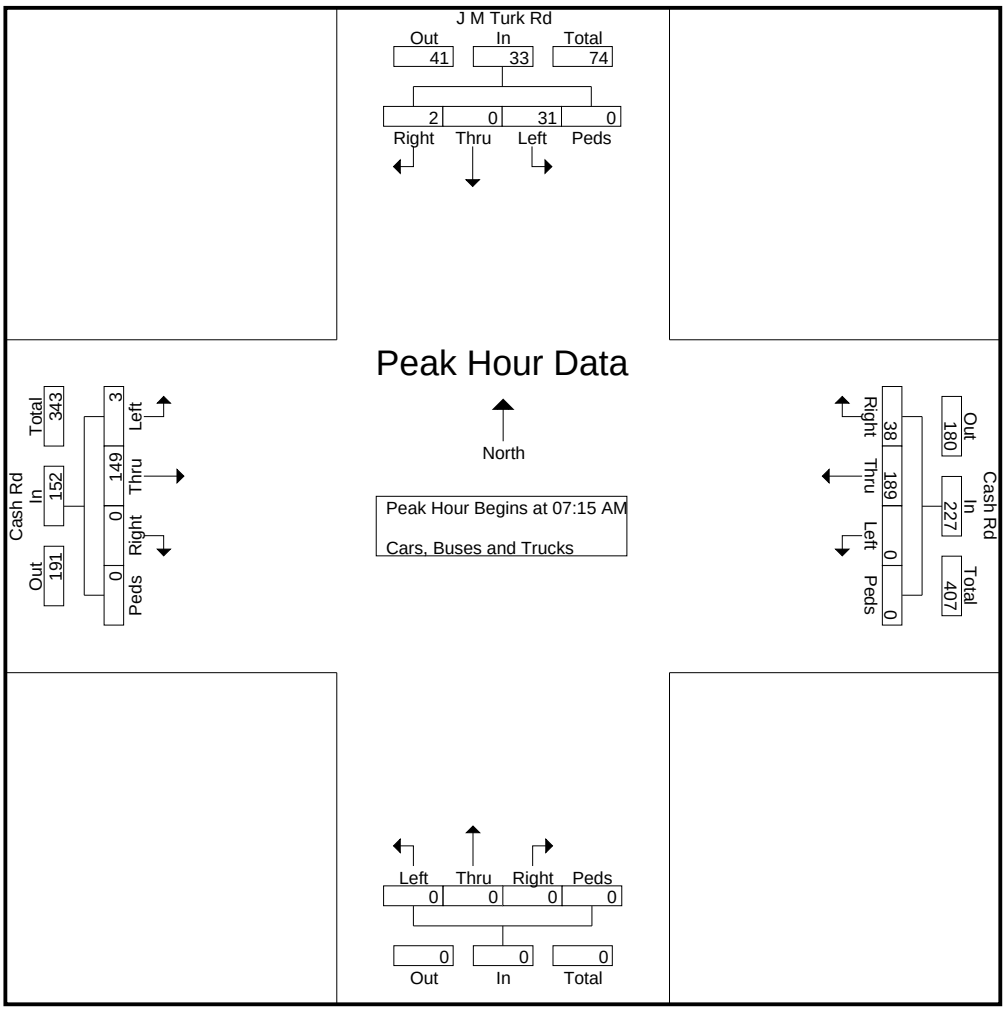
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	5	0	**1**	0	6	**1**	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	**14**	0	1	0	**15**	1	**48**	0	0	**49**	0	**56**	**14**	0	**70**	**134**
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
Total Volume	0	0	0	0	0	31	0	2	0	33	3	149	0	0	152	0	189	38	0	227	412
% App. Total						93.9											83.3	16.7			
PHF	.000	.000	.000	.000	.000	.554	.000	.500	.000	.550	.750	.776	.000	.000	.776	.000	.844	.679	.000	.811	.769



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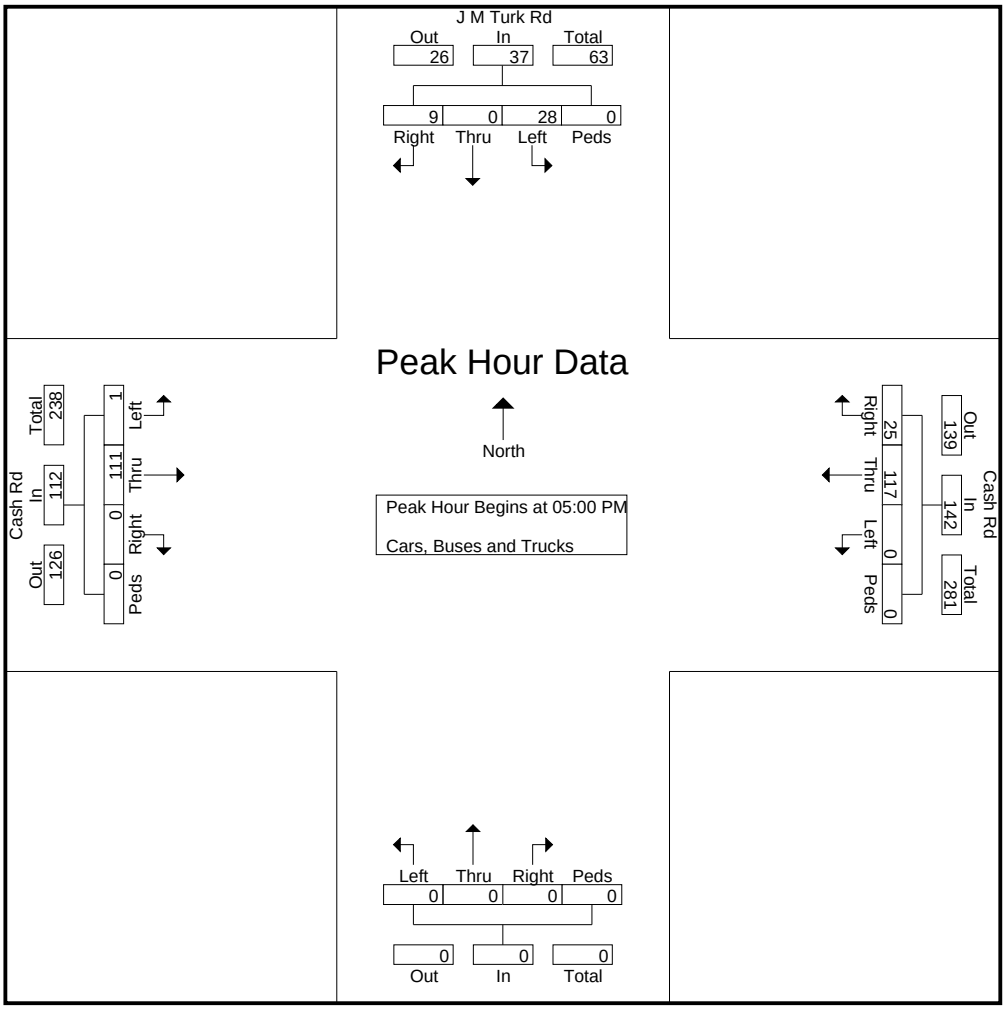
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	**8**	0	**3**	0	**11**	0	**36**	0	0	**36**	0	28	5	0	33	**80**
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	**37**	**9**	0	**46**	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	**1**	22	0	0	23	0	27	6	0	33	65
Total Volume	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
% App. Total						75.7		24.3				99.1					82.4	17.6			
PHF	.000	.000	.000	.000	.000	.875	.000	.750	.000	.841	.250	.771	.000	.000	.778	.000	.791	.694	.000	.772	.909



Reliable Traffic Data Services

Tel: (770) 578-8158 I Fax: (770) 578-8159
Info@reliabletraffic.org I www.reliabletraffic.org

ADT Data

Site Code: 47830101
J M Turk Rd south of Grandview Pkwy
Flowery Branch, GA

Start Time	16-May-23 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	6			0	11				
12:15		1	9			0	14				
12:30		0	10			0	6				
12:45		0	10	1	35	0	7	0	38	1	73
01:00		0	14			2	16				
01:15		0	12			0	6				
01:30		0	7			0	5				
01:45		0	9	0	42	0	8	2	35	2	77
02:00		0	7			0	16				
02:15		0	10			0	16				
02:30		0	17			2	16				
02:45		1	14	1	48	1	12	3	60	4	108
03:00		0	6			0	17				
03:15		0	10			0	14				
03:30		0	19			0	18				
03:45		2	16	2	51	0	26	0	75	2	126
04:00		0	13			0	25				
04:15		1	12			0	22				
04:30		2	14			1	13				
04:45		1	11	4	50	2	19	3	79	7	129
05:00		3	9			1	20				
05:15		2	18			0	19				
05:30		2	20			2	19				
05:45		8	8	15	55	1	16	4	74	19	129
06:00		2	7			3	22				
06:15		4	14			1	17				
06:30		10	6			2	14				
06:45		22	7	38	34	1	8	7	61	45	95
07:00		21	11			10	16				
07:15		21	11			13	8				
07:30		20	10			16	4				
07:45		29	6	91	38	11	7	50	35	141	73
08:00		14	3			15	7				
08:15		24	2			5	10				
08:30		8	4			6	5				
08:45		13	5	59	14	8	7	34	29	93	43
09:00		9	5			10	7				
09:15		15	2			6	5				
09:30		11	3			9	4				
09:45		13	2	48	12	9	3	34	19	82	31
10:00		4	1			6	4				
10:15		8	1			11	2				
10:30		9	2			11	1				
10:45		5	0	26	4	10	2	38	9	64	13
11:00		2	1			8	0				
11:15		8	1			10	4				
11:30		3	0			9	0				
11:45		7	2	20	4	3	1	30	5	50	9
Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
Grand Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
ADT		ADT 1,416		AADT 1,416							

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2016 edition (HCM 6). Synchro 10 software, which emulates the HCM 6 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 6

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 6

Appendix C

Existing Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	7.3
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	507	195	542
Demand Flow Rate, veh/h	523	201	558
Vehicles Circulating, veh/h	174	451	22
Vehicles Exiting, veh/h	478	129	675
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.1	6.7	6.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	523	201	558
Cap Entry Lane, veh/h	1155	871	1349
Entry HV Adj Factor	0.969	0.970	0.971
Flow Entry, veh/h	507	195	542
Cap Entry, veh/h	1120	845	1310
V/C Ratio	0.453	0.231	0.414
Control Delay, s/veh	8.1	6.7	6.7
LOS	A	A	A
95th %tile Queue, veh	2	1	2

Intersection	
Int Delay, s/veh	3.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	78	6	3	86	48	28
Future Vol, veh/h	78	6	3	86	48	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	100	8	4	108	63	37

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	179	63	100	0	-	0
Stage 1	63	-	-	-	-	-
Stage 2	116	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	811	1002	1493	-	-	-
Stage 1	960	-	-	-	-	-
Stage 2	909	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	809	1002	1493	-	-	-
Mov Cap-2 Maneuver	809	-	-	-	-	-
Stage 1	957	-	-	-	-	-
Stage 2	909	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1493	-	820	-	-
HCM Lane V/C Ratio	0.003	-	0.131	-	-
HCM Control Delay (s)	7.4	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	149	189	38	31	2
Future Vol, veh/h	3	149	189	38	31	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	191	233	47	56	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	280	0	-	0	456	257
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	199	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1277	-	-	-	561	779
Stage 1	-	-	-	-	784	-
Stage 2	-	-	-	-	832	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1277	-	-	-	559	779
Mov Cap-2 Maneuver	-	-	-	-	559	-
Stage 1	-	-	-	-	781	-
Stage 2	-	-	-	-	832	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	12.1
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1277	-	-	-	569
HCM Lane V/C Ratio	0.003	-	-	-	0.105
HCM Control Delay (s)	7.8	0	-	-	12.1
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Intersection Delay, s/veh	6.8
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	365	176	585
Demand Flow Rate, veh/h	376	181	603
Vehicles Circulating, veh/h	144	466	38
Vehicles Exiting, veh/h	503	175	482
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.1	6.5	7.4
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	376	181	603
Cap Entry Lane, veh/h	1191	858	1327
Entry HV Adj Factor	0.971	0.971	0.970
Flow Entry, veh/h	365	176	585
Cap Entry, veh/h	1157	833	1288
V/C Ratio	0.316	0.211	0.454
Control Delay, s/veh	6.1	6.5	7.4
LOS	A	A	A
95th %tile Queue, veh	1	1	2

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	74	10	15	43	65	84
Future Vol, veh/h	74	10	15	43	65	84
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	99	13	18	51	73	94

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	160	73	167	0	-	0
Stage 1	73	-	-	-	-	-
Stage 2	87	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	831	989	1411	-	-	-
Stage 1	950	-	-	-	-	-
Stage 2	936	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	820	989	1411	-	-	-
Mov Cap-2 Maneuver	820	-	-	-	-	-
Stage 1	938	-	-	-	-	-
Stage 2	936	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1411	-	837	-	-
HCM Lane V/C Ratio	0.013	-	0.134	-	-
HCM Control Delay (s)	7.6	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	111	117	25	28	9
Future Vol, veh/h	1	111	117	25	28	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	142	152	32	33	11

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	184	0	-	0	312	168
Stage 1	-	-	-	-	168	-
Stage 2	-	-	-	-	144	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1385	-	-	-	679	874
Stage 1	-	-	-	-	859	-
Stage 2	-	-	-	-	881	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1385	-	-	-	678	874
Mov Cap-2 Maneuver	-	-	-	-	678	-
Stage 1	-	-	-	-	858	-
Stage 2	-	-	-	-	881	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1385	-	-	-	717
HCM Lane V/C Ratio	0.001	-	-	-	0.061
HCM Control Delay (s)	7.6	0	-	-	10.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix D

No-Build Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	8.6
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	587	228	629
Demand Flow Rate, veh/h	605	235	648
Vehicles Circulating, veh/h	203	523	25
Vehicles Exiting, veh/h	555	150	783
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	9.8	7.9	7.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	605	235	648
Cap Entry Lane, veh/h	1122	809	1345
Entry HV Adj Factor	0.970	0.971	0.971
Flow Entry, veh/h	587	228	629
Cap Entry, veh/h	1088	786	1306
V/C Ratio	0.539	0.290	0.482
Control Delay, s/veh	9.8	7.9	7.7
LOS	A	A	A
95th %tile Queue, veh	3	1	3

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	100	56	32
Future Vol, veh/h	90	7	3	100	56	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	125	74	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	207	74	116	0	-	0
Stage 1	74	-	-	-	-	-
Stage 2	133	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	781	988	1473	-	-	-
Stage 1	949	-	-	-	-	-
Stage 2	893	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	779	988	1473	-	-	-
Mov Cap-2 Maneuver	779	-	-	-	-	-
Stage 1	946	-	-	-	-	-
Stage 2	893	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1473	-	791	-	-
HCM Lane V/C Ratio	0.003	-	0.157	-	-
HCM Control Delay (s)	7.5	0	10.4	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	173	219	44	36	2
Future Vol, veh/h	3	173	219	44	36	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	222	270	54	65	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	324	0	-	0	527	297
Stage 1	-	-	-	-	297	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1230	-	-	-	510	740
Stage 1	-	-	-	-	752	-
Stage 2	-	-	-	-	806	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1230	-	-	-	508	740
Mov Cap-2 Maneuver	-	-	-	-	508	-
Stage 1	-	-	-	-	749	-
Stage 2	-	-	-	-	806	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	13
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1230	-	-	-	517
HCM Lane V/C Ratio	0.003	-	-	-	0.134
HCM Control Delay (s)	7.9	0	-	-	13
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

Intersection	
Intersection Delay, s/veh	7.9
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	424	203	677
Demand Flow Rate, veh/h	436	209	698
Vehicles Circulating, veh/h	167	539	45
Vehicles Exiting, veh/h	581	204	558
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.9	7.6	8.6
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	436	209	698
Cap Entry Lane, veh/h	1164	796	1318
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	424	203	677
Cap Entry, veh/h	1132	774	1279
V/C Ratio	0.375	0.262	0.530
Control Delay, s/veh	6.9	7.6	8.6
LOS	A	A	A
95th %tile Queue, veh	2	1	3

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	50	74	97
Future Vol, veh/h	86	12	17	50	74	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	59	83	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	182	83	192	0	-	0
Stage 1	83	-	-	-	-	-
Stage 2	99	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	807	976	1381	-	-	-
Stage 1	940	-	-	-	-	-
Stage 2	925	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	795	976	1381	-	-	-
Mov Cap-2 Maneuver	795	-	-	-	-	-
Stage 1	926	-	-	-	-	-
Stage 2	925	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	1.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1381	-	813	-	-
HCM Lane V/C Ratio	0.014	-	0.161	-	-
HCM Control Delay (s)	7.6	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	129	136	29	32	10
Future Vol, veh/h	1	129	136	29	32	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	165	177	38	38	12

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	215	0	-	0	363	196
Stage 1	-	-	-	-	196	-
Stage 2	-	-	-	-	167	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1349	-	-	-	634	843
Stage 1	-	-	-	-	835	-
Stage 2	-	-	-	-	860	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1349	-	-	-	633	843
Mov Cap-2 Maneuver	-	-	-	-	633	-
Stage 1	-	-	-	-	834	-
Stage 2	-	-	-	-	860	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.8
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1349	-	-	-	673
HCM Lane V/C Ratio	0.001	-	-	-	0.074
HCM Control Delay (s)	7.7	0	-	-	10.8
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix E

Future Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	10.3
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	604	369	664
Demand Flow Rate, veh/h	622	381	684
Vehicles Circulating, veh/h	294	523	42
Vehicles Exiting, veh/h	610	203	874
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	12.1	11.0	8.4
Approach LOS	B	B	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	622	381	684
Cap Entry Lane, veh/h	1022	809	1322
Entry HV Adj Factor	0.971	0.970	0.971
Flow Entry, veh/h	604	369	664
Cap Entry, veh/h	993	785	1284
V/C Ratio	0.608	0.471	0.517
Control Delay, s/veh	12.1	11.0	8.4
LOS	B	B	A
95th %tile Queue, veh	4	3	3

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	225	98	32
Future Vol, veh/h	90	7	3	225	98	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	281	129	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	418	129	171	0	-	0
Stage 1	129	-	-	-	-	-
Stage 2	289	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	591	921	1406	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	760	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	589	921	1406	-	-	-
Mov Cap-2 Maneuver	589	-	-	-	-	-
Stage 1	894	-	-	-	-	-
Stage 2	760	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.5	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1406	-	605	-	-
HCM Lane V/C Ratio	0.003	-	0.206	-	-
HCM Control Delay (s)	7.6	0	12.5	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	4	173	219	54	64	5
Future Vol, veh/h	4	173	219	54	64	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	5	222	270	67	116	9

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	337	0	-	0	536	304
Stage 1	-	-	-	-	304	-
Stage 2	-	-	-	-	232	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1217	-	-	-	504	733
Stage 1	-	-	-	-	746	-
Stage 2	-	-	-	-	804	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1217	-	-	-	501	733
Mov Cap-2 Maneuver	-	-	-	-	501	-
Stage 1	-	-	-	-	742	-
Stage 2	-	-	-	-	804	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	14.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1217	-	-	-	513
HCM Lane V/C Ratio	0.004	-	-	-	0.245
HCM Control Delay (s)	8	0	-	-	14.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	1

Intersection	
Int Delay, s/veh	5.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	125	105	11	42	58
Future Vol, veh/h	31	125	105	11	42	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	80	76	76
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	44	179	131	14	55	76

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	317	131	0	0	145	0
Stage 1	131	-	-	-	-	-
Stage 2	186	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	676	919	-	-	1437	-
Stage 1	895	-	-	-	-	-
Stage 2	846	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	650	919	-	-	1437	-
Mov Cap-2 Maneuver	650	-	-	-	-	-
Stage 1	861	-	-	-	-	-
Stage 2	846	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.7	0	3.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	849	1437	-
HCM Lane V/C Ratio	-	-	0.262	0.038	-
HCM Control Delay (s)	-	-	10.7	7.6	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

Intersection	
Intersection Delay, s/veh	10.0
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	478	310	764
Demand Flow Rate, veh/h	492	319	787
Vehicles Circulating, veh/h	235	539	101
Vehicles Exiting, veh/h	623	349	626
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.5	9.7	11.1
Approach LOS	A	A	B

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	492	319	787
Cap Entry Lane, veh/h	1086	796	1245
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	478	310	764
Cap Entry, veh/h	1055	774	1208
V/C Ratio	0.453	0.401	0.632
Control Delay, s/veh	8.5	9.7	11.1
LOS	A	A	B
95th %tile Queue, veh	2	2	5

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	134	210	97
Future Vol, veh/h	86	12	17	134	210	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	158	236	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	434	236	345	0	-	0
Stage 1	236	-	-	-	-	-
Stage 2	198	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	579	803	1214	-	-	-
Stage 1	803	-	-	-	-	-
Stage 2	835	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	569	803	1214	-	-	-
Mov Cap-2 Maneuver	569	-	-	-	-	-
Stage 1	789	-	-	-	-	-
Stage 2	835	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.8	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1214	-	590	-	-
HCM Lane V/C Ratio	0.016	-	0.221	-	-
HCM Control Delay (s)	8	0	12.8	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.8	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	5	129	136	60	50	13
Future Vol, veh/h	5	129	136	60	50	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	6	165	177	78	60	15

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	255	0	-	0	393	216
Stage 1	-	-	-	-	216	-
Stage 2	-	-	-	-	177	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1304	-	-	-	610	821
Stage 1	-	-	-	-	818	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1304	-	-	-	607	821
Mov Cap-2 Maneuver	-	-	-	-	607	-
Stage 1	-	-	-	-	814	-
Stage 2	-	-	-	-	851	-

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	11.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1304	-	-	-	642
HCM Lane V/C Ratio	0.005	-	-	-	0.117
HCM Control Delay (s)	7.8	0	-	-	11.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Int Delay, s/veh	5.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	21	84	67	35	136	89
Future Vol, veh/h	21	84	67	35	136	89
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	85	85	89	89
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	30	120	79	41	153	100

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	485	79	0	0	120	0
Stage 1	79	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	541	981	-	-	1468	-
Stage 1	944	-	-	-	-	-
Stage 2	673	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	485	981	-	-	1468	-
Mov Cap-2 Maneuver	485	-	-	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	673	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.4	0	4.7
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	814	1468	-
HCM Lane V/C Ratio	-	-	0.184	0.104	-
HCM Control Delay (s)	-	-	10.4	7.7	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.7	0.3	-

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

May 23, 2023

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

Traffic Impact Study

JM Turk Road Residential Subdivision
Hall County, Georgia

study prepared for:

Mr. Bret Clark

May 23, 2023

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Introduction

This study assesses the traffic impact of a proposed residential subdivision in Hall County, Georgia. The site is located along the east side of JM Turk Road at Stanley Road, as shown in Figure 1. The development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.

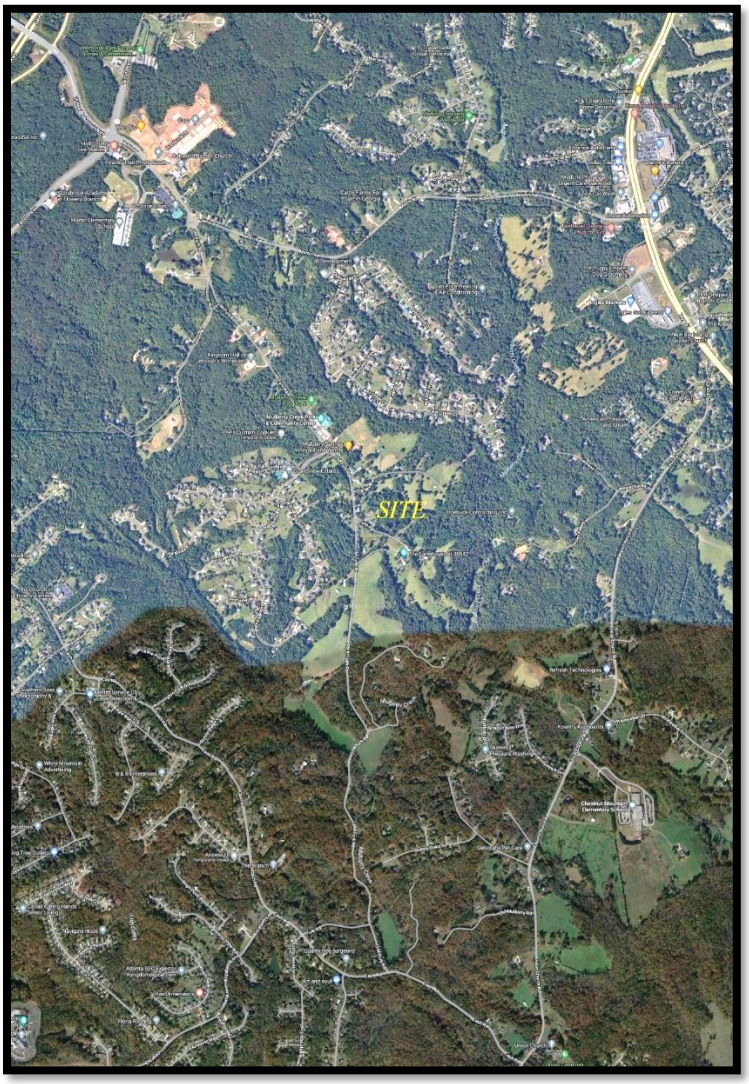

Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed subdivision were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

JM Turk Road is a two lane north-south road classified by the Georgia DOT as an urban major collector. The road begins at a roundabout at Martin Road, passes the subject site, and terminates at a side street stop sign controlled T-intersection at Cash Road. The road is winding, the terrain is gently rolling, and the posted speed limit is 45 mph. The cross section is rural with no shoulders, curb-and-gutter, or sidewalks. The road primarily serves accesses to homes and undeveloped land, with a community center and a winery a short distance north of the subject development site. A 24-hour bi-directional traffic volume count collected for this study on JM Turk Road at the project frontage revealed a northbound volume of 692 vehicles, a southbound volume of 724 vehicles, for a two-way volume of 1,416 vehicles.

Pedestrian, Bicycle, and Transit Accessibility

There are no sidewalks or dedicated bicycle lanes along the adjacent roadway and there is no regularly scheduled mass transit in the area.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Martin Road at JM Turk Road
2. JM Turk Road at Grandview Parkway
3. Cash Road at JM Turk Road

In addition to the intersection counts, a 24-hour bi-directional count was collected on JM Turk Road adjacent to the site.

The counts were collected on Tuesday, May 16, 2023, from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. The locations of the traffic counts are presented in Figure 2.

From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 3. The raw count data is found in Appendix A.

Figure 2 – Traffic Volume Count Locations

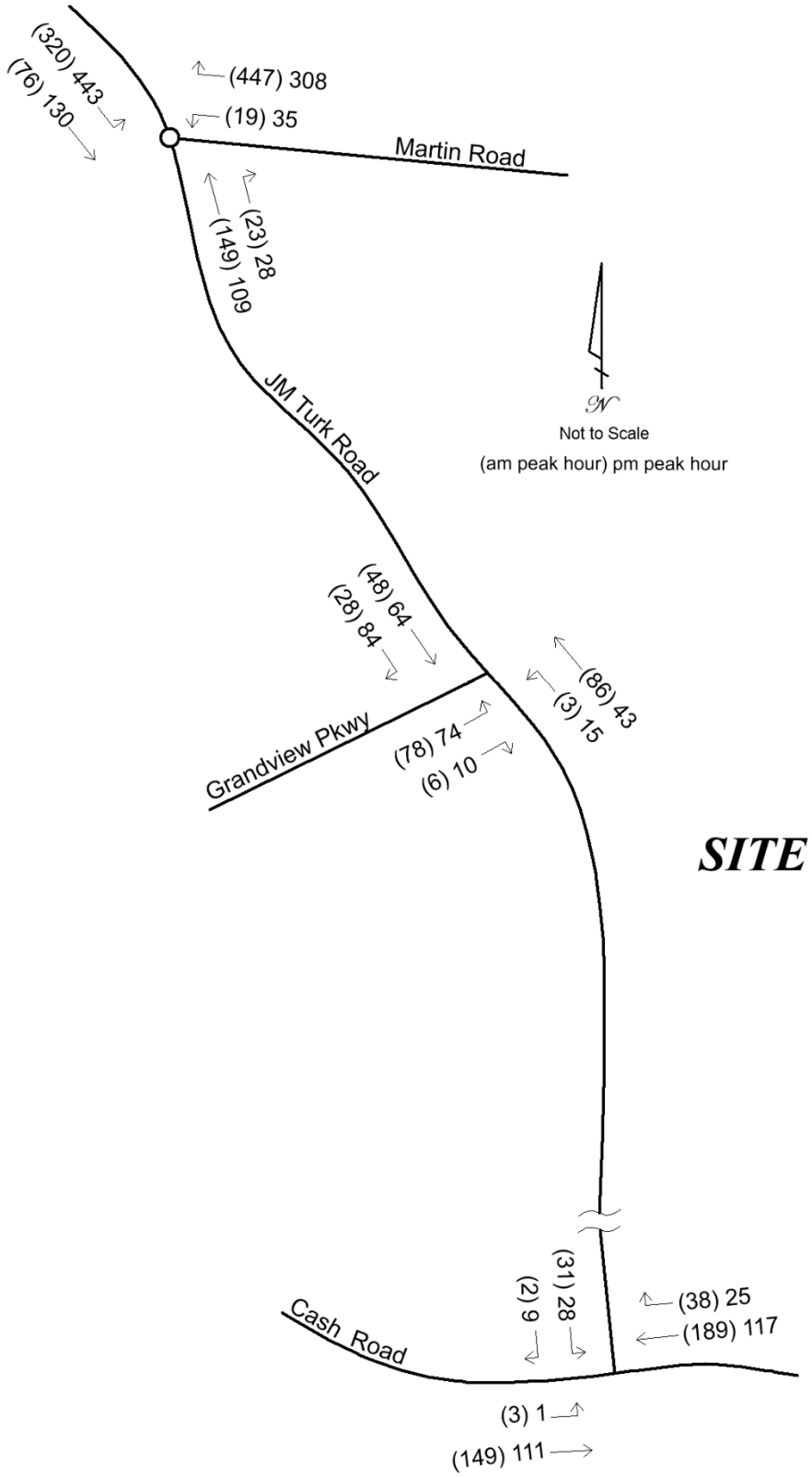

Figure 3 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual* (*HCM 6*). This methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	7.3	A	6.8
northbound approach	A	6.7	A	6.5
southbound approach	A	6.7	A	7.4
westbound approach	A	8.1	A	6.1
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.5	A	3.6
northbound left turn	A	7.4	A	7.6
eastbound approach	B	10.1	A	10.0
3. Cash Road at JM Turk Road (side street stop sign)	A	1.4	A	1.3
southbound approach	B	12.1	B	10.3
eastbound left turn	A	7.8	A	7.6

The existing analysis reveals acceptable operating conditions at the three study intersections. No mitigation is identified for the existing condition.

No-Build Traffic Conditions

A 2028 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of the build-out of the subdivision, but not including the subdivision's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the subdivision is under construction.

In order to develop no-build volumes, background growth factors were developed using historic Georgia DOT 24-hour traffic counts that were collected in this area for the years 2017 through 2021 (the latest year for which data was available at the time of this study), as shown in Table 2.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Cash W of JM Turk	Annual Growth	Union Church S of Winder Hwy	Annual Growth	Winder Hwy S of Martin	Annual Growth
Station ID	139-0779		139-7386		139-0287	
2017	2,420		3,420		25,200	
2018	2,810	16.1%	3,470	1.5%	25,000	-0.8%
2019	2,870	2.1%	4,410	27.1%	31,600	26.4%
2020	2,660	-7.3%	4,100	-7.0%	28,600	-9.5%
2021	2,830	6.4%	4,360	6.3%	30,100	5.2%
avg growth		*3.2%*		*5.0%*		*3.6%*

Growth in the area has been moderately positive. Each intersection experienced a decrease in volumes from 2019 to 2020. This is attributable to the COVID-19 pandemic. The latest year saw solid positive growth. However, most of that is attributable to a return to pre-pandemic levels. Based on the growth trends identified in Table 2, and taking the pandemic into consideration, a modest 3.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for five years, for a total of 15.9% growth that will occur while the proposed subdivision is under construction. The existing traffic volumes were increased by the 15.9% growth factor. The results are the 2028 no-build traffic volumes that will be on the roadway network in the future when the proposed subdivision is completely developed, but excluding the subdivision's trips.

Programmed Transportation Infrastructure Improvements

The Gainesville-Hall Regional Transportation Plan 2020 and the Georgia DOT projects website were reviewed for programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development. No projects were identified.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above. These were entered into the Synchro model and the 2028 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	A	8.6	A	7.9
northbound approach	A	7.9	A	7.6
southbound approach	A	7.7	A	8.6
westbound approach	A	9.8	A	6.9
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	3.6	A	3.7
northbound left turn	A	7.5	A	7.6
eastbound approach	B	10.4	B	10.3
3. Cash Road at JM Turk Road (side street stop sign)	A	1.5	A	1.3
southbound approach	B	13.0	B	10.8
eastbound left turn	A	7.9	A	7.7

The no-build analysis shows a slight deterioration in operations due to anticipated growth in this area. However, operations and delays will continue to be acceptable and no mitigation is necessary for the no-build condition.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed subdivision, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The proposed development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The site plan is presented in Figure 4.

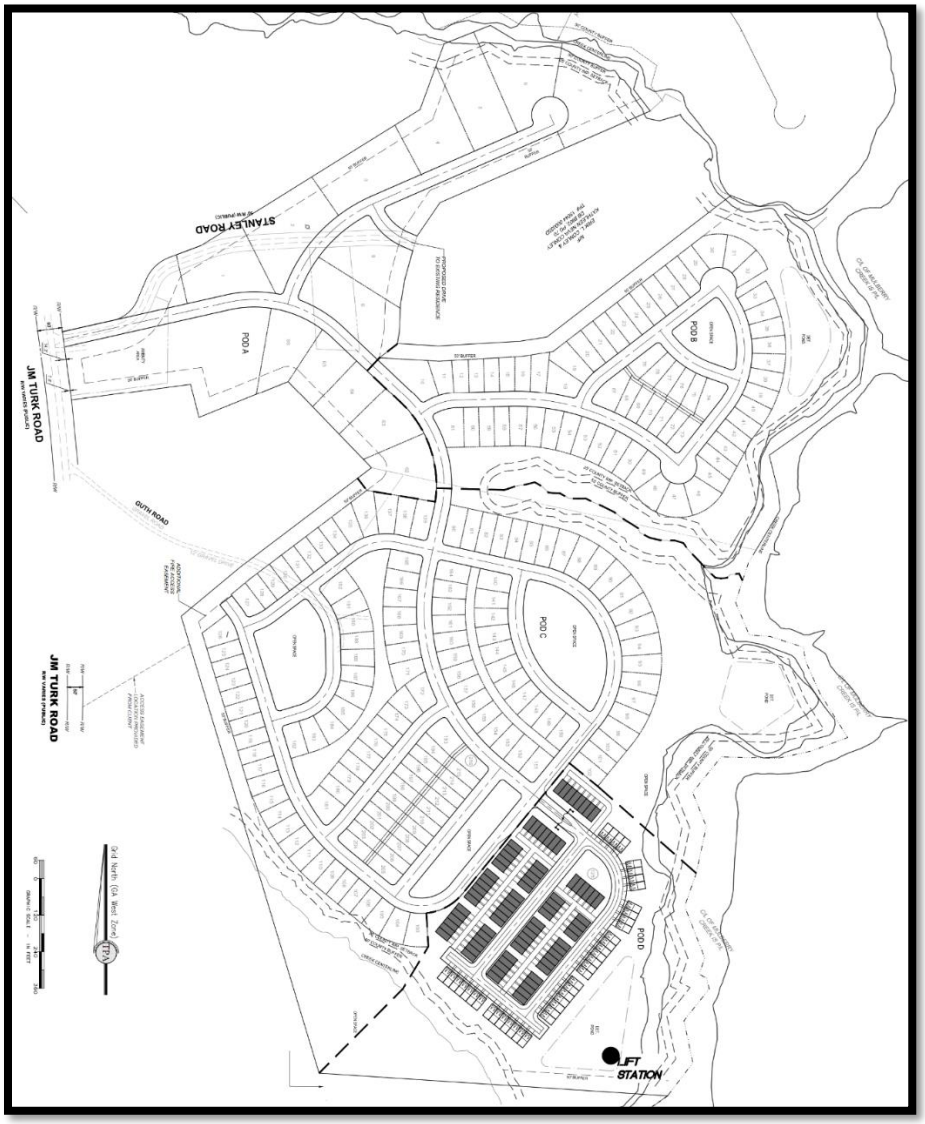

Figure 4 – Site Plan for Proposed Subdivision

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the detached houses and ITE Land Use 215 – Single Family Attached Housing was chosen for the townhomes. The trip generation is summarized in Table 4.

Table 4 – Proposed Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
Detached Houses	210	216 homes	38	112	150	129	76	205	1,025	1,025	2,050
Townhomes	215	125 homes	15	44	59	42	29	71	451	451	902
Total		*341 homes*	*53*	*156*	*209*	*171*	*105*	*276*	*1,476*	*1,476*	*2,952*

The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area, notably Interstate 985, Spout Springs Road, and SR 53. The new project trips, shown in Table 4, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 5.

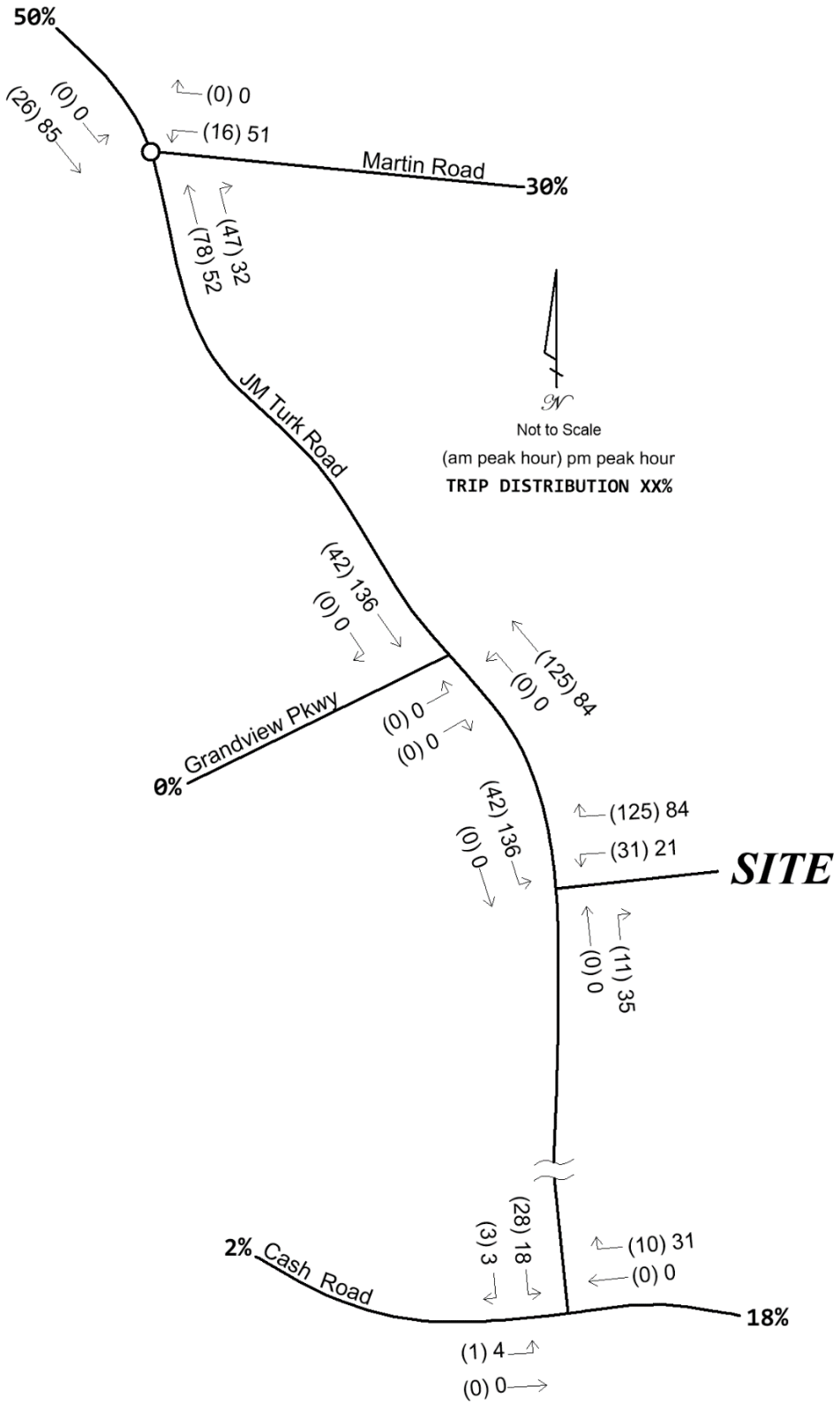

Figure 5 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed subdivision. The future volumes are shown in Figure 6.

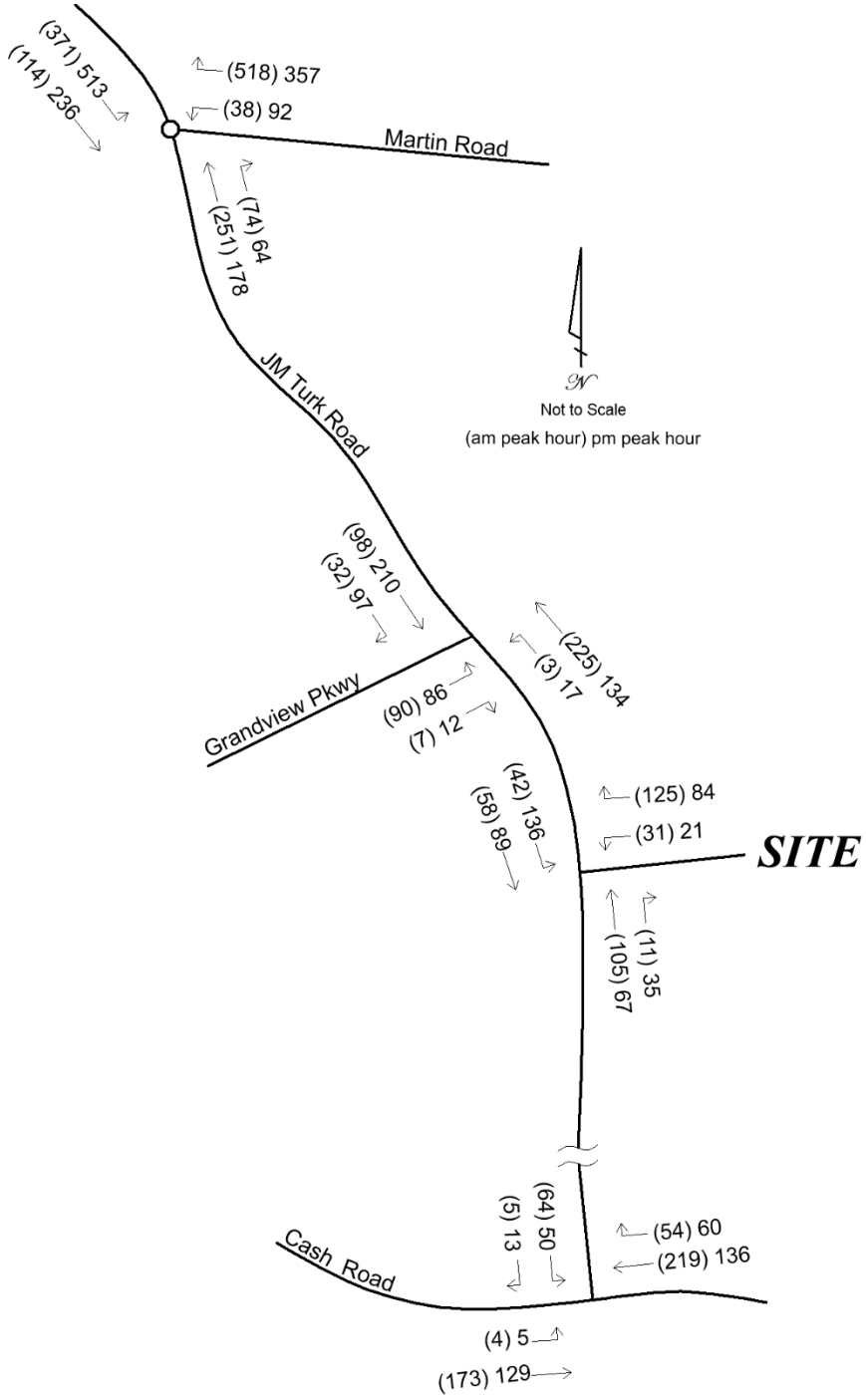

Figure 6 – Future Weekday A.M. and P.M. Peak Hour Volumes

Auxiliary Lane Requirements at Project Access

The Hall County Code was reviewed to determine auxiliary turn lane requirements at the project access on JM Turk Road. Code Section 16.60.290. – Deceleration lanes and left-turn lanes states:

A. Subdivisions with greater than 24 lots will be required to have a deceleration lane constructed in accordance with current Hall County Engineering and Traffic Engineering specifications. The Hall County Traffic Engineer may waive or require the installation of a deceleration lane for subdivisions regardless of lot number based upon traffic and safety considerations.

B. Left-turn lanes will be constructed in accordance with current Hall County Engineering and Traffic Engineering when warranted by the following table:

Table 5 – Hall County Turn Lane Thresholds

Average Daily Traffic (ADT)	Number of Lots (equal to or greater than the following)
>6,000	100
4,001—6,000	125
2,001—4,000	150
1,000—2,000	175
<1,000	200

C. The Hall County Traffic Engineer may waive or require the installation of a left-turn lane, regardless of average daily traffic (ADT) or number of lots, based upon traffic and safety considerations.

D. For those developments that a turn lane is required and the development is proposed in phases, construction of the turn lane is required prior to platting 100 lots or more.

E. Additional right-of-way and/or easements necessary for the installation of decel and/or left-turn lanes will be acquired by and will be the financial responsibility of the developer.

F. A signed and recorded frontage and/or radius encroachment agreement with applicable property owners will be required if any portion of the access extends beyond the development's road frontage.

Based on 341 proposed homes, a northbound right turn lane is required on JM Turk Road at the project access and this study agrees with that requirement.

The counted 24-hour volume on JM Turk Road is 1,416 vehicles, so the number of lots above which a left turn lane is required is 175 lots. The proposed subdivision will include 341 homes with one access. Therefore, a southbound left turn lane will be required at the project access and this study agrees with that requirement.

One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out at the study intersections and the project access. Table 6 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 6 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Martin Road at JM Turk Road (roundabout)	B	10.3	A	10.0
northbound approach	B	11.0	A	9.7
southbound approach	A	8.4	B	11.1
westbound approach	B	12.1	A	8.5
2. JM Turk Road at Grandview Parkway (side street stop sign)	A	2.7	A	2.8
northbound left turn	A	7.6	A	8.0
eastbound approach	B	12.5	B	12.8
3. Cash Road at JM Turk Road (side street stop sign)	A	2.7	A	1.8
southbound approach	B	14.3	B	11.3
eastbound left turn	A	8.0	A	7.8
4. JM Turk Road at Project Access (side street stop sign)	A	5.6	A	5.3
southbound left turn (entering project)	A	7.6	A	7.7
westbound approach (exiting project)	B	10.7	B	10.4

The future analysis with the addition of the proposed subdivision's trips reveals continued acceptable traffic operations and delays at the three study intersections, as well as the project access.

The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Hall County. The site is located along the east side of JM Turk Road at Stanley Road and the development will consist of 216 detached single family homes and 125 attached townhomes for a total of 341 homes. The project will be served by one vehicular access on JM Turk Road at the current location of its intersection with Stanley Road. A second access will be provided which will be gated for emergency use only. The following are the findings and recommendations of this study:

1. Existing traffic operations and delays are acceptable at the three study intersections. No mitigation is identified for the existing condition.

2. Traffic volume growth in this area has been positive and modest and this is expected to continue into the future.

3. No programmed or planned roadway improvement projects were identified in this vicinity.

4. With the growth in background traffic volumes, delays will increase moderately in the no-build condition. However, all delays will continue to be acceptable and no mitigation is identified for the no-build condition.

5. The proposed subdivision will generate 209 trips in the morning peak hour, 276 trips in the evening peak hour, and 2,952 daily trips.

6. The future analysis with the addition of the proposed subdivision's trips reveals modest increases in delays at the study intersections. The three study intersections will continue to operate acceptably. Therefore, no off-site mitigation is identified for the future build condition as a result of the proposed subdivision.

7. A northbound right turn lane and a southbound left turn lane are required on JM Turk Road at the project access and this study agrees with those requirements.

8. One entering lane and one exiting lane should be provided in the project access. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

9. The project civil/site engineer should comply with all applicable design standards including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data and Volume Worksheets

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 1. Martin Road at JM Turk Road

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**149**	**23**	**172**	**320**	**76**	**396**		**19**	**447**	**466**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**173**	**27**	**199**	**371**	**88**	**459**		**22**	**518**	**540**
Proposed JM Turk Road Subdivision Trips	**78**	**47**	**125**	**0**	**26**	**26**		**16**	**0**	**16**
Build Volumes	**251**	**74**	**324**	**371**	**114**	**485**		**38**	**518**	**556**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound Martin Road				Westbound Martin Road		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**109**	**28**	**137**	**443**	**130**	**573**		**35**	**308**	**343**
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%			15.9%	15.9%	
2028 No-Build Volumes	**126**	**32**	**159**	**513**	**151**	**664**		**41**	**357**	**398**
Proposed JM Turk Road Subdivision Trips	**52**	**32**	**84**	**0**	**85**	**85**		**51**	**0**	**51**
Build Volumes	**178**	**64**	**243**	**513**	**236**	**749**		**92**	**357**	**449**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 2. JM Turk Road at Grandview Parkway

Weekday A.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)	**3**	**86**	**89**	**48**	**28**	**76**	**78**	**6**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**3**	**100**	**103**	**56**	**32**	**88**	**90**	**7**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**125**	**125**	**42**	**0**	**42**	**0**	**0**	**0**	
Build Volumes	**3**	**225**	**228**	**98**	**32**	**130**	**90**	**7**	**97**	

Weekday P.M. Peak Hour	**Northbound JM Turk Road**			**Southbound JM Turk Road**			**Eastbound Grandview Parkway**			
	L	**T**	**Tot**	**T**	**R**	**Tot**	**L**	**R**	**Tot**	
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**15**	**43**	**58**	**64**	**84**	**148**	**74**	**10**	**84**	
Total Annual Background Growth	15.9%	15.9%		15.9%	15.9%		15.9%	15.9%		
2028 No-Build Volumes	**17**	**50**	**67**	**74**	**97**	**172**	**86**	**12**	**97**	
Proposed JM Turk Road Subdivision Trips	**0**	**84**	**84**	**136**	**0**	**136**	**0**	**0**	**0**	
Build Volumes	**17**	**134**	**151**	**210**	**97**	**308**	**86**	**12**	**97**	

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 3. Cash Road at JM Turk Road

Weekday A.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 7:15-8:15)		**31**	**2**	**33**	**3**	**149**	**152**	**189**	**38**	**227**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**36**	**2**	**38**	**3**	**173**	**176**	**219**	**44**	**263**
Proposed JM Turk Road Subdivision Trips		**28**	**3**	**31**	**1**	**0**	**1**	**0**	**10**	**10**
Build Volumes		**64**	**5**	**69**	**4**	**173**	**177**	**219**	**54**	**273**

Weekday P.M. Peak Hour		**Southbound JM Turk Road**			**Eastbound Cash Road**			**Westbound Cash Road**		
		L	**R**	**Tot**	**L**	**T**	**Tot**	**T**	**R**	**Tot**
Counted Volumes (Tuesday, May 16, 2023 5:00-6:00)		**28**	**9**	**37**	**1**	**111**	**112**	**117**	**25**	**142**
Total Annual Background Growth		15.9%	15.9%		15.9%	15.9%		15.9%	15.9%	
2028 No-Build Volumes		**32**	**10**	**43**	**1**	**129**	**130**	**136**	**29**	**165**
Proposed JM Turk Road Subdivision Trips		**18**	**3**	**21**	**4**	**0**	**4**	**0**	**31**	**31**
Build Volumes		**50**	**13**	**64**	**5**	**129**	**134**	**136**	**60**	**196**

JM Turk Road Subdivision Traffic Impact Study
Hall County, Georgia

May 2023

Intersection: 4. JM Turk Road at Project Access

Weekday A.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 7:00-8:00)	**91**		**91**		**50**	**50**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**105**		**105**		**58**	**58**				
Proposed JM Turk Road Subdivision Trips	**0**	**11**	**11**	**42**	**0**	**42**		**31**	**125**	**156**
Build Volumes	**105**	**11**	**116**	**42**	**58**	**100**		**31**	**125**	**156**

Weekday P.M. Peak Hour	Northbound JM Turk Road			Southbound JM Turk Road				Westbound Project Access		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Tuesday, May 16, 2023 4:45-5:45)	**58**		**58**		**77**	**77**				
Total Annual Background Growth	15.9%				15.9%					
2028 No-Build Volumes	**67**		**67**		**89**	**89**				
Proposed JM Turk Road Subdivision Trips	**0**	**35**	**35**	**136**	**0**	**136**		**21**	**84**	**105**
Build Volumes	**67**	**35**	**102**	**136**	**89**	**225**		**21**	**84**	**105**

JM Turk Road at project access location **Tuesday, May 16, 2023**
Peak Hour Calculation

	NB		SB		2-Way	
Begin Time	**15 min**	**Hourly**	**15 min**	**Hourly**	**15 min**	**Hourly**
7:00 AM	21		10		31	
7:15 AM	21		13		34	
7:30 AM	20		16		36	
7:45 AM	***29***	***91***	***11***	***50***	***40***	***141***
8:00 AM	14	84	15	55	29	139
8:15 AM	24	87	5	47	29	134
8:30 AM	8	75	6	37	14	112
8:45 AM	13	59	8	34	21	93
4:00 PM	13		25		38	
4:15 PM	12		22		34	
4:30 PM	14		13		27	
4:45 PM	11	50	19	79	30	129
5:00 PM	9	46	20	74	29	120
5:15 PM	18	52	19	71	37	123
5:30 PM	***20***	***58***	***19***	***77***	***39***	***135***
5:45 PM	8	55	16	74	24	129
6:00 PM	7	53	22	76	29	129
6:15 PM	14	49	17	74	31	123
24-Hour	**692**		**724**		**1416**	

Reliable Traffic Data Services

Tel: (770) 578-8158 I Fax: (770) 578-8159
Info@reliabletraffic.org I www.reliabletraffic.org

TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	33	2	0	35	58	7	0	0	65	0	0	0	0	0	5	0	94	0	99	199
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	110	25	0	0	135	0	0	0	0	0	4	0	109	0	113	287
07:45 AM	0	40	9	0	49	59	17	0	0	76	0	0	0	0	0	7	0	120	0	127	252
Total	0	148	18	0	166	322	66	0	0	388	0	0	0	0	0	22	0	416	0	438	992
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	125	0	127	241
08:15 AM	0	28	6	0	34	54	15	0	0	69	0	0	0	0	0	3	0	75	0	78	181
08:30 AM	0	15	7	0	22	61	17	0	0	78	0	0	0	0	0	6	0	77	0	83	183
08:45 AM	0	18	2	0	20	35	27	0	0	62	0	0	0	0	0	7	0	72	0	79	161
Total	0	95	22	0	117	206	76	0	0	282	0	0	0	0	0	18	0	349	0	367	766
*** BREAK ***																					
04:00 PM	0	16	5	0	21	116	33	0	0	149	0	0	0	0	0	6	0	55	0	61	231
04:15 PM	0	13	5	0	18	125	35	0	0	160	0	0	0	0	0	3	0	82	0	85	263
04:30 PM	0	16	2	0	18	114	29	0	0	143	0	0	0	0	0	13	0	72	0	85	246
04:45 PM	0	20	8	0	28	115	28	0	0	143	0	0	0	0	0	10	0	77	0	87	258
Total	0	65	20	0	85	470	125	0	0	595	0	0	0	0	0	32	0	286	0	318	998
05:00 PM	0	27	6	0	33	112	34	0	0	146	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	36	8	0	44	101	37	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	83	0	91	269
05:45 PM	0	16	2	0	18	107	34	0	0	141	0	0	0	0	0	6	0	75	0	81	240
Total	0	105	22	0	127	435	136	0	0	571	0	0	0	0	0	31	0	306	0	337	1035
Grand Total	0	413	82	0	495	1433	403	0	0	1836	0	0	0	0	0	103	0	1357	0	1460	3791
Apprch %	0	83.4	16.6	0		78.1	21.9	0	0		0	0	0	0		7.1	0	92.9	0		
Total %	0	10.9	2.2	0	13.1	37.8	10.6	0	0	48.4	0	0	0	0	0	2.7	0	35.8	0	38.5	

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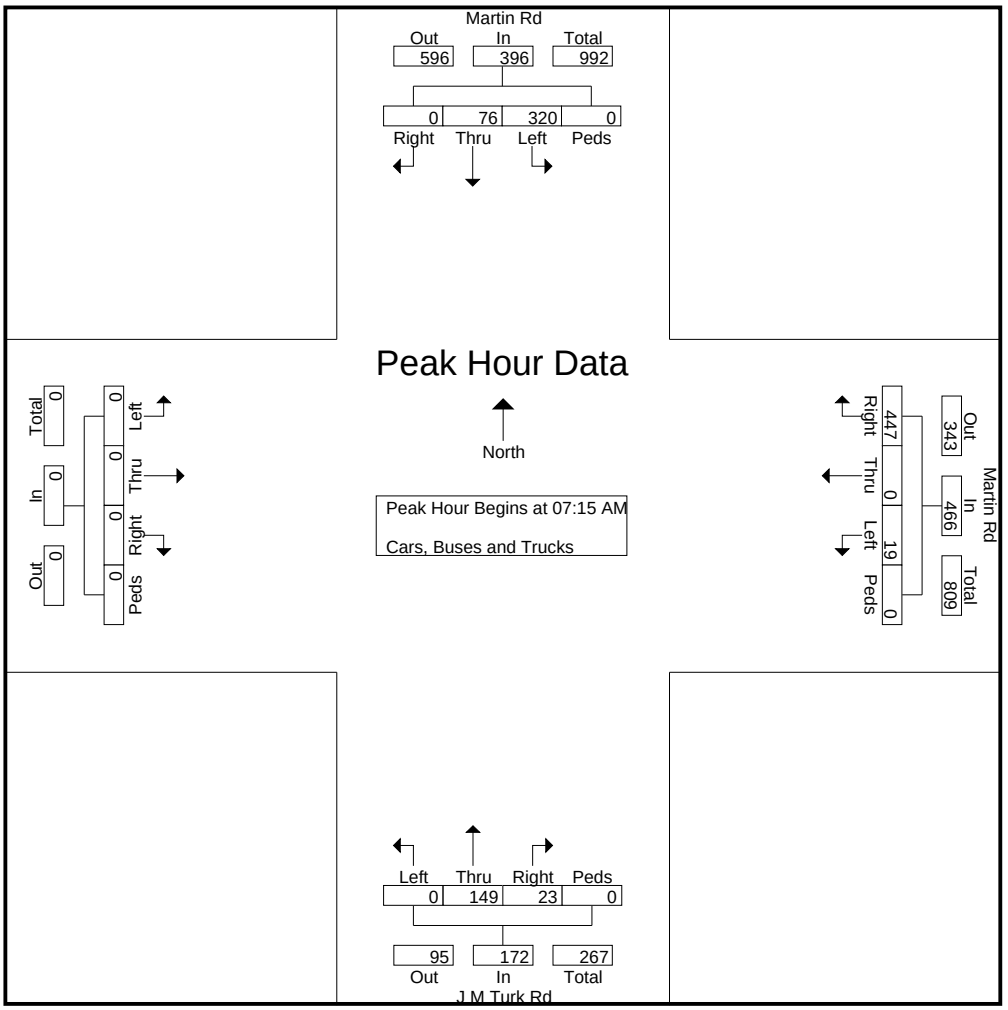
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	38	5	0	43	95	17	0	0	112	0	0	0	0	0	6	0	93	0	99	254
07:30 AM	0	37	2	0	39	**110**	**25**	0	0	**135**	0	0	0	0	0	4	0	109	0	113	**287**
07:45 AM	0	**40**	**9**	0	**49**	59	17	0	0	76	0	0	0	0	0	**7**	0	120	0	**127**	252
08:00 AM	0	34	7	0	41	56	17	0	0	73	0	0	0	0	0	2	0	**125**	0	127	241
Total Volume	0	149	23	0	172	320	76	0	0	396	0	0	0	0	0	19	0	447	0	466	1034
% App. Total		86.6	13.4			80.8	19.2											95.9			
PHF	.000	.931	.639	.000	.878	.727	.760	.000	.000	.733	.000	.000	.000	.000	.000	.679	.000	.894	.000	.917	.901



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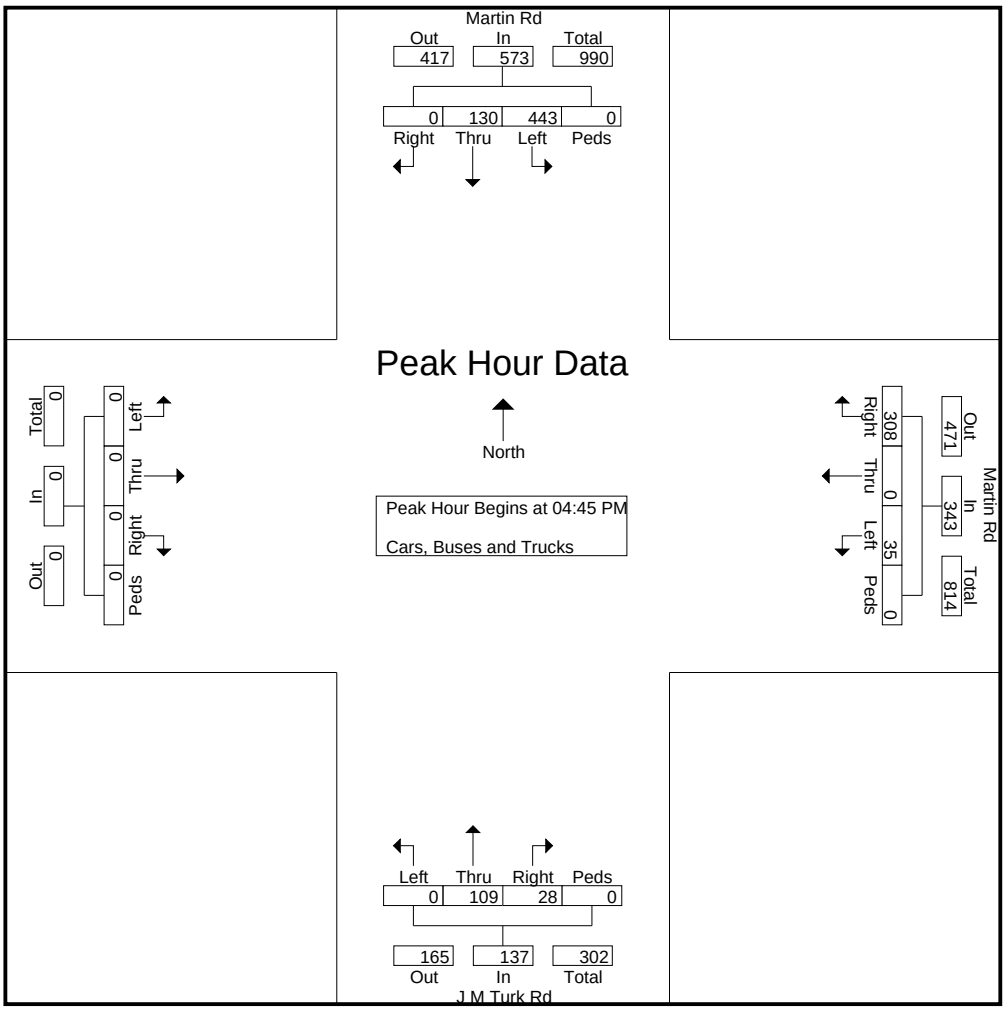
TMC Data
Martin Rd @ J M Turk Rd (Roundabout)
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830001
Site Code : 47830001
Start Date : 5/16/2023
Page No : 3

	J M Turk Rd Northbound					Martin Rd Southbound					Eastbound					Martin Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	0	20	**8**	0	28	**115**	28	0	0	143	0	0	0	0	0	**10**	0	77	0	87	258
05:00 PM	0	27	6	0	33	112	34	0	0	**146**	0	0	0	0	0	9	0	75	0	84	263
05:15 PM	0	**36**	8	0	**44**	101	**37**	0	0	138	0	0	0	0	0	8	0	73	0	81	263
05:30 PM	0	26	6	0	32	115	31	0	0	146	0	0	0	0	0	8	0	**83**	0	**91**	**269**
Total Volume	0	109	28	0	137	443	130	0	0	573	0	0	0	0	0	35	0	308	0	343	1053
% App. Total		79.6	20.4			77.3	22.7									10.2		89.8			
PHF	.000	.757	.875	.000	.778	.963	.878	.000	.000	.981	.000	.000	.000	.000	.000	.875	.000	.928	.000	.942	.979



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TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	18	0	0	18	0	6	3	0	9	17	0	5	0	22	0	0	0	0	0	49
07:15 AM	2	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	15	10	0	25	23	0	4	0	27	0	0	0	0	0	74
07:45 AM	0	28	0	0	28	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
Total	3	88	0	0	91	0	40	25	0	65	75	0	10	0	85	0	0	0	0	0	241
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
08:15 AM	4	21	0	0	25	0	3	7	0	10	11	0	2	0	13	0	0	0	0	0	48
08:30 AM	0	8	0	0	8	0	5	9	0	14	8	0	2	0	10	0	0	0	0	0	32
08:45 AM	1	13	0	0	14	0	6	5	0	11	7	0	1	0	8	0	0	1	0	1	34
Total	5	58	0	0	63	0	28	27	0	55	46	0	6	0	52	0	0	1	0	1	171
*** BREAK ***																					
04:00 PM	2	12	0	0	14	0	22	17	0	39	9	0	2	0	11	0	0	0	0	0	64
04:15 PM	2	7	0	0	9	0	18	17	0	35	8	0	4	0	12	1	0	0	0	1	57
04:30 PM	6	9	0	0	15	0	14	18	0	32	9	0	1	0	10	0	0	0	0	0	57
04:45 PM	1	10	0	0	11	0	13	27	0	40	14	0	2	0	16	0	0	0	0	0	67
Total	11	38	0	0	49	0	67	79	0	146	40	0	9	0	49	1	0	0	0	1	245
05:00 PM	5	8	0	0	13	0	21	21	0	42	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	14	0	0	17	0	17	20	0	37	26	0	2	0	28	0	0	0	0	0	82
05:30 PM	6	11	0	0	17	1	13	16	0	30	15	0	4	0	19	0	0	0	0	0	66
05:45 PM	0	6	0	0	6	0	12	15	0	27	14	0	4	0	18	0	0	0	0	0	51
Total	14	39	0	0	53	1	63	72	0	136	74	0	12	0	86	0	0	0	0	0	275
Grand Total	33	223	0	0	256	1	198	203	0	402	235	0	37	0	272	1	0	1	0	2	932
Apprch %	12.9	87.1	0	0		0.2	49.3	50.5	0		86.4	0	13.6	0		50	0	50	0		
Total %	3.5	23.9	0	0	27.5	0.1	21.2	21.8	0	43.1	25.2	0	4	0	29.2	0.1	0	0.1	0	0.2	

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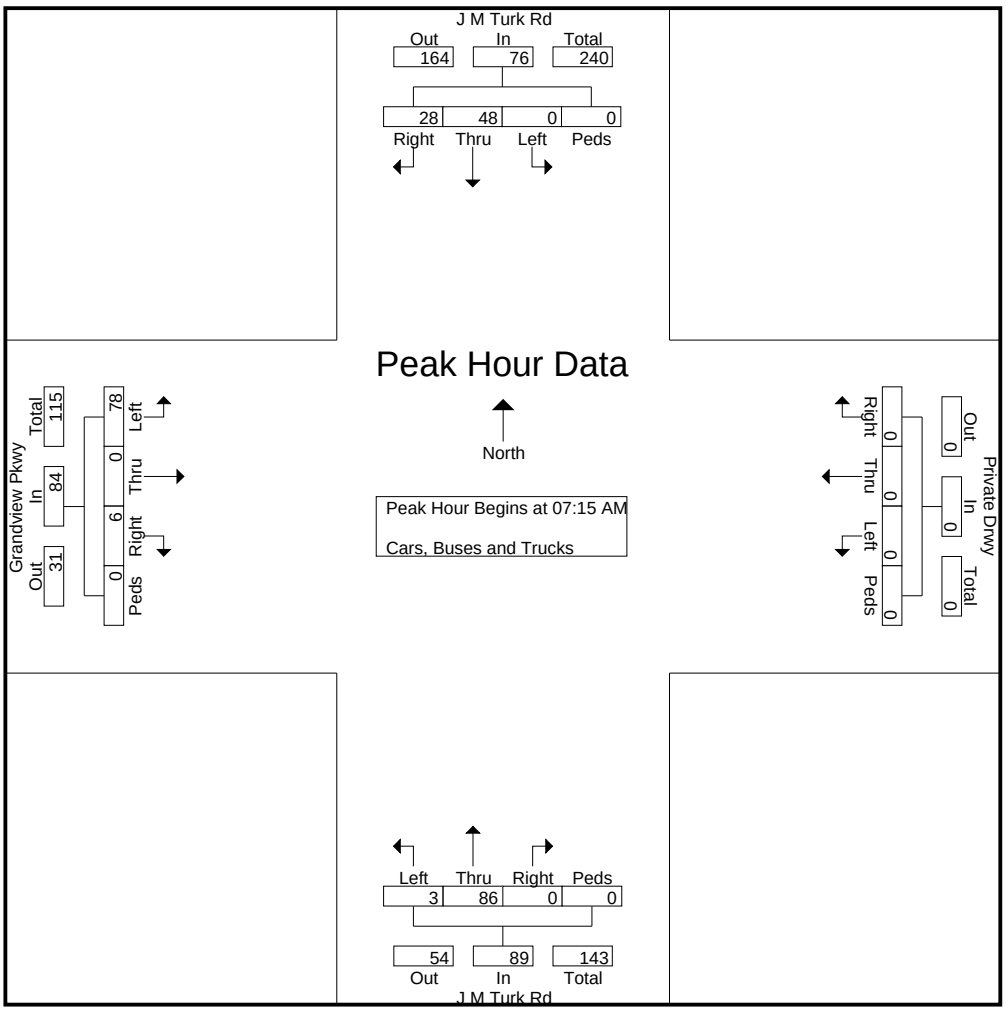
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	**2**	21	0	0	23	0	11	4	0	15	16	0	0	0	16	0	0	0	0	0	54
07:30 AM	1	21	0	0	22	0	**15**	**10**	0	**25**	**23**	0	**4**	0	**27**	0	0	0	0	0	**74**
07:45 AM	0	**28**	0	0	**28**	0	8	8	0	16	19	0	1	0	20	0	0	0	0	0	64
08:00 AM	0	16	0	0	16	0	14	6	0	20	20	0	1	0	21	0	0	0	0	0	57
Total Volume	3	86	0	0	89	0	48	28	0	76	78	0	6	0	84	0	0	0	0	0	249
% App. Total		96.6					63.2	36.8			92.9										
PHF	.375	.768	.000	.000	.795	.000	.800	.700	.000	.760	.848	.000	.375	.000	.778	.000	.000	.000	.000	.000	.841



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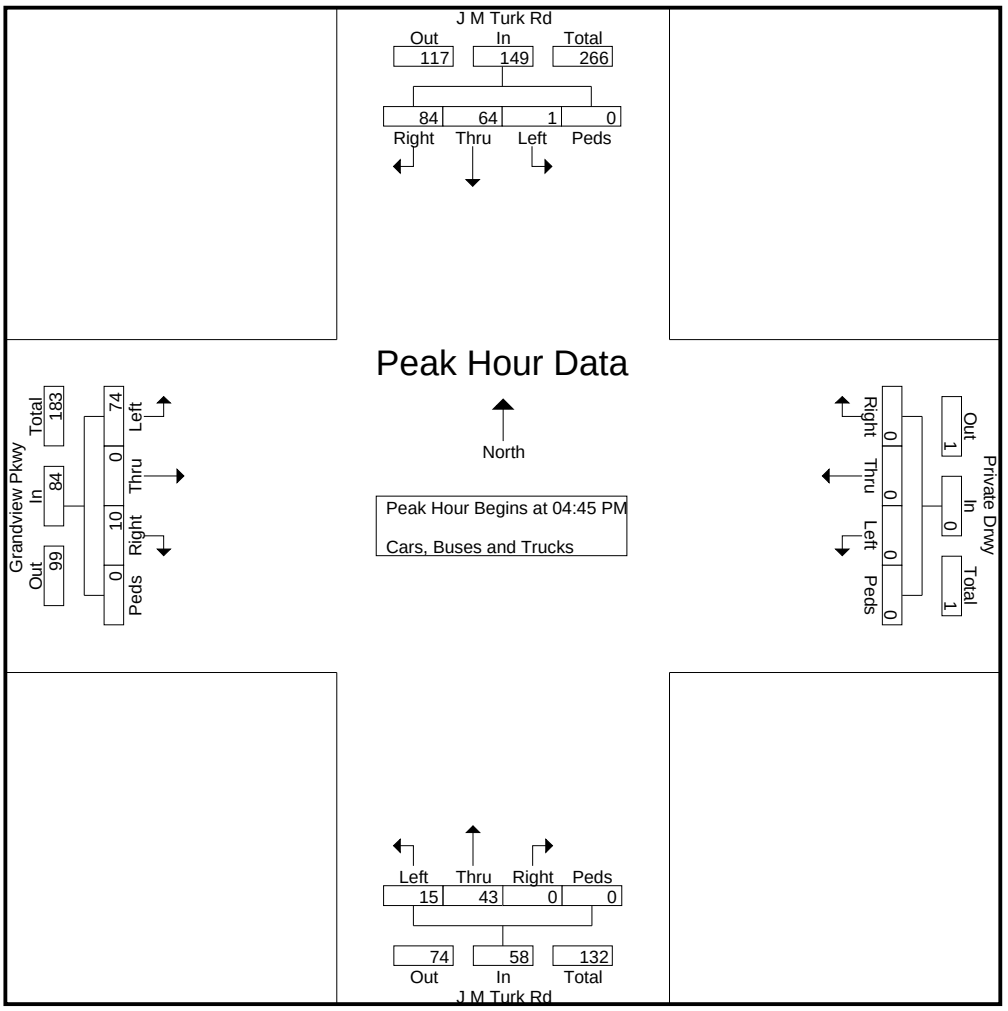
TMC Data
J M Turk Rd @ Grandview Pkwy
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830002
Site Code : 47830002
Start Date : 5/16/2023

	J M Turk Rd Northbound					J M Turk Rd Southbound					Grandview Pkwy Eastbound					Private Drwy Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	10	0	0	11	0	13	**27**	0	40	14	0	2	0	16	0	0	0	0	0	67
05:00 PM	5	8	0	0	13	0	**21**	21	0	**42**	19	0	2	0	21	0	0	0	0	0	76
05:15 PM	3	**14**	0	0	**17**	0	17	20	0	37	**26**	0	2	0	**28**	0	0	0	0	0	**82**
05:30 PM	**6**	11	0	0	17	**1**	13	16	0	30	15	0	**4**	0	19	0	0	0	0	0	66
Total Volume	15	43	0	0	58	1	64	84	0	149	74	0	10	0	84	0	0	0	0	0	291
% App. Total	25.9	74.1						56.4			88.1		11.9								
PHF	.625	.768	.000	.000	.853	.250	.762	.778	.000	.887	.712	.000	.625	.000	.750	.000	.000	.000	.000	.000	.887



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TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	0	0	0	0	4	0	0	0	4	1	22	0	0	23	0	15	9	0	24	51
07:15 AM	0	0	0	0	0	5	0	1	0	6	1	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	14	0	1	0	15	1	48	0	0	49	0	56	14	0	70	134
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
Total	0	0	0	0	0	31	0	2	0	33	4	144	0	0	148	0	150	43	0	193	374
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
08:15 AM	0	0	0	0	0	5	0	0	0	5	1	34	0	0	35	0	32	11	0	43	83
08:30 AM	0	0	0	0	0	1	0	0	0	1	0	15	0	0	15	0	12	0	0	12	28
08:45 AM	0	0	0	0	0	5	0	1	0	6	4	14	0	0	18	0	17	6	0	23	47
Total	0	0	0	0	0	15	0	1	0	16	5	90	0	0	95	0	115	21	0	136	247
*** BREAK ***																					
04:00 PM	0	0	0	0	0	15	0	0	0	15	2	27	0	0	29	0	34	5	0	39	83
04:15 PM	0	0	0	0	0	9	0	1	0	10	0	23	0	0	23	0	25	5	0	30	63
04:30 PM	0	0	0	0	0	5	0	1	0	6	2	24	0	0	26	0	16	7	0	23	55
04:45 PM	0	0	0	0	0	7	0	4	0	11	0	17	0	0	17	0	26	9	0	35	63
Total	0	0	0	0	0	36	0	6	0	42	4	91	0	0	95	0	101	26	0	127	264
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	8	0	3	0	11	0	36	0	0	36	0	28	5	0	33	80
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	37	9	0	46	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	1	22	0	0	23	0	27	6	0	33	65
Total	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
Grand Total	0	0	0	0	0	110	0	18	0	128	14	436	0	0	450	0	483	115	0	598	1176
Apprch %	0	0	0	0		85.9	0	14.1	0		3.1	96.9	0	0		0	80.8	19.2	0		
Total %	0	0	0	0	0	9.4	0	1.5	0	10.9	1.2	37.1	0	0	38.3	0	41.1	9.8	0	50.9	

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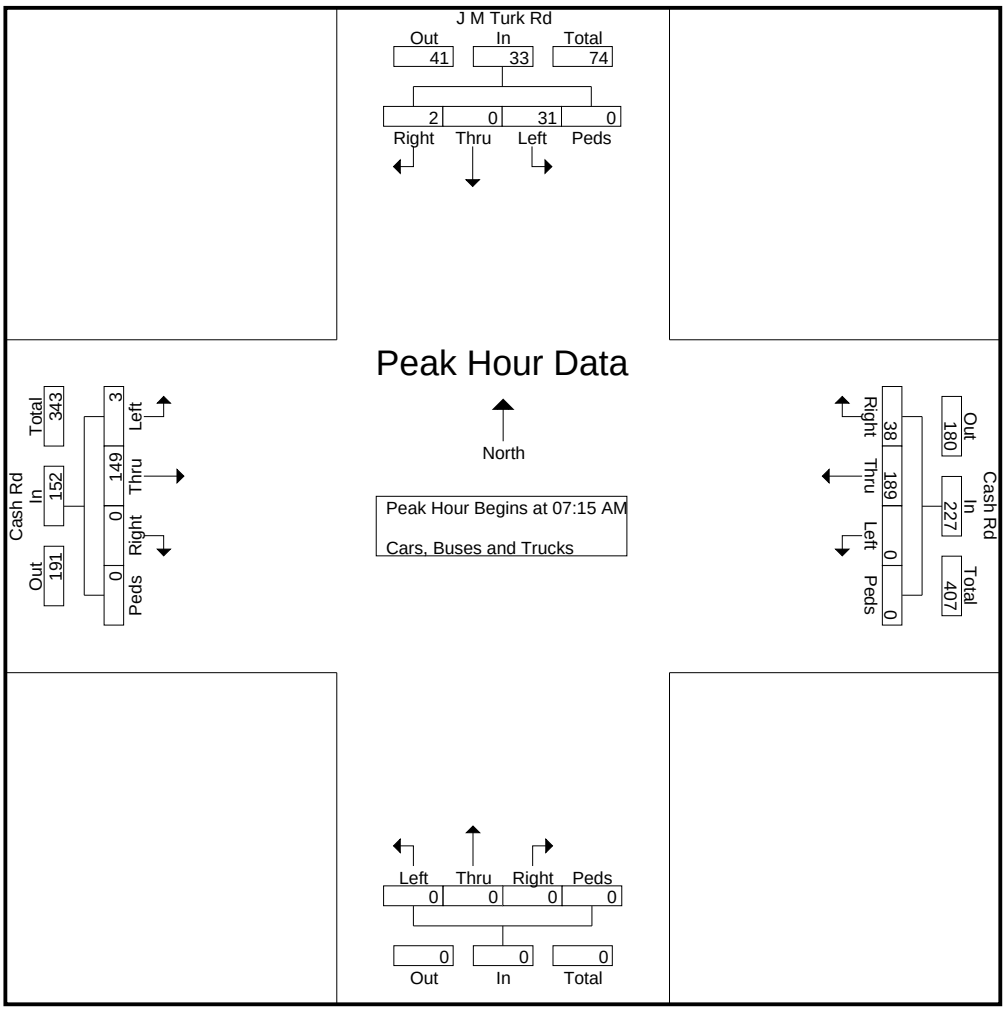
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	5	0	**1**	0	6	**1**	46	0	0	47	0	34	13	0	47	100
07:30 AM	0	0	0	0	0	**14**	0	1	0	**15**	1	**48**	0	0	**49**	0	**56**	**14**	0	**70**	**134**
07:45 AM	0	0	0	0	0	8	0	0	0	8	1	28	0	0	29	0	45	7	0	52	89
08:00 AM	0	0	0	0	0	4	0	0	0	4	0	27	0	0	27	0	54	4	0	58	89
Total Volume	0	0	0	0	0	31	0	2	0	33	3	149	0	0	152	0	189	38	0	227	412
% App. Total						93.9											83.3	16.7			
PHF	.000	.000	.000	.000	.000	.554	.000	.500	.000	.550	.750	.776	.000	.000	.776	.000	.844	.679	.000	.811	.769



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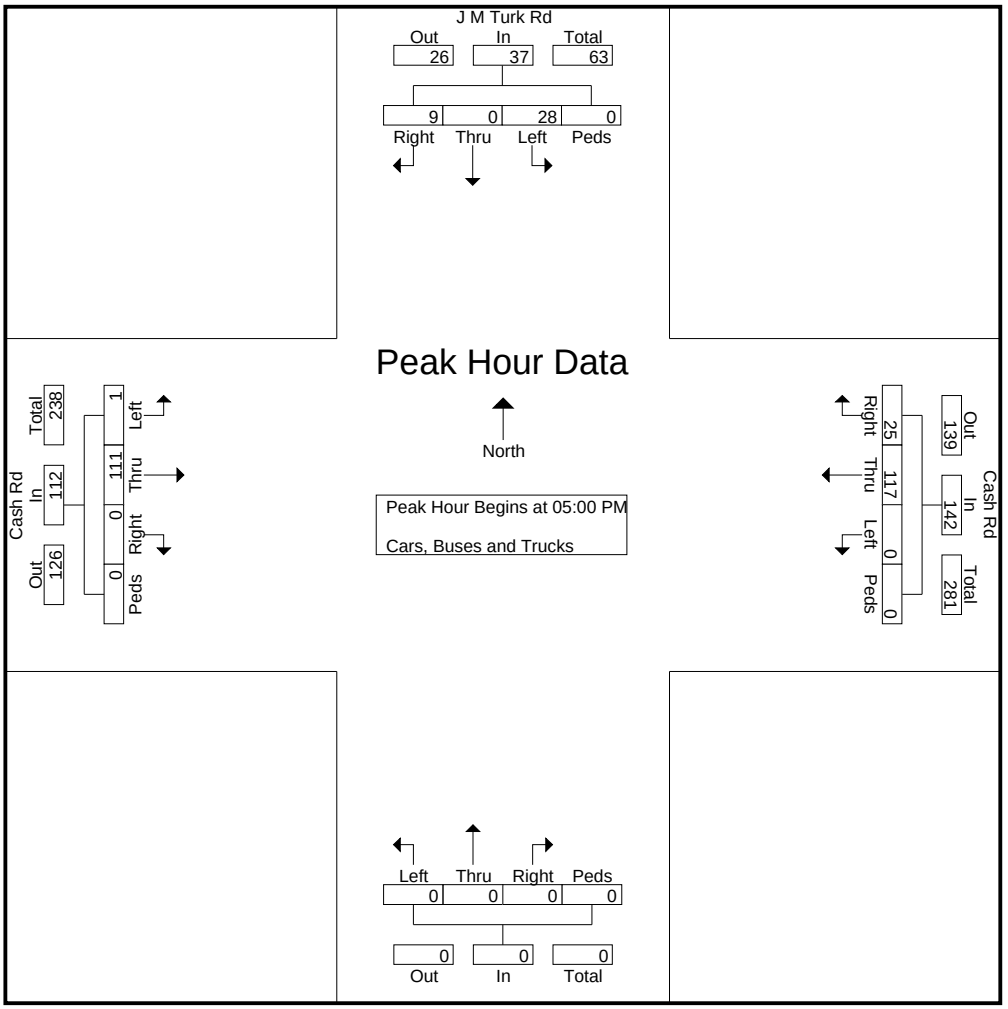
TMC Data
J M Turk Rd @ Cash Rd
Flowery Branch, GA
7-9 AM | 4-6 PM

File Name : 47830003
Site Code : 47830003
Start Date : 5/16/2023

	Northbound					J M Turk Rd Southbound					Cash Rd Eastbound					Cash Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	0	0	0	0	5	0	2	0	7	0	31	0	0	31	0	25	5	0	30	68
05:15 PM	0	0	0	0	0	**8**	0	**3**	0	**11**	0	**36**	0	0	**36**	0	28	5	0	33	**80**
05:30 PM	0	0	0	0	0	8	0	2	0	10	0	22	0	0	22	0	**37**	**9**	0	**46**	78
05:45 PM	0	0	0	0	0	7	0	2	0	9	**1**	22	0	0	23	0	27	6	0	33	65
Total Volume	0	0	0	0	0	28	0	9	0	37	1	111	0	0	112	0	117	25	0	142	291
% App. Total						75.7		24.3				99.1					82.4	17.6			
PHF	.000	.000	.000	.000	.000	.875	.000	.750	.000	.841	.250	.771	.000	.000	.778	.000	.791	.694	.000	.772	.909



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ADT Data

Site Code: 47830101
J M Turk Rd south of Grandview Pkwy
Flowery Branch, GA

Start Time	16-May-23 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	6			0	11				
12:15		1	9			0	14				
12:30		0	10			0	6				
12:45		0	10	1	35	0	7	0	38	1	73
01:00		0	14			2	16				
01:15		0	12			0	6				
01:30		0	7			0	5				
01:45		0	9	0	42	0	8	2	35	2	77
02:00		0	7			0	16				
02:15		0	10			0	16				
02:30		0	17			2	16				
02:45		1	14	1	48	1	12	3	60	4	108
03:00		0	6			0	17				
03:15		0	10			0	14				
03:30		0	19			0	18				
03:45		2	16	2	51	0	26	0	75	2	126
04:00		0	13			0	25				
04:15		1	12			0	22				
04:30		2	14			1	13				
04:45		1	11	4	50	2	19	3	79	7	129
05:00		3	9			1	20				
05:15		2	18			0	19				
05:30		2	20			2	19				
05:45		8	8	15	55	1	16	4	74	19	129
06:00		2	7			3	22				
06:15		4	14			1	17				
06:30		10	6			2	14				
06:45		22	7	38	34	1	8	7	61	45	95
07:00		21	11			10	16				
07:15		21	11			13	8				
07:30		20	10			16	4				
07:45		29	6	91	38	11	7	50	35	141	73
08:00		14	3			15	7				
08:15		24	2			5	10				
08:30		8	4			6	5				
08:45		13	5	59	14	8	7	34	29	93	43
09:00		9	5			10	7				
09:15		15	2			6	5				
09:30		11	3			9	4				
09:45		13	2	48	12	9	3	34	19	82	31
10:00		4	1			6	4				
10:15		8	1			11	2				
10:30		9	2			11	1				
10:45		5	0	26	4	10	2	38	9	64	13
11:00		2	1			8	0				
11:15		8	1			10	4				
11:30		3	0			9	0				
11:45		7	2	20	4	3	1	30	5	50	9
Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
Grand Total		305	387			205	519			510	906
Percent		44.1%	55.9%			28.3%	71.7%			36.0%	64.0%
ADT		ADT 1,416		AADT 1,416							

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2016 edition (HCM 6). Synchro 10 software, which emulates the HCM 6 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 6

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 6

Appendix C

Existing Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	7.3
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	507	195	542
Demand Flow Rate, veh/h	523	201	558
Vehicles Circulating, veh/h	174	451	22
Vehicles Exiting, veh/h	478	129	675
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.1	6.7	6.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	523	201	558
Cap Entry Lane, veh/h	1155	871	1349
Entry HV Adj Factor	0.969	0.970	0.971
Flow Entry, veh/h	507	195	542
Cap Entry, veh/h	1120	845	1310
V/C Ratio	0.453	0.231	0.414
Control Delay, s/veh	8.1	6.7	6.7
LOS	A	A	A
95th %tile Queue, veh	2	1	2

Intersection	
Int Delay, s/veh	3.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	78	6	3	86	48	28
Future Vol, veh/h	78	6	3	86	48	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	100	8	4	108	63	37

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	179	63	100	0	-	0
Stage 1	63	-	-	-	-	-
Stage 2	116	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	811	1002	1493	-	-	-
Stage 1	960	-	-	-	-	-
Stage 2	909	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	809	1002	1493	-	-	-
Mov Cap-2 Maneuver	809	-	-	-	-	-
Stage 1	957	-	-	-	-	-
Stage 2	909	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1493	-	820	-	-
HCM Lane V/C Ratio	0.003	-	0.131	-	-
HCM Control Delay (s)	7.4	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	149	189	38	31	2
Future Vol, veh/h	3	149	189	38	31	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	191	233	47	56	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	280	0	-	0	456	257
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	199	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1277	-	-	-	561	779
Stage 1	-	-	-	-	784	-
Stage 2	-	-	-	-	832	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1277	-	-	-	559	779
Mov Cap-2 Maneuver	-	-	-	-	559	-
Stage 1	-	-	-	-	781	-
Stage 2	-	-	-	-	832	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	12.1
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1277	-	-	-	569
HCM Lane V/C Ratio	0.003	-	-	-	0.105
HCM Control Delay (s)	7.8	0	-	-	12.1
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Intersection Delay, s/veh	6.8
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	365	176	585
Demand Flow Rate, veh/h	376	181	603
Vehicles Circulating, veh/h	144	466	38
Vehicles Exiting, veh/h	503	175	482
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.1	6.5	7.4
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	376	181	603
Cap Entry Lane, veh/h	1191	858	1327
Entry HV Adj Factor	0.971	0.971	0.970
Flow Entry, veh/h	365	176	585
Cap Entry, veh/h	1157	833	1288
V/C Ratio	0.316	0.211	0.454
Control Delay, s/veh	6.1	6.5	7.4
LOS	A	A	A
95th %tile Queue, veh	1	1	2

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	74	10	15	43	65	84
Future Vol, veh/h	74	10	15	43	65	84
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	99	13	18	51	73	94

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	160	73	167	0	-	0
Stage 1	73	-	-	-	-	-
Stage 2	87	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	831	989	1411	-	-	-
Stage 1	950	-	-	-	-	-
Stage 2	936	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	820	989	1411	-	-	-
Mov Cap-2 Maneuver	820	-	-	-	-	-
Stage 1	938	-	-	-	-	-
Stage 2	936	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1411	-	837	-	-
HCM Lane V/C Ratio	0.013	-	0.134	-	-
HCM Control Delay (s)	7.6	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	111	117	25	28	9
Future Vol, veh/h	1	111	117	25	28	9
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	142	152	32	33	11

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	184	0	-	0	312	168
Stage 1	-	-	-	-	168	-
Stage 2	-	-	-	-	144	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1385	-	-	-	679	874
Stage 1	-	-	-	-	859	-
Stage 2	-	-	-	-	881	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1385	-	-	-	678	874
Mov Cap-2 Maneuver	-	-	-	-	678	-
Stage 1	-	-	-	-	858	-
Stage 2	-	-	-	-	881	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1385	-	-	-	717
HCM Lane V/C Ratio	0.001	-	-	-	0.061
HCM Control Delay (s)	7.6	0	-	-	10.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix D

No-Build Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	8.6
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	587	228	629
Demand Flow Rate, veh/h	605	235	648
Vehicles Circulating, veh/h	203	523	25
Vehicles Exiting, veh/h	555	150	783
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	9.8	7.9	7.7
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	605	235	648
Cap Entry Lane, veh/h	1122	809	1345
Entry HV Adj Factor	0.970	0.971	0.971
Flow Entry, veh/h	587	228	629
Cap Entry, veh/h	1088	786	1306
V/C Ratio	0.539	0.290	0.482
Control Delay, s/veh	9.8	7.9	7.7
LOS	A	A	A
95th %tile Queue, veh	3	1	3

Intersection	
Int Delay, s/veh	3.6

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	100	56	32
Future Vol, veh/h	90	7	3	100	56	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	125	74	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	207	74	116	0	-	0
Stage 1	74	-	-	-	-	-
Stage 2	133	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	781	988	1473	-	-	-
Stage 1	949	-	-	-	-	-
Stage 2	893	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	779	988	1473	-	-	-
Mov Cap-2 Maneuver	779	-	-	-	-	-
Stage 1	946	-	-	-	-	-
Stage 2	893	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.4	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1473	-	791	-	-
HCM Lane V/C Ratio	0.003	-	0.157	-	-
HCM Control Delay (s)	7.5	0	10.4	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	3	173	219	44	36	2
Future Vol, veh/h	3	173	219	44	36	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	4	222	270	54	65	4

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	324	0	-	0	527	297
Stage 1	-	-	-	-	297	-
Stage 2	-	-	-	-	230	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1230	-	-	-	510	740
Stage 1	-	-	-	-	752	-
Stage 2	-	-	-	-	806	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1230	-	-	-	508	740
Mov Cap-2 Maneuver	-	-	-	-	508	-
Stage 1	-	-	-	-	749	-
Stage 2	-	-	-	-	806	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	13
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1230	-	-	-	517
HCM Lane V/C Ratio	0.003	-	-	-	0.134
HCM Control Delay (s)	7.9	0	-	-	13
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.5

Intersection	
Intersection Delay, s/veh	7.9
Intersection LOS	A

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	424	203	677
Demand Flow Rate, veh/h	436	209	698
Vehicles Circulating, veh/h	167	539	45
Vehicles Exiting, veh/h	581	204	558
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	6.9	7.6	8.6
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	436	209	698
Cap Entry Lane, veh/h	1164	796	1318
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	424	203	677
Cap Entry, veh/h	1132	774	1279
V/C Ratio	0.375	0.262	0.530
Control Delay, s/veh	6.9	7.6	8.6
LOS	A	A	A
95th %tile Queue, veh	2	1	3

Intersection	
Int Delay, s/veh	3.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	50	74	97
Future Vol, veh/h	86	12	17	50	74	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	59	83	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	182	83	192	0	-	0
Stage 1	83	-	-	-	-	-
Stage 2	99	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	807	976	1381	-	-	-
Stage 1	940	-	-	-	-	-
Stage 2	925	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	795	976	1381	-	-	-
Mov Cap-2 Maneuver	795	-	-	-	-	-
Stage 1	926	-	-	-	-	-
Stage 2	925	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	1.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1381	-	813	-	-
HCM Lane V/C Ratio	0.014	-	0.161	-	-
HCM Control Delay (s)	7.6	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	129	136	29	32	10
Future Vol, veh/h	1	129	136	29	32	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	1	165	177	38	38	12

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	215	0	-	0	363	196
Stage 1	-	-	-	-	196	-
Stage 2	-	-	-	-	167	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1349	-	-	-	634	843
Stage 1	-	-	-	-	835	-
Stage 2	-	-	-	-	860	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1349	-	-	-	633	843
Mov Cap-2 Maneuver	-	-	-	-	633	-
Stage 1	-	-	-	-	834	-
Stage 2	-	-	-	-	860	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	10.8
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1349	-	-	-	673
HCM Lane V/C Ratio	0.001	-	-	-	0.074
HCM Control Delay (s)	7.7	0	-	-	10.8
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Appendix E

Future Intersection Operational Analysis

Intersection	
Intersection Delay, s/veh	10.3
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	604	369	664
Demand Flow Rate, veh/h	622	381	684
Vehicles Circulating, veh/h	294	523	42
Vehicles Exiting, veh/h	610	203	874
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	12.1	11.0	8.4
Approach LOS	B	B	A

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	622	381	684
Cap Entry Lane, veh/h	1022	809	1322
Entry HV Adj Factor	0.971	0.970	0.971
Flow Entry, veh/h	604	369	664
Cap Entry, veh/h	993	785	1284
V/C Ratio	0.608	0.471	0.517
Control Delay, s/veh	12.1	11.0	8.4
LOS	B	B	A
95th %tile Queue, veh	4	3	3

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	90	7	3	225	98	32
Future Vol, veh/h	90	7	3	225	98	32
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	78	78	80	80	76	76
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	9	4	281	129	42

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	418	129	171	0	-	0
Stage 1	129	-	-	-	-	-
Stage 2	289	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	591	921	1406	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	760	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	589	921	1406	-	-	-
Mov Cap-2 Maneuver	589	-	-	-	-	-
Stage 1	894	-	-	-	-	-
Stage 2	760	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.5	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1406	-	605	-	-
HCM Lane V/C Ratio	0.003	-	0.206	-	-
HCM Control Delay (s)	7.6	0	12.5	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	4	173	219	54	64	5
Future Vol, veh/h	4	173	219	54	64	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	81	81	55	55
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	5	222	270	67	116	9

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	337	0	-	0	536	304
Stage 1	-	-	-	-	304	-
Stage 2	-	-	-	-	232	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1217	-	-	-	504	733
Stage 1	-	-	-	-	746	-
Stage 2	-	-	-	-	804	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1217	-	-	-	501	733
Mov Cap-2 Maneuver	-	-	-	-	501	-
Stage 1	-	-	-	-	742	-
Stage 2	-	-	-	-	804	-

Approach	EB	WB	SB
HCM Control Delay, s	0.2	0	14.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1217	-	-	-	513
HCM Lane V/C Ratio	0.004	-	-	-	0.245
HCM Control Delay (s)	8	0	-	-	14.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	1

Intersection	
Int Delay, s/veh	5.6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	125	105	11	42	58
Future Vol, veh/h	31	125	105	11	42	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	80	76	76
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	44	179	131	14	55	76

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	317	131	0	0	145	0
Stage 1	131	-	-	-	-	-
Stage 2	186	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	676	919	-	-	1437	-
Stage 1	895	-	-	-	-	-
Stage 2	846	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	650	919	-	-	1437	-
Mov Cap-2 Maneuver	650	-	-	-	-	-
Stage 1	861	-	-	-	-	-
Stage 2	846	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.7	0	3.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	849	1437	-
HCM Lane V/C Ratio	-	-	0.262	0.038	-
HCM Control Delay (s)	-	-	10.7	7.6	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	1.1	0.1	-

Intersection	
Intersection Delay, s/veh	10.0
Intersection LOS	B

Approach	WB	NB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	478	310	764
Demand Flow Rate, veh/h	492	319	787
Vehicles Circulating, veh/h	235	539	101
Vehicles Exiting, veh/h	623	349	626
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.5	9.7	11.1
Approach LOS	A	A	B

Lane	Left	Left	Left
Designated Moves	LR	TR	LT
Assumed Moves	LR	TR	LT
RT Channelized			
Lane Util	1.000	1.000	1.000
Follow-Up Headway, s	2.609	2.609	2.609
Critical Headway, s	4.976	4.976	4.976
Entry Flow, veh/h	492	319	787
Cap Entry Lane, veh/h	1086	796	1245
Entry HV Adj Factor	0.972	0.972	0.970
Flow Entry, veh/h	478	310	764
Cap Entry, veh/h	1055	774	1208
V/C Ratio	0.453	0.401	0.632
Control Delay, s/veh	8.5	9.7	11.1
LOS	A	A	B
95th %tile Queue, veh	2	2	5

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	86	12	17	134	210	97
Future Vol, veh/h	86	12	17	134	210	97
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	180
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	75	75	85	85	89	89
Heavy Vehicles, %	2	2	2	3	3	2
Mvmt Flow	115	16	20	158	236	109

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	434	236	345	0	-	0
Stage 1	236	-	-	-	-	-
Stage 2	198	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	579	803	1214	-	-	-
Stage 1	803	-	-	-	-	-
Stage 2	835	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	569	803	1214	-	-	-
Mov Cap-2 Maneuver	569	-	-	-	-	-
Stage 1	789	-	-	-	-	-
Stage 2	835	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	12.8	0.9	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1214	-	590	-	-
HCM Lane V/C Ratio	0.016	-	0.221	-	-
HCM Control Delay (s)	8	0	12.8	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0.1	-	0.8	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	5	129	136	60	50	13
Future Vol, veh/h	5	129	136	60	50	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	78	78	77	77	84	84
Heavy Vehicles, %	3	3	3	3	3	3
Mvmt Flow	6	165	177	78	60	15

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	255	0	-	0	393	216
Stage 1	-	-	-	-	216	-
Stage 2	-	-	-	-	177	-
Critical Hdwy	4.13	-	-	-	6.43	6.23
Critical Hdwy Stg 1	-	-	-	-	5.43	-
Critical Hdwy Stg 2	-	-	-	-	5.43	-
Follow-up Hdwy	2.227	-	-	-	3.527	3.327
Pot Cap-1 Maneuver	1304	-	-	-	610	821
Stage 1	-	-	-	-	818	-
Stage 2	-	-	-	-	851	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1304	-	-	-	607	821
Mov Cap-2 Maneuver	-	-	-	-	607	-
Stage 1	-	-	-	-	814	-
Stage 2	-	-	-	-	851	-

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	11.3
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1304	-	-	-	642
HCM Lane V/C Ratio	0.005	-	-	-	0.117
HCM Control Delay (s)	7.8	0	-	-	11.3
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0	-	-	-	0.4

Intersection	
Int Delay, s/veh	5.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	21	84	67	35	136	89
Future Vol, veh/h	21	84	67	35	136	89
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	150	150	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	85	85	89	89
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	30	120	79	41	153	100

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	485	79	0	0	120	0
Stage 1	79	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	541	981	-	-	1468	-
Stage 1	944	-	-	-	-	-
Stage 2	673	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	485	981	-	-	1468	-
Mov Cap-2 Maneuver	485	-	-	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	673	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.4	0	4.7
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	814	1468	-
HCM Lane V/C Ratio	-	-	0.184	0.104	-
HCM Control Delay (s)	-	-	10.4	7.7	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.7	0.3	-

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, January 4, 2024 10:59 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 2.5.24

Please find Environmental Health comments below:

Item 1, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 2, 6545 Misty Harbor Court: 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. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the applicant/surveyor on September 20, 2023 concerning requirements to further process the plat for review.

Item 3A/3B, 3675 Jewell Circle, Guhde: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 4, 3310 Friendship Road, Reichwaldt: All proposed structures must meet all residential and/or commercial permitting requirements and required setbacks to existing septic system. Further determination will be made during the permit review process.

Item 5, 2696 Cleveland Hwy, Carrillo: 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, 17/20/21/24 Spring Street, Petry: No comment. Public sewer.

Item 7, 4899 Browns Bridge Road, Advantage Investment: 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.

Item 8, 3655 Friendship Road, 3655 Friendship Rd LLC: No comment. Public sewer.

Item 9A/B, 0 Cornelia Hwy, Double E Properties: 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.

Item 10, 4141 Old Cornelia Hwy, Lewis Holdings: All proposed improvements must meet all Environmental Health commercial septic system permitting requirements.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

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)

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Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, August 25, 2023 10:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for October 2, 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 in red, below.

Veronica Chavers
D1TO Civil Engineer 3

Georgia Department of Transportation

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: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023
N
NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) | **Proposed use: expansion of commercial kennel** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**

(B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
(C) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 44 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.** **No GDOT coordination required**

4057 Sargent Circle | Variance | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 41 feet from centerline on a 0.85± acre parcel located on the east side of Sargent Circle approximately 210 feet from its intersection with Cochran Road | Zoned R-I; Tax Parcel 10120 000071 | **Proposed Use: single-family residence** | * Commission District 2 | **Dennis Drees, Applicant** **No GDOT coordination required**

2.

3. (A) **812 Atlanta Highway | Use Subject to Planning Commission Approval |** on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcel 00127 002001 | **Proposed Use: expansion of a non-conforming use |** * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

   (B) **812 Atlanta Highway | Variance** | from 17.240.010 to reduce the front yard setback from 55 feet from centerline to 14 feet from centerline of road on a 0.25± acre parcel located on the west side of Atlanta Highway at its intersection with Conner Street | Zoned H-B, Tax Parcels 00127 002001 | **Proposed Use: residential addition** | * Commission District 4 **| Robert Murillo, applicant.** **GDOT coordination required for any encroachment onto the right-of-way**

4. **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B / GCOD; Tax Parcel 00122 001021 & 001031B | **Proposed use: used vehicle sales lot |** ** Commission District 4 **| Antonio Duran, applicant.** **GDOT coordination required for access on SR 369/ Browns Bridge Rd**

5. **3321 Montvale Drive | Use Subject to County Commission Approval |** on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 **| Proposed use: 4-lot subdivision |** ** Commission District 2 **| Zachary Lewis Boyd Milne, applicant.** **No GDOT coordination required**

6. **3902 & 0 Belmont Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Industrial Development (PID) /GCOD on 15.75± acres located on the southeastern side of Belmont Highway, approximately 1,780 feet north of its intersection with Mountain Creek Road | Zoned AR-IV, Tax Parcels: 15013 000017B and 000074 (pt.) **| Proposed Use: truck parking and office|** ** Commission District 3 **| Gus E. Simpson, applicant.** **GDOT coordination required**

7. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.** **No GDOT coordination required**

8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.** **No GDOT coordination required**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, 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 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, November 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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
GEORGIA

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.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 5, 2023

Subject: February 5, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development** | ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

   a. **Engineering:** No dead end streets
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
   b. **Traffic:** A left turn lane and decel lane will be required for the entrance.
   Any required roadway improvements will be the financial responsibility of the developer
   A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance
   c. **Utilities:** No sanitary sewer in area.

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, 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 wrested vegetation not centerline of stream.

b. **Traffic:** No Comment
c. **Utilities:** Flowery Branch sewer district

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
(B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

   a. **Engineering:** Any work in the public right-of-way will need to be permitted by Hall County Public Works Department.
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, 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:** Charge of use may require GDOT permit for driveway connection.
   c. **Utilities:** Hall County district- No connection within feasible distance.

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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. (over 5,000 SF added impervious area)
   b. **Traffic:** Charge of use may require GDOT permit for driveway access.
   c. **Utilities:** Hall County sewer district- No sewer connection within feasible distance.

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, 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:** Parking spaces that require vehicles to back out into the roadway not permitted.
      Driveways will need to meet Hall County Code 12.40.
   c. **Utilities:** City of Gainesville sewer district.

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment 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
   b. **Traffic:** driveway access to Browns Bridge Rd. will need to be permitted through GDOT.
      Ponderosa Drive is a narrow residential roadway, therefore, we recommend that site access be on Browns Bridge Road only and no access be permitted along Ponderosa Drive.
   c. **Utilities:** Hall County/ Gainesville sewer district- No connection within feasible distance.

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., 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
   b. **Traffic:** GODT permit will be required for driveway access to Friendship Road
   c. **Utilities:** Hall County sewer district- Sewer connection within feasible distance (future Friendship Road sewer project)

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350± feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax

Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

(B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   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:** Driveway will need to meet county commercial standards
c. **Utilities:** City of Lula sewer district

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 | **Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 | Lewis Holdings, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   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:** Hall County sewer district- No connection within feasible distance

Anael Dominguez (CDI: Planning)

From: Nicole Griffin (Tax Assessors)
Sent: Thursday, August 24, 2023 12:46 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Cc: Steve Watson (Real Property); Susan Taylor (Tax Assessors); Lisa Niles (Tax Assessors)
Subject: RE: Tentative Planning Agenda for October 2, 2023

Good afternoon,

On item # 7 parcels

15043 000027- CUVA- starting 2022
15043 000128- CUVA starting 2022
15044 000035- CUVA starting in 2019

The re-zoning application itself would not cause a breach but if the property is sold or developed with the proposed 324 lot residential development after the re-zoning then the conservation covenant could/would be breached and result in a penalty on each parcel.

Please let us know if you have any questions.

Thank you,

Nicole Griffin
Appraisal Systems Coordinator
Hall County Tax Assessors Office
Hall County Government
(Office) 770-718-5712
Nicole.Griffin@Hallcounty.org

HALL COUNTY
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From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, August 24, 2023 12:20 PM
Subject: Tentative Planning Agenda for October 2, 2023

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, October 2, 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, August 31st.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 18, 2023

NEW BUSINESS

1. (A) **8730 Forrester Road | Use Subject to County Commission Approval** | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: expansion of commercial kennel** | ** Commission District 3 **| Steven & Holly Crumley, applicants.**
   (B) **8730 Forrester Road | Variance** | from 17.240.060 to reduce the setback for commercial kennels from 200 feet to 48 feet | on a 5.57± acre tract located on the east side of Forrester Road, approximately 297 feet from its intersection with Forrester Road | Zoned AR-IV; Tax Parcel 12128 000009 (pt.) **| Proposed use: commercial kennel structures** | ** Commission District 3 | **Steven & Holly Crumley, applicants.**
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8. **6777 and 6804 Spout Springs Road | Rezone |** from Agricultural Residential III (AR-III) and Planned Residential Development (PRD) to Planned Residential Development (PRD) on a combined 22.88± acres located on the west side of Spout Springs Road, approximately 100 feet from its intersection with Lancaster Crossing | Zoned AR-III & PRD; Tax Parcels 15042 000018 and 000140 (pt.) **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

9. **6804 Spout Springs Road | Amend Condition of PRD |** on a 20.37± acre parcel located on the west side of Spout Springs Road, at its intersection with Lancaster Crossing | Zoned PRD; Tax Parcels 15042 000018 **| Proposed Use: 95-unit townhome development |** ** Commission District 1 **| Walker Anderson Homes, applicant.**

10. **Public Hearing to Amend sections 17.410,** Standards for Telecommunication Antennas and Towers, and 17.412,Standards for Small Wireless Facilities Placed in the County Right-of-Way, Title 17 of the Official Code of Hall County, Georgia; to repeal conflicting ordinances and resolutions; and for other purposes. **** | Hall County Planning Staff, applicant.**

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**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, November 9, 2023. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
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Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, August 31, 2023 4:52 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, October 2, 2023 Hall County Planning Commission Meeting.

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development |** ** Commission District 1 | **Thompson O'Brien Kappler & Nasuti PC, applicant.**

   Hall County Fire Marshal's comments: Current concept plan will need to be modified to meet the below fire code requirements.

International Fire Code 503.1.1 Buildings and facilities. 2018 Edition
Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility. This code requirement applies to the townhome buildings.

7. **Add a new section, Appendix D 107.1, as follows:**

   Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

   Exceptions:

   1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

   2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official**.**

   3. **Add a new section, Appendix D 107.2, as follows:**

      Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

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

COMMUNITY MEETING REPORT

TO: Hall County Planning Department
FROM: William J. Diehl, Smith, Gambrell & Russell, LLP
DATE: January 16, 2024

Applicant held two community meetings in connection with the rezoning requests, those being on December 18 and 21, 2023. The meetings were held at the Mulberry Creek Community Center, which is less than a half of a mile from the subject property. About thirty to forty people were in attendance at each meeting.

At the meeting, the applicant displayed revised site plans showing Stanley Road being reconfigured to better preserve its existing location. The site plan showed Guth Road being an emergency exit only.

The following concerns were commonly raised by the community:

- Density of homes in the development;
- Impact the development will have on traffic on JM Turk Road;
- Secondary entrance to the development on Guth Road;
- Stanley Road reconfiguration and access;
- Compatibility with existing architectural styles;
- Site lines from the Quail Wood neighborhood;
- Stormwater runoff to the surrounding creek; and
- Sewer connectivity and capacities;

The Applicant described connectivity plans and the use of Guth Road as an emergency exit, or, alternatively, as an improved road providing a second entrance. The Applicant committed to providing an updated traffic study and discussed how those studies are made. The Applicant discussed improving landscaping where the property abuts Quail Wood. The Applicant discussed designed standards and the pattern of development in the area.

Dear Neighbor.

This letter is being sent to inform you of a community meeting regarding the development project on JM Turk and Guth Roads. We are holding this meeting to discuss concerns and solicit community feedback. Please let this serve as an invitation to one of the meetings discussed below.

We will host two meetings at the **Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542).**

We have scheduled meeting rooms on

December 18 at 6:00 PM to 7:30 PM
December 21 at 6:00 PM to 7:30 PM

Please come at your convenience. Should you have any questions about this rezoning proposal, please feel free to contact me at wdiehl@sgrlaw.com or by phone at (404) 815-3627.

William J. Diehl
Smith, Gambrell & Russell, LLP

Community Meeting Sign-In Sheet

Name	Date	Phone Number	Email
Janet Myers	11-18-23	661-[illegible]-8783	[illegible]@hotmail.com
Steve Myers	11-18-23	661-[illegible]-6841	[illegible]@hotmail.com
Steven Clark	11-18-23		
William Walker	12-18-23		
Bob League	12-18-23	770-826-3803	
Albert Guth	12-18-23	770-654-7135	
Carole Branum	12-18-23	770-289-2140	[illegible]@icloud.com
Kim Walker	12-18-23	404-308-6470	[illegible]@gmail.com
Erik Conley	12-18-23	678-[illegible]	[illegible]@gmail.com
Rodee Dente	12-18-23	678-[illegible]	[illegible]@gmail.com
Peggy Matos	12-18-23	706-536-0878	proctor12@hotmail.com
James Graff	12-18-23	770-287-4800	[illegible]@gmail.com
Greg Everett	12-18-23		
Kathy Everett	12-18-23		
Jennings Bryan	12-18-23		
Neah Bryan	12-18-23		
Buddy Secor	12-18-23		
Deanie Secor	12-18-23		
Maureen Davis	12-18-23		
Pam Swift	12-18-23	NO!	
Walt Swift	12-18-23	NO!	
[illegible]	12-18-23	NO	
[illegible]	12-18-23		
Jerry Bond	12-18-23		
Steve Adams	12-118-23		
Vani Pino	12-18-23		
Enjoli Pino	12-18-23		
[illegible]	12-18-23		
Bill [illegible]	12-18-23		
Lindsay Parks	12-18-23		
Dorothy Nieto	12/18/23		
Darlene [illegible]	12/18/23		
Meredith Williams	12.18.2023		
Cathy LeBlanc	12.18.2023		

Community Meeting Sign-In Sheet

Name	Date	Email
Tracy + Tommy Barnette	12.21.23	traceybarnettelle@gmail.com
Susan Miller	12-21-23	
Carole Braunum	12-21-23	
William Lacroix	12-21-23	
Albert + Tina Guth	12-21-23	guthhorses@bellsouth.net
DORIS McClung	12-21-23	[redacted]@yahoo.com
NEAL BRYANT	12.21.23	NKW-woodward@Hotmail.com
JENNIFER BRYANT	12-21-23	Jbryan2890@AOL.com
VALE CASTC	12-21-23	GACPL30542@YAHOO.COM

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1.	~~DOUCHER, WILLIAM C JR~~ ~~4789 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
2.	STANLEY, GLORIA M STANLEY MELVIN H 4590 STANLEY ROAD FLOWERY BRANCH, GA 30542													
3.	~~KIOSA, SERGEY~~ ~~KIOSA, NADEZHDA~~ ~~4387 J M TURK RD~~ ~~FLOWERY BRANCH, GA 30542~~													
4.	FAUL, MARK D. 4567 STANLEY ROAD FLOWERY BRANCH, GA 30542													
5.	PHILLIPS, JAMIE DIANE ~~4607 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~													
6.	LAGROW, WILLIAM LEE LAGROW LINDA ANN 4458 JM TURK RD FLOWERY BRANCH, GA 30542													
7.	MELENDEZ, JARED MEEHAN, KATIE MAUREEN ~~4543 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~													
8.	ROUSE, JAMES E. ROUSE, ERIN 4540 J.M. TURK ROAD FLOWERY BRANCH, GA 30542													

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2.		MILLER, LARRY W BEVERLY ANN MILLER 4809 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
3.		GREGG, ANN 6604 ASCOT DRIVE ANTIOCH, TN 37013	63¢												
4.		GREGG, JAMES ELBERTON III GREGG EDITH ANN 6604 ASCOT DRIVE ANTIOCH, TN 37013	63¢												
5.		LEWIS, GARY MASON 4929 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
6.		MAYHUE, AMANDA DALE 680 GROVE LEVEL ROAD COMMERCE, GA 30529	63¢												
7.		CORREA PEREZ, ARMANDO 4876 J M TURK ROAD FLOWERY BRANCH, GA 30542	63¢												
8.		PEAVY, RODNEY LEE PEAVY BEVERLY JURELLE 4902 J.M. TURK ROAD FLOWERY BRANCH, GA 30542	63¢												

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2.		MARTIN, TONY R MARTIN RENA E 4533 JM TURK ROAD FLOWERY BRANCH, GA 30542													
3.		~~WITTKE, DAVID A.~~ ~~WITTKE, LANIKA H.~~ ~~4544 DEER CREEK CT.~~ ~~FLOWERY BRANCH, GA 305423556~~													
4.		STAIGER, MICHAEL A GUTIERREZ NEREIDA COLON 4616 DEER CREEK COURT FLOWERY BRANCH, GA 30542													
5.		HERFORD, III, LLOYD L WHITCOMB BLAIRE LARIMORE ~~4622 DEER CREEK COURT~~ ~~FLOWERY BRANCH, GA 30542~~													
6.		DEMETER, JANOS 4714 DEER CREEK COURT FLOWERY BRANCH, GA 30542													
7.		MEEK, ALFRED B MEEK PILAR K ~~4806 DEER CREEK COURT~~ ~~FLOWERY BRANCH, GA 30542~~													
8.		RAATJES, DAN RAATJES WENDI 28773 SHIRLEY COURT MAGNOLIA, TX 77355													

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1.		LITTLE, TRAVIS LEE 4627 GUTH RD FLOWERY BRANCH, GA 30542	63¢												
2.		WEBER, THOMAS A WEBER NANCY M 4920 JM TURK RD FLOWERY BRANCH, GA 30542													
3.		PEAVY, ERICA H GETRUM RICHARD E 4932 J M TURK ROAD FLOWERY BRANCH, GA 30542													
4.		TURK, MILTON G TURK VICTORIA R 4726 J M TURK ROAD FLOWERY BRANCH, GA 30542													
5.		PETERSON, STEVEN G PETERSON JILL M 4830 J M TURK ROAD FLOWERY BRANCH, GA 30542													
6.		GREENWAY, ELIZABETH F 4820 J M TURK RD FLOWERY BRANCH, GA 30542													
7.		GRAFF, JAMES E GRAFF LAURA A 4733 J M TURK RD FLOWERY BRANCH, GA 30542													
8.		JONES, WILLIAM J JONES JENNIFER L 4745 J M TURK RD FLOWERY BRANCH, GA 305423526													

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2.	PASTERNAK, THEODORE J PASTERNAK MARIE B 4642 QUAILWOOD DRIVE FLOWERY BRANCH, GA 30542	63¢												
3.	~~ANABA, MBAUKWU UBA~~ ~~ANABA, UCHENNA ANNE~~ ~~4738 QUAILWOOD DRIVE~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
4.	WALCZUK, PETER P WALCZUK JANA H 4614 QUAIL COURT FLOWERY BRANCH, GA 30542	63¢												
5.	~~TURK, MILTON GERALD~~ ~~4726 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
6.	~~PINO, VANI & ENJOLI~~ ~~4850 J M TURK ROAD~~ FLOWERY BRANCH, GA 30542	63¢												
7.	CHANNELL III, JAMES T CHANNELL LESLIE G ~~4737 J M TURK ROAD~~ ~~FLOWERY BRANCH, GA 30542~~	63¢												
8.	~~CESAK, BRET~~ ~~CESAK AMBER~~ 4777 JM TURK ROAD FLOWERY BRANCH, GA 30542	63¢												

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Grand Total: $22.80

Credit Card Remit $22.80
Card Name: VISA
Account #: XXXXXXXXXXXX4432
Approval #: 02452C
Transaction #: 947
AID: A0000000031010 Contactless
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Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Sunday, October 15, 2023 9:52 PM
To: Anael Dominguez (CDI: Planning); Katie L. Greenway (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: Fwd: Elah Valley Subdivision Concerns re Guth Development proposed new subdivision

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Bill Doucher <bdoucher@att.net>
> **Date:** October 15, 2023 at 7:41:53 PM EDT
> **To:** "Randi Doveton (CDI: Planning)" <rdoveton@hallcounty.org>
> **Cc:** Jim & Laura Graff <jgraff@aelevator.com>
> **Subject: Elah Valley Subdivision Concerns re Guth Development proposed new subdivision**

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.

Hi Randi,

I spoke with Kathy Cooper, our district Commissioner, about this proposed Guth development and the process for our subdivision to provide our concerns about this proposed development. Kathy directed me to you to document our concerns and to describe the process for how we can present our concerns at the Planning Commission meeting tomorrow evening Oct 16. As the subdivision immediately adjacent to the proposed new subdivision, our concerns should be presented and considered by the Planning Commission.

Is there a list of presenters that we need to be added to for tomorrow's meeting?

Below I have documented and summarized the concerns provided by all of the homeowners in the Elah Valley subdivision that are unanimously against this proposed subdivision. Please provide these concerns to the Planning Commssion to review as part of their research about this proposed development.

I have copied Jim Graff from our subdivision who was appointed to represent the Elah Valley subdivision at the Planning Commission meeting tomorrow evening.

Response from the Elah Valley Subdivision against the proposed Guth Development – 324 homes on 117 acres

- Application to rezone the property from AR-111 to PRD for the purpose of building the proposed new subdivision.

This proposal should be denied. This development will be immediately adjacent to the Elah Valley subdivision, so it has a direct impact to our homeowners.

It is difficult to understand why such a development would even be proposed to the Hall County Planning Commission and the Board of Commissioners. This proposed development does not meet the Hall County comprehensive land use and development policies. It appears that the developer has a strategy to present such a development because they believe that the Planning Commission will not enforce the existing land use policies, or that by presenting this obvious out-of-line development, they can negotiate a revised development that still exceeds the current land use policies. This proposal should be denied.

This subdivision violates the Hall County Comprehensive Land Use Plan for this area.
The Hall County Comprehensive Land Use plan for our area is moderate density - 2 homes per acre. The current subdivision plan has 1.99 homes per acre for the free standing homes and over 8 homes per acre for the 129 town homes. The average taken in total is .36 acres per home lot. At 8 homes per acre the townhomes drastically violate the land use plan for this area. The 1.99 homes per acre for the free standing home lots is not an accurate portrayal of the lot size for free standing homes. The lot size for the free standing homes is much less than ½ acre. Flood plan areas, steep non buildable areas, retention ponds, and common areas are added to the total of actual lot sizes in order to build up to the 1.99 homes per acre metric computation. This development clearly does not meet the land use standards for this area. Why develop and document a land use plan if the county does not enforce it?

This proposed subdivision is not consistent with current and future land use for this area and is counter to the quality of life for current and future homeowners for this area.

As a subdivision itself, the Elah Vally homeowners are not against new subdivisions. We gladly share the ambiance and quality of life that we enjoy in this area. As this area continues to grow, the current homeowners and future homeowners make decision to move to this area specifically because of the nature of the area and the lower density of the homes.

We have already had recent subdivisions developed in this area: Grand View Estates and Quailwood. These subdivisions complement and align with the quality of life that attract people to this area. Allowing such a dense subdivision would be a negative contrast to the rest of the homes in the area, detracts from the quality of life of this area and is counter to the reason so many new people have moved to this area. It would also cause harm to the existing homeowners depressing the value of many homes – especially those adjacent to the proposed development, impacting recent homeowners and long time homeowners who bought into this area based on the nature of the area. There are other areas in Hall County that allow higher density subdivisions and the proposed subdivision should be reposition to those areas. This subdivision does not fit this area at all.

Guth Development - Additional water run-off into Mulberry Creek – Increased risk of flooding.

This issue, if not properly addressed, would have this new subdivision cause harm to existing homes in the area – specifically Elah Valley subdivision homes. A new subdivision development should not cause harm to existing homeowners. Any new proposed subdivision should not be allowed any additional rainwater run-off into the Mulberry Creek. Due to growing rainwater runoff from new developments, Elah Valley had to replace both bridges in our subdivision at a cost well over $100,000. If additional run-off was allowed, we would incur damage to our bridges and roads. The DNR evaluation of increased risk of flooding only looks at issues that impact the stream bed and not necessarily the man-made structures such as our subdivision road bridges. I have attached pictures of the past flooding over our road and bridges.

Thank you for your consideration of our concerns about the proposed Guth Development.

We respectfully request that this application be denied.

Bill Doucher

Elah Valley HOA President

770-329-7723

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Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 10:38 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Subject: Opposition to Rezoning Application HZON23-0041

Ana,

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

From: Bob League <hux2bul@gmail.com>
Sent: Monday, November 6, 2023 9:18 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: Bob League <hux2bul@gmail.com>
Subject: Subject: Opposition to Rezoning Application HZON23-0041

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Hall County Planning Commission, I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons. First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems. Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area. In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's

character and the environment when making your decision. I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations. Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Harry R League
5115 Deer Creek Ct
Flowery Branch, Ga 3052

Print

Planning Commission Comments - October 2, 2023 - Submission #80062

Date Submitted: 10/1/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Brian

Last Name*

Bright

Address1*

4305 Laurel Oaks Drive

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

This proposal should be denied. This area cannot support this many homes. Our infrastructure and schools are not equipped for the number of homes proposed in this request. The building of all these new apartments in this area has filled our roads and schools which make this development very unattractive to current residents. Leave our community alone.

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Fb.6.pack@att.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

October 16, 2023, Meeting of the Hall County Planning Commission

Re: Proposed Rezoning to allow a development of 324 homes on J. M. Turk Road.

When I moved to J. M. Turk Road in 2003, it was a two-lane road filled with pastures of cattle and horses. The road was only paved from Martin Road to the 4700 block, where there is a sharp right turn leading to multiple hairpin turns, ending at Cash Road. When the road paving was completed, development began, including the Jehovah Witness Kingdom Hall, Grandview Estates, Mulberry Creek Community Center, The Farmhouse Wedding Venue, Mulberry Springs Vineyard & Winery and more single family homes. With regard to Grandview Estates, familes with cattle sold them to avoid the liability of familes living just over the fence from their herds.

Mulberry Creek Community Center offers a wide range of exercise programs, a children's playground and dog park. It is also a Hall County Voting location. It stays extremely busy, especially some evenings and weekends. At times, their parking lot is filled to capacity and cars are parked on both sides of the road out front. If each of the 324 proposed, high density homes has just a minimum of two cars, that would be nearly 650 additional cars traveling this narrow, two-lane road every day. According to the Hall County Sheriff's Office, there have already been 12 traffic crashes on the road since January of 2023.

There are facts about Mulberry Creek that should be noted. Water runoff from all properties on the road spills into the creek and flows downstream toward Cash Road. At times, the creek is partially dry and only a small amount of water flows downstream. However, in heavy rains, water runoff flows like a torrent, through our Elah Valley Subdivision, passing under our two bridges. It brings with it large logs and other debris, causing damage and erosion. In recent years, we have had to replace both bridges at a homeowners cost close to $100,000. As the amount of water peaks, water flows over the bridges, making it risky to drive through it to access our homes. A car could easily be swept into the creek. Also, since both sides of the creek are eroding, multiple trees have fallen across the creek, creating a hazard for our children and animals. Additional water runoff from the proposed 324 homes would have a devastating effect on our subdivision, and, perhaps, other properties south of us.

Hopefully, this additional information will be helpful to you in making your rezoning decision.

Carole Branum
4793 J. M. Turk Road
Telephone: 770-289-2140

SilverSneakers

Mulberry Creek Daily Events

Sunday	CLOSED	CLOSED	CLOSED	CLOSED
7am – 9pm Monday	Silver Sneakers Classic 10am – 11am Christine		Pickleball 9am – 12noon	Pickleball 6pm-845pm Except during basketball season
7am – 9pm Tuesday	Silver Sneakers Yoga 10am – 11am Christine		Pickleball 9am – 12noon	Cards Arts/Crafts Room 9am – 12noon
7am – 9pm Wednesday	Silver Sneakers Fit4Gold 10am – 11am Cat		Pickleball 9am – 12noon	
7am – 9pm Thursday	Silver Sneakers Yoga 10am – 11am Eileen	Tai Chi 10:30 am Ruth Persails	Pickleball 9am – 12noon	
7am – 9pm Friday	Silver Sneakers Classic 10am – 11am Christine		Pickleball 9am – 12noon	
8am – 5pm Saturday				

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SilverSneakers® Yoga. Move through seated and standing yoga poses designed to increase flexibility, balance, and range of movement. Finish with restorative breathing exercises and final relaxation to promote reduced stress and mental clarity.

Fit4Gold: Perfect starter cardio class. Sweat to the oldies and some new ones, too! Aerobic/Dance combo class will get you movin' and shakin'.

Tai Chi uses gentle movements to help you gain balance, strength and flexibility. It is one of the many alternatives to help older people find pain relief.

PICKLEBALL – Come join this fun activity. Indoor racket/paddle sport where two or four players hit a perforated hollow ball over a 36-inch-high net. The manner of play resembles tennis or badminton but the court size and rules are different. Players are beginners to advanced and all are welcome.

CARDS – Active Generation - Cards are played in the Arts & Crafts Room. Game played, at this time, is "Hand & Foot", similar to Canasta. Everyone is welcome.

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Labels

to me

Listed below are the results of looking up the Traffic Crash Data for JM Turk Road from 01/01/23-09/27/23. Also, below is my contact information in case I can help you further.

During the time period of 01/01/23-09/27/23 there have been 6867 crashes in Hall County. During this same time period, there have b 12 crashes on JM Turk Road. Listed are the dates and times of the crashes.

01/02/23 8:06am
01/03/23 4:01pm
01/10/23 3:24pm
01/11/23 7:25am
01/25/23 7:54pm
01/28/23 6:30am
03/29/23 6:45am
05/19/23 12:55pm
06/18/23 12:40pm
06/29/23 6:25pm
07/16/23 11:59am
07/19/23 9:14pm

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, November 8, 2023 8:07 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Ana,

Please add this to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: chris linkowski <clinkowski@gmail.com>
Sent: Tuesday, November 7, 2023 5:48 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; contactus@silverleafmanagement.com
Subject: Opposition to Rezoning Application HZON23-0041

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Hall County Planning Commission, (Kathy Greenway)

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre, which leads to many problems. Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff.

Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area. In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application.

It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision. I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations. Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Christopher and Charlene Linkowski
4578 Wingfield Way
Flowery Branch, GA 30542
404-405-5797

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 8:36 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Please add to public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Janet Myers <jmm_cmc@hotmail.com>
Sent: Friday, November 3, 2023 7:12 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to Rezoning Application HZON23-0041

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems.

Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,

Dr. Janet M. Myers, DNP, APRN, FNP/GNP-BC, ADM-BC, CDCES, NEA-BC (ret.)
4859 Wildlife Way
Flowery Branch, GA 30542

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Thursday, December 21, 2023 9:00 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Proposed Rezoning and High Density Housing Development, JM Turk Road

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Janet Myers <jmm_cmc@hotmail.com>
Sent: Thursday, December 21, 2023 8:12 AM
To: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: dtimmscott@yahoo.com; DQNieto@aol.com; billcul2023@gmail.com; proctor12@hotmail.com; Darlene <Darlelong@bellsouth.net>
Subject: Proposed Rezoning and High Density Housing Development, JM Turk Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Diehl,

As a homeowner, I again want to thank you and your firm for providing opportunities for community members to voice concerns regarding the proposed rezoning and housing development adjacent to JM Turk Road, Flowery Branch, Georgia.

As I previously shared with you, I am confident that you will accurately relay to your client the many concerns that were resolutely expressed during the December 18th, meeting at the Mulberry Creek Community Center. Below is a summary of those concerns and potential sequelae articulated by individuals and families whose properties proximate to this high-density housing development.

Concerns are as follows:

- Devaluation of surrounding properties as proposed town-, traditional, and estate homes are not at all comparable in value.
- Marked degeneration of quality of life due to:
    - Congestion related to increased traffic estimated at an additional >600 cars on a currently designated, sub-standard county road.
    - Threats to personal safety due to potential for increased vehicular crashes and pedestrian injuries and/or death.
    - Irreparable ecological disruption due to radical change in topography resulting in destruction of current, fragile ecosystems.
    - Potential demographic shifts previously seen as a pattern due to the transient population affiliated with similar developments.
- Substantial increase in housing density when compared to surrounding communities that are located on notably larger lots when compared to the proposed 2.6 homes per acre.
- Inadequate access for emergency vehicles endangering the well-being and safety of inhabitants while potentially exposing the county to liability.
- Due to heightened risk of erosion and run-off resulting from proposed development, the integrity and structure of current bridges would be threatened. Residents are adamant about this potential threat as bridges in the area were recently re-constructed at a significant cost.
- Overcrowding of currently maximized schools and inability to accommodate anticipated expansion of student influx.

As was clearly evident from community feedback, opinions and perspectives are deeply entrenched that this development would inflict degradation, harm, and risk.

Best regards,
Dr. Janet M. Myers, DNP, APRN, FNP/GNP-BC, ADM-BC, CDCES, NEA-BC (ret.)

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Friday, September 8, 2023 2:51 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to HZON23-0041

Ana,

Please add for public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(office) 770-297-2649
(direct) 470-978-8272
klgreenway@hallcounty.org

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From: jayglez@bellsouth.net <jayglez@bellsouth.net>
Sent: Friday, September 8, 2023 2:12 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to HZON23-0041

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.

September 8, 2023

Dear Council,

As a resident of Quailwood subdivision, and in agreement with the majority in our community, I am writing to register strong opposition to the HZON23-0041 - rezoning for a Single-Family Subdivision located on the east side of JM Turk Road intersection with Guth and Stanley Roads. We understand the need for affordable housing in our city, however, we believe that this high-density development would have a detrimental impact on our community and the surrounding communities.

We believe that the lot size, home size, and location of this residential development may negatively result in economic, environmental, and social impacts on Quailwood, Grandview Estates, Martin Crossing, Laurel Oaks, and countless stand-alone homes along Martin, JM Turk, and Stanley Roads. We think these communities

would be better served alongside new residential homes and developments that a comparable in price, lot size, and home size.

The type and square footage of these proposed single-family residences and townhomes might drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a high-density housing complex. A development of this magnitude may also reduce environmental amenities causing significant environmental damage, destroying and displacing natural wildlife habitats, and increasing wildlife migration into residential communities.

We also think the proposed high-density development might be too large for this area. The increase in population density may place a strain on the existing infrastructure, possibly leading to increased traffic, congestion, pollution, road safety issues, and stress on our public & local services. High-density developments, like this one, may be better suited in areas where the infrastructure, schools, and public and local services can effectively support population growth.

Additionally, this development may harm property values in and around the surrounding areas. The influx of 300+ moderate-priced homes could lead to an increase in crime rate, diminution of property values, and generate lower home prices, making it difficult for current residents to sell their homes and move elsewhere.

On the other hand, given the desirability of our neighborhood and surrounding communities, this development may garner large profit margins for their stakeholders.
For years, South Hall has been growing at an all-time high. Rezoning and open lots have been filled with apartments, townhomes, and warehouses which impact the existing road network and public infrastructure. In our immediate area, we have personally experienced massive growth (as listed below) without enough infrastructure upgrades. We have experienced various tax increases, as shown in the substantial increases in property assessment taxes, without the new economic growth shouldering their share of the tax burden.

Justo (“Jay”) Gonzalez
4656 Quailwood Drive
Flowery Branch, GA 30542
Home: 770-965-1815
Cell: 770-540-5011
jayglez@bellsouth.net

To: Planning Commission 10/13/2023

From: Randy and Tammy Jones and Gloria Stanley

Addresses: 4590, 4601 and 4610 Stanley Rd.

Subject: Approval of rezoning package

Dear planning Commission,

Our family has lived on this property since 1963 and have seen a lot of changes as the county has grown. My mother-in-law's father, Buddy Martin owned the property much earlier than this and provided a place for his family to live. It is now time to sell; my mother-in-law is now in her 80's and the property is too much for her to maintain anymore. Her husband passed a little over seven years ago and she now lives alone. The house is deteriorating, and very costly to maintain on her low fixed income. The house is just too large for one elderly person to maintain. After serving over 30 years in the military my wife and I will no longer move back either. Therefore, we made a family decision about three years ago to put the property up for sale. This would provide her with financial security and the ability to purchase or rent a smaller place that is maintained by a management company.

If anyone opposes this rezoning, I would like to point out a few facts:

Before Grandview subdivision was built, we were approached, and my family was unable to purchase the property. We understood at the time growth and development in our area was booming. We were approached at this time as well and offered a really good offer for our lands. We declined and understood change was inevitable and watched the development happen. If Grandview subdivision opposes the rezoning, Grandview had the same opportunity to purchase our property if they choose and they did not. When they developed the subdivision and traffic increased on the road just above us, we dealt with it.

We had the chance to purchase the property that Quailwood subdivision now sits on before the subdivision was built so we would not have to view all the houses from our property. However, we could not and did not purchase the property. We now see all the houses if we walk the back half of our properties. If the neighborhood behind us, (Quailwood) opposes this rezoning they could have purchased our property when it was on the market. This is the same subdivision that did not like the traffic on Martin Rd. When the county developed a plan to help with the traffic, this subdivision opposed the county's plan. The county changed the plan from additional lanes and instead added, a roundabout and some stop signs. If traffic comes up as a reason, they should not have fought with the county's plan and instead did what the county planned. Also, the additional exit has opened on Interstate 985 and this is where most of the traffic will transit anyway. Martin Rd will not see the traffic they were not worried about years ago.

A few years back the eleven plus acres that sits almost in the middle of our property went up for sale. Jerry Phillips, the owner at that time asked if we wanted to buy it. However, with the passing of my father-in-law a few years earlier we were not financially able too. Again, we understood the potential it might be developed and nothing we could do about it. Before putting our property up on the

market, we approached the new owners and provided them with the opportunity to purchase our property. However, they chose not too as well.

The other property owner that adjoins ours, owned by Mark Faul, approached us when the property was put on the market. However, he only wanted the property on the left side of Stanley Rd. This is the most desirable part of our property. He only offered enough to pay for the land, which did not take into account the valve of my mother-laws primary recidence. He has sense built a winery business directly behind us and therefore really has no standing.

To address the concern about number of residents per acre that I read in the paper. The extremely large apartment complex at the corner of Martin Rd and Atlanta Hwy well exceeds the number of units per acre and they are still building more.

In closing, we have lived at this location for over 60 years. We were here before any of the residents above that might oppose this rezoning. It is our right to sale our property, any of them could have purchased the property before we went under contract with the developer. My mother-in law should not be concerned she will not have enough money to support herself, deal with the difficulties of maintaining a house that is over sixty years old and become a burden on the family. Thank you for your time and consideration.

Subject: Protecting the Heart of Hall County: No to Rezoning Application HZON23-0041

Dear Hall County Planning Commission,

I hope this letter finds you dedicated, as ever, to the well-being of our cherished Hall County. It is with a sense of urgency and a heavy heart that I pen this letter. The proposal for rezoning agricultural land to a Planned Residential Development (PRD) has many of us in the community worried, and I must voice my **strong opposition to application HZON23-0041**.

Our neighborhood's charm is in its tranquility and green spaces, something a PRD could significantly disrupt. The proposed density and design do not reflect the character of our existing homes and, frankly, it feels out of place. It's not just about how things look; it's about preserving the community feel we've all invested in.

I'm also troubled by the potential environmental impacts. More hard surfaces mean more runoff and more strain on our waterways. We already face challenges with water quality, and this development could make it worse, affecting everything from our backyards to the local wildlife we're so proud of.

I understand the need for growth, but it should not come at the expense of what makes Hall County special. I urge you to consider the long-term effects and to look for options that keep in line with our community's values and the natural beauty that surrounds us.

I respectfully appeal to the Hall County Planning Commission to reject this application and seek pathways that honor our established community character and uphold our commitment to environmental stewardship. We must wield our foresight and collective responsibility to ensure a legacy of a verdant and harmonious Hall County for our progeny.

Let's find a way to grow responsibly, in harmony with our environment and without losing what makes our area unique. Thank you for listening and for everything you do for our county.

Sincerely,

Jose Serres
4665 Windswept Way
Flowery Branch, GA 30542

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 20, 2023 8:33 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Opposition to zoning Application HZON23-0041

Ana,

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Cindy Cobb <cindyfcobb@icloud.com>
Sent: Sunday, November 19, 2023 4:46 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to zoning Application HZON23-0041

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the

current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Mark & Cynthia Cobb
Quailwood subdivision
4707 Deer Creek Court
Flowery Branch, GA 30542

Sent from my iPhone

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, October 30, 2023 2:45 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: FW: Stanley Road Development Letters and Powerpoint

Please make this a part of public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
770-531-6809 | www.hallcounty.org

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From: Mark Faul <arrowquest@gmail.com>
Sent: Monday, October 30, 2023 9:57 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Re: Stanley Road Development Letters and Powerpoint

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.

Thank you. However, extending my driveway to meet the new proposed Stanley Road and having homes on both sides of my driveway may also be a possibility and will cause considerable harm to my property value. It would be like driving through a subdivision to get to my house. Would the County ever allow such an action, like this?

This proposal is highly aggressive on all issues (ie, density, 4 variances, setbacks ...); thus, I do not think I am being paranoid. How do I protect myself from the possibility of this action?

I know Eric Conoly at 4690 Stanley Road is also deeply concerned about this potential development and its impacts on Stanley Road.

Thanks: Mark Faul, 678-472-6327

Virus-free.www.avg.com

On Fri, Oct 27, 2023 at 4:22 PM Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org> wrote:

> Good afternoon, Mark.
>
> Thank you for following up. Your concerns have been brought to the applicant, and your presentation added to the public comments for the request.
>
> I can assure you that construction plans would not be approved that landlocks your property, even if the project were approved by the board. A condition could be added to that effect to ensure that the issue is addressed if they choose to approve.
>
> Please let me know if you have any other questions.
>
> Thank you,
>
> Beth Garmon
>
> **Beth Garmon**
>
> Zoning Director
>
> Hall County Community Development and Infrastructure
>
> (office) 770-531-6809
>
> (direct) 770-297-2626
>
> bgarmon@hallcounty.org
>
> All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

From: Mark Faul <arrowquest@gmail.com>
Sent: Friday, October 27, 2023 4:12 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Re: Stanley Road Development Letters and Powerpoint

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.

Just wondering. Was this letter from the attorney indicating that my property will be landlocked forwarded to the applicant for resolution?

It's so hard to believe that my property is threatened like this.

Thanks: Mark Faul

On Mon, Oct 16, 2023, 3:45 PM Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org> wrote:

> Mark,
>
> Thank you for your email. Please be aware that the applicant has requested to table to the 11/20 Planning Commission meeting.
>
> Thank you,
>
> Beth

From: Mark Faul <arrowquest@gmail.com>
Sent: Monday, October 16, 2023 3:44 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Cc: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Stanley Road Development Letters and Powerpoint

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Hello. Please see the attached pdf file which transmits my concerns over the Stanley Road Development.

Also included is:

- a powerpoint for tonight's presentation - I will be brief if I can even speak.

- a letter from an attorney indicating that landlocked is illegal.

Thank you:

Mark Faul

678-472-6327

Proposed Guth Development – Opposition Mark Faul, PhD

- Strongly opposed to the proposed development of 324 homes in a 117 acre area.
- The proposed development harms the local property owners and the community.

These concerns follow:

1. Personal Impact to property owners – including landlocking access to buildings
2. Ethical Issues with Real Estate company, attorneys and review process
3. Mosquito problem from the numerous water detention ponds
4. Rural Area - proposed lot density exceeds what is reasonable for the area
5. Traffic Analysis is flawed
6. Sewer access and capacity is not clear
7. Summary

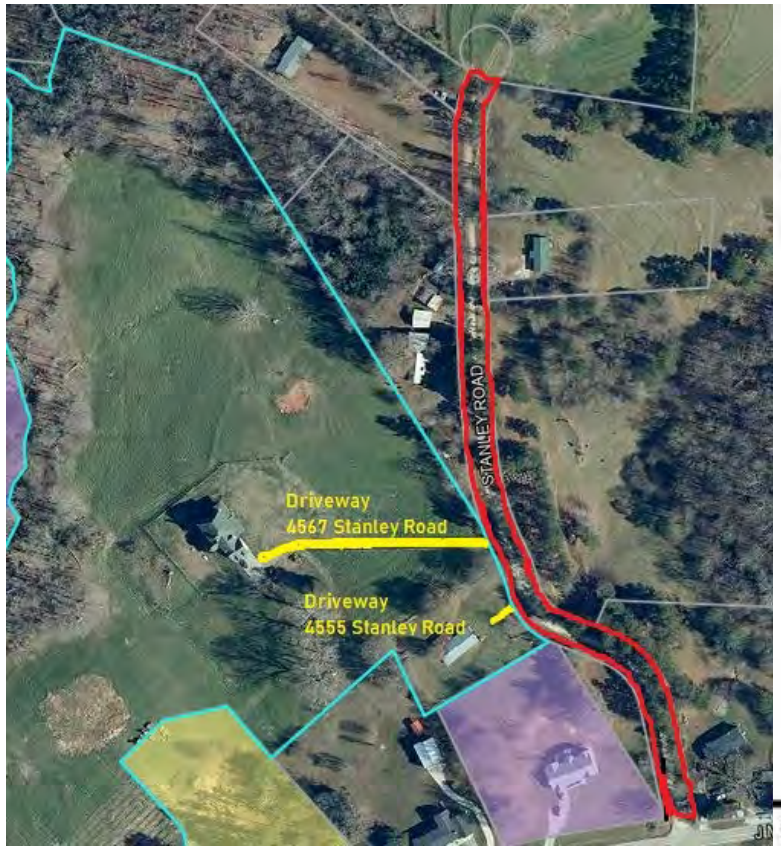
- Grateful for public comment opportunity

Proposed Guth Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:

- Personal residence – 4567 Stanley Road
- Barn – 4555 Stanley Road
- Unaddressed by the Hall County Planning Department Comments
- Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
- Greenspace blocks access to 4555 Stanley Road.
- Lot 1 cuts off access to personal residence.
- Improper setbacks on Lot 2.
- Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System



Proposed Guth Subdivision
Source:
https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final

Proposed Guth Development – Issue #2 – General Unethical Practice

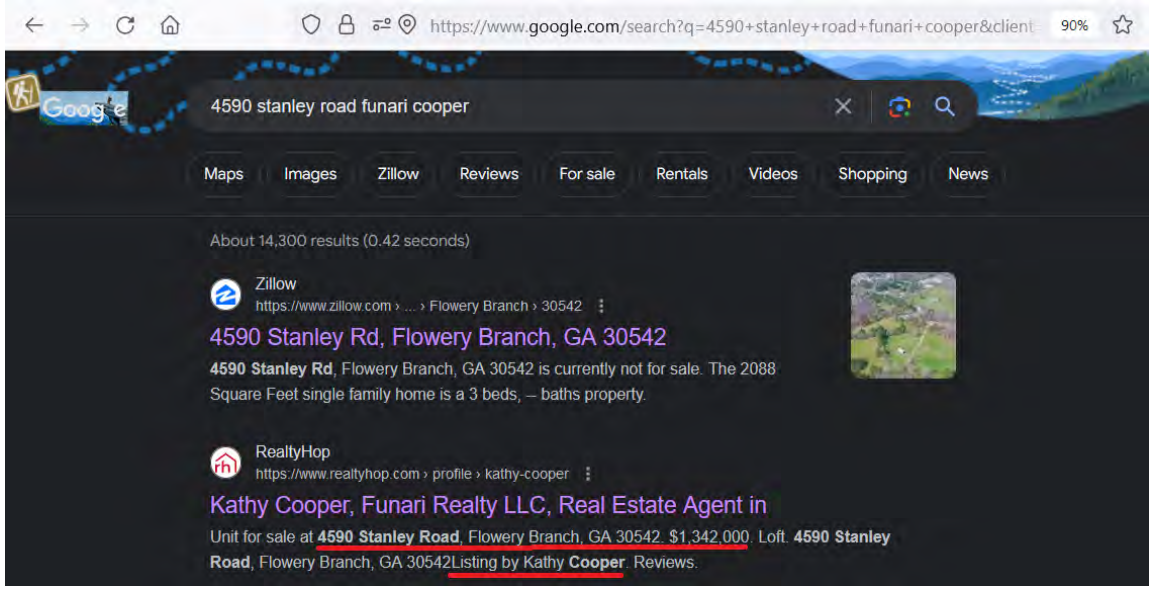
Some Ethical Considerations for the Hall County Commissioners

- Moving a Public Road (Stanley Road) without approval of the people who bought and live on that Road – unethical
- What kind of developers, real estate professionals and Hall County reviewers support land locking properties?
- Real Estate Agent on Property is a Hall County Commissioner:
  - Recusal from Commissioner votes on development is not enough
  - Kathy Cooper talked seller out of my offer in during January 2021
  - A real Estate Agent should never be a Commissioner – too many conflicts that can't be reviewed.
- Developers are attorneys – they will not have the needs of the community at heart (see linkedin site) and may not have the necessary skills to do a development like this.
- Real Estate Company is Funari - Engaged in questionable ethical violations
  - No MLS number in the system, yet the Funari sign has been up for years and is still up today.
  - Used photos of other land (up to 60%) in the flyers to try to sell the 4590 Stanley Road property
  - Talking sellers out of valid offers and no counter-proposals.

Proposed Guth Development – Issue #1 – General Unethical Practice

Some Ethical Considerations for the Hall County Commissioners

- How can a Commissioner be a real estate Agent on a property that impacts the community?
- Listed MLS pictures show 60% of other people's property without disclosure.
- Kathy Cooper's communications with the seller shaped and hampered my ability to purchase this property.
- Zillow says value of 4590 Stanley Road is $496,200. Listed price was $1,342,000



Mark Faul <arrowquest@gmail.com> Jan 13, 2021, 11:51 AM
to jkcooperfarms

Hello Kathy Cooper. Here is the last offer. I would like to submit something similar.

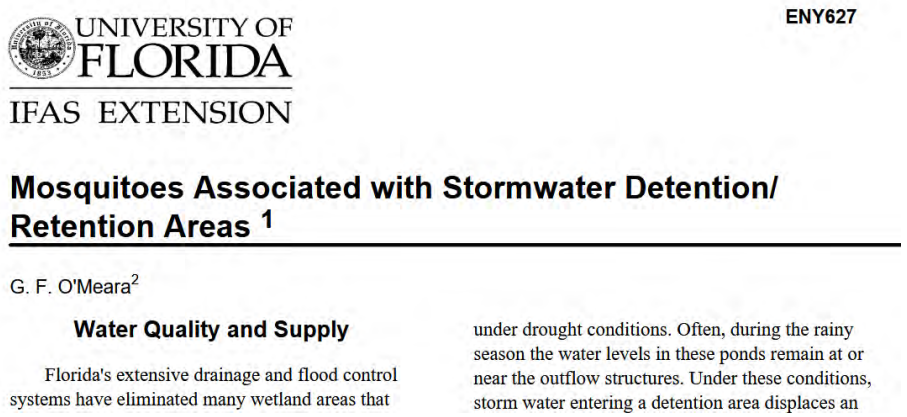
Thanks: Mark Faul, 678-472-6327

---------- Forwarded message ---------
From: **Mark Faul** <arrowquest@gmail.com>
Date: Tue, Feb 18, 2020 at 7:30 PM
Subject: Contract - 4590 Stanley Road
To: <tony@funarirealty.com>, <info@funarirealty.com>

Proposed Guth Development – Issue #3 – Mosquito and Disease

- Proposed Subdivision creates a giant mosquito problem for the area:
  - The Steep topography of the area creates quick water runoff during storms.
  - This excess water will rapidly fill the planned multiple planned detention ponds in an area of excessive housing density.
  - Mosquitos will result. Increased chance of disease (i.e., West Nile virus) and significantly harm the quality of life.
  - Winery on JM Turk Road will likely be harmed by increase of mosquito population – Direct threat.
  - Community Public Health Problem created. Public will be harmed - Direct threat.
  - Problem will prohibit substantial development of Stanley/Guth Road properties, unless underground detention ponds are created.
  - Sample of Research highlighting the mosquito problems associated with open detention ponds:

- Gingrich, Jack B., et al. "Stormwater ponds, constructed wetlands, and other best management practices as potential breeding sites for West Nile virus vectors in Delaware during 2004." *Journal of the American Mosquito Control Association* 22.2 (2006): 282-291.
- Irwin, Patrick, et al. "Urban wet environment as mosquito habitat in the upper midwest." *EcoHealth* 5 (2008): 49-57.
- Harbison, Justin E., et al. "The need for collaboration among government agencies to reduce mosquito production in mandated stormwater treatment structures." *Journal of the American Mosquito Control Association* 26.2 (2010): 198-204.



UNIVERSITY OF FLORIDA
IFAS EXTENSION

ENY627

Mosquitoes Associated with Stormwater Detention/ Retention Areas [1]

G. F. O'Meara[2]

Water Quality and Supply

Florida's extensive drainage and flood control systems have eliminated many wetland areas that

under drought conditions. Often, during the rainy season the water levels in these ponds remain at or near the outflow structures. Under these conditions, storm water entering a detention area displaces an

Proposed Guth Development – Issue #4 – Rural Area Imbalance

- Proposed Subdivision home density exceeds what is allowable:
  - Dept of Transportation tractor caution sign about 100 feet from Stanley Rd
  - 324 lots on a 117 acre parcel excessive.
  - Each lot, on average is less than 0.36 of an acre.
    - Smaller lots when you consider roads and detention ponds
  - Large tracks of land in the area. Active farmers. Wrecks between farm vehicles and autos will occur.
  - Largest vineyard in Hall County located about 400 feet from the proposed dense development.
  - Excessive development conflicts with agricultural vehicles.
  - Winery selected as an "agrotourism spot" by Georgia Grown Division within the State of Georgia
    - Development will hurt the local winery

The State works hard to push Georgia Grown Agriculture. This development is counter to that future effort.

GEORGIA grown®

Please vote no to the rezoning request.
This development proposal does not fit this area at all.

Proposed Guth Development – Issue #5 – Flawed Traffic Analysis

- Traffic Analysis flawed.
  - Traffic counts taken for one day (16 May 2023)
    - About half of the entire submitted proposal is a traffic analysis.
    - Inadequate representativeness. May not be representative of any flow patterns
    - Need analysis of multiple days. One day is inappropriate.
    - Statistical power for representativeness not done:
      - **Sampling ratio (sample size to population size):** Generally speaking, the smaller the population, the larger the sampling ratio needed. For populations under 1,000, a minimum ratio of 30 percent (300 individuals) is advisable to ensure representativeness of the sample. For larger populations, such as a population of 10,000, a comparatively small minimum ratio of 10 percent (1,000) of individuals is required to ensure representativeness of the sample. Source: https://wp.stolaf.edu/iea/sample-size/

  - Traffic Analysis not done on Stanley or Guth Roads
    - This is where most of the traffic will likely increase – about 300-1200 fold (estimate)
    - Analysis not performed, yet very relevant to the proposal

Proposed Guth Development – Issue #6 – Sewer Access and Capacity

- Sewer access is unclear
  - Very little in the proposal discusses sewer access
  - No Sewer service is available on JM Turk Road within a mile
  - This super high density is not even allowed with full sewer access.
  - Proposal is not consistent with the Hall County Development plan.
  - Traffic analysis of one day is flawed. No traffic analysis of Stanley or Guth Roads
  - The excessive above ground detention ponds will create a breeding ground for mosquitos.

Proposed Guth Development – Summary

- This hyper development does not belong in this area of Hall County.
    - Unethical actions (land locking)
    - Violates Hall County Development Rules (density, future growth plan)
    - Doesn’t make Sense
    - Doesn’t fit Agricultural feel
    - Poor and steep topography will cause detention ponds to stay full and create a Public Health Threat from Mosquito

Please vote no to the rezoning request.
This development proposal does not fit this area at all.

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Street Address:
Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300
Gainesville, GA 30501

In Your Community. In Your Corner.

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

15 October 2023

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Dear Randi Doveton:

This letter is in regard to my opposition to the proposed 324 lot development on Stanley Road in Flowery Branch GA. The proposed development harms the local property owners and the community. I am strongly opposed to this development for the following reasons:

1. The proposed plan landlocks my property from Stanley Road. The developers want to move Stanley Road and put houses in from of my driveway, thus, blocking me from my personal residence (4567 Stanley Road) and my Barn (4555 Stanley Road). I found out about this only by reviewing the proposal. I have sought legal counsel and confirmed that landlocking is illegal and I would have a legal case against the anyone involved in depriving me access, or damaging the appearance to my property. Please see attached letter.

2. It is unethical for a County Commissioner to be a Real Estate Agent on this matter. Various actions, such as talking the landowner out of an attempt to purchase the property is unethical. Please see the presentation for additional details.

3. Large portions of this property have steep topography. There are 4 large detention ponds that would fill up very quickly and drain very slowly. This would create a mosquito haven for the area. Given the exemptions for personal residences in the water detention calculations, the water not be properly captured and will cause flooding downstream and mosquitos, which is a direct threat winery business located nearby and to all of the surrounding residents. The increase in mosquito population will introduce mosquito vector based diseases such as (West Nile Virus and the Zika Virus).

4. The proposed lot density exceeds what is reasonable for the area and what is legally permissible. There is no known local sewer access. Tractors run on these roads! Hall County's largest vineyard is about 400 feet from Stanley Road.

5. This area is a breeding area for the Barred Owl. We hear them almost every night. This friendly form of wildlife helps maintain the rodent population. If the proposal goes through, it will ruin the natural habitat for the Barred Owl and the quality of life will suffer.

6. The Traffic Analysis is deeply flawed. It is not a representative sample of traffic, as it includes counts from a one-day total. Also, the traffic increase will be on Stanley Road (estimated 300-1,200 fold). Stanley Road was not included in the analysis.

7. The proposed development is not consistent with existing growth plans for Hall County.

8. The proposed development has one way in and one way out. This is very dangerous for high density housing. An "emergency exit" is someone's driveway that is an unrecorded "handshake" easement in Hall County.

I am deeply opposed to this development and will be negatively impacted by the plan is approved. Powerpoint slides are also attached. Please feel free to call me if you have any questions, Mark Faul (678-472-6327).

Sincerely:

Mark Faul, PhD
678-472-6327

Proposed Stanley Rd Development – Opposition: Mark Faul, PhD

- Strongly opposed to the proposed development of 324 homes in a 117 acre area.
- The proposed development harms the local property owners and the community.

These concerns follow:

1. Personal Impact to property owners – including landlocking access to buildings
   - Letter from an attorney indicating proposal is illegal.
2. Ethical Issues with Real Estate company, developers and the review process
3. Mosquito problem from the numerous water detention ponds
4. Rural Area - proposed lot density exceeds what is reasonable for the area
5. Displacement of the Barred Owl – friendly wildlife
6. Traffic Analysis is flawed
7. Not consistent with Hall County development plans
8. One way in and one way out – dangerous for high density housing
9. Summary

- Grateful for public comment opportunity

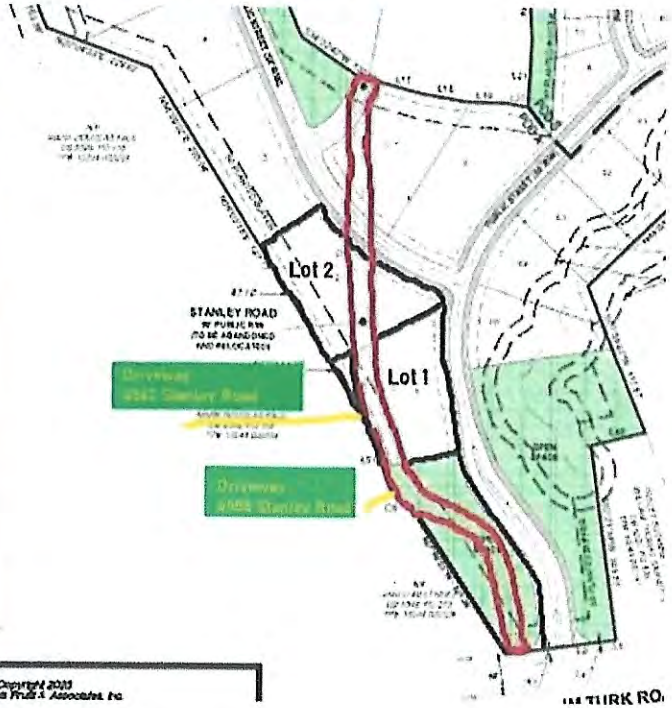
Proposed Stanley Rd Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:

- Personal residence – 4567 Stanley Road
- Barn – 4555 Stanley Road
- Unaddressed by the Hall County Planning Department Comments
- Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
- Greenspace blocks access to 4555 Stanley Road.
- Lot 1 cuts off access to personal residence.
- Improper setbacks on Lot 2.
- Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System

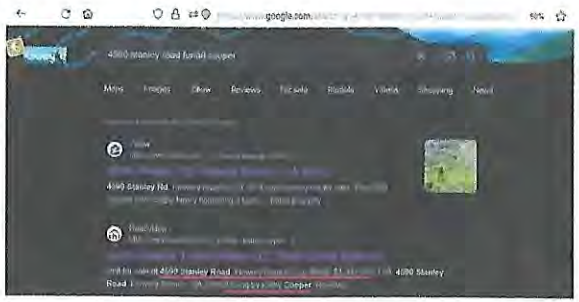
Proposed Guth Subdivision
Source:
https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final



Proposed Stanley Rd Development – Issue #2 – General Unethical Practice

Some Ethical Considerations for the Hall County Commissioners

- Moving a Public Road (Stanley Road) without approval of the people who bought and live on that Road – unethical
- What kind of developers, real estate professionals support land locking properties?
- Real Estate Agent on Property is a Hall County Commissioner:
  - Kathy Cooper talked seller out of my offer in during January 2021
  - A real Estate Agent should never be a Commissioner – too many conflicts that can't be reviewed.
- Developers are attorneys – they will not have the needs of the community at heart (see linkedin site) and may not have the necessary skills to do a development like this.
- Real Estate Company is Funari - Engaged in questionable ethical violations
  - No MLS number in the system, yet the Funari sign has been up for years and is still up today.
  - Used photos of other land (up to 60%) in the flyers to try to sell the 4590 Stanley Road property
  - Talking sellers out of valid offers.



Proposed Stanley Rd Development – Issue #3 – Mosquito and Disea

- Proposed Subdivision creates a giant mosquito problem for the area:
  - The Steep topography of the area creates quick water runoff during storms.
  - This excess water will rapidly fill the planned multiple planned detention ponds in an area of excessive housing density.
  - Flooding possibilities down stream – Eli Valley already floods.
  - Mosquitos will result. Increased chance of disease (i.e., West Nile virus, Zika) and significantly harm the quality of life.
  - Winery on JM Turk Road will likely be harmed by increase of mosquito population – Direct threat.
  - Community Public Health Problem created. Public will be harmed - Direct threat.
  - Problem will prohibit substantial development of Stanley/Guth Road properties, unless underground detention ponds are created.
  - Sample of Research highlighting the mosquito problems associated with open detention ponds:

- Gingrich, Jack B., et al. "Stormwater ponds, constructed wetlands, and other best management practices as potential breeding sites for West Nile virus vectors in Delaware during 2004." *Journal of the American Mosquito Control Association* 22.2 (2006): 282-291.
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UNIVERSITY OF FLORIDA
IFAS EXTENSION

ENY627

Mosquitoes Associated with Stormwater Detention/ Retention Areas [1]

G. F. O'Meara[2]

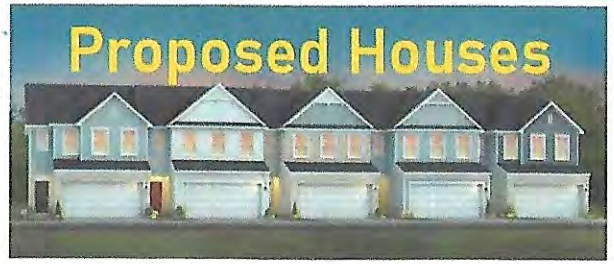
Water Quality and Supply

Florida's extensive drainage and flood control systems have eliminated many wetland areas that

under drought conditions. Often, during the rainy season the water levels in these ponds remain at or near the outflow structures. Under these conditions, storm water entering a detention area displaces an

Proposed Stanley Rd Development – Issue #4 – Rural Area Imbalance

- Proposed Subdivision home density exceeds what is allowable:
  - Dept of Transportation tractor caution sign about 100 feet from Stanley Rd
  - 324 lots on a 117 acre parcel excessive.
  - Each lot, on average is less than allowed by Hall County.
    - Smaller lots when you consider roads and detention ponds



  - Large tracks of land in the area. Active farmers. Wrecks between farm vehicles and autos will occur.
  - Largest vineyard in Hall County located about 400 feet from the proposed dense development.
  - Excessive development conflicts with agricultural vehicles.
  - Winery selected as an "agrotourism spot" by Georgia Grown Division within the State of Georgia
    - Development will hurt the local winery

The State works hard to push Georgia Grown Agriculture. This development is counter to that future effort.

GEORGIA grown®

Please vote no to the rezoning request. This development proposal does not fit this area at all.

Proposed Stanley Rd Development – Issue #5 – Barred Owl Nesting grounds

- Proposed Subdivision will hurt friendly wildlife in the area:

- Common Nesting ground for the barred owl.
  - Can hear them at night.
  - Owls keep rodent population in check.
  - Proposal will displace the Barred Owl nesting grounds.

Proposed Stanley Rd Development – Issue #6 – Flawed Traffic Analysis

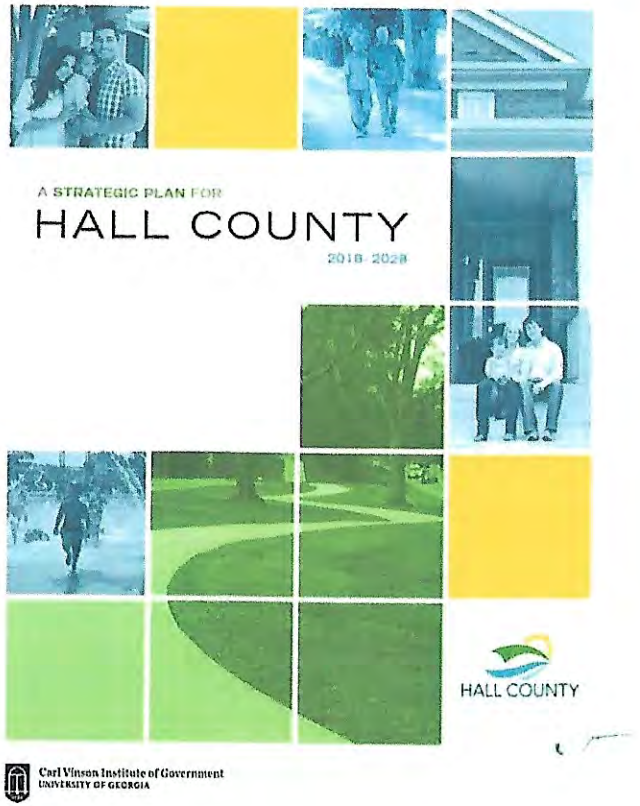
- Traffic Analysis flawed.

- Traffic counts taken for one day (16 May 2023)
  - About half of the entire submitted proposal is a traffic analysis.
  - Inadequate representativeness. May not be representative of any flow patterns
  - Need analysis of multiple days. One day is inappropriate.
  - Statistical power for representativeness not done:
    - **Sampling ratio (sample size to population size):** Generally speaking, the smaller the population, the larger the sampling ratio needed. For populations under 1,000, a minimum ratio of 30 percent (300 individuals) is advisable to ensure representativeness of the sample. For larger populations, such as a population of 10,000, a comparatively small minimum ratio of 10 percent (1,000) of individuals is required to ensure representativeness of the sample. Source: https://wp.stolaf.edu/iea/sample-size/

- Traffic Analysis not done on Stanley or Guth Roads
  - This is where most of the traffic will likely increase – about 300-1200 fold (estimate)
  - Analysis not performed, yet very relevant to the proposal

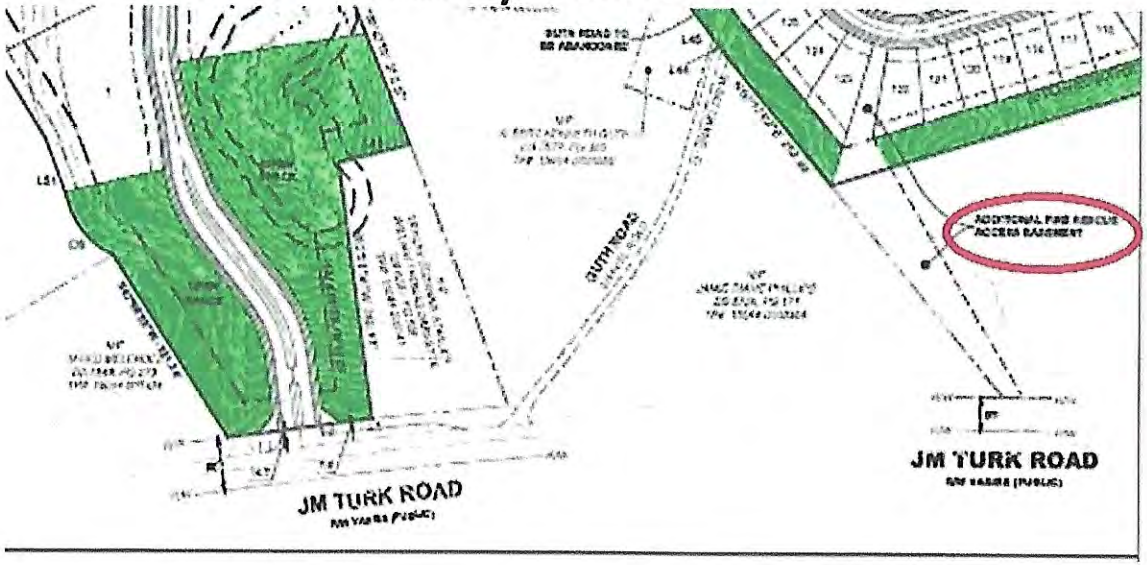
Proposed Stanley Rd Development – Issue #7 – Not consistent with Hall County growth pla

- Development is not consistent with the future growth plans already approved by Hall County Commissioners.



Proposed Stanley Rd Development – Issue #8 – No emergency exit from subdivision

- One way in and one way out – dangerous for EMS and Fire management.
- Proposed emergency exit is someone's driveway
  - Not a public Road
  - Handshake easement
  - Unrecorded in Hall County Records



Exit for emergency vehicles is a driveway, not a public road.

Proposed Stanley Rd Development – Summary

- This hyper development does not belong in this area of Hall County.
  - Unethical actions (land locking)
  - Violates Hall County Development Rules (density, future growth plan)
  - Doesn't make Sense
  - Doesn't fit Agricultural feel
  - Displaces friendly wildlife (Barred Owl)
  - Poor and steep topography will cause detention ponds to stay full
  - Creates a Public Health Threat from Mosquitos (Wet Nile Virus and Zika)
  - Proposal is not consistent with the Hall County Development plan
  - Dangerous – one way in and one way out.

Please vote no to the rezoning request. This development proposal does not fit this area at all.

Anael Dominguez (CDI: Planning)

From: Beth Garmon (CDI: Planning)
Sent: Monday, November 20, 2023 8:54 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Mulberry Springs Winery concerns over the proposed rezoning and dense Subdivision Stanley/Guth Road
Attachments: mulberry_springs_opposition_112023.pdf

Beth Garmon
Zoning Director
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Mark Faul <mark@mulberrysprings.com>
Sent: Monday, November 20, 2023 8:50 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Cc: derrick.mccollum@house.ga.gov
Subject: Mulberry Springs Winery concerns over the proposed rezoning and dense Subdivision Stanley/Guth Road

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Please note that 4567 and 4555 Stanley Road are active farm properties that support the Mulberry Spring Vineyard and Winery. The creation of a high density subdivision off of Guth and Stanley Road will severely hurt Winery activities.

This is a rural area with active farm operations, which is incompatible with farm activities. Please see the attached letter outlining the opposition. Request denial of any rezoning effort and any attempt to landlock properties on Stanley or moving the Road in any way.

Given the seriousness of this matter, a copy of this letter is going to the State Representative Office of Derrick McCollum.

Thank you for your consideration.

Mark Faul, PhD
Mulberry Springs Winery
https://www.mulberrysprings.com/
678-472-6327

Mulberry Springs
Vineyard and Winery

Arrowquest Services Inc.
4567 Stanley Road, Flowery Branch, Georgia 30542

17 November 2023

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Dear Randi Doveton:

Arrowquest Services Incorporated is the organization that operates Mulberry Springs Vineyard and Winery, which is a Farm House winery located at 4527 JM Turk Road, Flowery Branch GA 30542. These wineries are allowed on AGRICULTURAL- RESIDENTIAL III (AR-3) zoning and are very popular with the public. Farm Wineries were also encouraged by the State of Georgia to promote Georgia Agriculture and employment. Hall County Commissioners granted approval of Mulberry Springs Vineyard and Winery on 5 May 2021. Arrowquest Services Inc. manages Mulberry Springs Vineyard and Winery and has a role in providing the following positive attributes to the Hall County Community:

- The Largest Vineyard in Hall County.
- A google 5-star out of 5-star average review and 23,215 views on Google Maps (image 1).
- Overwhelming support on Facebook with thousands of likes, followers and support from the Community.
- Member of Georgia Agrotourism Group – supported by Road signs.
- Employs people and helps the economy.
- Provides a fantastic view for guests and helps create a positive image of Hall County.

Unfortunately, the proposed subdivision and rezoning request on Stanley Road in Flowery Branch GA will directly hurt winery operations and may result in the closure of the winery. The proposed subdivision, is actually an urban island in an established rural area, requesting 4 variances against existing Hall County rules. The rezoning application is located here: http://img1.wsimg.com/blobby/go/bdc3f054-bab6-4e84-8c37-25a3d969ad87/downloads/Guth%20JM%20Turk%20Stanley%20Rd%20-%20Thompson%20OBrien%20Kapp.pdf?ver=1696435243243).

This request is overly aggressive and is asking to put 324 homes on 117 acres, and will negatively impact the Mulberry Springs Vineyard and Winery in numerous ways. We encourage you to deny the rezoning request of PRD from AR-3 Stanley Road for the following reasons:

The plan Landlocks Winery Operations at 4555 Stanley Road. The proposal, if approved, moves Stanley Road and landlocks property at 4555 Stanley Road where some winery operations occur (image 2). Implementation of this plan will severely damage the winery operations. Stanley Road is currently a small gravel road that handles farm equipment to allow winery trucks and machine access. If not landlocked a reconfigured Stanley Road will have farm equipment competing with subdivision traffic of about 1,000 cars (image 3).

Views of Mulberry Springs are amazing – rezoning will destroy the views. People come to the winery to relax and get something they can't get at home, which is beautiful vistas and peacefulness.

The winery location was specifically chosen for its views and the limited growth possibility on Stanley Road due to its odd triangular shape the impossibility of building houses on the Road, given setback rules. However, the proposed plan is to move Stanley Road and will allow many houses to be seen from the winery. This will hurt the views of the largest Vineyard in Hall County and help destroy a valuable asset to the community. Further, the State of Georgia has declared Mulberry Springs Vineyard and Winery an official "Georgia Grown Agritourism site". This high-density subdivision proposal is inconsistent the State of Georgia agritourism designation (image 4).

The plan has excessive housing density, beyond allowable rules, which may result in noise complaints. Part of the vineyard lies 400 feet from Stanley Road. The current plan is to move Stanley Road and have houses backup to 4567 Stanley Road, with limited setbacks. Thus, people may hear wine drinkers have conversations and wine drinkers may be bothered by dense subdivision noise. It goes both ways. The excessive density and movement of Stanley Road puts winery operations at risk of receiving noise complaints and diminished winery patronage. Please note, the current AR-3 density is manageable and consistent with the entire rural area and is normal zoning for Wineries throughout the State of Georgia. However, PDR zoning is incompatible with winery operations and is setting up the winery for noise complaints. The decision to allow anything other than AR-3 zoning will severely injure the winery sales.

Retention Ponds will create a breeding ground for mosquitos. Mulberry Springs winery built an underground water detention pond that costs about $50,000. This was to avoid the mosquito problems in an area where there are outdoor activities. The proposed high-density subdivision has 4 detention above ground detention ponds. These ponds will be a breeding ground for disease (ie, West Nile virus, Zika...) and will likely severely hamper winery operations. If the proposed subdivision is approved, request the detention ponds be placed underground to protect the winery.

Please deny the zoning request. Homes could be built on the existing AR-3 zoning. No one rejects development on the current zoning of AR-3. This proposed plan is grossly overly aggressive and hurts the look and feel of this valued rural area. It will also severely injure the Winery Operations and activities. According to a study done by the University of Georgia, the number one reason people visit wineries to for the views and to connect with nature (Economic Contribution of Georgia Wineries and Vineyards, Prepared by: Kent Wolfe, Sharon P. Kane, and Karen Stubbs, University of Georgia, Center for Agribusiness and Economic Development, Center Report: CR-13-06, dated Sept 13th 2013 - https://caed.uga.edu/content/dam/caes-subsite/caed/publications/center-reports/economic-contribution-wineries-georgia.pdf). Specifically, "scenery" is listed as the number 1 reason people go to wineries (table #1.6). Further, in 2013, it was documented that the impact of Georgia Wineries on the State economy was "sectors, along with visitor spending contributes up to $81.6 million in output, 655.6 jobs throughout the state's economy, and $4.1 million in state and local tax revenue". It is probably double that now due to the winery growth in the North Georgia Mountains and due to inflation within the last 10 years since the report was written. This very dense subdivision proposal will undoubtedly hurt the winery due to a loss of "scenery". It will severely hamper winery operations and promote future noise complaints all for the purpose maximizing lots of land on a proposed future movement of Stanley Road. Many people like the winery location because it saves them from driving long distances to

visit other wineries. This proposal is so aggressive and inappropriate for a rural area, I have been in communication with my State Representative's office (Representative Derrick McCollum).

For these reasons (harm to an established winery with good community support, hampered winery operations, destruction of valuable scenery, loss of rural area that helps people's well being, increase of noise complaints, possible economic loss to Hall County and an increase in mosquitos) this rezoning request must be denied. Also, the proposal is inconsistent with the Hall County comprehensive Land Use Plan for this area and is counter to the quality of life for current and future homeowners and agri-businesses in the area, I urge the denial of the proposal of moving Stanley road and any rezoning change to an established rural area within Hall County. A non AR-3 zoning request would substantially hurt Mulberry Springs Vineyard and Winery.

Mark Faul, PhD

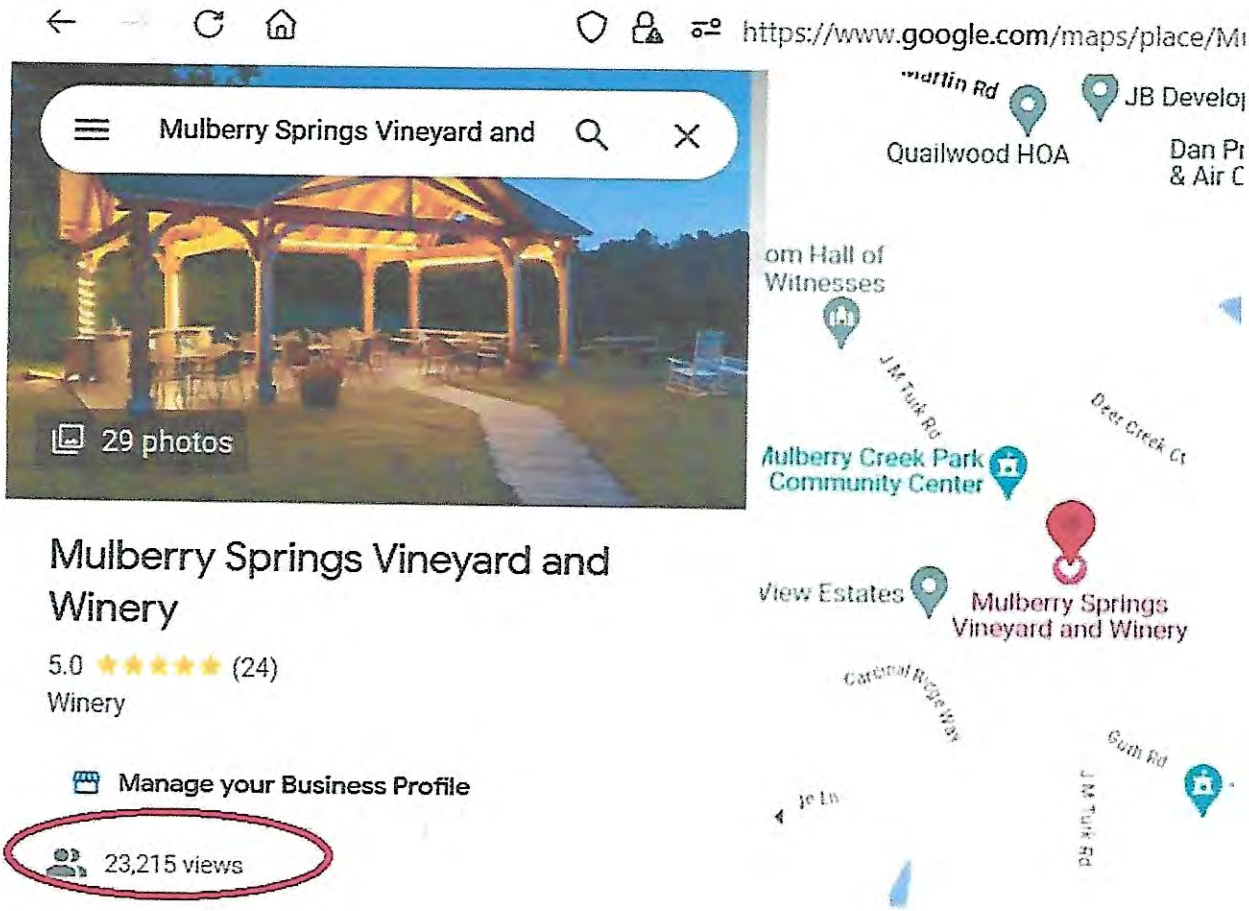
Arrowquest Services Inc, CEO

678-472-6327

4 images

Copy Furnished: Representative Derrick McCollum, 30th District 612-E Coverdell, Legislative Office Building, Gainesville, GA 30503

Image 1


https://www.google.com/maps/place/Mu
Mulberry Springs Vineyard and
29 photos
Mulberry Springs Vineyard and Winery
5.0 (24)
Winery
Manage your Business Profile
23,215 views
Quailwood HOA
JB Develo
Dan Pr
& Air C
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Witnesses
Mulberry Creek Park
Community Center
View Estates
Mulberry Springs
Vineyard and Winery

Image 2

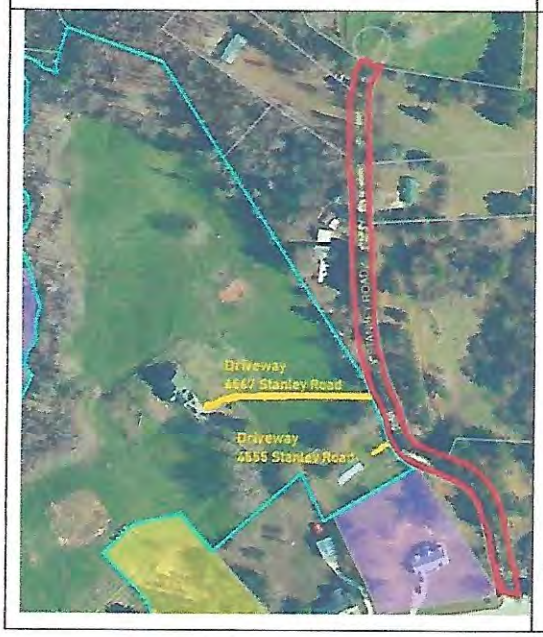
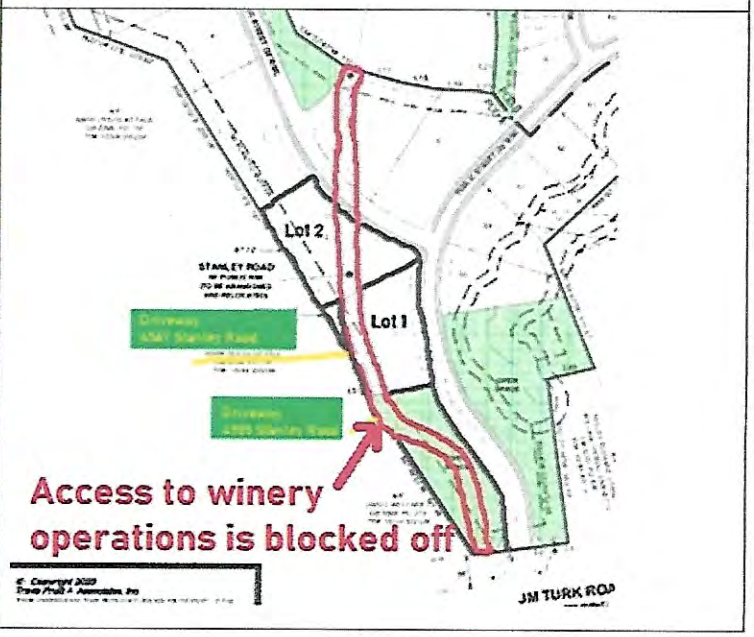
Current Road and property boundaries: Source: Hall County GIS System	**Proposed Stanley Road Subdivision** Source: https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final
	

Image 3

GEORGIA grown
GEORGIA AGRITOURISM
Mulberry Springs Vineyard & Winery
For Sale
AVISON YOUNG
12 +/- Acres
770-532-9911
avisonyoung.com
Frank N. Simpson, CCIM, SIOR
Sam B. Simpson

Impact of Proposed subdivision on Stanley Road on the Mulberry Springs Vineyard and Winery

MULBERRY SPRINGS
VINEYARD & WINERY
FLOWERY BRANCH, GEORGIA

11/20/23, Arrowquest Services Inc.

Winery Attributes

- Arrowquest Services Inc. manages Mulberry Springs Vineyard and Winery and has a role in providing the following positive attributes to the Hall County Community:

- The Largest Vineyard in Hall County.
- A google 5-star out of 5-star average review and 23,215 views on Google Maps (image 1).
- Overwhelming support on Facebook with thousands of likes, followers and support from the Community.
- Member of Georgia Agrotourism Group – supported by Road signs.
- Employs people and helps the economy.
- Provides a fantastic view for guests and helps create a positive image of Hall County.

- Please vote to deny this rezoning request

Problem #1: **The plan Landlocks Winery Operations at 4555 Stanley Road**.

- The current plan proposes to landlock 455 Stanley Road and put houses in front of the current properties there.
- Stanley Road is currently a small gravel road that handles farm equipment to allow winery trucks and machine access.
- If not landlocked a reconfigured Stanley Road will have farm equipment competing with subdivision traffic of about 1,000 cars
- An objective legal analysis informed the winery that if the proposed subdivision damages the property value at 4555 & 4567 Stanley Road, damages could be collected from the County and others.

Please vote to deny this rezoning request

Problem #2: **Views of Mulberry Springs are amazing – rezoning will destroy the views.**

- According to a study done by the University of Georgia, the number one reason people visit wineries to for the views and to connect with nature (Economic Contribution of Georgia Wineries and Vineyards, Prepared by: Kent Wolfe, Sharon P. Kane, and Karen Stubbs, University of Georgia, Center for Agribusiness and Economic Development, Center Report: CR-13-06, dated Sept 13th 2013 - https://caed.uga.edu/content/dam/caes-subsite/caed/publications/center-reports/economic-contribution-wineries-georgia.pdf). Specifically, "scenery" is listed as the number 1 reason people go to wineries (table #1.6).

Please vote to deny this rezoning request

Problem #3: **The plan has excessive housing density, beyond allowable rules, which may result in noise complaints**

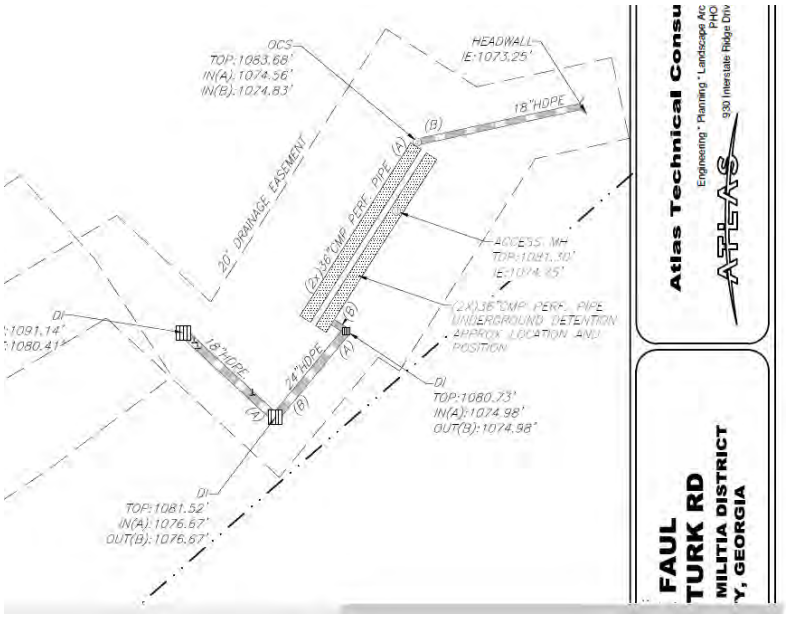
- The new homes will be 400 feet from the vineyard and 600 feet from the tasting room
- The movement of Stanley Road will put houses facing the winery
- Could be noise complaints from:
  - Winery participants
  - New people in the Subdivision
- Most Wineries in Georgia are in a agricultural zoning.
- This proposal is requesting:
  - Very Dense Housing 2.8 houses per acre and 8 plus houses with the townhomes
  - Aggressive exceptions to setbacks
  - Putting homes on the property lines of the winery, where there should only be a road
- Approval of the Rezoning will severely hurt the winery due to the proximity of homes and no planned buffers to address possible noise from both directions
- Mulberry springs Winery has been selected as an Agritourism Spot by the State of Georgia, This proposal is inconsistent with an established agribusiness.

Please vote to deny this rezoning request

Problem #4: **Retention Ponds will create a breeding ground for mosquitos.**

- The topography in the area is steep. Fast runoff of storm water will rapidly fill the ponds and there will be slow drain.
- Mulberry Springs put in a $50,000 underwater detention pond to stop mosquitos
- The proposed high-density subdivision has 4 detention above ground detention ponds.
- These ponds will be a breeding ground for disease (i.e., West Nile virus, Zika…) and will likely severely hamper winery operations.
- If the proposed subdivision is approved, request the detention ponds be placed underground to protect the winery and the people.

Mosquito Protection: Underground Water Detention Pond at Mulberry Springs Winery



Please vote to deny this rezoning request

Anael Dominguez (CDI: Planning)

From: Beth Garmon (CDI: Planning)
Sent: Friday, February 2, 2024 10:58 PM
To: Anael Dominguez (CDI: Planning)
Subject: Fwd: Ethical Issues - Proposed High Density Subdivision on Stanley Road (application HZ023-0041)
Attachments: ethics_memo_stanley_road_020224.pdf

From: Mark Faul <arrowquest@gmail.com>
Sent: Friday, February 2, 2024 8:24 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; fsosebee@hallcounty.org <fsosebee@hallcounty.org>
Subject: Ethical Issues - Proposed High Density Subdivision on Stanley Road (application HZ023-0041)

Some people who received this message don't often get email from arrowquest@gmail.com. Learn why this is important

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Hello. Some of the ethical issues associated with this proposed subdivision are so extreme, I decided to put my concerns in writing.

Also, please note that Gwinnett County uses the RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS (a Georgia Law) for subdivision planning. In applying this law to the proposed subdivision, it appears as this should not go forward due to the close location of the proposed entrances.

Thank you for considering these important issues.

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542
678-472-6327

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

2 February 2024

Hall County Planning and Development
2875 Browns Bridge Road
(attn: Randi Doveton, Director of Planning and Development)
Gainesville, GA 30504

Hall County planning Commissioners (via email)

Chris Braswell- District 2	cbraswell@hallcounty.org
Stan Hunt- District 3	shunt@hallcounty.org
Johnny Varner- District 4	jvarner@hallcounty.org
Gina Pilcher- Chairman appt	gpilcher@hallcounty.org
Frank Sosebee- District 1	fsosebee@hallcounty.org

This is in regard to the planned 324 living units off of Stanley Road and Guth Road in South Hall County (application HZ023-0041). The public has had a chance to speak on the project and there is strong opposition in the records. Issues like density, traffic, flooding, school capacity, harm to neighboring farms and one business have been raised. The only one person in favor of the project benefits from the pending sale. Approximately 150 people have signed a petition and gone on record in opposition. From the meetings, what has been has not been clearly mentioned are the ethical issues underlying this proposal. The ethical issues are so extreme, that documentation is needed to augment the record. Known ethical issues follow:

Landlocking property: To even suggest this action was illegal and unethical. During the fall of 2023, Hall County government staff reviewed the application and found many objections with the rezoning request and recommended denial to the Hall County Planning Commission; however, the issue of landlocking my personal property was not one of the reasons for the denial recommendation. The applicant's map showed a different configuration of Stanley road, where I had no road access to my properties (4555 and 4567 Stanley Road) and new homes were placed blocking my driveways. Being faced with the threat of not being able to enter my properties, I contacted Hall County about the landlocking issue and they said I can state my case to Hall County Planning Board Commission. This initial answer was insufficient compared to the threat to the greatly diminished value of my personal property due to non-entry. Thus, I hired an attorney to examine the rezoning request with respect to the landlocking issue. Keith Whittiker's letter (an attorney) indicated that I was indeed landlocked and would be eligible for compensatory damages and attorney fees if the rezoning request was approved (enclosure 1). This letter shows the seemingly illegal and unethical actions of Mr. William Deihl. It was provided to Hall County on 16 October 2023 along with a letter of overall opposition to the subdivision that boarders about 1,300 feet of my land. A specific diagram of the landlocking issue is available as of that letter, which is provided as enclosure 2. I recontacted Hall County to ensure that the letter had been forwarded to the applicant for action and the opportunity to change or withdraw their rezoning plans to allow me access to my personal property on 16 October (enclosure 3) and was told that all

concerns were forwarded to the applicant and Mr. William Deihl (email dated 27 October). They had 3-5 weeks to reverse an illegal action and chose not to.

On 21 November 2023, Mr. William Deihl presented the proposed subdivision map showing me being landlocked was presented during this meeting (enclosure 4). No visual change was made on the map. On this landlocking issue, the Chairman of the Planning Commission, Chris Blackwell, questioned why the applicant would submit such a proposal and why Hall County government staff would allow the application to progress to the Planning process.

Mr. William Deihl had ample time (about one month) to change the rezoning presentation map and details but did not. At no time did Mr. William Deihl or anyone from the law firm representing an "unknown client" ever discuss any easements with me. They used the time to barter with Hall County to determine what they could get away with. On 18 December 2023, I asked Mr. William Deihl who the developer was and was told he could not share this due to "attorney client privilege". I did get verbal and written requests to purchase my property. This action may have been designed to scare me into selling. All of this is highly unethical and illegal.

Applicant mismatch on the public meetings on 18 December and 21 December 2023: Unethical switch of law firms results in non-binding actions for the original applicant. Mr. William Deihl, a representative from a new law firm (**Smith Gambrell and Russell**) was there to talk about the project. Please see enclosure 5. It is noted that the original applicant on the subdivision was from **THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.** which was not the official applicant of the subdivision. This fact suggests the planning commission's requests were not adhered to and the answers to any questions cannot be effectively linked to the official subdivision application in front of Hall County for decision.

Emergency Road on land NOT owned: The applicant attempted to show the design of an emergency access location on a parcel they didn't own or have any current or future rights. This was illegal and highly deceptive. A map of the proposed subdivision shows an emergency access road from Rodge Little's property to join to Guth Road (enclosure 4). The pending sale of Mr. Rodger Littles's property does not include a usable roadway or driveway to Guth Road (enclosure 6). A check of the property records confirmed that the current driveway is actually owned by another property owner and there is no recorded easement for access to Mr. Little's property from Guth road, as shown on the presented map from the applicant. They knew this and were likely deceptive.

Request for 5-7 variances: Depending on which version is being discussed, the applicant asks for at least 5 variances that deviate from Hall County Code and Ordinances. We all have to follow ordinances and laws. Why is it acceptable for an organization who has no commitment to the community be allowed to skirt those rules that everyone else follows? Exceptions to the rules are exceptions, not the norm as stated during the meeting on 21 December 2023. How is granting this many exceptions to laws and ordinances be fair or ethical?

Mr. Deihl incorrectly stated that the proposed subdivision was similar to nearby established subdivisions: The applicant has stated that the proposed subdivision is consistent with subdivisions

with large homes (Grandview, Quail wood and Royal Lakes). As noted during the planning group, a Commissioner said this was not true. Some of the proposed homes are 1/4th the size of the stated comparable subdivisions. None are size comparable. This was dishonest or grossly misinformed.

Implied growth inconsistent with the area: It is unethical to have extreme growth inconsistent within the area. People purchase their homes with an expectation of future development around them, but that development should be consistent with the area. Hall county has an obligation to not harm people's property value by putting townhomes near large acreage tracks. To approve this project as presented, it would be injudicious to the surrounding residents. For example, Mr. Eric Conoly, who lives on 11 acres will be faced with 22 homes surrounding his 11 acre property. For my property, Stanley Road currently has about 10 cars on the road today, that is anticipated to increase to about 2,500 cars at mostly daylight hours. That is hundreds of cars an hour during the day compared to 10 cars a day on Stanley Road. This type of congestion is not typical for the area and is inconsistent with the buyer's original expectation of future growth. This applies to all land owners in the area, but disproportionately negatively impacts property value for the large land owners. This is a quiet rural area. Approval of any rezoning and this high density housing is a breach of implied promise of reasonable growth for all owners in the area.

County Commissioner is the real estate agent on the property (enclosure 7). This is highly unethical. Ms. Kathy Cooper may make hundreds of thousands of dollars from real estate commissions on this deal. Ms. Cooper has approached many land owners in the area to help create the assemblage and has worked to reject offers for part of the property. All of this is unethical and a commissioner deciding to recuse themselves from voting does not exonerate themselves from the ethical conflicts of representing his/her constituents. Specifically in Montgomery v. Atlanta the following was noted:

> A city councilmember was also a large stockholder in a paving company that was awarded a contract by the City of Atlanta. Ultimately, the contract was ruled to be contrary to public policy and therefore illegal, even though (1) the councilmember in question did not participate in the vote to award the contract and (2) the councilmember resigned from council and the remaining councilmembers voted again to ratify the contract after his departure.97 Self-recusal from a vote does not remove the conflict of interest where financial matters and personal gain are involved.

Please see enclosure 8 and 9 from the "ABUSE OF OFFICE, CONFLICTS OF INTEREST, AND ETHICAL STANDARDS, 2022 Association County Commissioners of Georgia (ACCG)", page 20 (https://www.accg.org/docs/handbook/Abuse%20of%20Power.pdf).

New emergency access road on Guth road. Mr. Deihl said during the 21 December 2023 meeting that the Commissioner's statement on the requirement for 2 ways in and 2 ways out of a subdivision over 150 homes could not be found. Yet, the Georgia State law if very clear (enclosure 10 and Enclosure 11). Georgia Counties may not over-ride Georgia Law (minimum fire safety standards). A different map presented on 18 and 21 December 2023 clearly violates the Georgia law by not complying with the distances in the two right of ways needed for a proposed subdivision of 120 or more homes. Gwinnett County uses this code during their development review process. The first part of the law states:

7. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

The second relevant part of the law states:

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

This proposed subdivision is 324 homes and thus 2 separate fire access roads are required. Also, the two roads must be indicated that the two entrances need to be ½ the length of the maximum overall diagonal dimension. The overall diagonal dimension is about 3,675 and ½ that distance is about 1,838 feet. Thus, the entrances need to be at least 1,838 feet from one another (enclosure 12). Mr. Deihl, an attorney, was either mistaken or deceptive in his identification of the proper applicable law.

Please see the following full reference regarding Minimum Fire Safety Standards:

Ga. Comp. R. & Regs. r. 120-3-3-.04 State Minimum Fire Safety Standards with Modifications
Georgia Administrative Code
Department 120. OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN COMMISSIONER
Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER
Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS

Agricultural area inconsistent with high density automobile traffic. Many people own tractors in the area and occasionally those tractors are in operation on JM Turk Road and the surrounding area. Geogia Department of Transportation placed a tractor cautionary sign about 70 feet from the entrance of Stanley Road many years ago due to the farming activity in the area (enclosure 13). Excessive automobile traffic and tractors do not mix well together. The zoning change from Agricultural Residential to PRD will hurt farmers in the area. For example, the largest vineyard in Hall County is about 400 feet from Stanley Road and the road is used by farm equipment to process the tonnage of grapes produced by the property. Stanley Road will have 2,500 or so car traffic trips a day. It is imprudent to push a farmer out of business so a developer can make money. The farmer in this case is using his property in accordance with the current and appropriate zoning.

Downstream flooding of Elah Valley: During the December 21st meeting, Elah Valley area, which is prone to flooding, will suffer from this highly dense development. Over time, residents reported more flooding each time a new development was put in (enclosure 14). Mr. Deihl said that detention ponds will catch all of the water. This is not true. Detention ponds do not solve current ongoing flooding issues. Detention ponds capture some water and allow the silt and pollution to settle to the bottom.

There is an overflow valve in each pond that allows excessive water to drain downstream during rainfall. Despite providing the required detention and water quality infrastructure the runoff from the property will be impacted given the massive increase of impervious surfaces and the steep slopes of the site. It will be unethical to cause flooding downstream. No variances should be approved as it will inevitably harm downstream homes and property.

This summary of unethical actions in this proposal is not complete. Nonetheless, it is disturbing. This applicant cannot be trusted to do the right thing and adhere to rules during a planning review process. What will happen when no one is looking if the development goes in? The rezoning request should be denied on the ethics alone.

Please feel free to call me if you have any questions (678-472-6327). I am grateful for your attention.

Concerned Resident:

Mark Faul, PhD
4567 Stanley Road
Flowery Branch GA 30542

Enclosure 1

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300

Your Corner

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 2

Proposed Development – Issue #1 – Landlocks access to two Buildings

- Proposed Subdivision moves Stanley Road and landlocks access to two buildings:
  - Personal residence – 4567 Stanley Road
  - Barn – 4555 Stanley Road
  - Unaddressed by the Hall County Planning Department Comments
  - Such action is highly unethical and probably illegal. It is currently being reviewed by an attorney.
  - Greenspace blocks access to 4555 Stanley Road.
  - Lot 1 cuts off access to personal residence.
  - Improper setbacks on Lot 2.
  - Not a mistake – other parts of the site plan show driveways (page 27)

Current Road and property boundaries:
Source: Hall County GIS System

Proposed Guth Subdivision
Source:
https://www.hallcounty.org/DocumentCenter/View/11561/Guth-JM-Turk-Stanley-Rd---Thompson-OBrien-Kappler---Final

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 3

Gmail

Mark Faul <arrowquest@gmail.com>

Stanley Road Development Letters and Powerpoint

Mark Faul <arrowquest@gmail.com> Mon. Oct 16. 2023 at 3:43 PM
To: "Katie L. Greenway (CDI: Planning)" <klgreenway@hallcounty.org>
Cc: "Beth Garmon (CDI: Planning)" <bgarmon@hallcounty.org>

Hello. Please see the attached pdf file which transmits my concerns over the Stanley Road Development.

Also included is:
- a powerpoint for tonight's presentation - I will be brief if I can even speak.
- a letter from an attorney indicating that landlocked is illegal

Thank you
Mark Faul
678-472-6327

3 attachments

Keith_Whitaker_20231016135643749[13700].pdf
349K

stanleyroadoppo-2023-10-16_033256.pdf
6362K

Stanley_Road_Dev_Issues_101623.pptx
8400K

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 4

Enclosure 5

Community Meeting // JM Turk and Guth Road Development Inbox ×

Diehl, William <wdiehl@sgrlaw.com> Dec 11, 2023, 12:14 PM
to William

Dear Neighbor,

You are receiving this communication because you expressed concerns to the planning department about the proposed development off of JM Turk Road. I represent the developer in this rezoning process.

Please let this serve as an invitation to one of the meetings discussed below. We have sent post card invitations to neighbors in the surrounding area, inviting them to the meeting. However, we encourage you to share this email with others that might also have concerns or questions about this project.

Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved.* Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

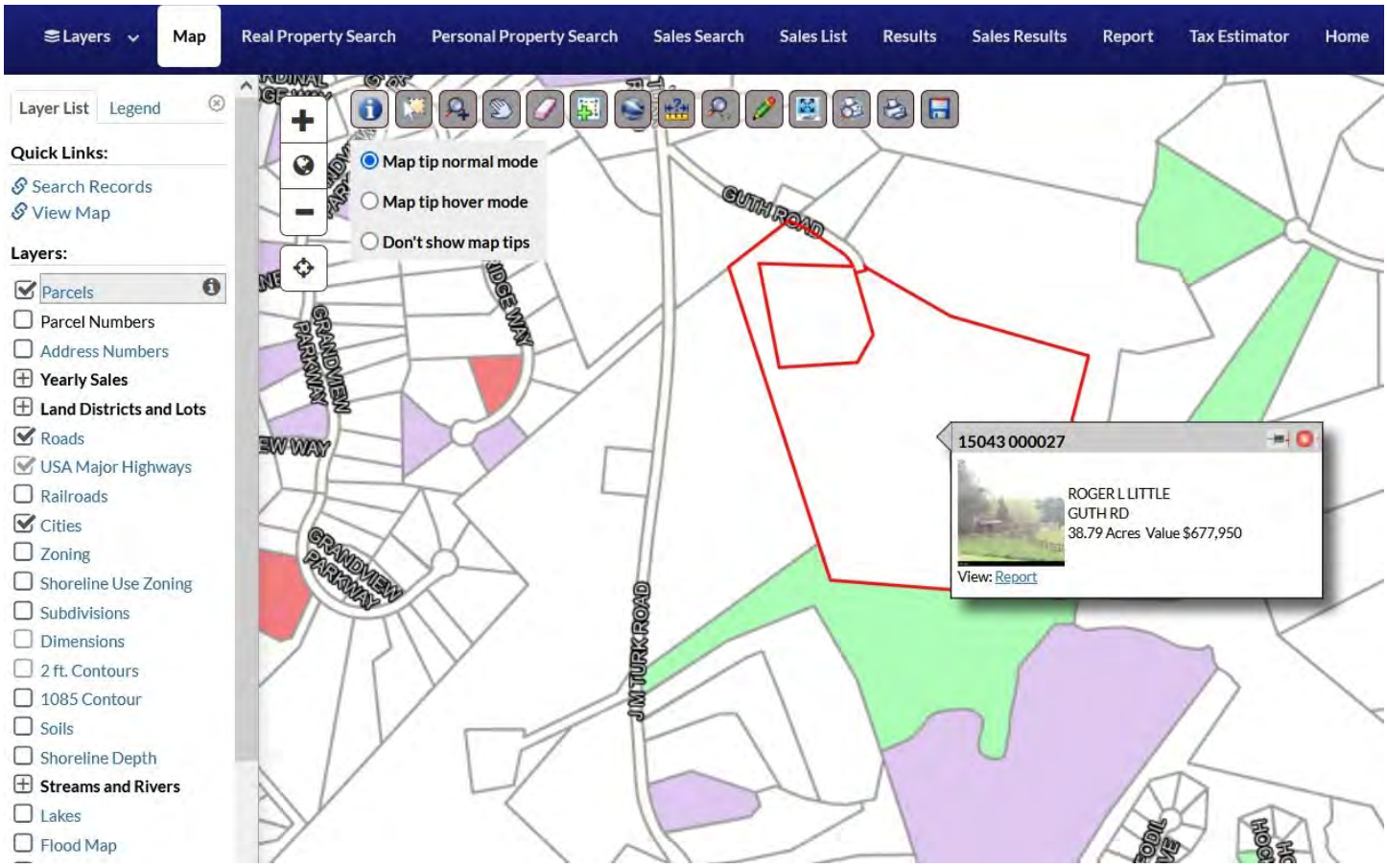
p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Smith Gambrell Russell

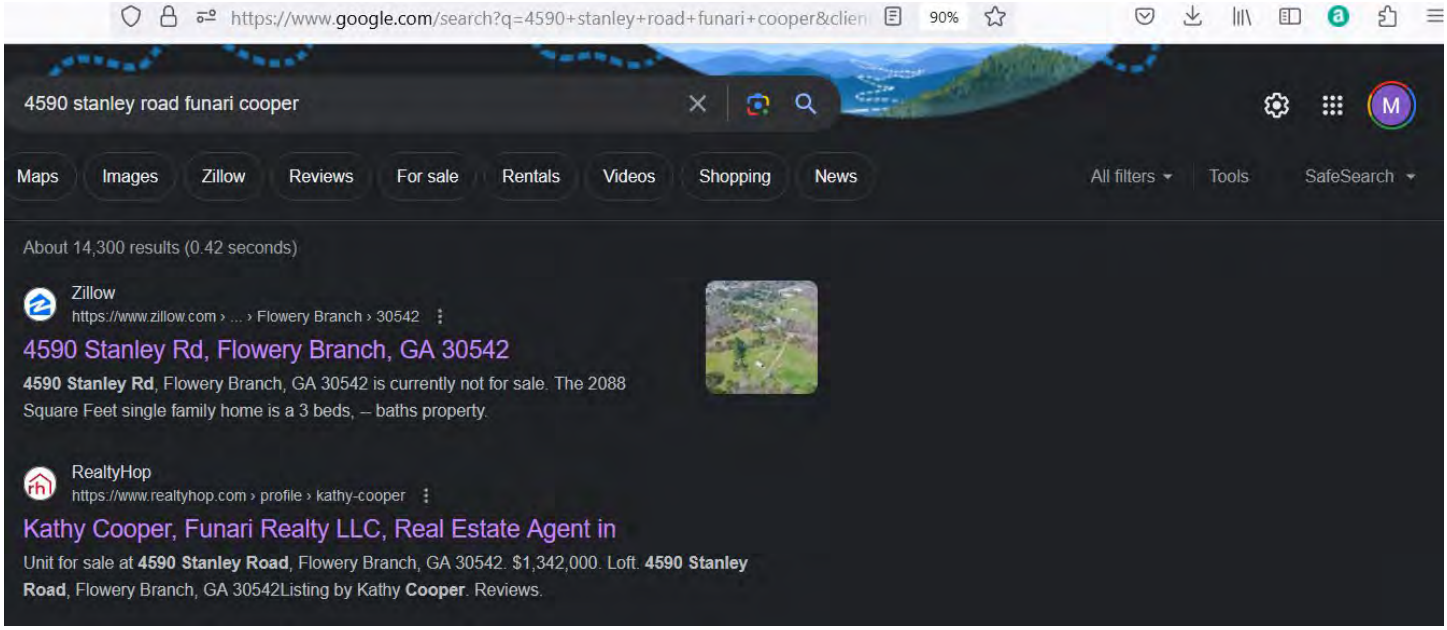
Not the original applicant so nothing said was binding to the applicant (THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.)

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 6



Enclosure 7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4590 stanley road funari cooper
Maps
Images
Zillow
Reviews
For sale
Rentals
Videos
Shopping
News
All filters
Tools
SafeSearch
About 14,300 results (0.42 seconds)
Zillow
https://www.zillow.com › ... › Flowery Branch › 30542
4590 Stanley Rd, Flowery Branch, GA 30542
4590 Stanley Rd, Flowery Branch, GA 30542 is currently not for sale. The 2088 Square Feet single family home is a 3 beds, -- baths property.
RealtyHop
https://www.realtyhop.com › profile › kathy-cooper
Kathy Cooper, Funari Realty LLC, Real Estate Agent in
Unit for sale at 4590 Stanley Road, Flowery Branch, GA 30542. $1,342,000. Loft. 4590 Stanley Road, Flowery Branch, GA 30542Listing by Kathy Cooper. Reviews.

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 8

ABUSE OF OFFICE, CONFLICTS OF INTEREST, AND ETHICAL STANDARDS

This chapter contains general information for the use of the members of ACCG and the public. This information is not and should not be considered legal advice. Readers should consult with legal counsel before taking action based on the information contained in this chapter.

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ACCG
Advancing Georgia's Counties

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 9

Conflicts Related to Business Transactions with the County: An Application of the Law

Board of Commissioners of Miller County v. Callan[94]
In this 2012 case, the court upheld a local home rule amendment that authorized the county to transact business with a commissioner. The board of commissioners, upon a majority vote, determined that the goods, services, or property could not be obtained for less and that the taxpayers' best interests would be served through the transaction. As such, the court ruled this local provision did not impair O.C.G.A. § 16-10-6 and, in fact, provided more protection against conflicts of interest.[95]

Having a Financial Interest in Matters Coming Before the Board

A conflict of interest can also arise if a commissioner stands to realize a financial gain from a transaction between the county and other entities. For instance, this scenario may occur when the county awards contracts for goods and services. The courts have also ruled that conflicts of interest can exist if a commissioner stands to suffer a financial loss.

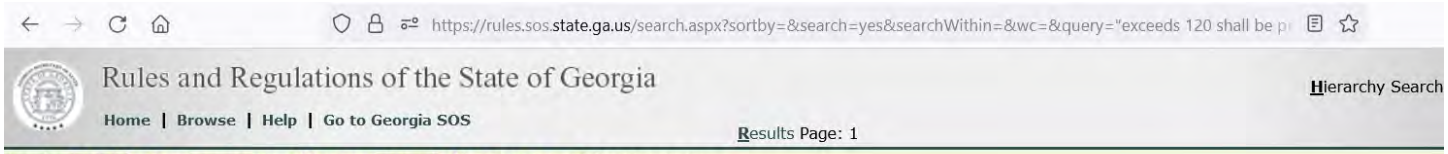
Potential Personal Financial Gain in Matters Coming before the Board: An Application of the Law

Montgomery v. Atlanta[96]
A city councilmember was also a large stockholder in a paving company that was awarded a contract by the City of Atlanta. Ultimately, the contract was ruled to be contrary to public policy and therefore illegal, even though (1) the councilmember in question did not participate in the vote to award the contract and (2) the councilmember resigned from council and the remaining councilmembers voted again to ratify the contract after his departure.[97] Self-recusal from a vote does not remove the conflict of interest where financial matters and personal gain are involved.

The courts have also invalidated paving contracts and related land acquisitions where the general contractor used a subcontractor owned in part by the city council president. Again, the fact the president abstained from the vote to award the contract was insufficient to eliminate the conflict of interest.[98] County commissioners must bear in mind that the courts will invalidate such transactions even if no monetary loss to the public is demonstrated, based on the very existence of the conflict of interest.[99]

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 10



Ga. Comp. R. & Regs. r. 120-3-3-.04 State Minimum Fire Safety Standards with Modifications

Georgia Administrative Code
Department 120. OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN COMMISSIONER
Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER
Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE MINIMUM FIRE SAFETY STANDARDS

Current through Rules and Regulations filed through January 17, 2024

Rule 120-3-3-.04. State Minimum Fire Safety Standards with Modifications

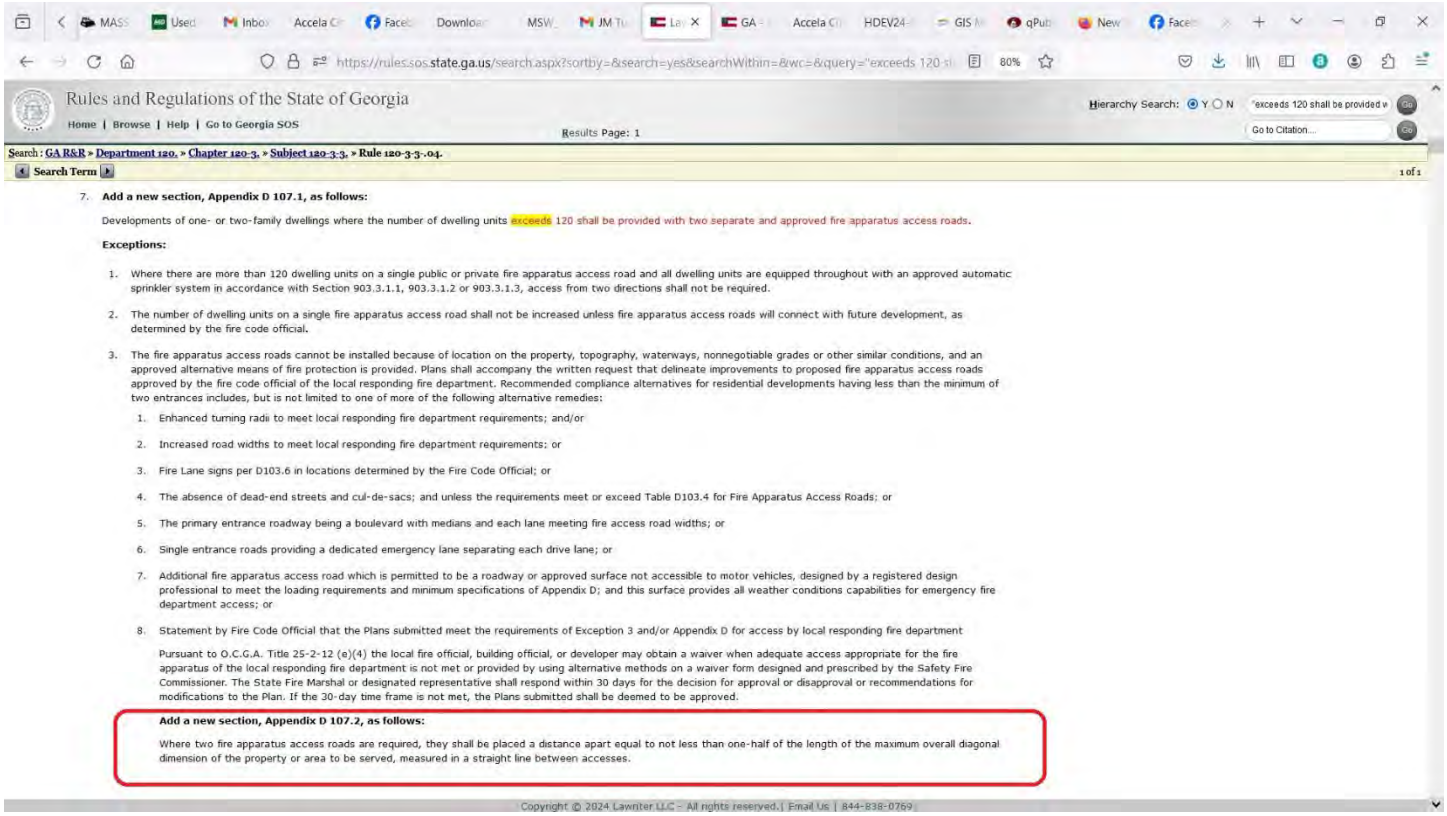
(1) Unless otherwise stated in this chapter, the edition of the *International Fire Code (IFC)*, and the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the *International Fire Code (IFC)* or the *International Building Code* (*IBC*) respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the *IFC* or *IBC* does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

(3) ***International Fire Code (IFC)*, 2018 Edition**

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 11



Rules and Regulations of the State of Georgia

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Hierarchy Search: Y N "exceeds 120 shall be provided w

Go to Citation...

Results Page: 1

Search : GA R&R » Department 120. » Chapter 120-3. » Subject 120-3-3. » Rule 120-3-3-.04.

Search Term 1 of 1

7. **Add a new section, Appendix D 107.1, as follows:**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:
   1. Enhanced turning radii to meet local responding fire department requirements; and/or
   2. Increased road widths to meet local responding fire department requirements; or
   3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
   4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
   5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
   6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
   7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
   8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

   Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

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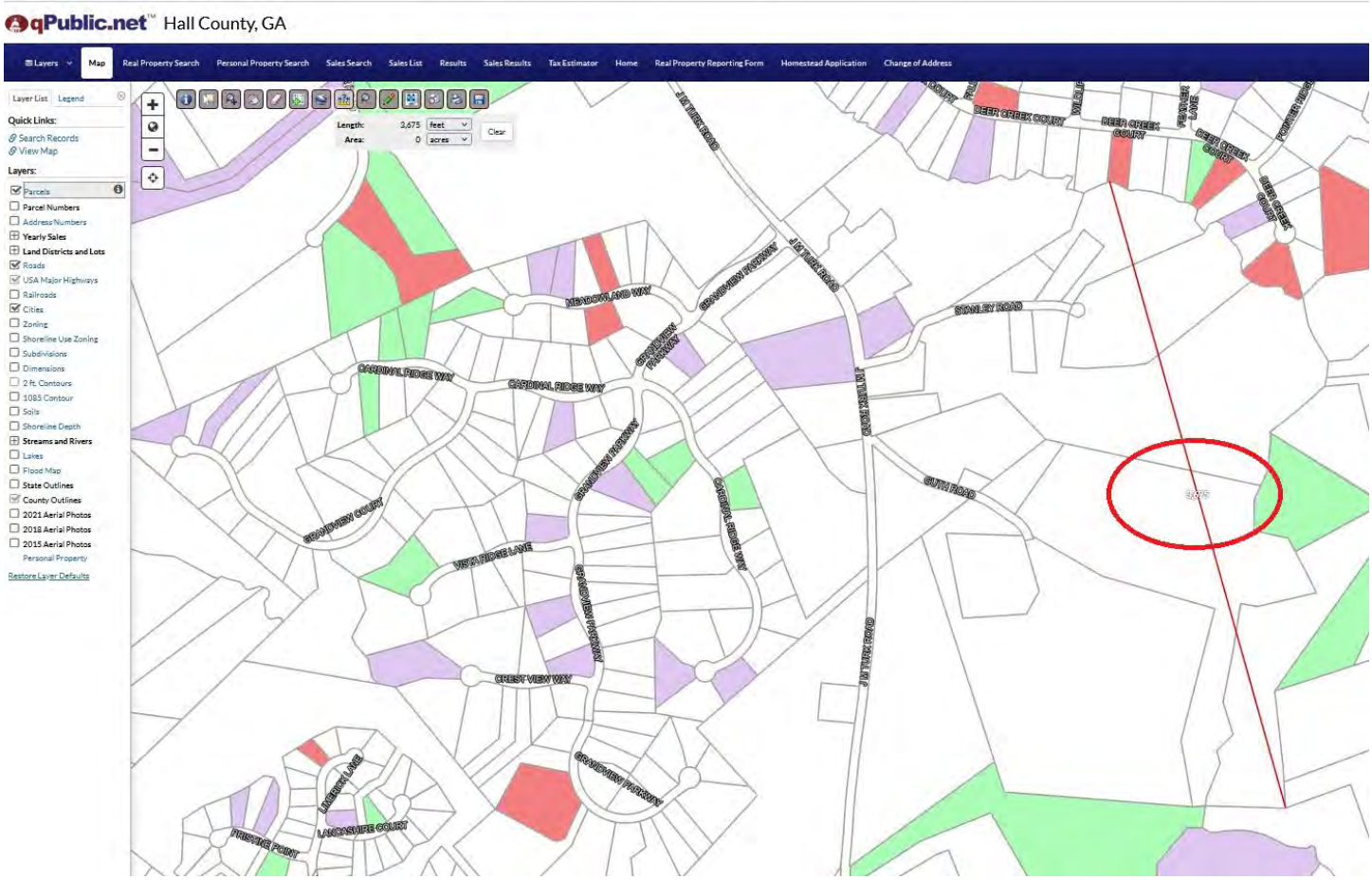
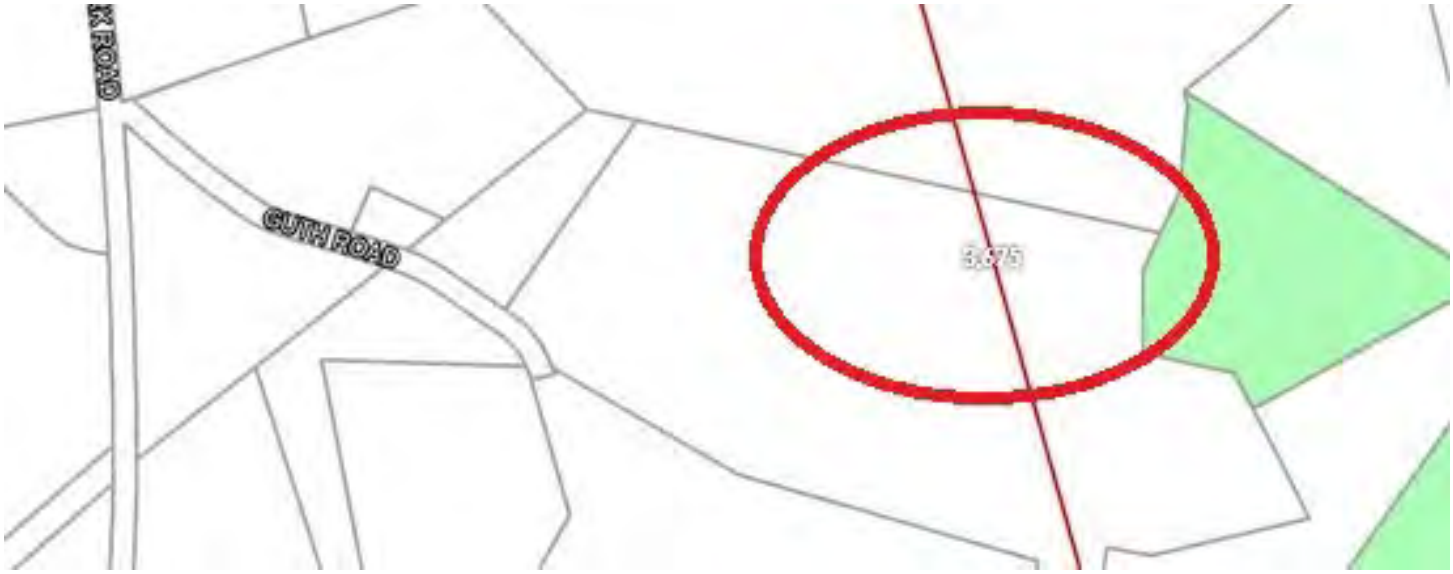
Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 12





Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

Enclosure 13

Enclosure 14

Mark Faul, PhD
4567 Stanley Road, Flowery Branch, Georgia 30542

21 December 2023

Memorandum for Record – 21 Dec Meeting, Mulberry Creek Community Center, Flowery Branch GA, 6:30-7:30

This is in regard to the planned 324 living units off of Stanley Road. Please note after the November 20th meeting between the public, the planning commission and the applicant, the planning commission suggested that the applicant have a public meeting to answer any outstanding questions. The purpose of the memorandum is to transmit the information shared with the public by this new law firm, not associated with the original subdivision application.

On 21 December 2023, Mr. William Deihl, a representative from a new law firm (**Smith Gambrell and Russell**) was there to talk about the project. Please see attached. It is noted that the original applicant on the subdivision was from **THOMPSON, O'BRIEN, KAPPLER & NASUTI, P.C.** which was not the formal applicant of the subdivision. This fact suggests the planning commission's requests were not adhered to and the answers to any questions cannot be effectively linked to the formal subdivision application in front of Hall County for decision.

Residents brought up many issues such as:

1) The residents were concerned about density and how this project does not match anything around the area. Many references were made to homes on Martin Road, Grandview and Quail Wood
2) Traffic Concerns and the location of the Traffic Study.
3) Residents were vocal about the loss of property value due to small homes going in around large acreage with large homes. The was no balance to the plan.
4) Flooding concerns of Elah valley (it historically floods). It had been noted that new development in the area resulted in more flooding down river.
5) Specific questions about set back footage were asked.
6) Variations of density concerns were raised.
7) Guth road widening and service to the subdivision was mentioned.
8) Road competition with tractor traffic would lead to anger and car crashes.
9) Residents said that there were a lot of farm vehicles that would be competing with automobile traffic.
10) One entrance only would create huge congestion on Stanley Rd and it was unfair to people who lived on the road now. Traffic on Stanley Rd is 2-6 cars a day. Future traffic will be about 2,500 cars a day.

The representative from new law firm (not the original applicant) responded with:

1) No clear or concise answers.
2) Mr. Deihl only said that the area needed new housing.
3) Mr. Deihl said he was unclear on the setback footage requests.
4) Mr. Deihl said that the law saying there was a need for 2 ways in and out of the subdivision was not found.

A hand vote showing favor and opposition to the project was taken at the end of the session. No one was in favor of the project and all 40 residents at the meeting were opposed to the project. The opinions were vocal and generally unanimous. No County official was present.

Please feel free to call me if you have any questions (678-472-6327).

Record Keeper:

Mark Faul

Print

Planning Commission Comments - October 2, 2023 - Submission #79852

Date Submitted: 9/29/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Melissa

Last Name*

Hurley

Address1*

4641 quailwood drive

Address2

City*

Flowery branch

State*

Ga

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Strongly oppose type of products(town home etc.) and density. It is an unreasonable request for a small country back road with no development to the area to support such drastically different products.

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Thursday, November 16, 2023 2:06 PM
To: Anael Dominguez (CDI: Planning)
Cc: Beth Garmon (CDI: Planning)
Subject: FW: 11.20.2023 Planning Meeting Regarding Proposed PRD on JM Turk Road

Ana,
Please add to the records for JM Turk.

Thanks,

Randi Doveton
Director of Planning and Development
Hall County Community Development and Infrastructure
(770) 297-5544 | www.hallcounty.org

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Please ***participate*** in our **Comprehensive Plan update** and development of a **Unified Development Code (UDC)** by visiting our **project website**.

All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Thursday, November 16, 2023 1:43 PM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Cc: Gina Pilcher <gpilcher@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>
Subject: FW: 11.20.2023 Planning Meeting Regarding Proposed PRD on JM Turk Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Director Doveton,

Please see the attached application package scheduled for the November 20, 2023 Commission Meeting.

In particular, please note page 29 describing "Sanitary Sewer Option 1" and page 30 which depicts the existing Plat of the "Little" property,
et al.

This sewer option described on page 29, crosses 100 feet, more or less, of my property. The Littles have "unstipulated" use
of this easement for vehicle traffic across my property. I have no issue with this or with the PRD proposal to use the easement for emergency vehicle access only, if they wish to proceed in that manner and if stipulated by the Commission. However, I do not consent to a sewer easement which crosses my property.

I also object to their proposed density, which exceeds 2 units per acre.

With kindest regards,
Milton Turk
770 375 6800

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Tuesday, November 14, 2023 8:32 AM
To: turkfam1@bellsouth.net
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

Please see the link below to the 11-20-2023 packet for this application. It looks like the only new information provided for the packet is the sewer application provided by Public Works (pg. 23).

0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Monday, November 13, 2023 12:52 PM
To: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

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.

Anael,

Have any amended plans been filed by the applicants since those filed in the link you sent me on 9.18.23? If so, would you please forward a link to me so that I may review prior to the applicants scheduled meeting on the 11. 20.2023?

Milton Turk

With kindest regards,

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Monday, September 18, 2023 8:37 AM
To: turkfam1@bellsouth.net
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: RE: Plans Request For JM Turk Road PRD Rezoning Request

Please see the link below.

0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant.**

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

From: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Sent: Monday, September 18, 2023 8:30 AM
To: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: FW: Plans Request For JM Turk Road PRD Rezoning Request

Ana,
Please see below.

Randi Doveton
Director of Planning and Development
Hall County Community Development and Infrastructure
(770) 297-5544 | www.hallcounty.org

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All **PLAT** and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning inquiries may be submitted to planning@hallcounty.org.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Monday, September 18, 2023 7:24 AM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: Plans Request For JM Turk Road PRD Rezoning Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Director Doveton,

Would you please provide me with a link to access the plans from applicants, Thompson O'Brien Kappler & Nasuti PC, for rezoning several properties on JM Turk to a PRD?

With kindest regards,

Milton G Turk
4702/26 JM Turk Rd
Flowery Branch, Ga 30542

Anael Dominguez (CDI: Planning)

From: turkfam1@bellsouth.net
Sent: Sunday, November 19, 2023 2:26 PM
To: gpilcher@hallcounty.org
Subject: June 2018 Flood Photos of Berry Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioner Pilcher,

Please see the following link of three photos showing damage from a June, 2018 flood on the Berry Creek at J M Turk Rd, Flowery Branch.

This flood inundated one half of my 9 acre field along the Berry Creek just a few hundred yards from it's confluence with the Mulberry Creek. It caused considerable damage to my stream banks and quickly overwhelmed the two barrel road culvert as shown by the flotsam left behind. We incurred several thousand dollars in expenses in restoring the worst of the streambank damage. My adjacent neighbors on the Mulberry Creek suffered much worse damage to their culverts on the Mulberry.

It is my hope that the Planning Commission and County Commission would weigh heavily the potential flood damage to us and our immediate neighbors on the Mulberry Creek, before approving large scale development above us.

I appreciate your work of the Planning Commission.

With kindest regards,
Milton Turk

https://vault.myvzw.com/webcs/lnwuvx6QcW

Anael Dominguez (CDI: Planning)

From: Randi Doveton (CDI: Planning)
Sent: Friday, February 2, 2024 11:12 AM
To: Anael Dominguez (CDI: Planning); Beth Garmon (CDI: Planning); Katie L. Greenway (CDI: Planning)
Subject: FW: JM Turk Road Rezoning Application of Thompson, O'Brien, Kepler, & Nasuti

Please see below.

From: turkfam1@bellsouth.net <turkfam1@bellsouth.net>
Sent: Friday, February 2, 2024 10:29 AM
To: Chris Braswell (Planning) <cbraswell@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>
Cc: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>
Subject: JM Turk Road Rezoning Application of Thompson, O'Brien, Kepler, & Nasuti

You don't often get email from turkfam1@bellsouth.net. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,

It's my continued recommendation that the Planning Commission deny the applicants in their request based upon the high density proposed. The Commission's Planning Staff has rightly concluded that the applicants plan is not consistent with the Hall County Comprehensive Plan for future land use designation, in that it exceeds the maximum density of 2 dwelling units per acre, for Residential future land use classification.

I am not opposed to my neighbors desire to sell their property for development. However, I continue to be opposed to their plan for the above reason.

Thank you Commissioners for your hard work.

With kindest regards,
Milton Turk

Print

Planning Commission Comments - October 2, 2023 - Submission #79746

Date Submitted: 9/26/2023

Comments completed in the form below will be submitted into the record for the October 2, 2023 meeting of the Hall County Planning Commission.

First Name*

Nathan

Last Name*

Goss

Address1*

4710 Crestview Way

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Zoning Item for Comment*

9. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

We are vehemently opposed to the proposed single family homes and townhomes that are under consideration off of JM Turk Road for several important reasons:
1. The impact of these smaller homes and townhomes on our homes value in the Grandview Estates subdivision.
2. Increased traffic on infrastructure that is barely able to keep up with existing volumes.
3. The proliferation of high-density housing has to come to an end in Hall County. We are sick of seeing these townhomes and apartment complexes that decrease home values, increase traffic and the subsequent safety issues associated with the volume of population. Having teen aged drivers in our family is our concern and high volume populations in our area are not welcome. Go find your tax dollars elsewhere.

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

ncgoss@att.net

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, November 8, 2023 4:22 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: Opposition to Rezoning Application HZON23-0041

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Peter walczuk <ppw65@yahoo.com>
Sent: Wednesday, November 8, 2023 4:17 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: Opposition to Rezoning Application HZON23-0041

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Hall County Planning Commission,

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the

current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,

Peter and Jana Walczuk
4614 Quail Court
Flowery Branch, Georgia 30542

Sent from my iPad

Print

Board of Commissioners Voting Meeting Comments - November 9, 2023 - Submission #83998

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*

Christopher and Charlene

Last Name*

Linkowski

Address1*

4578 Wingfield Way

Address2

City*

Flowery Branch

State*

GA

Zip*

30542

Item for Comment*

General Public Comments/Other Business

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*

Dear Members of the Hall County Planning Commission,
I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.
First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.
Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long□term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.
I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.
Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.
My Best,
Chris and Charlene Linkowski
4578 Wingfield Way
Flowery Branch, GA 30542
404-405-5797

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

clinkowski@gmail.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.

September 29, 2023

Dear Council,

We are writing to express our strong opposition to the HZON23-0041 - rezoning for a Single-Family Subdivision located on the east side of JM Turk Road intersection with Guth and Stanley Roads. We understand the need for affordable housing in our city, however, we believe that this high-density development would have a detrimental impact on our community and the surrounding communities.

We believe that the lot size, home size, and location of this residential development may negatively result in economic, environmental, and social impacts on Quailwood, Grandview Estates, Martin Crossing, Laurel Oaks, and countless stand-alone homes along Martin, JM Turk, and Stanley Roads. We think these communities would be better served alongside new residential homes and developments that a comparable in price, lot size, and home size.

The type and square footage of these proposed single-family residences and townhomes might drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a high-density housing complex. A development of this magnitude may also reduce environmental amenities causing significant environmental damage, destroying and displacing natural wildlife habitats, and increasing wildlife migration into residential communities.

We also think the proposed high-density development might be too large for this area. The increase in population density may place a strain on the existing infrastructure, possibly leading to increased traffic, congestion, pollution, road safety issues, and stress on our public & local services. High-density developments, like this one, may be better suited in areas where the infrastructure, schools, and public and local services can effectively support population growth.

Additionally, this development may harm property values in and around the surrounding areas. The influx of 300+ moderate-priced homes could lead to an increase in crime rate, diminution of property values, and generate lower home prices, making it difficult for current residents to sell their homes and move elsewhere.

On the other hand, given the desirability of our neighborhood and surrounding communities, this development may garner large profit margins for their stakeholders.

For years, South Hall has been growing at an all-time high. Rezoning and open lots have been filled with apartments, townhomes, and warehouses which impact the existing road network and public infrastructure. In our immediate area, we have personally experienced massive growth (as listed below) without enough infrastructure upgrades. We have experienced various tax increases, as shown in the substantial increases in property assessment taxes, without the new economic growth shouldering their share of the tax burden.

- ***Apartment Complexes**:
  - Folksong consists of 342 apartments.
  - Advenir at Flowery Branch consists of 312 apartments.

- ***New Housing Community**:
  - Falls Creek by Taylor Morrison consists of 188 single-family homes. Schools: Martin Elementary, C.W. Davis Middle School, and Flowery Branch High School.
- ***Distribution Centers**:
  - Makita (600,000 sq ft)
  - GXO (*unknown sq ft*)
  - Falcon Parkway Logistic Center (640,000 sq ft)
  - Thurmon Tanner Logistics, Bldg. A (445,00 sq ft), Bldg. B (265,000+ sq ft), Bldg. C (110,000+ sq ft), totaling 825,000+ sq ft. **The above information was gathered from public websites.*
- ***Self-Storage Facility**:
  - Boxville Storage (*unknown sq ft*)

Furthermore, the Northeast Georgia Inland Port (a $170M truck terminal) is expected to be fully operational by 2026 may also increase truck traffic, congestion, pollution, and road safety on the existing one or two-lane roads.

In conclusion, we strongly urge you to reconsider this proposed development. We believe that the scale and composition of this development do not fit into our community, surrounding communities, and stand-alone homes.

Sincerely,

//original signed//
The QW Community

CC:
Attached Community Petition

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership
Michael Agee	4744 Quailwood Drive	4744 Quailwood Drive Flowery Branch, GA 30542	☐
Oladimeji Akiode	5037 Pointer Ridge	5037 Pointer Ridge Flowery Branch, GA 30542	☐
Mbaukwu Uba Anaba & Uchenna Anne Anaba	4738 Quailwood Drive	4738 Quailwood Drive Flowery Branch, GA 30542	☐
Lee & Kimberly Anderson	4741 Quailwood Drive	4741 Quailwood Drive Flowery Branch, GA 30542	☑
David Keith Anglin & Terrie Anne Jackson	4764 Falling Brook Drive	4764 Falling Brook Drive Flowery Branch, GA 30542	☐
Christopher R. Autry	4538 Deer Creek Court	4538 Deer Creek Court Flowery Branch, GA 30542	☑
Robin D. Bailey, Jr. & Tina Bailey	4704 Quailwood Drive	4704 Quailwood Drive Flowery Branch, GA 30542	☐
Joe & Gena Bajjani	4684 Quailwood Drive	4684 Quailwood Drive Flowery Branch, GA 30542	☑
Daniel Baquet & Lauren Baquet	4744 Falling Brook Drive	4744 Falling Brook Drive Flowery Branch, GA 30542	☑
Glennis Barnes & Tamika Barnes	4659 Windswept Way	4659 Windswept Way Flowery Branch, GA 30542	☐
Michael Barnes & Amy Durfee	4856 Wildlife Way	4856 Wildlife Way Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Douglas Baum	4564 Wingfield Way	4564 Wingfield Way	
Brendon & Gina Blake	4625 Quail Court	4625 Quail Court Flowery Branch, GA 30542	☑
Jerry R. & Pebbles L. Bond	4662 Quailwood Drive	4662 Quailwood Drive Flowery Branch, GA 30542	☑
Richard Boring	4628 Quailwood Drive	4628 Quailwood Drive Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership
Jason & Deana Brooks	4605 Quailwood Drive	4605 Quailwood Drive Flowery Branch, GA 30542	☐
Craig M. Brown & Jennifer Brown	4662 Windswept Way	4662 Windswept Way Flowery Branch, GA 30542	☐
Douglas & Kimberly Byron	4818 Deer Creek Court	4818 Deer Creek Court Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Daniel Capel	4583 Wingfield Way	4583 Wingfield Way	
Robert Carlson	4904 Deer Creek Court	4904 Deer Creek Court Flowery Branch, GA 30542	☐
Robert & Pamela Carmical	4573 Wingfield Way	4573 Wingfield Way Flowery Branch, GA 30542	☐
Alan R. Chapman & Anne Chapman	4683 Quailwood Drive	4683 Quailwood Drive Flowery Branch, GA 30542	☐
Christopher L. Clement & Haley H. Clement	5064 Pointer Ridge	5064 Pointer Ridge Flowery Branch, GA 30542	☐
Mark G. Cobb & Cynthia F. Cobb	4707 Deer Creek Court	4707 Deer Creek Court Flowery Branch, GA 30542	☐
Donald J. Conklin & Theresa A. Conklin	4602 Deer Creek Court	4602 Deer Creek Court Flowery Branch, GA 30542	☐
John F. Cook & Janet D. Cook	4843 Wildlife Way	4843 Wildlife Way Flowery Branch, GA 30542	☐
Steven A. Cornelison	5104 Deer Creek Court	5104 Deer Creek Court Flowery Branch, GA 30542	☐
Stephen R. Marie G. Crocker	5118 Deer Creek Court	5118 Deer Creek Court Flowery Branch, GA 30542	☑
Yvonne Culpepper & William Culpepper	4777 Falling Brook Drive	4777 Falling Brook Drive Flowery Branch, GA 30542	☑

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership
James E. Daresta & Laurie Daresta	4669 Quailwood Drive	4669 Quailwood Drive Flowery Branch, GA 30542	☐
Janos & Rachel Demeter	4714 Deer Creek Court	4714 Deer Creek Court Flowery Branch, GA 30542	☐
Sherry Dubose	4617 Quailwood Drive	4617 Quailwood Drive Flowery Branch, GA 30542	☐
Angie Dudley	4913 Deer Creek Court	4913 Deer Creek Court Flowery Branch, GA 30542	☐
Jon & Tammy Duke	4702 Deer Creek Court	4702 Deer Creek Court Flowery Branch, GA 30542	☐
Jon & Tammy Duke	4630 Deer Creek Court	4702 Deer Creek Court Flowery Branch, GA 30542	☐
John & Stephanie Edmondson	4609 Quailwood Drive	4609 Quailwood Drive Flowery Branch, GA 30542	☐
Andrew Wayne Farr	4641 Quailwood Drive	4641 Quailwood Drive Flowery Branch, GA 30542	☐
Dena Furlow & Scott Furlow	4534 Deer Creek Court	4534 Deer Creek Court Flowery Branch, GA 30542	☐
Craig Gates & Suzanne Daymude	4781 Falling Brook Drive	4781 Falling Brook Drive Flowery Branch, GA 30542	☐
Andrew G. & Tara R. Goetz	4650 Windswept Way	4650 Windswept Way Flowery Branch, GA 30542	☐
Justo & Tammy Gonzalez	4656 Quailwood Drive	4656 Quailwood Drive Flowery Branch, GA 30542	☐
Francis & Diane Graham	4525 Deer Creek Court	4525 Deer Creek Court Flowery Branch, GA 30542	☐
James Harris, IV & Christine Harris	4579 Wingfield Way	4579 Wingfield Way Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0041

Owner	Property	Mailing Address	Ownership	
Eric D. Hasley & Sarah A. Hasley	5055 Pointer Ridge	5055 Pointer Ridge Flowery Branch, GA 30542		☐
Wesley R. Heine	4617 Deer Creek Court	4617 Deer Creek Court Flowery Branch, GA 30542		☐
Lloyd Herford, III & Blaire Whitcomb	4622 Deer Creek Court	4622 Deer Creek Court Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542		☐
William E. Hickman	4708 Deer Creek Court	4708 Deer Creek Court		
Charles & Gayle Hipple	4763 Falling Brook Drive	4763 Falling Brook Drive Flowery Branch, GA 30542		☐
Douglas Horsley & Diane Horsley	5123 Deer Creek Court	5123 Deer Creek Court Flowery Branch, GA 30542		☐
Sheraj & Sithara Jacob	4526 Deer Creek Court	4526 Deer Creek Court Flowery Branch, GA 30542		☐
Robert Jernigan & Karen Jernigan	4620 Quail Court	4620 Quail Court Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542		☐
Kevin & Sally Johnson	4729 Deer Creek Court	4729 Deer Creek Court		
Frank & Neicia Kahlert	4837 Wildlife Way	4837 Wildlife Way Flowery Branch, GA 30542		☐
Devendar Katkoori	4920 Deer Creek Court	4920 Deer Creek Court Flowery Branch, GA 30542		☐
David Albert & Rosario Keller	4727 Quailwood Drive	4727 Quailwood Drive Flowery Branch, GA 30542		☐
Bruce Kelly & Donna Kelly	4515 Deer Creek Court	4515 Deer Creek Court Flowery Branch, GA 30542		☐
Ova F & Cherie B Kelly	4627 Quailwood Drive	4627 Quailwood Drive Flowery Branch, GA 30542		☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership	
Donald J. Kennedy & Debra L. Kennedy	4850 Wildlife Way	4850 Wildlife Way Flowery Branch, GA 30542	Debra Kennedy	☑
Michael J. Kenny	5029 Pointer Ridge	5029 Pointer Ridge Flowery Branch, GA 30542		☐
Jenny L. Kidd	4672 Windswept Way	4672 Windswept Way Flowery Branch, GA 30542		☐
Michelle Kitzrow	4935 Feather Lane	4935 Feather Lane Flowery Branch, GA 30542		☑
Ellis Kopp & Dennice Kopp	4771 Falling Brook Drive	4771 Falling Brook Drive Flowery Branch, GA 30542		☐
		Flowery Branch, GA 30542		☐
Ronald E. Kowalski	4613 Quailwood Drive	4613 Quailwood Drive		
Bryan Kruger	4553 Deer Creek Court	4553 Deer Creek Court Flowery Branch, GA 30542		☑
Scott Krupa	4726 Quailwood Drive	4726 Quailwood Drive Flowery Branch, GA 30542		☑
Derby Lamptey-Mills & Ishmael Lamptey-Mills	4539 Deer Creek Court	4539 Deer Creek Court Flowery Branch, GA 30542		☑
		Flowery Branch, GA 30542		☑
Rufus & Lacrisia Larkin	4726 Deer Creek Court	4726 Deer Creek Court		
Justin T. Le & Julie Le	4697 Quailwood Drive	4697 Quailwood Drive Flowery Branch, GA 30542		☐
Robert & Jeanne League	5115 Deer Creek Court	5115 Deer Creek Court Flowery Branch, GA 30542		☑
Oliver LeBlanc	4750 Falling Brook Drive	4750 Falling Brook Drive Flowery Branch, GA 30542	Jessica LeBlanc	☐
Michael Lederer & Jennifer Lederer	4722 Deer Creek Court	4722 Deer Creek Court Flowery Branch, GA 30542		☐
Joseph M. Leonardo & Deborah A. Leonardo	4849 Wildlife Way	4849 Wildlife Way Flowery Branch, GA 30542	Deborah A Leonardo	☑
			Joseph Leonardo	☑

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet - HZON23-0042

Owner	Property	Mailing Address	Ownership
Meghan Lifsey & William Lifsey	4912 Deer Creek Court	4912 Deer Creek Court Flowery Branch, GA 30542	☐
Christopher E. Linkowski	4578 Wingfield Way	4578 Wingfield Way Flowery Branch, GA 30542	☐
Donald S. Lomax	4632 Quailwood Drive	4632 Quailwood Drive Flowery Branch, GA 30542	☐
Gary & J Darlene Long	4655 Quailwood Drive	4655 Quailwood Drive Flowery Branch, GA 30542	☒ X
Arthur D. & ~~Teresa Z. Marlow~~	4656 Windswept Way	4656 Windswept Way Flowery Branch, GA 30542	☐
Edwin Matos & Peggy Proctor-Matos	4751 Falling Brook Drive	4751 Falling Brook Drive Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Justin M & Fran McCain	5024 Pointer Ridge	5024 Pointer Ridge	
Gary & Doris McClung	4936 Feather Lane	4936 Feather Lane Flowery Branch, GA 30542	☐
John P. McGarvey	4572 Wingfield Way	4572 Wingfield Way Flowery Branch, GA 30542	☐
Kenneth L. McKinney	4821 Deer Creek Court	4821 Deer Creek Court Flowery Branch, GA 30542	☐
Kelly D. & Keith McLane	4732 Deer Creek Court	4732 Deer Creek Court Flowery Branch, GA 30542	☐
Alfred Meek & Pilar Meek	4806 Deer Creek Court	4806 Deer Creek Court Flowery Branch, GA 30542	☐
Randall Peter Miller	4650 Quailwood Drive	4650 Quailwood Drive Flowery Branch, GA 30542	☐
Mark Misner & Linda Farris	4615 Quail Court	4615 Quail Court Flowery Branch, GA 30542	☐
Tara Mitchell & Caleb Mitchell	5061 Pointer Ridge	2834 Birdsall Ave Oakland, CA 94619-3302	☐

Quailwood Homeowners Association, Inc.

Opposition Petition | Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Phone	Email	Ownership	
Anshul Mittal & Prachi Mittal	4507 Quailwood Drive	4507 Quailwood Drive Flowery Branch, GA 30542	(678) 895-8718	Anshul1234@gmail.com		☐
		Flowery Branch, GA 30542				☑
Dave & Laly Moorthy	4626 Deer Creek Court	4626 Deer Creek Court	(770) 402-0180	lalydevan@gmail.com		
Joan Moretz	4645 Windswept Way	4645 Windswept Way Flowery Branch, GA 30542		thmoretz@aol.com	Joan Moretz	☑
Gregory D. Myer & Tiann R. Myer	4653 Windswept Way	4653 Windswept Way Flowery Branch, GA 30542	(513) 404-5382	greg@c3innova.com		☐
Stephen Myers & Janet Myers	4859 Wildlife Way	4859 Wildlife Way Flowery Branch, GA 30542	(661) 805-8783	mastertroopersteve@hotmail.com, jmm_cmc@hotmail.com		☐
Dennis Nash	4747 Quailwood Drive	4747 Quailwood Drive Flowery Branch, GA 30542	(404) 867-6894	dennis@nashproperties.net		☐
Cuong D. & Christina N. Nguyen	4824 Deer Creek Court	4824 Deer Creek Court Flowery Branch, GA 30542		cntnguyen77@gmail.com		☑
Michael & Dorothy Nieto	4604 Quail Court	4604 Quail Court Flowery Branch, GA 30542	(678) 428-9116	dqnieto@aol.com	Dorothy Q Nieto	☐
		Flowery Branch, GA 30542				☐
Holly R. Norman	4842 Wildlife Way	4842 Wildlife Way		hollynorman@remax.net		
Ifeyinwa Nwabueze	5112 Deer Creek Court	5112 Deer Creek Court Flowery Branch, GA 30542	(678) 860-1628	biblimousine1@gmail.com		☐
Theodore J. Pasternak & Marie B. Pasternak	4642 Quailwood Drive	4642 Quailwood Drive Flowery Branch, GA 30542				☐
Paresh & Nimisha Patel	4757 Falling Brook Drive	4757 Falling Brook Drive Flowery Branch, GA 30542	(404) 422-6477	nimishapatel1117@gmail.com		☐
Nicholas Peters	4621 Quail Court	14802 Lake Magdalene Circle Tampa, FL 33613	(706) 977-7182	admin@theborder.com		☐
Elizabeth Phommachack & Tan Phommachack	4780 Falling Brook Drive	4780 Falling Brook Drive Flowery Branch, GA 30542	(404) 345-4876	bethphom@gmail.com		☐
Walter Pimentel & Whitney Pimentel	4928 Deer Creek Court	4928 Deer Creek Court Flowery Branch, GA 30542	(480) 570-9588	wwpimentel@gmail.com		☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0041

Owner	Property	Mailing Address	Ownership
Earl & Sherry Pirkle	4668 Quailwood Drive	4668 Quailwood Drive Flowery Branch, GA 30542	☐
Barney Purvis, III	4944 Feather Lane	4944 Feather Lane Flowery Branch, GA 30542	☑
David Quirk & Michelle Quirk	4671 Windswept Way	4671 Windswept Way Flowery Branch, GA 30542	☐
Dan Raatjes & Wendi Raatjes	4812 Deer Creek Court	4812 Deer Creek Court Flowery Branch, GA 30542	☐
Allen & Veronica Read	4756 Falling Brook Drive	4756 Falling Brook Drive Flowery Branch, GA 30542	☐
Michael Rhee & Eun Rhee	4550 Deer Creek Court	4550 Deer Creek Court Flowery Branch, GA 30542	☑
John & Ruby Roberts	4834 Wildlife Way	4834 Wildlife Way Flowery Branch, GA 30542	☑
Gregory Roller & Merrie Roller	4556 Deer Creek Court	4556 Deer Creek Court Flowery Branch, GA 30542	☐
Jeffrey P. Rosbach & Mavis I. Rosbach	4416 Quailwood Drive	4416 Quailwood Drive Flowery Branch, GA 30542	☑
		Flowery Branch, GA 30542	☑
Bruce Schneider	4860 Wildlife Way	6734 Great Water Drive	☑
Daniel T. & Amy Scott	4608 Deer Creek Court	4608 Deer Creek Court Flowery Branch, GA 30542	☑
Meredith Secor, Jr. & Harreldean Secor	4711 Quailwood Drive	4711 Quailwood Drive Flowery Branch, GA 30542	☑
Jose L. Serres	4665 Windswept Way	4665 Windswept Way Flowery Branch, GA 30542	☑
Patricia Shockley	4943 Feather Lane	4943 Feather Lane Flowery Branch, GA 30542	☐
Jason Skaggs & Jennifer Skaggs	5047 Pointer Ridge	5047 Pointer Ridge Flowery Branch, GA 30542	☐

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-D041

Owner	Property	Mailing Address	Ownership
Nereida C. & Michael A. Staiger	4616 Deer Creek Court	4616 Deer Creek Court Flowery Branch, GA 30542	☐
Timothy Stevens & Melanie Disco	4668 Windswept Way	4668 Windswept Way Flowery Branch, GA 30542	☐
		Flowery Branch, GA 30542	☐
Bobby W. Stone Jr	4802 Deer Creek Court	4802 Deer Creek Court	☐
Walter & Pamela Swift	5038 Pointer Ridge	5038 Pointer Ridge Flowery Branch, GA 30542	☑ Pam Swift Walter Swift
Ronald Terrell & Heather Terrell	5016 Deer Creek Court	5016 Deer Creek Court Flowery Branch, GA 30542	☑ Ronald Terrell Heather
Michelle Thompson & Andrew Thompson	4947 Feather Lane	4948 Feather Lane Flowery Branch, GA 30542	☐
Michelle Thompson & Andrew Thompson	4948 Feather Lane	4948 Feather Lane Flowery Branch, GA 30542	☐
Jimmy & Dianne Trotman	4674 Quailwood Drive	4674 Quailwood Drive Flowery Branch, GA 30542	☐
Benjamin Tule & Trinh Pham	5122 Deer Creek Court	5122 Deer Creek Court Flowery Branch, GA 30542	☑
Marlin E. Turner	4518 Deer Creek Court	4518 Deer Creek Court Flowery Branch, GA 30542	☐
Peter P. Walczuk & Delinda C. Brunatti	4614 Quail Court	4614 Quail Court Flowery Branch, GA 30542	☑ Peter P Walczuk
Chioe Ying & Wen Liang Wang	4505 Deer Creek Court	4505 Deer Creek Court Flowery Branch, GA 30542	☐ Shirley Washington
Ira & Shirley Washington	4772 Falling Brook Drive	4772 Falling Brook Drive Flowery Branch, GA 30542	☐ Ira Washington
Kimberly M. & Brett Whitaker	5015 Deer Creek Court	5015 Deer Creek Court Flowery Branch, GA 30542	☑ Brett Whitaker
Brian & Stephanie Wilker	4855 Wildlife Way	4855 Wildlife Way Flowery Branch, GA 30542	☐

chioe ying Wang 4505 Deer Creek Ct
wen Liang

Quailwood Homeowners Association, Inc.

Opposition Petition Sign-In Sheet – HZON23-0047

Owner	Property	Mailing Address	Ownership	
Martin Williams & Shelby Williams	4603 Quail Court	4603 Quail Court Flowery Branch, GA 30542	S Williams	☑
Beverly & Rod Wilson	5107 Deer Creek Court	5107 Deer Creek Court Flowery Branch, GA 30542		☐
Carolyn Q. Wilson	4582 Wingfield Way	4582 Wingfield Way Flowery Branch, GA 30542		☐
David A. Wittke & Lanika H. Wittke	4544 Deer Creek Court	4544 Deer Creek Court Flowery Branch, GA 30542	D Wittke L Wittke	☑
Michael Wunder & Patricia Wunder	5060 Pointer Ridge	5060 Pointer Ridge Flowery Branch, GA 30542		☐
Michael Wunder & Patricia Wunder	5052 Pointer Ridge	5060 Pointer Ridge Flowery Branch, GA 30542		☐ ☐
Linda Youtz	5006 Deer Creek Court	Flowery Branch, GA 30542 5006 Deer Creek Court		
John & Debra Zwald	4718 Deer Creek Court	4718 Deer Creek Court Flowery Branch, GA 30542	Debra H Zwald	☐
[redacted]				
Megan and Bryan Kruger	4553 Deer Creek Ct Flowery Branch, GA 30542		Megan Kruger	☑

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 6, 2023 8:15 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Beth Garmon (CDI: Planning)
Subject: FW: JM Turk Rd

Ana,

Please add this to the public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: shelby davis <p76g72@yahoo.com>
Sent: Monday, November 6, 2023 7:56 AM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: JM Turk Rd

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to the rezoning application # HZON23-0041 off of J M Turk Rd, Flowery Branch, GA, which requests a change from Agricultural Residential III to Planned Residential Development (PRD). While I understand the importance of responsible development & growth in Hall county, I believe this particular proposal is deeply flawed & should not be approved for several reasons.

First and foremost, the proposed PRD is not compatible with the surrounding subdivisions. The character of this area has been established over the years, and introducing a PRD would disrupt the harmonious nature of our community. The size, density, and design of the PRD are not in line with the existing neighborhoods and would create an imbalance that is inconsistent with the current zoning and land use patterns. The proposed use is not consistent with the Hall Co

Comprehensive Plan recommended maximum density of two dwellings per acre which leads to many problems.

Furthermore, one of the most concerning aspects of this proposal is the potential environmental negative impact, particularly regarding hard surface runoff. Our county is already grappling with environmental issues, including water quality concerns, and the addition of a PRD with increased hard surface areas would only exacerbate these problems. Hard surface runoff is known to contribute to water pollution, erosion, and can disrupt natural drainage systems. This poses a significant threat to the local environment, our water resources, and the overall quality of life in the area.
In light of these concerns, I urge the Hall County Planning Commission to carefully consider the long-term consequences of this rezoning application. It is imperative that you take into account the potential negative impacts on the community's character and the environment when making your decision.

I kindly request that the Hall Co Planning Commission reconsider this rezoning application and explore alternative solutions that better align with the current neighborhood's character and prioritize environmental sustainability. It is our collective responsibility to protect our community and its natural resources for future generations.

Thank you for your attention to this matter. I trust that you will make a thoughtful and informed decision that truly benefits our county.

Respectfully,
Micaiah Williams
4603 Quail Ct
Flowery Branch, Ga 30542
Sent from my iPhone

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, November 20, 2023 1:07 PM
To: Anael Dominguez (CDI: Planning)
Subject: FW: J M Turk Road Subdivision Project
Attachments: 1697412872045blob.jpg; 1697412807343blob.jpg; 1697412760876blob.jpg

Please add this to public comment

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
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From: Tommy Channell <tommy.channell@outlook.com>
Sent: Monday, November 20, 2023 1:04 PM
To: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Subject: J M Turk Road Subdivision Project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Hall County Planning Commissioners:

I would like to stand in opposition to the proposed development on J M Turk Road and I hope you will vote "NO" based upon the following reasons.

1. For the last 20 years, every new home that has been constructed on J M Turk Road has been an executive style in square footage and design. The proposed development will break from this trend and will adversely impact the ambience of the area. The townhomes and home density plans will not add to our community. I am not opposed to development; however, any development should add to the community and not detract from it and should follow the county guidelines. I feel as if the development should resemble Grandview and / or Quailwood. A subdivision modeled after those two would benefit and add value to our community.
2. Since the area has been "built up" recently, the Elah Valley subdivision has had to deal with major flooding in our development from the Mulberry River. When the Ingles shopping center, Grandview Subdivision, and the community center were completed the rain water from these developments has

caused major erosion and flooding for us. Our HOA has had to rebuild 2 community bridges because of flooding damage which has personally cost the homeowners thousands of dollars. If this development proceeds, I am concerned that even more erosion and damage will occur in our development as a result of rainwater mis-management and the Elah Valley homeowners again will be forced to pay out-of-pocket for road and bridge repairs. For your review, I have attached recent pictures of the flooding that has happened in our community.

3. I feel as if a more recent traffic study will need to be done on J M Turk Road. I am not confident the road can safely handle additional traffic. One end of J M Turk is extremely curvy and dangerous. Over the years I have witnessed many accidents in this section and some accidents have resulted in fatalities. If the development proceeds, major road rework will need to be done on J M Turk so that safety can be increased.

Please vote "NO" to this development. Thank you in advance for your attention to this matter.

Regards,
Tommy Channell
770-364-8087

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Wednesday, December 20, 2023 4:56 PM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Zoning Project: Guth, JM Turk and Stanley roads - Kathy Cooper

Please add to public comment.

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Ashley Anderson <ashes00@gmail.com>
Sent: Wednesday, December 20, 2023 4:49 PM
To: Planning <planning@hallcounty.org>
Subject: Zoning Project: Guth, JM Turk and Stanley roads - Kathy Cooper

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear elected officials,

I am here by voicing my opposition to the project that proposes 200 single-family detached homes and 124 townhomes along Guth, JM Turk and Stanley roads on 117 acres in Flowery Branch. I am strongly voicing my complete objection to District 1 Commissioner Kathy Cooper role in the sales agreement as well as her vote on the issue that will come before the planning commissioners at 5:15 p.m. Monday, February 5, at the Hall County Government Center. I object for the following reasons.

A. Ethics Violation - Commissioner Kathy Cooper has a direct conflict of interest as she is the listing agent on the $1.3 million deal. This is completely against all County and State ethics standards. She should resign from her position immediately .
B. Recusal hurts District 1 - Commissioner Kathy Cooper states that she would recuse herself from a vote. In doing so District 1 loses their representation on this very serious matter. She fails to complete her duty as an elected official, and should resign immediately.

The only way we see this as a community working is for A. Commissioner Kathy Cooper to resign from her role prior to this hearing. Or, B. The zoning request is to be denied 100% at the hearing due to the Districts failure of representation,and extreme conflict of interest.

PLEASE add these comments to the docket for the Planning board & Commissioners to review. Thank you!

--

Best Regards,

Ashley Anderson
ashes00@gmail.com

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Thursday, March 28, 2024 9:49 AM
To: Jennifer Rivera (Administration)
Cc: Casey Ramsey (Administration); Zachary Propes (Administration)
Subject: FW: JM Turk and Guth Road Rezoning
Attachments: image001.jpg; whitaker_letter.jpg

Good morning, Jennifer.

Would you please add this email to the record for the JM Turk rezoning request?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>
Sent: Thursday, March 28, 2024 8:49 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Fwd: JM Turk and Guth Road Rezoning

Get Outlook for iOS

From: Mark Faul <arrowquest@gmail.com>
Sent: Thursday, March 28, 2024 7:51:30 AM
To: Diehl, William <wdiehl@sgrlaw.com>
Cc: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>; Billy Powell (County Commission) <bpowell@hallcounty.org>; Gregg Poole (County

Commissioner) <gpoole@hallcounty.org>; Jeff Stowe (County Commission) <jstowe@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Ellis Still (CDI: Planning) <estill@hallcounty.org>
Subject: Re: JM Turk and Guth Road Rezoning

Some people who received this message don't often get email from arrowquest@gmail.com. Learn why this is important

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.

Mr. Diehl and esteemed County Commissioners:

Request you withdraw this application for the following reasons:

Mr. Diehl, has been untruthful or uninformed about the following:
- Claiming the density of this project when you claimed the houses were the same size as adjacent subdivisions.
- Claiming that your proposal did not landlock my property (4555 Stanley and 4567 Stanley Road). You did this twice in public meetings even though the drawing did landlock my properties. Resending attached letter from an attorney.
- Claiming that I would be provided an easement in a public after proposing abolishing a road I live on (never discussed with me).
- Claiming no impact on property values for surrounding homes and property when the home sizes are 50-25% of the home sizes of the major land owners in the area
- Implying that the Dec 18th and 21st meeting with the public were conciliatory in nature. Everyone in the meetings voted against the subdivision during those meetings, no one was in favor during these well attended public meetings. You offered few answers to anything raised in those meetings.
- Claiming that the estate lots were true estate houses, when the home size and land size of these estate lots are a small fraction of what is present in modern day subdivisions.
- Claiming that there is no ordinance requiring a separate road for access to the proposed subdivision (beyond emergency access). Please see Fire code Regulation, dated 2018. Two PUBLIC entrances are required.
- Claiming that there is no farming in the area, when there is the largest vineyard in Hall County 400 feet from Stanley Road. It is a GEORGIA approved agritourism site.
- Failure to accommodate farm tractor and truck traffic currently on Stanley Road. There will be clashes between cars and tractors in the area.
- Claiming that detention ponds are a form of flood control and that "every drop of water" was accounted for to prevent flooding. Meanwhile, every detention pond designed has overflow devices to allow for flooding downstream.
- Claiming no knowledge that a County Commissioner was the real estate agent on the properties in question.
- All the merit based reasons that have raised by the public, and the severe impact to the established business entity in the area.

Alternatively, it is hoped that the County Commissioners will deny this application for the following reasons:
- This public process has been going on for more than 6 months. This has caused much turmoil in the area.
- Requesting 7 variances to the rules and a rezoning request is proof that the project does not fit the area.
- Hall County staff has recommended denial.
- The Planning Commission voted 5 to 0 denying the project.
- The public overwhelmingly requests denial.
- There have been at least 24 versions submitted that have been unacceptable.

Another tabling of the project is just another opportunity for yet another plan to not be directly reviewed by the public and is unfair to all owners in the area. Given the track record of statements, Mr. Diehl's presentations require extra scrutiny and examination. To date, the public has not seen the most recent proposed plan.

Sincerely:
Mark Faul, PhD
678-472-6327

On Wed, Mar 27, 2024 at 11:59 AM Diehl, William <wdiehl@sgrlaw.com> wrote:

> Good afternoon,
>
> I wanted inform you that we will be requesting that the JM Turk and Guth Road rezoning be tabled to the April 23rd meeting. We are asking that the item be tabled so that we can analyze revisions to the plan.
>
> The request will be made at the public hearing tomorrow and we expect that the item will not be heard. Please note, however, that although we are requesting that the item be tabled, that decision is up to the board of commissioners and we have no control over whether the item moves forward or is tabled.
>
> Please let me know if you have any questions.
>
> Thank you,
>
> **William (Bill) Diehl**
> *Associate*
>
> ---
>
> **p** | 404-815-3627
> **f** | 404-685-6927
> **e** | wdiehl@sgrlaw.com
> 1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
> www.sgrlaw.com | My Bio
>
>
>
> ---
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> **From:** Diehl, William <wdiehl@sgrlaw.com>
> **Sent:** Monday, December 11, 2023 12:14 PM
> **To:** Diehl, William <wdiehl@sgrlaw.com>
> **Subject:** Community Meeting // JM Turk and Guth Road Development
>
> Dear Neighbor,

You are receiving this communication because you expressed concerns to the planning department about the proposed development off of JM Turk Road. I represent the developer in this rezoning process.

Please let this serve as an invitation to one of the meetings discussed below. We have sent post card invitations to neighbors in the surrounding area, inviting them to the meeting. However, we encourage you to share this email with others that might also have concerns or questions about this project.

Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved.* Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

---

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Street Address:
Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300

Your Corner.

Jennifer Rivera (Administration)

From: Bill Doucher <bdoucher@att.net>
Sent: Wednesday, March 27, 2024 6:27 PM
To: Richard Higgins (County Commissioner)
Cc: Jennifer Rivera (Administration)
Subject: Re: 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone

You don't often get email from bdoucher@att.net. Learn why this is important

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.

Hello Richard,
I am emailing you in regards to the current status of this proposed subdivision.
I know you have a lot on your plate as Commission Chairman and wish I did not have to bring this to your attention.

We are so frustrated as homeowners on J M Turk Road and citizens of Hall County on how this process has and is being dragged out over and over.
The developers have made more changes to their proposed subdivision AND also requesting the Board Of Commissioners to table the vote tomorrow to the April 23rd meeting.
The developers get paid for all the time they spend dragging this out. The impacted citizens have to take time out of their daily lives to attend these meetings.

I do not understand what the Hall County process is for taking a proposal to an end decision in a reasonable amount of time. Is there someone who can provide what that process is and what is the limit on the amount of time and number of changes allowed?

I and so many of my neighbors have attended all the Planning Commission meetings through multiple presentations, 2 requests to Table and allowing more time for the developers to get their act together and answer the Planning Commission questions. When I say my neighbors, I am referring to a large number of neighbors that live on J M Turk Road and neighbors from the subdivisions of Grand View Estates, Quailwood, & Elah Valley. How many more times does this group of citizens need to take time out of our evenings to attend meetings for a proposed subdivision that has never met the Hall County comprehensive land use and and development policies?

Now we will be at the Board of Commissioners Meeting tomorrow night to protect our interests with a second request to Table... in a row.
The developers have made more changes as well.
Why doesn't the Board Of Commissioners vote down this developer's request as recommended by the Planning Commission, and the developer can then make whatever changes they choose and submit again to the Planning Commission?

I apologize for so many questions, but we don't understand the process that should be fair to the developers and also fair to the impacted citizens.

Thank you for your consideration and any help you can provide.
Bill

Bill Doucher
President of the Elah Valley Homeowners Association
770-329-7723

==========

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Thursday, March 28, 2024 9:49 AM
To: Jennifer Rivera (Administration)
Cc: Casey Ramsey (Administration); Zachary Propes (Administration)
Subject: FW: JM Turk and Guth Road Rezoning
Attachments: image001.jpg; whitaker_letter.jpg

Good morning, Jennifer.

Would you please add this email to the record for the JM Turk rezoning request?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

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Sent: Thursday, March 28, 2024 8:49 AM
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Sent: Thursday, March 28, 2024 7:51:30 AM
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Cc: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>; Billy Powell (County Commission) <bpowell@hallcounty.org>; Gregg Poole (County

Commissioner) <gpoole@hallcounty.org>; Jeff Stowe (County Commission) <jstowe@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Ellis Still (CDI: Planning) <estill@hallcounty.org>
Subject: Re: JM Turk and Guth Road Rezoning

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Sincerely:
Mark Faul, PhD
678-472-6327

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> I wanted inform you that we will be requesting that the JM Turk and Guth Road rezoning be tabled to the April 23rd meeting. We are asking that the item be tabled so that we can analyze revisions to the plan.
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>
> Please let me know if you have any questions.
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> Thank you,
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> **William (Bill) Diehl**
> *Associate*
>
> ---
>
> **p** | 404-815-3627
> **f** | 404-685-6927
> **e** | wdiehl@sgrlaw.com
> 1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
> www.sgrlaw.com | My Bio
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> **From:** Diehl, William <wdiehl@sgrlaw.com>
> **Sent:** Monday, December 11, 2023 12:14 PM
> **To:** Diehl, William <wdiehl@sgrlaw.com>
> **Subject:** Community Meeting // JM Turk and Guth Road Development
>
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Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved.* Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

---

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

SMITH GILLIAM
WILLIAMS & MILES

Website: sgwmfirm.com
Phone: 770.536.3381
Fax: 770.531.1481
Mailing Address: P.O. Box 1098
Gainesville, GA 30503

October 16, 2023
VIA ELECTRONIC DELIVERY

Mark Faul, PhD
4567 Stanley Road
Flowery Branch, GA 30542

RE: Effects of Proposed Development Adjacent to 4567 and 4555 Stanley Road

Dear Dr. Faul,

At your request I have conducted a limited search of the property records of your properties commonly known as 4567 and 4555 Stanley Road which are collectively identified as Hall County Tax Parcel No. 15044 000034 (collectively referred to herein as the "Property"). I have also reviewed the information you provided to me pertaining to the proposed development of the adjacent property, which proposal I understand is scheduled be presented to the Hall County Board of Commissioners for consideration.

The purpose of this letter is to provide to you my conclusions as to the potential effects of the proposed development on access to the Property based upon the above information. The development as presented would result in a complete loss of access to the Property from Stanley Road. Further, no other existing roads or driveways provide a means of access to the Property. Accordingly, the proposed development, if approved, will essentially landlock the Property as there are no other present or practical means of access.

If the proposed development is approved as presented to me, you will have potential legal and equitable claims including, but not necessarily limited to, claims of inverse condemnation, claims to reestablish access to and from the Property, and claims to recover your legal damages.

Sincerely,

Keith J. Whitaker

Street Address:
Smith Gilliam Williams & Miles, P.A.
340 Jesse Jewell Parkway, Suite 300

Your Corner.

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Thursday, March 28, 2024 5:26 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: JM Turk and Guth Road Rezoning
Attachments: COMMUNITY MEETING REPORT(70105444.1).pdf

Good evening,

Please see the email below, which is the response from Bill Diehl to Mark Faul regarding the JM Turk rezoning request.

Jennifer, would you please add this to the file for the item?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
GEORGIA
We have it all in Hall

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Thursday, March 28, 2024 12:22 PM
To: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>; Billy Powell (County Commission) <bpowell@hallcounty.org>; Gregg Poole (County Commissioner) <gpoole@hallcounty.org>; Jeff Stowe (County Commission) <jstowe@hallcounty.org>
Cc: Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Ellis Still (CDI: Planning) <estill@hallcounty.org>
Subject: RE: JM Turk and Guth Road Rezoning

Some people who received this message don't often get email from wdiehl@sgrlaw.com. Learn why this is important

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Good afternoon, Commissioners,

I wanted to respond to Mr. Faul's email and to clearly layout the developments in this rezoning. I've taken Mr. Faul off this email to avoid an unnecessary back and forth. The issues Mr. Faul raises below have been openly and thoroughly discussed with him multiple times. We believe that his email is, at best, a misrepresentation of the events that have occurred during this process. Given the amount of attention we have paid to project's impact on Mr. Faul, the acquisition that we have mislead anyone is disheartening. Here are only a few of the items that we believe Mr. Faul has misconstrued here:

- Claiming the density of this project when you claimed the houses were the same size as adjacent subdivisions.

We have never misrepresented the density or home sizes of the homes in this project. We have made comparisons between our project and Grand View and Quailwood, particularly concerning the estate lots that were included in earlier iterations of the plan. Both neighborhoods are adjoining (or close) subdivisions with similar zoning districts (R-I(c)). They should absolutely be discussed in connection with our application. There are similarities, but we have also publicly acknowledged that there are distinctions between our project and those neighborhoods—no two neighborhoods are the same.

- Claiming that your proposal did not landlock my property (4555 Stanley and 4567 Stanley Road). You did this twice in public meetings even though the drawing did landlock my properties. Resending attached letter from an attorney.

The first site plan that we presented showed Stanley Road relocated and did not reflect the location where Mr. Faul's driveway attached to the roadway. This was an oversight on our end that we have taken responsibility for since discovered. It was *never* our intent to landlock Mr. Faul's property and we noted at the public hearings that we would not and could not landlock Mr. Faul. Ultimately, the decision was made to leave Stanley roughly in its existing configuration, with improvements only to the road's access to J M Turk Road. His driveway will remain in its current location and the existing configuration with Stanley Road will remain. This configuration has been shown to Mr. Faul since at least December.

- Claiming that I would be provided an easement in a public after proposing abolishing a road I live on (never discussed with me).

Again, we have been clear that the original relocation of Stanley Road was not intended to landlock Mr. Faul. Since then, we have provided Mr. Faul with site plans showing Stanley Road's existing configuration at his access point. He has had those plans for at least four months.

- Claiming no impact on property values for surrounding homes and property when the home sizes are 50-25% of the home sizes of the major land owners in the area

We do not believe that there will be any negative affect on surrounding home values as a result of this project. As I noted at the community meeting, similar developments in Hall County have overwhelmingly correlated with adjacent home values increasing.

- Implying that the Dec 18th and 21st meeting with the public were conciliatory in nature. Everyone in the meetings voted against the subdivision during those meetings, no one was in favor during these well attended public meetings. You offered few answers to anything raised in those meetings.

The community meeting report (attached) that we provided to county staff never described the meetings as conciliatory. We truthfully disclosed concerns that were raised and how we responded to those concerns. That said, for neighbors who were willing to have productive dialogue, we agreed to proffer conditions to address those concerns, particularly concerning planted buffers as our development adjoins Quailwood. Mr. Faul was unwilling to have any dialogue and, instead, insisted that the current agricultural zoning remain. Mr. Faul has no obligation to agree with us or make concessions and we've never insisted that he should. However, it is unfair to accuse the development team of being unwilling to listen or communicate in this circumstance. Further, we have not ignored Mr. Faul's concerns; in fact, we have reduced the Development's impact on Mr. Faul's property each time a revision has been made.

- Claiming that there is no ordinance requiring a separate road for access to the proposed subdivision (beyond emergency access). Please see Fire code Regulation, dated 2018. Two PUBLIC entrances are required.

We have worked with staff and the planning commission since this application was submitted to address the secondary access issues and to determine what would be required of us and what capability we have on this site to meet code requirements. When it was discovered that a variance was necessary to address those requirements, we amended the application to make the variance request.

- Claiming that there is no farming in the area, when there is the largest vineyard in Hall County 400 feet from Stanley Road. It is a GEORGIA approved agritourism site.

Confusingly, Mr. Faul has repeated this acquisition since our December community meetings. He inaccurately remembers the statement that I made. I stated that there is no agricultural use *on our property*. Mr. Faul stated that his property is being used for an agricultural use, which I acknowledged. We have never denied that he operates a vineyard from his property, he absolutely does. Our site plan amendments, again, have been very conscious of his vineyard and the development has been oriented to minimally impact his property.

- Claiming that detention ponds are a form of flood control and that "every drop of water" was accounted for to prevent flooding. Meanwhile, every detention pond designed has overflow devices to allow for flooding downstream.

The stormwater standards set by the State of Georgia require us to restore the developed property to the predeveloped stormwater flows. That means that our detention ponds must be designed to match or reduce the stormwater run off to the flow rates that currently exist. To the extent that there is any overflow (in a 100 year rain event, for example), that overflow would be, at a minimum, the same amount of overflow that exists currently. These are not standards that are asking for relief from. Our property will have modern stormwater detention systems built to current code. Currently, no such system exists.

***

Again, Mr. Faul has the right to oppose our project and to express his concerns. We have never prevented him from doing that and do not intend to. However, he has taken his opposition outside of any degree of professional or productive dialogue. He sued Thompson, O'Brien, the applicant, for filing this rezoning. That case was ultimately voluntarily dismissed by Mr. Faul. Despite this, we have not ignored his comments on the project. Essentially every amendment that we have made has reduced the project's impact on his property. Mr. Faul's acquisitions in the email below, are misleading and incorrect and we felt the need to correct the record.

We look forward to continuing our work and discussions with the County.

William (Bill) Diehl
Associate

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

Smith Gambrell Russell

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Sent: Thursday, March 28, 2024 7:52 AM
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- Claiming that there is no farming in the area, when there is the largest vineyard in Hall County 400 feet from Stanley Road. It is a GEORGIA approved agritourism site.
- Failure to accommodate farm tractor and truck traffic currently on Stanley Road. There will be clashes between cars and tractors in the area.
- Claiming that detention ponds are a form of flood control and that "every drop of water" was accounted for to prevent flooding. Meanwhile, every detention pond designed has overflow devices to allow for flooding downstream.
- Claiming no knowledge that a County Commissioner was the real estate agent on the properties in question.
- All the merit based reasons that have raised by the public, and the severe impact to the established business entity in the area.

Alternatively, it is hoped that the County Commissioners will deny this application for the following reasons:
- This public process has been going on for more than 6 months. This has caused much turmoil in the area.
- Requesting 7 variances to the rules and a rezoning request is proof that the project does not fit the area.
- Hall County staff has recommended denial.
- The Planning Commission voted 5 to 0 denying the project.
- The public overwhelmingly requests denial.
- There have been at least 24 versions submitted that have been unacceptable.

Another tabling of the project is just another opportunity for yet another plan to not be directly reviewed by the public and is unfair to all owners in the area. Given the track record of statements, Mr. Diehl's presentations require extra scrutiny and examination. To date, the public has not seen the most recent proposed plan.

Sincerely:
Mark Faul, PhD
678-472-6327

On Wed, Mar 27, 2024 at 11:59 AM Diehl, William <wdiehl@sgrlaw.com> wrote:

> Good afternoon,
>
> I wanted inform you that we will be requesting that the JM Turk and Guth Road rezoning be tabled to the April 23rd meeting. We are asking that the item be tabled so that we can analyze revisions to the plan.

The request will be made at the public hearing tomorrow and we expect that the item will not be heard. Please note, however, that although we are requesting that the item be tabled, that decision is up to the board of commissioners and we have no control over whether the item moves forward or is tabled.

Please let me know if you have any questions.

Thank you,

William (Bill) Diehl
Associate

---

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

From: Diehl, William <wdiehl@sgrlaw.com>
Sent: Monday, December 11, 2023 12:14 PM
To: Diehl, William <wdiehl@sgrlaw.com>
Subject: Community Meeting // JM Turk and Guth Road Development

Dear Neighbor,

You are receiving this communication because you expressed concerns to the planning department about the proposed development off of JM Turk Road. I represent the developer in this rezoning process.

Please let this serve as an invitation to one of the meetings discussed below. We have sent post card invitations to neighbors in the surrounding area, inviting them to the meeting. However, we encourage you to share this email with others that might also have concerns or questions about this project.

Understanding that the holidays are approaching and that scheduling can be difficult during this time, we will host two meetings at the Mulberry Creek Community Center & Park (JM Turk Road, Flowery Branch, Georgia 30542). We have scheduled meeting rooms on **December 18 & 21** at 6:00 PM to 7:30 PM. Please come at your convenience.

I have also attached a conceptual plan regarding road improvements on Stanley Road and Guth Roads. *Please note, these designs are conceptual only and will require additional county approval even if this zoning is approved*. Designs elements may be required to change as we move through the permitting process.

Should you have any questions about this rezoning proposal, please feel free to contact me at this email address or by phone at (404) 815-3627.

Thank you,

William (Bill) Diehl
Associate

p | 404-815-3627
f | 404-685-6927
e | wdiehl@sgrlaw.com
1105 W. Peachtree St. NE | Suite 1000 | Atlanta, GA 30309
www.sgrlaw.com | My Bio

COMMUNITY MEETING REPORT

TO: Hall County Planning Department
FROM: William J. Diehl, Smith, Gambrell & Russell, LLP
DATE: January 16, 2024

Applicant held two community meetings in connection with the rezoning requests, those being on December 18 and 21, 2023. The meetings were held at the Mulberry Creek Community Center, which is less than a half of a mile from the subject property. About thirty to forty people were in attendance at each meeting.

At the meeting, the applicant displayed revised site plans showing Stanley Road being reconfigured to better preserve its existing location. The site plan showed Guth Road being an emergency exit only.

The following concerns were commonly raised by the community:

- Density of homes in the development;
- Impact the development will have on traffic on JM Turk Road;
- Secondary entrance to the development on Guth Road;
- Stanley Road reconfiguration and access;
- Compatibility with existing architectural styles;
- Site lines from the Quail Wood neighborhood;
- Stormwater runoff to the surrounding creek; and
- Sewer connectivity and capacities;

The Applicant described connectivity plans and the use of Guth Road as an emergency exit, or, alternatively, as an improved road providing a second entrance. The Applicant committed to providing an updated traffic study and discussed how those studies are made. The Applicant discussed improving landscaping where the property abuts Quail Wood. The Applicant discussed designed standards and the pattern of development in the area.

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Monday, April 1, 2024 8:42 AM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: JM Turk Development
Attachments: Zoning - JM Turk Rd Letter.pdf

Good morning,

Please find attached a letter in opposition to the application for rezoning to PRD at JM Turk Road, which has been tabled to the April 23rd voting meeting.

Jennifer, please add this email to the applicant's file.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

All **ZONING, PLAT**, and **BUILDING PERMIT** submittals may be submitted online through Accela. Plat inquiries may be submitted to plats@hallcounty.org. Zoning and general inquiries may be submitted to planning@hallcounty.org.

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From: Bob C <bcpostok@yahoo.com>
Sent: Sunday, March 31, 2024 4:01 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: JM Turk Development

You don't often get email from bcpostok@yahoo.com. Learn why this is important

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WARNING: This communication has been detected as containing an attachment - Proceed with caution

Dear Beth:
I live next to the JM Turk development proposal and strongly encourage you not to vary from the original zoning plan for this area.

Sincerely,
Robert Carlson
4904 Deer Creek Ct
Flowery Branch, GA
30542

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127
BY Thompson O'Brien Kappler & Nasuti PC

As an owner of property adjoining the Subject Property, I respectfully submit that approving the zoning request would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power because the approval bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the adjoining property owners in violation of the due process and equal protection rights of said adjoining property owners guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Allowance of the development as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983 grants the Board of Commissioners the power to zone and rezone. That power must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for Hall County, Georgia and violate Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983.

Any limitation on the time for presentation of the issues before the governing authority who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph Six of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

Respectfully submitted,

Robert Carlson

Address
4904 Deer Creek Ct
Flowery Branch, GA
30542

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, April 3, 2024 5:09 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: Proposed Residential Development (Guth Road, J M Turk Road, Stanley Road, Flowery Branch. Applicant: Thomspon O'Brien Kappler & Nasuti, PC.
Attachments: Planning Commission.docx

Good afternoon, Commissioners.

Please find attached a letter of opposition for the JM Turk rezoning scheduled to be heard April 23rd.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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From: Mark Dunn <mdunn_athiker74@yahoo.com>
Sent: Wednesday, April 3, 2024 2:52 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Cc: Jennifer Rivera (Administration) <jrivera@hallcounty.org>
Subject: Proposed Residential Development (Guth Road, J M Turk Road, Stanley Road, Flowery Branch. Applicant: Thomspon O'Brien Kappler & Nasuti, PC.

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Beth:

This a follow-up to our recent email exchange concerning input on the proposed development off J M Turk Road in Flowery Branch. I would appreciate if you could forward the attached letter to the Board of Commissioners.

The document is Word format. Let me know if I should send it to you in a different format.

Thank you for your assistance.

Mark Dunn
4781 J M Turk Rd.
Flowery Branch, GA 30542
404-408-2708

"There is a major difference between intelligence and stupidity; intelligence has its limits." **Einstein**

April 3, 2024

Re: Proposed Residential Development (Guth Road, J M Turk Road, Stanley Road, Flowery Branch. Applicant: Thomspon O'Brien Kappler & Nasuti, PC.

Mr. Chairman and Commissioners:

JM Turk Road is a rural country road. It meanders through farm land and large acreage residential areas. The road is named after a family of long-time residency in South Hall. This pastoral path has narrow sharp curves and drop off embankments and is one reason semi-trucks are prohibited from using this road.

The proposed project, which was soundly denied by the Planning Commission, **5-0,** does not meet the density standard as prescribed in the Hall County Master Plan. Most of the residents are opposed to any high-density development that would cause a change to what is a unique setting for South Hall, but also the impact it would have on traffic, school population, a Georgia Ag Business adjacent to the property in question and the impact on the Mulberry Creek and its feeding tributaries.

The developer would have you believe that the proposed project fits in with their concept that South Hall is a glorified extension of Greater Atlanta. However, the proposed plan is not in compliance of the Hall County density requirement as outlined in the Master Plan.

At the last Planning Commission meeting, I presented the following overview of what our community is like. These examples are based on the average of ***one home per acre(s):***

- Grandview Estates: .81 to 1.00
- Quailwood: .96
- Homes on J. M. Turk Road nearest the round-about: 2.00
- Homes near Stanley Road: 1.7
- Homes ***presently*** being built on 10 acres at the big bend on J.M. Turk: 2
- Homes in Elah Valley: 3 – 15 acres
- Homes past Elah Valley on J.M. Turk Rd. to Cash Rd: 4-6 acres
- Homes on Turk Rd. (from J.M. Turk Rd. to Cash Rd.: 1-2 acres

The developer has made no changes to existing plan despite meeting with area residences last December (and the last Planning Commission meeting), other than closing off Guth Road for emergency services and knocking off a few homes down to 314. Possible adjustments by the applicant are still requiring 2 or more units per acre. This does not address the community's concerns about density and impact on the quality of life in the area.

The developer says it will be spending 6-9 million dollars on sewer lines from JM Turk Road to Union Church Road. Therefore, it needs 320+ homes to justify the sewer work. This is backward thinking. They are trying to say because of the infrastructure, a large development is needed. In addition, building a sewer line and station on a dangerous, windy steep road with sharp embankments will have adverse effects to the residents and community. Not to mention the various creek crossings. The lawyer for the developer has indicated they do not have an alternative plan or willing to reduce the size of homes on the acreage. When suggested by a member of the Planning Commission to consider ***one home on two acres***, the applicant indicated that was not financially feasible. However, one wonders if Quailwood and Grandview could not be a model for them.

In addition, the continued development and unchecked population growth exposes our residents to the increase of flood hazards along the Mulberry Creek.

According to a 2016 US Geological Survey, any flood hazard maps that are based on stream flow data that is 10 years or older is not accurate. Our local government(s) need stream gage stations to provide updated records to help manage what infrastructure is needed to apply solutions to flooding and run-off.

In the past 2-3 years, the Mulberry Creek has flooded more than what was common in our community, Elah Valley (known by the locals as *The Bottoms)*.

Now, whenever it rains, the creek comes within 3-4 feet of cresting its banks. The consistent damage to our roads and bridges has been expensive. The volume of water that continues to increase is the result of upstream uncontrolled growth.

The builder implies that the amount of water going into the creek from 300 plus homes can be adequately be controlled by retention ponds. I ascertain that retention ponds that are already in place in developments upstream are not adequate. The US Geological Survey indicates that local governments need updated

data and monitoring in order improve infrastructure with not only retention ponds, but improvement for roads, bridges, and culverts.

The applicant has constantly had their agenda tabled at more than one Commission meeting. They have modified their proposal that they were going to present on March 28th. However, residents are still strongly against the original proposal and changes they plan to present. The major issue is the project does not muster and fit into the Master Plan density that is conducive for the J M Turk Community.

The impact of this size community on a small country road will impact all the property owners in this region. Most of the owners do not want it and I ask that this body accept the Planning Commission's **denial** for this project.

I have attended all Planning Commission meetings, community meetings, and Hall County Commission meetings. I am writing to you with my remarks since I cannot be present on April 18 to express my opposition.

Sincerely,

Mark D. Dunn
4781 J M Turk Road
Flowery Branch, Georgia 30542
404-408-2708

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Friday, April 12, 2024 5:02 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: "Letter of Opposition to Application HZON23-0041".

Good afternoon, Commissioners.

Please see the email below regarding the application for rezoning at JM Turk/Stanley Road.

Jennifer, please add the email to the file for JM Turk/Stanley Road rezoning application.

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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From: Mike <mike@morton101.com>
Sent: Friday, April 12, 2024 9:55 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: "Letter of Opposition to Application HZON23-0041".

You don't often get email from mike@morton101.com. Learn why this is important

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Good Morning Beth,

There are many local citizens in opposition of the proposed development for the application HZON23-0041. Apparently the Planning the Development department shares the same sentiment seeing they voted to deny it 5-0. One of the citizens in opposition had a conversation with Katie Greenway about concerns that all the letters of opposition to the commissioners have not been uploaded to the Hall County Website. Katie asked that if we sent the letters to directly to the commissioners and did not include you in the cc of the email, we needed to go back and send the email to you so you could upload it. Please see my correspondence below that was sent to Commissioner Powell. I also sent the same email to the other 4 commissioners. Can you please make sure this gets uploaded to the Hall County site?

Thank You.

Mike Morton

From: Mike <mike@morton101.com>
Sent: Wednesday, March 27, 2024 9:26 AM
To: 'bpowell@hallcounty.org' <bpowell@hallcounty.org>
Subject: REZONING: 1. 0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road

Dear Commissioner Powell,

My wife and I moved to Flowery Branch to get away from the corruption that is decimating the quiet family life of Suwanee. We left our Suwanee home of 23 years in search of our retirement property to enjoy peace and privacy for our family. We purchased 34 acres of Agriculturally zoned land off Union Church Rd. We built a home with the intention of building two more for family. This was an easy choice for the convenience to the Flowery Branch area, Lake Lanier etc. We are surrounded by other private properties except for one section that backs up to JM Turk Rd.

We are opposed to the high-density subdivision that is proposed for the acreage that now holds the wedding venue. We stand with surrounding neighbors that want to keep the quiet country and private lifestyle they moved here for. The development was unanimously voted down by the Planning Committee yet the fight to deny this development continues and is in your hands. There were several speakers at the March 5th meeting that made it clear that a development of that size would be damaging to the area for several reasons. There were zero in favor besides the developer's representative.

We truly hope you will deny this rezoning as recommended by the Planning Board and help our community prosper and grow in a way that is beneficial for all that live here.

Thank you for your attention to this matter and for all you do to serve the best interests of Hall county.

Mike Morton
6057 Daffodil Dr.
Flowery Branch, GA

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Monday, April 15, 2024 10:38 AM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: Letter of Opposition to Application HZON23-0041

Good morning,

Please find below a letter of opposition to the rezoning application for JM Turk/Stanley Road.

Jennifer, would you please add the letter to the file for this application?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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From: Gary McClung <mynameisscotsman@gmail.com>
Sent: Saturday, April 13, 2024 3:14 PM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Fwd: Letter of Opposition to Application HZON23-0041

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Gary McClung

---------- Forwarded message ---------
From: **Gary McClung** <mynameisscotsman@gmail.com>
Date: Sat, Apr 13, 2024 at 3:08 PM
Subject: Letter of Opposition to Application HZON23-0041
To: Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>, <gpoole@hallcounty.org>, Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>, Billy Powell (County Commission) <bpowell@hallcounty.org>, Jeff Stowe (County Commission) <jstowe@hallcounty.org>, <bgarmmon@hallcounty.org>, <arrowquest@gmail.com>, <econley007@gmail.com>, <mike@morton101.com>, <carolebranum@icloud.com>, <edoucher@bellsouth.net>, <bdoucher@att.net>, <gfboorman@gmail.com>, <jbryan2890@aol.com>, Doris McClung <memamc1@yahoo.com>, Darlene Long <darlelong@bellsouth.net>, <guthhorses@bellsouth.net>, <dqnieto@aol.com>, Bob Carlson <bcpostok@yahoo.com>

Hall County Officials

Kathy Cooper
Gregg Poole
Richard Higgins
Billu Powell
Jeff Stowe
Beth Garmmon

I am Gary McClung
4936 Feather Ln
Flowery Branch, GA

I am writing to express strong opposition to the proposed JM Turk Rd housing development.

This project will seriously impact the following:
+potential environmental impacts
+health and safety issues
+steep declines in surrounding property values
+community traffic
+schools
+bussing
+local farms

and will create flooding, septic tank issues, well water issues, Mulberry Creek issues, and property access issues for Elah Valley property owners down elevation from this project.

The Planning Commission has recommended against approval of this project.

There are no residents in our district who are for this project.
I am only one of many residents willing to stand against this project in any legal way I can.

Thank you for voting NO.

Gary McClung

Jennifer Rivera (Administration)

From: Steven Cornelison <scornelison@smf-law.com>
Sent: Thursday, April 18, 2024 8:49 AM
To: Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Gregg Poole (County Commissioner); Billy Powell (County Commission); Richard Higgins (County Commissioner)
Cc: Dqnieto@aol.com; Beth Garmon (CDI: Planning)
Subject: Application HZON23-0041 - Constitutional Objections

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Some people who received this message don't often get email from scornelison@smf-law.com. Learn why this is important

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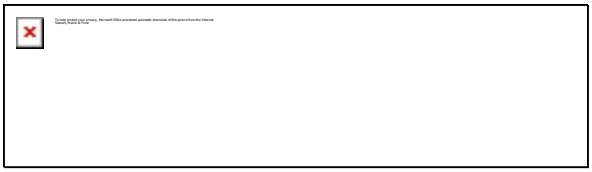
Ladies and Gentlemen – I am an adjoining property owner to the proposed development which is seeking approval of the above-referenced rezoning of 117.31 acres at 4611, 4627 Guth Road, 4561, 4613 J M Turk Road & 4590, 4601, and 4610 Stanley Road. My residence address which adjoins this proposed development is 5104 Deer Creek Court, Flowery Branch, GA 30542.

I respectfully submit that an approval of this rezoning request, which you should be aware is opposed by many citizens as inappropriate to the character of the Mulberry Creek community, would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power, as bearing no substantial relationship to the public health, safety, morality or general welfare of the public. In addition, approval of the rezoning request would substantially harm adjoining property owners, such as myself, in violation of my due process and equal protection rights under the federal and state constitutions.

Steven A. Cornelison – owner and resident of 5104 Deer Creek Court, Flowery Branch, GA 30542.

My normal office hours are Monday through Thursday.

Steven A. Cornelison
200 Main Street, Suite 600, Gainesville, GA 30501
P.O. Box 3280, Gainesville, GA 30503
scornelison@smf-law.com
770-536-0101 Fax: 678-207-2041
Direct: 678-207-2031



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Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Friday, April 19, 2024 11:58 AM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: rezoning Application HZON23-0041 JM Turk Road

Good afternoon, Commissioners.

Please find see below a letter of opposition to the rezoning application for JM Turk/Stanley Road.

Jennifer, would you please add the letter to the file for this application?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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From: dqnieto@aol.com <dqnieto@aol.com>
Sent: Thursday, April 18, 2024 4:31 PM
To: Jeff Stowe (County Commission) <jstowe@hallcounty.org>; Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Gregg Poole (County Commissioner) <gpoole@hallcounty.org>; Billy Powell (County Commission) <bpowell@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>
Cc: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: rezoning Application HZON23-0041 JM Turk Road

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Commissions,
As a resident and a business owner in Hall County as well as a member of the Quailwood HOA board, I am quite interested in changes in our area. Especially those that may have a negative impact on the quality of life for my family and my neighbors. With that in mind, I have attended the majority of the public hearings on the rezoning application HZON23-0041 by the Planning Commissioners and those from your office.

We support responsible development, but we oppose projects that directly contradict the county's planned development and our community.

Honestly, I am perplexed as to why you would still be considering this project. My concern is that you have either not received the mountains of opposition against this development or that you have been misinformed.

Not once has there been a show of support from Hall county residents for the rezoning of the property of JM Turk Road. And while you cannot determine who opposes or supports a topic during the public meetings, you can get a feeling from those who speak; 100% opposed speakers and zero in support.

At one of two public meetings in December 2023 at the Mulberry Community Center, there was no question where the majority stood. These meetings were a requirement for the developer's attorney by the Planning Commissioners. The meeting I attended was standing room only. After it was obvious the attorney was not listening to the audience, a homeowner stood and asked for a show of hands to see who supported or opposed the development. It was a unanimous count for opposition and none for support.

In addition, I am personally aware of a large amount of written opposition and signed petitions sent to Hall County on this topic. In fact, so much so, that the office staff is rumored to be having a difficult time keeping track of all letters, documents, emails and calls that have been received against this rezoning application.

We were very encouraged when the Planning Commissioners recommended denial, and the project moved to you for the final decision. We were certain, that you would listen to the advise of the Planning Commissions who painstaking heard all of the opposition to the project in addition to their own research.

It was a surprise that are actively considering approval.

My hope is that you put yourselves in our shoes and fully understand the amount of reasonable opposition to this development and deny the rezoning application HZON23-0041. It is not a good decision for the citizens of Hall County that you represent.

Sincerely,
Dorothy Q Nieto
President
Nieto Research, Inc.
678-428-9116

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Friday, April 19, 2024 12:06 PM
To: Darlene
Cc: Jennifer Rivera (Administration)
Subject: FW: HZON23-0041
Attachments: Inaccurate Information Letter of Intent JM Turk Rd.docx

Good afternoon, Ms. Long.

Thank you for your email. I will ask the clerk to add your comments to the zoning application file.

Thank you,
Beth Garmon

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
GEORGIA
*We have it **all** in Hall*

From: Darlene Long <darlelong@bellsouth.net>
Sent: Friday, April 19, 2024 9:46 AM
To: Billy Powell (County Commission) <bpowell@hallcounty.org>; Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Gregg Poole (County Commissioner) <gpoole@hallcounty.org>; Jeff Stowe (County Commission) <jstowe@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>
Cc: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Mike Morton <mike@morton101.com>; William Doucher <bdoucher@att.net>; Dorothy Nieto <dqnieto@aol.com>
Subject: HZON23-0041

You don't often get email from darlelong@bellsouth.net. Learn why this is important

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.

WARNING: This communication has been detected as containing an attachment - Proceed with caution

Good morning,

While reviewing the documents submitted for Rezoning HZON23-0041 on behalf of the applicant, I came across an error. Please refer to the attached document.

Thank you,
Darlene Long
404-218-2612

In the amended letter of dated 1/22 which was submitted by Jeffrey Reynolds and William Diehl it states:

"I. Secondary Entrance- The PRD standards in the Hall County Zoning Ordinance (the "Ordinance") require that all PRD developments over 150 units provide at least two vehicular entrances connecting to a county-maintained road. Hall County Code 17.180.060(B)(7). After extensive discussions with County staff, it was determined that, rather than developing Guth Road as a full secondary entrance, Guth Road was better left as an emergency access road with an emergency-access gate (knox box controlled). This will allow for emergency vehicle access, as intended by the Ordinance, while also addressing the Guth Road development concerns raised by the County's traffic engineer. Although the two-entrance provision is a requirement of the PRD section, many other developments in the County with greater than 150 units have been constructed with less than two entrances. Those include, the surrounding neighborhoods of Quailwood and Grandview, which do not have the emergency-access accommodations that this project proposes. The development team believes the emergency-access gate meets the intent of the Ordinance and is consistent with the existing development of surrounding neighborhoods."

The highlighted information provided is incorrect, rendering this matter irrelevant. Quailwood Subdivision comprises 143 homes/lots, which is fewer than 150 units, while Grandview Estates consists of 131 homes/lots, also falling below the 150-unit threshold and thus requiring only one entrance. Safety is a significant concern, and there should be no allowance for variance when it comes to safety standards.

Respectfully submitted,

Darlene Long

Flowery Branch,GA

RECEIVED
APR 19 2024
By

TO: HALL COUNTY COMMISSIONER MEETING APRIL 24, 2024

Dear Commissioners,

It will soon be time for your April 23 Commissioners Meeting, and, we are told that's when there will be a final vote on the proposed new subdivision on J. M. Turk Road (at Guth Road). If approved, it will be life changing for current residents on the road who now enjoy a peaceful way of life in an area zoned agricultural. Once you approve the increased density in this subdivision, we believe other developers may jump on the bandwagon and propose more high density developments in the future. Also, your approval would bring over 560 more cars onto our narrow, substandard county road daily and would exacerbate the water runoff that causes flooding in the Elah Valley Subdivision down the road in the 4700 block.

Our Elah Valley residents are primarilly opposed to the development because of safety concerns. In heavy rains, Mulberry Creek overflows and water runoff floods our subdivision and cascades over our two bridges, preventing ten families from accessing their home. They have to wait well over an hour for the water flowing over the bridges to recede so they can safely cross. While it is merely a frustrating delay in the daytime, it's a dangerous delay after dark, with increased crime in every part of our nation. Our roads and bridges are not county approved roads, so it is up to our residents to maintain them. We have already spent close to $100,000 on bridge repairs alone; and, as you know, construction costs are on the rise. Once water over the bridges recedes, "volunteer" residents have to crawl down into the creek to remove giant logs and other debris trapped under the bridges. We know the proposed subdivision will have retention ponds; but we also know, from first hand experience, that retention ponds help, but don't fully resolve the water runoff problem.

WHICH OF YOU COMMISSIONERS WOULD BE WILLING TO "VOLUNTEER" TO CRAWL DOWN INTO SNAKE INFESTED MULBERRY CREEK TO REMOVE GIANT LOGS AND OTHER DEBRIS FROM UNDER THE BRIDGE? WHO AMONG YOU WOULD BE WILLING TO SIT IN YOUR CAR BELOW THE BRIDGE FOR OVER AN HOUR WAITING FOR THE WATER TO RECEDE SO YOU CAN GO HOME?

When there is advance notice of heavy rain and flooding, our HOA President, Bill Doucher, warns residents living above the creek to immediately move their cars below the creek, so they won't have to find somewhere else to spend the day or night. However, that only works when Bill is in town and is able to reach those residents in time. He has a traveling job.

We can't help but wonder how in the world J. M. Turk Road can safely accommodate hundreds of additional cars. Also, with only one entrance into and out of the proposed subdivision, its residents will be lined up every morning waiting to pull out onto the main road, between the flow of farm tractors and thru traffic from Cash or Martin Road, in an effort to get to work on time.

WHICH OF YOU COMMISSIONERS WOULD BE WILLING TO WAIT IN A LONG LINE EVERY MORNING WHILE TRYING TO EXIT FROM YOUR OWN SUBDIVISION OR DRIVEWAY?

This road has many dangerous curves, including a 90 degree turn right in front of our subdivision. Occasionallly, a wannabe NASCAR driver goes too fast and flips over our road front fence and lands upside down in the pasture. When we hear the crash, we immediately call 911 and rush down to the accident to inform the 911 operator if an ambulance is needed.

WHICH OF YOU COMMISSIOINERS WOULD BE WILLING TO DROP WHAT YOU ARE DOING, DAY OR NIGHT, TO CALL 911 AND RUSH DOWN TO A WRECKED CAR, LOOKING FOR INJURED DRIVERS OR PASSENGERS?

We've been told that Commissioner Kathy Cooper, the Listing Agent for the new subdivision, will recuse herself from the final vote. That means our District, the one she represents, will be disenfranchised, with no one to vote "No" on our behalf. Maybe her vote could be transferred to the lady on the Planning Commission who said the dirt road entrance into the proposed subdivision is not a road, but a "Pig Trail". To their credit, the Planning Commission is on record for recommending a "No" vote.

HOW MUCH WEIGHT WILL YOU COMMISSIONERS GIVE THE RECOMMENDATION FROM THE PLANNING COMMISSION SINCE THEY ARE THE ONLY ONES WHO HAVE MET WITH AND HEARD THE NUMEROUS COMPLAINTS FROM RESIDENTS WHO ARE VEHEMENTLY OPPOSED TO APPROVAL OF THE SUBDIVISION FOR VARIOUS REASONS?

I don't envy your position, Commissioners. On April 23, if you vote "No", you'll disappoint your co-worker, Kathy Cooper, and deny her a hefty commission. If you vote "yes", you'll infuriate current residents and voters on J. M. Turk Road who helped vote you into office to fairly represent them. In future years, our residents may not remember the names of the Commissioners who voted "Yes, but they will definitely remember their names the next few times they are asked to re-elect a County Commissioner.

Having explained our position on the vote, the residents of Elah Valley Subdivision respectfully request that you vote "No" on the proposed subdivision. Your "No" vote will keep J. M. Turk Road from becoming a more dangerous road to travel and it will help you, as Commissioners, to retain the goodwill of many voters in the area.

Carole Branum
4793 J. M. Turk Road
Flowery Branch, GA 30542
Tel: 770-289-2140

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Wednesday, April 17, 2024 9:22 AM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: Planned residential development on J M Turk Road, Guth Road, and Stanley Road
Attachments: Rezoning Opposition Letter.pdf

Good morning,

Please find attached a letter of opposition to the rezoning application for JM Turk/Stanley Road.

Jennifer, would you please add the letter to the file for this application?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development
Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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HALL COUNTY
GEORGIA
We have it all in Hall

From: Christina Nguyen <cntnguyen77@gmail.com>
Sent: Wednesday, April 17, 2024 6:20 AM
To: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Planned residential development on J M Turk Road, Guth Road, and Stanley Road

You don't often get email from cntnguyen77@gmail.com. Learn why this is important

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.

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Dear Ms. Garmon,

I am writing this letter to express my strong opposition against the rezoning of a planned residential development on J M Turk Road, Guth Road, and Stanley Road. I believe that this project would have a detrimental impact on our community.

The proposed development is too large for our area. The increase in population density would put a strain on our already overburdened infrastructure, leading to increased traffic congestion, noise pollution, and strain on our public services. Additionally, the construction of this project would result in significant environmental damage, destroying natural habitats and putting wildlife at risk. It would also drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a high-density housing complex.

I strongly urge you to reconsider this proposed housing development. I believe that this project is not the right fit for our community. Thank you for your attention to this matter.

Respectfully,

Christina Nguyen

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127

BY Thompson O'Brien Kappler & Nasuti PC

As an owner of property adjoining the Subject Property, I respectfully submit that approving the zoning request would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power because the approval bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the adjoining property owners in violation of the due process and equal protection rights of said adjoining property owners guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Allowance of the development as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983 grants the Board of Commissioners the power to zone and rezone. That power must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for Hall County, Georgia and violate Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983.

Any limitation on the time for presentation of the issues before the governing authority who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph Six of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

Respectfully submitted,

Cuong Nguyen and Christina Nguyen

4812 Union Church Road
Flowery Branch, GA 30542

4816 Union Church Road
Flowery Branch, GA 30542

KELLY I BARTON NOTARY EXPIRES GEORGIA 10/27/2027 PUBLIC HALL COUNTY

Kelly I Barton 4/15/24

Jennifer Rivera (Administration)

From: Beth Garmon (CDI: Planning)
Sent: Thursday, April 18, 2024 1:11 PM
To: Billy Powell (County Commission); Gregg Poole (County Commissioner); Jeff Stowe (County Commission); Kathy Cooper (County Commissioner); Richard Higgins (County Commissioner)
Cc: Zachary Propes (Administration); Casey Ramsey (Administration); Jennifer Rivera (Administration)
Subject: FW: Application HZON23-0041
Attachments: Devendar Katkoori 4920 Deer Creek CT.pdf

Good afternoon, Commissioners.

Please find attached a letter of opposition to the rezoning application for JM Turk/Stanley Road.

Jennifer, would you please add the letter to the file for this application?

Thank you,
Beth

Beth Garmon
Assistant Director of Planning and Development Hall County Community Development and Infrastructure
(office) 770-531-6809
(direct) 770-297-2626
bgarmon@hallcounty.org

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-----Original Message-----
From: Devendar Katkoori <dkatkoori@gmail.com>
Sent: Thursday, April 18, 2024 1:05 PM
To: Jeff Stowe (County Commission) <jstowe@hallcounty.org>; Kathy Cooper (County Commissioner) <kcooper@hallcounty.org>; Gregg Poole (County Commissioner) <gpoole@hallcounty.org>; Billy Powell (County Commission) <bpowell@hallcounty.org>; Richard Higgins (County Commissioner) <rhiggins@hallcounty.org>
Cc: Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>
Subject: Application HZON23-0041

[Some people who received this message don't often get email from dkatkoori@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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WARNING: This communication has been detected as containing an attachment - Proceed with caution Dear Hall county commissioners,

Wishing you a very good afternoon, I am a very proud Hall county resident, I congratulate you all and appreciate the significant improvements that you constantly bring to us Hall county residents.

I am writing this email in opposition to the proposed development and rezoning application HZON23-0041.
As a adjoining property owner I received your communication with the details of the proposal.
Please find attached the signed PDF with details and concerns,

I really appreciate considering my opposition,

Thank you so much,

Best wishes,

Devendar Katkoori
4920 Deer Creek Ct,
Flowery branch
30542

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127
BY Thompson O'Brien Kappler & Nasuti PC

As an owner of property adjoining the Subject Property, I respectfully submit that approving the zoning request would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power because the approval bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the adjoining property owners in violation of the due process and equal protection rights of said adjoining property owners guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

☑ Allowance of the development as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983 grants the Board of Commissioners the power to zone and rezone. That power must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for Hall County, Georgia and violate Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983.

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Respectfully submitted,

Devendar Kathoori 04/17/2024
954-593-1854

4920 Deer Creek Ct
Flowery branch
GA, 30542
Address

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Respectfully submitted,

Eric Conley

Address

4621 Stanley Rd
Flowery Branch GA 30542

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BY Thompson O'Brien Kappler & Nasuti PC

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Respectfully submitted,

Kathleen Conley

Address

4621 Stanley Road
Flowery Branch, GA 30542

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BY Thompson O'Brien Kappler & Nasuti PC

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Respectfully submitted,

Jamie Phillips

Address

4607 J. M. Turk Road
Flowery Branch, Ga. 30542

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Respectfully submitted,

Robert H. Carleen

bepostok@yahoo.com

Address
4904 Deer Creek Ct
Flowery Branch, GA
30542

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127
BY Thompson O'Brien Kappler & Nasuti PC

As an owner of property adjoining the Subject Property, I respectfully submit that approving the zoning request would constitute an arbitrary, irrational abuse of discretion and an unreasonable use of the zoning power because the approval bears no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the adjoining property owners in violation of the due process and equal protection rights of said adjoining property owners guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Allowance of the development as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983 grants the Board of Commissioners the power to zone and rezone. That power must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for Hall County, Georgia and violate Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983.

Any limitation on the time for presentation of the issues before the governing authority who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph Six of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

Respectfully submitted,

Jamie Phillips

Address

4607 J. M. Turk Road
Flowery Branch, Ga. 30542

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127
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Respectfully submitted,

Ben Tuke Trinh Pham

Address
5122 Deer Creek Ct
Flowery Branch, GA 30542

PRESERVATION OF CONSTITUTIONAL RIGHTS IN CONNECTION WITH REZONING OF 117.31 ACRES ON 0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127
BY Thompson O'Brien Kappler & Nasuti PC

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Further, I respectfully submit that approving the rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

☑ Allowance of the development as proposed is not based upon any clear and articulable standards and is an unreasonable exercise of discretion resulting in an unlawful exercise of delegated authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983 grants the Board of Commissioners the power to zone and rezone. That power must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for Hall County, Georgia and violate Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia - 1983.

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Respectfully submitted,

Meghan Tilley

Address 4912 Deer Creek CT Flowery Branch GA 30542

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT:
THOMAS O'BRIEN KAPPLER & NASUTI PC

REQUEST:
REZONE FROM AR-111 TO PRD FOR
324-LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 5 2024
Time: 5:15 P.M.

&

COUNTY COMMISSION
Dat APR 23 2024
Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Apr 4, 2024 13:08:15
4574 J M Turk Road
Flowery Branch
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: THOMPSON O'BRIEN KAPPLER & NASUTI PC

REQUEST: REZONE FROM AR-111 TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION Date: FEB 5, 2024 Time: 5:15 P.M.

&

COUNTY COMMISSION Date: APR 23 2024 Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Apr 4, 2024 13:11:12
4627 Guth Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC

REQUEST:
REZONE FROM AR-111 TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 5, 2024
Time: 5:15 p.m.

&

COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 p.m.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Apr 4, 2024 13:10:19
4627 Guth Road
Flowery Branch
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: THOMPSON O'BRIEN KAPPLER & NASUTI PC

REQUEST: REZONE FROM AR-III TO PRD FOR 324 LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 6, 2024
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: MAR 19, 2024
Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) [illegible]809

Dec 21, 2023 10:35:38
4590 Stanley Road
Flowery Branch
Hall County
Georgia

Dec 21, 2023 10:38:01
4590 Stanley Road
Flowery Branch
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: THOMPSON O'BRIEN KAPPLER & NASUTI PC

REQUEST: REZONE FROM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: FEB 5, 2024
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: MAR 14, 2024
Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Dec 21, 2023 10:41:21
4543 J M Turk Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date Oct. 16 2023
Time: 5:15 p.m.
&
COUNTY COMMISSION
Date: MAR 28, 2024
Time: 6:00 p.m.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:55:18
4601 Stanley Road
Flowery Branch
Hall County
Georgia

ZONING NOTICE
Mar 18, 2024 11:02:56
4574 J M Turk Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-N TO PRD FOR 324 LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 5 2024
Time: 5:30 P.M.
&
Date: MAR 5 2024
Time: 6:00 p.m.
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:59:32
4561 J M Turk Road
Flowery Branch
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
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST
REZONE 19AM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT
Date:
Time:
Date:
Time:
FOR MORE INFORMATION CALL
Mar 18, 2024 11:06:04
4627 Guth Road
Flowery Branch
Hall County
Georgia

ZONING NOTICE
Mar 18, 2024 10:58:20
4543 J M Turk Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: FEB 5 2024
Time: 5:15 P.M.
&
COUNTY COMMISSION
Date: MAR 28 2024
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 11:15:44
4702 J M Turk Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT
SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date:
Time:
&
COUNTY COMMISSION
Date:
Time:
FOR MORE INFORMATION CALL (770) 531-6899
Mar 18, 2024 11:07:23
4627 Guth Road
Flowery Branch
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: THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST: REZONE FROM AR-III TO RED FOR 324-LOT SINGLE FAMILY DEVELOPMENT
Date: FEB
Time:
&
Date: APRIL
Time:
FOR MORE INFORMATION CALL
Mar 18, 2024 11:12:16
4611 Guth Road
Flowery Branch
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:
THOMPSON O'BRIEN KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324-LOT SINGLE-FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date FEB 5, 2024
Time: 5:15 P.M.
&
Date: MAR 19 2024
Time: 6:00 P.M.
HALL COUNTY GOVERNMENT CENTER 2875 BROWNSBRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809
Mar 18, 2024 10:48:24
4621 Stanley Road
Flowery Branch
Hall County
Georgia

Mar 18, 2024 10:49:43
4601 Stanley Road
Flowery Branch
Hall County
Georgia

ZONING NOTICE
APPLICANT:
REQUEST:
SINGLE-FAMILY DEVELOPMENT
Date:
Time:
Date:
Time:
Mar 18, 2024 11:11:34
4611 Guth Road
Flowery Branch
Hall County
Georgia

ZONING NOTICE
Date:
Time:
Mar 18, 2024 11:00:08
4561 J M Turk Road
Flowery Branch
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:
THOMPSON O'BOYLE KAPPLER & NASUTI PC
REQUEST:
REZONE FROM AR-III TO PRD FOR 324 LOT SINGLE FAMILY DEVELOPMENT
PUBLIC HEARINGS WILL BE HELD ON:
Date: FEB 5, 2024
Time:
&
Date: MAR 28 2024
Time:
FOR MORE INFORMATION CALL (770) 531-6809
Mar 18, 2024 10:57:14
4567 Stanley Road
Flowery Branch
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 187/2024

SUBJECT: **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B **| Proposed Use: 6-lot subdivision |** Commission District 2 **| Garry L. English, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan dated March 14, 2024 and as described in the project narrative dated January 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The subject property shall be subdivided into a maximum of 5 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. All conditions of zoning shall appear on any plats created for the subdivision.
4. Per 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Purpose of Request:

0 McKinzey Lane | Use Subject to County Commission Approval | 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | Commission District 2 | **Garry L. English, 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	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Updated Site Plan
Original Site Plan
Maps
Deed
Legal Description
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract | **Proposed Use: 6-lot subdivision |Garry L. English, applicant**

The request before you is the request of Garry L. English for a Use Subject to County Commission Approval 17.50.040.K Minor Subdivisions to allow a 6-lot subdivision. This item is located within Commission District 2.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with four (4) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as the proposal is consistent with the Lake Area Residential Character Area in the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated March 14, 2024 and as described in the project narrative dated January 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The subject property shall be subdivided into a maximum of 5 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. All conditions of zoning shall appear on any plats created for the subdivision.
4. Per 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for

the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Garry L. English

Request ..... Use Subject to County Commission Approval | 17.50.040.K 5-lot subdivision

Proposed Use ..... 5-lot subdivision

Size ..... 5.63± acres

Zoning ..... Vacation Cottage (V-C, 17.50)

Location ..... 0 McKinzey Lane | Tax Parcel 08089 001019B (pt.)

Commission District ..... Two

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **Approval, with conditions,** as the proposal is consistent with the Lake Area Residential Character Area in the Comprehensive Plan.

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated March 14, 2024 and as described in the project narrative dated January 19, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The subject property shall be subdivided into a maximum of 5 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. All conditions of zoning shall appear on any plats created for the subdivision.

4. Per 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by

obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Garry English, 5010 McKinzey Lane, Flowery Branch, presented the request.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Varner questioned if the applicant was familiar with the recommended staff conditions. The applicant stated he was.

Motion: A motion to approve, with conditions was made by Mr. Varner and seconded by Ms. Pilcher. Vote: 5-0

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated March 7, 2024 and as described in the project narrative dated March 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The subject property shall be subdivided into a maximum of 5 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. All conditions of zoning shall appear on any plats created for the subdivision.
4. Per 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

Summary Analysis

The applicant is requesting County Commission approval to subdivide a 5.63± acre tract zoned Vacation Cottage (V-C, 17.50) for the purpose of establishing five (5) residential lots. Per the requirements of 17.50.040, minor subdivisions within the Vacation Cottage (V-C, 17.50) zoning district require County Commission approval.

The property is currently vacant and forested. All proposed tracts are within the Vacation Cottage (V-C) zoning district and meet the minimum lot area and frontage requirements for Vacation Cottage (V-C, 17.50) as established in table 17.240.010(A). All proposed tracts include a 75-foot stream buffer located along the northern boundary of the property.

The proposed subdivision plat has been submitted to reflect the desired layout for lots one through five as follows:

Vacation Cottage (V-C, 17.50) Standards	Required	Proposed
Lot Area	35,000 square feet	Lot 1: 45,580.565 square feet Lot 2: 52,178.984 square feet Lot 3: 55,822.040 square feet Lot 4: 51,458.529 square feet Lot 5: 38,197.657 square feet
Lot Frontage	Local Road: 50 feet	Lot 1: 154.17 feet Lot 2: 154.02 feet Lot 3: 154.16 feet Lot 4: 162.95 feet Lot 5: 116.32 feet
Lot Width at Building Line	50 feet	Standard has been met
Front Yard Setback	55 feet from centerline of road or 30 feet from property line	30 feet from property line
Side Yard Setback	10 feet	10 feet
Rear Yard Setback	20 feet	75 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 zoning request *consistent* with the future land use classification of Lake Area Residential in the Comprehensive Plan, and consistent with the current zoning. The intent of the Lake Area Residential land use category is to preserve established neighborhoods and create opportunities for permanent and vacation residences similar in land use patterns to Residential Areas, but at lower residential densities. Future development will continue to be detached, single-family homes at low densities.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the board 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 of a 5-lot subdivision is consistent with the use, development, and zoning of adjacent and nearby properties, as most neighboring parcels are zoned Vacation Cottage (V-C, 17.50) and Agriculture Residential-III (AR-III, 17.110)**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed minor subdivision of the parcel will not adversely affect the existing use or usability of adjacent and nearby property.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned, Vacation Cottage (V-C, 17.50), but the applicant cannot subdivide the property without approval of the County Commission.**

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; **If approved, the development is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, etc.**

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 subdivision 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.**

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. 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 and vacant.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions affecting the use or development of the property.**

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 five single-family residential 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 immediate neighborhood or 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; **The subdivision of land within the Vacation Cottage zoning district (V-C, 17.50) requires County Commission approval.**

15. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request is for conditional use approval and is intended to subdivide the parcel into five single-family residential lots. This 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.**

17.380.050. - 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, and the applicant 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 the request; 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**. Proposal meets this requirement.**

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 February 13, 2024, Emily McGahee stated, "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that zoning approval does not imply approval from other county departments."

Hall County Fire Marshal

In an email dated February 13, 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 February 15, 2024, Bill Nash, Director, stated the following:

Engineering:

Show stream buffer and impervious setback from wrested vegetation not centerline of stream.

Traffic:

Driveways must meet Hall County regulations.

Utilities:

City of Flowery Branch sewer.

Georgia Department of Transportation
In an email dated February 08, 2024, Veronica Chavers, D1TO Civil Engineer 3, stated “No GDOT coordination required.”

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

GARRY L. ENGLISH
5010 McKINZEY LANE
FLOWERY BRANCH, GA 30542

Phone 770-654-2670

Email Address genglish1@bellsouth.net

Property Owner (Name & Mailing Address)

STEPHENS ROAD DEVELOPMENT, LLC
5010 McKINZEY LANE
FLOWERY BRANCH, GA 30542

Phone 770-654-2670

Email Address genglish@bellsouth.net

Proposed Use SINGLE FAMILY RESIDENTIAL - 6 LOT SUBDIVISION

Contact Person (Name & Mailing Address)

GARRY ENGLISH
5010 McKINZEY LANE
FLOWERY BRANCH, GA 30542

Phone 770-654-2670

Email Address genglish1@bellSOUTH.Net

Tax Parcel Number 08089 001019B

Location Address STEPHENS ROAD & McKINZEY LANE, HALL COUNTY

Status of Applicant

-] Owner
-] Option to Purchase
-] Area Resident
-] Other

Zoning: V-C

Acreage 5.541 ACRES

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 Garry L English Date: 1-19-2024

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: _____

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) STEPHENS ROAD DEVELOPMENT LLC

Address 5010 MCKINZEY LANE

FLOWERY BRANCH GA, 30542

Phone Number

Name of applicant(s) CARRY ENGLISH

Address 5010 MCKINZEY LANE

FLOWERY BRANCH GA 30542

Phone Number 770-654-2670

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)

Andrew C English

Personally appeared before me

ANDREW C ENGLISH

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

1-19-24
Date

Nathan M. McClure
NOTARY PUBLIC
FORSYTH COUNTY
STATE OF GEORGIA
My Comm. Expires Dec. 03, 2026

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
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HALL COUNTY
GEORGIA
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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: Garry L English **Date:** 1-19-2024

Applicant's/Owner's Name (Printed): GARRY L ENGLISH

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Andrew C. English **Date:** 1-19-2024

Applicant's/Owner's Name (Printed): Andrew C. English

Stephens Road Development, LLC
5010 McKinzey Lane Flowery Branch, GA 30542
770-654-2670
770-654-2670

Conditional Use Application

January 19, 2024

Sub Divide 5.541 Acres along Stephens Road & McKinzey Lane
Hall County, Georgia

Requested by:
Stephens Road Development LLC
5010 McKinzey Lane
Flowery Branch, GA 30542

Stephens Road Development LLC, having Andrew Craig English as member, respectfully requests to subdivide its existing 5.541 Acres tract of land into 6 lots as shown on the attached proposed plat. The property is zoned V-C. The existing property currently has no single-family residential dwellings nor any other structures on the property. The desire is to sub-divide the property with 6 lots for the purpose of building a single-family residential dwelling on each lot. The proposed 6 lots range in size from 0.813 Acre to 1.185 Acres. The single-family dwellings built on these 6 lots shall be constructed in full accordance with all Federal, State and Hall County building codes and requirements.

Respectfully Submitted,

Andrew C. English

Andrew Craig English, Member

Stephens Road Development, LLC
5010 McKinzey Lane
Flowery Branch, GA 30542

THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

HALL COUNTY - STREAM BUFFER PROTECTION

ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. HALL COUNTY CODE § 8.170.070

IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. HALL COUNTY § 17.225.040

THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40

ALL LAND DISTURBANCES OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

Updated

OWNER'S CERTIFICATE

STATE OF GEORGIA

COUNTY OF HALL

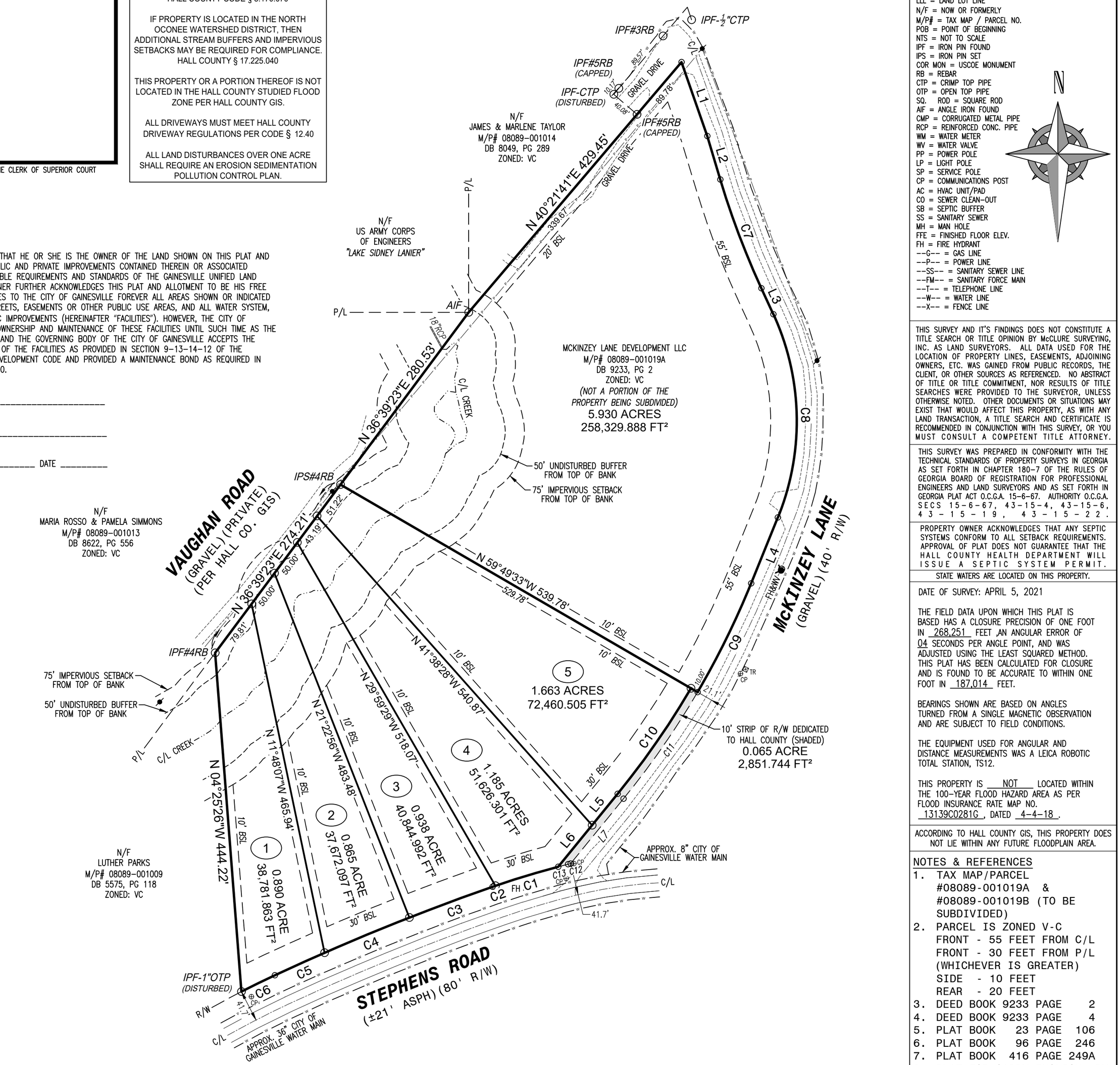
THE UNDERSIGNED CERTIFIES THAT HE OR SHE IS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND THAT THE PLAT AND THE PUBLIC AND PRIVATE IMPROVEMENTS CONTAINED THEREIN OR ASSOCIATED THEREWITH MEET ALL APPLICABLE REQUIREMENTS AND STANDARDS OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE. THE OWNER FURTHER ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND DEDICATES TO THE CITY OF GAINESVILLE FOREVER ALL AREAS SHOWN OR INDICATED ON THIS PLAT AS PUBLIC STREETS, EASEMENTS OR OTHER PUBLIC USE AREAS, AND ALL WATER SYSTEM, SEWERAGE AND OTHER PUBLIC IMPROVEMENTS (HEREINAFTER "FACILITIES"). HOWEVER, THE CITY OF GAINESVILLE WILL NOT TAKE OWNERSHIP AND MAINTENANCE OF THESE FACILITIES UNTIL SUCH TIME AS THE UNDERSIGNED PETITIONS FOR AND THE GOVERNING BODY OF THE CITY OF GAINESVILLE ACCEPTS THE DEDICATION AND ACCEPTANCE OF THE FACILITIES AS PROVIDED IN SECTION 9-13-14-12 OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE AND PROVIDED A MAINTENANCE BOND AS REQUIRED IN SECTIONS 9-13-13-9 AND 10.

OWNER'S NAME: _____

OWNER'S ADDRESS: _____

_____ DATE _____

(OWNER'S SIGNATURE)



Curve	Radius	Length	Chord	Chord Bear.
C1	1120.20'	85.59'	85.57'	S 73°09'21" W
C2	1120.20'	4.17'	4.17'	S 70°51'37" W
C3	3056.98'	115.83'	115.82'	S 69°40'05" W
C4	3056.98'	120.00'	119.99'	S 67°27'29" W
C5	3056.98'	71.26'	71.26'	S 65°39'57" W
C6	1226.65'	48.74'	48.73'	S 63°51'35" W
C7	1100.00'	152.13'	152.01'	S 20°40'52" E
C8	335.00'	273.20'	265.69'	S 01°16'49" E
C9	1100.00'	158.51'	158.37'	S 26°12'40" W
C10	1090.00'	168.25'	168.08'	S 34°45'45" W
C11	1100.00'	169.82'	169.65'	S 34°45'43" W
C12	618.13'	3.54'	3.54'	S 76°11'08" W
C13	1120.20'	13.23'	13.23'	S 75°40'59" W

Course	Bearing	Distance
L1	S 19°12'34" E	102.44'
L2	S 16°43'09" E	59.23'
L3	S 24°38'36" E	37.42'
L4	S 22°04'58" W	93.01'
L5	S 39°11'04" W	52.79'
L6	S 39°11'04" W	70.12'
L7	S 39°11'04" W	109.45'

LEGEND

BFE = BASE FLOOD ELEVATION
BSL = BUILDING SETBACK LINE
P/L = PROPERTY LINE
R/W = RIGHT OF WAY
LL = LAND LOT
LLL = LAND LOT LINE
N/F = NOW OR FORMERLY
M/P# = TAX MAP / PARCEL NO.
POB = POINT OF BEGINNING
NTS = NOT TO SCALE
IPF = IRON PIN FOUND
IPS = IRON PIN SET
COR MON = USCOE MONUMENT
RB = REBAR
CTP = CRIMP TOP PIPE
OTP = OPEN TOP PIPE
SQ. ROD = SQUARE ROD
AIF = ANGLE IRON FOUND
CMP = CORRUGATED METAL PIPE
RCP = REINFORCED CONC. PIPE
WM = WATER METER
WV = WATER VALVE
PP = POWER POLE
LP = LIGHT POLE
SP = SERVICE POLE
CP = COMMUNICATIONS POST
AC = HVAC UNIT/PAD
CO = SEWER CLEAN-OUT
SB = SEPTIC BUFFER
SS = SANITARY SEWER
MH = MAN HOLE
FFE = FINISHED FLOOR ELEV.
FH = FIRE HYDRANT
--G-- = GAS LINE
--P-- = POWER LINE
--SS-- = SANITARY SEWER LINE
--FM-- = SANITARY FORCE MAIN
--T-- = TELEPHONE LINE
--W-- = WATER LINE
--X-- = FENCE LINE

N

THIS SURVEY AND IT'S FINDINGS DOES NOT CONSTITUTE A TITLE SEARCH OR TITLE OPINION BY McCLURE SURVEYING, INC. AS LAND SURVEYORS. ALL DATA USED FOR THE LOCATION OF PROPERTY LINES, EASEMENTS, ADJOINING OWNERS, ETC. WAS GAINED FROM PUBLIC RECORDS, THE CLIENT, OR OTHER SOURCES AS REFERENCED. NO ABSTRACT OF TITLE OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE PROVIDED TO THE SURVEYOR, UNLESS OTHERWISE NOTED. OTHER DOCUMENTS OR SITUATIONS MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AS WITH ANY LAND TRANSACTION, A TITLE SEARCH AND CERTIFICATE IS RECOMMENDED IN CONJUNCTION WITH THIS SURVEY, OR YOU MUST CONSULT A COMPETENT TITLE ATTORNEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

PROPERTY OWNER ACKNOWLEDGES THAT ANY SEPTIC SYSTEMS CONFORM TO ALL SETBACK REQUIREMENTS. APPROVAL OF PLAT DOES NOT GUARANTEE THAT THE HALL COUNTY HEALTH DEPARTMENT WILL ISSUE A SEPTIC SYSTEM PERMIT.

STATE WATERS ARE LOCATED ON THIS PROPERTY.

DATE OF SURVEY: APRIL 5, 2021

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 268,251 FEET ,AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARED METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 187,014 FEET.

BEARINGS SHOWN ARE BASED ON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION AND ARE SUBJECT TO FIELD CONDITIONS.

THE EQUIPMENT USED FOR ANGULAR AND DISTANCE MEASUREMENTS WAS A LEICA ROBOTIC TOTAL STATION, TS12.

THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0281G, DATED 4-4-18.

ACCORDING TO HALL COUNTY GIS, THIS PROPERTY DOES NOT LIE WITHIN ANY FUTURE FLOODPLAIN AREA.

NOTES & REFERENCES

1. TAX MAP/PARCEL #08089-001019A & #08089-001019B (TO BE SUBDIVIDED)
2. PARCEL IS ZONED V-C
   FRONT - 55 FEET FROM C/L
   FRONT - 30 FEET FROM P/L
   (WHICHEVER IS GREATER)
   SIDE - 10 FEET
   REAR - 20 FEET
3. DEED BOOK 9233 PAGE 2
4. DEED BOOK 9233 PAGE 4
5. PLAT BOOK 23 PAGE 106
6. PLAT BOOK 96 PAGE 246
7. PLAT BOOK 416 PAGE 249A
8. PLAT FOR GARRY ENGLISH, BY MCCLURE SURVEYING INC., DATED MAY 3, 2021.
9. EACH NEW LOT CORNER WILL BE SET WITH AN IPS#4RB.

SUBDIVISION SURVEY FOR:

STEPHENS ROAD DEVELOPMENT LLC

LAND LOT 89
8TH DISTRICT
FLOWERY BRANCH G.M.D. 1270
HALL COUNTY, GEORGIA
PLAT DATE: MARCH 14, 2024
REVISION DATE:

TOTAL = 11.472 ACRES
499,715.920 SQUARE FEET

100 0 100 200 300
GRAPHIC SCALE – 1"=100'

McCLURE SURVEYING, INC.
2505 JOHNSON DRIVE - SUITE D
CUMMING, GA 30040
O: (470) 297-5592 O: (770) 889-0281
CERTIFICATE OF AUTHORITY: LSF001203
NATHAN@MCCLURESURVEYING.COM
WWW.MCCLURESURVEYING.COM

GEORGIA REGISTERED NO. 3086 PROFESSIONAL LAND SURVEYOR NATHAN M. McCLURE

Surveyor's Certificate

"It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated and that their locations, size, type, and material are correctly shown.

By: _____
Registered Georgia Land Surveyor No. 3086

JOB NO. 21176

Received 3-7-2024

THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

OWNER'S CERTIFICATE

STATE OF GEORGIA

COUNTY OF HALL

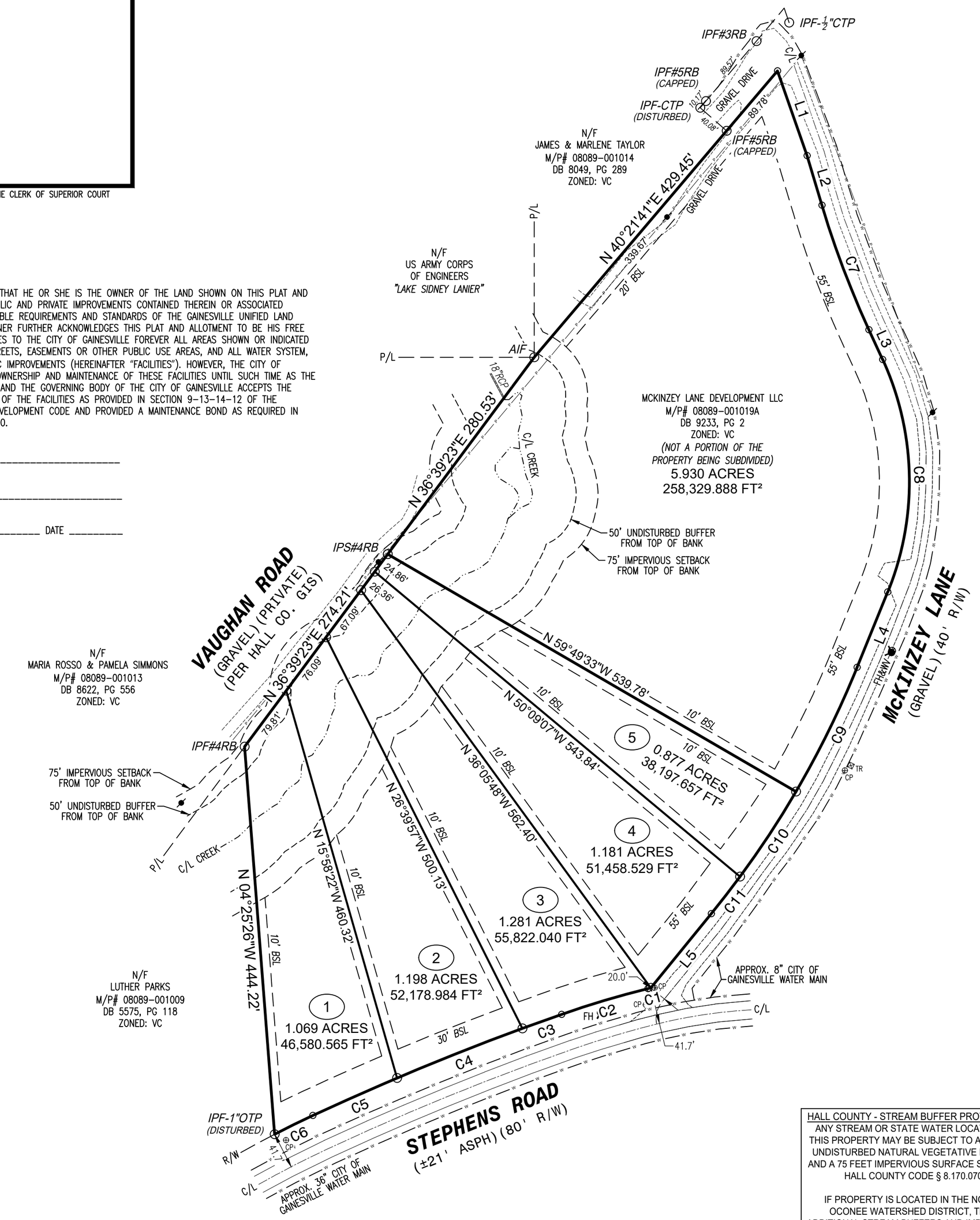
THE UNDERSIGNED CERTIFIES THAT HE OR SHE IS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND THAT THE PLAT AND THE PUBLIC AND PRIVATE IMPROVEMENTS CONTAINED THEREIN OR ASSOCIATED THEREWITH MEET ALL APPLICABLE REQUIREMENTS AND STANDARDS OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE. THE OWNER FURTHER ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND DEDICATES TO THE CITY OF GAINESVILLE FOREVER ALL AREAS SHOWN OR INDICATED ON THIS PLAT AS PUBLIC STREETS, EASEMENTS OR OTHER PUBLIC USE AREAS, AND ALL WATER SYSTEM, SEWERAGE AND OTHER PUBLIC IMPROVEMENTS (HEREINAFTER "FACILITIES"). HOWEVER, THE CITY OF GAINESVILLE WILL NOT TAKE OWNERSHIP AND MAINTENANCE OF THESE FACILITIES UNTIL SUCH TIME AS THE UNDERSIGNED PETITIONS FOR AND THE GOVERNING BODY OF THE CITY OF GAINESVILLE ACCEPTS THE DEDICATION AND ACCEPTANCE OF THE FACILITIES AS PROVIDED IN SECTION 9-13-14-12 OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE AND PROVIDED A MAINTENANCE BOND AS REQUIRED IN SECTIONS 9-13-13-9 AND 10.

OWNER'S NAME: _____

OWNER'S ADDRESS: _____

_____ DATE _____

(OWNER'S SIGNATURE)



Curve	Radius	Length	Chord	Chord Bear.
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C4	3056.98'	154.02'	154.01'	S 68°25'03" W
C5	3056.98'	105.43'	105.43'	S 65°59'10" W
C6	1226.65'	48.74'	48.73'	S 63°51'35" W
C7	1100.00'	152.13'	152.01'	S 20°40'52" E
C8	335.00'	273.20'	265.69'	S 01°16'49" E
C9	1100.00'	158.51'	158.37'	S 26°12'40" W
C10	1100.00'	116.32'	116.26'	S 33°22'07" W
C11	1100.00'	53.50'	53.49'	S 37°47'28" W

Course	Bearing	Distance
L1	S 19°12'34" E	102.44'
L2	S 16°43'09" E	59.23'
L3	S 24°38'36" E	37.42'
L4	S 22°04'58" W	93.01'
L5	S 39°11'04" W	109.45'

LEGEND
BFE = BASE FLOOD ELEVATION
BSL = BUILDING SETBACK LINE
P/L = PROPERTY LINE
R/W = RIGHT OF WAY
LL = LAND LOT
LLL = LAND LOT LINE
N/F = NOW OR FORMERLY
M/P# = TAX MAP / PARCEL NO.
POB = POINT OF BEGINNING
NTS = NOT TO SCALE
IPF = IRON PIN FOUND
IPS = IRON PIN SET
COR MON = USCOE MONUMENT
RB = REBAR
CTP = CRIMP TOP PIPE
OTP = OPEN TOP PIPE
SQ. ROD = SQUARE ROD
AIF = ANGLE IRON FOUND
CMP = CORRUGATED METAL PIPE
RCP = REINFORCED CONC. PIPE
WM = WATER METER
WV = WATER VALVE
PP = POWER POLE
LP = LIGHT POLE
SP = SERVICE POLE
CP = COMMUNICATIONS POST
AC = HVAC UNIT/PAD
CO = SEWER CLEAN-OUT
SB = SEPTIC BUFFER
SS = SANITARY SEWER
MH = MAN HOLE
FFE = FINISHED FLOOR ELEV.
FH = FIRE HYDRANT
--G-- = GAS LINE
--P-- = POWER LINE
--SS-- = SANITARY SEWER LINE
--FM-- = SANITARY FORCE MAIN
--T-- = TELEPHONE LINE
--W-- = WATER LINE
--X-- = FENCE LINE

N

THIS SURVEY AND IT'S FINDINGS DOES NOT CONSTITUTE A TITLE SEARCH OR TITLE OPINION BY McCLURE SURVEYING, INC. AS LAND SURVEYORS. ALL DATA USED FOR THE LOCATION OF PROPERTY LINES, EASEMENTS, ADJOINING OWNERS, ETC. WAS GAINED FROM PUBLIC RECORDS, THE CLIENT, OR OTHER SOURCES AS REFERENCED. NO ABSTRACT OF TITLE OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE PROVIDED TO THE SURVEYOR, UNLESS OTHERWISE NOTED. OTHER DOCUMENTS OR SITUATIONS MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AS WITH ANY LAND TRANSACTION, A TITLE SEARCH AND CERTIFICATE IS RECOMMENDED IN CONJUNCTION WITH THIS SURVEY, OR YOU MUST CONSULT A COMPETENT TITLE ATTORNEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS OF PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

PROPERTY OWNER ACKNOWLEDGES THAT ANY SEPTIC SYSTEMS CONFORM TO ALL SETBACK REQUIREMENTS. APPROVAL OF PLAT DOES NOT GUARANTEE THAT THE HALL COUNTY HEALTH DEPARTMENT WILL ISSUE A SEPTIC SYSTEM PERMIT.

STATE WATERS ARE LOCATED ON THIS PROPERTY.

DATE OF SURVEY: APRIL 5, 2021

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 181,065 FEET ,AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARED METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 187,014 FEET.

BEARINGS SHOWN ARE BASED ON ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION AND ARE SUBJECT TO FIELD CONDITIONS.

THE EQUIPMENT USED FOR ANGULAR AND DISTANCE MEASUREMENTS WAS A LEICA ROBOTIC TOTAL STATION, TS12.

THIS PROPERTY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0281G, DATED 4-4-18.

ACCORDING TO HALL COUNTY GIS, THIS PROPERTY DOES NOT LIE WITHIN ANY FUTURE FLOODPLAIN AREA.

NOTES & REFERENCES
1. TAX MAP/PARCEL #08089-001019A & #08089-001019B (TO BE SUBDIVIDED)
2. PARCEL IS ZONED V-C
   FRONT - 55 FEET FROM C/L
   FRONT - 30 FEET FROM P/L
   (WHICHEVER IS GREATER)
   SIDE - 10 FEET
   REAR - 20 FEET
3. DEED BOOK 9233 PAGE 2
4. DEED BOOK 9233 PAGE 4
5. PLAT BOOK 23 PAGE 106
6. PLAT BOOK 96 PAGE 246
7. PLAT BOOK 416 PAGE 249A
8. PLAT FOR GARRY ENGLISH, BY MCCLURE SURVEYING INC., DATED MAY 3, 2021.
9. EACH NEW LOT CORNER WILL BE SET WITH AN IPS#4RB.

HALL COUNTY - STREAM BUFFER PROTECTION

ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. HALL COUNTY CODE § 8.170.070

IF PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. HALL COUNTY § 17.225.040

THIS PROPERTY OR A PORTION THEREOF IS NOT LOCATED IN THE HALL COUNTY STUDIED FLOOD ZONE PER HALL COUNTY GIS.

ALL DRIVEWAYS MUST MEET HALL COUNTY DRIVEWAY REGULATIONS PER CODE § 12.40

ALL LAND DISTURBANCES OVER ONE ACRE SHALL REQUIRE AN EROSION SEDIMENTATION POLLUTION CONTROL PLAN.

SUBDIVISION SURVEY FOR:

STEPHENS ROAD DEVELOPMENT LLC

LAND LOT 89
8TH DISTRICT
FLOWERY BRANCH G.M.D. 1270
HALL COUNTY, GEORGIA
PLAT DATE: MARCH 5, 2024
REVISION DATE:

TOTAL = 11.537 ACRES
502,567.660 SQUARE FEET

100 0 100 200 300
GRAPHIC SCALE – 1"=100'

McCLURE SURVEYING, INC.
2505 JOHNSON DRIVE - SUITE D
CUMMING, GA 30040
O: (470) 297-5592 O: (770) 889-0281
CERTIFICATE OF AUTHORIZATION: LSF001203
NATHAN@MCCLURESURVEYING.COM
WWW.MCCLURESURVEYING.COM

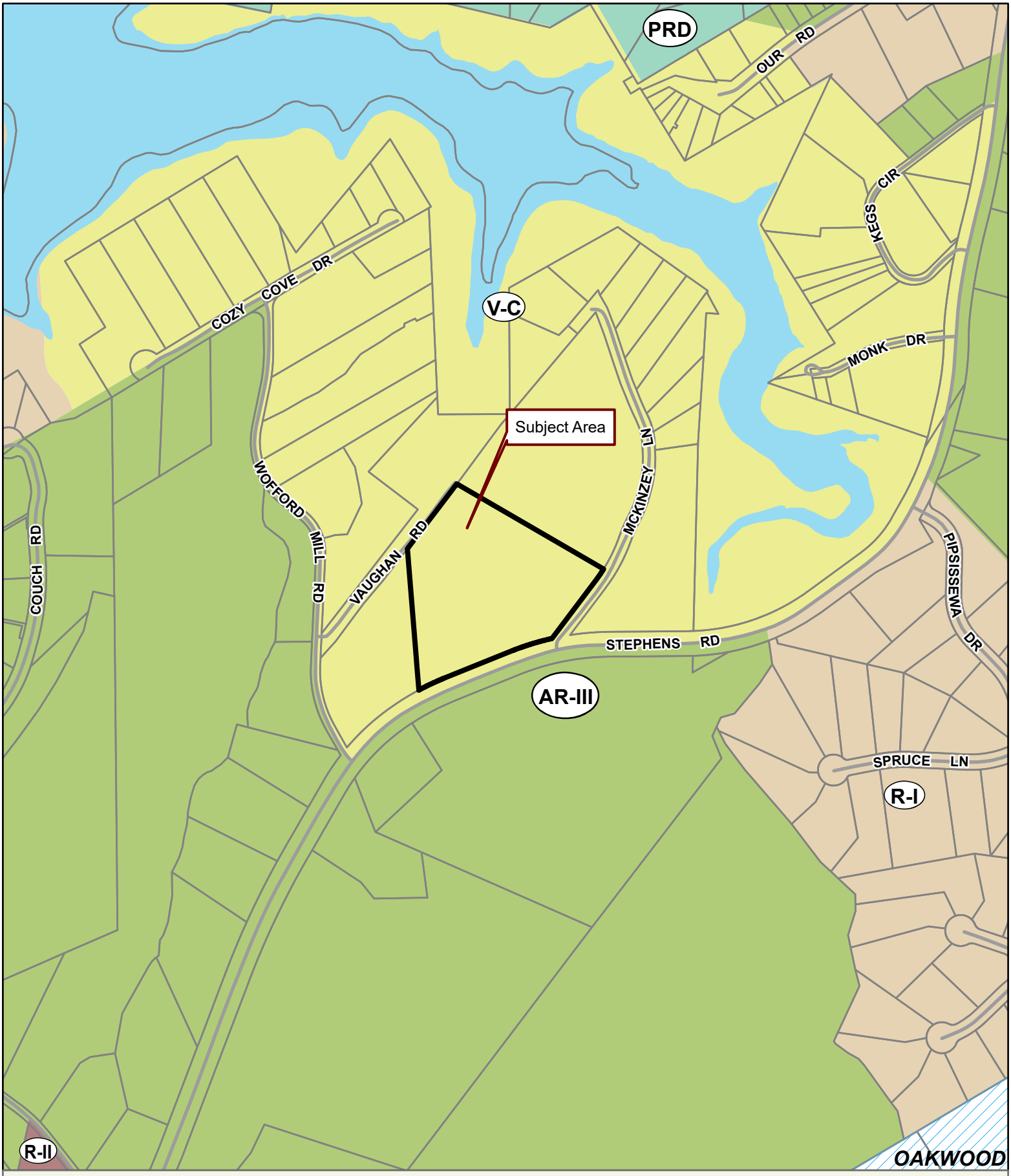
GEORGIA REGISTERED NO. 3086 PROFESSIONAL LAND SURVEYOR NATHAN M. McCLURE

Surveyor's Certificate

"It is hereby certified that all monuments and improvements shown hereon actually exist except as otherwise indicated and that their locations, size, type, and material are correctly shown.

By: _____
Registered Georgia Land Surveyor No. 3086

JOB NO. 21176

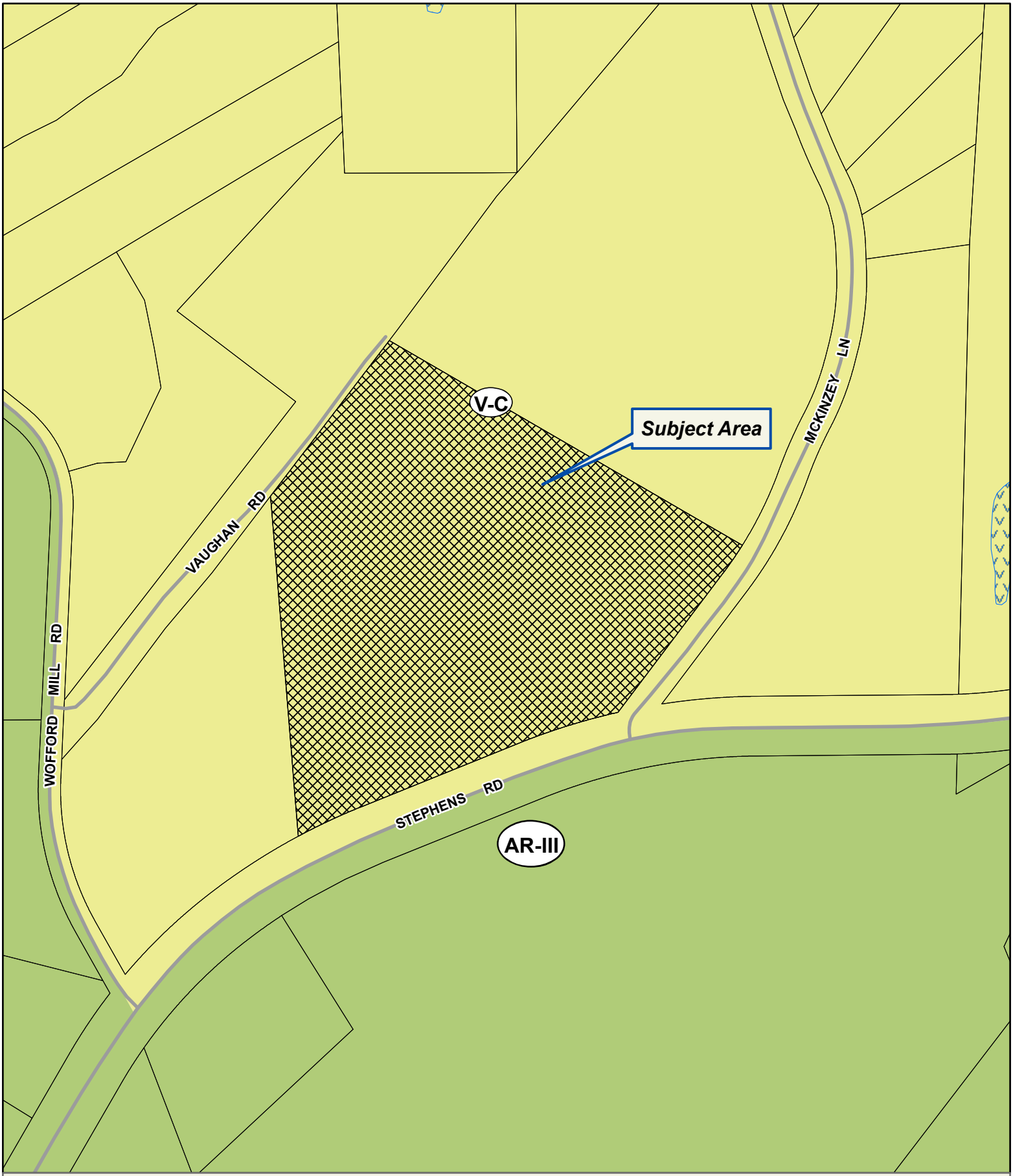


Applicant: GARRY L. ENGLISH
Tax Parcel #: 08089 001019B
Location: 0 MCKINZEY LANE, FLOWERY BRANCH, GA 30542
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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Commission District 2 **PC Mtg. Date: 03/18/2024**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Applicant: GARRY L. ENGLISH
Tax Parcel #: 08089 001019B
Location: 0 MCKINZEY LANE, FLOWERY BRANCH, GA 30542
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 50 100 200
Feet

Zoning Boundary
City Limits
Subject Area

N

After Recording, Return To:
Boling Rice LLC
207 Pirkle Ferry Rd.
Cumming, GA 30040
TR/82,533

eFiled and eRecorded
DATE: 12/01/2022
TIME: 2:00 PM
DEED BOOK: 9233
PAGE: 4 - 5
FILING FEES: $25.00
TRANSFER TAX: $0.00
PARTICIPANT ID: 2252090439
PARTICIPANT ID: 7067927936
PT61: 069-2022-010263
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C
Hall County, GA

Tax Parcel: p/o 08089 001019

QUIT-CLAIM DEED

State of Georgia; County of Forsyth

THIS INDENTURE, made as of November 30, 2022, between **Garry L. English and Gale W. English**, of the first part, and **Stephens Road Development, LLC, a Georgia limited liability company,** of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever quit-claim to the said party of the second part, its heirs and assigns, the below described property to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor their heirs, nor any other person or persons claiming under them shall at any time, by any means or ways, have, claim, or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand and seal, the day and year above written.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

ANGELA L PATE
NOTARY
PUBLIC
HABERSHAM COUNTY, GA
(SEAL)

Garry L. English (SEAL)
Garry L. English

Gale W. English (SEAL)
Gale W. English

LEGAL DESCRIPTION

TRACT 1

All that tract or parcel of land lying and being in Land Lot 89 of the 8th District, G.M.D. 1270 of Hall County, Georgia and being more particularly described as follows:

Beginning at a point on the northerly Stephens Road right-of-way, said point being 41.72 feet from the centerline intersection of Stephens Road and McKinzey Lane, proceed along said right-of-way 3.54 feet along an arc of a curve, said curve having a radius of 618.13 feet and a chord bearing and distance of South 76 degrees 11 minutes 08 seconds West 3.54 feet to a point; THENCE 102.99 feet along an arc of a curve, said curve having a radius of 1120.20 feet and a chord bearing and distance of South 73 degrees 23 minutes 15 seconds West 102.95 feet to a point; THENCE 307.09 feet along an arc of a curve, said curve having a radius of 3056.98 feet and a chord bearing and distance of South 67 degrees 52 minutes 33 seconds West 306.96 feet to a point; THENCE 48.74 feet along an arc of a curve, said curve having a radius of 1226.65 feet and a chord bearing and distance of South 63 degrees 51 minutes 35 seconds West 48.73 feet to a point; THENCE leaving said right-of-way North 04 degrees 25 minutes 26 seconds West 444.22 feet to an iron pin found ; THENCE North 36 degrees 39 minutes 23 seconds East 274.21 feet to a point; THENCE South 59 degrees 49 minutes 33 seconds East 539.78 feet to a point on the westerly right-of-way of McKinzey Lane; THENCE along said right-of-way 169.82 feet along an arc of a curve, said curve having a radius of 1100.00 feet and a chord bearing and distance of South 34 degrees 45 minutes 43 seconds West 169.65 feet to a point; THENCE South 39 degrees 11 minutes 04 seconds West 109.45 feet to the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.607 acres, more or less.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, February 13, 2024 11:16 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

0 McKinzey Lane | Use Subject to County Commission Approval | 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, 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

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: GARRY ENGLISH
REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL
FOR A 6 LOT RESIDENTIAL SUBDIVISION
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: MAY 8 2024
Time: 5:15 PM
COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 PM
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: GARRY ENGLISH
REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A 6 LOT RESIDENTIAL SUBDIVISION
PUBLIC HEARINGS WILL BE HELD ON:
Date: MAR 18 2024
Time: 5:15 PM
&
Date: APR 23 2024
Time: 6:00 PM
FOR MORE INFORMATION CALL:

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 192/2024

SUBJECT: **8545 Belton Bridge Road | Amend Conditions |** on an 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.**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with condtions:

1. The property shall be developed in accordance with the site plan dated February 21, 2024, and as described in the project narrative received February 21, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, to include grass parking as specified on the site plan.
2. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Pintail Court.
3. The approval of these zoning condition amendments shall only apply to the subject parcel, 12127 000001.
4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
5. All amended conditions and previous conditions of original zoning dated May 12, 2005, and October 26, 2023, shall appear on any plats or building plans created for the subject property.

Purpose of Request:

8545 Belton Bridge Road | Amend Conditions | on an 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.**

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	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Narrative
Site Plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **8545 Belton Bridge Road** | **Amend Conditions** | on a 8.23± acre parcel | **Proposed Use: Amenity area** | **Mallard View Homeowners Association, applicant.**

The request before you is the request of Mallard View Homeowners Association to Amend Conditions to allow an amenity area. This item is located within Commission District 3.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with five (5) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as the proposed use is consistent with the future land use classification of Rural in the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **no one spoke during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated February 21, 2024, and as described in the project narrative received February 21, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, to include grass parking as specified on the site plan.
2. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Pintail Court.
3. The approval of these zoning condition amendments shall only apply to the subject parcel, 12127 000001.
4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: “Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not

limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

5. All amended conditions and previous conditions of original zoning dated May 12, 2005, and October 26, 2023, shall appear on any plats or building plans created for the subject property.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Mallard View Homeowners Association

Request ..... Use Subject to County Commission Approval | Amend Conditions of Zoning for an Amenity Area

Proposed Use ..... Amenity area

Size ..... 8.23± acres

Zoning ..... Agricultural Residential IV (AR-IV, 17.120)

Location ..... **8545 Belton Bridge Road |** Tax Parcel 12127 000001

Commission District ..... Three

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **Approval, with conditions,** as the proposed use is consistent with the future land use classification of Rural in the Comprehensive Plan.

Planning Commission Recommendation……Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated February 21, 2024, and as described in the project narrative received February 21, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval, to include grass parking as specified on the site plan.

2. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Pintail Court.

3. The approval of these zoning condition amendments shall only apply to the subject parcel, 12127 000001.

4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: “Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to,

noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

5. All amended conditions and previous conditions of original zoning dated May 12, 2005, and October 26, 2023, shall appear on any plats or building plans created for the subject property.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Don Williams, 8523 Mallard View Way, Gainesville, presented the request.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if the amendment was to allow grass parking. The applicant stated that was correct.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 5-0

Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated February 21, 2024, and as described in the project narrative received February 21, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. The developer shall coordinate with Hall County Engineering to obtain the necessary driveway permits for access off Pintail Court.

3. The approval of these zoning condition amendments shall only apply to the subject parcel, 12127 000001.

4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the

application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."

5. All amended conditions and previous conditions of original zoning dated May 12, 2005, and October 26, 2023, shall appear on any plats or building plans created for the subject property.

Summary Analysis

The applicant is requesting to amend the conditions of a residential subdivision to allow for the development of an amenity area on the subject property, which is an 8.23± acre common area lot located in the Mallard View subdivision. The subdivision was established in 2005 with seven conditions of approval from the Board of Commissioners and is zoned Agricultural Residential IV (AR-IV, 17.120). In October 2023, a request to amend the existing conditions of the 2005 zoning to modify the amenity area was approved with two conditions:

1. The development is approved as generally shown on the site plan (dated May 16, 2023) and as described in the project narrative (dated August 9, 2023), modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The applicant shall provide off-street parking on the subject parcel in accordance with the requirements of 17.250, off-street parking, storage, and loading requirements.

The submitted site plan shows a proposed 12-foot wide drive with access from Pintail Court. The first 80 feet of the drive will be paved with concrete and the remaining 270 feet will be a grass drive. Additionally, the submitted site plan includes 21 parking spaces, with 19 parking spaces being grass parking and the remaining two being a concrete pad for ADA accessible parking spaces. The drive and parking spaces are to serve the 20-foot by 30-foot pavilion that is proposed to be centrally-located on the parcel.

The submitted narrative states that the proposed pavilion will be constructed with six pressure-treated posts on a concrete slab, wood truss roof structure, asphalt shingles, and cement board siding on the gable ends to closely match the colors of nearby residences. The applicant also stated in the submitted narrative that the proposed pavilion will not utilize utilities such as water, sewer, or electric service and will be maintained by the Mallard View's Homeowner Association.

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 "Rural." The intent of this land use category is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. Future development is envisioned to consist of agricultural activities and low-density detached single-family homes. The proposed use is considered an accessory to the existing residential development.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the board 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 suitable as an amenity area for the residential development, Mallard View Subdivision.**

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 use will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Staff is unable to assess the economic impact of an amenity area for a residential development, though there could be considerable social benefits to the community by having an area to gather.**

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 amenity area 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; **Based on the future land-use plan, staff finds the proposed amendment to the conditions of the Mallard View Subdivision consistent with the future land use classification of Rural 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. 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 site has remained a vacant amenity area since 2006, while nearby lots are approved for residences within the Mallard View Subdivision.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The amendment to the current Agricultural Residential IV (AR-IV, 17.120) district will not create an isolated district.**

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 immediate neighborhood or 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; **8545 Belton Bridge Road is the only lot dedicated to amenity use and owned by the Mallard View Homeowners Association.**

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. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**

B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:

1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The applicant has submitted a narrative and site plan but has not explicitly addressed 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 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. **The applicant narrative states that no sewer or septic system will be present.**

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 February 13, 2024, Emily McGahee stated "No comment."

Hall County Fire Marshal

In an email dated February 13, 2024, 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 February 15, 2024, Director Bill Nash stated the following:

Engineering:

Show stream buffer and impervious setback from wrested vegetation not centerline of stream.

Traffic:

No comments.

Utilities:

Hall County sewer – No sewer connection within feasible distance.

Georgia Department of Transportation

In an email dated February 12, 2024, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination would not be required for this request.

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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Mallard View Homeowner Assoc
PO Box 534
Clermont, GA 30527

Phone

Email Address

Property Owner (Name & Mailing Address)

see the dept

Phone

Email Address

Proposed Use Pavilion use

Contact Person (Name & Mailing Address)

Don Williams - Pres of HOA
8523 Mallard View Way
Lula, GA 30554

Phone 770-656-1626

Email Address willy1847@msn.com

Tax Parcel Number ID # 12127 000001

Location Address 8545 Belton Bridge Rd, Lula, GA

Status of Applicant

- ☐ Owner
- ☐ Option to Purchase
- ☐ Area Resident
- ☑ Other

Zoning:

Requested Action

Permissive Use:
☐ HCPC ☐ HCC

Fee:$

Receipt #:

Check #:

Acreage 8.23 acres

I hereby certify that the above information and all attached information are true and correct.

Sign [signature], Pres of Mallard View HOA Date: 8/3/23

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:

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HALL COUNTY

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have**____ I have not ✓

within the two years immediately preceding this date, made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: [signature] **Date:** 2/7/24

Applicant's/Owner's Name (Printed): [illegible] HOA

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 8/3/23

Applicant's/Owner's Name (Printed): _____

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Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 8/3/23

Applicant's/Owner's Name (Printed): Pres & Host

Narrative for pavilion on Mallard View HOA-a 20 x 30, 6 treated post, concrete slab with a wood truss roof structure with asphalt shingles and cement board siding on the gable ends to closely match the colors of the houses near the pavilion

1. from the cul-de-sac on Pintail, the curbing and the sidewalk will be cut to put in a 12' by 80' on driveway, down an embankment headed in a southerly direction

2. at the end of the concrete driveway, a grass driveway, about 270', will head towards the proposed pavilion and to the burn pile which has been used for over 6 years by cars, trucks and golf carts. We will not consider a gravel driveway due to safety concerns with children and walkers who might be in the field because of the chance when the field is mowed a piece of gravel could be thrown by a mower and cause injury to them.

3. parking for the proposed pavilion, will be on a large flat grassy area will be to the left or east of the pavilion, headed south and between the property line, the grass driveway and the pavilion

4. 2 ADA parking spots will be just north of the pavilion, within a close walking distance and both will be concrete

5. the pavilion will not have water, sewer or electric service and it will be maintained by the Mallard HOA

Don Williams
President -Mallard View HOA

PROJECT DESCRIPTION:
THE SUBJECT SITE IS THE PLATTED AMENITY LOT FOR MALLARD VIEW SUBDIVISION. THE PROPOSED DEVELOPMENT CONSISTS OF THE CONSTRUCTION OF A NEW 20'x30' PAVILION (600 SF) WITH ACCESS AND PARKING.

TOTAL AREA = 8.23 ACRES

BOUNDARY INFORMATION TAKEN FROM FINAL PLAT FOR MALLARD VIEW SUBDIVSION, PREPARED BY PATTON-BOYER, INC., APPROVED 6/12/06.

TOPOGRAPHIC INFORMATION TAKEN FROM HALL COUNTY GIS RESOURCES.

DAVIS ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES.

CONTOUR INTERVAL = 2'

PROJECT BENCHMARK:
TBM USED IS AN IRON PIN (1/2" REBAR) LOCATED ALONG THE RIGHT OF WAY OF THE PINTAIL COURT CUL-DE-SAC. (ELEV. 1351.40').

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0105G, DATED 04/04/18.

GENERAL NOTES:
1) ALL CONSTRUCTION WORK, MATERIALS, AND IMPROVEMENTS AT THIS SITE SHALL CONFORM WITH **HALL COUNTY**, GEORGIA REQUIREMENTS.
2) ALL STRUCTURES WILL BE REQUIRED TO CONFORM TO THE STANDARD BUILDING CODES HORIZONTAL SEPARATION STANDARDS. APPROVAL OF THIS PERMIT WILL NOT JUSTIFY ANY DEVIATION IN HORIZONTAL SEPARATION STANDARDS AS ADOPTED AND AMENDED BY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS.
3) CONTRACTORS SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF APPLICABLE REGULATIONS OF THE OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION (OSHA) AND ALL LOCAL, STATE AND FEDERAL RULES AND REGULATIONS.
4) ALL CONSTRUCTION STAKING ON THIS SITE SHALL BE PERFORMED UNDER THE DIRECT SUPERVISION OF A GEORGIA REGISTERED LAND SURVEYOR.
5) MATTERS OF RECORD NOT SHOWN HEREON ARE EXCEPTED.
6) THE UTILITIES AND STRUCTURES AS SHOWN ON THIS PLAN WERE FOUND PER ABOVE GROUND EXAMINATION OF THIS SITE, BASED ON VISIBLE INDICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EXACT LOCATIONS AND ELEVATIONS OF ALL UNDERGROUND UTILITIES AND OTHER STRUCTURES BEFORE THE START OF CONSTRUCTION ON THIS PROJECT.
7) IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL UTILITIES ARE AS NOTED IN THE PLANS. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER AS SOON AS POSSIBLE.
8) TOILET FACILITIES SHALL BE MADE AVAILABLE TO CONSTRUCTION WORKERS WITHIN 300' OF SITE.
9) NO MATERIAL CAN BE BURIED ONSITE WITHOUT THE APPROVAL OF THE OWNER AND GEOTECHNICAL ENGINEER.
10) CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL DEBRIS AS ACCEPTABLE TO THE OWNER.
11) CONTRACTOR IS TO REMOVE ALL ROCK, TOPSOIL, AND UNSUITABLE MATERIALS.
12) MAXIMUM CUT OR FILL SLOPES SHALL BE 2 HORIZONTAL: 1 VERTICAL.
13) THIS SITE **DOES** CONTAIN WETLANDS.
14) THIS SITE **DOES** HAVE STATE WATERS REQUIRING UNDISTURBED BUFFERS.
15) EXISTING FEATURES SHOWN BY DASHED LINES OR SHADED. PROPOSED FEATURES SHOWN BY SOLID OR BOLD LINES.
16) CONTRACTOR RESPONSIBLE FOR PROTECTING ADJACENT AREAS AND SHALL BE RESPONSIBLE TO REPAIR ANY DAMAGE TO A CONDITION EQUAL TO OR GREATER THAN THE ORIGINAL CONDITION.
17) ALL HDPE PIPE TO CONFORM TO PIPE MANUFACTURER REQUIREMENTS AND GEOTECHNICAL RECOMMENDATIONS.
18) CONTRACTOR SHALL COORDINATE BUILDING CONSTRUCTION WITH ARCHITECTURAL PLANS (BY OTHERS).
19) ALL SIGNAGE AND STRIPING TO BE PROVIDED BY CONTRACTOR ACCORDING TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND OTHER GOVERNING MUNICIPAL STANDARDS AND SPECIFICATIONS, LATEST EDITIONS.
20) PRIOR TO CONSTRUCTION, THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS ON THESE DRAWINGS WITH ALL COORDINATING DOCUMENTS AND NOTIFY ENGINEER OF ANY DISCREPANCIES. IF DISCREPANCIES ARE FOUND DURING CONSTRUCTION, THE CONTRACTOR IS TO STOP WORK IMMEDIATELY AND NOTIFY THE ENGINEER.
21) ALL TEMPORARY STRIPING AND SIGNAGE NECESSARY TO MAINTAIN SAFE VEHICULAR AND PEDESTRIAN TRAFFIC FLOW DURING CONSTRUCTION SHALL BE FURNISHED, INSTALLED, AND MAINTAINED BY THE CONTRACTOR.
22) ALL EXISTING MANHOLE COVERS, METER BOXES, AND OTHER UTILITY APPURTENANCES LOCATED WITHIN THE LIMITS OF WORK SHALL BE ADJUSTED SO THAT THEIR TOP SURFACES WILL BE FLUSH WITH FINISHED GRADE.

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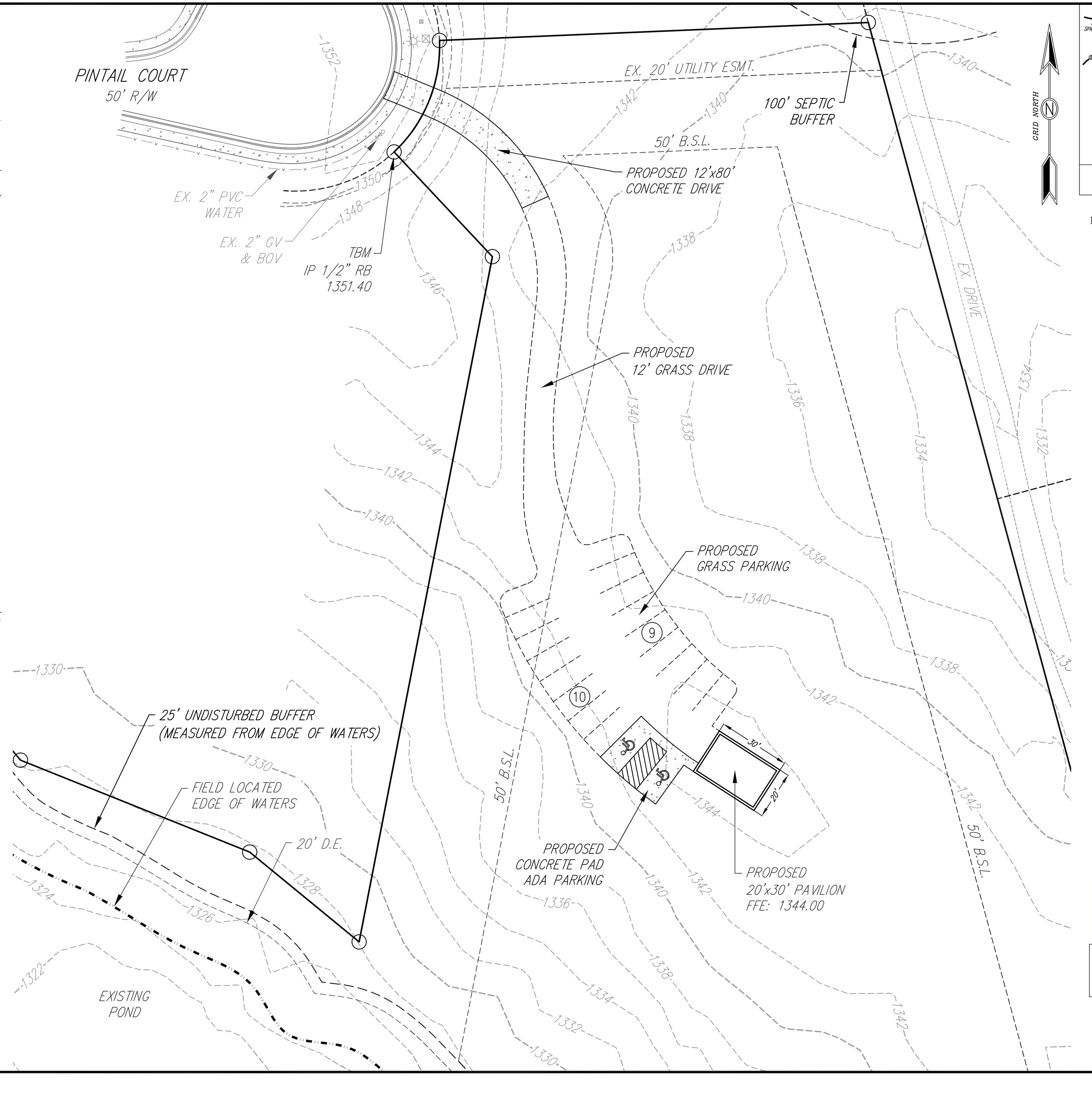
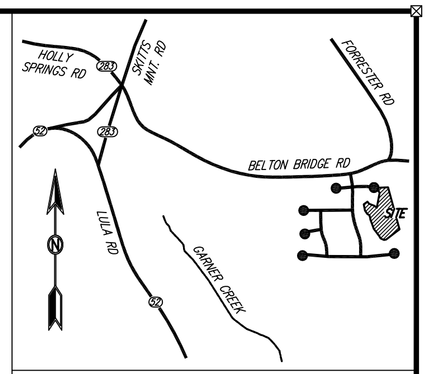




LOCATION MAP
N.T.S.

OWNER
MALLARD VIEW HOMEOWNERS ASSOCIATION, INC.
8661 DRAKE DRIVE
LULA, GA 30554
(770) 530-2320
cglover@laniercoldstorage.com

24-HOUR CONTACT
COREY GLOVER
(770) 530-2320

LEGEND	
☼	LIGHT POLE
IP	IRON PIN
RB	REBAR
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
P/L	PROPERTY LINE
LL	LAND LOT
TBM	TEMPORARY BENCH MARK
EX.	EXISTING
PROP.	PROPOSED
FFE	FINISHED FLOOR
ELEV.	ELEVATION
LF	LINEAR FEET
SF	SF SQUARE FEET
TYP.	TYPICAL
HGI	HOODED GRATE INLET
HW	HEADWALL
HDPE	HIGH DENSITY POLYETHYLENE
C/O	CLEAN OUT
WM	WATER METER
GV	GATE VALVE
BOV	BLOW OFF VALVE
PVC	POLYVINYL CHLORIDE
INV	INVERT
CONC.	CONCRETE
C&G	CURB AND GUTTER
ESMT.	EASEMENT
D.E.	DRAINAGE EASEMENT
—X—	EX. FENCE
—o—	PROP. FENCE
—X—	SILT FENCE
—P—	POWER
—W—	WATER
— —	BUILDING SETBACK LINE

GEORGIA811
www.Georgia811.com

IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 inch = 20 ft.

DES
DAVIS
ENGINEERING & SURVEYING
24 VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	-	-

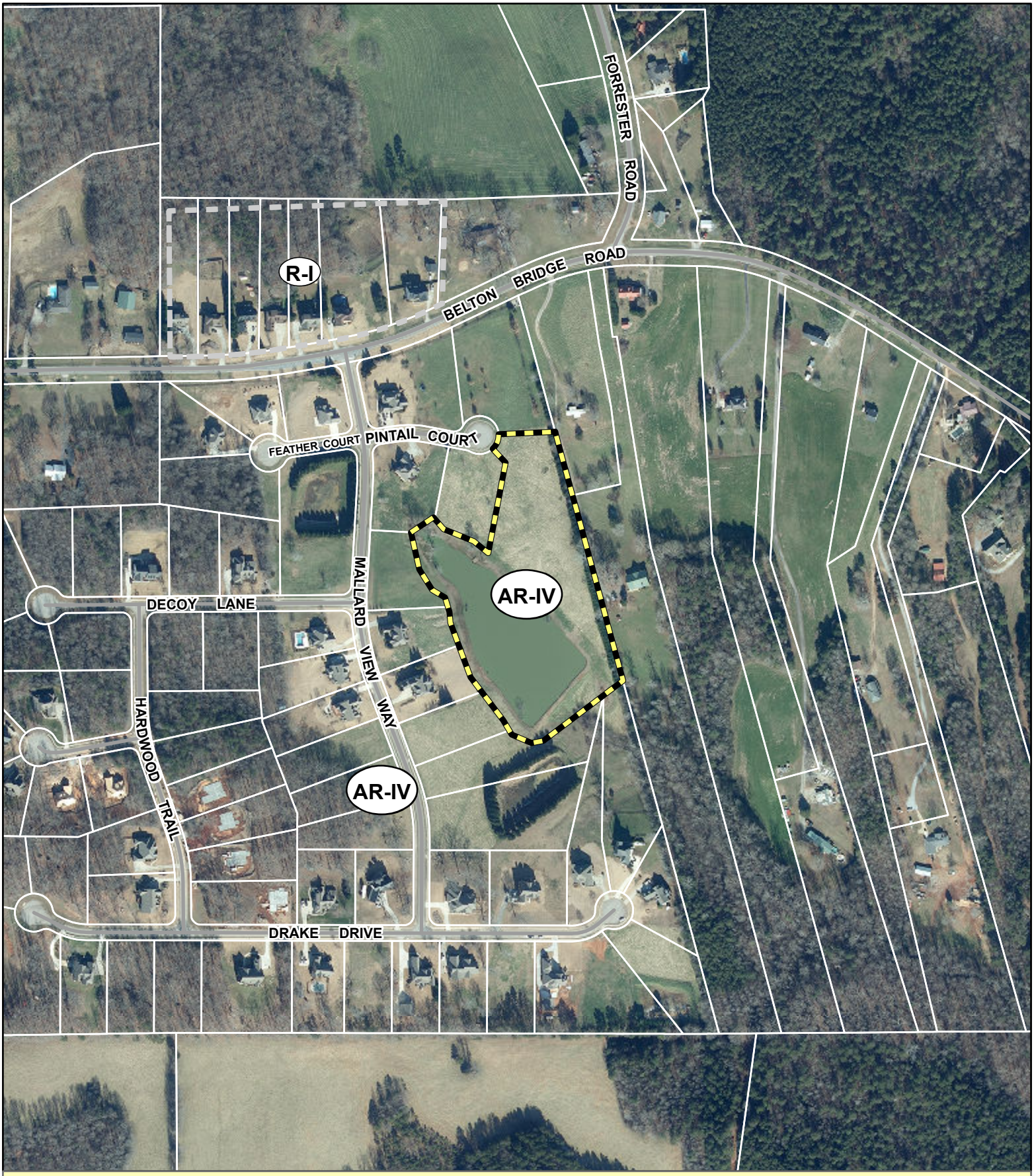
CONCEPT PLAN

MALLARD VIEW SUBDIVISION AMENITY
HALL COUNTY, GEORGIA
LAND LOT 127, 12TH DISTRICT
POLKSVILLE G.M.D. - 810

DRAWN BY:	TJB
CHECKED BY:	JKD
LAND LOT:	127
DISTRICT:	12TH
SECTION:	-
CITY:	LULA
COUNTY:	HALL
DATE:	02/21/24

SHEET NO.
1 OF 1

PROJECT NO.
2019-151



Applicant: MALLARD VIEW HOMEOWNERS ASSOCIATION

Tax Parcel #: 12127 000001

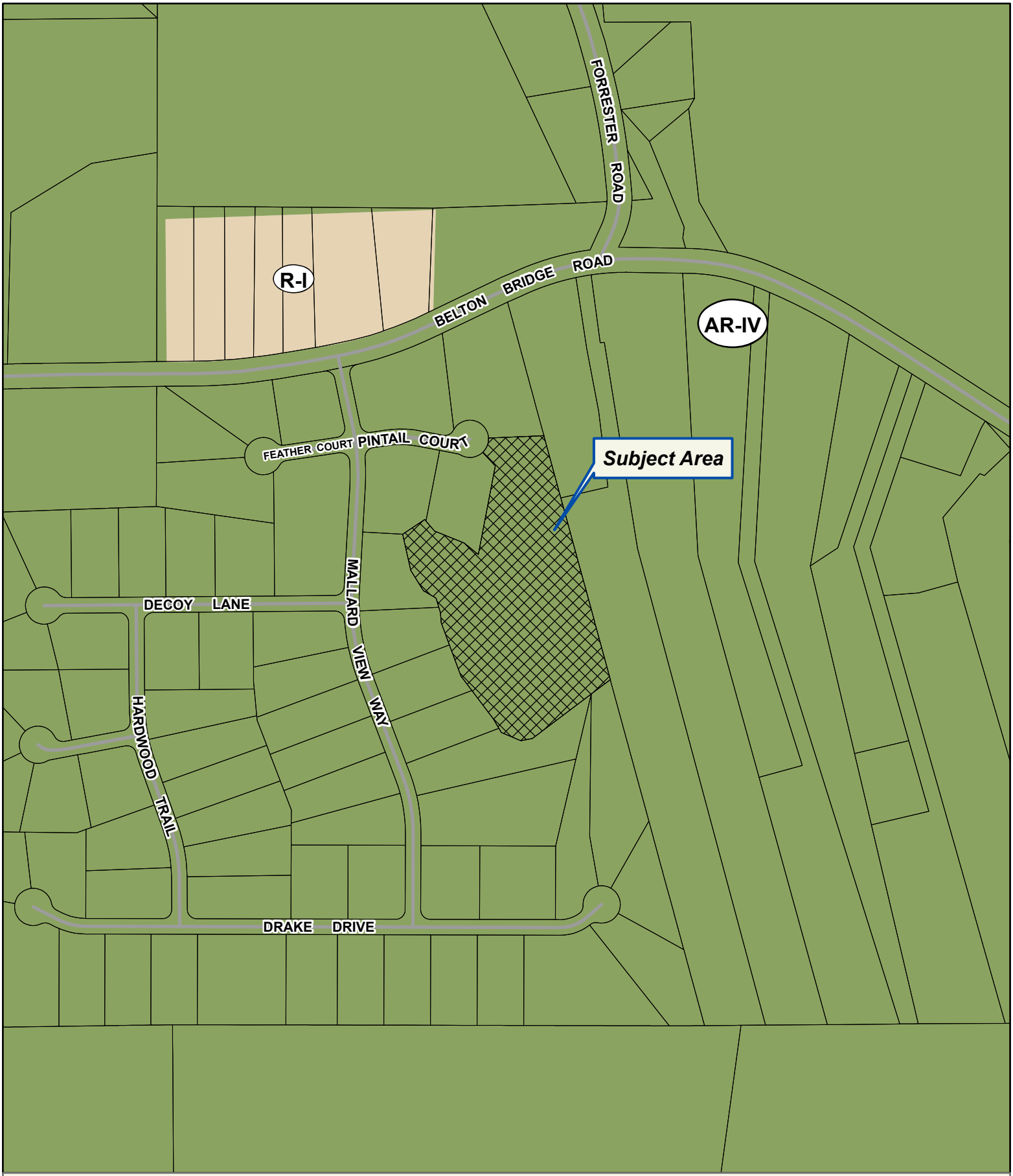
Location: 8545 BELTON BRIDGE ROAD, LULA, GA 30554

Commission District 3 **PC Mtg. Date: 03/18/24**

0 120 240 480
Feet

Zoning Boundary
City Limits
Subject Area

N



Applicant: MALLARD VIEW HOMEOWNERS ASSOCIATION

Tax Parcel #: 12127 000001

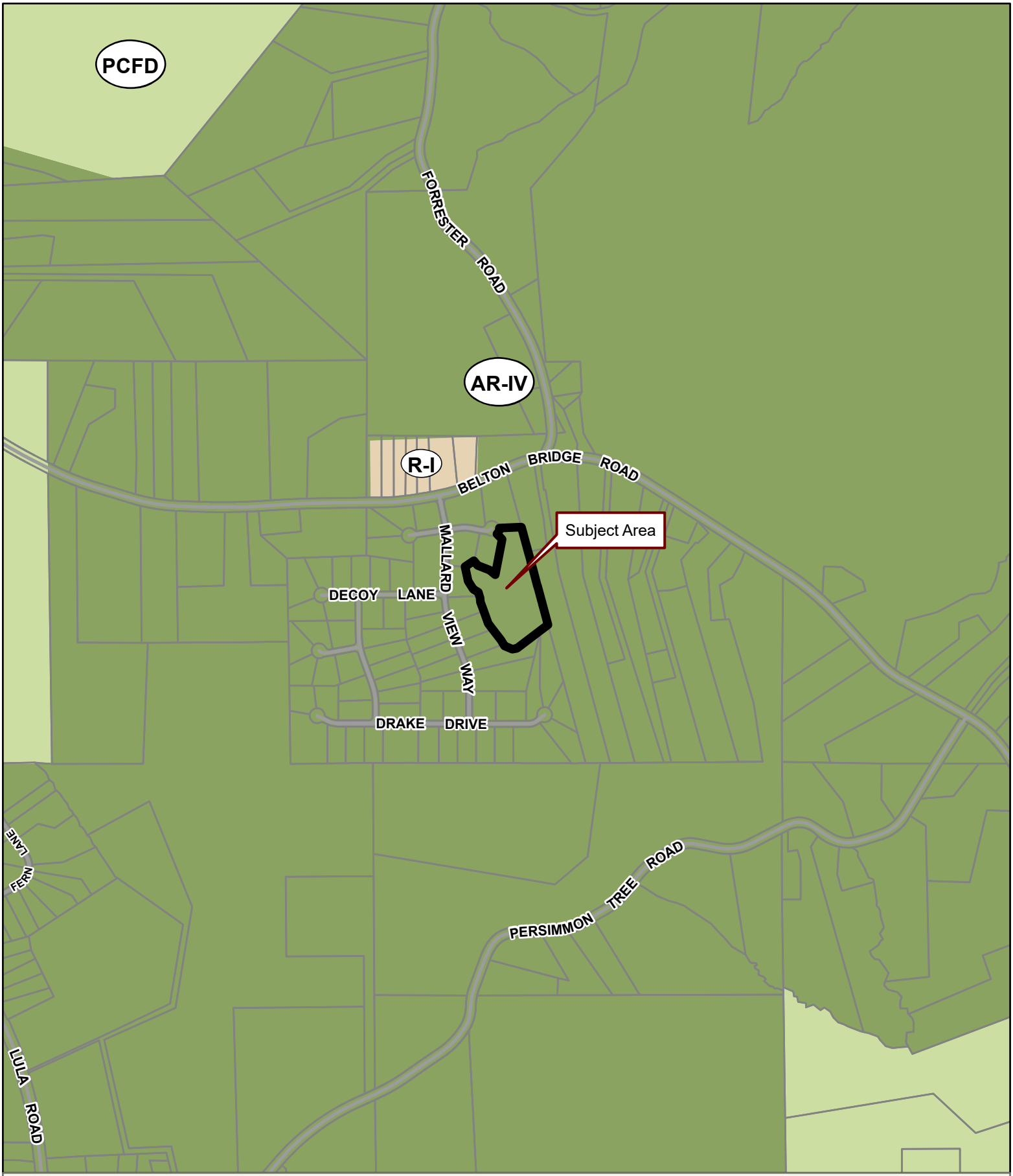
Location: 8545 BELTON BRIDGE ROAD, LULA, GA 30554

Commission District 3 **PC Mtg. Date: 03/18/24**

0 120 240 480
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: MALLARD VIEW HOMEOWNERS ASSOCIATION

Tax Parcel #: 12127 000001

Location: 8545 BELTON BRIDGE ROAD, LULA, GA 30554

Commission District 3 **PC Mtg. Date: 03/18/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, February 13, 2024 11:36 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

4. **8545 Belton Bridge Road | Amend Conditions** | 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**

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

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: MALLARD VIEW HOME OWNERS ASSOCIATION

REQUEST: AMEND CONDITIONS OF ZONING FOR THE AMENITY AREA

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR. 18, 2024
Time: 5:15 P.M.

&

COUNTY COMMISSION
Date: APR. 23, 2024
Time: 6:00 P.M.

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

View

Private Lake
Mallard View Residents
and
Lot Owners ONLY

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 193/2024

SUBJECT: **2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 **| Proposed Use: Used automobile sales and repair |** Commission District 3 **| Ramon Carrillo Jr, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan (Exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, No business shall be conducted on Sundays, neither sales or repair.
3. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway, if required.
4. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
5. All conditions of zoning shall be made part of any plat(s) created for the property.
6. All Environmental Health regulations shall be met prior to issuance of occupancy.
7. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
8. All parking in the right-of-way is prohibited.
9. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
10. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, drive-in theater, motel/hotel, service station, construction trailer, and adult establishments.
11. All signage, existing and proposed, shall adhere to GCOD standards.
12. Customer and employee parking shall be designated on site. Total parking spaces shall not exceed 40 spaces.

Purpose of Request:
2696 Cleveland Highway | Rezone | from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair |** Commission District 3 | **Ramon Carrillo Jr, 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	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Requested Conditions
Application
Narrative
Exhibit A

Site Plan
Maps
Renderings
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract | **Proposed Use: Used automobile sales and repair** | **Ramon Carrillo Jr, applicant**

The request before you is the request of Ramon Carrillo Jr to rezone from Suburban Shopping (S-S) to Highway Business (H-B) to allow a used automobile sales and repair. This item is located within Commission District 3.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with twelve (12) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as the rezoning request is consistent with surrounding development and business types

There were **no comments submitted** in advance of the Planning Commission meeting and **one (1) person spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan (Exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, No business shall be conducted on Sundays, neither sales or repair.
3. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway, if required.
4. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).

5. All conditions of zoning shall be made part of any plat(s) created for the property.
6. All Environmental Health regulations shall be met prior to issuance of occupancy.
7. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
8. All parking in the right-of-way is prohibited.
9. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
10. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, drive-in theater, motel/hotel, service station, construction trailer, and adult establishments.
11. All signage, existing and proposed, shall adhere to GCOD standards.
12. Customer and employee parking shall be designated on site. Total parking spaces shall not exceed 40 spaces.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Ramon Carrillo Jr.

Request ..... **(A)** Rezone from Suburban Shopping (S-S, 17.140) and Gateway Corridors Overlay District (GCOD, 17.420) to Highway Business (H-B, 17.150) and Gateway Corridors Overlay District (GCOD, 17.420)
(B) Use Subject to County Commission Approval | for automobile sales and repair within the Gateway Corridors Overlay District (GCOD, 17.420),

Proposed Use ..... Used automobile sales and repair

Size ..... 0.60± acres

Zoning ..... Suburban Shopping (S-S, 17.140) and Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... **2696 Cleveland Highway**| Tax Parcel 10138 000058

Commission District ..... Three

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **(A) Approval, with conditions,** as the rezoning request is consistent with surrounding development and business types; and
(B) Approval of automobile sales, as the proposed use is consistent with surrounding development and business types
(B) Denial of automobile repair, as the proposed use is inconsistent development and use of surrounding properties**.**

Planning Commission Recommendation.....**(A) Approval, with conditions**
Vote: 5-0
(B) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

Planning Commission Conditions:

(A)

1. The property shall be developed in accordance with the site plan (Exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, No business shall be conducted on Sundays, neither sales or repair.
3. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway, if required.
4. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
5. All conditions of zoning shall be made part of any plat(s) created for the property.
6. All Environmental Health regulations shall be met prior to issuance of occupancy.
7. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
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10. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, drive-in theater, motel/hotel, service station, construction trailer, and adult establishments.
11. All signage, existing and proposed, shall adhere to GCOD standards.
12. Customer and employee parking shall be designated on site. Total parking spaces shall not exceed 40 spaces.

(B)

1. The property shall be developed in accordance with the site plan (exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, no business shall be conducted on Sundays either sales or repair.
3. a. No repair services for the public shall be permitted. Only vehicles intended for sale by the business shall be permitted and all mechanical services shall be conducted within a garage bay."
3. b. No more than five (5) inoperable vehicles awaiting repair shall be stored on site and shall be stored behind the building in a designated (striped) parking space. Vehicles awaiting repair shall not be stored for longer than five (5) days.
4. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway if required.

5. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
6. All conditions of zoning shall be made part of any plat(s) created for the property.
7. All Environmental Health regulations shall be met prior to issuance of occupancy.
8. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
9. All parking in the right-of-way is prohibited.
10. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
11. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, Drive-in Theater, Motel/hotel, Service station, Construction trailer, and Adult establishments.
12. All signage, existing and proposed, shall adhere to GCOD standards.
13. Customer and employee parking shall be designated on site, total parking spaces shall not exceed 40 spaces.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Ramon Carrillo Jr, 6180 Dahlonega Way, Clermont, presented the request. The applicant presented pictures of the way he has kept his shop in the past and the type of vehicles he will park to the rear of the property. The applicant stated that he would conduct all repairs inside the shop.

Public Forum:

Tony Stephens, 2700 Cleveland Highway, Gainesville, spoke in opposition. Concerns were compliance with Gateway Corridor Overlay District requirements, water runoff, mechanic shops, and proximity to residential property.

Planning Commission Comments:

Mr. Hunt questioned how long the applicant will have repair vehicles on site. The applicant stated he would keep vehicles one to two weeks. Mr. Varner questioned if the applicant would wash cars on the property. The applicant stated he would. Mr. Hunt stated it will have to be discussed with Environmental Health. Mr. Braswell questioned the type of repairs being proposed. The applicant stated that he focuses on body work but will do occasional brake pads and oil changes. Mr. Sosebee questioned if the vehicles are salvage title. The applicant stated some of the vehicles are but not all. Mr. Hunt stated that he would like to limit a maximum of five cars in the rear. The applicant stated that would be fine.

(A)
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0**

(B)
***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2**

Braswell – aye
Hunt – aye
Varner – aye
Pilcher – nay
Sosebee – nay

(A) & (B) Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday.
3. Automobile repair shall be prohibited.
4. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway.
5. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
6. All conditions of zoning shall be made part of any plat(s) created for the property.
7. All Environmental Health regulations shall be met prior to issuance of occupancy.
8. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

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 narrative and site plan:

17.420.050.D.2.a Other Landscape and Screening Standards – Street Frontage

- Along each street frontage there shall be a ten-foot-wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities.
    - Applicant has not indicated that the current site conditions would require significant modifications to install a ten-foot-wide landscape strip along Cleveland Highway or Wayman Drive.

17.420.050.E.1.b Parking Lot Design – Parking Requirements

- Maximum number of parking spaces. The maximum number of parking spaces that may be constructed on impervious surfaces shall be no more than 125 percent of the minimum number of required parking spaces required in 17.250 of the Hall County Zoning Regulations.
    - Applicant has proposed 36 parking spaces; however, the exact number of employees is not specified in the submitted narrative so a proper parking count cannot be calculated.

17.420.050.F.1.d. Outdoor Lighting – Streetlights

- All outdoor lighting shall be the semi-cutoff type.
    - Applicant has proposed to utilize existing floodlights; it is not known whether the existing lighting is compliant with regulations.

Summary Analysis

The applicant is requesting to rezone 0.60± acres of property currently zoned Suburban Shopping (S-S, 17.140) within the Gateway Corridors Overlay District (GCOD, 17.420) to Highway Business (H-B, 17.150). Concurrently, the applicant is requesting the consideration of a use subject to County Commission approval to establish a used automobile sales and an automobile repair business on the 0.60± acres. The applicant is requesting to rezone to Highway Business (H-B, 17.150) as automobile repair is not an allowed use listed in the current underlying zoning district (S-S, 17.140). Additionally, the property falls within the Gateway Corridors Overlay District (GCOD, 17.420) within which automobile sales, used or new, and automobile repair and maintenance requires approval of a conditional use subject to the County Commission. The applicant plans to utilize the existing building as an office and plans to further develop the property by constructing a shop addition to the rear of the site that would accommodate four mechanic bays. The applicant will use the shop to repair inventory to meet safety and reliability standards before selling the repaired vehicles. The applicant will not be providing repair services to the public.

The submitted site plan shows the existing 2,418 square foot brick building and a proposed 3,200 square foot mechanic shop addition to the rear of the site. The site plan shows paved parking areas with 40 parking spaces for customer, employee, and inventory parking. The site also contains an existing pole sign and two existing driveways in the northwest portion of the parcel being utilized as the primary access to the site from Cleveland Highway. There is also a secondary access point to the site from Wayman Drive located on the west side of the parcel. The proposed site plan includes a 6-foot high solid wood fence and a 15-foot transitional buffer located along the rear property line. The applicant references the required 10-foot landscape strip along the frontage of Cleveland Highway and Wayman Drive in a supplemental document that provides responses to the Gateway Corridors Overlay District's development standards (GCOD, 17.420).

They stated in this document their desire to avoid planting the required shaded trees as it would hinder the display of their merchandise. A variance must be specifically granted from this standard (GCOD, 17.420).

The narrative includes proposed operation hours of Monday through Saturday from 9 am to 6 pm. The narrative also states that approximately 30 to 40 proposed parking spaces will be used for inventory with an unspecified number of parking spaces designated for employee parking, customer parking, and vehicles undergoing repairs. Also, the applicant states their intention to replace the current pole sign with a monument sign in order to meet Gateway Corridors Overlay District standards. The applicant intends to utilize the existing outdoor lighting, which includes a streetlight, flood lights, and small ground spotlights on the sign, to serve their proposed business. It should be noted that according to the standards of the Gateway Corridors Overlay District, all outdoor lighting shall be a semi-cutoff type (GCOD, 17.420). Per the submitted narrative, water will be provided by the City of Gainesville.

GCOD Analysis

Standard	Compliance	Proposed Work	Notes
17.420.050.C – Transitional buffers	Complies	15-foot transitional buffer with 6-foot solid wood fence	Applicant proposes to include a 15-foot transitional buffer and a 6-foot high solid wood fence based on site plan. The Hall County Code allows a transitional buffer to be reduced by ten feet when a 6-foot-high solid wood fence or masonry wall is incorporated.
17.420.050.D – Other landscape and screening standards	Deficient	10-foot landscape strip along street frontage	Applicant states that they wish to avoid planting shade trees as the trees would hinder the display of merchandise. A buffer is not shown on the submitted site plan.
17.420.050.E – Parking lot design	Unknown	To add additional parking with asphalt surface	Existing site provides parking for cars to be serviced, customers, employees, and inventory. The application does not state how many employees the business will employ so the proper parking ratio cannot be determined.
17.420.050.F – Outdoor lighting	Deficient	Use of existing floodlights	New fixtures recommended to be installed with full cutoffs. Any existing fixtures should be retrofitted.
17.420.050.G – Interparcel access	Deficient	__	Parcels on either side are too dissimilar in development character and use to warrant compliance at this time.
17.420.060 – Signs	Unknown	Existing sign to be adapted and reused.	Application indicates that a new sign will be installed which will meet GCOD standards. The existing pole sign does not

			appear to meet the setback requirement of 15 feet from the right-of-way.

Based on the future land-use plan, staff finds the requested zoning designation *not consistent* with the Hall County Comprehensive Plan future land use designation of "Lake Area Residential". This land use category is characterized by low-density single-family residences and agricultural uses. The intent of the land use category is to preserve established neighborhoods and create new permanent and vacation residential development. Future development will continue to be detached, single-family homes at low densities. The Lake Area Residential designation envisions a maximum density of 1 dwelling unit per acre. However, the development has proposed a commercial use within an existing commercial area that is not identified in the Comprehensive Plan for the area.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the board 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 of automobile sale is consistent with the use, development and zoning of adjacent and nearby properties, however, the back of the lot abuts a residential parcel. Furthermore, automobile repair is not consistent with the use, development and zoning of adjacent and nearby properties**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed use of the lot for used vehicle sales will not adversely affect the existing use or usability of adjacent or nearby properties; however, automobile repair may adversely impact the abutting residential property.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned, Suburban Shopping (S-S, 17.140), but the proposed business cannot occur as described without rezoning and conditional use approval by the Board of Commission within the Gateway Corridor Overlay District .**

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 proposed use of a used automobile sales and repairs is inconsistent with the Comprehensive Plan's future land use classification of Lake Area Residential. However, the Comprehensive Plan does not address the established existing commercial area adjacent to the subject property.**

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; **Tax parcel 10138 000058 is currently developed with a 2,418 square foot building. The building was constructed in 1970.**

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; **This change would create an isolated district of Highway Business (H-B, 17.150) zoning on the 0.60± acres parcel. However, there is property zoned Suburban Shopping (S-S, 17.140) adjacent to the subject parcel.**

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; **Hall County has many new and used car dealerships and automobile repair services. The establishment of a used vehicle sales lot with automobile repair will not fulfill any unmet needs on a local or county level.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **As the proposed uses require Board of Commissioner approval within the Gateway Corridors Overlay District (GCOD, 17.420). The applicant would have to find a location appropriately zoned and outside of the Gateway Corridors Overlay District.**

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.**

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.**

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 proposal does meet the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

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 development does not include a slow rate land treatment 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. **This requirement is not applicable, as no residential development has been proposed.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health
In an email dated February 13, 2024, 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. Please note that Zoning approval does not imply approval from other county departments."

Hall County Fire Marshal
In an email dated February 15, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated that the Hall County Fire Marshal's Office has no comments as proposed.

Hall County Public Works and Utilities
In a memo dated February 15, 2024, 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.

Traffic:
Permit for GDOT will be required for driveway access to Cleveland Highway.

Utilities
Hall County sewer - No connection within feasible distance.

Georgia Department of Transportation
In an email dated February 8, 2024, Veronica Chavers, D1TO Civil Engineer 3, confirmed that this project will require GDOT coordination.

To whom it may concern,

We are so grateful for the recommendation for approval of our conditional use application. We are more than happy to comply with the conditions set forth by the committee, however we would like to request some minor changes. The board has requested that vehicles awaiting repair shall not be stored longer than five days. While we are optimistic that this will be no problem, we frequently are awaiting the arrival of parts from the dealerships for a little longer. We feel confident that we will be able to move the cars inside within fourteen days of arrival. We would also like to request that we are able to operate the sales only portion of our business from the existing building while we build the structure that will house all repairs.

Thank you for hearing our concerns,

Ramon Carrillo Jr

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504 MAILING
ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503 t: 770-531-6809 I
f: 770-531-3902

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ZONING APPLICATION

Applicant (Name & Mailing Address)

Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com
Proposed Use Dealership and repair

Property Owner (Name & Mailing Address)

Ramon Carrillo Jr
~~7696~~ 6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com

Contact Person (Name & Mailing Address)

Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com

Status of Applicant

Y Owner
Y Option to Purchase
Y Area Resident
Y Other

Requested Action

Existing Zoning: S-S
Rezone to: H-B
Fee:$
Receipt #:
Check #:

Tax Parcel Number
Acreage 0.60
Location Address 7696 Cleveland Hwy

I hereby certify that the above information and all attached information are true and correct.

Sign Ramon Carrillo Jr Date: Feb 7 24

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

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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Property Owner (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Proposed Use Used Car dealership

Contact Person (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Status of Applicant
Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Permissive Use:
☐ HCPC ☐ HCC
Fee:$
Receipt #:
Check #:

Zoning:
Acreage .6
Tax Parcel Number 10138000058
Location Address 2696 Cleveland Hwy Gainesville, Ga 30506

I hereby certify that the above information and all attached information are true and correct.

Sign Ramon Carrillo Jr. Date: 12/7/23

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:

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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: Ramon Carrillo Jr **Date:** 02/07/24

Applicant's/Owner's Name (Printed): Ramon Carrillo Jr

PLANNING AND DEVELOPMENT DEPARTMENT 2875
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(3) The name and official position of the local government official to whom the campaign contribution was made; and

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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): Ramon Camillo Jr Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Ramon Camillo Jr. **Date:** 02/07/24

Applicant's/Owner's Name (Printed): Ramon Camillo Jr

The property located at 2696 Cleveland highway is currently zoned S-S in the gateway district of Hall County. Previously the business was operated as a tanning salon. We are proposing to rezone the property to H-B and a conditional use within the Gateway Corridor to allow us to move our family owned and operated used car dealership with auto repair to this location. We sell reliable vehicles to people who may not get approved at a traditional car dealership using a primarily buy here pay here business model with an option for outside financing if desired. The cars we sell are primarily rebuilt so we are able to sell newer models at lower prices. We have helped many families get newer and safer vehicles in the Gainesville area and are excited to offer our services to the North Hall area next. While we know business is important, family is our priority, so we plan to have business hours Monday through Saturday from 9 am to 6 pm with flexibility to account for family functions. We have seen the benefits the neighboring car dealership has provided to the area. With reliable cars at fair prices more people can purchase a vehicle which in turn benefits the county in many ways; people can get to work, school, church and home more easily. Traffic flow can be improved as well as other business sales like gas stations, car washes, auto shops etc.

Our plans for the lot itself include adding more parking for our inventory, this area should hold between 30-40 cars with additional priority parking for our customers. We also plan to add a shop with four bays to the back of the current structure, this will allow us to complete any repairs our inventory may require, ensuring they meet our safety and reliability standards. However, we will not be providing any outside repairs. We would like to replace the current sign with a sign of the same dimensions in the same location. The current outdoor lighting, which includes a streetlight, flood lights as well as small ground spotlights on the sign, will serve our proposed business well. The property utilizes city water. Waste disposal will be handled by a weekly pickup by Waste Management, a company many other businesses in the area utilize.

As for barriers to protect the privacy of the surrounding areas, there is currently a nice natural barrier of trees and other plant life between the property and the only residential neighbors located in the rear. To better enhance privacy, we plan to add a wooden fence to decrease visibility between the properties. Within this privacy barrier is where we will keep any inoperable cars. As residents of North Hall County ourselves we take pride in the area and aim to keep our business front as professional and clean as possible.

Overall, we feel that not only can our business thrive at this location, but it is also a great opportunity to help the residents of northern Hall County thrive as well.

Ramon Carrillo Jr 2/7/24

CHAPTER 17.420. GATEWAY CORRIDORS OVERLAY DISTRICT (GCOD)

Responses in BLUE

Property Address: 2696 Cleveland Hwy, Gainesville, GA 30506

Architectural Site Plan:

17.420.010. Purpose.

The purpose of the GCOD is:

A. To promote the general health, safety and welfare of the community.

B. To improve the efficient operation of traffic around the county.

C. To promote safe and efficient movement within the Overlay District for persons using all modes of travel - motorized vehicles, bicycles and walking.

D. To create a sense of place that is aesthetically appealing and environmentally responsible.

E. To encourage innovative development projects that set standards for landscaping, community design and aesthetics.

F. To establish consistent and harmonious design standards for public improvements and private property development within the Overlay District so as to unify the distinctive visual quality of the Gateway Corridors.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.020. Design guidelines.

The GCOD Design Guidelines are hereby adopted and made part of this chapter and shall apply to property in the GCOD. Within the GCOD, building design and construction that is not in substantial conformity with the GCOD Design Guidelines is prohibited. In cases of a conflict between the design guidelines and the text of this chapter, the text of this chapter shall govern.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.030. Boundaries.

A. The provisions of this chapter apply to land parcels of record within the unincorporated portion of Hall County having frontage on the following road segments as of the date this ordinance is adopted. Hereafter, these road segments shall be referred to as the "Gateway Corridors."

1. S.R. 211 from S.R. 53 (Winder Highway), south to Thompson Mill Road.

2. U.S. 129 (Athens Highway) from the Gainesville City limits, south to Gillsville Highway.

3. S.R. 53 (Winder Highway) from S.R. 13 (Falcon Parkway), east to the Jackson County line.

4. S.R. 13 (Atlanta Highway and Falcon Parkway) from the Flowery Branch City limits, north to S.R. 53 (Winder Highway).

5. McEver Road from the Buford City limits, north to the northernmost intersection with Radford Road.

6. Spout Springs Road from the Flowery Branch City limits, south to Friendship Road.

7. Friendship Road from Bogan Road, east to Thompson Mill Road.

8. Realigned Thompson Mill Road from Spout Springs Road east to S.R. 211 (Old Winder Highway), pursuant to final alignment approved by GDOT.

9. All state roadways within the jurisdiction of Hall County.

B. This chapter shall also apply to any land parcel of record within the unincorporated portion of Hall County when a portion of said parcel falls within 300 feet of the centerline of the Gateway Corridors as of the date

this ordinance is adopted. Any parcel subject to the ordinance on the date of adoption shall continue to be subject to the provisions of this chapter, even if the parcel is subdivided in the future.

C. Upon written application, the director may grant exemptions from the requirements of this chapter for parcels or portions of a parcel that would otherwise be included in the GCOD, based on one or more of the following findings:

1. Portions of the subject property to be exempted lie more than 300 feet from the centerline of a Gateway Corridor.

2. The property to be exempted does not have access to a Gateway Corridor and will not require access to Gateway Corridor when developed.

3. Due to site topography development of the property to be exempted will not be visible from a Gateway Corridor.

4. Due to the location, size and shape of the property, development of the parcel under its current zoning and in conformity with the requirements of the GCOD would present a severe and unique hardship.

If the director does not render a written decision regarding such exemption within 15 working days of receipt of the application required in this paragraph, then the exemption shall be deemed to be approved.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1; Ord. of 8-24-17)

17.420.040. Effect of GCOD provisions.

A. *Application.* This Overlay District is supplemental to the underlying zoning district classifications established in the Hall County Zoning Regulations governing all properties and approvals within this Overlay District. The provisions of this chapter shall be overlaid upon and shall be imposed in addition to said underlying zoning regulations and other Hall County ordinances.

B. *Relationship to standards of the underlying zoning district and subdivision regulations.* In any case where the standards and requirements of the GCOD conflict with those of the underlying zoning district or subdivision regulations, the standards and requirements of the GCOD shall govern.

C. *Exceptions.* The provisions of this chapter shall not apply to the following:

1. Completion of work subject to preliminary plats, site development plans, construction plans, building permits, or interior finish permits approved prior to the effective date of this chapter.

2. Reconstruction, rehabilitation, restoration, repair or addition of an existing non-residential structure, interior renovations or interior finishes within an existing structure, or addition to an existing non-residential structure that was permitted prior to the enactment of this chapter shall not be subject to the provisions of the GCOD, provided that such construction is on a lot of record and does not result in addition or change to more than 75 percent of the floor area of the existing permitted structure.

3. Rezonings and planned developments that were approved by the board of commissioners prior to the date of this ordinance with the exception of those approvals with specific reference to the GCOD.

D. The following requirements apply to reconstruction, replacement or addition to a legally permitted and existing nonresidential structure when such change consists of more than 75 percent of the floor area of the existing structure:

1. The portion of the project that is reconstructed, replaced or added shall meet the Architectural Standards of 17.420.050.H.

2. If the reconstruction, replacement or addition includes the addition of 50 parking spaces or more, the newly constructed parking spaces shall meet the parking lot design requirements of section 17.420.050.E.

3. If the reconstruction, replacement or addition decreases the distance between the subject building and abutting property that is zoned or used for single-family residential purposes, the property line where the distance abutting residential property has been decreased shall provide a transitional buffer as required in section 17.420.050.C.

4. If the reconstruction, replacement or addition includes the reconstruction or addition of loading and service areas adjacent to property that is zoned or used for single-family residential purposes, such loading and service areas shall be screened as required by section 14.420.050.D.3.

5. Any new signs shall meet the requirements of section 17.420.070.

E. *Building plan application.*

1. All building plans submitted pursuant to an application for a building permit should clearly indicate compliance with all of the proposed landscaping, architectural design, building materials, access management, and signage requirements of this chapter.

2. The plans should clearly show the location and calculate the amount/percentages of all building materials per building face as indicated in section 17.420.050.H.2.

3. Groups of buildings on the same parcel of land may be reviewed and permitted as a single project rather than individual buildings.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.050. Non-residential property development standards.

A. *Prohibited uses.*

1. Adult establishments.

2. Junk yards.

3. Billboard signs.

B. *Conditional uses.* The following uses are allowed in the GCOD only if such use is permitted in the underlying zoning district and the board of commissioners grants a conditional use for such use pursuant to the procedures of the Hall County Zoning Ordinance:

1. Self-storage warehouse.

2. Vehicle sales lots, new or used.

3. Automobile repair and maintenance.

4. Commercial outdoor recreation.

5. Car wash.

6. Outdoor storage (as per the requirements of section 17.420.050.D.4.d.

C. Transitional buffers.

1. *Applicability.*

a. Transitional buffers required in this section shall provide an effective visual screen between dissimilar uses or activities.

b. **A transitional buffer shall be required along and inside the property line of a non-residential property abutting a residentially zoned property.**

c. **Transitional buffers are required along and inside the property line at the perimeter of a planned development district that abuts single-family residential zoning or uses, in accordance with the requirements of this subsection, but no transitional buffers are required between dissimilar uses within the planned development district.**

2. ***Width of transitional buffer.***

a. **Where a commercial zoning district abuts property zoned for single-family residential or agricultural use, the minimum width shall be 25 feet.**

b. **Where a commercial zoning district abuts property zoned for multi-family residential use the minimum width shall be 25 feet.**

c. **Where an industrial zoning district abuts property zoned for residential or agricultural use, the minimum width shall be 50 feet.**

d. **Where an industrial zoning district abuts property zoned for multi-family residential or agricultural use, the minimum width shall be 25 feet.**

e. **Public and institutional uses shall comply with the standards in this section that apply to commercial zoning districts.**

3. ***Materials for transitional buffer*. Transitional buffers that are 25 feet in width or greater shall meet at least two of the three following criteria: be planted with a staggered double row of evergreen trees at least six feet in height, a single row of deciduous shade trees at least two inches caliper dbh, (minimum 30 feet height at maturity) and two staggered rows of evergreen shrubs at least three feet in height, planted a maximum of four feet on center, or other arrangement approved by the director that provides a dense visual screen.**

4. ***Adjustments to buffer width.***

a. **If a six-foot high solid wood fence or masonry wall is incorporated into the design of a transitional buffer, the width of the buffer may be reduced by ten feet. The fence or wall shall be located on the inside of the vegetation required in paragraph 3., above, with finished side facing the abutting property.**

b. **Walls or fences required to screen loading and service areas, outdoor storage, and accessory equipment required in section 17.420.D.3. and 4. shall not be used to reduce the width of a transitional buffer required in section 17.420.050.C.2.**

5. ***Maintenance of buffer.***

a. **A transitional buffer required in this section shall be maintained in a healthy condition so as to provide an effective visual screen from the ground to a height of eight feet at maturity. Should vegetation die or be removed such that the buffer no longer functions as required in this section, that vegetation shall be replaced by the property owner.**

b. **A fence that is provided pursuant to paragraph 4., above, shall be maintained by the property owner so that it is structurally stable and provides a solid visual screen.**

15' Transitional buffer applied through natural plantations, also a 6' high solid wood fence incorporated into the design and located on the inside of buffer to reduce width of buffer by ten feet, pursuant to paragraph 4. See attached site diagram. Proper maintenance will be applied by the property owner.

Adjacent Properties Use Analysis:

COMMERCIAL USE
RESIDENTIAL USE
TRANSITIONAL BUFFER

Existing trees on the South Side of the property, creating a buffer between the two properties. – Photo Taken on 11/18/2023

Existing trees on the South Side of the property, creating a buffer between the two properties. – Photo Taken on 11/18/2023

D. ***Other landscape and screening standards.***

1. ***Building perimeter*** **walls. Shrubs shall be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas. Foundation plantings may be clustered to provide visual interest.**

Shrubs will be planted around the building perimeter wall. See architectural site plan.

2. ***Street frontage.***

a. **Along each street frontage there shall be a ten-foot wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees (six feet tall, two inches caliper, dbh, at time of planting, and not less than 35 feet tall at maturity) planted not less than 40 feet on center, and shrubbery forming an intermittent hedge not less than three feet in height designed to provide an adequate screen.**

Street frontage landscape buffer of 35 feet will be provided between the edge of the road and the asphalt driveway. However, we will need to avoid planting shade trees along the street.

The display of cars is essential to the operation of the dealership. The cars that are parked on the side of the road will be in great aesthetic conditions and will only add to the visual quality of the neighborhood.

Existing 35' street frontage landscape buffer – Photo Taken on 11/18/2023

b. The planning director shall have authority to approve alternative methods for landscaping and screening parking lots that include at least the same amount of landscape material or screening effect when viewed from the street.

3. *Loading and service areas.* In addition to general perimeter landscaping and required buffers, if a loading or service area is located within 50 feet of a side or rear lot line abutting property that is residentially zoned or used for residential purposes, or public or institutional use, then the loading or service areas shall be surrounded by either a six feet high masonry screening wall, or a six feet high solid wooden fence, placed on the inside of the landscaped buffer required in section 17.420.050.C.

No loading areas required or dedicated for the proposed use.

4. ***Screening of storage and accessory equipment.***

a. ***Waste receptacles.*** **Waste receptacles, including dumpsters, garbage cans, or grease containers shall be located in the rear or side yard and placed at least 20 feet from any street, public sidewalk, or property line that abuts residential zoning or residential use. Such waste receptacles shall be screened from view from all property lines and public areas of the site by a minimum six feet high wall constructed of masonry or solid wood with an opaque gate.**

b. *Rooftop mechanical equipment.* Rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.

The waste receptacles location will be compliant to the "17.420.050.D.4. – Screening of storage and accessory equipment.".

c. **Ground or wall-mounted mechanical equipment. Ground-mounted or wall-mounted equipment such as HVAC equipment, transformers, and gangs of multiple utility meters shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of a solid masonry wall or wooden fence or other opaque enclosure around the equipment that is constructed of one of the permanent and durable materials used on the primary facade of the building. The height of the fence or wall shall be sufficient to effectively screen the equipment from view.**

The proposed location of HVAC equipment is not visible from the street or the front entrance.

d. *Outdoor storage.* Outdoor storage or sales displays shall be prohibited from front yards except when permitted in the underlying zoning district and further authorized by a conditional use permit pursuant to the procedures of the Hall County Zoning Ordinance. Outdoor storage or sales displays shall be screened from view from public streets and adjacent property by a permanent opaque enclosure consisting of a minimum eight-foot high solid fence or wall, except as follows:

e. Temporary sale of seasonal goods may be permitted on properties other than residentially zoned property, if such temporary sales are authorized by the director for a period not to exceed 60 days, with up to a 30-day extension, to be approved no more than two times in a given calendar year. Such temporary sales shall be limited to sites that:

a. Provide adequate off-street parking on approved surfaces;

b. Provide safe and adequate vehicular access; and

c. Are not adjacent to residentially zoned property.

Outdoor display and sale of goods shall be prohibited in existing designated parking areas.

No storage dedicated for the proposed use.

5. **Visual blending of slopes. Cuts and fills shall be terraced to blend into the natural terrain. Cut or fill slopes more than ten feet in height shall be landscaped with evergreen shrubbery planted at the rate of ten shrubs per 100 lineal feet.**

No cut or fill slopes more than ten feet dedicated for the proposed use.

E. ***Parking lot design.***

1. ***Parking requirements.*** **Off-street parking shall be required as in Chapter 17.250 of the Hall County Zoning Regulations, except as provided in this subsection:**

a. ***Shared parking.*** **The director may approve a reduction of up to 25 percent in the number of parking spaces required for a specific use where inter-parcel access is provided and a shared parking analysis approved by the director demonstrates that adequate parking will be provided with the approved reduction.**

b. ***Maximum number of parking spaces.*** **The maximum number of parking spaces that may be constructed on impervious surfaces shall be no more than 125 percent of the minimum number of required parking spaces required in Chapter 17.250 of the Hall County Zoning Regulations.**

Minimum and maximum parking requirements met.

2. *Pedestrian circulation.* Parking areas shall be designed to facilitate safe and convenient use by pedestrians. Commercial and multi-family developments shall provide designated pedestrian pathways or sidewalks connecting parking aisles to the front entrance of the principal building.

3. **Paving materials for parking lots. All parking areas shall be paved with asphalt, concrete (or pervious materials approved by the director.)**

Driveway and parking spaces paved with asphalt.

4. ***Parking lot landscaping.***

a. **Each parking area of over 50 spaces shall include landscaped islands within the parking area equivalent to not less than five to ten percent with planning director discretion of the total paved area of the parking lot, not including pervious paving surfaces.**

b. **Landscaping in parking lots shall contain at least one shade tree (minimum of six feet tall and two inches caliper dbh at time of planting and 35 feet tall at maturity) for each 200 square feet of landscaping. Shade trees shall be planted in a bed of ground cover, sod and/or low shrubbery.**

Landscaped island and shade tree indicated in architectural site plan.

5. *Perimeter landscaping.*

a. Where parking lots abut adjacent residentially zoned or residentially used property, a transitional buffer is required as provided in section 17.420.050.C.2.

b. Where parking lots abut public streets, a landscape strip is required, as provided in section 17.420.050.D.2.

Transitional buffer and street frontage landscape strip indicated in architectural site plan.

c. Appropriate shade tree species for landscaping parking lots include the following:

i. Nuttall Oak.

ii. Shumard Oak.

iii. Willow Oak.

iv. Gingko (Variety: President, Autumn Gold, male gender).

v. Princeton Elm.

vi. Chinese Elm (varieties Allee, Athena, Drake, Bosque).

vii. Bald Cypress (variety: Shawnee Brave).

viii. Zelkova (variety Green Vase or Village Green).

ix. Northern Red Oak.

x. Autumn Maple

xi. Other indigenous species approved by the director.

All proposed trees will be chosen from species above to be planted.

F. *Outdoor lighting.*

1. *Streetlights.*

a. Streetlights shall be provided on all public streets.

b. The spacing of street lights shall be staggered, 300 feet on-center, along both sides of the roadway.

c. All street lighting shall be subject to review and approval of the Hall County Public Works Department.

d. All outdoor lighting, shall be the semi-cutoff type.

2. *Parking lot, sidewalk, and building illumination.*

a. Lighting shall be designed to avoid intrusion on adjacent properties and away from adjacent thoroughfares. All lighting shall be semi-cutoff luminary fixtures mounted in such a manner that the cone of light is directed downward.

b. Only incandescent, florescent, metal halide, low-pressure sodium, or color corrected, high-pressure sodium may be used. The same type of lighting must be used for the same or similar types of lighting on any one site.

c. Parking light fixtures shall be the box head type, shall have a maximum height of 35 feet.

The property is dominantly used for day-time operations and outdoor lighting will be minimal.

All lights to be installed in accordance with 17.420.050 lighting standards and no fixtures over 35' in height.

3. *Security lighting.* Semi-cutoff luminaries shall be used for all security lighting.

4. *Sign illumination.*

a. Internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited.

b. Signs may be illuminated with external lighting fixtures provided that fixtures are directed downward and away from streets and adjacent property and public streets. All lighting shall have recessed luminaries, or be semi-cutoff luminary fixtures.

G. *Interparcel access.*

1. Interparcel access, joint driveways, cross access drives and access easements shall be strongly encouraged for adjacent non-residential development along an arterial or collector street, except where the director determines that they are unfeasible because of topographic or other site-specific constraints.

2. Joint driveways and cross access easements shall be strongly encouraged for non- residential development that abuts other non-residential development, whether existing or planned. The building site shall incorporate the following:

a. Continuous cross-access drive located in a cross-access easement, where necessary to connect adjacent parcels along the thoroughfare.

b. A design speed of 15 mph and a two-way travel aisle with a minimum paved width of 22 feet (back of curb to back of curb). Paving, base and curb specifications shall meet Hall County's standards for public streets.

c. Driveway aprons, stub-outs and other design features to indicate that abutting properties may be connected to provide cross access via a service drive.

d. A five-foot wide sidewalk on one side of the cross-access drive.

e. New commercial developments that abut residential property are strongly encouraged to provide a five-foot wide sidewalk connecting the two uses.

No inter-parcel access or joint driveways proposed.

H. *Architectural standards for non-residential buildings.* The following design guidelines and standards apply to all newly constructed buildings used for office, commercial, industrial, institutional, and public purposes.

1. *General architectural requirements.*

a. *Street orientation.* Principal building entrances shall be oriented to public streets with the exception of internal buildings not directly fronting on the street.

b. *Building height.* Any non-residential building located within 250 feet of a residential or agricultural use street shall be limited to no more than three stories in height.

c. Non-residential buildings shall have at least 1,000 square feet of heated floor space.

2. *Building materials.*

a. The use of a common palette of building materials should be maintained for all four sides of principal buildings to create a consistent and traditional architectural identity. For large commercial/retail buildings and multifamily buildings, variation in building materials, texture, and depth should be employed to provide design variation.

b. Buildings that are located on outparcels and all accessory buildings shall be constructed of materials complementing the principal building with which they are associated.

c. Building materials used for all four sides of new or reconstructed buildings are restricted to the following:

i. Brick.

ii. Stone. Natural stone such as, but not limited to, granite, limestone, and marble are allowed building materials. Terra cotta and/or cast stone, which simulate natural stone, are also acceptable. Painted stone is prohibited.

iii. Split-face block/concrete masonry unit (CMU) is restricted to 50 percent of the surface area of each side of a principal building.

iv. Stucco is restricted to 50 percent of the surface area of each side of a building.

v. Glass and glass block.

vi. Exposed concrete block, painted concrete block, metal, tilt/up and pre-cast concrete are prohibited materials for any exterior wall.

d. Restrictions on the use of metal building materials shall not apply to entry doors and/or roll-up doors.

e. Calculation of ratios of building materials.

The amount of permitted material shall be calculated using the gross square footage of wall area for each elevation (side) of the building. See example below.

For example, a building has a side elevation with a gross wall surface area of 1,200 square feet with 400 square feet consisting of windows and doors. Begin with 1,200 square feet for required building material calculations. A wall area of 1,200 square feet shall have no more than 600 square feet of stucco on the front façade [e.g. (1,200 X 50% = 600)]. The balance shall be brick or other allowed material.

3. *Roof materials.* Materials for pitched roofs shall be limited to architectural grade composition shingles, natural slate, natural terra cotta, natural wood shake, or factory finished metal with standing seams.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1; Res. of 5-26-22(1) , § 2)

The construction materials will be compliant to the "17.420.050.H.2. – Building Materials".

17.420.060. Signs.

The following signs shall be permitted for office, institutional, commercial, industrial and non-residential use, in addition to other signs permitted for these uses in Chapter 17.270 of the Zoning Regulations.

1. *Monument signs.*

a. One ground mounted, monument sign shall be permitted on each lot, except that in the case of a corner lot, the provisions of this section shall apply separately to each street frontage.

However, no sign on a corner lot shall be closer than 50 feet from the lot corner, defined by the lot lines extended.

i. **The sign structure shall be constructed of the same materials that are used in the facade of the principal building.**

ii. Dimensional standards for monument signs are set forth in the table below:

Maximum Monument Sign Dimensions for Non-Residential Uses

Gross floor area of buildings	Maximum sign area	Maximum sign height
0—10,000 sq. ft.	32 sq. ft. (each side)	8 ft. above street grade
10,001—50,000 sq. ft.	48 sq. ft. (each side)	8 ft. above street grade
50,001—100,000 sq. ft.	64 sq. ft. (each side)	10 ft. above street grade
Over 100,000 sq. ft.	96 sq. ft. (each side)	12 ft. above street grade

The existing sign will be adapted and reused.

2. ***Pole signs. Pole signs are prohibited.***

The existing sign will be adapted and reused.

3. ***Wall signs and marquee signs.*** **One wall sign or marquee sign shall be permitted for each building or for each tenant in a multi-tenant building.** ***The maximum sign area shall be 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater. Wall signs*** **and marquee signs are only permitted on the side of a building that includes the primary public entrance. A tenant that has less than 16 lineal feet of storefront shall be a permitted a wall sign or marquee sign with a maximum area of 16 square feet.**

4. *Master plan for signs in multi-tenant developments.* For all multi-tenant buildings or developments, a coordinated program of wall signs shall be developed and approved by the county at the time of site plan approval. The signage master plan shall specific the sign type, design, height, colors, illumination, and other specifications to give a coordinated appearance to the building or development. The county's review and approval of the signage master plan shall be based on the compatibility of the proposed signage with the siting and architecture of the subject building or development and the compatibility of the signage with surrounding land uses. (Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.070. Appeals and modifications.

A. *Procedures for appeals.*

1. It is the intent of the board of commissioners that all development shall conform to the standards and procedures set forth in this chapter. In the event that the intent of this chapter can be achieved with minor deviations that do not substantially impair the purpose or intent of this chapter, the Hall County Planning Director has the authority to modify the specific provisions to allow for such minor deviations.

2. 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.

3. Appeals from requirements set forth in this chapter can be heard by the planning commission as provided in Chapter 17.360 of the Hall County Zoning Regulations.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.080. Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Cross-access drive: A drive created for the purpose of providing vehicular or pedestrian access between properties.

Cross-access easement: A private covenant or easement between owners of abutting properties that allows driveways for public access by vehicles and pedestrians connecting two or more properties having different owners.

Diameter at breast height (DBH): A standard measure of the diameter of a tree trunk measured in inches at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and one-half feet, then the trunk is measured at its most narrow point beneath the split. Externally mounted neon signs.

Drive-through window: An opening in the outside wall of a commercial building or structure intended to be used to provide for sales and/or service to patrons who remain in their vehicles.

Facade: The exterior side of a building that faces, and is most nearly parallel to, a public street. The facade includes the entire area of a building, extending from the roof or parapet to the ground, and from one corner of the building to another. Buildings generally have one facade for each street frontage.

Joint access driveway: A driveway that provides direct vehicular access to two or more abutting properties from a public street.

Modulation: The rhythmic variation in the massing and architectural treatments of a building that divides its roofline and facade into small harmonious components that create visual interest, as distinct from the appearance of a large building with a featureless facade built on a single plane with a single roof line. Modulations of a facade should break the vertical plane with variations that are at least two feet in depth, measured from the forward plane of the facade.

Sign area: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by open space or by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign, automatic changeable copy: A sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units. Copy shall mean words and numbers.

Sign, internally illuminated: Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.

Sign, pole: A sign that is mounted on a freestanding pole, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with the ground.

Storefront: That elevation of a commercial building having a single tenant (or that portion of the elevation of a multi-tenant building that is occupied by a single establishment) and that contains the principal public entry to the establishment.

Transitional buffer: An area of natural vegetation or manmade construction, which is intended to provide a visual and dimensional separation between dissimilar land uses.

Vehicle sales lot: An open premises arranged, designed, or used for outdoor storage and display for sale or lease of automobiles, vans, trucks, motorcycles, lawnmowers, sports utility vehicles, recreational vehicles, all terrain vehicles, trailers, boats, manufactured homes, mobile homes, outdoor storage structures, tractors, fork lifts, construction equipment, or other similar vehicles or structures, but not including plant nurseries, building materials or lawn and garden supplies.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

SITE PLAN INFORMATION

ZONING CLASSIFICATION :
SUBURBAN SHOPPING DISTRICT **(S-S)**

LOT AREA:

NET LOT AREA (N.L.A.): 0.6 ACRE = **25,949 Sq. Ft.**

REQUIRED BUILDING SETBACKS:

FRONT YARD & EXTERIOR SIDE YARD : **55 Ft.** FROM CENTER LINE OF ROAD OR **30 Ft.** FROM PROPERTY LINE, WHICHEVER IS GREATER

SIDE YARD - INTERIOR: **20 Ft.**

REAR YARD: **10 Ft.**

NOTE
CORNER LOT SETBACKS. A CORNER LOT WHICH ABUTS ON TWO INTERSECTING STREETS, THE MINIMUM SETBACK FOR SIDE YARD PURPOSES FOR EACH DISTRICT MEASURED FROM THE CENTER LINE OF THE SIDE STREET SHALL BE THE SAME AS THE FRONT YARD SETBACK IN SECTION 17 240 010

BUILDING COVERAGE:

MAXIMUM BUILDING COVERAGE : N/A

TOTAL BUILDING COVERAGE : **5,618 SF = 21.6%**
EXISTING BUILDING COVERAGE 2,418 SF
PROPOSED BUILDING COVERAGE 3,200 SF

FLOOR AREA RATIO (F.A.R.):

MAXIMUM F.A.R. : N/A

TOTAL F.A.R. : **5,482 SF = 21.1%**
EXISTING F.A.R 2,282 SF
PROPOSED F.A.R 3,200 SF

IMPERVIOUS SURFACE RATIO (I.S.R.):

MAXIMUM I.S.R. : N/A

TOTAL I.S.R. : **20,695 SF = 79.75%**
TOTAL BUILDING COVERAGE 5618 SF
EXISTING ASPHALT DRIVEWAY 6,429 SF
EXISTING CONCRETE DRIVEWAY 1,830 SF
PROPOSED ASPHALT DRIVEWAY 6,818 SF

OSR (OPEN SPACE REQUIREMENTS) **:**

MINIMUM OSR: %20 OF LOT AREA = 5,190 Sq. Ft.

PROPOSED OPEN SPACE = 5,254 Sq. Ft. = **%20.2**

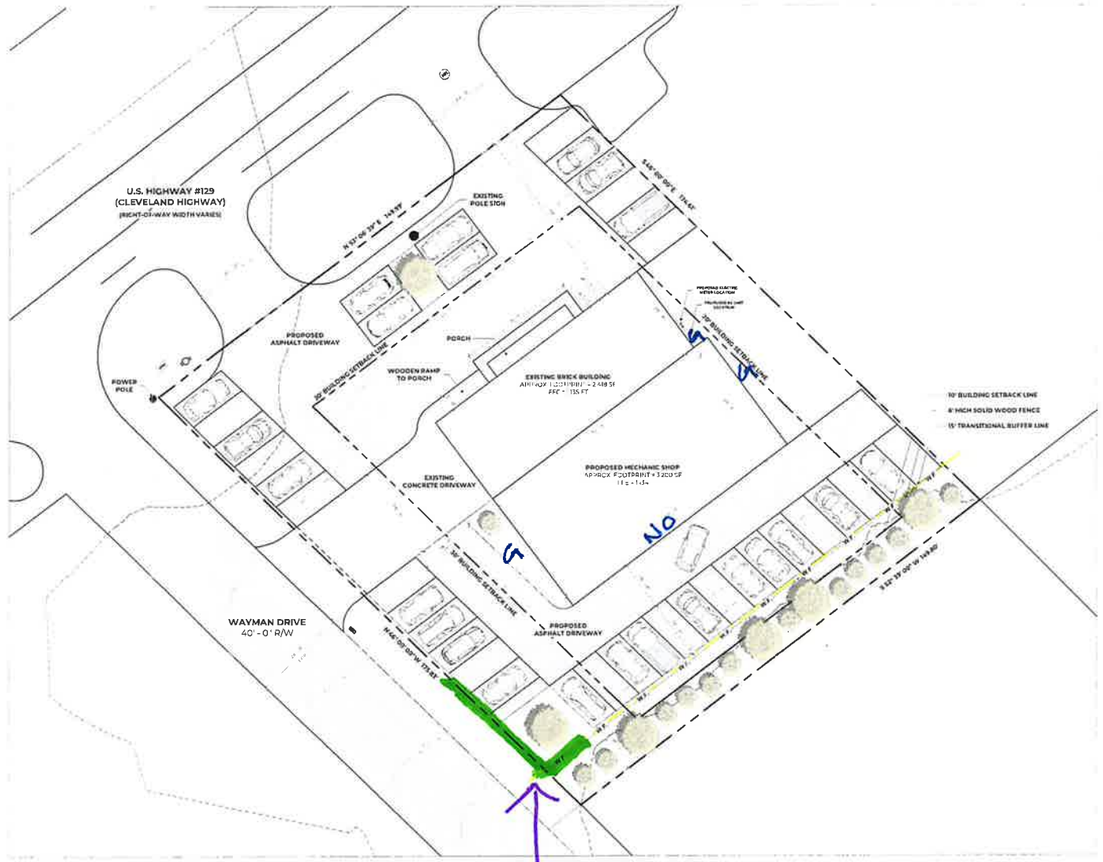
PARKING SPACE:

MINIMUM PARKING SPACE = N/A

PROPOSED PRKING SPACE = **40**

SITE PLAN LEGEND

PROPERTY LINE	MAIL BOX
BUILDING SETBACK LINE	WATER METER
LIMIT OF DISTURBANCE	ELECTRIC METER
SILT FENCE	MANHOLE
FACE OF WALL BELOW	POWER POLE
CHAIN LINK FENCE	LIGHT POLE
WOODEN FENCE	FIRE HYDRANT
TREE PROTECTION FENCE	DOWNSPOUT + 4" PVC PIPE
WATER MAIN	INFILTRATION TRENCH
SANITARY SEWER	ASPHALT
POWER LINE	CONCRETE
PUBLIC UTILITY EASEMENT	GRAVEL
CRITICAL ROOT ZONE	GRASS
STRUCTURAL ROOT PLATE	IMPACTED PORTION OF CRZ



PROPOSED - SITE PLAN
SCALE 1" = 20'-0"

Exhibit A

6-foot high solid wooden fence or masonry wall. Added by Stan Hunt.

MODERNACY LLC
ARCHITECTURE·DESIGN

LA ESPERANZA DEALERSHIP
PROJECT
2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS
RAMON CARILLO
CLIENT
NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS

NOTES

STAMP & SIGNATURE

PROPOSED SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-01
SHEET NO.

03.18.2024 | Item 6A(iii)

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SITE PLAN INFORMATION

ZONING CLASSIFICATION :
SUBURBAN SHOPPING DISTRICT **(S-S)**

LOT AREA:

NET LOT AREA (N.L.A.): 0.6 ACRE = **25,949 Sq. Ft.**

REQUIRED BUILDING SETBACKS:

FRONT YARD & EXTERIOR SIDE YARD : **55 Ft.** FROM CENTER LINE OF ROAD OR **30 Ft.** FROM PROPERTY LINE, WHICHEVER IS GREATER

SIDE YARD - INTERIOR: **20 Ft.**

REAR YARD: **10 Ft.**

NOTE

CORNER LOT SETBACKS; A CORNER LOT WHICH ABUTS ON TWO INTERSECTING STREETS, THE MINIMUM SETBACK FOR SIDE YARD PURPOSES FOR EACH DISTRICT MEASURED FROM THE CENTER LINE OF THE SIDE STREET SHALL BE THE SAME AS THE FRONT YARD SETBACK IN SECTION 17.240.010.

BUILDING COVERAGE:

MAXIMUM BUILDING COVERAGE : N/A

TOTAL BUILDING COVERAGE : **5,618 SF = 21.6%**

EXISTING BUILDING COVERAGE : 2,418 SF
PROPOSED BUILDING COVERAGE : 3,200 SF

FLOOR AREA RATIO (F.A.R.):

MAXIMUM F.A.R. : N/A

TOTAL F.A.R. : **5,482 SF = 21.1%**

EXISTING F.A.R. : 2,282 SF
PROPOSED F.A.R. : 3,200 SF

IMPERVIOUS SURFACE RATIO (I.S.R.):

MAXIMUM I.S.R. : N/A

TOTAL I.S.R. : **20,695 SF = 79.75%**

TOTAL BUILDING COVERAGE : 5,618 SF
EXISTING ASPHALT DRIVEWAY : 6,429 SF
EXISTING CONCRETE DRIVEWAY : 1,830 SF
PROPOSED ASPHALT DRIVEWAY : 6,818 SF

OSR (OPEN SPACE REQUIREMENTS) **:**

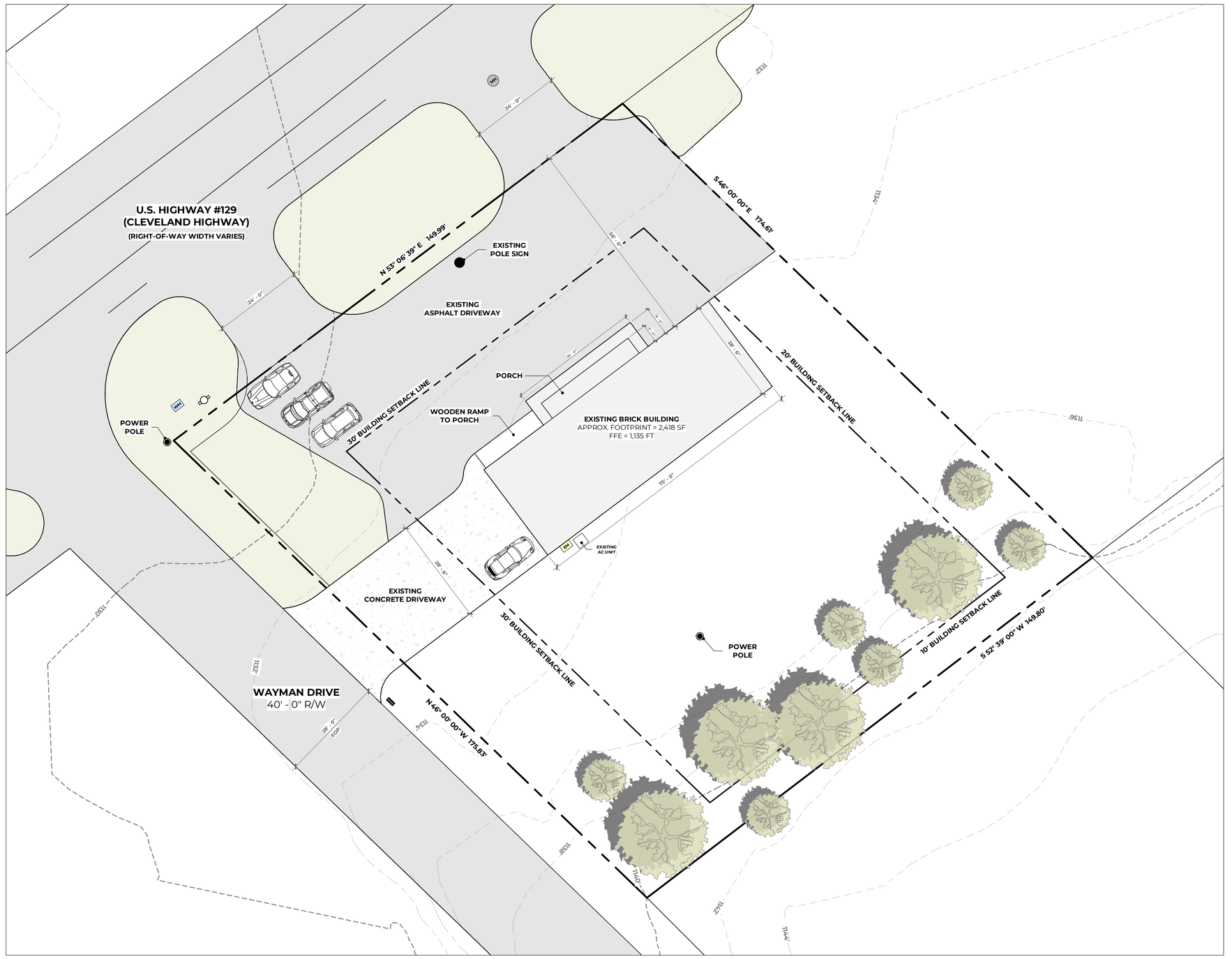
MINIMUM OSR: %20 OF LOT AREA = 5,190 Sq. Ft.
PROPOSED OPEN SPACE = 5,254 Sq. Ft. = **%20.2**

PARKING SPACE:

MINIMUM PARKING SPACE = N/A
PROPOSED PRKING SPACE = **40**

SITE PLAN LEGEND

PROPERTY LINE		MB	MAIL BOX
BUILDING SETBACK LINE		WM	WATER METER
LIMIT OF DISTURBANCE		EM	ELECTRIC METER
SILT FENCE		MH	MANHOLE
FACE OF WALL BELOW			POWER POLE
CHAIN LINK FENCE			LIGHT POLE
WOODEN FENCE			FIRE HYDRANT
TREE PROTECTION FENCE		DS	DOWNSPOUT + 4" PVC PIPE
WATER MAIN			INFILTRATION TRENCH
SANITARY SEWER			ASPHALT
POWER LINE			CONCRETE
PUBLIC UTILITY EASEMENT			GRAVEL
CRITICAL ROOT ZONE			GRASS
STRUCTURAL ROOT PLATE			IMPACTED PORTION OF CRZ



EXISTING - SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT

2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS

RAMON CARILLO
CLIENT

NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS

NOTES

STAMP & SIGNATURE

EXISTING SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-00
SHEET NO.

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SITE PLAN LEGEND			
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BUILDING SETBACK LINE	WM	WATER METER	
LIMIT OF DISTURBANCE	EM	ELECTRIC METER	
SILT FENCE	MH	MANHOLE	
FACE OF WALL BELOW		POWER POLE	
CHAIN LINK FENCE		LIGHT POLE	
WOODEN FENCE		FIRE HYDRANT	
TREE PROTECTION FENCE	D/S	DOWNSPOUT + 4" PVC PIPE	
WATER MAIN		INFILTRATION TRENCH	
SANITARY SEWER		ASPHALT	
POWER LINE		CONCRETE	
PUBLIC UTILITY EASEMENT		GRAVEL	
CRITICAL ROOT ZONE		GRASS	
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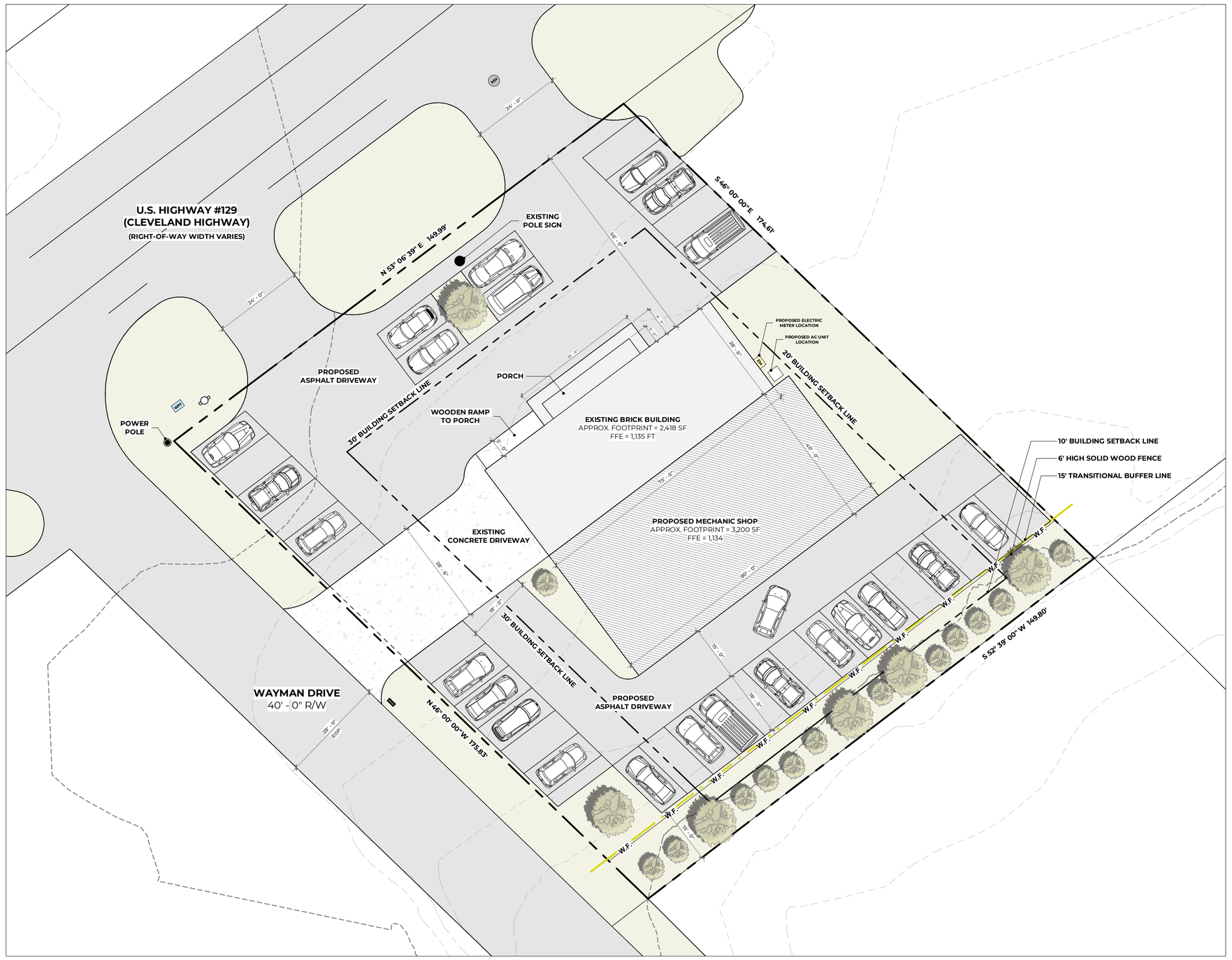

PROPOSED - SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT
2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS
RAMON CARILLO
CLIENT
NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS
NOTES
STAMP & SIGNATURE

PROPOSED SITE PLAN
SHEET TITLE
0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE
NORTH

A0-01
SHEET NO.

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ARCHITECTURAL SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT

2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS

RAMON CARILLO
CLIENT

NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023

REVISIONS

NOTES

STAMP & SIGNATURE

ARCHITECTURAL SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-02
SHEET NO.

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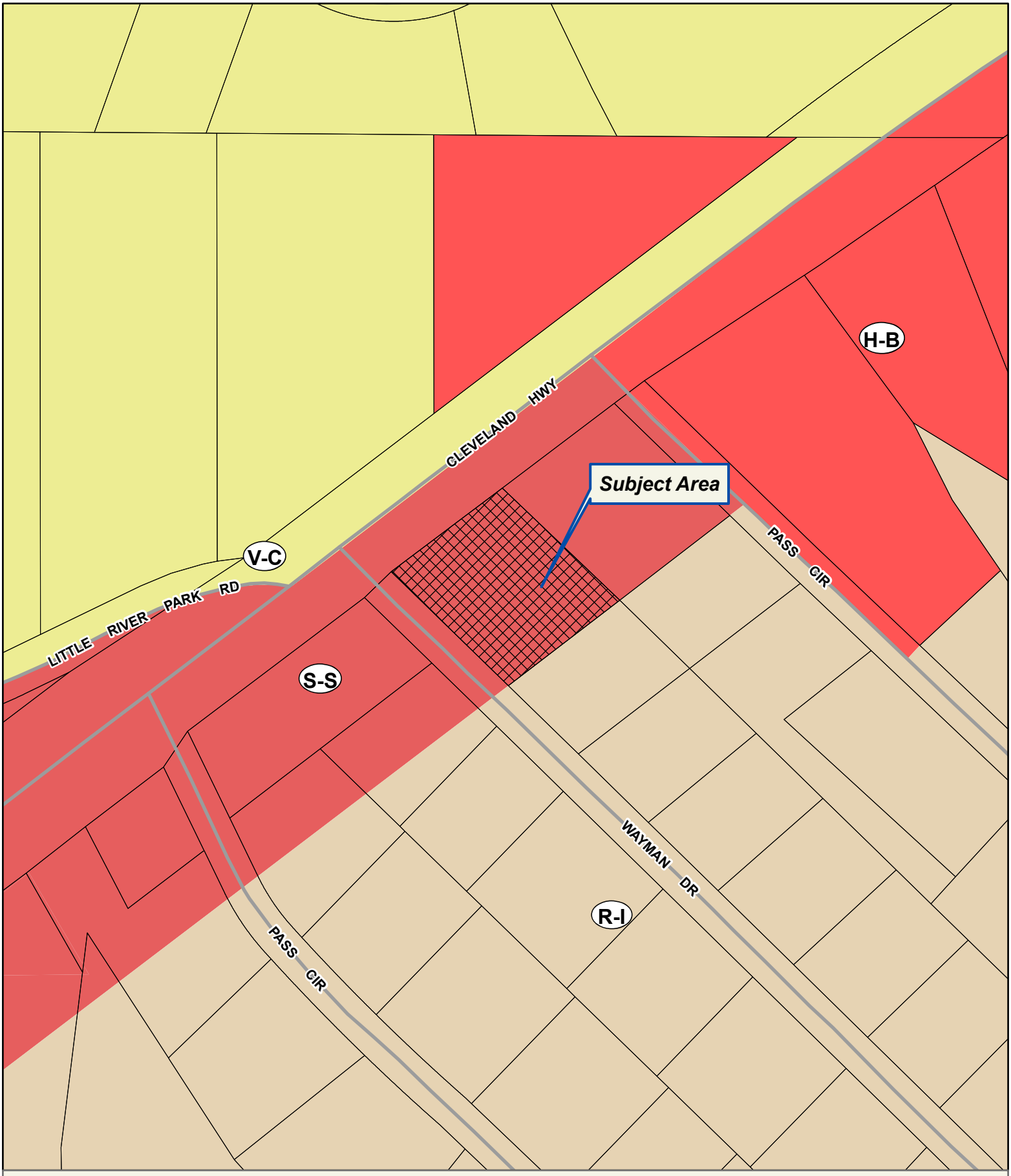
Applicant: RAMON CARRILLO JR.
Tax Parcel #: 10138 000058
Location: 2696 CLEVELAND HIGHWAY, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 03/18/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area

N



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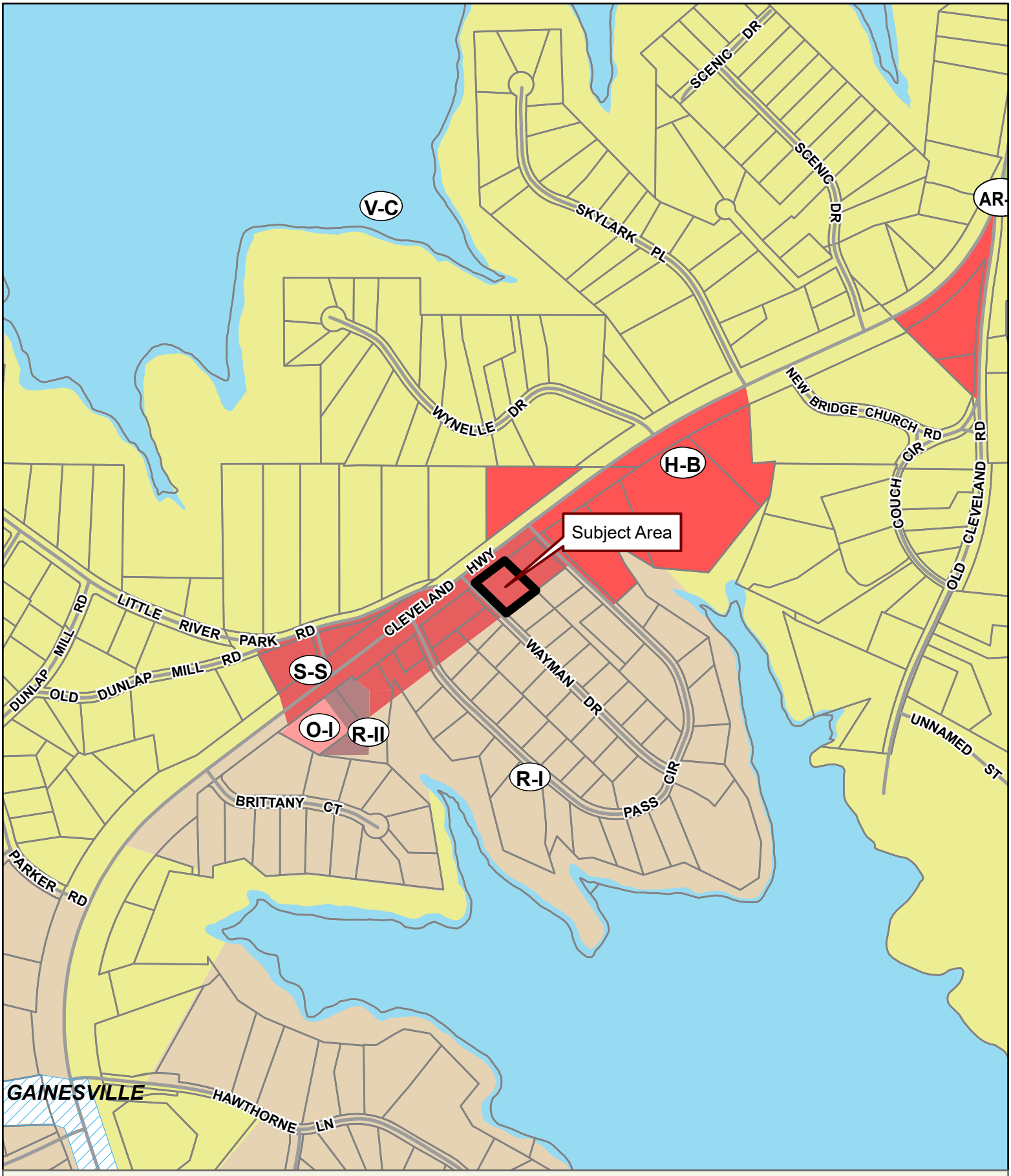
Commission District 3 **PC Mtg. Date: 03/18/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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Tax Parcel #: 10138 000058
Location: 2696 CLEVELAND HIGHWAY, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 03/18/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

WAYMAN DRIVE

CLEVELAND HIGHWAY

WAYMAN DRIVE

CLEVELAND HIGHWAY

AUTO SALES

LA ESPERANZA
DEALERSHIP

VIEW “A”
EXISTING.

VIEW “A”
PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL, EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

VIEW “B”
EXISTING.

VIEW “B”
PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL. EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

VIEW "C"
EXISTING.

VIEW “C” PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL, EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant**

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c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, February 15, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
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   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

ELECTRIC BEACH CLUB
TANNING

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN

PUBLIC HEARINGS WILL BE HELD ON: GCOD

PLANNING COMMISSION
Date: MAR 18 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 09:45:28
3859 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: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN

PUBLIC HEARINGS WILL BE HELD ON: GCOD

PLANNING COMMISSION
Date: MAR 18, 2024
Time: 5:15 PM

COUNTY COMMISSION
Date: APR 23, 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 09:46:47
2696 Cleveland Highway
Gainesville
Hall County
Georgia

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ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN GOOD & REPAIR

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR 18 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 14:09:44
2696 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: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR AUTO SALES AND REPAIR WITHIN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR 18,2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23,2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 12:53:51
2696 Cleveland Highway
Gainesville
Hall County
Georgia

AGENDA ITEM

Planning and Development

REPORT TO:	**Work Session (04/22/24)**
REPORT TO:	**Voting Meeting (04/23/24)**
ITEM NO:	194/2024
SUBJECT:	**2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 **| Proposed Use: Used automobile sales and repair |** Commission District 3 **| Ramon Carrillo Jr, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions:

1. The property shall be developed in accordance with the site plan (exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, no business shall be conducted on Sundays either sales or repair.
3. No repair services for the public shall be permitted. Only vehicles intended for sale by the business shall be permitted and all mechanical services shall be conducted within a garage bay.
4. No more than five (5) inoperable vehicles awaiting repair shall be stored on site and shall be stored behind the building in a designated (striped) parking space. Vehicles awaiting repair shall not be stored for longer than five (5) days.
5. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway if required.
6. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
7. All conditions of zoning shall be made part of any plat(s) created for the property.
8. All Environmental Health regulations shall be met prior to issuance of occupancy.
9. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
10. All parking in the right-of-way is prohibited.
11. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
12. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, Drive-in Theater, Motel/hotel, Service station, Construction trailer, and Adult establishments.
13. All signage, existing and proposed, shall adhere to GCOD standards.
14. Customer and employee parking shall be designated on site, total parking spaces shall not exceed 40 spaces.

Purpose of Request:

2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair |** Commission District 3 | **Ramon Carrillo Jr, 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	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report

Requested Conditions
Application
Narrative
Exhibit A
Site Plan
Maps
Renderings
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract | **Proposed Use: Used automobile sales and repair | Ramon Carrillo Jr, applicant**

The request before you is the request of Ramon Carrillo Jr for a Use Subject to County Commission Approval to allow used automobile sales and repair. This item is located within Commission District 3.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with thirteen (13) conditions **(3-2, Pilcher & Sosebee opposed)**.

Staff recommendation: **Approval of automobile sales,** as the proposed use is consistent with surrounding development and business type; **Denial of automobile repair,** as the proposed use is inconsistent development and use of surrounding properties.

There were **no comments submitted** in advance of the Planning Commission meeting and **one (1) person spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan (exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, no business shall be conducted on Sundays either sales or repair.

3. No repair services for the public shall be permitted. Only vehicles intended for sale by the business shall be permitted and all mechanical services shall be conducted within a garage bay.
4. No more than five (5) inoperable vehicles awaiting repair shall be stored on site and shall be stored behind the building in a designated (striped) parking space. Vehicles awaiting repair shall not be stored for longer than five (5) days.
5. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway if required.
6. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
7. All conditions of zoning shall be made part of any plat(s) created for the property.
8. All Environmental Health regulations shall be met prior to issuance of occupancy.
9. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
10. All parking in the right-of-way is prohibited.
11. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
12. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, Drive-in Theater, Motel/hotel, Service station, Construction trailer, and Adult establishments.
13. All signage, existing and proposed, shall adhere to GCOD standards.
14. Customer and employee parking shall be designated on site, total parking spaces shall not exceed 40 spaces.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Ramon Carrillo Jr.

Request ..... **(A)** Rezone from Suburban Shopping (S-S, 17.140) and Gateway Corridors Overlay District (GCOD, 17.420) to Highway Business (H-B, 17.150) and Gateway Corridors Overlay District (GCOD, 17.420)
(B) Use Subject to County Commission Approval | for automobile sales and repair within the Gateway Corridors Overlay District (GCOD, 17.420),

Proposed Use ..... Used automobile sales and repair

Size ..... 0.60± acres

Zoning ..... Suburban Shopping (S-S, 17.140) and Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... **2696 Cleveland Highway**| Tax Parcel 10138 000058

Commission District ..... Three

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **(A) Approval, with conditions,** as the rezoning request is consistent with surrounding development and business types; and
(B) Approval of automobile sales, as the proposed use is consistent with surrounding development and business types
(B) Denial of automobile repair, as the proposed use is inconsistent development and use of surrounding properties**.**

Planning Commission Recommendation.....**(A) Approval, with conditions**
Vote: 5-0
(B) Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

Planning Commission Conditions:

(A)

1. The property shall be developed in accordance with the site plan (Exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, No business shall be conducted on Sundays, neither sales or repair.
3. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway, if required.
4. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
5. All conditions of zoning shall be made part of any plat(s) created for the property.
6. All Environmental Health regulations shall be met prior to issuance of occupancy.
7. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
8. All parking in the right-of-way is prohibited.
9. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
10. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, drive-in theater, motel/hotel, service station, construction trailer, and adult establishments.
11. All signage, existing and proposed, shall adhere to GCOD standards.
12. Customer and employee parking shall be designated on site. Total parking spaces shall not exceed 40 spaces.

(B)

1. The property shall be developed in accordance with the site plan (exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, no business shall be conducted on Sundays either sales or repair.
3. a. No repair services for the public shall be permitted. Only vehicles intended for sale by the business shall be permitted and all mechanical services shall be conducted within a garage bay. b. No more than five (5) inoperable vehicles awaiting repair shall be stored on site and shall be stored behind the building in a designated (striped) parking space. Vehicles awaiting repair shall not be stored for longer than five (5) days.
4. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway if required.

5. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
6. All conditions of zoning shall be made part of any plat(s) created for the property.
7. All Environmental Health regulations shall be met prior to issuance of occupancy.
8. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
9. All parking in the right-of-way is prohibited.
10. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
11. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, Drive-in Theater, Motel/hotel, Service station, Construction trailer, and Adult establishments.
12. All signage, existing and proposed, shall adhere to GCOD standards.
13. Customer and employee parking shall be designated on site, total parking spaces shall not exceed 40 spaces.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Ramon Carrillo Jr, 6180 Dahlonega Way, Clermont, presented the request. The applicant presented pictures of the way he has kept his shop in the past and the type of vehicles he will park to the rear of the property. The applicant stated that he would conduct all repairs inside the shop.

Public Forum:

Tony Stephens, 2700 Cleveland Highway, Gainesville, spoke in opposition. Concerns were compliance with Gateway Corridor Overlay District requirements, water runoff, mechanic shops, and proximity to residential property.

Planning Commission Comments:

Mr. Hunt questioned how long the applicant will have repair vehicles on site. The applicant stated he would keep vehicles one to two weeks. Mr. Varner questioned if the applicant would wash cars on the property. The applicant stated he would. Mr. Hunt stated it will have to be discussed with Environmental Health. Mr. Braswell questioned the type of repairs being proposed. The applicant stated that he focuses on body work but will do occasional brake pads and oil changes. Mr. Sosebee questioned if the vehicles are salvage title. The applicant stated some of the vehicles are but not all. Mr. Hunt stated that he would like to limit a maximum of five cars in the rear. The applicant stated that would be fine.

(A)

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0**

Conditions:

1. The property shall be developed in accordance with the site plan (Exhibit A) dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday, No business shall be conducted on Sundays, neither sales or repair.
3. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway, if required.
4. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).
5. All conditions of zoning shall be made part of any plat(s) created for the property.
6. All Environmental Health regulations shall be met prior to issuance of occupancy.
7. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
8. All parking in the right-of-way is prohibited.
9. A variance shall be granted for the requirement of a 10-foot landscape strip along Cleveland Highway and Wayman Drive.
10. The following uses listed as permitted in Highway Business (H-B) shall be prohibited: Bus station, drive-in theater, motel/hotel, service station, construction trailer, and adult establishments.
11. All signage, existing and proposed, shall adhere to GCOD standards.
12. Customer and employee parking shall be designated on site. Total parking spaces shall not exceed 40 spaces.

(B)

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2**

Braswell – aye
Hunt – aye
Varner – aye
Pilcher – nay
Sosebee – nay

(A) & (B) Staff Recommended Conditions:

1. The property shall be developed in accordance with the site plan dated December 4, 2023 and as described in the project narrative dated February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. Operation of the automobile sales shall commence no earlier than 9:00 am and shall terminate no later than 6:00 pm Monday through Saturday.

3. Automobile repair shall be prohibited.

4. The applicant shall coordinate with Georgia Department of Transportation for driveway access off of Cleveland Highway.

5. No variances to Gateway Corridor Overlay standards are granted other than those approved herein (GCOD, 17.420).

6. All conditions of zoning shall be made part of any plat(s) created for the property.

7. All Environmental Health regulations shall be met prior to issuance of occupancy.

8. Pursuant to 2.60.060. – effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.

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 narrative and site plan:

17.420.050.D.2.a Other Landscape and Screening Standards – Street Frontage

- Along each street frontage there shall be a ten-foot-wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities.
    - Applicant has not indicated that the current site conditions would require significant modifications to install a ten-foot-wide landscape strip along Cleveland Highway or Wayman Drive.

17.420.050.E.1.b Parking Lot Design – Parking Requirements

- Maximum number of parking spaces. The maximum number of parking spaces that may be constructed on impervious surfaces shall be no more than 125 percent of the minimum number of required parking spaces required in 17.250 of the Hall County Zoning Regulations.
    - Applicant has proposed 36 parking spaces; however, the exact number of employees is not specified in the submitted narrative so a proper parking count cannot be calculated.

17.420.050.F.1.d. Outdoor Lighting – Streetlights

- All outdoor lighting shall be the semi-cutoff type.
    - Applicant has proposed to utilize existing floodlights; it is not known whether the existing lighting is compliant with regulations.

Summary Analysis

The applicant is requesting to rezone 0.60± acres of property currently zoned Suburban Shopping (S-S, 17.140) within the Gateway Corridors Overlay District (GCOD, 17.420) to Highway Business (H-B, 17.150). Concurrently, the applicant is requesting the consideration of a use subject to County Commission approval to establish a used automobile sales and an automobile repair business on the 0.60± acres. The applicant is requesting to rezone to Highway Business (H-B, 17.150) as automobile repair is not an allowed use listed in the current underlying zoning district (S-S, 17.140). Additionally, the property falls within the Gateway Corridors Overlay District (GCOD, 17.420) within which automobile sales, used or new, and automobile repair and maintenance requires approval of a conditional use subject to the County Commission. The applicant plans to utilize the existing building as an office and plans to further develop the property by constructing a shop addition to the rear of the site that would accommodate four mechanic bays. The applicant will use the shop to repair inventory to meet safety and reliability standards before selling the repaired vehicles. The applicant will not be providing repair services to the public.

The submitted site plan shows the existing 2,418 square foot brick building and a proposed 3,200 square foot mechanic shop addition to the rear of the site. The site plan shows paved parking areas with 40 parking spaces for customer, employee, and inventory parking. The site also contains an existing pole sign and two existing driveways in the northwest portion of the parcel being utilized as the primary access to the site from Cleveland Highway. There is also a secondary access point to the site from Wayman Drive located on the west side of the parcel. The proposed site plan includes a 6-foot high solid wood fence and a 15-foot transitional buffer located along the rear property line. The applicant references the required 10-foot landscape strip along the frontage of Cleveland Highway and Wayman Drive in a supplemental document that provides responses to the Gateway Corridors Overlay District's development standards (GCOD, 17.420). They stated in this document their desire to avoid planting the required shaded trees as it would hinder the display of their merchandise. A variance must be specifically granted from this standard (GCOD, 17.420).

The narrative includes proposed operation hours of Monday through Saturday from 9 am to 6 pm. The narrative also states that approximately 30 to 40 proposed parking spaces will be used for inventory with an unspecified number of parking spaces designated for employee parking, customer parking, and vehicles undergoing repairs. Also, the applicant states their intention to replace the current pole sign with a monument sign in order to meet Gateway Corridors Overlay District standards. The applicant intends to utilize the existing outdoor lighting, which includes a streetlight, flood lights, and small ground spotlights on the sign, to serve their proposed business. It should be noted that according to the standards of the Gateway Corridors Overlay District, all outdoor lighting shall be a semi-cutoff type (GCOD, 17.420). Per the submitted narrative, water will be provided by the City of Gainesville.

GCOD Analysis

Standard	Compliance	Proposed Work	Notes
17.420.050.C – Transitional buffers	Complies	15-foot transitional buffer with 6-foot solid wood fence	Applicant proposes to include a 15-foot transitional buffer and a 6-foot high solid wood fence based on site plan. The Hall County Code allows a transitional buffer to be reduced by ten feet when a 6-foot-high solid wood fence or masonry wall is incorporated.
17.420.050.D – Other landscape and screening standards	Deficient	10-foot landscape strip along street frontage	Applicant states that they wish to avoid planting shade trees as the trees would hinder the display of merchandise. A buffer is not shown on the submitted site plan.
17.420.050.E – Parking lot design	Unknown	To add additional parking with asphalt surface	Existing site provides parking for cars to be serviced, customers, employees, and inventory. The application does not state how many employees the business will employ so the proper parking ratio cannot be determined.
17.420.050.F – Outdoor lighting	Deficient	Use of existing floodlights	New fixtures recommended to be installed with full cutoffs. Any existing fixtures should be retrofitted.
17.420.050.G – Interparcel access	Deficient	__	Parcels on either side are too dissimilar in development character and use to warrant compliance at this time.
17.420.060 – Signs	Unknown	Existing sign to be adapted and reused.	Application indicates that a new sign will be installed which will meet GCOD standards. The existing pole sign does not appear to meet the setback requirement of 15 feet from the right-of-way.

Based on the future land-use plan, staff finds the requested zoning designation *not consistent* with the Hall County Comprehensive Plan future land use designation of "Lake Area Residential". This land use category is characterized by low-density single-family residences and agricultural uses. The intent of the land use category is to preserve established neighborhoods and create new permanent and vacation residential development. Future development will continue to be detached, single-family homes at low densities. The Lake Area Residential designation envisions a maximum density of 1 dwelling unit per acre. However, the development has proposed a commercial use within an existing commercial area that is not identified in the Comprehensive Plan for the area.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (17.380.060), the board 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 of automobile sale is consistent with the use, development and zoning of adjacent and nearby properties, however, the back of the lot abuts a residential parcel. Furthermore, automobile repair is not consistent with the use, development and zoning of adjacent and nearby properties**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed use of the lot for used vehicle sales will not adversely affect the existing use or usability of adjacent or nearby properties; however, automobile repair may adversely impact the abutting residential property.**

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property has reasonable economic use as currently zoned, Suburban Shopping (S-S, 17.140), but the proposed business cannot occur as described without rezoning and conditional use approval by the Board of Commission within the Gateway Corridor Overlay District .**

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 proposed use of a used automobile sales and repairs is inconsistent with the Comprehensive Plan's future land use classification of Lake Area Residential. However, the Comprehensive Plan does not address the established existing commercial area adjacent to the subject property.**

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; **Tax parcel 10138 000058 is currently developed with a 2,418 square foot building. The building was constructed in 1970.**

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; **This change would create an isolated district of Highway Business (H-B, 17.150) zoning on the 0.60± acres parcel. However, there is property zoned Suburban Shopping (S-S, 17.140) adjacent to the subject parcel.**

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; **Hall County has many new and used car dealerships and automobile repair services. The establishment of a used vehicle sales lot with automobile repair will not fulfill any unmet needs on a local or county level.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **As the proposed uses require Board of Commissioner approval within the Gateway Corridors Overlay District (GCOD, 17.420). The applicant would have to find a location appropriately zoned and outside of the Gateway Corridors Overlay District.**

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.**

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.**

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 proposal does meet the requirement. The applicant has provided a site plan and included the necessary information to properly assess the development.**

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 development does not include a slow rate land treatment 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. **This requirement is not applicable, as no residential development has been proposed.**

Development Support and Constraints / Departmental Comments

Hall County Environmental Health

In an email dated February 13, 2024, 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. Please note that Zoning approval does not imply approval from other county departments.”

Hall County Fire Marshal

In an email dated February 15, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated that the Hall County Fire Marshal’s Office has no comments as proposed.

Hall County Public Works and Utilities

In a memo dated February 15, 2024, 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.

Traffic:

Permit for GDOT will be required for driveway access to Cleveland Highway.

Utilities

Hall County sewer - No connection within feasible distance.

Georgia Department of Transportation

In an email dated February 8, 2024, Veronica Chavers, D1TO Civil Engineer 3, confirmed that this project will require GDOT coordination.

To whom it may concern,

We are so grateful for the recommendation for approval of our conditional use application. We are more than happy to comply with the conditions set forth by the committee, however we would like to request some minor changes. The board has requested that vehicles awaiting repair shall not be stored longer than five days. While we are optimistic that this will be no problem, we frequently are awaiting the arrival of parts from the dealerships for a little longer. We feel confident that we will be able to move the cars inside within fourteen days of arrival. We would also like to request that we are able to operate the sales only portion of our business from the existing building while we build the structure that will house all repairs.

Thank you for hearing our concerns,

Ramon Carrillo Jr

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD, GAINESVILLE, GA. 30504 MAILING
ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503 t: 770-531-6809 I
f: 770-531-3902

HALL COUNTY
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ZONING APPLICATION

Applicant (Name & Mailing Address)

Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com
Proposed Use Dealership and repair

Property Owner (Name & Mailing Address)

Ramon Carrillo Jr
~~7696~~ 6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com

Contact Person (Name & Mailing Address)

Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont GA 30527
Phone 770-503-4536
Email Address esperanzaautosales@gmail.com

Status of Applicant

Y Owner
Y Option to Purchase
Y Area Resident
Y Other

Requested Action

Existing Zoning: S-S
Rezone to: H-B
Fee:$
Receipt #:
Check #:

Tax Parcel Number
Acreage 0.60
Location Address 7696 Cleveland Hwy

I hereby certify that the above information and all attached information are true and correct.

Sign Ramon Carrillo Jr Date: Feb 7 24

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

HALL COUNTY
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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Property Owner (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Proposed Use Used Car dealership

Contact Person (Name & Mailing Address)
Ramon Carrillo Jr
6180 Dahlonega Hwy
Clermont, Ga 30527
Phone 770 503 4536
Email Address ramoncarrillojr@ymail.com

Status of Applicant
Owner
☐ Option to Purchase
☐ Area Resident
☐ Other

Requested Action
Permissive Use:
☐ HCPC ☐ HCC
Fee:$
Receipt #:
Check #:

Zoning:
Acreage .6
Tax Parcel Number 10138000058
Location Address 2696 Cleveland Hwy Gainesville, Ga 30506

I hereby certify that the above information and all attached information are true and correct.

Sign Ramon Carrillo Jr. Date: 12/7/23

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
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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: Ramon Carrillo Jr **Date:** 02/07/24

Applicant's/Owner's Name (Printed): Ramon Carrillo Jr

PLANNING AND DEVELOPMENT DEPARTMENT 2875
BROWNS BRIDGE ROAD. GAINESVILLE. GA. 30504 MAILING
ADDRESS: PO BOX 1435. GAINESVILLE. GA 30503 t: 770-531-6809 I
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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): Ramon Camillo Jr Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Ramon Camillo Jr. **Date:** 02/07/24

Applicant's/Owner's Name (Printed): Ramon Camillo Jr

The property located at 2696 Cleveland highway is currently zoned S-S in the gateway district of Hall County. Previously the business was operated as a tanning salon. We are proposing to rezone the property to H-B and a conditional use within the Gateway Corridor to allow us to move our family owned and operated used car dealership with auto repair to this location. We sell reliable vehicles to people who may not get approved at a traditional car dealership using a primarily buy here pay here business model with an option for outside financing if desired. The cars we sell are primarily rebuilt so we are able to sell newer models at lower prices. We have helped many families get newer and safer vehicles in the Gainesville area and are excited to offer our services to the North Hall area next. While we know business is important, family is our priority, so we plan to have business hours Monday through Saturday from 9 am to 6 pm with flexibility to account for family functions. We have seen the benefits the neighboring car dealership has provided to the area. With reliable cars at fair prices more people can purchase a vehicle which in turn benefits the county in many ways; people can get to work, school, church and home more easily. Traffic flow can be improved as well as other business sales like gas stations, car washes, auto shops etc.

Our plans for the lot itself include adding more parking for our inventory, this area should hold between 30-40 cars with additional priority parking for our customers. We also plan to add a shop with four bays to the back of the current structure, this will allow us to complete any repairs our inventory may require, ensuring they meet our safety and reliability standards. However, we will not be providing any outside repairs. We would like to replace the current sign with a sign of the same dimensions in the same location. The current outdoor lighting, which includes a streetlight, flood lights as well as small ground spotlights on the sign, will serve our proposed business well. The property utilizes city water. Waste disposal will be handled by a weekly pickup by Waste Management, a company many other businesses in the area utilize.

As for barriers to protect the privacy of the surrounding areas, there is currently a nice natural barrier of trees and other plant life between the property and the only residential neighbors located in the rear. To better enhance privacy, we plan to add a wooden fence to decrease visibility between the properties. Within this privacy barrier is where we will keep any inoperable cars. As residents of North Hall County ourselves we take pride in the area and aim to keep our business front as professional and clean as possible.

Overall, we feel that not only can our business thrive at this location, but it is also a great opportunity to help the residents of northern Hall County thrive as well.

Ramon Carrillo Jr 2/7/24

CHAPTER 17.420. GATEWAY CORRIDORS OVERLAY DISTRICT (GCOD)

Responses in BLUE

Property Address: 2696 Cleveland Hwy, Gainesville, GA 30506

Architectural Site Plan:

17.420.010. Purpose.

The purpose of the GCOD is:

A. To promote the general health, safety and welfare of the community.

B. To improve the efficient operation of traffic around the county.

C. To promote safe and efficient movement within the Overlay District for persons using all modes of travel - motorized vehicles, bicycles and walking.

D. To create a sense of place that is aesthetically appealing and environmentally responsible.

E. To encourage innovative development projects that set standards for landscaping, community design and aesthetics.

F. To establish consistent and harmonious design standards for public improvements and private property development within the Overlay District so as to unify the distinctive visual quality of the Gateway Corridors.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.020. Design guidelines.

The GCOD Design Guidelines are hereby adopted and made part of this chapter and shall apply to property in the GCOD. Within the GCOD, building design and construction that is not in substantial conformity with the GCOD Design Guidelines is prohibited. In cases of a conflict between the design guidelines and the text of this chapter, the text of this chapter shall govern.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.030. Boundaries.

A. The provisions of this chapter apply to land parcels of record within the unincorporated portion of Hall County having frontage on the following road segments as of the date this ordinance is adopted. Hereafter, these road segments shall be referred to as the "Gateway Corridors."

1. S.R. 211 from S.R. 53 (Winder Highway), south to Thompson Mill Road.

2. U.S. 129 (Athens Highway) from the Gainesville City limits, south to Gillsville Highway.

3. S.R. 53 (Winder Highway) from S.R. 13 (Falcon Parkway), east to the Jackson County line.

4. S.R. 13 (Atlanta Highway and Falcon Parkway) from the Flowery Branch City limits, north to S.R. 53 (Winder Highway).

5. McEver Road from the Buford City limits, north to the northernmost intersection with Radford Road.

6. Spout Springs Road from the Flowery Branch City limits, south to Friendship Road.

7. Friendship Road from Bogan Road, east to Thompson Mill Road.

8. Realigned Thompson Mill Road from Spout Springs Road east to S.R. 211 (Old Winder Highway), pursuant to final alignment approved by GDOT.

9. All state roadways within the jurisdiction of Hall County.

B. This chapter shall also apply to any land parcel of record within the unincorporated portion of Hall County when a portion of said parcel falls within 300 feet of the centerline of the Gateway Corridors as of the date

this ordinance is adopted. Any parcel subject to the ordinance on the date of adoption shall continue to be subject to the provisions of this chapter, even if the parcel is subdivided in the future.

C. Upon written application, the director may grant exemptions from the requirements of this chapter for parcels or portions of a parcel that would otherwise be included in the GCOD, based on one or more of the following findings:

1. Portions of the subject property to be exempted lie more than 300 feet from the centerline of a Gateway Corridor.

2. The property to be exempted does not have access to a Gateway Corridor and will not require access to Gateway Corridor when developed.

3. Due to site topography development of the property to be exempted will not be visible from a Gateway Corridor.

4. Due to the location, size and shape of the property, development of the parcel under its current zoning and in conformity with the requirements of the GCOD would present a severe and unique hardship.

If the director does not render a written decision regarding such exemption within 15 working days of receipt of the application required in this paragraph, then the exemption shall be deemed to be approved.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1; Ord. of 8-24-17)

17.420.040. Effect of GCOD provisions.

A. *Application.* This Overlay District is supplemental to the underlying zoning district classifications established in the Hall County Zoning Regulations governing all properties and approvals within this Overlay District. The provisions of this chapter shall be overlaid upon and shall be imposed in addition to said underlying zoning regulations and other Hall County ordinances.

B. *Relationship to standards of the underlying zoning district and subdivision regulations.* In any case where the standards and requirements of the GCOD conflict with those of the underlying zoning district or subdivision regulations, the standards and requirements of the GCOD shall govern.

C. *Exceptions.* The provisions of this chapter shall not apply to the following:

1. Completion of work subject to preliminary plats, site development plans, construction plans, building permits, or interior finish permits approved prior to the effective date of this chapter.

2. Reconstruction, rehabilitation, restoration, repair or addition of an existing non-residential structure, interior renovations or interior finishes within an existing structure, or addition to an existing non-residential structure that was permitted prior to the enactment of this chapter shall not be subject to the provisions of the GCOD, provided that such construction is on a lot of record and does not result in addition or change to more than 75 percent of the floor area of the existing permitted structure.

3. Rezonings and planned developments that were approved by the board of commissioners prior to the date of this ordinance with the exception of those approvals with specific reference to the GCOD.

D. The following requirements apply to reconstruction, replacement or addition to a legally permitted and existing nonresidential structure when such change consists of more than 75 percent of the floor area of the existing structure:

1. The portion of the project that is reconstructed, replaced or added shall meet the Architectural Standards of 17.420.050.H.

2. If the reconstruction, replacement or addition includes the addition of 50 parking spaces or more, the newly constructed parking spaces shall meet the parking lot design requirements of section 17.420.050.E.

3. If the reconstruction, replacement or addition decreases the distance between the subject building and abutting property that is zoned or used for single-family residential purposes, the property line where the distance abutting residential property has been decreased shall provide a transitional buffer as required in section 17.420.050.C.

4. If the reconstruction, replacement or addition includes the reconstruction or addition of loading and service areas adjacent to property that is zoned or used for single-family residential purposes, such loading and service areas shall be screened as required by section 14.420.050.D.3.

5. Any new signs shall meet the requirements of section 17.420.070.

E. *Building plan application.*

1. All building plans submitted pursuant to an application for a building permit should clearly indicate compliance with all of the proposed landscaping, architectural design, building materials, access management, and signage requirements of this chapter.

2. The plans should clearly show the location and calculate the amount/percentages of all building materials per building face as indicated in section 17.420.050.H.2.

3. Groups of buildings on the same parcel of land may be reviewed and permitted as a single project rather than individual buildings.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.050. Non-residential property development standards.

A. *Prohibited uses.*

1. Adult establishments.

2. Junk yards.

3. Billboard signs.

B. *Conditional uses.* The following uses are allowed in the GCOD only if such use is permitted in the underlying zoning district and the board of commissioners grants a conditional use for such use pursuant to the procedures of the Hall County Zoning Ordinance:

1. Self-storage warehouse.

2. Vehicle sales lots, new or used.

3. Automobile repair and maintenance.

4. Commercial outdoor recreation.

5. Car wash.

6. Outdoor storage (as per the requirements of section 17.420.050.D.4.d.

C. Transitional buffers.

1. *Applicability.*

a. Transitional buffers required in this section shall provide an effective visual screen between dissimilar uses or activities.

b. **A transitional buffer shall be required along and inside the property line of a non-residential property abutting a residentially zoned property.**

c. **Transitional buffers are required along and inside the property line at the perimeter of a planned development district that abuts single-family residential zoning or uses, in accordance with the requirements of this subsection, but no transitional buffers are required between dissimilar uses within the planned development district.**

2. ***Width of transitional buffer.***

a. **Where a commercial zoning district abuts property zoned for single-family residential or agricultural use, the minimum width shall be 25 feet.**

b. **Where a commercial zoning district abuts property zoned for multi-family residential use the minimum width shall be 25 feet.**

c. **Where an industrial zoning district abuts property zoned for residential or agricultural use, the minimum width shall be 50 feet.**

d. **Where an industrial zoning district abuts property zoned for multi-family residential or agricultural use, the minimum width shall be 25 feet.**

e. **Public and institutional uses shall comply with the standards in this section that apply to commercial zoning districts.**

3. ***Materials for transitional buffer*. Transitional buffers that are 25 feet in width or greater shall meet at least two of the three following criteria: be planted with a staggered double row of evergreen trees at least six feet in height, a single row of deciduous shade trees at least two inches caliper dbh, (minimum 30 feet height at maturity) and two staggered rows of evergreen shrubs at least three feet in height, planted a maximum of four feet on center, or other arrangement approved by the director that provides a dense visual screen.**

4. ***Adjustments to buffer width.***

a. **If a six-foot high solid wood fence or masonry wall is incorporated into the design of a transitional buffer, the width of the buffer may be reduced by ten feet. The fence or wall shall be located on the inside of the vegetation required in paragraph 3., above, with finished side facing the abutting property.**

b. **Walls or fences required to screen loading and service areas, outdoor storage, and accessory equipment required in section 17.420.D.3. and 4. shall not be used to reduce the width of a transitional buffer required in section 17.420.050.C.2.**

5. ***Maintenance of buffer.***

a. **A transitional buffer required in this section shall be maintained in a healthy condition so as to provide an effective visual screen from the ground to a height of eight feet at maturity. Should vegetation die or be removed such that the buffer no longer functions as required in this section, that vegetation shall be replaced by the property owner.**

b. **A fence that is provided pursuant to paragraph 4., above, shall be maintained by the property owner so that it is structurally stable and provides a solid visual screen.**

15' Transitional buffer applied through natural plantations, also a 6' high solid wood fence incorporated into the design and located on the inside of buffer to reduce width of buffer by ten feet, pursuant to paragraph 4. See attached site diagram. Proper maintenance will be applied by the property owner.

Adjacent Properties Use Analysis:

COMMERCIAL USE
RESIDENTIAL USE
TRANSITIONAL BUFFER

Existing trees on the South Side of the property, creating a buffer between the two properties. – Photo Taken on 11/18/2023

Existing trees on the South Side of the property, creating a buffer between the two properties. – Photo Taken on 11/18/2023

D. ***Other landscape and screening standards.***

1. ***Building perimeter*** **walls. Shrubs shall be planted within ten feet of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 lineal feet of building facade except for sides or rear of building used for loading or service areas. Foundation plantings may be clustered to provide visual interest.**

Shrubs will be planted around the building perimeter wall. See architectural site plan.

2. ***Street frontage.***

a. **Along each street frontage there shall be a ten-foot wide landscape strip, continuous along the frontage except for perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees (six feet tall, two inches caliper, dbh, at time of planting, and not less than 35 feet tall at maturity) planted not less than 40 feet on center, and shrubbery forming an intermittent hedge not less than three feet in height designed to provide an adequate screen.**

Street frontage landscape buffer of 35 feet will be provided between the edge of the road and the asphalt driveway. However, we will need to avoid planting shade trees along the street.

The display of cars is essential to the operation of the dealership. The cars that are parked on the side of the road will be in great aesthetic conditions and will only add to the visual quality of the neighborhood.

Existing 35' street frontage landscape buffer – Photo Taken on 11/18/2023

b. The planning director shall have authority to approve alternative methods for landscaping and screening parking lots that include at least the same amount of landscape material or screening effect when viewed from the street.

3. *Loading and service areas.* In addition to general perimeter landscaping and required buffers, if a loading or service area is located within 50 feet of a side or rear lot line abutting property that is residentially zoned or used for residential purposes, or public or institutional use, then the loading or service areas shall be surrounded by either a six feet high masonry screening wall, or a six feet high solid wooden fence, placed on the inside of the landscaped buffer required in section 17.420.050.C.

No loading areas required or dedicated for the proposed use.

4. ***Screening of storage and accessory equipment.***

a. ***Waste receptacles.*** **Waste receptacles, including dumpsters, garbage cans, or grease containers shall be located in the rear or side yard and placed at least 20 feet from any street, public sidewalk, or property line that abuts residential zoning or residential use. Such waste receptacles shall be screened from view from all property lines and public areas of the site by a minimum six feet high wall constructed of masonry or solid wood with an opaque gate.**

b. *Rooftop mechanical equipment.* Rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.

The waste receptacles location will be compliant to the "17.420.050.D.4. – Screening of storage and accessory equipment.".

c. **Ground or wall-mounted mechanical equipment. Ground-mounted or wall-mounted equipment such as HVAC equipment, transformers, and gangs of multiple utility meters shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of a solid masonry wall or wooden fence or other opaque enclosure around the equipment that is constructed of one of the permanent and durable materials used on the primary facade of the building. The height of the fence or wall shall be sufficient to effectively screen the equipment from view.**

The proposed location of HVAC equipment is not visible from the street or the front entrance.

d. *Outdoor storage.* Outdoor storage or sales displays shall be prohibited from front yards except when permitted in the underlying zoning district and further authorized by a conditional use permit pursuant to the procedures of the Hall County Zoning Ordinance. Outdoor storage or sales displays shall be screened from view from public streets and adjacent property by a permanent opaque enclosure consisting of a minimum eight-foot high solid fence or wall, except as follows:

e. Temporary sale of seasonal goods may be permitted on properties other than residentially zoned property, if such temporary sales are authorized by the director for a period not to exceed 60 days, with up to a 30-day extension, to be approved no more than two times in a given calendar year. Such temporary sales shall be limited to sites that:

a. Provide adequate off-street parking on approved surfaces;

b. Provide safe and adequate vehicular access; and

c. Are not adjacent to residentially zoned property.

Outdoor display and sale of goods shall be prohibited in existing designated parking areas.

No storage dedicated for the proposed use.

5. **Visual blending of slopes. Cuts and fills shall be terraced to blend into the natural terrain. Cut or fill slopes more than ten feet in height shall be landscaped with evergreen shrubbery planted at the rate of ten shrubs per 100 lineal feet.**

No cut or fill slopes more than ten feet dedicated for the proposed use.

E. ***Parking lot design.***

1. ***Parking requirements.*** **Off-street parking shall be required as in Chapter 17.250 of the Hall County Zoning Regulations, except as provided in this subsection:**

a. ***Shared parking.*** **The director may approve a reduction of up to 25 percent in the number of parking spaces required for a specific use where inter-parcel access is provided and a shared parking analysis approved by the director demonstrates that adequate parking will be provided with the approved reduction.**

b. ***Maximum number of parking spaces.*** **The maximum number of parking spaces that may be constructed on impervious surfaces shall be no more than 125 percent of the minimum number of required parking spaces required in Chapter 17.250 of the Hall County Zoning Regulations.**

Minimum and maximum parking requirements met.

2. *Pedestrian circulation.* Parking areas shall be designed to facilitate safe and convenient use by pedestrians. Commercial and multi-family developments shall provide designated pedestrian pathways or sidewalks connecting parking aisles to the front entrance of the principal building.

3. **Paving materials for parking lots. All parking areas shall be paved with asphalt, concrete (or pervious materials approved by the director.)**

Driveway and parking spaces paved with asphalt.

4. ***Parking lot landscaping.***

a. **Each parking area of over 50 spaces shall include landscaped islands within the parking area equivalent to not less than five to ten percent with planning director discretion of the total paved area of the parking lot, not including pervious paving surfaces.**

b. **Landscaping in parking lots shall contain at least one shade tree (minimum of six feet tall and two inches caliper dbh at time of planting and 35 feet tall at maturity) for each 200 square feet of landscaping. Shade trees shall be planted in a bed of ground cover, sod and/or low shrubbery.**

Landscaped island and shade tree indicated in architectural site plan.

5. *Perimeter landscaping.*

a. Where parking lots abut adjacent residentially zoned or residentially used property, a transitional buffer is required as provided in section 17.420.050.C.2.

b. Where parking lots abut public streets, a landscape strip is required, as provided in section 17.420.050.D.2.

Transitional buffer and street frontage landscape strip indicated in architectural site plan.

c. Appropriate shade tree species for landscaping parking lots include the following:

i. Nuttall Oak.

ii. Shumard Oak.

iii. Willow Oak.

iv. Gingko (Variety: President, Autumn Gold, male gender).

v. Princeton Elm.

vi. Chinese Elm (varieties Allee, Athena, Drake, Bosque).

vii. Bald Cypress (variety: Shawnee Brave).

viii. Zelkova (variety Green Vase or Village Green).

ix. Northern Red Oak.

x. Autumn Maple

xi. Other indigenous species approved by the director.

All proposed trees will be chosen from species above to be planted.

F. *Outdoor lighting.*

1. *Streetlights.*

a. Streetlights shall be provided on all public streets.

b. The spacing of street lights shall be staggered, 300 feet on-center, along both sides of the roadway.

c. All street lighting shall be subject to review and approval of the Hall County Public Works Department.

d. All outdoor lighting, shall be the semi-cutoff type.

2. *Parking lot, sidewalk, and building illumination.*

a. Lighting shall be designed to avoid intrusion on adjacent properties and away from adjacent thoroughfares. All lighting shall be semi-cutoff luminary fixtures mounted in such a manner that the cone of light is directed downward.

b. Only incandescent, florescent, metal halide, low-pressure sodium, or color corrected, high-pressure sodium may be used. The same type of lighting must be used for the same or similar types of lighting on any one site.

c. Parking light fixtures shall be the box head type, shall have a maximum height of 35 feet.

The property is dominantly used for day-time operations and outdoor lighting will be minimal.

All lights to be installed in accordance with 17.420.050 lighting standards and no fixtures over 35' in height.

3. *Security lighting.* Semi-cutoff luminaries shall be used for all security lighting.

4. *Sign illumination.*

a. Internally illuminated signs, automatic changeable copy signs, and externally mounted neon signs are prohibited.

b. Signs may be illuminated with external lighting fixtures provided that fixtures are directed downward and away from streets and adjacent property and public streets. All lighting shall have recessed luminaries, or be semi-cutoff luminary fixtures.

G. *Interparcel access.*

1. Interparcel access, joint driveways, cross access drives and access easements shall be strongly encouraged for adjacent non-residential development along an arterial or collector street, except where the director determines that they are unfeasible because of topographic or other site-specific constraints.

2. Joint driveways and cross access easements shall be strongly encouraged for non- residential development that abuts other non-residential development, whether existing or planned. The building site shall incorporate the following:

a. Continuous cross-access drive located in a cross-access easement, where necessary to connect adjacent parcels along the thoroughfare.

b. A design speed of 15 mph and a two-way travel aisle with a minimum paved width of 22 feet (back of curb to back of curb). Paving, base and curb specifications shall meet Hall County's standards for public streets.

c. Driveway aprons, stub-outs and other design features to indicate that abutting properties may be connected to provide cross access via a service drive.

d. A five-foot wide sidewalk on one side of the cross-access drive.

e. New commercial developments that abut residential property are strongly encouraged to provide a five-foot wide sidewalk connecting the two uses.

No inter-parcel access or joint driveways proposed.

H. *Architectural standards for non-residential buildings.* The following design guidelines and standards apply to all newly constructed buildings used for office, commercial, industrial, institutional, and public purposes.

1. *General architectural requirements.*

a. *Street orientation.* Principal building entrances shall be oriented to public streets with the exception of internal buildings not directly fronting on the street.

b. *Building height.* Any non-residential building located within 250 feet of a residential or agricultural use street shall be limited to no more than three stories in height.

c. Non-residential buildings shall have at least 1,000 square feet of heated floor space.

2. *Building materials.*

a. The use of a common palette of building materials should be maintained for all four sides of principal buildings to create a consistent and traditional architectural identity. For large commercial/retail buildings and multifamily buildings, variation in building materials, texture, and depth should be employed to provide design variation.

b. Buildings that are located on outparcels and all accessory buildings shall be constructed of materials complementing the principal building with which they are associated.

c. Building materials used for all four sides of new or reconstructed buildings are restricted to the following:

i. Brick.

ii. Stone. Natural stone such as, but not limited to, granite, limestone, and marble are allowed building materials. Terra cotta and/or cast stone, which simulate natural stone, are also acceptable. Painted stone is prohibited.

iii. Split-face block/concrete masonry unit (CMU) is restricted to 50 percent of the surface area of each side of a principal building.

iv. Stucco is restricted to 50 percent of the surface area of each side of a building.

v. Glass and glass block.

vi. Exposed concrete block, painted concrete block, metal, tilt/up and pre-cast concrete are prohibited materials for any exterior wall.

d. Restrictions on the use of metal building materials shall not apply to entry doors and/or roll-up doors.

e. Calculation of ratios of building materials.

The amount of permitted material shall be calculated using the gross square footage of wall area for each elevation (side) of the building. See example below.

For example, a building has a side elevation with a gross wall surface area of 1,200 square feet with 400 square feet consisting of windows and doors. Begin with 1,200 square feet for required building material calculations. A wall area of 1,200 square feet shall have no more than 600 square feet of stucco on the front façade [e.g. (1,200 X 50% = 600)]. The balance shall be brick or other allowed material.

3. *Roof materials.* Materials for pitched roofs shall be limited to architectural grade composition shingles, natural slate, natural terra cotta, natural wood shake, or factory finished metal with standing seams.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1; Res. of 5-26-22(1) , § 2)

The construction materials will be compliant to the "17.420.050.H.2. – Building Materials".

17.420.060. Signs.

The following signs shall be permitted for office, institutional, commercial, industrial and non-residential use, in addition to other signs permitted for these uses in Chapter 17.270 of the Zoning Regulations.

1. *Monument signs.*

a. One ground mounted, monument sign shall be permitted on each lot, except that in the case of a corner lot, the provisions of this section shall apply separately to each street frontage.

However, no sign on a corner lot shall be closer than 50 feet from the lot corner, defined by the lot lines extended.

i. **The sign structure shall be constructed of the same materials that are used in the facade of the principal building.**

ii. Dimensional standards for monument signs are set forth in the table below:

Maximum Monument Sign Dimensions for Non-Residential Uses

Gross floor area of buildings	Maximum sign area	Maximum sign height
0—10,000 sq. ft.	32 sq. ft. (each side)	8 ft. above street grade
10,001—50,000 sq. ft.	48 sq. ft. (each side)	8 ft. above street grade
50,001—100,000 sq. ft.	64 sq. ft. (each side)	10 ft. above street grade
Over 100,000 sq. ft.	96 sq. ft. (each side)	12 ft. above street grade

The existing sign will be adapted and reused.

2. ***Pole signs. Pole signs are prohibited.***

The existing sign will be adapted and reused.

3. ***Wall signs and marquee signs.*** **One wall sign or marquee sign shall be permitted for each building or for each tenant in a multi-tenant building.** ***The maximum sign area shall be 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater. Wall signs*** **and marquee signs are only permitted on the side of a building that includes the primary public entrance. A tenant that has less than 16 lineal feet of storefront shall be a permitted a wall sign or marquee sign with a maximum area of 16 square feet.**

4. *Master plan for signs in multi-tenant developments.* For all multi-tenant buildings or developments, a coordinated program of wall signs shall be developed and approved by the county at the time of site plan approval. The signage master plan shall specific the sign type, design, height, colors, illumination, and other specifications to give a coordinated appearance to the building or development. The county's review and approval of the signage master plan shall be based on the compatibility of the proposed signage with the siting and architecture of the subject building or development and the compatibility of the signage with surrounding land uses. (Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.070. Appeals and modifications.

A. *Procedures for appeals.*

1. It is the intent of the board of commissioners that all development shall conform to the standards and procedures set forth in this chapter. In the event that the intent of this chapter can be achieved with minor deviations that do not substantially impair the purpose or intent of this chapter, the Hall County Planning Director has the authority to modify the specific provisions to allow for such minor deviations.

2. 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.

3. Appeals from requirements set forth in this chapter can be heard by the planning commission as provided in Chapter 17.360 of the Hall County Zoning Regulations.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

17.420.080. Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Cross-access drive: A drive created for the purpose of providing vehicular or pedestrian access between properties.

Cross-access easement: A private covenant or easement between owners of abutting properties that allows driveways for public access by vehicles and pedestrians connecting two or more properties having different owners.

Diameter at breast height (DBH): A standard measure of the diameter of a tree trunk measured in inches at a height of four and one-half feet above the ground. If a tree splits into multiple trunks below four and one-half feet, then the trunk is measured at its most narrow point beneath the split. Externally mounted neon signs.

Drive-through window: An opening in the outside wall of a commercial building or structure intended to be used to provide for sales and/or service to patrons who remain in their vehicles.

Facade: The exterior side of a building that faces, and is most nearly parallel to, a public street. The facade includes the entire area of a building, extending from the roof or parapet to the ground, and from one corner of the building to another. Buildings generally have one facade for each street frontage.

Joint access driveway: A driveway that provides direct vehicular access to two or more abutting properties from a public street.

Modulation: The rhythmic variation in the massing and architectural treatments of a building that divides its roofline and facade into small harmonious components that create visual interest, as distinct from the appearance of a large building with a featureless facade built on a single plane with a single roof line. Modulations of a facade should break the vertical plane with variations that are at least two feet in depth, measured from the forward plane of the facade.

Sign area: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by open space or by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign, automatic changeable copy: A sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units. Copy shall mean words and numbers.

Sign, internally illuminated: Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.

Sign, pole: A sign that is mounted on a freestanding pole, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with the ground.

Storefront: That elevation of a commercial building having a single tenant (or that portion of the elevation of a multi-tenant building that is occupied by a single establishment) and that contains the principal public entry to the establishment.

Transitional buffer: An area of natural vegetation or manmade construction, which is intended to provide a visual and dimensional separation between dissimilar land uses.

Vehicle sales lot: An open premises arranged, designed, or used for outdoor storage and display for sale or lease of automobiles, vans, trucks, motorcycles, lawnmowers, sports utility vehicles, recreational vehicles, all terrain vehicles, trailers, boats, manufactured homes, mobile homes, outdoor storage structures, tractors, fork lifts, construction equipment, or other similar vehicles or structures, but not including plant nurseries, building materials or lawn and garden supplies.

(Res. of 3-22-07, § 1; Res. of 8-9-07, § 1)

SITE PLAN INFORMATION

ZONING CLASSIFICATION :
SUBURBAN SHOPPING DISTRICT **(S-S)**

LOT AREA:

NET LOT AREA (N.L.A.): 0.6 ACRE = **25,949 Sq. Ft.**

REQUIRED BUILDING SETBACKS:

FRONT YARD & EXTERIOR SIDE YARD : **55 Ft.** FROM CENTER LINE OF ROAD OR **30 Ft.** FROM PROPERTY LINE, WHICHEVER IS GREATER

SIDE YARD - INTERIOR: **20 Ft.**

REAR YARD: **10 Ft.**

NOTE
CORNER LOT SETBACKS. A CORNER LOT WHICH ABUTS ON TWO INTERSECTING STREETS, THE MINIMUM SETBACK FOR SIDE YARD PURPOSES FOR EACH DISTRICT MEASURED FROM THE CENTER LINE OF THE SIDE STREET SHALL BE THE SAME AS THE FRONT YARD SETBACK IN SECTION 17 240 010

BUILDING COVERAGE:

MAXIMUM BUILDING COVERAGE : N/A

TOTAL BUILDING COVERAGE : **5,618 SF = 21.6%**
EXISTING BUILDING COVERAGE 2,418 SF
PROPOSED BUILDING COVERAGE 3,200 SF

FLOOR AREA RATIO (F.A.R.):

MAXIMUM F.A.R. : N/A

TOTAL F.A.R. : **5,482 SF = 21.1%**
EXISTING F.A.R 2,282 SF
PROPOSED F.A.R 3,200 SF

IMPERVIOUS SURFACE RATIO (I.S.R.):

MAXIMUM I.S.R. : N/A

TOTAL I.S.R. : **20,695 SF = 79.75%**
TOTAL BUILDING COVERAGE 5618 SF
EXISTING ASPHALT DRIVEWAY 6,429 SF
EXISTING CONCRETE DRIVEWAY 1,830 SF
PROPOSED ASPHALT DRIVEWAY 6,818 SF

OSR (OPEN SPACE REQUIREMENTS) **:**

MINIMUM OSR: %20 OF LOT AREA = 5,190 Sq. Ft.

PROPOSED OPEN SPACE = 5,254 Sq. Ft. = **%20.2**

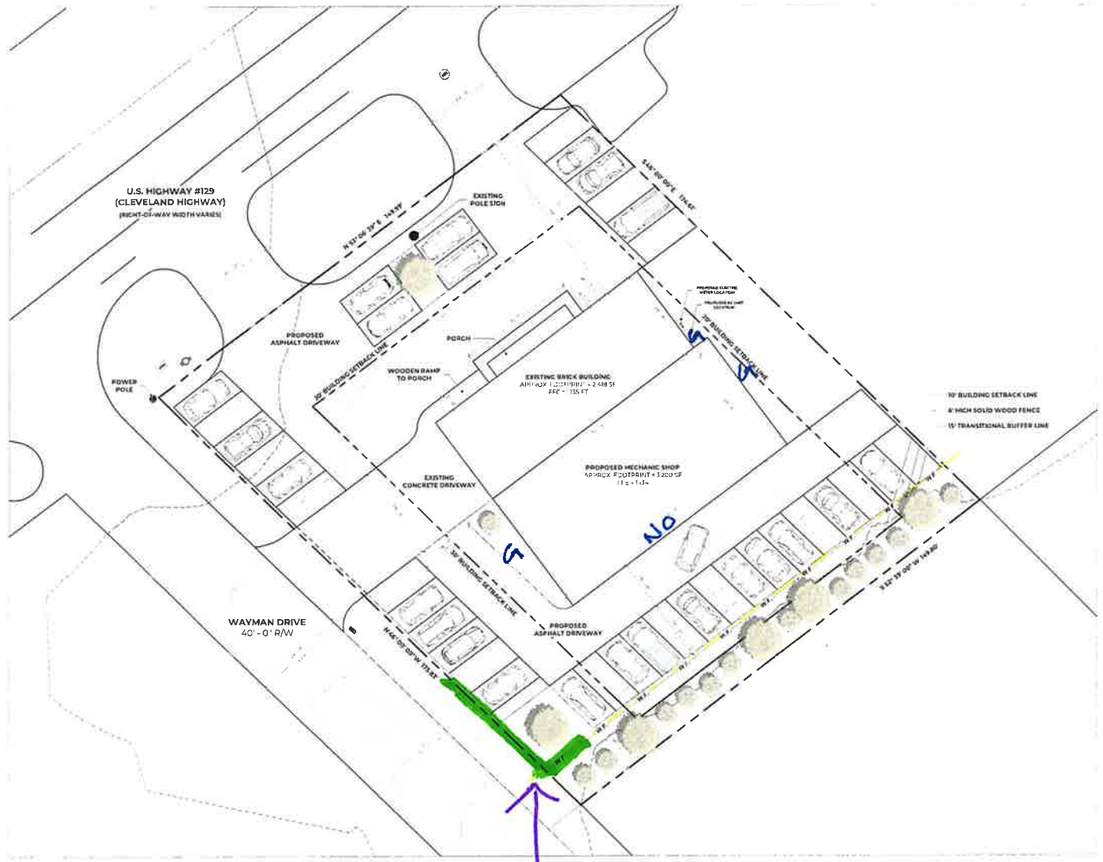
PARKING SPACE:

MINIMUM PARKING SPACE = N/A

PROPOSED PRKING SPACE = **40**

SITE PLAN LEGEND

PROPERTY LINE	MAIL BOX
BUILDING SETBACK LINE	WATER METER
LIMIT OF DISTURBANCE	ELECTRIC METER
SILT FENCE	MANHOLE
FACE OF WALL BELOW	POWER POLE
CHAIN LINK FENCE	LIGHT POLE
WOODEN FENCE	FIRE HYDRANT
TREE PROTECTION FENCE	DOWNSPOUT + 4" PVC PIPE
WATER MAIN	INFILTRATION TRENCH
SANITARY SEWER	ASPHALT
POWER LINE	CONCRETE
PUBLIC UTILITY EASEMENT	GRAVEL
CRITICAL ROOT ZONE	GRASS
STRUCTURAL ROOT PLATE	IMPACTED PORTION OF CRZ



PROPOSED - SITE PLAN
SCALE 1" = 20'-0"

Exhibit A

6-foot high solid wooden fence or masonry wall. Added by Stan Hunt.

MODERNACY LLC
ARCHITECTURE·DESIGN

LA ESPERANZA DEALERSHIP
PROJECT
2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS
RAMON CARILLO
CLIENT
NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS

NOTES

STAMP & SIGNATURE

PROPOSED SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-01
SHEET NO.

03.18.2024 | Item 6A(iii)

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SITE PLAN INFORMATION

ZONING CLASSIFICATION :
SUBURBAN SHOPPING DISTRICT **(S-S)**

LOT AREA:

NET LOT AREA (N.L.A.): 0.6 ACRE = **25,949 Sq. Ft.**

REQUIRED BUILDING SETBACKS:

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SIDE YARD - INTERIOR: **20 Ft.**

REAR YARD: **10 Ft.**

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BUILDING COVERAGE:

MAXIMUM BUILDING COVERAGE : N/A

TOTAL BUILDING COVERAGE : **5,618 SF = 21.6%**

EXISTING BUILDING COVERAGE : 2,418 SF
PROPOSED BUILDING COVERAGE : 3,200 SF

FLOOR AREA RATIO (F.A.R.):

MAXIMUM F.A.R. : N/A

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MAXIMUM I.S.R. : N/A

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TOTAL BUILDING COVERAGE : 5,618 SF
EXISTING ASPHALT DRIVEWAY : 6,429 SF
EXISTING CONCRETE DRIVEWAY : 1,830 SF
PROPOSED ASPHALT DRIVEWAY : 6,818 SF

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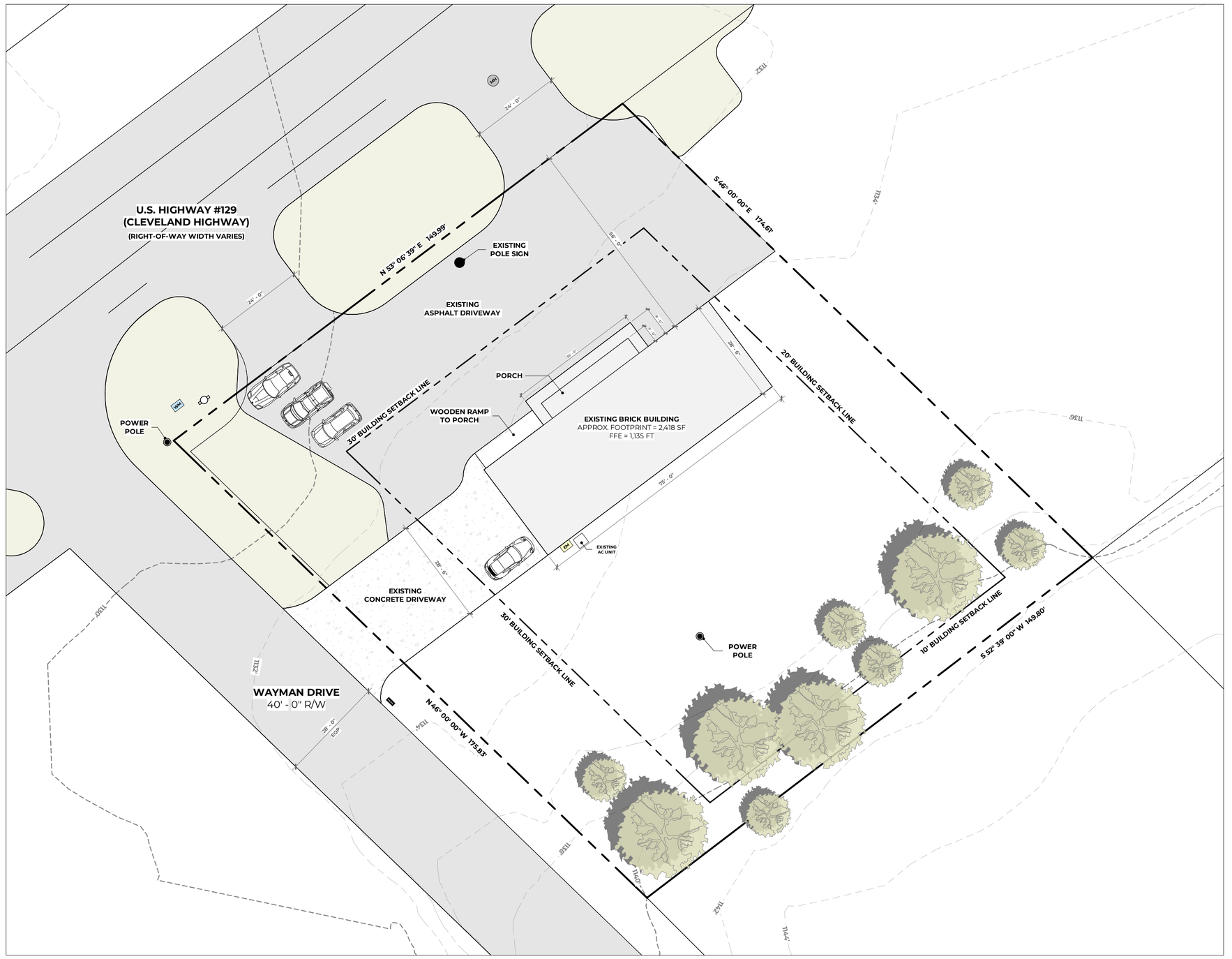
MINIMUM OSR: %20 OF LOT AREA = 5,190 Sq. Ft.
PROPOSED OPEN SPACE = 5,254 Sq. Ft. = **%20.2**

PARKING SPACE:

MINIMUM PARKING SPACE = N/A
PROPOSED PRKING SPACE = **40**

SITE PLAN LEGEND

PROPERTY LINE		MB	MAIL BOX
BUILDING SETBACK LINE		WM	WATER METER
LIMIT OF DISTURBANCE		EM	ELECTRIC METER
SILT FENCE		MH	MANHOLE
FACE OF WALL BELOW			POWER POLE
CHAIN LINK FENCE			LIGHT POLE
WOODEN FENCE			FIRE HYDRANT
TREE PROTECTION FENCE		DS	DOWNSPOUT + 4" PVC PIPE
WATER MAIN			INFILTRATION TRENCH
SANITARY SEWER			ASPHALT
POWER LINE			CONCRETE
PUBLIC UTILITY EASEMENT			GRAVEL
CRITICAL ROOT ZONE			GRASS
STRUCTURAL ROOT PLATE			IMPACTED PORTION OF CRZ



EXISTING - SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT

2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS

RAMON CARILLO
CLIENT

NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS

NOTES

STAMP & SIGNATURE

EXISTING SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-00
SHEET NO.

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SITE PLAN INFORMATION

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BUILDING SETBACK LINE	WM	WATER METER	
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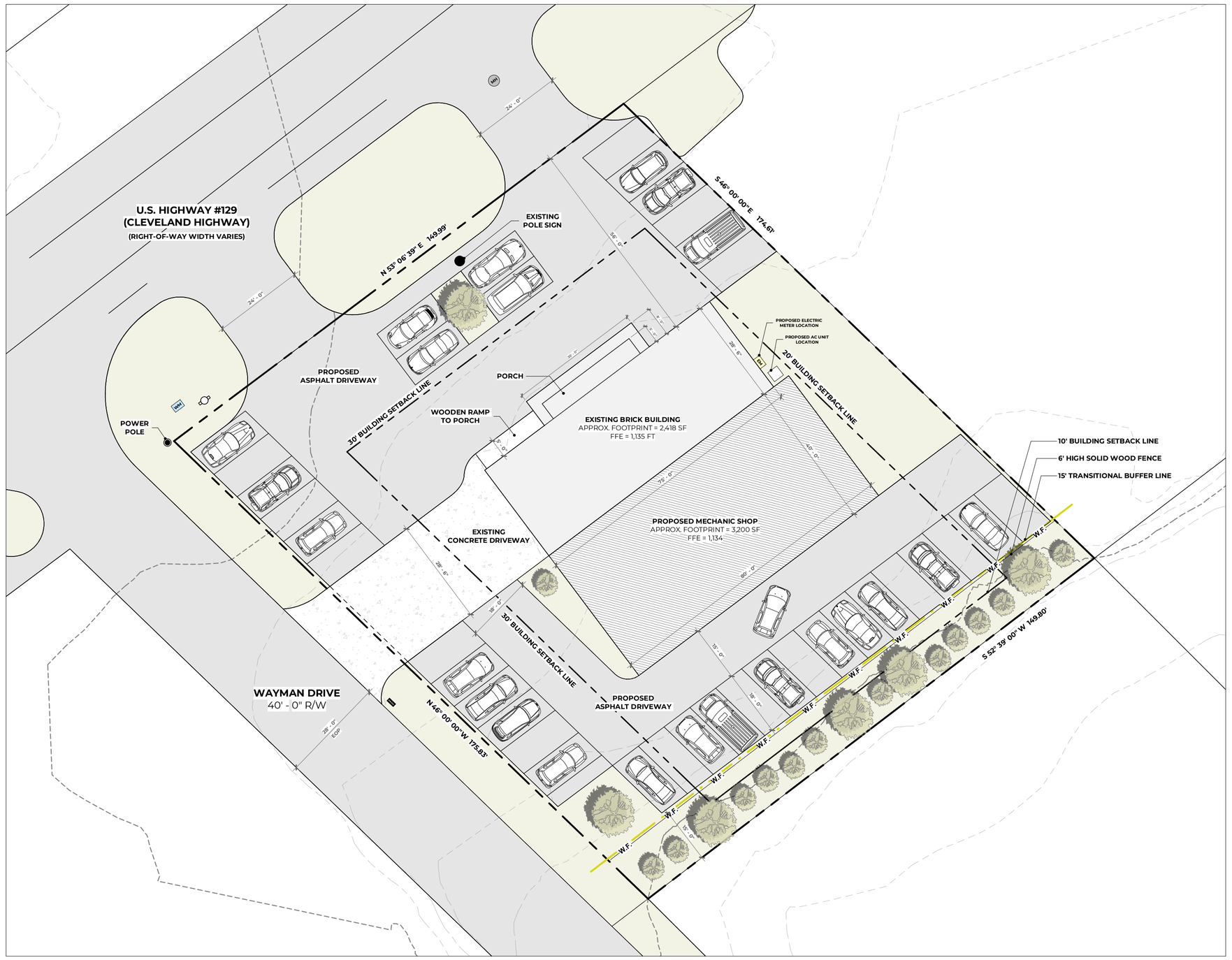
PUBLIC UTILITY EASEMENT		GRAVEL	
CRITICAL ROOT ZONE		GRASS	
STRUCTURAL ROOT PLATE		IMPACTED PORTION OF CRZ	



PROPOSED - SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT
2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS
RAMON CARILLO
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NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023
REVISIONS
NOTES
STAMP & SIGNATURE

PROPOSED SITE PLAN
SHEET TITLE
0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE
NORTH

A0-01
SHEET NO.

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ARCHITECTURAL SITE PLAN
SCALE : 1" = 20'-0"

MODERNACY LLC
ARCHITECTURE+DESIGN

LA ESPERANZA DEALERSHIP
PROJECT

2696 CLEVELAND HWY, GAINESVILLE, GA 30506
ADDRESS

RAMON CARILLO
CLIENT

NOT RELEASED FOR CONSTRUCTION
DESIGN PHASE

SCHEMATIC DESIGN | DECEMBER 4, 2023

REVISIONS

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STAMP & SIGNATURE

ARCHITECTURAL SITE PLAN
SHEET TITLE

0 20'-0" 40'-0" 80'-0"
1" = 20'-0"
SCALE

NORTH

A0-02
SHEET NO.

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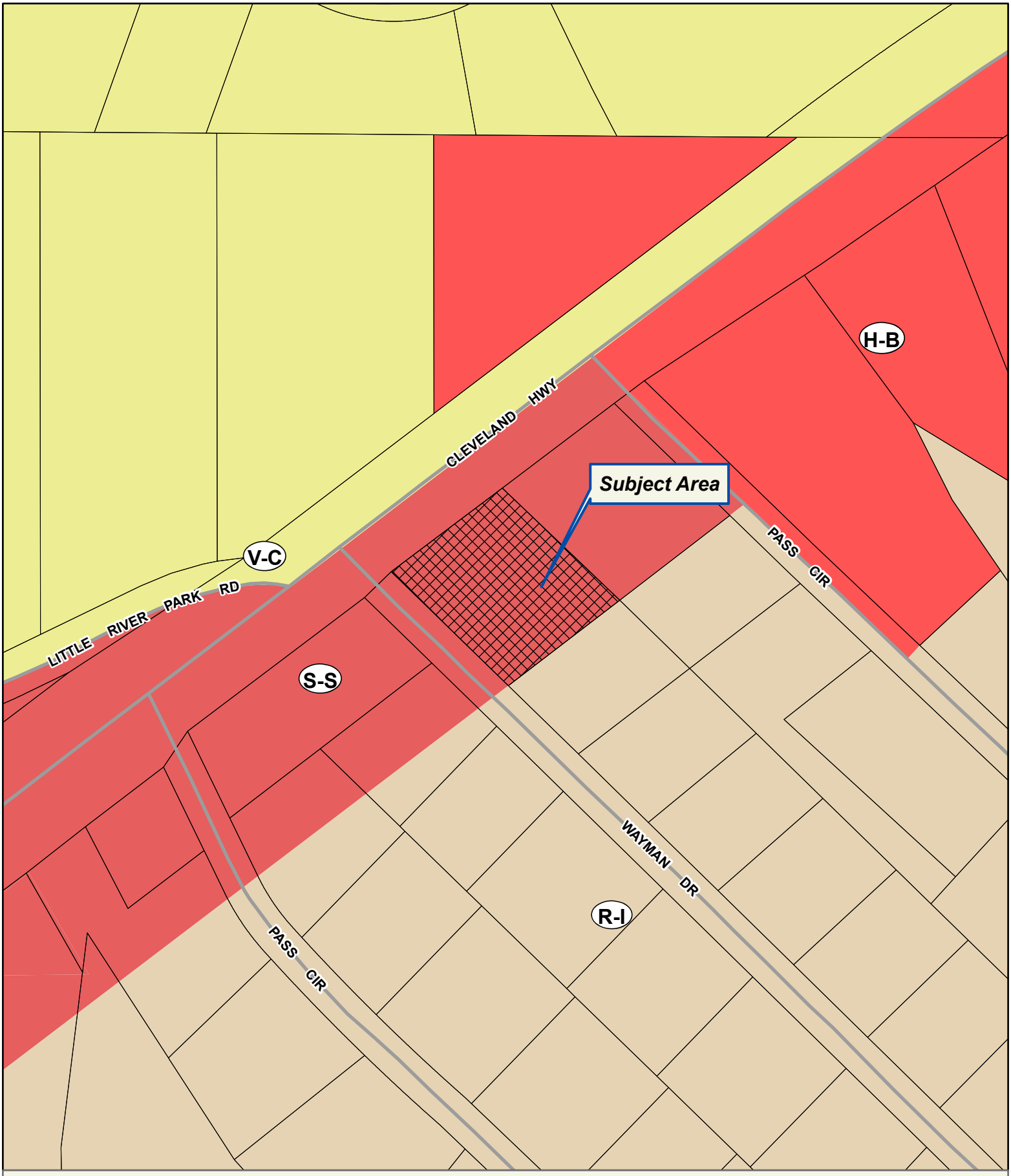
Applicant: RAMON CARRILLO JR.
Tax Parcel #: 10138 000058
Location: 2696 CLEVELAND HIGHWAY, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 03/18/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area

N



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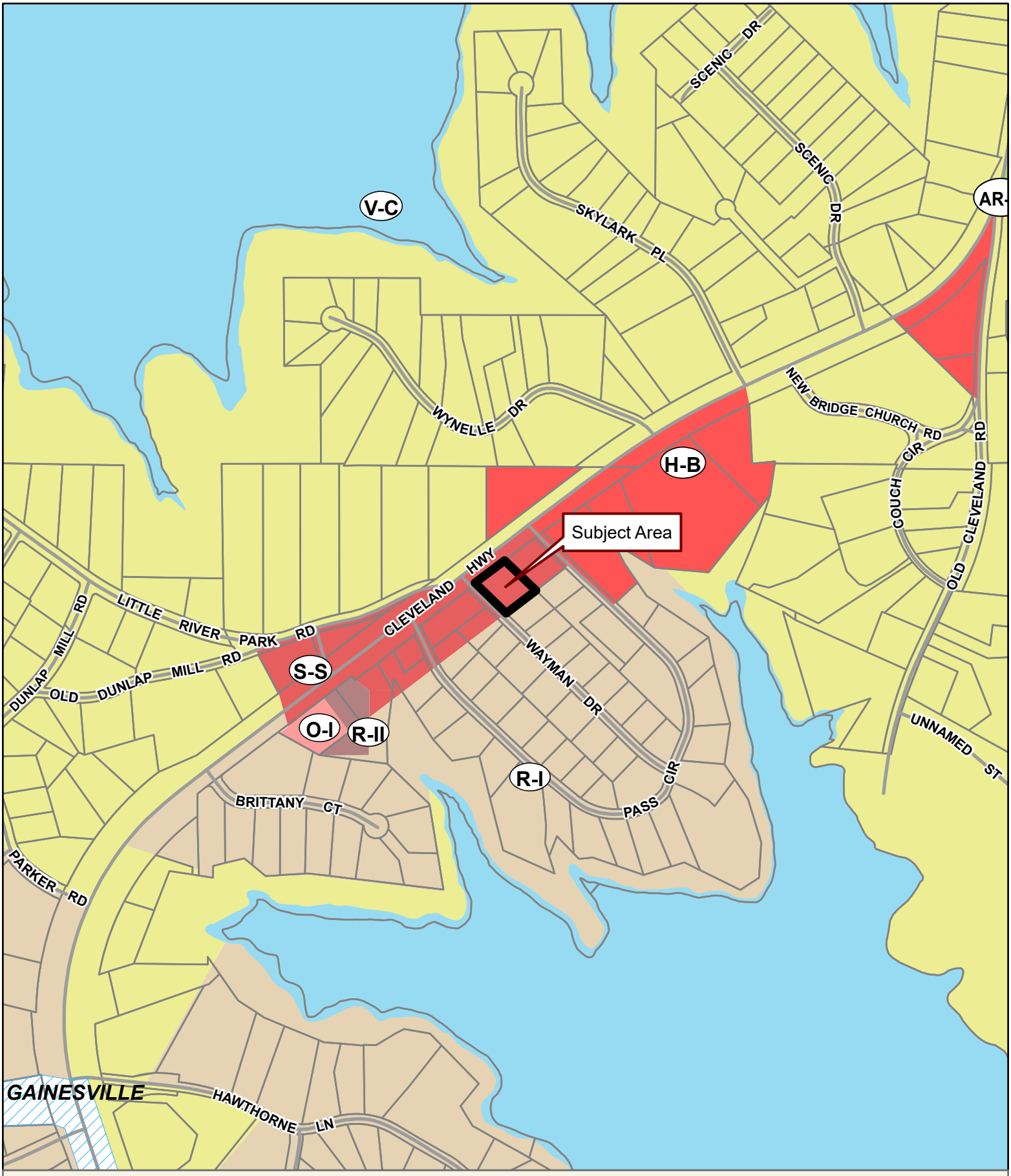
Commission District 3 **PC Mtg. Date: 03/18/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: RAMON CARRILLO JR.
Tax Parcel #: 10138 000058
Location: 2696 CLEVELAND HIGHWAY, GAINESVILLE, GA 30506
Commission District 3 **PC Mtg. Date: 03/18/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

WAYMAN DRIVE

CLEVELAND HIGHWAY

WAYMAN DRIVE

CLEVELAND HIGHWAY

AUTO SALES

LA ESPERANZA
DEALERSHIP

VIEW “A”
EXISTING.

VIEW “A”
PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL, EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

VIEW “B”
EXISTING.

VIEW “B”
PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL. EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

VIEW "C"
EXISTING.

VIEW “C” PROPOSED.

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE DESIGN. IT IS NOT MEANT TO BE AN EXACT RENDITION OF THE FINISHED PRODUCT. SOME ITEMS MAY NOT BE STANDARD AND/OR REPRESENT AN EXACT SYMBOL, EXACT DIMENSIONS AND MATERIALS MAY DIFFER.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Thursday, February 15, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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

ELECTRIC BEACH CLUB
TANNING

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN

PUBLIC HEARINGS WILL BE HELD ON: GCOD

PLANNING COMMISSION
Date: MAR 18 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 09:45:28
3859 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: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN

PUBLIC HEARINGS WILL BE HELD ON: GCOD

PLANNING COMMISSION
Date: MAR 18, 2024
Time: 5:15 PM

COUNTY COMMISSION
Date: APR 23, 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 09:46:47
2696 Cleveland Highway
Gainesville
Hall County
Georgia

ELECTRIC BEACH CL
TANNING

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR A USED VEHICLE SALES LOT WITHIN GOOD & REPAIR

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR 18 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 14:09:44
2696 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: RAMON CARRILLO JR

REQUEST: USE SUBJECT TO COUNTY COMMISSION APPROVAL FOR AUTO SALES AND REPAIR WITHIN GCOD

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR 18,2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23,2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 12:53:51
2696 Cleveland Highway
Gainesville
Hall County
Georgia

HALL COUNTY
GEORGIA We have it all in Hall

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 188/2024

SUBJECT: **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 **| Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 **| Karan Ahuja, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.
3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.
4. The developer shall be responsible for all costs associated with street and driveway improvements.
5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).
6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.
7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Purpose of Request: **History:**

2860 Atlanta Highway | Amend Conditions | on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 | **Karan Ahuja, applicant**

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

Approvals:

Submit	Approve	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:
Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plan
Maps
Renderings
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Notice Sign Photo
Fire Comments

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract | **Proposed Use: Service station, convenience store, and shopping center | Karan Ahuja, applicant**

The request before you is the request of Karan Ahuja to Amend Conditions to allow a service station, convenience store, and shopping center. This item is located within Commission District 2.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with eight (8) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as the proposed use and rezoning request is consistent with the Community Crossroads future land use classification within the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **two (2) people spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.
3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to

be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.

4. The developer shall be responsible for all costs associated with street and driveway improvements.
5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).
6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.
7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Karan Ahuja

Request ..... Amend Conditions of Suburban Shopping District (S-S, 17.140) / Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... Service station, convenience store, and shopping center

Size ..... 3.52 ± acres

Zoning ..... Current | Suburban Shopping, (S-S, 17.140) with conditions/ Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... 2860 Atlanta Highway | Tax Parcel 08027 000010

Commission District ..... Two

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **Approval, with conditions,** as the proposed use and rezoning request is consistent with the Community Crossroads future land use classification within the Comprehensive Plan.

Planning Commission Recommendation.....Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.
3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary

and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.

4. The developer shall be responsible for all costs associated with street and driveway improvements.
5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).
6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.
7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Mustaq Moosa, 105 Foe Creek Court, Roswell, presented the request.

Charan Singh, 325 Crooked Stick Drive, Alpharetta, presented the request.

Nick Pesola, 3502 River Circle, Gainesville, presented the request.

Rebuttal

The applicant stated that they will be compliant with the state stormwater regulations and they will have a detention pond to help with the release of storm water.

Public Forum:

Jimmy Campbell, 3011 Meadow Place, Gainesville, spoke in opposition. Concerns were devaluing property, steepness of the property, storm water runoff, and grading.

Phuong Le, 4021 Amberleigh Trace, Gainesville, spoke in opposition. Concerns were water runoff.

Planning Commission Comments:

Ms. Pilcher questioned how the storm water management will be put in place. Mr. Pesola stated that they will follow state regulations. Mr. Varner questioned the connection to Oakwood sewer. Mr. Pesola stated that they have not gotten approval to connect to Oakwood sewer but they would like to deal with the rezoning and amendment before pursuing sewer. Ms. Pilcher stated it was concerning to have the property developed flat as it may increase runoff to the neighboring properties. Mr. Moosa stated that the runoff would be controlled with the developments storm water management. Mr. Hunt stated that the property is already zoned for this type of development, they are just voting to allow the gas station as a use.

***Motion:** A motion to approve, with conditions was made by Mr. Sosebee and seconded by Mr. Varner. Vote: 5-0*

Staff Recommended Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.

2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.

3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.
4. The developer shall be responsible for all costs associated with street and driveway improvements.

5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).

6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.

7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Summary Analysis

The applicant is requesting to amend conditions on a 3.52± acres tract, currently zoned Suburban-Shopping (S-S, 17.140), in order to develop a service station, convenience store, and shopping center. A concurrent request submitted by the same applicant indicates that they intend to combine the subject property with the adjacent 0.20± parcel to the northeast (parcel 08027 000011).

On August 10, 2008, the Board of Commissioners voted to approve the rezoning of the subject parcel from Residential-I (R-I, 17.60) to Suburban Shopping (S-S, 17.140) for the purpose of a shopping center development, with the following conditions:

1. Development of the property shall be coordinated with the Georgia Department of Transportation, and shall not begin until final plans affecting this property for the improvements to Atlanta Highway and Frontage Road are competed.
2. No permits for commercial construction shall be issued until all existing residential dwelling units are removed from the property.

3. The location and design of any driveway entrances shall be subject to approval by the County Traffic Engineer and Georgia Department of Transportation.

4. A buffer or fence shall be agreed to by the Planning Staff.

5. This application shall exclude a service station and/or convenience store.

There has been no activity since the approval of the rezoning to develop in accordance with the request. The subject property remains currently developed with three single-family residences, the oldest being constructed in 1925. The surrounding parcels are as follows:

- North and West: Right-of-way within the jurisdiction of the City of Oakwood.
- East: Right-of-way within the jurisdiction of the City of Gainesville.
- South and West: Unincorporated Hall County, zoned Residential-I (R-I)

The conceptual site plan shows the combined property development to include two buildings, twelve gas pumps under a proposed canopy, shared parking for the businesses, and a stormwater retention pond. The building to the north consist of two 4,000 square-foot retail spaces with a patio area located at the east end of the building. The building to the south consisting of a 3,300 square-foot retail space and a 5,100 square-foot convenience store with proposed patio areas at both north and south ends of the building. Gasoline will be dispensed from six fuel islands accommodating a total of 12 gas pumps (two pumps per fuel island) under a canopy located between the retail building/convenience store and Atlanta Highway. Conceptual renderings show a variety of materials that appear to conform to Gateway Corridor Overlay District (GCOD, 17.420) standards. The operational hours of the convenience store will be 24 hours a day, 7 days a week. The operational hours of the retail spaces are yet to be determined per the submitted narrative.

Per the site plan, a 25-foot transitional buffer will be placed along the property lines abutting the residential development to the south and west of the subject property (17.420) Additionally, a 10-foot landscape strip will be installed along both Thurman Tanner Parkway and Atlanta Highway (17.420). Although the materials to be used within the buffers and landscape strip have not been specified, the applicant states that they will adhere to requirements of the Gateway Corridor Overlay District (GCOD, 17.420).

With the inclusion of the adjacent parcel in the referenced rezoning application, the entire shopping center will conform to setbacks as per 17.240.010. Vehicular travel within the proposed shopping center will be free flowing, with one proposed access point on Thurmon Tanner Parkway, and another proposed on Atlanta Highway.

The site plan depicts the development as having a parking minimum of 1 parking spot per 200 square feet of floor space. The conceptual site plan includes 87 parking spaces, which is 5 more than required per section 17.420.050.

Two wall signs are depicted on the building containing the 5,100 square foot convenience store and 3,300 square foot retail space, and five wall signs are depicted on the building containing 8,000 square feet of retail space. The submitted narrative states signage will be compliant with the requirements of the sign ordinance, (17.420.60); however, section 17.420.060 states that one wall sign is permitted for each building or for each

tenant in a multi-tenant building with a maximum sign area of 64 square feet per building, or one square foot per linear foot of storefront, whichever is greater. Furthermore, wall signs are only permitted on the side of a building that includes the primary public entrance. Per the submitted renderings, signage does not appear to comply with these requirements. No monument signs are proposed on this parcel.

The Gateway Corridors Overlay District, (GCOD, 17.420.), provides supplemental design standards for non-residential development. The proposal aligns with the GCOD standards (17.420.050) as listed below:

Standard	Compliance	Proposed Work	Notes
17.420.050.C – Transitional buffers	Complies	25-foot transitional buffer.	N/A
17.420.050.D – Other landscape and screening standards	Complies	10-foot landscape strip along both street frontages	N/A
17.420.050.E – Parking lot design	Complies	87 parking spaces are proposed.	87 parking spaces are shown on the proposed site plan. 82 parking spaces are required.
17.420.050.F – Outdoor lighting	Unknown	Not specified.	The applicant has not specified the proposed lighting but has not requested a variance from this standard.
17.420.050.G – Interparcel access	Deficient	Not specified.	Parcels on either side are too dissimilar in development character and use to warrant compliance at this time.
17.420.050. H - Architectural standards for non-residential buildings	Complies	Brick buildings with gas canopy and pumps	Submitted rendering appears to meet standards.
17.420.060 – Signs	Deficient	5 wall signs proposed on the 8,000 square-foot retail building. 2 signs proposed on the building containing a 5,100 square-foot convince store and 3,000 square-foot retail store.	The applicant stated their intention to meet Gateway Standards, but the submitted renderings do not appear to comply with this section.

Based on the future land use plan, staff finds the request *consistent* with the Comprehensive Plan's future land use designation of "Community Crossroad". The intent of this land use category is to maintain and create access to local goods, employment opportunities and services at major intersections throughout the community. Future land uses include neighborhood commercial uses (smaller-scale retail and services serving nearby residents) and civic benefit uses including places of worship, parks, and community centers.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the County Commission pursuant to 17.380.060:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed zoning district and conditional use for a service station, convenience store, and shopping center is consistent with the development and zoning of the surround properties excluding the abutting residentially-zoned property to the south. This R-I zoned property will abut the proposed 25-foot transitional buffer required per the Gateway Corridor Overlay District (GCOD, 17.420) .**

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 use will adversely affect adjacent properties, however, it abuts residential zoning to the south.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **Yes, the property has reasonable economic use as currently zoned, Suburban Shopping (S-S, 17.140). However, the site is undeveloped and the proposed use would not be permitted on this site without County Commission approval to amend the existing zoning conditions.**

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **No traffic study was submitted as part of this request. The code does not require a traffic study for this type of request.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan and the "Community Crossroad" future land use designation. The Comprehensive Plan identifies "neighborhood commercial uses (smaller-scale retail and services serving nearby residents)" as appropriate future land uses in this area.**

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 is developed with three single-family dwellings, the oldest being present since 1925.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **There is no change to the zoning as part of this request.**

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 immediate neighborhood 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; **There are no undeveloped Suburban Shopping lots (S-S, 17.140) in the vicinity of 2860 Atlanta Highway. Additionally, any site proposing a shopping center would require either a rezoning or a conditional use approval by the Planning Commission.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **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.**

The **Suburban Shopping District (S-S, 17.140)** allows for a variety of retail and community uses, providing support to the local community and broader region. This includes retail, service stations, offices and group homes.

17.380.050. - Submission requirements for a rezoning request

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. 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]. **Proposal does provide a narrative outlining the intent of the change; 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**. A concept site plan has been submitted but does not show the necessary details as part of this application.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development does not propose the use of a slow rate land treatment 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. **A traffic study was not submitted as part of this request.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated February 13, 2024, Emily McGahee stated: "The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed."

Hall County Fire Marshal

In an email dated February 13, 2024, 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 memo dated February 15, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage

Traffic:

GDOT permit requires for driveway access to Atlanta Highway. Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements.

Utilities

City of Oakwood sewer district

Georgia Department of Transportation

In an email dated February 12, 2024, Veronica Chavers, D1TO Traffic Operations Civil Engineer 3, provided the following comments: “GDOT coordination required for driveway access on SR 13.”

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902

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CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Karan Ahuja
325 Crooked Stick Drive
Alpharetta, GA 30004
Phone 404-403-8267
Email Address karansingh12121@gmail.com

Property Owner (Name & Mailing Address)

Ronald C. Dale Executor of the Estate of Edna T. Dale
1720 Spruce Ave.
Winter Park, FL 32789
Phone
Email Address

Proposed Use Commercial Retail Center

Contact Person (Name & Mailing Address)

Madison Winship
24 Dawson Village Way South
Dawsonville, GA 30534
Phone 706-926-0316
Email Address mwinship@davisengineers.com

Status of Applicant

[ ] Owner
[X] Option to Purchase
[ ] Area Resident
[ ] Other

Requested Action

Permissive Use:
[X] HCPC [X] HCC
Fee:$
Receipt #:
Check #:

Zoning: S-S
Acreage 3.52

Tax Parcel Number 08027 000010
Location Address 2860 Atlanta Highway, Gainesville, GA 30504

I hereby certify that the above information and all attached information are true and correct.

Sign
Date: 01/16/2024

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:

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Ronald C. Dale Executor of the Estate of Edna T. Dale

Address 1720 Spruce Ave.
Winter Park, FL 32789

Phone Number 407 468 4702

Name of applicant(s) Karan Ahuja

Address 325 Crooked Stick Drive
Alpharetta, GA 30004

Phone Number 404-403-8267

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) Ronald C Dale 11524

Personally appeared before me

Ronald C. Dale

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Michael C Valore
Notary Public

1-15-2024
Date

MICHAEL CHARLES VALORE
Notary Public
State of Florida
Comm# HH327725
Expires 11/12/2026

PLANNING AND DEVELOPMENT DEPARTMENT
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HALL COUNTY
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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: Ronald C Dale **Date:** Jan 15, 2024

Applicant's/Owner's Name (Printed): Ronald C. Dale Executor of the Estate of Edna T. Dale

PLANNING AND DEVELOPMENT DEPARTMENT
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**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: _____ **Date:** 01/16/2024

Applicant's/Owner's Name (Printed): Karan Ahuja

DES | DAVIS ENGINEERING & SURVEYING
Est. 2009
CIVIL ENGINEERING | LAND SURVEYING | CONSTRUCTION LAYOUT

Updated

March 5, 2024

RE: Zoning Condition Amendment for Parcel 08027 000010 to Allow for Service Station/ Convenience Store

To Whom It May Concern:

This letter serves as a request to amend the current zoning conditions for Parcel 08027 000010 to allow for a service station/ convenience store. The intent is to combine Parcel 08027 000011 with Parcel 08027 000010 and maintain the S-S zoning to allow for two retail stores, a convenience store and 12 gas pumps. The property lies in the Gateway Corridors Overlay District and will adhere to all necessary requirements. With the combination to Parcel 08027 000010, the front building setback will be 30', the side and rear will have a 25' transitional buffer with visual screening that will serve as the building setback line as well, and a 10' landscape strip will run the frontage of the property. The transitional buffer will follow the Gateway Corridors Overlay District requirements for planting and screening. Hours for the proposed retail stores will vary depending on use and the convenience store will operate 24/7. Signage will be placed along Thurmon Tanner Parkway as well as signage along Atlanta Highway and will meet Hall County standards. For utilities, the proposed layout will be connected to a private septic system and public water, and will tie to existing electric. Lighting will provided as needed to sufficiently illuminate areas of site and minimize impact to adjoining properties. The transitional buffer and grade changes will provide ample visual screening.

Sincerely,
Nick Pesola, EIT

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Est. 2009
CIVIL ENGINEERING | LAND SURVEYING | CONSTRUCTION LAYOUT

January 17, 2024

RE: Zoning Condition Amendment for Parcel 08027 000010 to Allow for Service Station/ Convenience Store

To Whom It May Concern:

This letter serves as a request to amend the current zoning conditions for Parcel 08027 000010 to allow for a service station/ convenience store. The intent is to combine Parcel 08027 000011 with Parcel 08027 000010 and maintain the S-S zoning to allow for two retail stores, a convenience store and 12 gas pumps. The property lies in the Gateway Corridors Overlay District and will adhere to all necessary requirements. With the combination to Parcel 08027 000010, the front building setback will be 30', the side and rear will have a 25' transitional buffer with visual screening that will serve as the building setback line as well, and a 10' landscape strip will run the frontage of the property. The transitional buffer will follow the Gateway Corridors Overlay District requirements for planting and screening. Hours for the proposed retail stores will vary depending on use and the convenience store will operate 24/7. Signage will be placed along Thurmon Tanner Parkway as well as signage along Atlanta Highway and will meet Hall County standards. For utilities, the proposed layout will be connected to both public sewer and water, will tie to existing electric and lighting will provided as need to sufficiently illuminate areas of site and minimize impact to adjoining properties. The transitional buffer and grade changes will provide ample visual screening.

Sincerely,
Nick Pesola, EIT

PROJECT INFORMATION:

CURRENTLY, PARCEL 08027 000010 CONTAINS THREE STRUCTURES AND A FOUNDATION AND IS MOSTLY WOODED. THE PARCEL IS CURRENTLY ZONED S-S. PARCEL 08027 000011 IS UNDEVELOPED WOODLAND. THE PROPOSED DEVELOPMENT INCLUDES A CONVENIENCE STORE WITH 12 FUEL PUMPS, THREE RETAIL SPACES, PARKING, STORMWATER MANAGEMENT AND ANY OTHER NECESSARY IMPROVEMENTS. THE INTENT OF THIS PLAN IS TO PROVIDE A CONCEPTUAL LAYOUT FOR THE PURPOSE OF REZONING PARCEL 08027 000011 TO S-S AND OBTAIN CONDITIONAL USE APPROVAL FOR A GAS STATION ON BOTH PARCELS.

ADDRESS: 2860 ATLANTA HIGHWAY, GAINESVILLE, GA 30504
PARCELS: 08027 000010 & 08027 000011
JURISDICTION: HALL COUNTY
TOTAL AREA= 3.73 ACRES

BOUNDARY INFORMATION FROM PLAT OF SURVEY FOR KARAN SINGH COMPLETED BY DAVIS ENGINEERING AND SURVEYING LLC.

UTILITIES SHOWN HEREON ARE FROM EXISTING STRUCTURES AND ABOVE GROUND MARKS FOUND. DAVIS ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES.

TOPOGRAPHIC DATA OBTAINED FROM HALL COUNTY GIS DEPARTMENT.
CONTOUR INTERVAL: 2'

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0301G, DATED 4/4/2018.

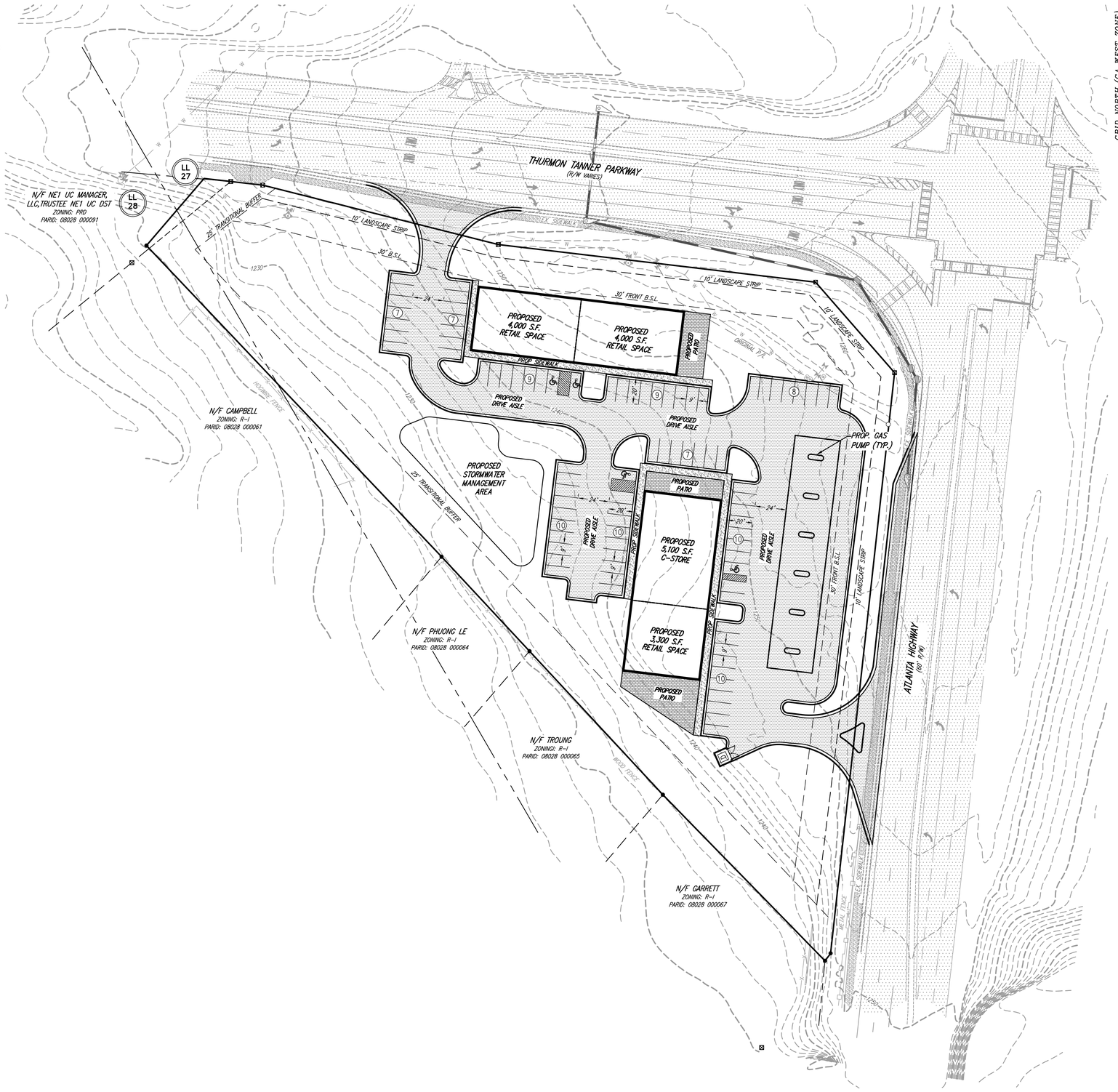
ZONING: SUBURBAN SHOPPING DISTRICT (S-S)
GATEWAY CORRIDORS OVERLAY DISTRICT

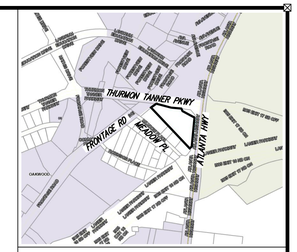
MINIMUM LOT SIZE: 15,000 S.F.
MINIMUM FRONTAGE: 100' (500' FRONTAGE REQUIRED ALONG PROPERTIES ACCESSING DIVIDED FOUR-LANE HIGHWAYS)
BUILDING SETBACKS:
FRONT: 30'
SIDE: 20'
REAR: 10'
BUFFER ADJACENT TO RESIDENTIAL: 25'

PARKING CALCULATIONS:

PARKING USE: RETAIL SALES AND/OR SERVICE
1 SPACE PER 200 S.F. OF SALES AND/OR SERVICE AREA REQUIRED
16,400 S.F. TOTAL BUILDING AREA / 200 S.F./SPACE = 82 SPACES

PARKING PROVIDED: 87 TOTAL SPACES PROVIDED
83 STANDARD SPACES
4 HANDICAP SPACES





LOCATION MAP
N.T.S.

OWNER/DEVELOPER
KARAN SINGH
325 CROOKED STICK DR
ALPHARETTA, GA 30004
(404) 403-8267

24-HOUR CONTACT
KARAN SINGH
(404) 403-8267
karansingh12121@gmail.com

LEGEND

-O-	POWER POLE (PP)	C&G	CURB AND GUTTER
HP	HIGH POINT	IP	IRON PIN
DI	DROP INLET	P/L	PROPERTY LINE
JB	JUNCTION BOX	F.E.S.S.	FLARED END SAFETY SECTION
OCS	OUTLET CONTROL STRUCTURE	PT	POINT OF TANGENT
DWCB	DOUBLE WING CATCH BASIN	PC	POINT OF CURVATURE
HW	HEADWALL	OCS	OUTLET CONTROL STRUCTURE
RCP	REINFORCED CONCRETE PIPE	ELEV.	ELEVATION
CMP	CORRUGATED METAL PIPE	N/F	NOW OR FORMERLY
HDPE	HIGH DENSITY POLYETHYLENE	R/W	RIGHT OF WAY
UGD	UNDERGROUND DETENTION	LLL	LAND LOT LINE
TBM	TEMPORARY BENCHMARK	CONC.	CONCRETE
EX.	EXISTING	INV	INVERT
PROP.	PROPOSED	EOP	EDGE OF PAVEMENT
FH	FIRE HYDRANT	TYP.	TYPICAL
WM	WATER METER	— x —	FENCE
LF	LINEAR FEET	— x —	SILT FENCE
DIP	DUCTILE IRON PIPE	— OHP —	OVERHEAD ELECTRIC
PVC	POLYVINYL CHLORIDE		SOILS
R	RADIUS	—s—s—	SANITARY SEWER LINE
SF	SQUARE FEET	— — —	BUILDING SETBACK LINE
FFE	FINISH FLOOR ELEVATION	— — —	VEGETATIVE BUFFER
		—w—w—	WATERLINE

GEORGIA811
www.Georgia811.com

IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

GRAPHIC SCALE

0 40 80 120
(IN FEET)
1 inch = 40 ft.

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DES
DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	1/18/2024	INITIAL SUBMITTAL
1	1/30/2024	REVISIONS PER COUNTY

CONCEPTUAL LAYOUT

KARAN SINGH
LAND LOT 27
8th DISTRICT
HALL COUNTY

DRAWN BY:	NAP
CHECKED BY:	JKD
LAND LOT:	27
DISTRICT:	8TH
SECTION:	-
CITY:	-
COUNTY:	HALL
DATE:	1/18/2024

SHEET NO.
1 OF 1

PROJECT NO.
23-526

PROJECT INFORMATION:

CURRENTLY, PARCEL 08027 000010 CONTAINS THREE STRUCTURES AND A FOUNDATION AND IS MOSTLY WOODED. THE PARCEL IS CURRENTLY ZONED S-S. PARCEL 08027 000011 IS UNDEVELOPED WOODLAND. THE PROPOSED DEVELOPMENT INCLUDES A CONVENIENCE STORE WITH 12 GASOLINE PUMPS, TWO RETAIL SPACES, PARKING, STORMWATER MANAGEMENT AND ANY OTHER NECESSARY IMPROVEMENTS. THE INTENT OF THIS PLAN IS TO PROVIDE A CONCEPTUAL LAYOUT FOR THE PURPOSE OF REZONING PARCEL 08027 000011 TO S-S AND OBTAIN CONDITIONAL USE APPROVAL FOR A GAS STATION ON BOTH PARCELS.

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TOTAL AREA= 3.73 ACRES

BOUNDARY INFORMATION FROM PLAT OF SURVEY FOR KARAN SINGH COMPLETED BY DAVIS ENGINEERING AND SURVEYING LLC.

UTILITIES SHOWN HEREON ARE FROM EXISTING STRUCTURES AND ABOVE GROUND MARKS FOUND. DAVIS ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES.

TOPOGRAPHIC DATA OBTAINED FROM HALL COUNTY GIS DEPARTMENT.
CONTOUR INTERVAL: 2'

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0301G, DATED 4/4/2018.

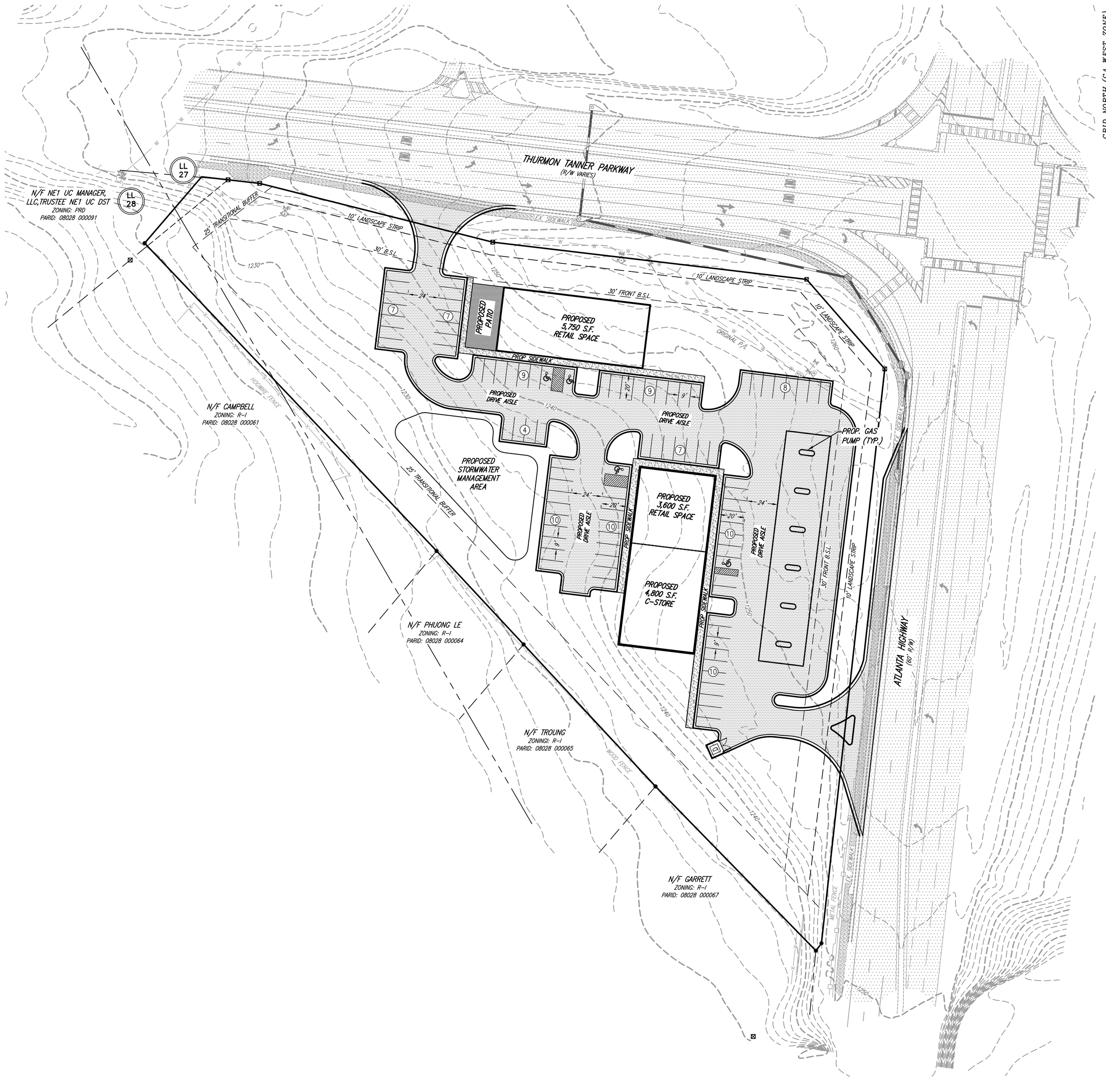
ZONING: SUBURBAN SHOPPING DISTRICT (S-S)
GATEWAY CORRIDORS OVERLAY DISTRICT

MINIMUM LOT SIZE: 15,000 S.F.
MINIMUM FRONTAGE: 100' (500' FRONTAGE REQUIRED ALONG PROPERTIES ACCESSING DIVIDED FOUR-LANE HIGHWAYS)
BUILDING SETBACKS:
FRONT: 30'
SIDE: 20'
REAR: 10'
BUFFER ADJACENT TO RESIDENTIAL: 25'

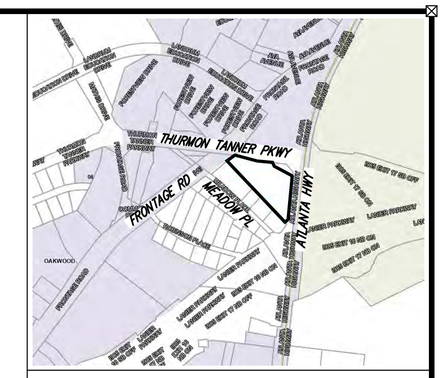
PARKING CALCULATIONS:

PARKING USE: RETAIL SALES AND/OR SERVICE
1 SPACE PER 200 S.F. OF SALES AND/OR SERVICE AREA REQUIRED
13,400 S.F. TOTAL BUILDING AREA / 200 S.F./SPACE = 67 SPACES

PARKING PROVIDED: 102 TOTAL SPACES PROVIDED
86 STANDARD SPACES
4 HANDICAP SPACES
12 GAS PUMPS



GRID NORTH (GA WEST ZONE)
(PER REF. SURVEY)



LOCATION MAP
N.T.S.

OWNER/DEVELOPER
KARAN SINGH
325 CROOKED STICK DR
ALPHARETTA, GA 30004
(404) 403-8267

24-HOUR CONTACT
KARAN SINGH
(404) 403-8267
karansingh12121@gmail.com

LEGEND			
-O-	POWER POLE (PP)	C&G	CURB AND GUTTER
HP	HIGH POINT	IP	IRON PIN
DI	DROP INLET	P/L	PROPERTY LINE
JB	JUNCTION BOX	F.E.S.S.	FLARED END SAFETY SECTION
OCS	OUTLET CONTROL STRUCTURE	PT	POINT OF TANGENT
DWCB	DOUBLE WING CATCH BASIN	PC	POINT OF CURVATURE
HW	HEADWALL	OCS	OUTLET CONTROL STRUCTURE
RCP	REINFORCED CONCRETE PIPE	ELEV.	ELEVATION
CMP	CORRUGATED METAL PIPE	N/F	NOW OR FORMERLY
HDPE	HIGH DENSITY POLYETHYLENE	R/W	RIGHT OF WAY
UGD	UNDERGROUND DETENTION	LLL	LAND LOT LINE
TBM	TEMPORARY BENCHMARK	CONC.	CONCRETE
EX.	EXISTING	INV	INVERT
PROP.	PROPOSED	EOP	EDGE OF PAVEMENT
FH	FIRE HYDRANT	TYP.	TYPICAL
WM	WATER METER	— x —	FENCE
LF	LINEAR FEET	— x —	SILT FENCE
DIP	DUCTILE IRON PIPE	— OP —	OVERHEAD ELECTRIC
PVC	POLYVINYL CHLORIDE		SOILS
R	RADIUS	— s — s —	SANITARY SEWER LINE
SF	SQUARE FEET	— — —	BUILDING SETBACK LINE
FFE	FINISH FLOOR ELEVATION	— — —	VEGETATIVE BUFFER
		— w —	WATERLINE

GEORGIA811
www.Georgia811.com

IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

GRAPHIC SCALE
0 40 80 120
(IN FEET)
1 inch = 40 ft.

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DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	1/18/2024	INITIAL SUBMITTAL

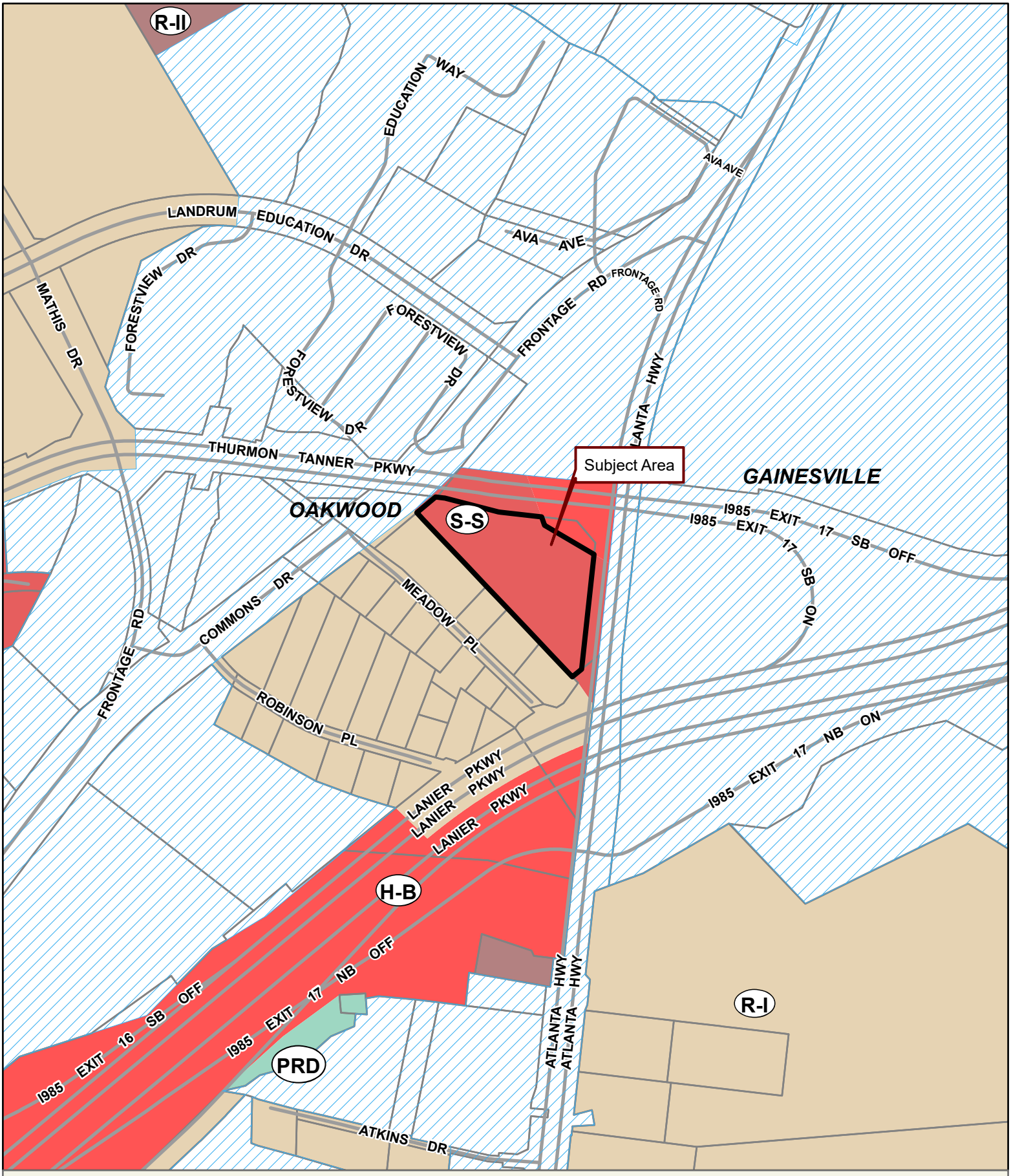
CONCEPTUAL LAYOUT

KARAN SINGH
LAND LOT 27
8th DISTRICT
HALL COUNTY

DRAWN BY:	NAP
CHECKED BY:	JKD
LAND LOT:	27
DISTRICT:	8TH
SECTION:	-
CITY:	-
COUNTY:	HALL
DATE:	1/18/2024

SHEET NO.
1 OF 1

PROJECT NO.
23-526

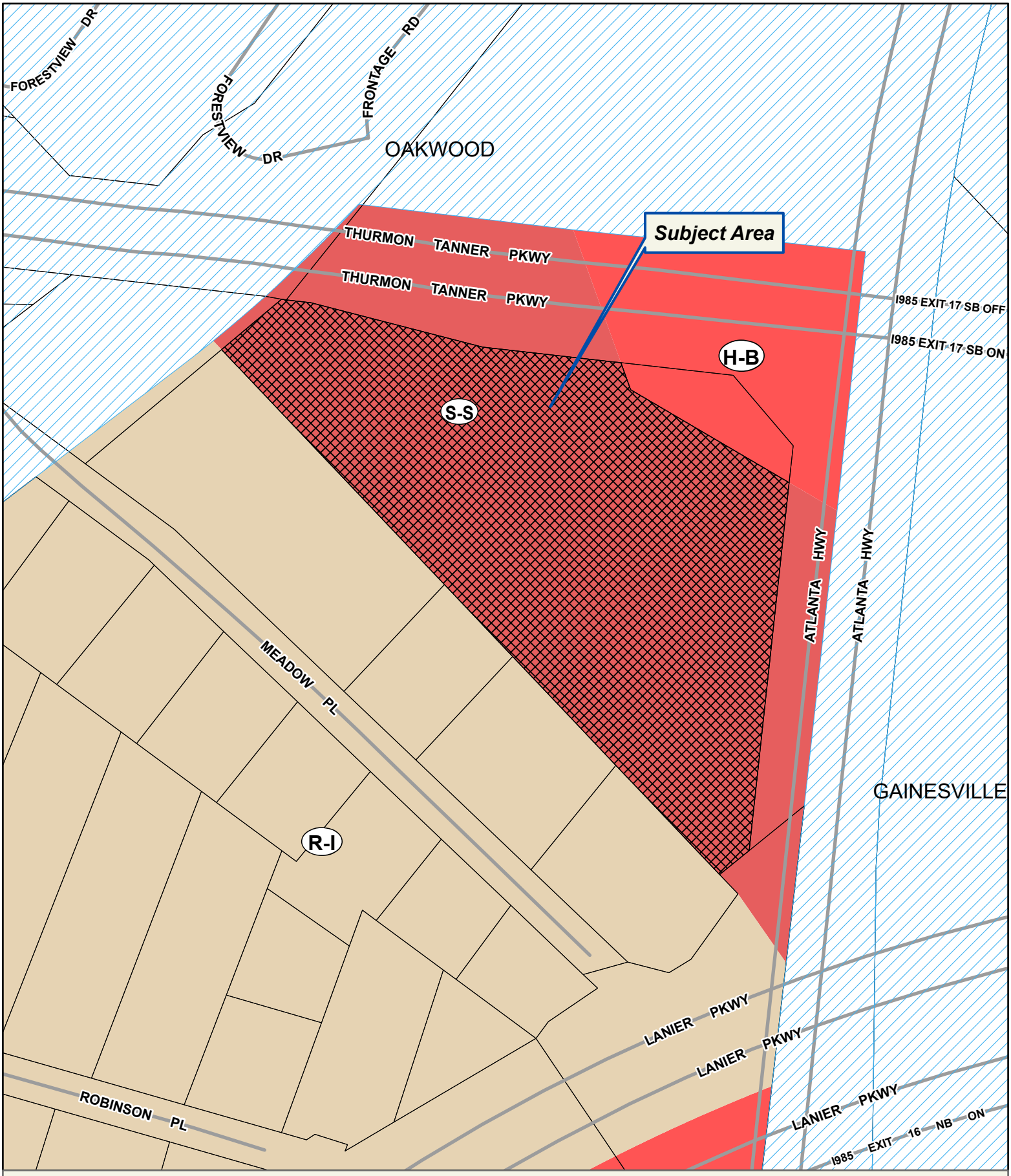


Applicant: KARAN AHUJA
Tax Parcel #: 08027 000010
Location: 2860 ATLANTA HIGHWAY, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 125 250 500
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: KARAN AHUJA
Tax Parcel #: 08027 000010
Location: 2860 ATLANTA HIGHWAY, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 25 50 100
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

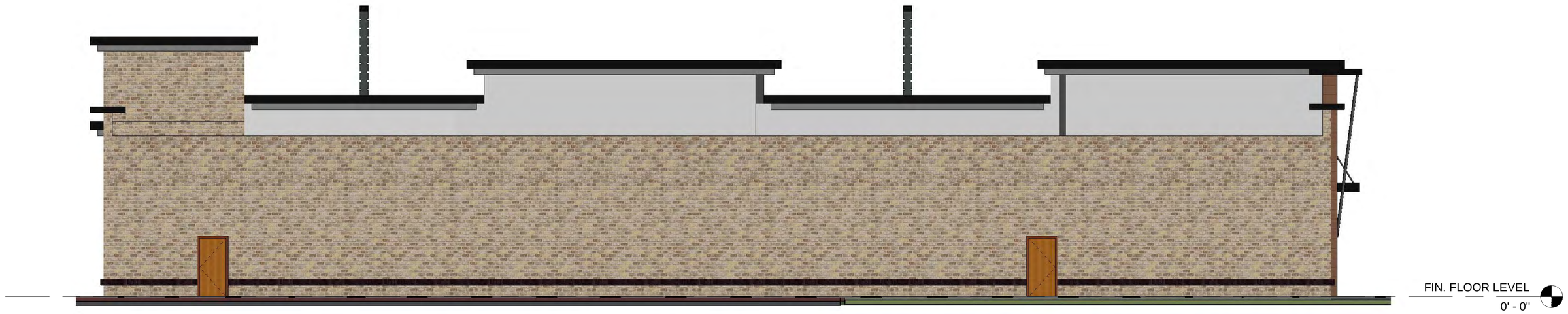
Applicant: KARAN AHUJA
Tax Parcel #: 08027 000010
Location: 2860 ATLANTA HIGHWAY, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 25 50 100
Feet

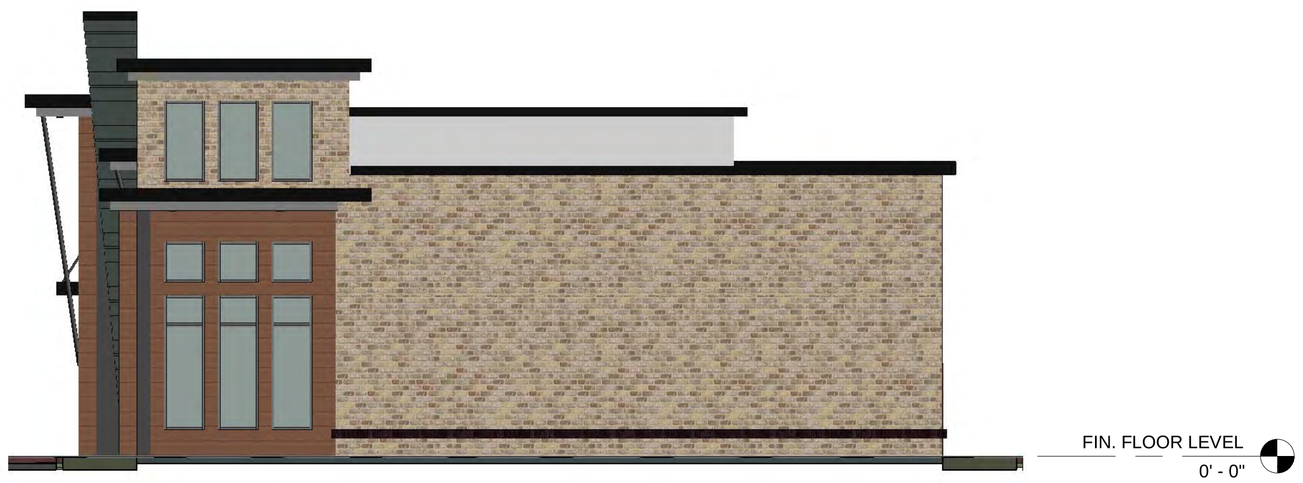
Zoning Boundary
City Limits
Subject Area

N

1 FRONT ELEVATION
1/8" = 1'-0"



2 REAR ELEVATION
1/8" = 1'-0"



3 RIGHT ELEVATION
1/8" = 1'-0"

4 LEFT ELEVATION
1/8" = 1'-0"

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A101

C-STORE ELEVATIONS

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

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A102

C STORE FRONT VIEW

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A103

C STORE FRONT ISO 1

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A104

C STORE FRONT ISO 2

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A105

C STORE RIGHT VIEW

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A106

C STORE LEFT VIEW

Scale:

CITYVIEW
DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A107

BUILDING WITH CANOPY

Scale:

1 FRONT ELEVATION
1/8" = 1'-0"

2 REAR ELEVATION
1/8" = 1'-0"

3 LEFT ELEVATION
1/8" = 1'-0"

4 RIGHT ELEVATION
1/8" = 1'-0"

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A201

RETAIL CENTER ELEVATIONS

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

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A202

RETAIL CENTER FORNT VIEW

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A203

RETAIL CENTER FORNT ISO 1

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A204

RETAIL CENTER FORNT ISO 2

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A205

RETAIL CENTER FORNT ISO 3

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A206

AERIAL VIEW 1

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A207

AERIAL VIEW 2

Scale:

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A208

AERIAL VIEW 3

Scale:

01699
00228

Form No. 213 WARRANTY DEED (Short Form)

228

STATE OF GEORGIA, County of HALL

This INDENTURE, Made this 14th day of January in the Year of Our Lord One Thousand Nine Hundred and ninety-two between C. E. DALE of the State of Georgia and County of Hall of the first part, and EDNA T. DALE of the State of Georgia and County of Hall of the second part,

WITNESSETH: That the said part of the first part, for and in consideration of ~~the sum of~~ DEED OF GIFT ~~Dollars~~, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all that tract or parcel of land lying and being in

Oakwood District, Hall County, Georgia and being 4.938 acres designated as Tract II on a plat of survey prepared for C. E. Dale by James A. Long, Georgia Registered Land Surveyor, Number 1579, dated April 25, 1990, recorded in slide 108, page 179A office of the clerk in the Superior Court of Hall County, Georgia and said plat and the reference hereto are herein incorporated and made a part hereof for a more accurate and complete description.

Georgia, Hall County, Clerk Superior Court
Filed in office, this 15 day of Jan. 1992 at 12:10 P.M. Recorded in Book 1699 Page 228 this 16 day of Jan., 1992
Dwight S. Wood
DWIGHT S. WOOD, Clerk

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ -0-
Date 1-15-92
DWIGHT S. WOOD
Clerk of Superior Court
By Mildred Murphy

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the second part, her heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, her heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in presence of:

Amy E Vennes — C E Dale (Seal)
Charles W. Cam — (Seal)
Notary Public, Hall County, Georgia
My Commission Expires June 3, 1995 — (Seal)

CHARLES W. CA... NOT... PUBLIC HALL COU...

Clg. & Dig: CDJW
Clg. for Plat

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY
APPLICANT: KARAN AHUJA
REQUEST: AMEND CONDITIONS FOR A SERVICE STATION, CONVENIENCE STORE AND SHOPPING CENTER
PUBLIC HEARINGS WILL BE HELD ON:
PLANNING COMMISSION
Date: MAR 18, 2024
Time: 5:15 PM
&
COUNTY COMMISSION
Date: APR 23, 2024
Time: 6:00 PM
HALL COUNTY GOVERNMENT CENTER, 2ND BROWNS BRIDGE ROAD, GAINESVILLE, GA
FOR MORE INFORMATION CALL: (770) 531-6809

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, February 13, 2024 11:26 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant**

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 190/2024

SUBJECT: **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 **| Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 **| Karan Ahuja, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG

Recommendation:

Approval, with conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.
3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.
4. The developer shall be responsible for all costs associated with street and driveway improvements.
5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).
6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.
7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Purpose of Request: **History:**

2852 Atlanta Highway | Rezone | from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center |** Commission District 2 | **Karan Ahuja, applicant**

Facts and Issues: **Options:**

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

Approvals:

Submit	Approve	Attorney	Administration
AD	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plan
Maps
Renderings
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract | **Proposed Use: Service station, convenience store, and shopping center** | **Karan Ahuja, applicant**

The request before you is the request of Karan Ahuja to rezone from Highway Business (H-B) to Suburban Shopping (S-S) to allow a service station, convenience store, and shopping center. This item is located within Commission District 2.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with eight (8) conditions **(5-0)**.

Staff recommendation: **Approval, with conditions,** as the proposed rezoning request is consistent with the Community Crossroads future land use classification within the Comprehensive Plan.

There were **no comments submitted** in advance of the Planning Commission meeting and **two (2) people spoke in opposition during the public hearing.**

Planning Commission Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.
3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to

be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.

4. The developer shall be responsible for all costs associated with street and driveway improvements.
5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).
6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.
7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Karan Ahuja

Request ..... Rezone | Highway Business, (H-B, 17.150) to Suburban Shopping District (S-S, 17.140) / Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... Service station, convenience store, and shopping center

Size ..... 0.20 ± acres

Zoning ..... Current | Highway Business, (H-B, 17.150)
Proposed | Suburban Shopping (S-S, 17.140) / Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... 2852 Atlanta Highway | Tax Parcel 08027 000011

Commission District ..... Two

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **Approval, with conditions,** as the proposed rezoning request is consistent with the Community Crossroads future land use classification within the Comprehensive Plan.

Planning Commission Recommendation.....Approval, with conditions
Vote: 5-0

Planning Commission Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.

3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.
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7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.
8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Mustaq Moosa, 105 Foe Creek Court, Roswell, presented the request.

Charan Singh, 325 Crooked Stick Drive, Alpharetta, presented the request.

Nick Pesola, 3502 River Circle, Gainesville, presented the request.

Rebuttal

The applicant stated that they will be compliant with the state stormwater regulations and they will have a detention pond to help with the release of storm water.

Public Forum:

Jimmy Campbell, 3011 Meadow Place, Gainesville, spoke in opposition. Concerns were devaluing property, steepness of the property, storm water runoff, and grading.

Phuong Le, 4021 Amberleigh Trace, Gainesville, spoke in opposition. Concerns were water runoff.

Planning Commission Comments:

Ms. Pilcher questioned how the storm water management will be put in place. Mr. Pesola stated that they will follow state regulations. Mr. Varner questioned the connection to Oakwood sewer. Mr. Pesola stated that they have not gotten approval to connect to Oakwood sewer but they would like to deal with the rezoning and amendment before pursuing sewer. Ms. Pilcher stated it was concerning to have the property developed flat as it may increase runoff to the neighboring properties. Mr. Moosa stated that the runoff would be controlled with the developments storm water management. Mr. Hunt stated that the property is already zoned for this type of development, they are just voting to allow the gas station as a use.

***Motion:* A motion to approve, with conditions was made by Mr. Sosebee and seconded by Mr. Varner. Vote: 5-0**

Staff Recommended Conditions:

1. Development is approved as generally shown on the preliminary site plan dated January 18, 2024 and as described in the project narrative dated March 5, 2024, modified as necessary for compliance with the conditions herein and development standards enforced at the time of site plan approval.

2. The development shall be subject to the requirements of the Gateway Corridors Overlay District (GCOD, 17.420) and no variances are granted as part of this request.

3. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Community Development and Infrastructure, or their designee.

4. The developer shall be responsible for all costs associated with street and driveway improvements.

5. The proposed development is subject to the off-street parking requirements of 17.250.020(A).

6. The subject property (parcel 08027 000011) shall be combined via recorded plat with parcel 08027 000010 prior to submittal of any development plans.

7. The location and design of any driveway entrances shall be subject to the approval of the County Traffic Engineer and Georgia Department of Transportation.

8. All conditions of zoning shall be made part of any site plan or any plat recorded for the property.

Summary Analysis

The applicant is requesting to rezone a 0.20± acre tract from Highway Business (H-B, 17.150) to Suburban Shopping (S-S, 17.140) for the purpose of including the subject property into the development of the adjacent parcel located at 2860 Atlanta Highway. A concurrent application for the adjacent parcel has been submitted to amend the conditions of approval of the existing Suburban Shopping (S-S) zoning designation. If approved, the subject property will be combined with the adjacent parcel and held to all conditions of the proposed development.

The subject property is undeveloped and appears to be a remnant tract that was created during the construction of Thurman Tanner Parkway.

An analysis and outline of the concurrent application to amend conditions of the adjacent property located at 2860 Atlanta Highway is included in this staff report. It is staff's recommendation that if the rezoning and amended conditions are both approved, all conditions shall be applied to both requests.

Combining the subject property with the adjacent parcel will create a combined 3.72± tract. The development is expected to conform to setback requirements as per 17.240.010. Furthermore, the Gateway Corridors Overlay District, (GCOD, 17.420.), which provides supplemental design standards for non-residential development. The proposal aligns with the GCOD standards (17.420.050) as listed below:

Standard	**Compliance**	**Proposed Work**	**Notes**
17.420.050.C – Transitional buffers	Complies	25-foot transitional buffer.	N/A
17.420.050.D – Other landscape and screening standards	Complies	10-foot landscape strip along both street frontages	N/A
17.420.050.E – Parking lot design	Complies	87 parking spaces are proposed.	87 parking spaces are shown on the proposed site plan. 82 parking spaces are required.
17.420.050.F – Outdoor lighting	Unknown	Not specified.	The applicant has not specified the proposed lighting but has not requested a variance from this standard.
17.420.050.G – Interparcel access	Deficient	Not specified.	Parcels on either side are too dissimilar in development character and use to warrant compliance at this time.
17.420.050. H - Architectural standards for non-residential buildings	Complies	Brick buildings with gas canopy and pumps	Submitted rendering appears to meet standards.
17.420.060 – Signs	Deficient	5 wall signs proposed on the 8,000 square-foot retail building. 2 signs proposed on the building containing a 5,100 square-foot convince store and 3,000	The applicant stated their intention to meet Gateway Standards, but the submitted renderings do not appear to comply with this section.

		square-foot retail store.	

Based on the future land use plan, staff finds the request *consistent* with the Comprehensive Plan's future land use designation of "Community Crossroad". The intent of this land use category is to maintain and create access to local goods, employment opportunities and services at major intersections throughout the community. Future land uses include neighborhood commercial uses (smaller-scale retail and services serving nearby residents) and civic benefit uses including places of worship, parks, and community centers.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered by the Planning Commission and the County Commission pursuant to 17.380.060:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed zoning district and conditional use for a service station, convenience store, and shopping center is consistent with the development and zoning of the immediate surround properties.**

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 rezoning will adversely affect adjacent properties.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has limited to no economic use as currently zoned Highway Business (H-B, 17.150) due to its limited size of .20 acres, location as a corner lot, and Gateway Corridor Overlay District standards (GCOD, 17.420)**

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The proposed 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 land use plan; **The proposed use is consistent with the Comprehensive Plan and the "Community Crossroad" future land use designation. The Comprehensive Plan identifies "neighborhood commercial uses (smaller-scale retail and services serving nearby residents)" as appropriate future land uses in this area.**

6. The extent to which property values are diminished by the existing zoning restrictions; **The existing zoning of Highway Business (H-B, 17.150) diminishes the property values due to its limited size of .20 acres, location as a corner lot, and Gateway Corridor Overlay District standards (GCOD, 17.420). With these circumstances, the property cannot be developed unless it is combined with the adjacent parcel and matches the zoning and conditions of zoning.**

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; **The hardship imposed on the property owner is due to its limited size of .20 acres, location as a corner lot, and Gateway Corridor Overlay District standards (GCOD, 17.420). Furthermore, the proposed zoning and development will provide neighborhood commercial uses as envisioned by the Comprehensive Plan.**

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 is has been undeveloped since approximately 2001.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **No, as the rezoning of the property to Suburban Shopping would be consistent with the adjacent parcel.**

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 immediate neighborhood or 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; **The proposed rezoning is to combine a small remnant tract with a larger parcel currently zoned for commercial development. Additionally, any site proposing a shopping center would require either a rezoning or a conditional use approval by the Planning Commission.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **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.**

The **Suburban Shopping District (S-S, 17.140)** allows for a variety of retail and community uses, providing support to the local community and broader region. This includes retail, service stations, offices and group homes.

17.380.050. - Submission requirements for a rezoning request

A. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized

agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. 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]. **Proposal does provide a narrative outlining the intent of the change; 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**. A concept site plan has been submitted but does not show the necessary details as part of this application.**

C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **The proposed development does not propose the use of a slow rate land treatment 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. **A traffic study was not submitted as part of this request.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

In an email dated February 13, 2024, Emily McGahee stated: "The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed."

Hall County Fire Marshal

In an email dated February 13, 2024, 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 memo dated February 15, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

Engineering:

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage

Traffic:

GDOT permit requires for driveway access to Atlanta Highway. Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements.

Utilities

City of Oakwood sewer district

Georgia Department of Transportation

In an email dated February 12, 2024, Veronica Chavers, D1TO Traffic Operations Civil Engineer 3, provided the following comments: “GDOT coordination required for driveway access on SR 13.”

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902

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ZONING APPLICATION

Applicant (Name & Mailing Address)

Karan Ahuja
325 crooked stick dr
Alpharetta, GA 30004
Phone 404-403-8267
Email Address karansingh12121@gmail.com

Property Owner (Name & Mailing Address)

Ronald C. Dale Executor of the Estate of Edna T. Dale
1720 Spruce Aveney
Winter park, FL 32789
Phone
Email Address

Proposed Use Rezoning

Contact Person (Name & Mailing Address)

Madison Winship
24 Dawson Village Way South
Dawsonville, GA 30534
Phone 706-926-0316
Email Address mwinship@davisengineers.com

Status of Applicant

- ☐ Owner
- ☒ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Existing Zoning:
Rezone to:
Fee:$
Receipt #:
Check #:

Tax Parcel Number 08027 000011
Acreage 0.25
Location Address 2852 Atlanta Highway, Gainesville GA 30504

I hereby certify that the above information and all attached information are true and correct.

Sign Karan Date: 01/16/2024

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 I
f: 770-531-3902

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s) Ronald C. Dale Executor of the Estate of Edna T. Dale

Address 1720 Spruce Aveney
Winter Park, FL 32789

Phone Number 407 408 4702

Name of applicant(s) Karan Ahuja

Address 325 Crooked Stick Drive
Aplharetta, GA 30004

Phone Number 404-403-8267

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) Jan 15 2024

Personally appeared before me
Ronald C. Dale

who swears that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

1-15-2024
Date

MICHAEL CHARLES VALORE
Notary Public
State of Florida
Comm# HH327725
Expires 11/12/2026

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

HALL COUNTY
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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:** Jan 15 2024

Applicant's/Owner's Name (Printed): Ronald C. Dale Executor of the Estate of Edna T. Dale

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
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I hereby certify that I have read the above and that:

I have**____ I have not X

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**If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Karan **Date:** 12/16/2024

Applicant's/Owner's Name (Printed): Karan Ahuja

DES | DAVIS ENGINEERING & SURVEYING
Est. 2009
CIVIL ENGINEERING | LAND SURVEYING | CONSTRUCTION LAYOUT

Updated

March 5, 2024

RE: Rezoning Parcel 08027 000011 From H-B to S-S

To Whom It May Concern:

This letter serves as a request to rezone Parcel 08027 000011 from Highway Business (H-B) to Suburban Shopping (S-S). The intent is to combine Parcel 08027 000011 with Parcel 08027 000010 and maintain the S-S zoning to allow for two retail stores, a convenience store and 12 gas pumps. The property lies in the Gateway Corridors Overlay District and will adhere to all necessary requirements. With the combination to Parcel 08027 000010, the front building setback will be 30', the side and rear will have a 25' transitional buffer with visual screening that will serve as the building setback line as well, and a 10' landscape strip will run the frontage of the property. The transitional buffer will follow the Gateway Corridors Overlay District requirements for planting and screening. Hours for the proposed retail stores will vary depending on use and the convenience store will operate 24/7. Signage will be placed along Thurmon Tanner Parkway as well as signage along Atlanta Highway and will meet Hall County standards. For utilities, the proposed layout will be connected to a private septic system and public water, and will tie to existing electric. Lighting will provided as needed to sufficiently illuminate areas of site and minimize impact to adjoining properties. The transitional buffer and grade changes will provide ample visual screening.

Sincerely,
Nick Pesola, EIT

DES | DAVIS ENGINEERING & SURVEYING
Est. 2009
CIVIL ENGINEERING | LAND SURVEYING | CONSTRUCTION LAYOUT

January 17, 2024

RE: Rezoning Parcel 08027 000011 From H-B to S-S

To Whom It May Concern:

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Sincerely,
Nick Pesola, EIT

Updated

PROJECT INFORMATION:
CURRENTLY, PARCEL 08027 000010 CONTAINS THREE STRUCTURES AND A FOUNDATION AND IS MOSTLY WOODED. THE PARCEL IS CURRENTLY ZONED S-S. PARCEL 08027 000011 IS UNDEVELOPED WOODLAND. THE PROPOSED DEVELOPMENT INCLUDES A CONVENIENCE STORE WITH 12 FUEL PUMPS, THREE RETAIL SPACES, PARKING, STORMWATER MANAGEMENT AND ANY OTHER NECESSARY IMPROVEMENTS. THE INTENT OF THIS PLAN IS TO PROVIDE A CONCEPTUAL LAYOUT FOR THE PURPOSE OF REZONING PARCEL 08027 000011 TO S-S AND OBTAIN CONDITIONAL USE APPROVAL FOR A GAS STATION ON BOTH PARCELS.

ADDRESS: 2860 ATLANTA HIGHWAY, GAINESVILLE, GA 30504
PARCELS: 08027 000010 & 08027 000011
JURISDICTION: HALL COUNTY
TOTAL AREA= 3.73 ACRES

BOUNDARY INFORMATION FROM PLAT OF SURVEY FOR KARAN SINGH COMPLETED BY DAVIS ENGINEERING AND SURVEYING LLC.

UTILITIES SHOWN HEREON ARE FROM EXISTING STRUCTURES AND ABOVE GROUND MARKS FOUND. DAVIS ENGINEERING AND SURVEYING, LLC IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES.

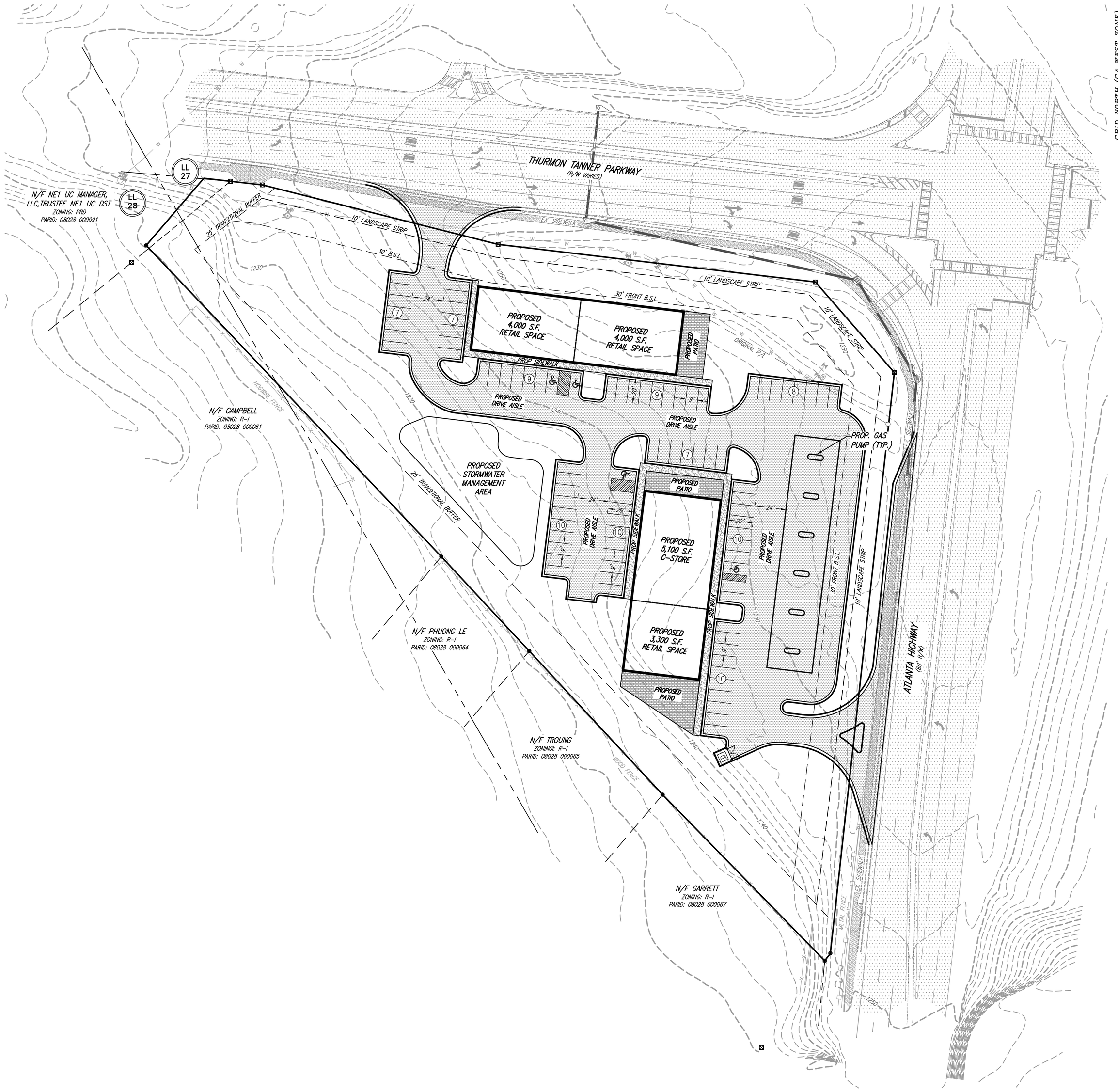
TOPOGRAPHIC DATA OBTAINED FROM HALL COUNTY GIS DEPARTMENT.
CONTOUR INTERVAL: 2'

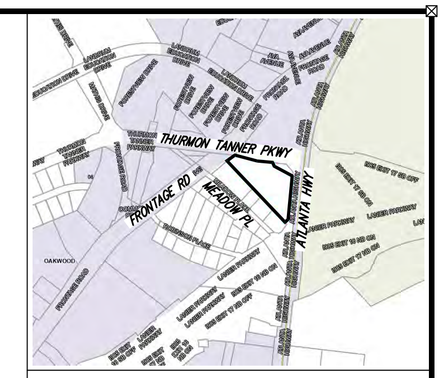
NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA AS PER FLOOD INSURANCE RATE MAP NO. 13139C0301G, DATED 4/4/2018.

ZONING: SUBURBAN SHOPPING DISTRICT (S-S)
GATEWAY CORRIDORS OVERLAY DISTRICT
MINIMUM LOT SIZE: 15,000 S.F.
MINIMUM FRONTAGE: 100' (500' FRONTAGE REQUIRED ALONG PROPERTIES ACCESSING DIVIDED FOUR-LANE HIGHWAYS)
BUILDING SETBACKS:
FRONT: 30'
SIDE: 20'
REAR: 10'
BUFFER ADJACENT TO RESIDENTIAL: 25'

PARKING CALCULATIONS:
PARKING USE: RETAIL SALES AND/OR SERVICE
1 SPACE PER 200 S.F. OF SALES AND/OR SERVICE AREA REQUIRED
16,400 S.F. TOTAL BUILDING AREA / 200 S.F./SPACE = 82 SPACES

PARKING PROVIDED: 87 TOTAL SPACES PROVIDED
83 STANDARD SPACES
4 HANDICAP SPACES





LOCATION MAP
N.T.S.

OWNER/DEVELOPER
KARAN SINGH
325 CROOKED STICK DR
ALPHARETTA, GA 30004
(404) 403-8267

24-HOUR CONTACT
KARAN SINGH
(404) 403-8267
karansingh12121@gmail.com

LEGEND

-O-	POWER POLE (PP)	C&G	CURB AND GUTTER
HP	HIGH POINT	IP	IRON PIN
DI	DROP INLET	P/L	PROPERTY LINE
JB	JUNCTION BOX	F.E.S.S.	FLARED END SAFETY SECTION
OCS	OUTLET CONTROL STRUCTURE	PT	POINT OF TANGENT
DWCB	DOUBLE WING CATCH BASIN	PC	POINT OF CURVATURE
HW	HEADWALL	OCS	OUTLET CONTROL STRUCTURE
RCP	REINFORCED CONCRETE PIPE	ELEV.	ELEVATION
CMP	CORRUGATED METAL PIPE	N/F	NOW OR FORMERLY
HDPE	HIGH DENSITY POLYETHYLENE	R/W	RIGHT OF WAY
UGD	UNDERGROUND DETENTION	LLL	LAND LOT LINE
TBM	TEMPORARY BENCHMARK	CONC.	CONCRETE
EX.	EXISTING	INV	INVERT
PROP.	PROPOSED	EOP	EDGE OF PAVEMENT
FH	FIRE HYDRANT	TYP.	TYPICAL
WM	WATER METER	— x —	FENCE
LF	LINEAR FEET	— x —	SILT FENCE
DIP	DUCTILE IRON PIPE	— OP —	OVERHEAD ELECTRIC
PVC	POLYVINYL CHLORIDE		SOILS
R	RADIUS	—s—s—	SANITARY SEWER LINE
SF	SQUARE FEET	— —	BUILDING SETBACK LINE
FFE	FINISH FLOOR ELEVATION	— —	VEGETATIVE BUFFER
		—w—w—	WATERLINE

GEORGIA811
www.Georgia811.com

IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

GRAPHIC SCALE
0 40 80 120
(IN FEET)
1 inch = 40 ft.

DES
DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	1/18/2024	INITIAL SUBMITTAL
1	1/30/2024	REVISIONS PER COUNTY

CONCEPTUAL LAYOUT

KARAN SINGH
LAND LOT 27
8th DISTRICT
HALL COUNTY

DRAWN BY:	NAP
CHECKED BY:	JKD
LAND LOT:	27
DISTRICT:	8TH
SECTION:	-
CITY:	-
COUNTY:	HALL
DATE:	1/18/2024

SHEET NO.
1 OF 1

PROJECT NO.
23-526

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PROJECT INFORMATION:

CURRENTLY, PARCEL 08027 000010 CONTAINS THREE STRUCTURES AND A FOUNDATION AND IS MOSTLY WOODED. THE PARCEL IS CURRENTLY ZONED S-S. PARCEL 08027 000011 IS UNDEVELOPED WOODLAND. THE PROPOSED DEVELOPMENT INCLUDES A CONVENIENCE STORE WITH 12 GASOLINE PUMPS, TWO RETAIL SPACES, PARKING, STORMWATER MANAGEMENT AND ANY OTHER NECESSARY IMPROVEMENTS. THE INTENT OF THIS PLAN IS TO PROVIDE A CONCEPTUAL LAYOUT FOR THE PURPOSE OF REZONING PARCEL 08027 000011 TO S-S AND OBTAIN CONDITIONAL USE APPROVAL FOR A GAS STATION ON BOTH PARCELS.

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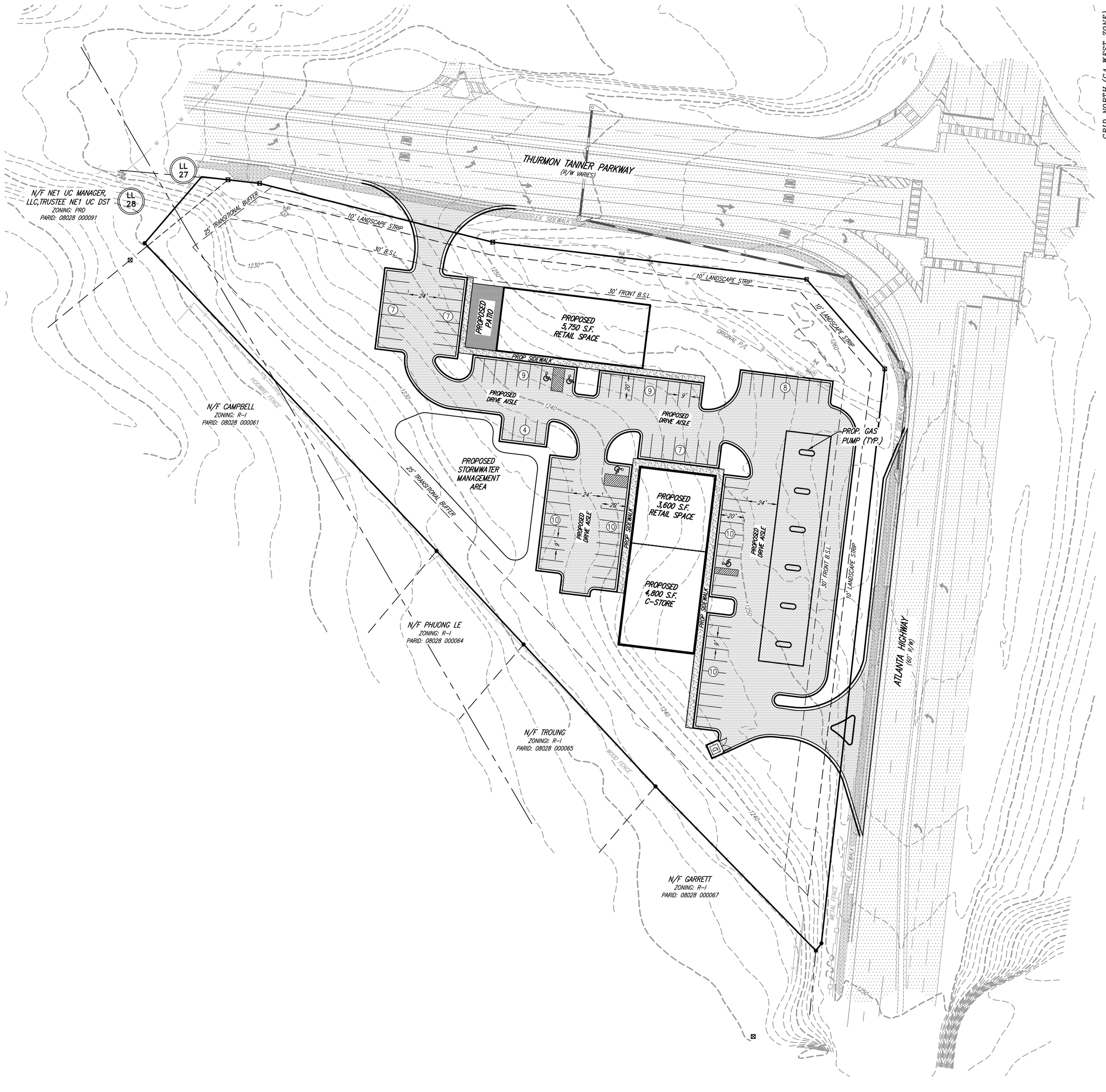
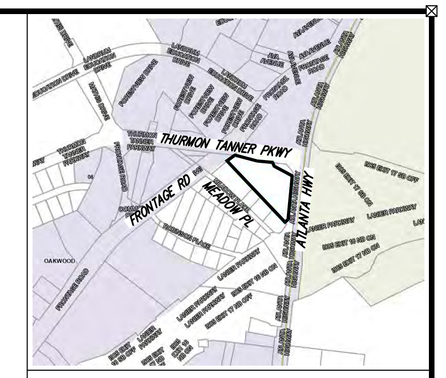
FRONT: 30'
SIDE: 20'
REAR: 10'
BUFFER ADJACENT TO RESIDENTIAL: 25'

PARKING CALCULATIONS:

PARKING USE: RETAIL SALES AND/OR SERVICE
1 SPACE PER 200 S.F. OF SALES AND/OR SERVICE AREA REQUIRED
13,400 S.F. TOTAL BUILDING AREA / 200 S.F./SPACE = 67 SPACES

PARKING PROVIDED: 102 TOTAL SPACES PROVIDED
86 STANDARD SPACES
4 HANDICAP SPACES
12 GAS PUMPS





LOCATION MAP
N.T.S.

OWNER/DEVELOPER
KARAN SINGH
325 CROOKED STICK DR
ALPHARETTA, GA 30004
(404) 403-8267

24-HOUR CONTACT
KARAN SINGH
(404) 403-8267
karansingh12121@gmail.com

LEGEND

-O-	POWER POLE (PP)	C&G	CURB AND GUTTER
HP	HIGH POINT	IP	IRON PIN
DI	DROP INLET	P/L	PROPERTY LINE
JB	JUNCTION BOX	F.E.S.S.	FLARED END SAFETY SECTION
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CMP	CORRUGATED METAL PIPE	N/F	NOW OR FORMERLY
HDPE	HIGH DENSITY POLYETHYLENE	R/W	RIGHT OF WAY
UGD	UNDERGROUND DETENTION	LLL	LAND LOT LINE
TBM	TEMPORARY BENCHMARK	CONC.	CONCRETE
EX.	EXISTING	INV	INVERT
PROP.	PROPOSED	EOP	EDGE OF PAVEMENT
FH	FIRE HYDRANT	TYP.	TYPICAL
WM	WATER METER	— x —	FENCE
LF	LINEAR FEET	— x —	SILT FENCE
DIP	DUCTILE IRON PIPE	— OP —	OVERHEAD ELECTRIC
PVC	POLYVINYL CHLORIDE		SOILS
R	RADIUS	— s — s —	SANITARY SEWER LINE
SF	SQUARE FEET	— — —	BUILDING SETBACK LINE
FFE	FINISH FLOOR ELEVATION	— — —	VEGETATIVE BUFFER
		— w —	WATERLINE

GEORGIA811
www.Georgia811.com

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GRAPHIC SCALE
0 40 80 120
(IN FEET)
1 inch = 40 ft.

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DES DAVIS
ENGINEERING & SURVEYING
24 DAWSON VILLAGE WAY SOUTH
DAWSONVILLE, GA 30534
PHONE: (706) 265-1234
DAVISENGINEERS.COM

REVISION	DATE	DESCRIPTION
-	1/18/2024	INITIAL SUBMITTAL

CONCEPTUAL LAYOUT

KARAN SINGH
LAND LOT 27
8th DISTRICT
HALL COUNTY

DRAWN BY:	NAP
CHECKED BY:	JKD
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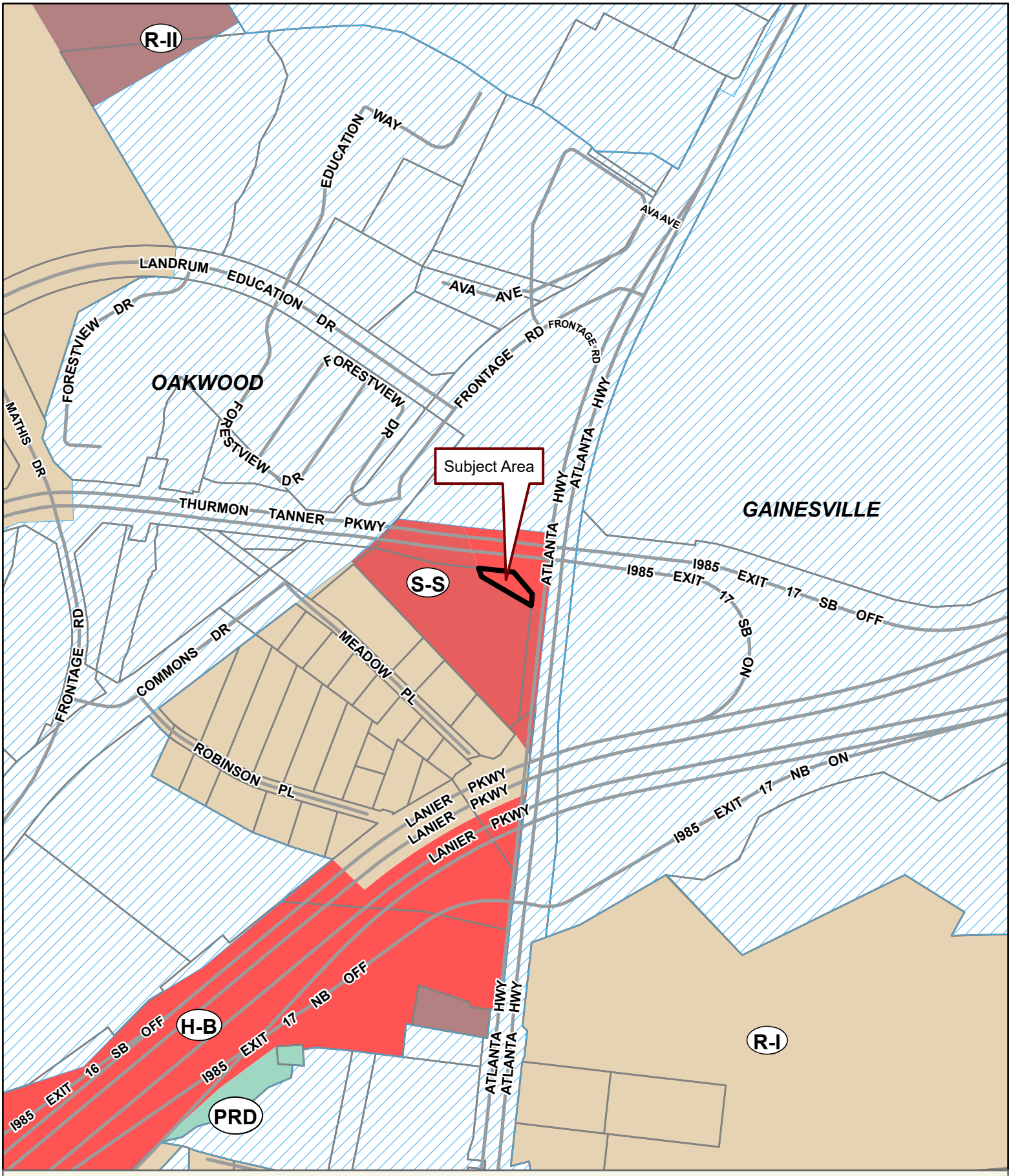
DISTRICT:	8TH
SECTION:	-
CITY:	-
COUNTY:	HALL
DATE:	1/18/2024

SHEET NO.
1 OF 1

PROJECT NO.
23-526

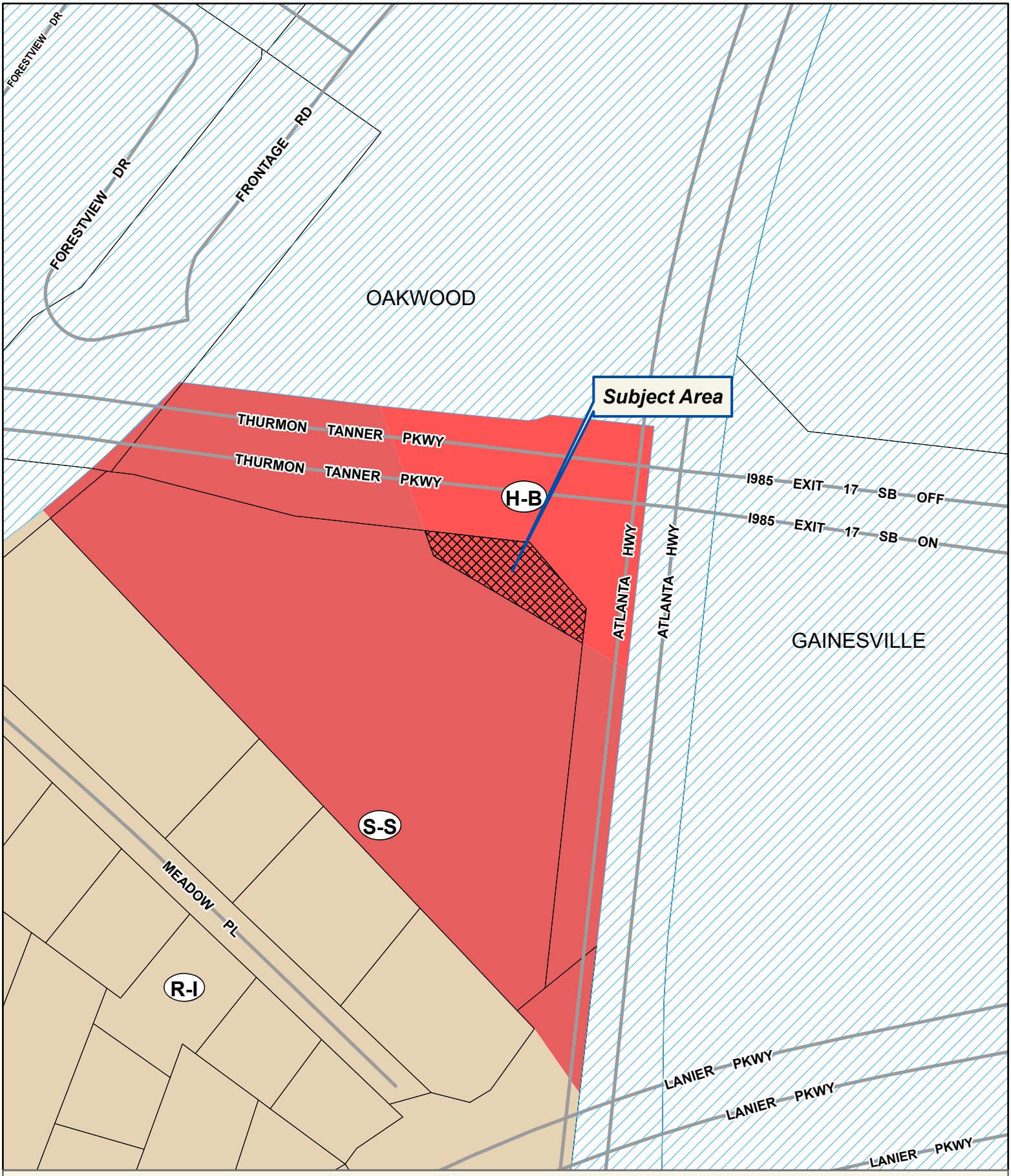


Applicant: KARAN AHUJA
Tax Parcel #: 08027 000011
Location: 2852 ATLANTA HIGHWAY , GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 100 200 400
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



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Commission District 2 **PC Mtg. Date: 03/18/2024**

0 25 50 100
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

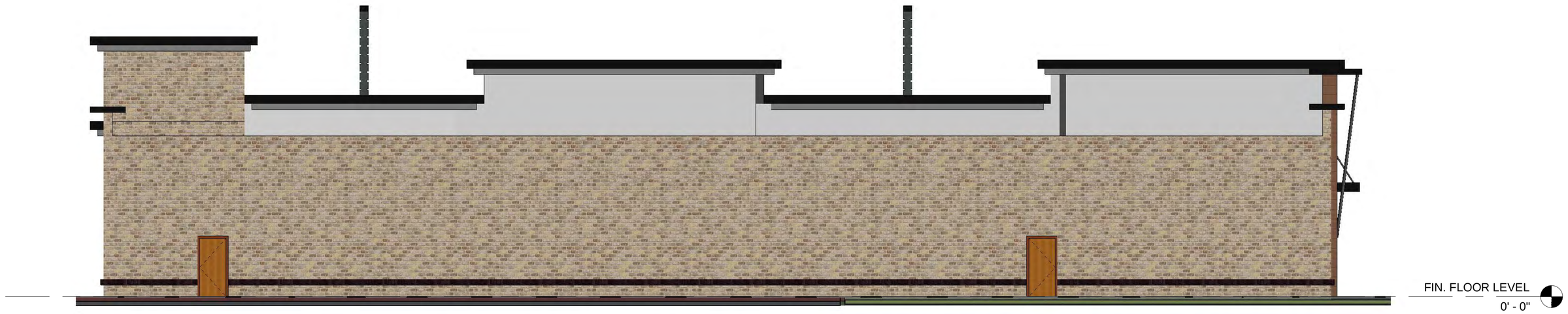
Applicant: KARAN AHUJA
Tax Parcel #: 08027 000011
Location: 2852 ATLANTA HIGHWAY , GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 03/18/2024**

0 25 50 100
Feet

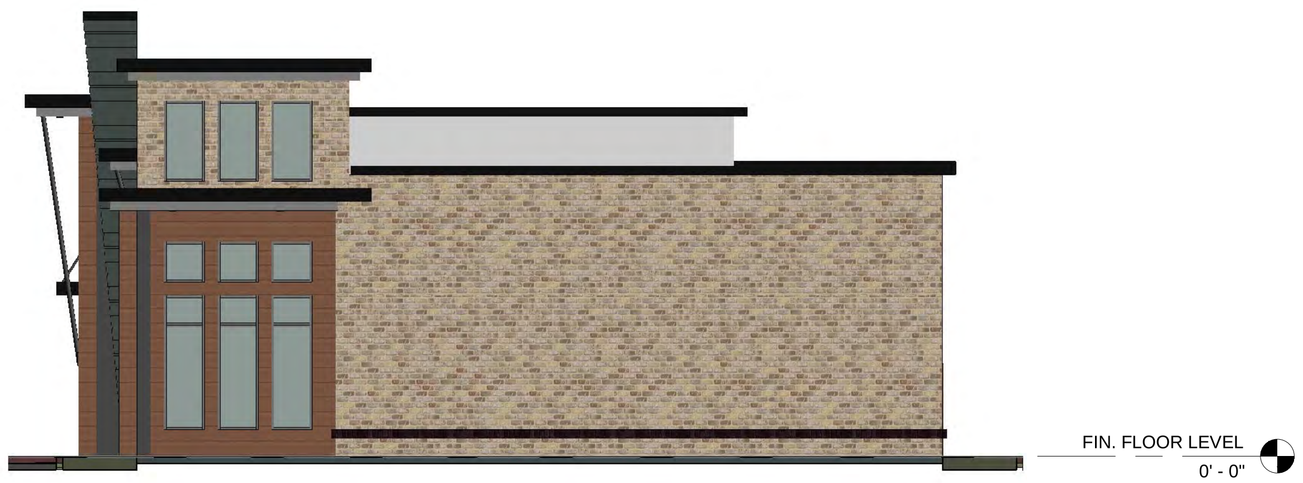
Zoning Boundary
City Limits
Subject Area

N

1 FRONT ELEVATION
1/8" = 1'-0"



2 REAR ELEVATION
1/8" = 1'-0"



3 RIGHT ELEVATION
1/8" = 1'-0"

4 LEFT ELEVATION
1/8" = 1'-0"

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A101

C-STORE ELEVATIONS

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

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A102

C STORE FRONT VIEW

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A103

C STORE FRONT ISO 1

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A104

C STORE FRONT ISO 2

Scale:

03.18.2024 | Item 4

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A105

C STORE RIGHT VIEW

Scale:

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A106

C STORE LEFT VIEW

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A107

BUILDING WITH CANOPY

Scale:

1 FRONT ELEVATION
1/8" = 1'-0"

2 REAR ELEVATION
1/8" = 1'-0"

3 LEFT ELEVATION
1/8" = 1'-0"

4 RIGHT ELEVATION
1/8" = 1'-0"

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A201

RETAIL CENTER ELEVATIONS

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

03.18.2024 | Item 4

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A202

RETAIL CENTER FORNT VIEW

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A203

RETAIL CENTER FORNT ISO 1

Scale:

03.18.2024 | Item 4

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A204

RETAIL CENTER FORNT ISO 2

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A205

RETAIL CENTER FORNT ISO 3

Scale:

03.18.2024 | Item 4

CityView Design Build

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A206

AERIAL VIEW 1

Scale:

03.18.2024 | Item 4

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A207

AERIAL VIEW 2

Scale:

03.18.2024 | Item 4

CITYVIEW DESIGN BUILD

PLANSET TITLE

PROJECT:
HALL COUNTY ATLANTA HIGHWAY
ADDRESS:
-

OWNER: -

SEAL

REVISIONS:

DRAWN BY: CHA
CHECKED BY: NAG

Date: 05-FEB-24

A208

AERIAL VIEW 3

Scale:

03.18.2024 | Item 4

FILED & RECORDED 08/06/2021 4:09 PM
DEED BOOK 8901 PAGES 45 - 46
FILING FEES: $25.00
PT61: 069-2021-007745 TRANSFER TAX: $150.00
RECORDED BY: EAR
CLERK: Charles Baker, C.S.C Hall County, GA

after recording, return to
SCOTT A. BALL
STEWART, MELVIN & FROST, LLP
200 MAIN STREET, SUITE 600
GAINESVILLE, GA 30501

LIMITED WARRANTY DEED

THIS INDENTURE is made this **6th** day of **August, 2021**, between

KATHY ALLISON PETHEL
(hereinafter referred to as "Grantor")

and

RONALD C. DALE as Executor of THE ESTATE OF EDNA T. DALE
(hereinafter referred to as "Grantee")

("Grantors" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits.)

WITNESSETH

GRANTORS, in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property, to wit:

All that tract or parcel of land lying and being in the Oakwood District, Hall County, Georgia, and fronting on State Route 13 and being more particularly described as follows: Tract 1: The same property described in a Warranty Deed from Mrs. Mary Alice Moore Little and J.C. Little, Jr. to J.R. Allison and Mrs. J. R. Allison dated November 14, 1961 and recorded in Deed Book 241, Pages 463-464, Hall County, Georgia Deed Records. Tract 2: The same property described in a Warranty Deed from J.C. Little, Jr. to J.R. Allison and Mary Louise Allison dated October 30, 1980 and recorded in Deed Book 727, Page 512, Hall County, Georgia Deed Records.

SMF FILE # 83397

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, February 13, 2024 12:09 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 3.18.24

Please find Environmental Health comments below:

Item 1, 0 McKinzey Lane, English: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. Requirements were provided to owner under HPLT23-0071 in April 2023. Please note that Zoning approval does not imply approval from other county departments.

Item 2, 2860 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 3, 2852 Atlanta Hwy, Ahuja: The entire development must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled. A Food Service permit/plan review may be required depending on businesses proposed.

Item 4, 8545 Belton Bridge Road, Mallard View HOA: No comment.

Item 5, 2696 Cleveland Hwy, Carrillo: 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. Please note that Zoning approval does not imply approval from other county departments.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Monday, February 12, 2024 1:07 PM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for March 18, 2024

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 in red , below.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, February 8, 2024 10:50 AM
Subject: Tentative Planning Agenda for March 18, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, March 18, 2024** 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, February 15th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – March 4, 2024

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant** No GDOT coordination required.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping**

center | ** Commission District 2 | **Karan Ahuja, applicant** GDOT coordination required for driveway access on SR 13.

8545 Belton Bridge Road | **Amend Conditions** | 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.

4. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
   (B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** GDOT coordination required

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Community Development and Infrastructure
(770) 531-6810 | www.hallcounty.org

HALL COUNTY
GEORGIA
We have it all in Hall

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/trafficking-in-georgia. 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
GEORGIA

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.

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: February 15, 2024

Subject: March 18, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the March 18, 2024 meeting. Upon review, we provide the following comments.

NEW BUSINESS

1. **0 McKinzey Lane | Use Subject to County Commission Approval |** 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089 001019B | **Proposed Use: 6-lot subdivision** | ** Commission District 2 | **Garry L. English, applicant**

   a. **Engineering:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
   b. **Traffic:** Driveways must meet Hall County regulations.
   c. **Utilities**: City of Flowery Branch sewer.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
   c. **Utilities:** City of Oakwood sewer district

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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:** GDOT permit requires for driveway access to Atlanta Highway Thurmon Tanner Pkwy driveway will need to meet Hall County commercial requirements
c. **Utilities:** City of Oakwood sewer district

4. **8545 Belton Bridge Road | Amend Conditions** | 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:** Show stream buffer and impervious setback from wrested vegetation not centerline of stream.
b. **Traffic:** No Comments
c. **Utilities:** Hall County sewer – No sewer connection within feasible distance.

5. **(A) 2696 Cleveland Highway | Rezone |** from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant**
(B) 2696 Cleveland Highway | Use Subject to County Commission Approval | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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:** Permit from GODT will be required for driveway access to Cleveland Highway.
c. **Utilities:** Hall County sewer – No connection within feasible distance.

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Tuesday, February 13, 2024 11:26 AM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning)
Subject: Fire Comments

Monday, March 18, 2024 Hall County Planning Commission Meeting.

2. **2860 Atlanta Highway | Amend Conditions |** on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, applicant**

3. **2852 Atlanta Highway | Rezone |** from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center** | ** Commission District 2 | **Karan Ahuja, 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

ZONING NOTICE
AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING RESOLUTIONS AS THEY APPLY TO THIS PROPERTY.
APPLICANT: KARAN AHUJA
REQUEST: TO ZONE FROM B-B TO S-S FOR A SERVICE STATION, CONVENIENCE STORE, AND SHOPPING CENTER
Date: MAR 18, 2024
Time: 5:15 pm
&
Date: APR 23, 2024
Time: 6:00 pm
FOR MORE INFORMATION CALL: (770) 531-6809

AGENDA ITEM

Planning and Development

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 195/2024

SUBJECT: **4899 Browns Bridge Road | Rezone |** from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B **| Proposed Use: Office/warehouse buildings |** Commission District 2 **| Advantage Investment Properties, applicant**

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BG
Recommendation:

Approval, with conditions:

1. The property shall be rezoned to a Planned Commercial Development (PCD), and shall be developed in accordance with the revised site plan submitted on March 18, 2024, as described in the updated project narrative submitted on February 23, 2024, and the conceptual elevation labeled Exhibit A, with final elevations to be reviewed and approved by the Assistant Director of Planning and Development, or their designee. The submitted documents shall be modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. No variances to Gateway Corridor District standard are granted other than those approved herein (GCOD, 17.420).
3. Access to the property from Ponderosa Drive as well as Sunset Way is prohibited. Access to the property shall be located on Browns Bridge Road only.
4. The developer shall bear all costs associated with the installation of a fire hydrant if required by the Fire Marshal.
5. All conditions of zoning shall be made part of any plats created for the parcel.
6. Permitted uses shall be limited to Business Service Establishment, Office, and Office/Warehouse as described in the project narrative submitted on February 23, 2024. Gateway Corridor Overlay District standards 17.420.050 A & B shall apply.
7. A 6-foot opaque fence shall be installed along sections of the parcel as designated on Exhibit B and on revised site plan dated March 18, 2024.
8. All sides, excluding the sides labeled with roll up doors on the approved site plan, shall adhere to Gateway standards. The sides labeled with roll up door exterior are to be developed in accordance with submitted site plan dated March 18, 2024 and submitted elevation labeled Exhibit A.
9. A 3' high landscape berm shall be installed between Browns Bridge Road and Building A as shown on the revised site plan submitted on site plan dated March 18, 2024.
10. Each building shall be limited to 8,000 and 6,000 square feet as proposed on the revised site plan dated March 18, 2024.
11. The development shall utilize building mounted security lighting with semi-cutoff features.
12. No brokerage, sales (either wholesale or retail), purchase, or outside display of any automotive vehicles, RVs, boats or trailers shall be permitted.
13. Outside activities shall be limited to deliveries, shipping, and employee parking only.
14. No outside storage of any materials is allowed.

Purpose of Request:

4899 Browns Bridge Road | Rezone | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | Commission District 2 | **Advantage Investment 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	BG	WLI	CR
Clerk			
JR			

Attachments:

Board Memo
Recommendation Report
Application
Updated Narrative
Original Narrative
Updated Site Plan
Original Site Plan
Exhibit B
Maps
Renderings
Deed
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Public Comments
Notice Sign Photo

HALL COUNTY
GEORGIA

POST OFFICE DRAWER 1435

GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

PLANNING AND DEVELOPMENT DIRECTOR
Randi Doveton

ASSISTANT DIRECTOR
Beth Garmon

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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: Beth Garmon, Assistant Director of Planning & Development

Date: April 8, 2024

Subject: **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract| **Proposed Use: Office/warehouse buildings** | **Advantage Investment Properties, applicant**

The request before you is the request of Advantage Investment Properties to rezone from Agricultural Residential (AR-III) to Highway Business (H-B) to allow an office/warehouse buildings. This item is located within Commission District 2.

At their March 18, 2024 meeting, the Hall County Planning Commission voted to recommend approval with fourteen (14) conditions **(3-2, Pilcher and Sosebee opposed)**.

Staff recommendation: **Denial,** as the proposed use is inconsistent with the future land use designation of "Lake Supportive Corridor" as described in the Comprehensive Plan.

Public Comment:

- February 19, 2024 HCPC: **One (1) public comment submitted** in advance of the Planning Commission meeting and **seven (7) people spoke** in opposition during the public hearing
- March 4, 2024 HCPC: **One (1) public comment submitted** in advance of the Planning Commission meeting
- March 18, 2024 HCPC: **Three (3) public comments submitted** in advance of the Planning Commission meeting and **six (6) people spoke** in opposition during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Conditions:

1. The property shall be rezoned to a Planned Commercial Development (PCD), and shall be developed in accordance with the revised site plan submitted on March 18, 2024, as described in the updated project narrative submitted on February 23, 2024, and the conceptual elevation labeled Exhibit A, with final elevations to be reviewed and approved by the Assistant Director of Planning and Development, or their designee. The submitted documents shall be modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. No variances to Gateway Corridor District standard are granted other than those approved herein (GCOD, 17.420).
3. Access to the property from Ponderosa Drive as well as Sunset Way is prohibited. Access to the property shall be located on Browns Bridge Road only.
4. The developer shall bear all costs associated with the installation of a fire hydrant if required by the Fire Marshal.
5. All conditions of zoning shall be made part of any plats created for the parcel.
6. Permitted uses shall be limited to Business Service Establishment, Office, and Office/Warehouse as described in the project narrative submitted on February 23, 2024. Gateway Corridor Overlay District standards 17.420.050 A & B shall apply.
7. A 6-foot opaque fence shall be installed along sections of the parcel as designated on Exhibit B and on revised site plan dated March 18, 2024.
8. All sides, excluding the sides labeled with roll up doors on the approved site plan, shall adhere to Gateway standards. The sides labeled with roll up door exterior are to be developed in accordance with submitted site plan dated March 18, 2024 and submitted elevation labeled Exhibit A.
9. A 3’ high landscape berm shall be installed between Browns Bridge Road and Building A as shown on the revised site plan submitted on site plan dated March 18, 2024.
10. Each building shall be limited to 8,000 and 6,000 square feet as proposed on the revised site plan dated March 18, 2024.
11. The development shall utilize building mounted security lighting with semi-cutoff features.
12. No brokerage, sales (either wholesale or retail), purchase, or outside display of any automotive vehicles, RVs, boats or trailers shall be permitted.
13. Outside activities shall be limited to deliveries, shipping, and employee parking only.
14. No outside storage of any materials is allowed.

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT

Applicant ..... Advantage Investment Properties

Request ..... Rezone from Agricultural Residential III (AR-III, 17.110 to Highway Business (H-B, 17.150) / Gateway Corridors Overlay District (GCOD, 17.420)

Proposed Use ..... Office/warehouse buildings

Size ..... 3.10 ± acres

Zoning ..... Current Agricultural Residential III (AR-III 17.110)| Proposed Highway Business (H-B, 17.150) / Gateway Corridors Overlay District (GCOD, 17.420)

Location ..... **4899 Browns Bridge Road |** Tax Parcel 08062 001010B

Commission District ..... Two

Planning Commission Date ..... March 18, 2024

Staff Recommendation ..... **Denial,** as the proposed use is inconsistent with the future land use designation of "Lake Supportive Corridor" as described in the Comprehensive Plan.

Planning Commission Recommendation.....Approval, with conditions
Vote: 3-2 (Pilcher & Sosebee opposed)

Planning Commission Conditions:

1. The property shall be rezoned to a Planned Commercial Development (PCD), and shall be developed in accordance with the revised site plan submitted on March 18, 2024, as described in the updated project narrative submitted on February 23, 2024, and the conceptual elevation labeled Exhibit A, with final elevations to be reviewed and approved by the Assistant Director of Planning and Development, or their designee. The submitted documents shall be modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.

2. No variances to Gateway Corridor District standard are granted other than those approved herein (GCOD, 17.420).

3. Access to the property from Ponderosa Drive as well as Sunset Way is prohibited. Access to the property shall be located on Browns Bridge Road only.

4. The developer shall bear all costs associated with the installation of a fire hydrant if required by the Fire Marshal.

5. All conditions of zoning shall be made part of any plats created for the parcel.

6. Permitted uses shall be limited to Business Service Establishment, Office, and Office/Warehouse as described in the project narrative submitted on February 23, 2024. Gateway Corridor Overlay District standards 17.420.050 A & B shall apply.

7. A 6-foot opaque fence shall be installed along sections of the parcel as designated on Exhibit B and on revised site plan dated March 18, 2024.

8. All sides, excluding the sides labeled with roll up doors on the approved site plan, shall adhere to Gateway standards. The sides labeled with roll up door exterior are to be developed in accordance with submitted site plan dated March 18, 2024 and submitted elevation labeled Exhibit A.

9. A 3' high landscape berm shall be installed between Browns Bridge Road and Building A as shown on the revised site plan submitted on site plan dated March 18, 2024.

10. Each building shall be limited to 8,000 and 6,000 square feet as proposed on the revised site plan dated March 18, 2024.

11. The development shall utilize building mounted security lighting with semi-cutoff features.

12. No brokerage, sales (either wholesale or retail), purchase, or outside display of any automotive vehicles, RVs, boats or trailers shall be permitted.

13. Outside activities shall be limited to deliveries, shipping, and employee parking only.

14. No outside storage of any materials is allowed.

Excerpts from the minutes of the February 19, 2024 meeting

Applicant's Presentation:

Katie Greenway, Principal Planner, presented a summary of the request.

Bradley Dunckel, 3603 Timber Walk Drive, Gainesville, presented the request. The applicant stated the lot has been vacant.

Rebuttal

The applicant stated GDOT is allowing them to align their entrance with Goddards Ford Road. The applicant stated that the runoff will be directed towards the pond.

Public Forum:

Wallace Watanabe, 4999 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were inconsistency with the comprehensive plan, character, and traffic.

Janice Sewell, 4919 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were sewer system, proximity to home, traffic and runoff water.

James Hoover, 4911 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were proximity to residences and traffic.

Samuel & Sandra Cardoso, 4909 Sunrise Way, Gainesville, spoke in opposition. Concerns were drainage, traffic, wildlife, noise disturbance, and septic tank.

Mario Villamarzo, 4818 Goddards Ford Road, Gainesville, spoke in opposition. Concerns were surrounding zoning, traffic, and proximity to residences.

Kristen Watanabe, 4999 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were inconsistency with the comprehensive plan, outdoor lighting, maintaining security, buffers, hours of operation, construction vehicles blocking roads, and signage.

Yvonne Villamarzo, 4818 Goddards Ford Road, Gainesville, spoke in opposition. Concerns were traffic and safety.

Planning Commission Comments:

Mr. Braswell questioned if the applicant got rid of the access on Ponderosa Drive. The applicant stated the entrance was abandoned. Mr. Hunt stated that the rear building is too close to the residential homes. Ms. Pilcher stated that the proposal is out of place. The applicant stated that future development will not be building residences on the property. Mr. Braswell stated it would be helpful to have dimensions.

***Motion:* A motion to table to March 4, 2024 was made by Mr. Hunt and seconded by Mr. Sosebee. Vote: 5-0**

Excerpts from the minutes of the March 18, 2024 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request.

Bradley Dunckel, 3703 Timber Walk Drive, Gainesville, presented the request. The applicant stated that the proposed use will not increase traffic compared to other lake uses like boat storage, boat sales, or boat repair. The applicant stated that in addition to the 25 foot transitional buffer they are in agreement with a landscape berm along Browns Bridge Road as well as a 6 foot high opaque fence screening the rear of both buildings. The applicant is requesting 75% of the façade material to be a Hardie plank material to be consistent with previously approved items within Gateway Corridor. The applicant stated they will limit the

total square footage to 14,000 between the two buildings. The applicant stated that the future comprehensive plan will support this application.

Rebuttal

The applicant stated that lighting on the development will be semi cutoff and outside noise can be restricted to no outside activities. The applicant stated that the drainage of the property will be going to the detention pond and may intercept runoff affecting neighboring properties. The applicant stated that the building will be inspected by the Fire Marshal yearly as a business license requirement. The applicant stated that Hardie plank is a masonry product.

Public Forum:

Christopher Minish, 4902 Sunrise Way, Gainesville, spoke in opposition. Concerns were noise, light, entrances, and quality of life.

Sandra & Samuel Cardoso, 4909 Sunrise Way, Gainesville, spoke in opposition. Concerns were drainage, runoff, and erosion.

Wallace Watanabe, 4999 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were uses, encroachment, impact to residential homes, and consistency with Gateway Corridor Overlay District and the Comprehensive Plan.

Ralph Thomas, 4966 Habersham Walk, Gainesville, spoke in opposition. Concerns were tenants, uses, and pollution.

Kristen Watanabe, 4999 Ponderosa Drive, Gainesville, spoke in opposition. Concerns were proximity to residential homes, inconsistency with Gateway Corridor Overlay District and the Comprehensive Plan.

Charles, DeCook, 4890 Serene Shores Drive, Gainesville, spoke in opposition. Concerns were traffic, quality of life, and decreasing home values.

Planning Commission Comments:

Mr. Braswell requested clarification of the proposed use. The applicant stated it would not be utilized for processing, manufacturing, outside activity, or onsite sales. Mr. Hunt requested there be an opaque fence be added to the side of the parking lot at the rear building. The applicant agreed.

***Motion:* A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 3-2**

Braswell – aye
Hunt – aye
Varner – aye
Pilcher – nay
Sosebee – nay

Staff Recommended Conditions:

1. The property shall be rezoned to a Planned Commercial Development (PCD), and shall be developed in accordance with the site plan submitted on February 7, 2024 and as described in the updated project narrative submitted on February 7, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Development shall conform to the standards set forth by the Gateway Corridors Overlay District (GCOD, 17.420).
3. Access to the property from Ponderosa Drive is prohibited. Access to the property shall be located on Browns Bridge Road only.
4. The developer shall bear all costs associated with the installation of a fire hydrant if required by the Fire Marshal.
5. All conditions of zoning shall be made part of any plats created for the parcel.

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 narrative and site plan:

- 17.420.050(D)(3) Loading and services areas
    - In addition to general perimeter landscaping and required buffers, if a loading or service area is located within 50 feet of a side or rear lot line abutting property that is residentially zoned or used for residential purposes, or public or institutional use, then the loading or service areas shall be surrounded by either a six feet high masonry screening wall, or a six feet high solid wooden fence, placed on the inside of the landscaped buffer required in section 17.420.050.C.
        - The applicant has not proposed any screening or fencing around loading areas.
- Table 17.250.020(A)(7) Off-street parking
    - Office building or studio requires 3.5 spaces for each 1,000 square feet of gross floor area.
        - The applicant has proposed 17 parking spaces.
        - The applicant has not specified how much square footage will be used for office versus warehousing therefore a parking space requirement cannot be determined until further information is provided.
- 17.420.050(H)(2) Building materials
    - iii. Split-face block/concrete masonry unit (CMU) is restricted to 50 percent of the surface area of each side of a principal building.

- The applicant is proposing up to 75% of CMU for each façade on the front building closest to Browns Bridge Road.

- vi. Exposed concrete block, painted concrete block, metal, tilt/up and pre-cast concrete are prohibited materials for any exterior wall.
    - The applicant is proposing exterior metal walls on the back building furthest from Browns Bridge Road.

Summary Analysis

The applicant is requesting to rezone 3.10 ± acres of Agricultural Residential III (AR-III 17.110) property to Planned Commercial Development (PCD, 17.180.080) for the construction of two offices with warehouse spaces. The property falls within the Gateway Corridors Overlay District (GCOD, 17.420) which provides supplemental design standards for non-residential property development.

The subject property has frontage along Browns Bridge Road and Ponderosa Drive. Additionally, the terminus of Sunrise Way is located at the eastern property line of the parcel, with the right-of-way measuring approximately 40 feet in width. The site plan shows the main access from Browns Bridge Road at the intersection with Goddards Ford Road, and a secondary access is shown from Ponderosa Drive approximately 200 feet from its intersection with Browns Bridge Road. The access from Ponderosa Drive is approximately 16 feet wide, which meets the minimum width for commercial one-way driveways 12.240.080. The applicant has not specified if the secondary access will be utilized as one-way access and has not requested a variance from this standard. Hall County Traffic has provided a comment stating that Ponderosa Drive is a narrow residential roadway and access should be restricted to Browns Bridge Road only.

The subject property is currently undeveloped and surrounded by single-family detached residences. The nearest residence is located 10 feet from the property line in the northeast corner of the subject parcel. The narrative states that the property will be developed with a maximum of two buildings with a primary use of office/warehouse flex spaces and associated parking. The concept plan shows an 8,000 square foot building with a large loading area, located approximately 53 feet from the front property line adjacent to Browns Bridge Road. Additionally, a 6,000 square foot building is proposed to be located approximately 120 feet from the rear property line with a smaller loading area. The loading areas are located within 50 feet of a residential parcel, therefore an opaque wall or fence must be placed on the inside of the buffer to provide screening per 17.420.050. The applicant has not proposed any fencing or screening around the loading areas.

The applicant is requesting two exceptions from the standards of the Gateway Corridor Overlay District (GCOD, 17.420.050(H)(2)). The elevations provided by the applicant show different architectural styles and materials for each of the buildings. For the building furthest from Browns Bridge Road, the elevations show metal exterior walls on the front and rear of the building. As exposed metal exterior walls are prohibited by the Gateway standards, the applicant has requested a variance from this standard. For the front building

closest to Browns Bridge Road, the applicant proposes to use cementitious siding for up to 75% of the front façade.

The conceptual site plan shows 17 spaces of regular parking, located separately from the loading areas. While parking is sufficient to meet warehouse parking standards of 1 space per 2 employees, 17.250.020, it does not meet the standards for office parking which requires 3.5 spaces per 1,000 square feet of gross floor area 17.250.020 . The proposed warehouses have a combined 14,000 square feet, requiring 49 total parking spaces. The applicant has not requested a variance from this standard.

No proposed signage has been submitted as part of the application.

The site plan proposes a stormwater management area on the northeast side of the property and separate locations for each building's individual septic system. A 10-foot landscape strip borders the property line adjacent to Ponderosa Drive and Browns Bridge Road. There is a 25-foot transitional buffer along the remaining property lines, which adjoin residential lots. Both the buffer and landscape strip meet the width requirement within the Gateway Corridor Overlay District (GCOD, 17.420.050) standards.

GCOD Analysis

Standard	Compliance?	Notes
17.420.050.C – Transitional buffers	Complies	Application includes buffers and does not request a variance from the planting standards.
17.420.050.D – Other landscape and screening standards	Complies	Application includes buffers and does not request a variance from the planting standards.
17.420.050.E – Parking lot design	Deficient	Application does not meet GCOD guidelines.
17.420.050.F – Outdoor lighting	Unknown	Application references intention to comply with the semi-cutoff type lighting based on letter of intent, but does not specify if all lighting will meet GCOD standards.
17.420.050.G – Interparcel access	Not Applicable	Subject lot abuts residential zoning districts; therefore, this standard is not applicable.
17.420.050.H – Architectural standards for non-residential buildings	Deficient	Application proposes variances to GCOD standards.
17.420.060 – Signs	Unknown	Application does not propose signage.

Based on the future land-use plan, staff finds the requested zoning designation *inconsistent* with the Hall County Comprehensive Plan future land use designation of "Lake Supportive Corridor". The subject parcel

falls within the Lake Area Residential character area, which is intended to preserve established neighborhoods and promote single-family home construction; it is also within the Lake Supportive Corridor. The Lake Supportive Corridor is envisioned for uses that complement recreation at Lake Lanier at low or moderate densities. The proposed use does not meet either future land use designation.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The zoning proposal is not suitable given the context of the surrounding area. The property is surrounded by residentially zoned and developed properties with the nearest commercial property approximately 1,425 feet away zoned Planned Commercial District (PCD) for a shopping center.**

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **Screening and buffer requirements (17.420.050) will be adhered to as to not adversely affect adjacent properties; however, the applicant has not provided any screening/fencing plans for loading areas.**

3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic use as currently zoned (Agricultural Residential III (AR-III 17.110)) bases on surrounding developed properties. The property is currently undeveloped.**

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **The zoning proposal will not result in an excessive or burdensome use of local infrastructure.**

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposal does not conform to the future land use designation "Lake Area Residential" which envisions residential, agricultural, recreational, and civic uses at low density, or the "Lake Supportive Corridor" which envisions uses that complement recreation at Lake Lanier at low or moderate densities.**

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 and has no record of any previous development.**

10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**

11. Whether the change would create an isolated district unrelated to the surrounding districts; **The zoning change to Planned Commercial Development (PCD, 17.180.080) would create an isolated district within Hall County.**

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 proposal is not out of scale with the needs of the county as a whole, as population growth has increased the need for local employment opportunities. However, the request may be out of scale for the immediate neighborhood, as this would create an isolated commercial zoning district surrounded by residentially-zoned and developed properties.**

14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are many sites within Hall County appropriately zoned to accommodate the applicant's proposal.**

15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**

16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **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.**

The **Planned Commercial Development (PCD, 17.180.080) district** allows for a variety of commercial uses to meet a variety of residents' needs; however, the proposed use of an office/warehouse flex space is inconsistent with the surrounding development pattern. Development should conform to the existing character and development pattern of the surrounding area.

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 provides a narrative outlining the intent of the development 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 proposal meets the requirement. The applicant has provided a site plan to scale. However, information 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. **The proposed development will utilize public water and septic system; as such, this is not applicable.**

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. **The proposed development does not contain any residential dwelling units, and as such is exempt from this requirement.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 4, 2024, Emily McGahee stated “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/modification may be required after review of business plan.”

Hall County Fire Marshal

In an email dated January 5, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated the following:

Hall County Fire Marshal’s Office comments:

1) Page 6 & 7 will need to be removed from the application packet since both those pages are the concept plan for another project.

2) Extension of the underground water line with additional fire hydrant will be required to meet fire code.

3) If approved additional modifications may be required during the development review process.

Hall County Public Works and Utilities

In a memorandum from Public Works and Utilities dated January 5, 2024, Bill Nash, Director, 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 access to Browns Bridge Rd. will need to be permitted through GDOT.

Ponderosa Drive is a narrow residential roadway, there, we recommend that site access be on Browns Bridge Road only and no access be permitted along Ponderosa Drive.

Utilities:

Hall County/Gainesville sewer district- No connection within feasible distance.

Georgia Department of Transportation

In an email dated January 5, 2024, Veronica Chavers, D1TO Civil Engineer 3, confirmed that this project will require GDOT coordination.

Updated 2-7-2024

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE. GA 30503
t: 770-531-6809 I f: 770-531-3902

HALL COUNTY
GEORGIA
We have it all in Hall

ZONING APPLICATION

Applicant (Name & Mailing Address)

Advantage Investment Properties, LLC
140 Shallowford Road
Gainesville, GA 30504
Phone 770-652-3340
Email Address donaldwsmith@charter.net

Property Owner (Name & Mailing Address)

SAME
Phone 770-652-3340
Email Address donaldwsmith4129@gmail.com

Proposed Use Office/Warehouse

Contact Person (Name & Mailing Address)

Bradley Dunckel
3703 Timber Walk Dr.
Gainesville, GA 30506
Phone 770-363-1997
Email Address bdunck@gmail.com

Status of Applicant

- ☑ Owner
- ☐ Option to Purchase
- ☐ Area Resident
- ☐ Other

Requested Action

Existing Zoning: AR-III
Rezone to: PCD
Fee:$ 450.00
Receipt #:
Check #:

Tax Parcel Number 08062 001010B
Acreage 3.1 Acres +/-
Location Address 4899 Browns Bridge Road, Gainesville, GA 30507

I hereby certify that the above information and all attached information are true and correct.

Sign Donald W. Smith Date: 11-22-23

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: 12-6-2023 Taken by: Kate M
Tentative Planning Commission Date: 2/5/23 Tentative County Commission Date: 3/14/23
County Commission District: 2

PLANNING AND DEVELOPMENT DEPARTMENT
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Email Address donaldwsmith@charter.net

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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:** 11/22/23

Applicant's/Owner's Name (Printed): Donald W. Smith

Project Narrative for 4899 Browns Bridge Road

LOCATION – 4899 Browns Bridge Road, Gainesville, GA 30504
ACREAGE – 3.1 acres+/-
APPLICANT- Advantage Investment Properties, Inc. (Bradley Dunckel)
OWNER- Advantage Investment Properties, Inc.

Planning & Zoning
Received
February 23, 2024

Summary

The accompanying application seeks Hall County Commission Approval for the rezoning from AR-III to PCD for a 3.1 +/- acres of undeveloped property located at 4899 Browns Bridge Road (SR 369) in west Hall County. The intent is to develop a maximum of two buildings, and associated parking, with allowable uses as shown below. The location and proposed use is within the Hall County 2022 Comprehensive Plan's designation as a "Lake Supportive Corridor" which allows limited commercial uses. Completion of development is anticipated by year-end 2024.

Site Description

The site has frontage along Browns Bridge Road (SR 369) (375') and Ponderosa Drive (225'). The site is L- shaped and adjacent to several residential properties. The site is partially wooded with a mix of trees with rolling topography. Domestic water is provided by the City of Gainesville and is located in both the Browns Bridge Road and Ponderosa Drive rights-of-way. The site will be served by an on-site sewage management system and all other dry utilities are located within a reasonable distance for service extensions. An overhead power line easement does affect the property, but no other known impediments should impact its successful development for the purposes intended.

Allowable Uses – PCD

Business Service Establishment:
The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming and data processing, photocopying, blueprinting and duplication services, commercial art and graphic design, mailing agencies, employment services, detective, protective, and security system services, accounting, auditing, and bookkeeping services, business consulting firms such as interior decorating.

Office:
The use of a building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind on the premises including CPA, attorney, and real estate offices.

Office/Warehouse:
The use of a building that combines office and warehouse or storage functions, where no more than eighty-five (85) percent of the building is devoted to warehouse or storage functions, and which does not involve retail sales.

Adjacencies

The property is surrounded by residential zoned parcels (R-I & AR-III) with predominately single-family detached homes, mobile homes and at least one storage yard.

Access

Access will occur from a primary driveway located on Browns Bridge Road (pending final GDOT approval) and a secondary driveway from Ponderosa Drive (pending Hall County approval).

Proximity to Other Uses

- Nearest distance to a single-family home - a single family home at 4885 Browns Bridge Road (parcel #08062 001108) is located within 10' of the boundary of the subject parcel to the northeast
- Nearest distance to a commercial property – an Exxon Convenience Store (parcel #08080 001001) is located 1,600' west of the property boundary.

Comprehensive Plan Consistency

The property is located within a "Lake Support Corridor" of the Future Land Use Map. Browns Bridge Road is among those roads described, as being ‘‘generally those roadways that are intended to accommodate a variety of nonresidential uses without encroaching upon or replacing adjacent residential neighborhoods’’.

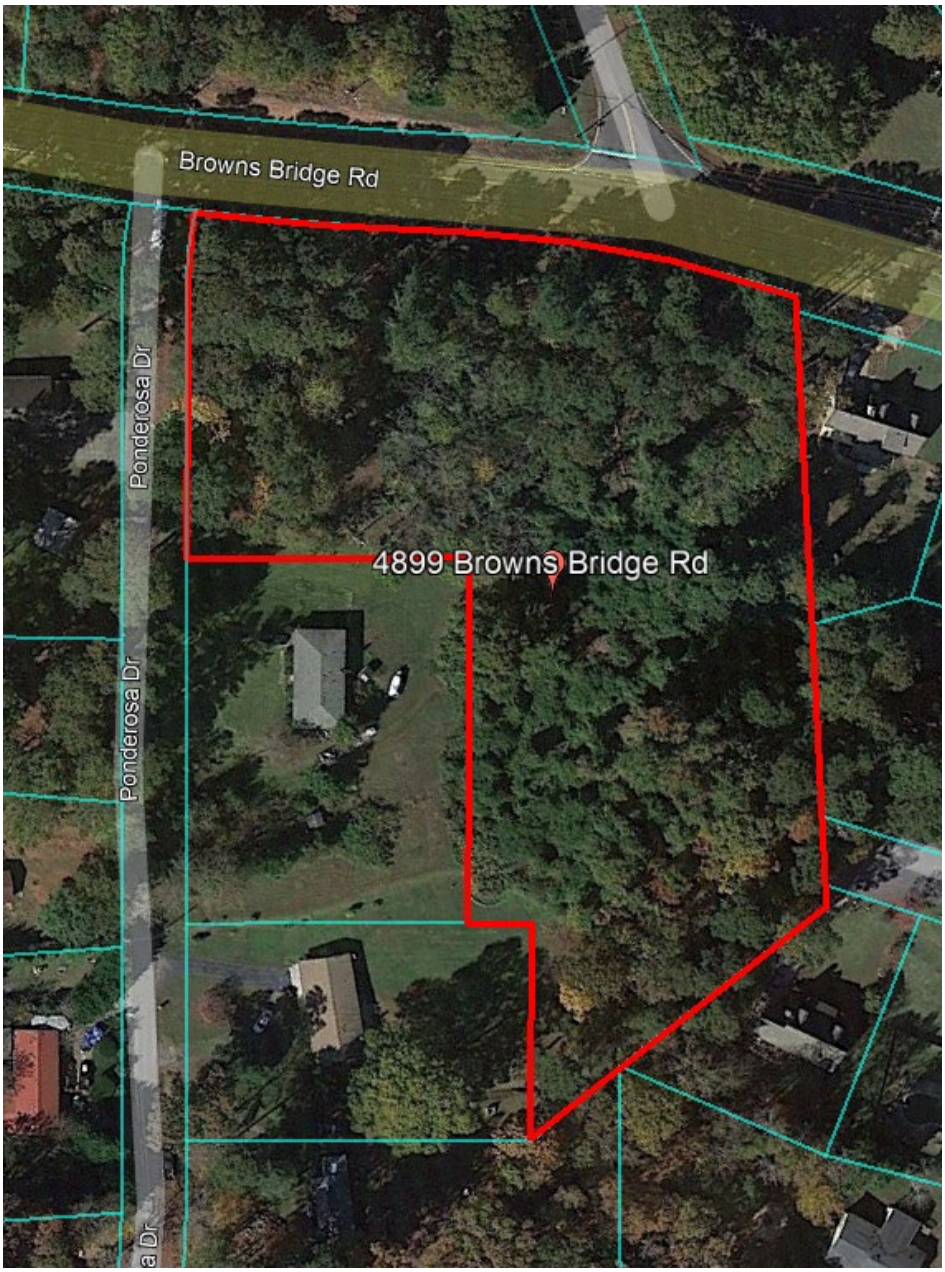
The draft version of the 2024 Comprehensive Plan Update specifically identifies this property as a ‘‘Business Node & Corridor’’ that ‘‘include more intense commercial uses and low intensity industrial uses that house businesses that serve nearby residents and visitors’’.

It is our position that the draft 2024 Plan further justifies the proposed zoning and uses and is not in direct conflict with the goals and policies of the Plan.

Proffered Conditions

Applicant offers the following Proffered Conditions for consideration:

1. Installation of a 6’ high opaque fence in locations shown on revised site plan.
2. Installation of a 3’ high landscape berm between Browns Bridge Road and building where shown on revised site plan
3. Limit total square footage to 14,000 SF
4. Provide GCOD architectural standards (as modified herein) for both buildings (3 sides only).
5. Utilize building mounting security lighting with semi-cutoff features.


Browns Bridge Rd
Ponderosa Dr
Ponderosa Dr
4899 Browns Bridge Rd

Gateway Corridor Overlay District (GCOD)

The property is within Hall County's GCOD. The Applicant is requesting a variance from Section 17.420.050, item 2, *Building Materials,* to;

1) allow for metal exterior walls on the rear building. The majority of this building falls outside the 300' GCOD limits and should have limited visibility from Browns Bridge Road, and
2) allow for cementitious siding on the front building, but not to exceed 75% of each elevation.

Traffic Impact

Traffic impact by this project will be minimal with an estimated fifty-five total trips per day on average. AM Peak is estimated at 4 trips and PM Peak at 6 trips.

Noise, Dust, Light

Outdoor lighting will be "semi-cutoff" fixtures in order to provide minimum-security protection of property and personnel. Any excessive noise or dust that may be generated by the Users will be contained within the buildings.

Hours of Operation

All business related operations would be conducted within the buildings with typical hours of operation consistent with any licensing requirements for the type of business occupying the premises.

Conceptual Site Plan

The development of the site shall generally occur as depicted by the Conceptual Site Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require modifications during the engineering and development process. Modifications to the locations and arrangement of buildings, roads, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer or End User, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks. Design flexibility to work within these parameters is requested.

Project Narrative for 4899 Browns Bridge Road

LOCATION – 4899 Browns Bridge Road, Gainesville, GA 30504
ACREAGE – 2.42 acres+/-
APPLICANT- Advantage Investment Properties, Inc. (Bradley Dunckel)
OWNER- Advantage Investment Properties, Inc.

Summary

The accompanying application seeks Hall County Commission Approval for the rezoning from AR-III to H-B for a 2.42 +/- acres of undeveloped property located at 4899 Browns Bridge Road (SR 369) in west Hall County. The intent is to develop a maximum of two buildings, and associated parking, with a primary use for office/warehouse flex space. The location and proposed use is within the Hall County 2022 Comprehensive Plan's designation as a "Lake Supportive Corridor" which allows limited commercial uses. Completion of development is anticipated by year-end 2024.

Site Description

The site has frontage along Browns Bridge Road (SR 369) (375') and Ponderosa Drive (225'). The site is L- shaped and adjacent to several residential properties. The site is partially wooded with a mix of trees with rolling topography. Domestic water is provided by the City of Gainesville and is located in both the Browns Bridge Road and Ponderosa Drive rights-of-way. The site will be served by an on-site sewage management system and all other dry utilities are located within a reasonable distance for service extensions. An overhead power line easement does affect the property, but no other known impediments should impact its successful development for the purposes intended.

Adjacencies

The property is completely surrounded by residential zoned parcels (R-I & AR-III) with predominately single-family detached homes.

Access

Access will occur from a primary driveway located on Browns Bridge Road (pending final GDOT approval) and a secondary driveway from Ponderosa Drive (pending Hall County approval).

Proximity to Other Uses

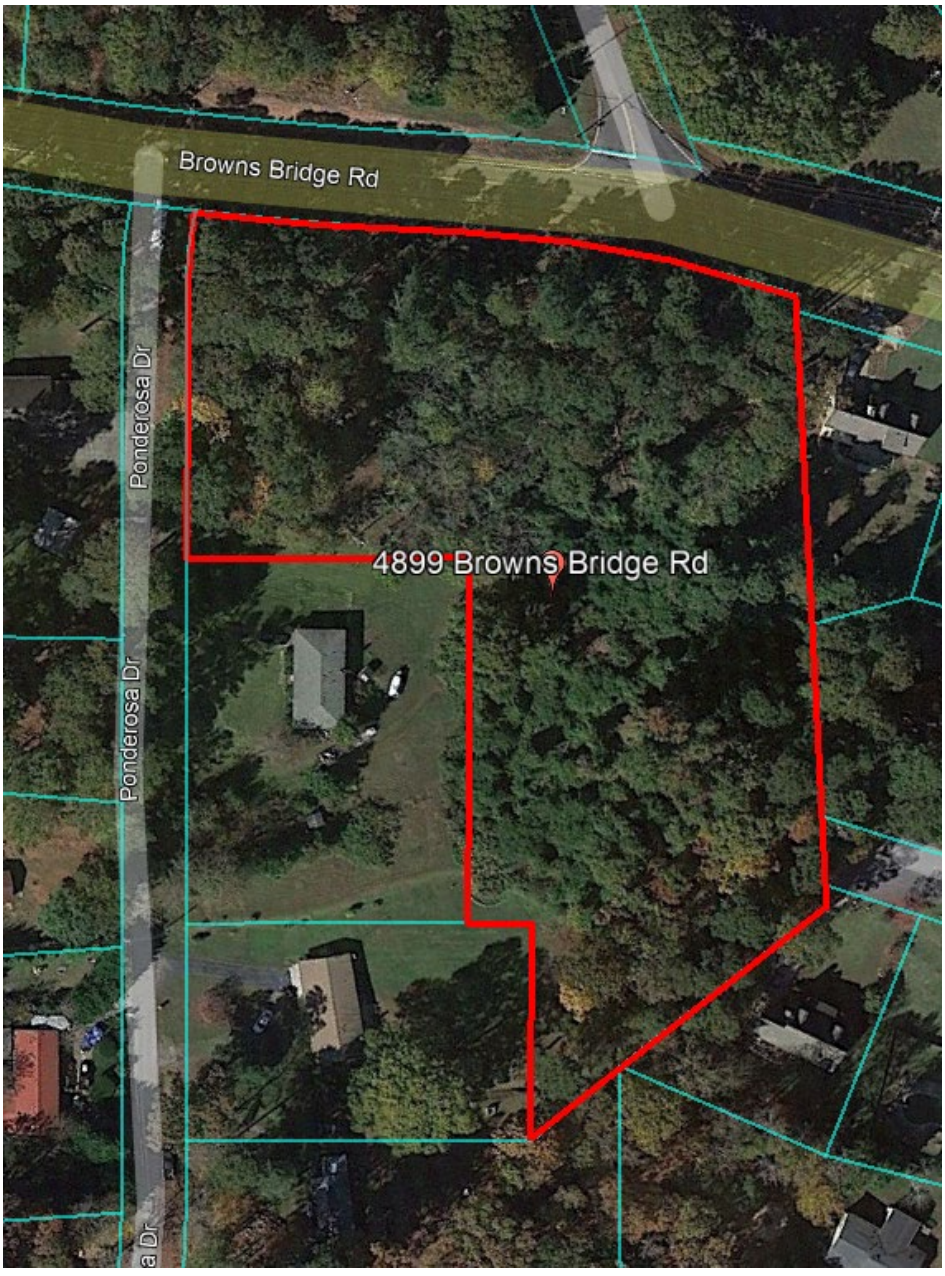
- Nearest distance to a single-family home - a single family home at 4885 Browns Bridge Road (parcel #08062 001108) is located within 10' of the boundary of the subject parcel to the northeast
- Nearest distance to a commercial property – an Exxon Convenience Store (parcel #08080 001001) is located 1,600' west of the property boundary.

Comprehensive Plan Consistency

The property is located within a "Lake Support Corridor" of the Future Land Use Map. Browns Bridge Road is among those roads described, as being ‘‘generally those roadways that are intended to accommodate a variety of nonresidential uses without encroaching upon or replacing adjacent residential neighborhoods’’.

The draft version of the 2024 Comprehensive Plan Update specifically identifies this property as a ‘‘Business Node & Corridor’’ that ‘‘include more intense commercial uses and low intensity industrial uses that house businesses that serve nearby residents and visitors’’.

It is our position that the draft 2024 Plan further justifies the proposed zoning and uses and is not in direct conflict with the goals and policies of the Plan.



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Conceptual Site Plan

The development of the site shall generally occur as depicted by the Conceptual Site Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require modifications during the engineering and development process. Modifications to the locations and arrangement of buildings, roads, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer or End User, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks. Design flexibility to work within these parameters is requested.

Submitted 3-18-2024

Applicant

Advantage Investment Properties, LLC
140 Shallowford Road. Gainesville, GA 30504
donaldwsmith@charter.net
770-652-3340

Contact

Bradley Dunckel, P.E.
3703 Timber Walk Drive Gainesville, GA 30506
bdunck@gmail.com
770-363-1997

4899 Browns Bridge Road	
Parcel Number	08062 001010B
Current Zoning	AR-III
Proposed Zoning	PCD
Parcel Size	3.1 acres +/-
Minimum Lot Area	15,000 SF
Minimum Lot Frontage	100'
Front Setback from Browns Bridge Road	30'
Side Setback	20'
Rear Setback	10'
Maximum Height	35'
Maximum Total Building SF	14,000
Transitional Buffer to Residential & Agriculture	25'
Landscape Strip adjacent to R/W's	10'
Parking Ratio	Per Hall County Guidelines

CONCEPT SITE PLAN FOR:

4899 BROWNS BRIDGE ROAD

ADVANTAGE INVESTMENT PROPERTIES, LLC.
HALL COUNTY, GEORGIA

REVISIONS

NO.	DATE	DESCRIPTION

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD VOIDS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. CONTRACTOR SHALL KEEP ONE COPY ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE
15' 0' 30' 60'

DATE: 3/18/2024
SCALE: 1"=30'

SHEET 1 OF 1

Applicant

Advantage Investment Properties, LLC

140 Shallowford Rd. Gainesville, GA 30504

donaldwsmith@charter.net

770-652-3340

Contact

Bradley Dunckel, P.E.

3703 Timber Walk Dr. Gainesville, GA 30506

bdunck@gmail.com

770-363-1997

4899 Browns Bridge Road	
Parcel Number	08062 001010B
Current Zoning	AR-III
Proposed Zoning	H-B
Parcel Size	3.1 acres +/-
Minimum Lot Area	15,000 SF
Minimum Lot Frontage	100'
Front Setback from Browns Bridge Road	30'
Side Setback	20'
Rear Setback	10'
Maximum Height	75'
Transitional Buffer to Residential & Agriculture	25'
Landscape Strip adjacent to R/W's	10'
Parking Ratio	Per Hall County Guidelines

Integra Developer Services, LLC
LAND PLANNING, DUE DILIGENCE, ENTITLEMENTS
3703 Timber Walk Drive
Gainesville, GA 30506

CONCEPT SITE PLAN FOR:

4899 BROWNS BRIDGE ROAD

ADVANTAGE INVESTMENT PROPERTIES, LLC.

HALL COUNTY, GEORGIA

REVISIONS

NO.	DATE	DESCRIPTION

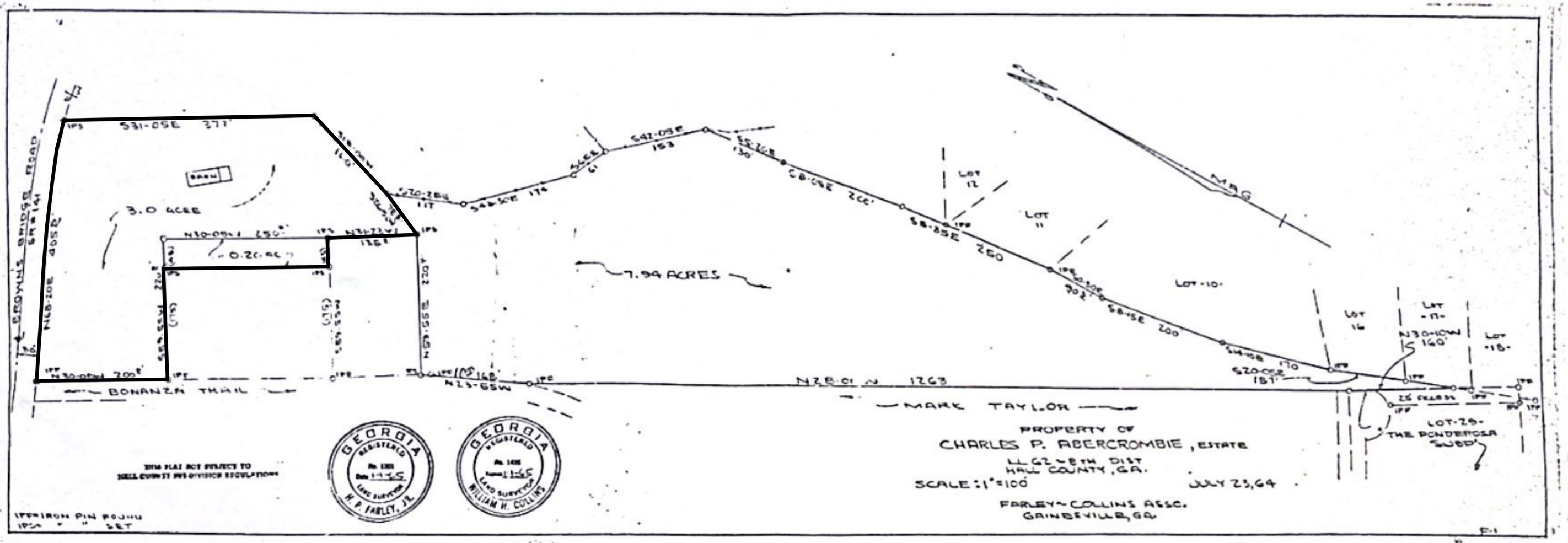
ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN CONSENT OF INTEGRA DEVELOPER SERVICES, LLC VOIDS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. CONTACT INTEGRA DEVELOPER SERVICES, LLC FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE

15' 0' 30' 60'

DATE: 11/20/2023
SCALE: 1"=30'

SHEET 1 OF 1



Recorded Oct. 15, 1964 H. Grady Winters, clerk

Scanned with CamScanner

500+/-

Applicant

Advantage Investment Properties, LLC
140 Shallowford Road. Gainesville, GA 30504
donaldwsmith@charter.net
770-652-3340

Contact

Bradley Dunckel, P.E.
3703 Timber Walk Drive Gainesville, GA 30506
bdunck@gmail.com
770-363-1997

4899 Browns Bridge Road

Parcel Number	08062 001010B
Current Zoning	AR-III
Proposed Zoning	PCD
Parcel Size	3.1 acres +/-
Minimum Lot Area	15,000 SF
Minimum Lot Frontage	100'
Front Setback from Browns Bridge Road	30'
Side Setback	20'
Rear Setback	10'
Maximum Height	35'
Maximum Total Building SF	14,000
Transitional Buffer to Residential & Agriculture	25'
Landscape Strip adjacent to R/W's	10'
Parking Ratio	Per Hall County Guidelines

Exhibit B

Fence added by Stan Hunt

CONCEPT SITE PLAN FOR:
4899 BROWNS BRIDGE ROAD
ADVANTAGE INVESTMENT PROPERTIES, LLC.
HALL COUNTY, GEORGIA

REVISIONS

NO.	DATE	DESCRIPTION

3703 Timber Walk.

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER DOCUMENTS THE SEAL SHOWN HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT ORIGINAL DRAWINGS ARE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

GRAPHIC SCALE 15' 0' 30' 60'

DATE: 3/18/2024
SCALE: 1"=30'

SHEET 1 OF 1

Applicant: ADVANTAGE INVESTMENT PROPERTIES, LLC
Tax Parcel #: 08062 001010B
Location: 4899 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 02/05/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area

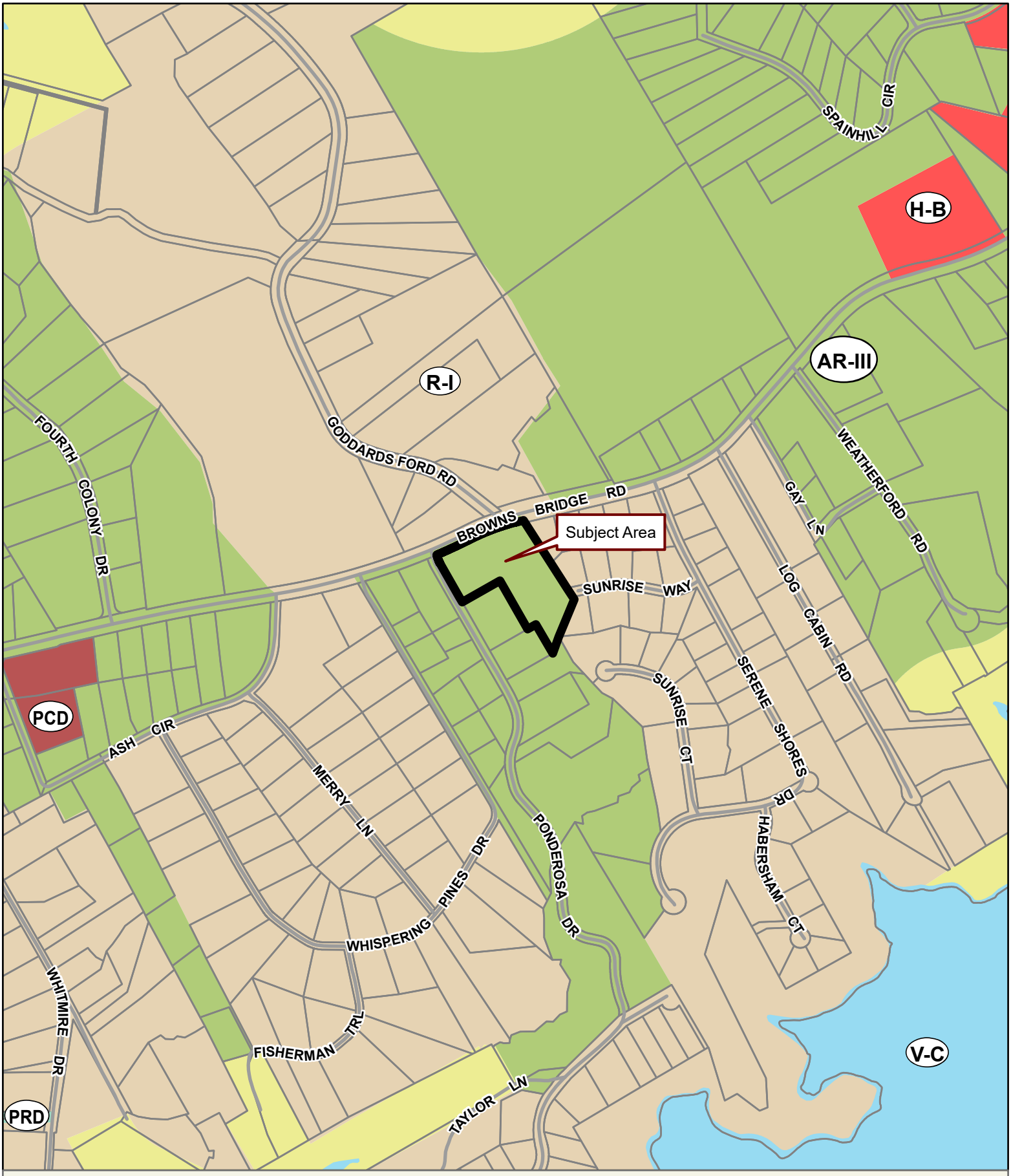
N

Applicant: ADVANTAGE INVESTMENT PROPERTIES, LLC
Tax Parcel #: 08062 001010B
Location: 4899 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 02/05/24**

0 40 80 160
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N



Applicant: ADVANTAGE INVESTMENT PROPERTIES, LLC
Tax Parcel #: 08062 001010B
Location: 4899 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
Commission District 2 **PC Mtg. Date: 02/05/24**

0 150 300 600
Feet

Zoning Boundary
City Limits
Subject Area
Structure

N

Front Building - Representative Only

Rear Building - Representative Only

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 5 day of March
20 15 at 3:09 PM. Recorded in Deed
Book 7486 Page(s) 692-697
Charles Baker, Clerk By EC

000692

004007

HALL COUNTY, Georgia
Real Estate Transfer Tax
Paid $ 0
Date 3/5/15
Charles Baker
Superior Court Clerk
By EC
PT61 069-2015-001280

Return To: file
Whelchel, Dunlap, Jarrard & Walker, LLP
Edgar B. Dunlap, II
P.O. Box 1
Gainesville, GA 30503

WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF HALL

THIS INDENTURE, made as of the **31st** day of December, 2014, by and between **DONALD W. SMITH** (hereinafter the "Grantor") **ADVANTAGE INVESTMENT PROPERTIES, LLC** and (hereinafter the "Grantee").

WITNESSETH:

That the said Grantor, for and in consideration of **TEN ($10.00) DOLLARS AND OTHER VALUABLE CONSIDERATIONS,** at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantee:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

TO HAVE AND TO HOLD the said premises, together with all rights and appurtenances unto the said Grantee, forever in FEE SIMPLE, and the said Grantors WARRANT the title to same against the lawful claims of all persons whomsoever.

Wherever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor has hereunto set its hands and affixed its seal the day and year above written.

Signed, sealed and delivered
in the presence of:

Witness

Notary Public
My Comm. Expires:

(Seal)

Donald W. Smith (SEAL)

~~20 Richardson Street~~

All that tract or parcel of land, together with any improvements located thereon, lying and being in the Gainesville District, Hall County Georgia, just beyond the City Limits of Gainesville and being parts of Lots 37, 38, 60 and 61 of the Miss Emma Rider Subdivision as shown by a map or plat thereof recorded in Book 6, Page 63 of the Hall County, Georgia Plat Records and being Lot No. 37 of the Miss Emma Rider Subdivision (revised according to a map or plat thereof recorded in Plat Book 9, Page 121, of the Hall County, Georgia Deed Records) both of the above mentioned plats are on record in the Office of the Clerk of Hall County, Georgia, and by reference thereof are hereby made a part of the description in this deed.

4303 Shawnee Drive

All that tract or parcel of land lying and being in Land Lot 52 of the 8th District, of Hall County, Georgia, according to a plat of survey recorded in Plat Book 97, Page 181, Hall County, Georgia Records; which plat reference is hereby made for a more complete description of the metes and bounds, courses and distances of said property.

Said property is commonly known as 4303 Shawnee Street, Oakwood, Georgia, 30566.

4899 Browns Bridge Road

All that tract or parcel of land, together with any improvements located thereon, lying and being in Land Lot 62 of the 8th Land District, of Hall County, Georgia, lying on the south side of Browns Bridge Road, as shown and delineated by survey dated July 23, 1964, styled "Property of Charles P. Abercrombie Estate", as prepared by Farley-Collins Associates, Georgia Registered Land Surveyors, said property being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the south side of Browns Bridge Road with the easterly right of way line of Bonanza Trail; thence North 68 degrees 20 minutes East a distance of 405.8 feet along the southerly right of way line of Browns Bridge Road (also State Route No. 141) to an iron pin; thence South 31 degrees 05 minutes East a distance of 377 feet to an iron pin; thence South 18 degrees 00 minutes West along a fence line a distance of 160 feet to an iron pin; thence South 26 degrees 52 minutes West a distance of 78.8 feet to an iron pin; thence North 31 degrees 23 minutes West a distance of 135.0 feet to an iron pin stake; thence North 30 degrees 05 minutes West a distance of 250.0 feet to an iron pin; thence South 59 degrees 55 minutes West a distance of 220.0 feet to an iron pin on the easterly right of way of Bonanza Trail; thence along the easterly right of way line of Bonanza Trail, North 30 degrees 05 minutes West a distance of 200.0 feet to an iron pin on the southerly right of way of Browns Bridge Road and the point of beginning.

Anael Dominguez (CDI: Planning)

From: Emily McGahee (Environmental Health)
Sent: Thursday, January 4, 2024 10:59 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 2.5.24

Please find Environmental Health comments below:

Item 1, 0/4611/4627 Guth Road, 4561/4613 J. M. Turk, 4590/4601/4610 Stanley, Kappler: The entire development (all pods) must be developed on public sewer or EPD permitted sewage treatment system. No onsite sewage management systems to be permitted by Environmental Health. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 2, 6545 Misty Harbor Court: 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. This plat is currently under review by the Hall County Plat Review Team and Environmental Health contacted the applicant/surveyor on September 20, 2023 concerning requirements to further process the plat for review.

Item 3A/3B, 3675 Jewell Circle, Guhde: All proposed structures must meet all residential permitting requirements and/or required setbacks to existing septic system.

Item 4, 3310 Friendship Road, Reichwaldt: All proposed structures must meet all residential and/or commercial permitting requirements and required setbacks to existing septic system. Further determination will be made during the permit review process.

Item 5, 2696 Cleveland Hwy, Carrillo: 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, 17/20/21/24 Spring Street, Petry: No comment. Public sewer.

Item 7, 4899 Browns Bridge Road, Advantage Investment: 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.

Item 8, 3655 Friendship Road, 3655 Friendship Rd LLC: No comment. Public sewer.

Item 9A/B, 0 Cornelia Hwy, Double E Properties: 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.

Item 10, 4141 Old Cornelia Hwy, Lewis Holdings: All proposed improvements must meet all Environmental Health commercial septic system permitting requirements.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973 (phone)
emcgahee@hallcounty.org

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)

EMAIL Reader Advisory Notice: Email to and from a Georgia state agency is generally public record, except for content that is confidential under specific laws. Security by encryption is applied to all confidential information sent by email from the Georgia Department of Public Health (DPH). This message is only intended for specific recipient(s) and may contain privileged, private, or sensitive information. If you received this message in error, please delete it, and contact me.

Anael Dominguez (CDI: Planning)

From: Chavers, Veronica E <VChavers@dot.ga.gov>
Sent: Friday, January 5, 2024 9:51 AM
To: Anael Dominguez (CDI: Planning); Randi Doveton (CDI: Planning)
Subject: RE: Tentative Planning Agenda for February 5, 2024

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.

Comments are below in red.

From: Anael Dominguez (CDI: Planning) <adominguez@hallcounty.org>
Sent: Thursday, December 28, 2023 12:51 PM
Subject: Tentative Planning Agenda for February 5, 2024

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.

Good afternoon –

Here is the Tentative Agenda and Maps for the **Monday, February 5, 2024** 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, January 5th.** Email comments to Randi (rdoveton@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – January 16, 2024

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 **| Proposed Use: 324 lot residential development |** ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, applicant**.

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
   (B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, applicant** **Requires GDOT coordination**

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, applicant** **Requires GDOT coordination**

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, applicant**

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment Properties, applicant** **Requires GDOT coordination**

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., LLC, applicant** **Requires GDOT coordination**

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**
   (B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 **| Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 **| Lewis Holdings, LLC, applicant**

*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, March 14, 2024 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, March 14, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

***The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, August 8, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

HALL COUNTY
GEORGIA

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.

Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PUBLIC WORKS AND UTILITIES

M E M O R A N D U M

To: Randi Doveton, Director of Planning and Development

From: Bill Nash, Director of Public Works and Utilities

Date: January 5, 2023

Subject: February 5, 2024 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the February 5, 2024 meeting. Upon review, we provide the following comments.

OLD BUSINESS

1. **0, 4611,4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone |** from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) on 117.31± acres located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000109, 000128, 000201 & 15044 000035, 000035B, 000043, 000100, 000127 | **Proposed Use: 324 lot residential development** | ** Commission District 1 **| Thompson O'Brien Kappler & Nasuti PC, applicant**

   a. **Engineering:** No dead end streets
   Show stream buffer and impervious setback from wrested vegetation not centerline of stream
   The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage
   b. **Traffic:** A left turn lane and decel lane will be required for the entrance.
   Any required roadway improvements will be the financial responsibility of the developer
   A cul-de-sac should be provided for Guth Road at the proposed end of county maintenance
   c. **Utilities:** No sanitary sewer in area.

2. **6545 Misty Harbor Court | Use Subject to County Commission Approval** | 17.60.040.H Minor subdivisions | on a 7.41± acre tract on the east side of Misty Harbor Court, approximately 1,000 feet from its intersection with Misty Harbor Lane | Zoned R-I; Tax Parcel 08149 000171 | **Proposed Use: 5-lot subdivision** | ** Commission District 2 | **Yunsoon Kim, 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 wrested vegetation not centerline of stream.

b. **Traffic:** No Comment
c. **Utilities:** Flowery Branch sewer district

NEW BUSINESS

3. **(A) 3675 Jewell Circle | Variance** | 17.240.010. to reduce the front yard setback from 55 feet to 20 feet from centerline of road | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Carport** | * Commission District 2 | **David and Lynn Guhde, applicant**
(B) 3675 Jewell Circle | Variance | 17.240.010. to reduce the right side yard setback from 10 feet to 5 feet | on a 0.41± acre tract located at the terminus of Jewell Circle, approximately 827 feet from its intersection with Bert Drive | Zoned V-C, Tax Parcel 10064A000034 | **Proposed Use: Car Port** | * Commission District 2 | **David and Lynn Guhde, applicant**

   a. **Engineering:** Any work in the public right-of-way will need to be permitted by Hall County Public Works Department.
   b. **Traffic:** No Comment
   c. **Utilities:** No Comment

4. **3310 Friendship Road | Use Subject to Planning Commission Approval** | on a 3.02± acre tract located on the south side of Friendship Road, approximately 1,347 feet from its intersection with Puckett Road | Zoned AR-III, Tax Parcel 15048 000004 | **Proposed Use: Rural business** | * Commission District 1 | **Steve Reichwaldt, 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:** Charge of use may require GDOT permit for driveway connection.
   c. **Utilities:** Hall County district- No connection within feasible distance.

5. **2696 Cleveland Highway | Use Subject to County Commission Approval |** on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD), Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair** | ** Commission District 3 | **Ramon Carrillo Jr, 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. (over 5,000 SF added impervious area)
   b. **Traffic:** Charge of use may require GDOT permit for driveway access.
   c. **Utilities:** Hall County sewer district- No sewer connection within feasible distance.

6. **17, 20, 21 & 24 Spring Street | Rezone |** from Residential II (R-II) to Planned Residential Development (PRD) | on a combined 1.08± acre tract on the east side of Spring Street, approximately 290 feet from its intersection with Highland Street | Zoned R-II, Tax Parcel 00063 008022, 23, & 24 | **Proposed Use: 10-Unit residential development** | ** Commission District 4 | **Alex Petry, 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:** Parking spaces that require vehicles to back out into the roadway not permitted.
      Driveways will need to meet Hall County Code 12.40.
   c. **Utilities:** City of Gainesville sewer district.

7. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment 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
   b. **Traffic:** driveway access to Browns Bridge Rd. will need to be permitted through GDOT.
      Ponderosa Drive is a narrow residential roadway, therefore, we recommend that site access be on Browns Bridge Road only and no access be permitted along Ponderosa Drive.
   c. **Utilities:** Hall County/ Gainesville sewer district- No connection within feasible distance.

8. **3655 Friendship Road | Rezone** | from Agricultural Residential (AR-III) to Planned Residential Development (PRD) | on a 10.76± acre tract located on the northeast side of Friendship Road, approximately 230 feet from its intersection with Maple Valley Drive | Zoned AR-III, Tax Parcel 15048 000025 | **Proposed Use: 22-lot single-family development** | ** Commission District 1 | **3655 Friendship Rd., 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
   b. **Traffic:** GODT permit will be required for driveway access to Friendship Road
   c. **Utilities:** Hall County sewer district- Sewer connection within feasible distance (future Friendship Road sewer project)

9. **(A) 0 Cornelia Highway | Rezone** | from Agricultural Residential IV (AR-IV) and Planned Commercial Development (PCD) to Light Industrial (I-I) | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350± feet north of Cornelia Highway | Zoned AR-IV and PCD (GCOD), Tax

Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

(B) 0 Cornelia Highway | Variance | 17.420.050.C.2.c. to reduce the required transitional buffer from 50 feet to 25 feet | on a 9.39± acre tract located at the east side of Tribble Gap Road, 350**±** feet north of Cornelia Hwy | Zoned AR-IV and PCD (GCOD), Tax Parcel 09030 000030 | **Proposed Use: Self-storage facility** | ** Commission District 3 | **Double E Properties, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   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:** Driveway will need to meet county commercial standards
c. **Utilities:** City of Lula sewer district

10. **4141 Old Cornelia Highway | Amend Conditions of a PRD |** on a 56.42± acre tract located on the north side of Old Cornelia Highway, approximately 636 feet from its intersection with Arthur Miller Road | Zoned PRD, Tax Parcel 15019 000023 | **Proposed Use: Drug and Alcohol Residential Treatment Facility | *** Commission District 3 | Lewis Holdings, LLC, applicant**

a. **Engineering:** Show FEMA and Hall County studied Flood plains that are present on site
   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:** Hall County sewer district- No connection within feasible distance

Anael Dominguez (CDI: Planning)

From: John Hornick (Fire Services)
Sent: Friday, January 5, 2024 2:52 PM
To: Anael Dominguez (CDI: Planning)
Cc: Randi Doveton (CDI: Planning); Michael Vieira (Fire Services)
Subject: Fire Comments

Monday, February 5, 2024 Hall County Planning Commission Meeting.

1. **4899 Browns Bridge Road | Rezone** | from Agricultural Residential (AR-III) to Highway Business (H-B) | on a 3.10± acre tract located at the southeast corner of the intersection of Browns Bridge Road and Ponderosa Drive | Zoned AR-III, Tax Parcel 08062 001010B | **Proposed Use: Office/warehouse buildings** | ** Commission District 2 | **Advantage Investment Properties, applicant**

   Hall County Fire Marshal's Office Comments

   1) Page 6 & 7 will need to be removed from the application packet since both those pages are the concept plan for another project.
   2) Extension of the underground water line with additional fire hydrant will be required to meet fire code.
   3) If approved additional modifications may be required during the development review process.

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

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Tuesday, February 20, 2024 2:32 PM
To: Anael Dominguez (CDI: Planning)
Cc: Beth Garmon (CDI: Planning); Kristie Turner (Planning)
Subject: FW: 4899 Browns Bridge Road Rezoning

Ana,

Please add to public comment.

Thank you,

Katie Greenway
Principal Planner
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Kristen Watanabe <kristenfwatanabe@gmail.com>
Sent: Tuesday, February 20, 2024 2:29 PM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; Beth Garmon (CDI: Planning) <bgarmon@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>; Jeff Greenhut <jeff.greenhut@gmail.com>; decook75@gmail.com; domoattack727@gmail.com; wwatanabe@brasfieldgorrie.com
Subject: Re: 4899 Browns Bridge Road Rezoning

Some people who received this message don't often get email from kristenfwatanabe@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I failed to attach our conditions that were stated last night.

Thank you for allowing us the opportunity to voice our opposition to the proposed rezoning at 4899 Browns Bridge Road.

I will recap what I said last night.

I would like to start by reminding the committee what is said in the Comprehensive plan Portion : DP Goal 3 -Protect and enhance established neighborhoods as well as DP Goal 4: Create quality new developments

To be clear, we are opposed to the rezoning and the development. We do not want this in our neighborhood. However, we feel compelled to express our strong demand that the conditions I will state be seriously considered and implemented if the development does get approved.

1. **Business must be one that supports Lake Residents directly per the Hall County Comprehensive Plan Gateway Corridor.**

2. We request: Recommendation from Hall County Zoning and Hall County City Council to DOT

A. **Turning Lane in front of Goddards Ford for Left Hand Turns into 4899 Property.**

B.

C. **De- Acceleration Lane for the entrance to the new development off of Browns Bridge Road.**

3. **Transitional Buffer setbacks** –

Minimum 50’ on sides of property adjacent to existing homes as shown & Ponderosa Drive.

Three tiered landscaping in buffer 40 feet in width or greater meeting theses criteria :

- staggered double row of evergreen at least 10 feet in height, planted not less that 40 feet on center **and**

- a single row of deciduous shade trees at least 3 inches in caliber (minimum of 30 feet height at maturity) on ALL sides of property adjacent to homes AND Ponderosa Drive **and**

- shrubbery forming an intermittent hedge not less than three feet in height designed to provide an adequate screen.

If there are adjustments to buffer width- a six foot high masonry wall shall be incorporated into the design of the transitional buffer, then the width of the buffer

may be reduced by ten feet. The wall shall be located on the inside of the vegetation requested above with the finished side of the wall facing ALL adjacent homes and Ponderosa Drive.

4. Outdoor Lighting and security -
Lighting shall be designed to avoid intrusion of adjacent homes.
All lighting shall be semi cutoff laminar fixtures mounted in such a manner that the cone of light is directed downward.
All outdoor lighting shall cut off at 9pm
Property shall be required to maintain security that contacts law enforcement directly.

5. **Hours of Operation –**
No 24-hour operation.
Business should be closed between 9 pm – 8 am (Gainesville “Quiet Hours”)

No Construction noise during “Quiet Hours” stated above (including emptying of dumpsters or deliveries.

6. No Blocking of Ponderosa drive by vehicles during construction and when the business is open and in use.

7. Signage pertaining to development
to be under 4ft tall with Building material matching those used on exterior development.

On Tue, Feb 20, 2024 at 12:26 PM Kristen Watanabe <kristenfwatanabe@gmail.com> wrote:

> Good Afternoon Randi Doveton, Katie Greenway, Beth Garmon, Chris Braswell, Stan Hunt, Johnny Varner, Gina Pilcher, and Frank Sosebee
>
> Thank you for the opportunity to speak last night. I would like to address some concerns we as a community and neighborhood have. We tried last night, however based on the questions/comments/concerns that were raised by the committee we do not feel like we were heard.
>
> In the zoning departments OWN analysis of this request number 3 states: Whether the property to be affected by the zoning proposal has reasonable

economic use **AS currently zoned.** The property has reasonable economic use as currently zoned ARIII based on surrounding developed property.

Mr. Dunckel made a comment that as the property is currently zoned it is not creating a tax revenue. There are three people who would like to purchase that land as currently zoned ARIII, have it reassessed and develop it as ARIII.

Mr. Dunckel's client, Donald Smith has 3 other properties in Hall county that are all in business areas that he could develop into his warehouse for his private car collection. Based on Mr. Dunckel's response to Mr. Hunts question regarding Mr. Smiths use/plans for this development something doesn't make sense. Hall county zoning has the ability to achieve all goal at hand by keeping this property zoned ARIII and Mr. Smith could build a Non Commercial accessory (private garage) with storage for his cars. Or, Hall County Zoning could rezone this, but require Mr. Dunckel and Mr. Smith to have this development meet the Hall County Comprehensive Plan and be "a business that supports Lake Residents directly".

We ask each of you, why do you have a comprehensive plan that you submit to residents of the county, the state of Georgia and the Federal Government if you do not follow it. We are aware the state and federal government require this for your county to receive funding. This is not a rhetorical question. We really would like an answer from one or all of you.

We understand Hall County is currently in a Tax Revenue building era. However, as a zoning department and committee you have a responsibility to the people who pay taxes, vote and make their homes in this neighborhood. DP Goal 3 and 4.

We implore you to not take a developer's word while standing at your lecture. Mr. Hunt, who is not even district 2's representative, stated he has walked the property twice. Then he will be aware there is not dense enough vegetation to use as a natural buffer as Mr. Dunckel declared. There MUST be a 50' planted buffer put around all homes and Ponderosa Drive. The site map you are all using to look at does not even show the second closest house to the proposed development. It is the home at 4909 Browns Bridge Road. The site map you have shows the loading doors, dumpsters and Septic field facing this house. How in the world does that accomplish your DP Goal 3 "Protect and enhance established neighborhoods"?

It is critical for all entities to be able to work together to ensure the project supports the Community Vision that Hall county has outlined in the comprehensive plan.

As we all witnessed last night, with ALL of the old business, there is no way to have constructive dialogue as the opposition. Your committee engages in questions and dialogue with the applicants but not the community. We all witnessed a district committee member, Mr. Varneer, very aware of the opposition's position. Clearly they had met with him and he was invested with their best interest at heart. Mr. Chris Braswell you are District 2's representative, will you meet with me?

Thank you for your time and we look forward to hearing back,

Neighbors of Serene Shores, Ponderosa Drive, Goddards Ford and Browns Bridge.
Kristen Watanabe
Kristen Watanabe

Questions, Statements and Requests for Hall County Planning Commission and Board

- 17.420.010 - Hall County Code of Ordinances - The purpose of the Hall County GCOD is:
  A. To promote the general health, safety and welfare of the community.
  B. To improve the efficient operation of traffic around the county.
  C. To promote safe and efficient movement within the Overlay District for persons using all modes of travel – motorized vehicles, bicycles and walking.
  D. To create a sense of place that is aesthetically appealing and environmentally responsible.
  E. To encourage innovative development projects that set standards for landscaping, community design and aesthetics.
  F. To establish consistent and harmonious design standards for public improvements and private property development within the Overlay District so as to unify the distinctive visual quality of the Gateway Corridors.

  Question. This rezoning request/development does not meet any of the purposes of the GCOD mentioned above. **Can each member of the planning commission please explain how this rezoning request/development meets the above purposes and why it would be approved if it doesn't?**

- 17.420.050 – B. Hall County Code of Ordinances - Conditional uses:

  Question. This rezoning request/development is not one of the allowed Conditional Uses. **Can the planning commission please explain how this can be considered or approved if it is not allowed?**

- 17.420.050 – Hall County Code of Ordinances - C. Transitional buffers:

  Statement. This rezoning request/development is more industrial than commercial given the applicants stated use and the fact that it is majority warehouse. The minimum width of the buffer should be 50 feet per part c if this gets approved.

  Statement. Because the residence at 4909 Browns Bridge Road across Ponderosa Drive from the property is only approximately 50 feet from the face of the home to the property line, the "street" buffer should be increased to 50 feet. If not, this resident will be looking at the septic field and back side (loading area) of one of the proposed buildings if developed as shown.

- 17.420.050 – Hall County Code of Ordinances - H. General Architectural Requirements – Building Materials:

  Statement. The applicant wants to use fiber cement siding. This is **NOT** one of the approved materials stated in part C and should **NOT** be allowed in this consideration.

- 17.420.070 – Hall County Code of Ordinances - A. Procedures for appeals:

  Question. Item 1 states that "It is the intent of the board of commissioners that *all development shall conform to the standards and procedures set forth in this chapter*." It also states that "the Hall County Planning Director has the authority to modify the specific provisions to allow for such minor deviations." **Does the planning commission truly believe**

that this rezoning request/development is a minor deviation from the standards? It appears to be a major deviation based on the facts above.

- At the last planning commission meeting, the applicant said they have a preliminary nod from DOT for the location of their entrance drive across from Goddards Ford. He also stated there are no sight distance issues.

  Question. This property location on Browns Bridge Road is already a dangerous area. **Does the County not require the developer to get a Traffic Study or documentation from DOT to support the applicants claims before considering the rezoning request for approval?** Given the location that is already dangerous, we believe an official traffic study from DOT is warranted.

- At the last planning commission meeting, the applicant stated that the Owner, Mr. Smith, plans to use the rear building for personal use to store his car collection and for a personal office.

  Question. This type of use is not mentioned in the rezoning request. This use is also not one of the allowable uses according to 7.420.050 – B. Conditional uses. **Does the planning commission believe this is an appropriate use for the GCOD and Zoning Type? If so, please explain how it is.**

- Hall County Zoning Type PCD states that a development shall insure the "Protection of surrounding residential uses."

  Question. Will the planning commission please explain how this development will protect the surrounding residential uses?

- Hall County Zoning Type PCD also states that a development shall insure "Safe access by motorists and minimum traffic congestion."

  Question. Will the planning commission please explain how this development will "insure" safe access by motorists and minimum traffic congestion without having a documented traffic study?

  Statement: There has been very little or no new development on this section of Browns Bridge Road to the county line in recent years (ref Pg. 83 in 2045 Comprehensive Plan). The traffic on Browns Bridge Road has continued to increase however the road infrastructure has not been improved or modified for the additional traffic. Note the increased traffic of delivery vehicles due to the increase of e-commerce. Also, when there is an accident on Browns Bridge Road, the road is most often shut down. There is also an increasing amount of pedestrian traffic on the road as well as bus stops, however, there are no sidewalks. It seems that until Browns Bridge Road infrastructure is improved (widened, added lanes, sidewalks, safety measures, etc.), that no new rezoning or commercial development should be approved.

- Hall County Zoning Type PCD states that a development shall insure a development that is consistent with long range plans of the County.

Statement: The 2022 Hall County Comprehensive Plan shows this section of Browns Bridge Road to be a Lake Supportive Corridor (pg. 18). Pg. 26 states that Browns Bridge Road is "intended to accommodate a variety of non-residential uses without encroaching upon or replacing adjacent residential neighborhoods." This property is surrounded by single family residences and adjacent to long established neighborhoods**.**

Question. Does the planning commission truly believe this development is not encroaching upon the residents and neighborhood? If so, please explain how it is not. Please look at all houses and neighborhoods surrounding the property including the one directly across the street on Ponderosa drive.

Statement: The 2022 Hall County Comprehensive Plan states that the Primary Future Land Use for Lake Supportive Corridors are "Commercial uses that are boat related or compliment recreational use of Lake Lanier (such as locally owned restaurants)**."** The applicant's proposed use does **NOT** meet this plan.

Question. Does the planning commission believe the applicants use meets the above comprehensive plan? If so, please explain how it does.

- The Hall County 2045 Comprehensive Plan Update.

Statement: The 2045 Hall County Comprehensive Plan shows this section of Browns Bridge Road to be a Business Nodes & Corridors (pg. 181).

Statement: The definition of Business Nodes & Corridors clearly states that it is for "uses that house businesses that serve nearby communities as well as visitors". The type of development being proposed does **NOT** meet this definition. Based on the use it appears this should be in the Employment Nodes & Corridors or Industrial. The requested rezoning type PCD is not correct but appears to have been requested to "fit" the Business Nodes & Corridors so that it would be approved for this property.

Question. Does the planning commission believe this development meets the intent of the 2045 Comprehensive Plan? If so, please explain how it does.

Statement: Based on the 2045 Plan, it looks like Hall County has a vision to make the properties along Browns Bridge Road between McEver and Browns Bridge almost entirely commercial. The infrastructure for Browns Bridge Road has not been updated to accommodate more vehicle and pedestrian traffic.

Question. Is it Hall County's intent to make Browns Bridge Road almost entirely commercial in the area mentioned above? Does the County intend to just allow rezoning and commercial development that will increase traffic without adequate road infrastructure?

- Hall County Code of Ordinances – Outdoor storage

  Statement: Section 17.420.050 –D.-4-d. indicates that Outdoor storage is allowed with certain conditions, however, part A. mentions that Junk Yards are not allowed.

  Statement and Request: In the last planning meeting, **t**he applicant mentioned that the Owner plans to store his car collection at the development, however, there is no mention of outdoor storage in the application. We request that **NO** outdoor storage be allowed in this consideration.

END

Print

Planning Commission Comments - March 18, 2024 - Submission #92909

Date Submitted: 3/17/2024

Comments completed in the form below will be submitted into the record for the March 18, 2024 meeting of the Hall County Planning Commission.

First Name*

Christopher

Last Name*

Minish

Address1*

4902 Sunrise Way

Address2

City*

Gainesville

State*

GA

Zip*

30504

Zoning Item for Comment*

4899 Browns Bridge Road

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments*

Dear Commissioners,

My name is Christopher Minish, and I reside at 4902 Sunrise Way. I adamantly oppose the application of 4899 Browns Bridge Road to be rezoned from AR-III to H-B. I thank you in advance that my concerns are heard and acted upon.

The parcel in question currently holds a residential zoning designation, and this should not be changed. It sits between two well-established residential areas, and altering its zoning would disrupt the harmony of the neighborhood. This property is not on the outskirts or fringes of a commercial zone; it is a significant distance of over 1/3 of a mile from the nearest commercial property.

Working from home, I am acutely aware of my surroundings. The noise emanating from a commercial property less than 500 yards away from mine would be highly disruptive. The potential for drilling, banging, sawing, and other disruptive activities at all hours of the day, including weekends, is unacceptable. This change would significantly diminish my quality of life, leaving me with little to no recourse.

I urge you to consider the impact of this rezoning on the residents of this neighborhood and to reject the application in its entirety. Any decision to the contrary would be an affront to the rights and well-being of the community. Please do not turn our neighborhoods into their workplace.

Sincerely,
Christopher Minish

Please write your comments in the box above.

File Upload

Choose File No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

Would you like follow-up communication?

christopherminish@yahoo.com

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, March 18, 2024 1:45 PM
To: Anael Dominguez (CDI: Planning)
Subject: FW: Rezoning of 4899 Browns Bridge Rd. from AR-III to -H-B

Ana,

Please add to public comment.

Thank you,

Katie Greenway
Planning and Zoning Administrator
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Donald Kibbler <djkiblr@msn.com>
Sent: Monday, March 18, 2024 12:02 PM
To: rdoveton@hallcountyy.org; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; gpicher@hallcounty.org; Frank Sosebee (Planning) <frsosebee@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>
Subject: Rezoning of 4899 Browns Bridge Rd. from AR-III to -H-B

Some people who received this message don't often get email from djkiblr@msn.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,
My name is Donald J Kibbler , I reside at 4832 Serene Shores Dr.
I wish to state that I oppose the rezoning on Ponderosa Dr. I have resided here for 35 yrs. .
I feel this will present a hardship and significantly reduce the Quality of life for those DIRECTLY affected in this this little community.
The prospect of two (2) structures adjacent to the residential properties in unthinkable.
The traffic in this part of Browns Bridge Rd. is abysmal at certain parts of the day, Law Enforcement is only present when there is a wreck or fatality.
On any given day it can take up to 10 minutes to leave our subdivision & when there is a wreck - 1- 2 hours to arrive home . There is only 1 way in & 1 way out.

Please consider our opposition - I understand it's very difficult to please all parties involved.
Thank you for your time

Best Regards ,
Don Kibbler

Anael Dominguez (CDI: Planning)

From: Katie L. Greenway (CDI: Planning)
Sent: Monday, March 18, 2024 8:11 AM
To: Anael Dominguez (CDI: Planning)
Subject: FW: 4899 Browns Bridge Road Rezoning Proposal - Resident Opposition

Ana,

Please add to public comment.

Katie Greenway
Planning and Zoning Administrator
Hall County Community Development and Infrastructure
(direct office) 770-297-2649
klgreenway@hallcounty.org

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From: Jeff Greenhut <jeff.greenhut@gmail.com>
Sent: Sunday, March 17, 2024 4:46 PM
To: Randi Doveton (CDI: Planning) <rdoveton@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>; Johnny Varner <jvarner@hallcounty.org>; Gina Pilcher <gpilcher@hallcounty.org>; Frank Sosebee (Planning) <frsosebee@hallcounty.org>
Cc: suzie greenhut <suzie.greenhut@gmail.com>
Subject: 4899 Browns Bridge Road Rezoning Proposal - Resident Opposition

Some people who received this message don't often get email from jeff.greenhut@gmail.com. Learn why this is important

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.

Jeff and Suzie Greenhut 4963 Ponderosa Dr Gainesville GA 30504

To: Hall County Planning Commission: Chris Braswell, Gina Pilcher, Frank Sosebee, Stan Hunt, and Johnny Varner

Re: 4899 Browns Bridge Road Rezoning Proposal

While there are many potential reasons for denying the rezoning, there is one thing that we believe most offensive:

A piece of residentially zoned(AR-III) property could be rezoned commercial(PCD) right in the center of approximately 10 homes, while ample PCD properties exist throughout the county. It is simply financial gain for the property holder at the expense of the immediately, and likely lower income, surrounding houses.

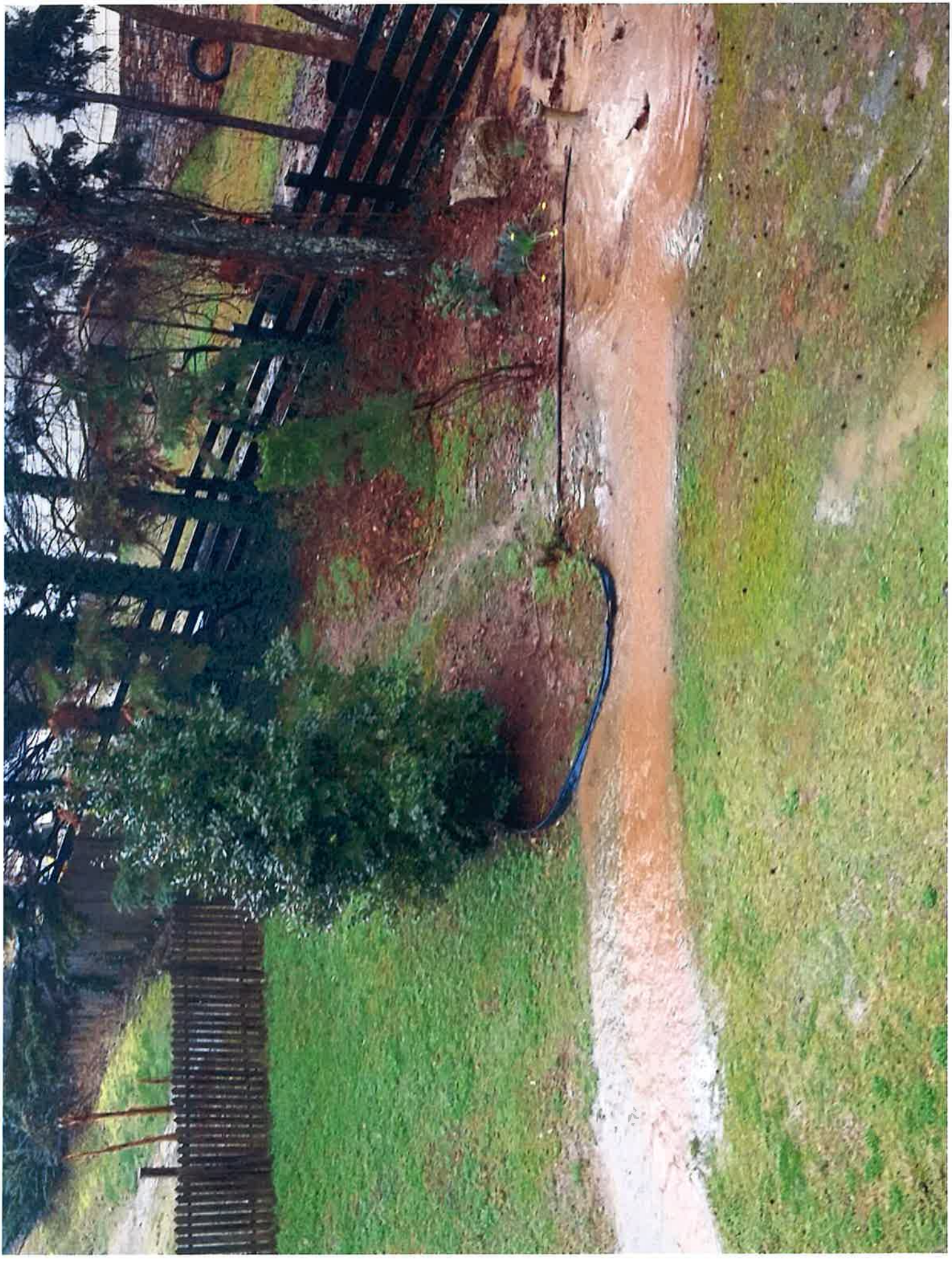
Thanks,

Jeff and Suzie Greenhut
4963 Ponderosa Dr

Submitted at the 3-18-2024 PC Meeting

Submitted at the 3-18-2024 PC Meeting

Submitted at the 3-18-2024 PC Meeting



Submitted at the 3-18-2024 PC Meeting

Submitted at the 3-18-2024 PC Meeting

Submitted at the 3-18-2024 PC Meeting

ZONING NOTICE

AN APPLICATION HAS BEEN FILED WITH HALL COUNTY IN REGARD TO THE ZONING REGULATIONS AS THEY APPLY TO THIS PROPERTY

APPLICANT: ADVANTAGE INVESTMENT PROPERTIES

REQUEST: REZONE FROM AR-III TO H-B FOR AN OFFICE/WAREHOUSE

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: MAR 18, 2024
Time: 5:15 PM

&

COUNTY COMMISSION
Date: APR 23, 2024
Time: 6:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

Mar 5, 2024 10:55:46
4899 Browns Bridge Road
Gainesville
Hall County
Georgia

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 78/2024

SUBJECT: Approve the award of RFQ/P #45-001 Cagle Road Improvements for Public Works & Utilities to Simpson's Trucking and Grading, Inc. of Gainesville, GA, in the amount of $3,417,713.14.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:

Approve the award of RFQ/P #45-001 Cagle Road Improvements for Public Works & Utilities to Simpson's Trucking and Grading, Inc. of Gainesville, GA, in the amount of $3,417,713.14.

History:
On April 13, 2023, the BOC approved an IGA with the Georgia Ports Authority to provide funding for this project.

RFQ/P #45-001 was posted on March 2024 and Purchasing received nine (9) responsive bids.

Facts and Issues:

Options:

The Project is located in northern Hall County (County) between White Sulphur Road on the south and State Route 365 on the north, parallel to the Norfolk Southern Railroad. This County road has a rural cross-section with both paved and unpaved portions. The proposed Cagle Road Improvements Project (Project) includes paving the unpaved portion, roadway grading, and stormwater drainage improvements while maintaining the rural cross-section. The project's length is approximately 6,800 ft., designed according to Hall County Public Works standards.

The project is expected to take approximately 12 months.

The funding for this project is a combination of Georgia Ports Authority (GPA) funds, and Georgia Department of Transportation Local Maintenance Improvement Grant (GDOT LMIG) funds.

Funding Requested	$ 3,417,713.14
Are funds within current budget?	Yes
Source of Funds	Capital Projects and State Roads
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?	2024-04-08

Approvals:

Buyer	Submit	Approve	Purchasing
AP	BN	BN	AP
Budget	**Finance**	**Attorney**	**Administration**
EW	TS	WLI	CR
Clerk			
JR			

Attachments:
Financial Supplement
Contract
Bid Tabulation Summary

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 78/2024

Funds Requested: $ 3,417,713.14

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects and State Roads

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	4971-ENGINEERING	541400-INFRASTRUCTURE	$600,000.00
2025	350-CAPITAL PROJECTS FUND	4971-ENGINEERING	541400-INFRASTRUCTURE	$1,400,000.00
2025	221-STATE ROAD GRANT FUND	4971-ENGINEERING	541400-INFRASTRUCTURE	$1,417,713.14

Budget Transfer Items:

Additional Information/Comments:

The funding from the Capital Projects Fund will be reimbursed per the IGA with the Georgia Ports Authority.

Contact for Questions: BN

Phone: 678-780-6843

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

CONTRACT EXECUTION SIGNATURE REQUEST

Date: April 17, 2024

To: Richard Higgins, Chairman Hall County Board of Commission

From: Andy Penick

Your signature is requested to execute the attached Contract.

Bid/Contract No: RFQ/P #45-001

Contract Name: (IP) Cagle Road Improvements Project

Department(s) Requesting Contract: Public Works & Utilities

Award Recipient Name: Simpson's Trucking and Grading, Inc.

Contract Description:

☐ Annual Contract ☐ New ☒ Renewal

☐ Price Increase Requested Percentage Increase: N/A

☐ Demand Service Contract Previous Spend: N/A

☐ Commodity Contract Amount: $3,417,713.14

☒ Project/ Service Contract

Comments:

Term is until substantial completion.

CONTRACT EXECUTION SIGNATURE REQUEST
PRICE INCREASE DETAILS

Bid/Contract No: RFQ/P #45-001

Contract Name: (IP) Cagle Road Improvements Project

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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

REVISED EXHIBIT A - CONTRACT FOR SERVICES

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT # 45-001

For the provision of

Cagle Road Improvements Project

ARTICLE #101 - INTRODUCTION

This Contract for Cagle Road Improvements Project (hereinafter "Services" or "Project") is made and as entered into as of _____ (Execution Date) and _____ (Effective Date) is by-and-between Hall County, Georgia, Board of Commissioners, (hereinafter referred to as "County") located at 2875 Browns Bridge Rd, Gainesville, Georgia 30504, and Simpson Trucking & Grading, Inc., located at 1364 Candler Rd. Gainesville, GA 30507 (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".

Nothing contained in this Contract shall be construed to convert the Contractor or any of its employees, agents, subcontractors, or sub-subcontractors into a partner, employee, or agent of the County, nor shall either Party to this Contract have any authority to bind the other in any respect.

WHEREAS the Contractor represents that it complies with the State of Georgia requirements for corporations and has signified a willingness to provide Services to the County and the County has relied on such representation; and

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 Documents, Plans, Exhibits, Attachments, or references are all incorporated herein by reference, and

NOW, THEREFORE and in consideration of the mutual promises, terms, conditions, 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 4.0 **Scope of Work** and according to plans developed by Hussey Gay Bell, principally located at 3100 Breckinridge Blvd Bldg. 300, Duluth, GA 30096.

4.0 SCOPE OF WORK

4.1 Contractors shall provide supervision, labor, equipment, and materials, necessary to perform the services of constructing the Cagle Road Improvements Project. The Project is located in northern Hall County (County) between White Sulphur Road on the south and State Route 365 on the north running paralleling to the Norfolk Southern Railroad. The County Road has a rural cross section with both paved and unpaved portions.

4.2 The proposed Cagle Road Improvements Project (herein "Project") includes paving the unpaved portion, roadway grading, and stormwater drainage improvements while maintaining the rural cross section. The Project length is approximately 6,800 ft. which has been design to Hall County Public Works standards.

4.3 The Project improvements are described in detail of the Cagle Road Improvements Plans prepared by Hussey Gay Bell approved by Hall County on 08/03/2023.

4.4 The plans have been prepared in accordance with the Georgia Department of Transportation (GDOT) 2023 Construction Standards and Details Book and attached applicable revisions.

4.5 Any revision contained within the plan set supersede the GDOT 2023 Construction Standard and Details.

4.6 All Traffic control shall in accordance with Manual on Uniform Traffic Control Devices (MUTCD), current edition, and GDOT standards. A traffic control plan must be approved by the County Engineer prior to the beginning of work.

4.7 All standard highway signs shall be fabricated and erected in accordance with details shown in the plans, the MUTCD, current edition, and the Georgia Specifications, Supplement Specifications, and / or provisions.

4.8 All work shall be performed in a such manner as to permit traffic to operate with the least amount of inconvenience possible. All traffic control devices, signs, striping, and flaggers shall be furnished by the contractor. At least one lane of traffic will remain open at all times. Payment will be included in the lump sum price bid for traffic control.

4.9 All Construction shall be in compliance with the Georgia State Soil and Water Conservation Committee's "Manual for Erosion and Sedimentation Control in Georgia".

4.10 All sediment control features shall be maintained on a regular basis and shall be removed by the contractor upon acceptance of the project by the owner. The contractor shall adhere to the Call Before You Dig Law by calling the underground protection center before beginning construction.

4.11 The contractor shall be responsible for all underground utilities and will coordinate work with utility companies. The contractor shall not award more than twenty-five percent (25%) of the work to sub-contractors on any project, without prior approval of the County Representative.

4.12 The contractor shall be responsible for all work performed in support of this contract including Sub-Contractor oversight. Sub-contractors shall perform no work unless pre-approved in writing by the County.

4.13 Contractors must disclose any intended sub-contractors within the bid at the time of bid submissions. If the bidder intends to use a sub-contractor(s) to fulfill one entire segment of this contract, then the bidder should submit to the County professional references for the sub-contractor on jobs similar in size and scope. Once the County has awarded the contract, the contractor cannot change sub-contractors without seeking written pre-approval from the County. The County reserves the right to check all references and conduct background checks on any changes to sub-contractors or workers performing work under this contract. The contractor shall be wholly responsible for the quality of their sub-contractor's work. The contractor shall disclose the percentage of the work to be completed by each sub-contractor.

4.14 County Consultants. Contractor agrees to work with and permit inspection by the County inspectors, or consultants that may be performing inspections on behalf of the County.

4.15 Contractor must coordinate construction with The Norfolk Southern Corp. and the County Project Manager.

B. Contractors shall provide supervision, labor, equipment, and materials, necessary to perform the services of constructing the Cagle Road Improvements Project. The Project is located in northern Hall County (County) between White Sulphur Road on the south and State Route 365 on the north running parallel to the Norfolk Southern

Railroad. The County Road has a rural cross section with both paved and unpaved portions.

C. The proposed Cagle Road Improvements Project (herein "Project") includes paving the unpaved portion, roadway grading, and stormwater drainage improvements while maintaining the rural cross section. The Project length is approximately 6,800 ft. which has been design to Hall County Public Works standards.
D. The plans have been prepared in accordance with the Georgia Department of Transportation (GDOT) 2023 Construction Standards and Details Book and attached applicable revisions.
E. Any revision contained within the plan set supersede the GDOT 2023 Construction Standard and Details.
F. All Traffic control shall in accordance with Manual on Uniform Traffic Control Devices (MUTCD), current edition, and GDOT standards. A traffic control plan must be approved by the County Engineer prior to the beginning of work.
G. All standard highway signs shall be fabricated and erected in accordance with details shown in the plans, the MUTCD, current edition, and the Georgia Specifications, Supplement Specifications, and / or provisions.
H. All work shall be performed in a such manner as to permit traffic to operate with the least amount of inconvenience possible. All traffic control devices, signs, striping, and flaggers shall be furnished by the contractor. At least one lane of traffic will remain open at all times. Payment will be included in the lump sum price bid for traffic control.
I. All Construction shall be in compliance with the Georgia State Soil and Water Conservation Committee's "Manual for Erosion and Sedimentation Control in Georgia".
J. All sediment control features shall be maintained on a regular basis and shall be removed by the contractor upon acceptance of the project by the owner. The contractor shall adhere to the Call Before You Dig Law by calling the underground protection center before beginning construction.
K. The contractor shall be responsible for all underground utilities and shall coordinate work with utility companies. The contractor shall not award more than twenty-five percent (25%) of the work to sub-contractors on any project, without prior approval of the County Representative.
L. The contractor shall be responsible for all work performed in support of this Contract including Sub-Contractor oversight. Sub-contractors shall perform no work unless pre-approved in writing by the County.
M. Contractors must disclose any intended sub-contractors within the bid at the time of bid submissions. If the bidder intends to use a sub-contractor(s) to fulfill one entire segment of this contract, then the bidder should submit to the County professional references for the sub-contractor on jobs similar in size and scope. Once the County has awarded the contract, the contractor cannot change sub-contractors without seeking written pre-approval from the County. The County reserves the right to check all references and conduct background checks on any changes to sub-contractors or workers performing work under this contract. The

contractor shall be wholly responsible for the quality of their sub-contractor's work. The contractor shall disclose the percentage of the work to be completed by each sub-contractor.

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
Jorge Gomez, P.E.
Assistant Public Works Director
Hall County Community Development and Infrastructure
2875 Browns Bridge Rd
Gainesville, GA 30504
jorge.gomez@hallcounty.org
Ph: (770) 533-7859

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: Marc Smith
Title: Project Manager
Company: Simpson's Trucking and Grading, Inc.
Address 1: 1364 Candler Road
Address 2:
Email: msmith@simpsontrucking.com
Phone: (404) 557-6943

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 agreed time-schedule of 335 days for substantial completion, and an additional sixty days (60) for final-completion, and after all sub-contractor(s) and material suppliers' liens are satisfied.

ARTICLE #106 - CONTRACT AMENDMENTS AND MODIFICATION:

This Contract may only be modified, amended, or changed, 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.

   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 PROVISIONS:

The County may terminate this Contract by providing sixty (60) days written notice to the other party at any time. Should County 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, the County 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 unsatisfactory performance substantially endangers completion 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 County, 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 as per the term in Article 105, or who abandons the project before completion, the Contractor shall pay the County liquidated damages in the amount of four-hundred fifty-dollars and no/100 ($450.00) per calendar day past final completion.

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, AGREEMENTS, RENEWALS AND EXTENSIONS:

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:

The Contractor must procure and maintain insurance policies at the Contractor's own expense and must furnish the County with an insurance certificate providing evidence of proof of coverage at least in the amounts indicated in this subsection. The insurance certificate must list County as the certificate holder and as an additional insured under the commercial general, automobile and umbrella liability policies as follows: "County of Hall, its Board of Commissioners, officers, employees, servants and agents, 2875 Browns Bridge Rd, Gainesville, GA, 30504". The policy must protect the Contractor and the County (as an additional insured) from any claims for bodily injury, property damage, or personal injury covered by the indemnification obligations set forth herein throughout the duration of the Contract. The Contractor must maintain the following insurance coverage during the term of the Contract, in at least the minimum amounts set forth below, to cover all loss and liability for damages or destruction of property caused by or arising from any and all services carried on and any and all work performed by the Contractor pursuant to this Contract:

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.

ARTICLE # 120 – INTELLECTUAL PROPERTY RIGHTS and OWNERSHIP:

Contractor agrees it will not use the County 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 as per Exhibit C: Mandatory Cost Proposal Worksheet.

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 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:

1. First, any amendments to the Contract, including all Exhibits thereto.
2. Second, the Contract itself, including all Exhibits thereto.
3. Third, Attachments appended to the Contract.
4. Fourth, all other Contract 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 – NOT A JOINT VENTURE.

The Department shall not be bound by any terms and conditions included in any Contractor 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 the addition to the terms and conditions contained herein.

ARTICLE #135 – ADDITIONAL TERMS

The Department shall not be bound by any terms and conditions included in any Contractor packaging, invoice, catalog, brochure, technical data sheet, on-line representation, warranties or service level agreement or other document(s) which attempts to impose any condition in variance with or in the addition to the terms and conditions contained herein.

ARTICLE # 13 – 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. Suppliers 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 goods shall pass to The County upon completion and final acceptance of the project delivery.
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. Bidder must print the full legal company name as it appears on the W-9 form below:

PRINT COMPANY's FULL LEGAL NAME BELOW

Simpson Trucking & Grading, Inc.

By: Greg S Simpson

Print Name: Greg S. Simpson

Title: President

Sworn to and subscribed before me this

10th Day of April, 2024

Notary Public: Rachel Opolka

Notary commission expires: 10/20/2024

[Locus Sigil, Seal or Stamp]

RACHEL OPOLKA NOTARY PUBLIC WALTON COUNTY, GEORGIA My Commission Expires 10-20-2024

HALL COUNTY, GEORGIA

By. _____

Richard Higgins, Chairman

Hall County Board of Commissioners

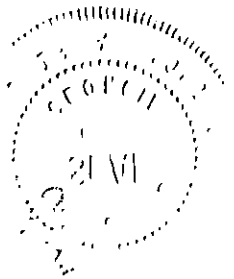
Date: _____

Attestment: _____

Board of Commissioners Clerk

Approved as to Form

_____



HALL COUNTY
GEORGIA
We have it all in Hall

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

EXHIBIT B

MANDATORY BID RESPONSE FORM

Bidders must complete and return this form with their bid

By submitting a proposal, the respondent certifies that they have fully read and understand the proposal's Scope of Work and requirements needed to complete the project. The services offered and the cost proposal must be valid for at least one-hundred twenty days (120) from date of signature.

Bid No: RFQ/P #45-001

Bid Name: Cagle Road Improvements Project

Date of Bid Submittal: 4/11/2024

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

> "I, the undersigned, agree to abide by all terms and conditions of this solicitation and certify that I am authorized to sign this bid proposal".

Company Name: Simpson Trucking & Grading, Inc.

Bidder Signature: Greg S Simpson Date: 4/15/2024

Print Name: Greg S. Simpson

Title: President

Print Name: Greg S. Simpson

Phone Number: 770-536-4731

Email Address: dhammond@simpsontrucking.com

Physical Address: 1364 Candler Road

Physical Address 2: Gainesville, GA 30507

Unsigned bids may be declared as "Non-Responsive" and may 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

ORIGINAL

MANDATORY EXHIBIT C Revised 04/09/2024

PRICE PROPOSAL COST WORKSHEET

RFQ/P #45-001

Cagle Road Improvements Project Input Unit and Extended Pricing Below

Company Name: Simpson Trucking & Grading, Inc.

Bidder's Name: Greg Simpson - President

Bidder's Signature: Greg A Simpson

Date: 04/15/2024

Cagle Road Improvements Project

ITEM	ROADWAY	UNITS	QUANTITY	UNIT PRICE	DOLLAR AMOUNT	
150-1000	Traffic Control	LS	1	$ 75,875.95	$ 75,875.95	
210-0100	Grading Complete.	LS	1	$ 825,000.00	$ 825,000.00	
310-5060	Gr Aggr Base Crs, 6 inch, incl matl	SY	346	$ 12.22	$ 4,228.12	
310-5080	Gr Aggr Base Crs, 8 inch, incl matl	SY	17,953	$ 16.29	$ 292,454.37	
318-3000	AGGR SURF CRS	TN	100	$ 34.27	$ 3,427.00	
402-3190	Recyc Asph Conc 19 MM Superpave.GP 1 or2, incl Bitum Matl & H Lime	TN	3,949	$ 160.72	$ 634,683.28	
402-3103	Recyc. Asph. Conc. 9.5 MM Superpave, Tp. II, GP 2 Only, inc Bitum Matl. and H Lime	TN	2,013	$ 173.60	$ 349,456.80	
413-0750	Tack Coat	GL	2,277	$ 4.20	$ 9,563.40	
441-0016	Driveway Concrete, 6 in Thick	SY	299	$ 85.62	$ 25,600.38	
641-1200	GUARDRAIL, TP W	LF	2,584	$ 31.05	$ 80,233.20	
641-5001	GUARDRAIL ANCHORAGE, TP 1	EA	6	$ 2,242.47	$ 13,454.82	
641-5012	GUARDRAIL ANCHORAGE, TP 12	EA	6	$ 3,679.95	$ 22,079.70	

550-9000	VIDEO INSPECTION	LF	9	$ 4.00	$ 36.00	
550-1180	STORM DRAIN PIPE, 18 IN, H 1-10	LF	107	$ 117.23	$ 12,543.61	
550-1240	STORM DRAIN PIPE, 24 IN, H 1-10	LF	100	$ 136.86	$ 13,686.00	
550-1300	STORM DRAIN PIPE, 30 IN, H 1-10	LF	101	$ 159.69	$ 16,128.69	
550-2180	SIDE DRAIN PIPE, 18 IN, H 1-10	LF	283	$ 106.86	$ 30,241.38	
550-4118	FLARED END SECTION 18 IN, SIDE DRAIN	EA	14	$ 784.30	$ 10,980.20	
550-4218	FLARED END SECTION 18 IN, STORM DRAIN	EA	4	$ 1,895.36	$ 7,581.44	
550-4224	FLARED END SECTION 24 IN, STORM DRAIN	EA	2	$ 3,031.67	$ 6,063.34	
550-4230	FLARED END SECTION 30 IN, STORM DRAIN	EA	4	$ 4,294.25	$ 17,177.00	
668-4400	STORM SEWER MANHOLE, TP 2	EA	2	$ 4,187.33	$ 8,374.66	
668-4411	STORM SEWER MANHOLE, TP 2, ADDL DEPTH, CL 1	LF	21	$ 276.74	$ 5,811.54	
634-1200	RIGHT OF WAY MARKERS	EA	60	$ 375.95	$ 22,557.00	
ITEM	**PERMANENT EROSION CONTROL**					
163-0240	MULCH	TN	29	$ 354.23	$ 10,272.67	
603-2036	STN DUMPED RIP RAP, TP 1, 36 IN	SY	142	$ 115.24	$ 16,364.08	
603-2181	STN DUMPED RIP RAP, TP 3, 18 IN	SY	1,210	$ 57.47	$ 69,538.70	
603-7000	PLASTIC FILTER FABRIC	SY	1,815	$ 3.06	$ 5,553.90	
700-6910	PERMANENT GRASSING	AC	10	$ 3,099.47	$ 30,994.70	

700-7000	AGRICULTURAL LIME	TN	30	$ 315.64	$ 9,469.20	
700-8000	FERTILIZER MIXED GRADE	TN	10	$ 1,624.42	$ 16,244.20	
700-8100	FERTILIZER NITROGEN CONTENT	LB	489	$ 5.55	$ 2,713.95	
700-9300	SOD	SY	645	$ 16.76	$ 10,810.20	
711-0500	TURF REINFORCING MATTING, TP 5	SY	13000	$ 4.54	$ 59,020.00	
ITEM	**TEMPORARY EROSION CONTROL**					
163-0301	CONSTRUCT AND REMOVE CONSTRUCTION EXITS	EA	2	$ 3,796.72	$ 7,593.44	
163-0232	TEMPORARY GRASSING	AC	5	$ 2,479.58	$ 12,397.90	
163-0240	MULCH	TN	151	$ 354.23	$ 53,488.73	
163-0503	CONSTRUCT AND REMOVE SILT CONTROL GATE, TP 3	EA	5	$ 1,004.79	$ 5,023.95	
163-0528	CONSTRUCT AND REMOVE FABRIC CHECK DAM - TYPE C SILT FENCE	LF	2,880	$ 11.01	$ 31,708.80	
165-0041	MAINTENANCE OF CHECK DAMS - ALL TYPES	LF	2880.000	$ 5.00	$ 14,400.00	
165-0030	MAINTENANCE OF TEMPORARY SILT FENCE, TP C	LF	9,925	$ 1.00	$ 9,925.00	
165-0087	MAINTENANCE OF SILT CONTROL GATE, TP 3	EA	5	$ 200.00	$ 1,000.00	
165-0101	MAINTENANCE OF CONSTRUCTION EXIT	EA	1	$ 1,463.14	$ 1,463.14	
165-0310	MAINTENANCE OF CONSTRUCTION EXIT TIRE WASH AREA (PER EACH)	EA	1	$ 1,463.14	$ 1,463.14	
167-1000	WATER QUALITY MONITORING AND SAMPLING	EA	14	$ 488.74	$ 6,842.36	
167-1500	WATER QUALITY INSPECTIONS	MO	18	$ 804.99	$ 14,489.82	

171-0030	TEMPORARY SILT FENCE, TYPE C	LF	19,850	$ 6.08	$ 120,688.00	
163-0541	CONSTRUCT AND REMOVE ROCK FILTER DAMS	EA	23	$ 1,115.01	$ 25,645.23	
165-0110	MAINTENANCE OF ROCK FILTER DAM	EA	23	$ 399.51	$ 9,188.73	
700-8000	FERTILIZER MIXED GRADE	TN	1	$ 1,624.42	$ 1,624.42	
ITEM	**SIGNING AND MARKING**					
636-1036	HIGHWAY SIGNS, TP 1 MATL, REFL SHEETING, TP 11	SF	19	$ 46.00	$ 874.00	
636-2070	GALV STEEL POSTS, TP 7	LF	37	$ 17.25	$ 638.25	
653-0120	THERMOPLASTIC PVMT MARKING, ARROW, TP 2	EA	2	$ 115.00	$ 230.00	
653-1501	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	LF	20,894	$ 0.60	$ 12,536.40	
653-1502	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, YELLOW	LF	28,174	$ 0.60	$ 16,904.40	
653-3501	THERMOPLASTIC SKIP TRAF STRIPE, 5 IN, WHITE	GLF	94	$ 0.40	$ 37.60	
653-1704	THERMOPLASTIC SOLID TRAF STRIPE, 24 IN, WHITE	LF	68	$ 17.25	$ 1,173.00	
	TOTAL BASE BID				**$ 3,067,555.79**	
	BID ALTERNATE 1					
403-3103	RECYCLED ASPH CONC 9.5 MM SUPERPAVE, TYPE II, GP 2 ONLY, INCL BITUM MATL & H LIME	TN	1,566	$ 173.60	$ 271,857.60	
413-0750	TACK COAT	GL	996	$ 4.20	$ 4,183.20	
432-0208	MILL ASPH CONC PVMT, 2 IN DEPTH	SY	14,234	$ 4.20	$ 59,782.80	

653-1501	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	LF	6,100	$ 0.60	$ 3,660.00	
653-1502	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, YELLOW	LF	12,200	$ 0.60	$ 7,320.00	
	ALTERNATE 1 TOTAL				**$ 346,803.60**	
	BID ALTERNATE 2					
653-0120	THERMOPLASTIC PVMT MARKING, ARROW, TP 2	EA	2	$ 115.00	$ 230.00	
653-1501	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	LN	1,400	$ 0.60	$ 840.00	
653-1502	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, YELLOW	LF	2,800	$ 0.60	$ 1,680.00	
653-1704	THERMIOPLASTIC SOLID TRAAF STRIPE, 24 IN, WHITE	LF	35	$ 17.25	$ 603.75	
	ALTERNATE 2 TOTAL				**$ 3,353.75**	

RFQ/P #45-001 Cagle Road Improvements Project	Evaluation Scores from Highest to Lowest								
Bidders	**SIMPSON'S TRUCKING AND GRADING, INC.**	**E.R. SNELL CONSTRUCTOR, INC.**	**PITTMAN CONSTRUCTION CO**	**C.W. MATTHEWS CONTRACTING CO.**	**WILSON CONSTRUCTION MANAGEMENT LLC**	**G. P.'S ENTERPRISES, INC.**	**SUMMIT CONSTRUCT + DEVELOPMENT, LLC**	**VERTICAL EARTH**	**OHMSHIV CONSTRUCTION, LLC**
Average Technical Scores	694	680	647	687	633	600	460	453	373
Average Cost Scores	200	150	150	83	133	50	167	133	83
Total Scores	**894**	**830**	**797**	**770**	**766**	**650**	**627**	**586**	**456**

Score Points out of 1,000 possible

Simpson's Trucking Base Cost	$	3,067,555.79
Add Bid Alternate 1	$	346,803.60
Add Bid Alternate 2	$	3,353.75
Bid Proposal Total	**$**	**3,417,713.14**

E.R. SNELL CONSTRUCTOR, INC.	$	3,663,655.57
Add Bid Alternate 1	$	282,191.10
Add Bid Alternate 2	$	4,076.75
Bid Proposal Total	**$**	**3,949,923.42**

Pittman Construction Co	$	3,555,745.41
Add Bid Alternate 1	$	288,688.30
Add Bid Alternate 2	$	3,058.50
Bid Proposal Total	**$**	**3,847,492.21**

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 189/2024

SUBJECT: Approval and authorization for the Chairman to execute an Intergovernmental Agreement between Forsyth County, Gwinnett County, Hall County, and the City of Gainesville to continue the work of the Upper Chattahoochee Basin Group, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:

Approval and authorization for the Chairman to execute an Intergovernmental Agreement between Forsyth County, Gwinnett County, Hall County, and the City of Gainesville to continue the work of the Upper Chattahoochee Basin Group, subject to review and approval by the County Attorney.

History:

The stakeholders have cooperated for more than thirty (30) years on water quality and other issues related to Lake Lanier under the group title of "Upper Chattahoochee Basin Group (UCBG).

The previous agreements regarding the UCBG are completed and/or expired.

Facts and Issues:

Options:

The Parties are members of UCBG. Governmental agencies, non-profit groups, companies, and individuals with an interest in Lake Lanier can be members of UCBG, but becoming a Steering Committee member requires that this Agreement be amended.

The UCBG Steering Committee will be comprised of the following persons or their designees. The specific person to be on the Steering Committee representing their respective jurisdiction shall be identified via an email to the other Steering Committee members.
• Forsyth County Director of Water and Sewer
• Gwinnett County Water Resources Director
• Hall County Director of Public Works and Utilities
• City of Gainesville Water Resources Director

As part of this agreement, the University of North Georgia (UNG) will conduct water quality sampling and analyses at Lake Lanier sites that are designated by the steering committee to compile data in a database and an annual report that will be presented by December 31st each year until 2028.

Each party of the IGA will contribute $12,500 annually to fund the UCBG initiatives.

Funding Requested	$ 50,000.00
Are funds within current budget?	Yes
Source of Funds	Development Services
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement
IGA

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 189/2024

Funds Requested: $ 50,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Development Services

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	272-DEVELOPMENT SERVICES FUND	4971-ENGINEERING	571000-INTERGOVERNMENTAL PAYMENTS	$12,500.00
2026	272-DEVELOPMENT SERVICES FUND	4971-ENGINEERING	571000-INTERGOVERNMENTAL PAYMENTS	$12,500.00
2027	272-DEVELOPMENT SERVICES FUND	4971-ENGINEERING	571000-INTERGOVERNMENTAL PAYMENTS	$12,500.00
2028	272-DEVELOPMENT SERVICES FUND	4971-ENGINEERING	571000-INTERGOVERNMENTAL PAYMENTS	$12,500.00

Budget Transfer Items:

Additional Information/Comments:

Jorge Gomez 770 531-6800

Contact for Questions: FM

Phone: 770 531-6800

AGREEMENT BETWEEN FORSYTH COUNTY, GWINNETT COUNTY, HALL COUNTY, AND THE CITY OF GAINESVILLE

MEMORIALIZING THEIR RESPONSIBILITIES

AS PART OF THE UPPER CHATTAHOOCHEE BASIN GROUP

THIS AGREEMENT, entered into as of the ___ day of _____, 2024 by and between, Forsyth County, Georgia ("Forsyth"), City of Gainesville, Georgia ("Gainesville"), Gwinnett County, Georgia ("Gwinnett"), Hall County, Georgia ("Hall") (collectively "the Parties") to continue the work of the Upper Chattahoochee Basin Group.

WITNESSETH:

WHEREAS, the above-referenced stakeholders have cooperated for more than thirty (30) years on water quality and other issues related to Lake Lanier under the group title of "Upper Chattahoochee Basin Group (UCBG); and

WHEREAS, in the Parties have a continued interest in continuing these joint efforts; and

WHEREAS, previous Agreements regarding the UCBG are completed and/or expired.

NOW, THEREFORE, based upon the exchange of good and valuable consideration, the receipt and sufficiency of which are acknowledged via the signatures blow, the Parties agree as follows:

SECTION 1 - Members of UCBG

The Parties are members of UCBG. Governmental agencies, non-profit groups, companies, and individuals with an interest in Lake Lanier can be members of UCBG, but becoming a Steering Committee member requires that this Agreement be amended.

SECTION 2 - UCBG Steering Committee

The UCBG Steering Committee will be comprised of the following persons or their designees. The specific person to be on the Steering Committee representing their respective jurisdiction shall be identified via an email to the other Steering Committee members.

- Forsyth County Director of Water and Sewer
- Gwinnett County Water Resources Director
- Hall County Director of Public Works and Utilities
- City of Gainesville Water Resources Director

SECTION 3 - Responsibilities of the Steering Committee

The Steering Committee shall have the following responsibilities:

A. Coordinate activities of the UCBG.

B. Schedule, call, and lead periodic meetings of the UCBG.

C. Communicate with members about the activities of UCBG.

D. Manage the scope, schedule and budget of any work by others that UCBG undertakes.

SECTION 4 - UCBG Activities

The University of North Georgia (UNG) will conduct water quality sampling and analyses at Lake Lanier sites designated by the Steering Committee. UNG will compile this data in a database and an annual report suitable to the Steering Committee. UNG will provide the annual report, and present this information at one or more virtual or in person meetings by December 31st each year.

SECTION 5 - Administration of Funds

Forsyth County is designated as the Funding Administrator. Forsyth County will receive, administer, account for, and disburse the funds contributed by the Parties to fund the UCBG. Specifically, the Funding Administrator agrees to do and perform the following:

A. To receive payments due from each UCBG Party by July 31st annually;
B. To administer and account for the funds according to generally accepted accounting principles and as required by the laws of the State of Georgia for the management of public funds;
C. To receive UNG's invoices and distribute the invoices to the Steering Committee for review;
D. To release payment to UNG annually through two installments as approved by the Steering Committee. These two installments of $25,000 will be distributed by July 31st and January 31st annually for work completed between July 1st and June 30th;

SECTION 6 - Contribution of Funds

The Steering Committee agrees that each Party will contribute $12,500/year to fund UCBG initiatives, for a total of $50,000 each year.

SECTION 7 - Term

This Agreement shall become effective upon the execution hereof by all Parties to this amended agreement and shall continue in full force until December 31, 2028.

SECTION 8 - Termination

Should any Steering Committee member at any time fail to take any action or make any response required hereunder in a timely manner, then the other Steering Committee members shall be entitled to act with regard to any such matter, notwithstanding such nonparticipation; provided, however, that the failure of a Steering Committee member so to act or respond shall not affect that Steering Committee Member's right to act or respond as to future matters, nor that Steering Committee member's obligation to contribute its allotted share of the funding.

SECTION 9 - Indemnification

A. UNG's contract(s) shall contain the following wording: UNG shall agree to indemnify the Steering Committee members and their corresponding local government entities, from any claims, damages, losses, and costs, including, but not limited to, attorney's fees and litigation costs, arising out of claims by third parties for property damage and bodily injury, including death, caused by UNG or its employees, affiliated corporations, officers, and subcontractors.
B. The Parties agree that any claims, damages, losses, and costs, including, but not limited

to, attorney's fees and litigation costs, arising out of claims by third parties for property damage or bodily injury, including death, caused solely by the negligence or willful misconduct of that respective Party's Steering Committee member shall be the exclusive liability of the Party on whose behalf the Steering Committee member is acting.

C. If the *joint* negligence or joint misconduct of the Steering Committee members (or a person identified above for whom each is liable) is a cause of damage or injury, the loss, cost, or expense shall be shared between those Parties on whose behalf the Steering Committee member(s) were acting.

D. Nothing in this agreement shall constitute a waiver by Parties or UNG of any defense that would be available to them under Federal or State law.

SECTION 10 - Counterparts

This Agreement may be executed in one or more counterparts. All such counterparts shall be construed as one and the same agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this amended agreement by and through their duly authorized representatives as of the day and year first above written.

HALL COUNTY, GEORGIA

By: _____
Richard Higgins, Chairman

ATTEST: _____ (SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM: _____
William J. Linkous III, County Attorney

FORSYTH COUNTY, GEORGIA

By: _____

Title: _____

Date: _____

Attest: _____

GWINNETT COUNTY, GEORGIA

By: _____
Nicole L. Hendrickson, Chairwoman

Date Signed: _____

Attest: _____(Seal)
County Clerk/Deputy County Clerk

Approved as to Form: _____
County Attorney

CITY OF GAINESVILLE, GEORGIA

By: _____
W. Samuel Couvillon, Mayor

ATTEST: _____
Denise O. Jordan, City Clerk

APPROVED AS TO FORM: _____
Abbott S. Hayes Jr., City Attorney

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 198/2024

SUBJECT: Approval and authorization for the Board of Commissioners to execute a resolution to ratify and affirm all actions taken in furtherance of the Sardis Road Connector Project between April 24, 2023 and April 21, 2024, and authorize the execution of any and all documents necessary to effectuate the ratification and affirmation, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approval

Purpose of Request:
Approval and authorization for the Chairman to execute a Resolution ratifying all land acquisitions for the Department of Public Works and Utilities' projects from April 24, 2023, through April 21, 2024, and any and all documents necessary to effectuate the land acquisition, subject to approval by the County Attorney.

History:
Hall County is in the process of acquiring land for the Sardis Road Connector Project and other public works projects, and it is necessary that previously-approved land acquisitions be ratified by the Board of Commissioners during a public meeting in order to place the land acquisitions on the County's Minutes.

Facts and Issues:
Hall County Department of Public Works and Utilities intends to periodically place land acquisition matters on the Board's agenda in order to complete the process necessary for such land acquisitions.

Options:
For the Board's convenience, all land acquisitions for the period in question will be considered for ratification instead of considering each land acquisition individually.

Funding Requested	$ 5,086,257.00
Are funds within current budget?	Yes
Source of Funds	SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes

Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
JG	JG	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Financial Supplement
Resolution

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 198/2024

Funds Requested: $ 5,086,257.00

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023/2024	324-SPLOST VIII	4971-ENGINEERING	541100-LAND	$5,086,257.00

Budget Transfer Items:

Additional Information/Comments:

Resolution being developed by Legal Dept.

Contact for Questions:

Phone:

RESOLUTION

A RESOLUTION TO RATIFY AND AFFIRM ALL ACTIONS TAKEN THUS FAR IN FURTHERANCE OF THE SARDIS ROAD CONNECTOR PROJECT, AND FOR OTHER PURPOSES.

WHEREAS, the Sardis Road Connector Project (the "Project") is located in Land Districts 9 and 10 and G.M.D. 570 of Hall County, Georgia, and consists of the widening, realignment, and reconstruction of existing roadways and the construction of new roadways to provide a connector roadway between Georgia State Route 53 to the South and Georgia State Route 60 to the North; and

WHEREAS, the Project will begin at the Sardis Road and Chestatee Road intersection and will extend northward approximately 3.55 miles to Georgia State Route 60 ending near the intersection of State Route 60 and Mount Vernon Road; and

WHEREAS, the proposed roadway will consist of a four-lane curb and gutter divided roadway, having 2 lanes in each direction that will be separated by a 20-foot wide, 6-inch-high curb and gutter median and sidewalks will be provided on both sides of the road having a design speed limit of 45 mph; and

WHEREAS, on August 14, 2019, Hall County, Georgia (the "County") issued a request for bids and proposals (the "RFP") soliciting submissions from firms that are interested in and capable of performing turnkey right-of-way acquisition services necessary for the construction of the Project; and

WHEREAS, on November 14, 2019, the Board of Commissioners of Hall County (the "Board") awarded the project described in the RFP to Croy Engineering, LLC ("Croy") and contracted with Croy Engineering, LLC ("Croy") for Croy to act as the County's agent and negotiate and coordinate the acquisition of the parcels and easements necessary for the completion of the Project on behalf of the County, with such award and contract amended by change order approved by the Board on September 9, 2021 (collectively, the "Croy Award"); and

WHEREAS, on January 2, 2020, the location and design of the Sardis Road Connector Project (Federal Aid Project STP00-0003-00(626)) were approved by the Georgia Department of Transportation ("GDOT"); and

WHEREAS, on June 25, 2020, the Board approved that certain Contract for Acquisition of Right-of-Way: Federal or State-Aid Project (the "GDOT Agreement"), by and between the County and GDOT, pursuant to which the Board agreed that the County would acquire by purchase or condemnation certain parcels necessary for the Project, some of which would be owned by the County and some of which shall ultimately be owned by GDOT; and

WHEREAS, the Board approved a budget for the Project submitted by the County Engineer of Hall County (the "County Engineer"), which budget included funding for acquisition of parcels and easements necessary to complete the Project by negotiated sale (the "Project Budget"); and

WHEREAS, the parcels set forth in **Exhibit A** have been settled and resolved, said parcels are denoted on the plans for the Sardis Road Connector Project, and are identified in **Exhibit A** attached hereto and made a part hereof, which details the property owner, property address, as well as any purchase amount, housing supplement, moving expenses, or additional costs; and

WHEREAS, the funds spent to purchase the Parcels were within the Project Budget; and

WHEREAS, the Board desires to ratify, approve, and affirm all actions taken by the County Attorney, the County Engineer, Croy, Stewart, Melvin, and Frost, LLP ("SMF") and any other agents of the County acting under the direction of the County Attorney and/or the County Engineer to affect the purchase and/or negotiated settlement of the parcels as denoted on Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board, in regular session, as the managing and controlling body of the County, and it is hereby resolved by authority of the same as follows:

Section 1. All actions taken on behalf of the County by the County Attorney, County Engineer, Hall County Public Works, Croy, SMF, and other agents of the County acting under the direction of the County Attorney or the County Engineer in furtherance of the Project prior to the effective date of this Resolution, including the purchase of the parcels and the negotiated settlement of parcels set forth on Exhibit A, are hereby approved, ratified, and affirmed.

Section 2. The Board hereby approves, ratifies, and affirms the acquisition of any other interests in property necessary and proper for the construction of the Project which may have been acquired or have a negotiated settlement prior to the effective date of this Resolution.

Section 3. The Board hereby authorizes SMF and/or the Director of Public Works, or his designee, to execute any and all documents necessary to effectuate the property acquisitions which are ratified in this Resolution.

Section 4. If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Resolution 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 portions of this Resolution not so held to be invalid. It is hereby declared to be the intent of the Board to provide for separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

[Signatures on following page.]

This Resolution is adopted in regular session of the Board, this ____ day of April, 2024, to become effective immediately upon its execution, the public health, safety, and general welfare demanding it.

HALL COUNTY BOARD OF COMMISSIONERS

_____
Richard Higgins, Chairman

_____
Commissioner, District 1
Kathy Cooper

_____
Commissioner, District 2
Billy Powell

_____
Commissioner, District 3
Gregg Poole

_____
Commissioner, District 4
Jeff Stowe

_____
ATTEST:
Jennifer Rivera, Clerk

Approved as to form:

_____
County Attorney
William Linkous, III

EXHIBIT A

Parcel Number	Owner Information	Settlement Amount	Housing Supplement	Moving Expenses	Closing Cost / Other
015/034	Hall County Board of Education 2740 Fran Mar Drive	$215,500.00	N/A	N/A	N/A
028	Program Management 3, LLC 2767 Fran Mar	$2,600.00	N/A	N/A	N/A
044	Thomas Ralph Waters 3212 Brackett Drive	$3,000.00	N/A	N/A	N/A
056R	Angela Hiers 4016 Ledan Ext.	$20,500.00	N/A	N/A	N/A
058R	Angela Hiers 4023 Sardis Road	$6,600.00	N/A	N/A	N/A
059R	Bethel Tabernacle 4020 Ledan Ext.	$1,000.00	N/A	N/A	N/A
075	Bowen & Bowen 3857 Ledan Road	$36,900.00	N/A	N/A	N/A
079R	Sardis Ledan LLC 3246 Sardis Road	$8,000.00	N/A	N/A	N/A
089	Bowen & Bowen Home Builders, LLC 3803 Windsor Trail	$34,900.00	N/A	N/A	N/A
139/141	Judy Gaines 3773 Thompson Bridge Road	$2,000,000.00	N/A	N/A	N/A
143	Habersham Partners, LLC 3585 Thompson Bridge Road	$890,000.00	N/A	N/A	N/A
144	Corinth Baptist Church, Inc. 3590 Thompson Bridge Road	$1,867,257.00	N/A	N/A	N/A

GEORGIA, HALL COUNTY.

I, JENNIFER RIVERA, do hereby certify that I am the Clerk of the Board of Hall County, Georgia.

I further certify that the foregoing pages constitute a true, correct, and exact copy of a Resolution passed by the Board on _____, 2024, and that the original of said Resolution is on file in the Hall County Commission Office, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia 30504.

Given under my hand and seal of Hall County, Georgia this _____ day of _____, 2024.

_____
JENNIFER RIVERA
Clerk of the Board of
Hall County, Georgia.

(SEAL OF HALL COUNTY)

4884-5729-1107, v. 3

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 175/2024

SUBJECT: Approve the acceptance of $1,536,277.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Ponderosa Farm Unit 1 Subdivision. Commission District 1.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Consider the acceptance of $1,536,277.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Ponderosa Farm Unit 1 Subdivision.

History:

Facts and Issues:

Options:

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

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Guaranty Performance/Maintenance Agreement
Final Plat Information

STATE OF GEORGIA,
COUNTY OF HALL

Bond Number: 47SUR300214010892

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton Properties Group, Inc. dba Chafin Land Development (owner/principal, hereinafter referred to as "Principal"), and Berkshire Hathaway Specialty Insurance Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of One Million Five Hundred Thirty Six Thousand Two Hundred Twenty Seven and 00/100 Dollars ($1,536,227.00) * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Clayton Properties Group, Inc. dba Chafin Land Development (principal) is owner of the Subdivision known as Ponderosa Farm Unit 1 Subdivision, which subdivision is shown on a plat prepared by Thomas & Hutton, Georgia Registered Surveyor Number 3121, and

WHEREAS, Clayton Properties Group, Inc. dba Chafin Land Development (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Ponderosa Farm Unit 1 Subdivision for recording purposes, and

WHEREAS, Clayton Properties Group, Inc. dba Chafin Land Development (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Ponderosa Farm Unit 1 Subdivision for public maintenance (not applicable to private developments); Clayton Properties Group, Inc. dba Chafin Land Development (principal) and Berkshire Hathaway Specialty Insurance Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Clayton Properties Group, Inc. dba Chafin Land Development (principal) agrees that all construction of the street system of Ponderosa Farm Unit 1 Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Clayton Properties Group, Inc. dba Chafin Land Development (principal), and Berkshire Hathaway Specialty Insurance Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Ponderosa Farm Unit 1 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County, Berkshire Hathaway Specialty Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Clayton Properties Group, Inc. dba Chafin Land Development (principal) and Berkshire Hathaway Specialty Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by Berkshire Hathaway Specialty Insurance Company (surety) from Hall County authorizing release of Clayton Properties Group, Inc. dba Chafin Land Development (principal) and Berkshire Hathaway Specialty Insurance Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on March 26, 2024 (Date) and expires on March 26, 2026 (Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this 26th day of March, 2024.

- Clayton Properties Group, Inc. dba Chafin Land Development
  PRINCIPAL

  By: _____ V.P.
  (Corporate Officer or other authorized representative)

  Principal's Address:
  5230 Belle Wood Court
  Buford, GA 30518

- Berkshire Hathaway Specialty Insurancer Company
  SURETY

  By: _____
  Matthew Labno (Authorized Representative) Attorney-in-Fact

  Surety's Address:
  1314 Douglas Street, Suite 1400
  Omaha, NE 68102-1944

- Approved:
  Hall County
  By: _____
  (Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

47-SUR-300214-01-0892

Berkshire Hathaway Specialty Insurance

Power Of Attorney

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY
NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

Know all men by these presents, that **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, **NATIONAL INDEMNITY COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: **Josefina Rojo, John P. Harney, Jacquelyn Norstrom, Haley Anderson, Matthew Labno, 353 N. Clark Street of the city of Chicago, State of Illinois,** their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. **This authority for the Attorney-in-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.**

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of August 24, 2023. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. **The following seals of the Companies and signatures by an authorized officer of the Company may be affixed by facsimile or digital format, which shall be deemed the equivalent of and constitute the written signature of such officer of the Companies and original seals of the Companies for all purposes regarding this Power of Attorney, including satisfaction of any signature and seal requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.**

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY,

By: _____
David Fields, Executive Vice President

NATIONAL INDEMNITY COMPANY, NATIONAL LIABILITY & FIRE INSURANCE COMPANY,

By: _____
David Fields, Vice President

NOTARY
State of Massachusetts, County of Suffolk, ss:
On this 24th day of August, 2023, before me appeared David Fields, Executive Vice President of BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY and Vice President of NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.
[Notary Seal]

JOHN C. SKINNER
Notary Public, Commonwealth of Massachusetts
My Commission Expires January 22, 2027

_____
Notary Public

I, Ralph Tortorella, the undersigned, Officer of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies which is in full force and effect and has not been revoked. IN TESTIMONY WHEREOF, see hereunto affixed the seals of said Companies this March 26, 2024.

_____
Ralph Tortorella, Officer

To verify the authenticity of this Power of Attorney please contact us at: BHSI Surety Department, Berkshire Hathaway Specialty Insurance Company, One Lincoln Street, 23rd Floor Boston, MA 02111 | (770) 625-2516 or by email at Jennifer.Porter@bhspecialty.com *THIS POWER OF ATTORNEY IS VOID IF ALTERED*

To notify us of a claim please contact us on our 24-hour toll free number at (855) 453-9675, via email at claimsnotice@bhspecialty.com, via fax to (617) 507-8259, or via mail.

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY (BYLAWS)

ARTICLE V.

CORPORATE ACTIONS

. . . .

EXECUTION OF DOCUMENTS:

. . . .

Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

(1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and

(2) To remove at any time any such Attorney-in-fact and revoke the authority given him.

NATIONAL INDEMNITY COMPANY (BY-LAWS)

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)

ARTICLE IV

Officers

Section 1. Officers, Agents and Employees:

A. The officers shall be a president, one or more vice presidents, one or more assistant vice presidents, a secretary, one or more assistant secretaries, a treasurer, and one or more assistant treasurers, none of whom shall be required to be shareholders or directors, and each of whom shall be elected annually by the board of directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the board of directors. The president and secretary shall be different individuals. Election or appointment of an officer or agent shall not create contract rights. The officers of the Corporation shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the board of directors; and the board of directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the Corporation.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

RESOLVED, That the President, any Vice President or the Secretary, shall have the power and authority to (1) appoint Attorneys-in-fact, and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

Final Plat Information

Consider Acceptance of $1,536,227.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, Sewer, and Sidewalks in Ponderosa Farm Unit 1 Subdivision

Subject Subdivision is located off Ponderosa Farm Road

NAME OF SUBDIVISION:	Ponderosa Farm Unit 1
NAME OF OWNER/DEVELOPER:	Clayton Properties Group, Inc.
ADDRESS:	5230 Belle Wood Court Buford, GA 30518
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	March 26, 2024
AMOUNT OF BOND:	$1,536,227.00
FINANCIAL INSTITUTION:	Berkshire Hathaway Specialty Insurance Company
AND ADDRESS:	1314 Douglas Street, Suite 1400 Omaha, NE 68102-1944
Account No.:	47SUR300214010892

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
1	Windridge Parkway	50	1361.81	20	P.M.	----
1	Bancroft Lane	50	423.08	20	P.M.	----
1	Milford Drive	50	1108.35	20	P.M.	----
1	Baymont Drive	50	1006.58	20	P.M.	----

NOTES:

NUMBER OF LOTS:	89
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	30.31 AC

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 176/2024

SUBJECT: Approve the acceptance of $609,086.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Falcon Landing Phase 1 Subdivision. Commission District 2.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approve

Purpose of Request:
Approve the acceptance of $609,086.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Falcon Landing Phase 1 Subdivision.

History:

Facts and Issues:

Options:

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

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG

Attorney	Administration	Clerk

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:

Guaranty Performance/Maintenance Agreement
Final Plat Information

Bond No. 4473580

STATE OF GEORGIA,
COUNTY OF HALL

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Forestar (USA) Real Estate Group Inc. (owner/principal, hereinafter referred to as "Principal"), and Markel Insurance Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of $609,086.00 * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Forestar (USA) Real Estate Group Inc. (principal) is owner of the Subdivision known as Falcon Landing Phase 1 Subdivision, which subdivision is shown on a plat prepared by Patton Land Surveying, LLC, Georgia Registered Surveyor Number 3647, and

WHEREAS, Forestar (USA) Real Estate Group Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Falcon Landing Phase 1 Subdivision for recording purposes, and

WHEREAS, Forestar (USA) Real Estate Group Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Falcon Landing Phase 1 Subdivision for public maintenance (not applicable to private developments); Forestar (USA) Real Estate Group Inc. (principal) and Markel Insurance Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Forestar (USA) Real Estate Group Inc. (principal) agrees that all construction of the street system of Falcon Landing Phase 1 Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Forestar (USA) Real Estate Group Inc. (principal), and Markel Insurance Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Falcon Landing Phase 1 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County, Markel Insurance Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Forestar (USA) Real Estate Group Inc. (principal) and Markel Insurance Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by Markel Insurance Company (surety) from Hall County authorizing release of Forestar (USA) Real Estate Group Inc. (principal) and Markel Insurance Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on 3/25/24 (Date) and expires on 3/25/26

(Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this 25th day of March, 2024.

- Forestar (USA) Real Estate Group Inc.
  PRINCIPAL

By: _____
(Corporate Officer or other authorized representative)

Principal's Address:
2221 E Lamar Blvd, Suite 790
Arlington, TX 76006

- Markel Insurance Company
  SURETY

  By: _____
  Noah William Pierce, Attorney-In-Fact
  Surety's Address:
  4521 Highwoods Parkway
  Glen Allen, VA 23060

- Approved:
  Hall County
  By: _____
  (Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

POA# 3310020

JOINT LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SureTec Insurance Company, a Corporation duly organized and existing under the laws of the State of Texas and having its principal office in the County of Harris, Texas and Markel Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the state of Illinois, and having its principal administrative office in Glen Allen, Virginia, does by these presents make, constitute and appoint:

Catherine Thompson, Amy R. Waugh, Jynell Marie Whitehead, Noah William Pierce, Bryan M. Caneschi, Gentry Stewart, Kyle Williams

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, and as their act and deed any and all bonds and other undertaking in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

Fifty Million and 00/100 Dollars ($50,000,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 1st day of September, 2023.

SureTec Insurance Company

By: _____
Michael C. Keimig, President

Markel Insurance Company

By: _____
Lindey Jennings, Vice President

State of Texas
County of Harris:

On this 1st day of September, 2023 A. D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the proceeding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that Resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

XENIA RIVAS
Notary Public State of Texas
Commission # 129117659
Commission Expires 9/10/24

By: _____
Xenia Rivas, Notary Public
My commission expires 9/10/2024

We, the undersigned Officers of SureTec Insurance Company and Markel Insurance Company do herby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, we have hereunto set our hands, and affixed the Seals of said Companies, on the 25th day of March, 2024.

SureTec Insurance Company

By: _____
M. Brent Beaty, Assistant Secretary

Markel Insurance Company

By: _____
Andrew Marquis, Assistant Secretary

Any Instrument Issued in excess of the penalty stated above is totally void and without any validity. 3310020
For verification of the authority of this Power you may call (713)812-0800 on any business day between 8:30 AM and 5:00 PM CST.

Final Plat Information

Consider Acceptance of $609,086.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Falcon Landing Phase 1 Subdivision

Subject Subdivision is located off Chestatee Road

NAME OF SUBDIVISION:	Falcon Landing Phase 1
NAME OF OWNER/DEVELOPER:	Forestar (USA) Real Estate Group, Inc.
ADDRESS:	2221 E. Lamar Blvd, Suite 790 Arlington, TX 76006
TYPE OF MAINTENANCE BOND:	Guaranty Performance/Maintenance
DATE OF BOND:	March 25, 2024
AMOUNT OF BOND:	$609,086.00
FINANCIAL INSTITUTION: AND ADDRESS:	Market Insurance Company 4521 Highwoods Parkway Glen Allen, VA 23060
Account No.:	4473580

COMM. DIST.	STREET NAME	R/W IN FEET	LENGTH IN FEET	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
2	Peregrine Way	50	2252.06	20	P.M.	----
2	Kestrel Court	50	732.76	20	P.M.	----
2	Merlin Pass	50	1143.30	20	P.M.	----

NOTES:

NUMBER OF LOTS:	148
CURB & GUTTER:	24" Rolled Back
TOTAL ACRES OF S/D:	70.04 AC

AGENDA ITEM

Public Works and Utilities

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 205/2024

SUBJECT: Approval and authorization for the Chairman to execute the Georgia Department of Transportation (GDOT) FY 2024 Local Roads Assistance Grant (LRA) application and cover letter for 6.5 miles of road resurfacing on fourteen (14) various County roads, in the estimated amount of $2,841,848.00.

Meetings:

Work Session Date: 04/22/24 **Voting Meeting Date:** 04/23/24

Executive Summary:

Presenter: BN

Recommendation:
Approve.

Purpose of Request:
Approval and authorization for the Chairman to execute the Georgia Department of Transportation (GDOT) FY 2024 Local Roads Assistance Grant (LRA) application and cover letter for 6.5 miles of road resurfacing on fourteen (14) various County roads, in the estimated amount of $2,841,848.00.

History:
On March 15 2024, GDOT provided guidelines for additional funding that is being administered through the LMIG application system.

The Board had previously approved an application for FY24 LMIG funds in October 2023.

Facts and Issues:
The resurfacing list that is a part of the GDOT's FY24 LMAR application. Based on the expected funding from LRA the County is only submitting a condensed list that still maximizes the benefit of LRA funds but will allow Hall County to utilize the most recent road ratings for the FY 25 Resurfacing List.

Options:

Funding Requested	$ 2,841,848.00
Are funds within current budget?	Yes
Source of Funds	Grant, SPLOST VIII
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes

Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item? 2024-06-13

Approvals:

Submit	Approve	Budget	Finance
BN	BN	EW	TS

Attorney	Administration	Clerk
WLI	CR	JR

Attachments:
Financial Supplement
LRA - GDOT FY24 Supplemental Application
LRA - Cover Letter
GDOT FY24 - LRA - Project List

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 205/2024

Funds Requested: $ 2,841,848.00

Request Budgeted: Yes

Proposed Source of Funding:

Grant, SPLOST VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	324-SPLOST VIII	4971-ENGINEERING	541400-INFRASTRUCTURE	$148,585.06
2025	221-STATE ROAD GRANT FUND	4220-ROAD MAINTENANCE	541400-INFRASTRUCTURE	$2,693,262.94

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BR

Phone: 678 531-6800

GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2024 SUPPLEMENTAL

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Richard Higgins (Name), the Chairman (Title), on behalf of Hall County Board of Commission (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a project shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

_____ (Signature)

_____ (Print)
Mayor / Commission Chairperson

_____ (Date)

LOCAL GOVERNMENT SEAL:

_____
E-Verify Number

Sworn to and subscribed before me,

This _____ day of_____, 20____.
In the presence of:

NOTARY PUBLIC

_____
My Commission Expires:

NOTARY PUBLIC SEAL:

Hall County Government
BOARD OF COMMISSIONERS

HALL COUNTY
GEORGIA
*We have it **all** in Hall*

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8288

CHAIRMAN
Richard P. Higgins

Kathy L. Cooper, District 1
Billy Powell, District 2
Gregg Poole, District 3
Jeff Stowe, District 4

COUNTY ADMINISTRATOR
Zachary T. Propes

ASSISTANT
COUNTY ADMINISTRATOR
Katie Crumley

ASSISTANT
COUNTY ADMINISTRATOR
Casey Ramsey

COUNTY CLERK
Jennifer Rivera

Mr. Charles R. Arnhart
Local Government Coordinator
District 1 Office of Traffic Operations
1475 Jesse Jewell Parkway
Suite 100
Gainesville, GA 30501

RE: 2024 LRA PI# S016026

Dear Mr. Arnhart,

Please find enclosed a copy of Hall County's proposed 2024 Local Roads Assistance Grant submittal. Hall County is requesting $2,693,262.94 of FY 2024 funds be allotted for the resurfacing of various county roads. The FY 2024 LRA project report is included for your convenience.

The FY 2023 LMIG project shall be completed by June 30, 2024 and the FY 2022 LMIG project is awaiting the final invoice for payment. The Associated Statement of Final Expenditures for both projects shall be submitted upon completion. All required final documentation for previous LMIG funding years has been submitted and validated.

Hall County is extremely appreciative of your assistance and cooperation in making these projects possible in aiding in the improvement of our community.

Sincerely,

Richard Higgins
Commission Chairman
Hall County Board of Commissioners

Enclosures
CC: Mr. Charles R. Arnhart, District State Aid Coordinator

HALL COUNTY FY25
LRA SUBMITTAL
HALL COUNTY, GEORGIA

RATING RANK	PROJECT	COMM. DIST.	MILEAGE	BEGIN	END	2024 TOTAL RATING	PROJECT COST
1	Belton Bridge Road (Sec. 2)	3	1.053	Pea Ridge Road	Section 1 (Bridge)	**76**	**$459,108**
2	Dogwood Street	4	0.177	Second Street	Terminus	**76**	**$77,172**
3	Arthur Avenue	2	0.132	Merlin Drive	Terminus	**74**	**$57,552**
4	Jay Mountain Road	2	0.762	Duckett Mill Road	Terminus	**74**	**$332,232**
5	Old Cornelia Highway (Sec. 1)	3	1.119	SR 369 Jesse Jewel (Limestone)	Section 2 (Rabittown)	**74**	**$487,884**
6	Railroad Street	2	0.565	Chamblee Road	Oakwood City Limits	**74**	**$246,340**
7	Tranquility Drive	1	0.237	Winder Highway	Terminus	**74**	**$103,332**
8	Antioch Church Road	2	0.390	Sardis Road	Terminus	**73**	**$170,040**
9	Bowman Drive	4	0.275	Skelton Road	Terminus	**73**	**$119,900**
10	Dewey Drive	2	0.684	Bark Camp Road	Graham Circle	**73**	**$298,224**
11	Evergreen Hollow Drive	3	0.157	Gillsville Highway	Terminus	**73**	**$68,452**
12	Friendship Farm Drive	1	0.665	Friendship Road	Terminus	**73**	**$289,940**
13	Rockyford Terrace	3	0.207	Shady Oak Trail	Terminus	**73**	**$90,252**
14	Waverly Trail	2	0.095	Waverly Way	Terminus	**73**	**$41,420**
			6.52				**$2,841,848**

****Cost is an estimate only****

Cost estimates based off of $436,000/Mile

Proposed Hall County FY25 SPLOST VIII Funding: $148,585.06
GaDOT FY24 LRA Funding: $2,693,262.94

AGENDA ITEM

Sheriff's Office

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 201/2024

SUBJECT: Approve the ratification of the Congressionally Directed Spending application for the Hall County Jail to implement mental healthcare services to its inmates in the amount of $1,599,999.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. A match of $800,000.00 is required.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: JS

Recommendation:
Approval.

Purpose of Request:
Approve the ratification of the Congressionally Directed Spending application for the Hall County jail to implement mental healthcare services to its inmates in the amount of $1,599,999.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. A match of $800,000.00 is required.

History:

NA

Facts and Issues:

Options:

Hall County Sheriff's Office is in need of providing their 230,000 citizens with Mental Healthcare in its correctional institutions. Currently Hall County is in the search for a Georgia-based, physician-owned company that provides healthcare in jails and prisons. Hall County believes that all people, regardless of their legal status, deserve high-quality and humane medical care. In addition, Hall County recognizes the unique medical and public-health issues that currently exist and continue to rise. Hall County would like to utilize this as an opportunity to intervene in an individual's life and attempt to provide much-needed care for this often-underserved population. Hall County has partnered with healthcare providers who seek to assist with this growing concern. Hall County has supported an existing Lieutenant who is currently finalizing a doctorate degree in the mental health field into a mental health role within the correctional institutions. Having this education and insight will assist Hall County to oversee this program to have the highest degree of impact on their citizens.

Funding Requested	$ 800,000.00
Are funds within current budget?	No
Source of Funds	Grants / General
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	No
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Grants	Submit	Approve	Grants
PS	SC	SC	SG
Budget	**Finance**	**Attorney**	**Administration**
EW	TS	WLI	CR
Clerk			
JR			

Attachments:

Financial Supplement
FY25 CDS Application

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 201/2024

Funds Requested: $ 800,000.00

Request Budgeted: No

Proposed Source of Funding:

Grants / General

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2025	100-GENERAL FUND	3326-SHERIFFâ€JAIL	521000-PROFESSIONAL SERVICES	$800,000.00
2025	250-MULTIPLE GRANT FUND	3326-SHERIFFâ€JAIL	351101-COUNTY JAIL FUND	$-1,599,999.00
2025	250-MULTIPLE GRANT FUND	3326-SHERIFFâ€JAIL	521000-PROFESSIONAL SERVICES	$1,599,999.00

Budget Transfer Items:

Additional Information/Comments:

The Congressionally Directed Spending application and selection process could last more than twelve months. If Hall County is awarded, the funding must be expended within one calendar year.

Contact for Questions: SC

Phone: 770-718-5151

Office of U.S. Senator Jon Ossoff

Jon Ossoff
U.S. SENATOR FOR GEORGIA

Submit

Summary of Information

Please review your FY2025 CDS Request before submitting.

Are you a for-profit company?	No
Please choose the Subcommittee you would wish to submit a project proposal:	Commerce, Justice, Science, and Related Agencies
Please choose the following account within the Agriculture, Rural Development, FDA, and Related Agencies subcommittee you would wish to submit a project proposal:	
Please choose the following account within the Commerce, Justice, Science, and Related Agencies subcommittee you would wish to submit a project proposal:	CJS, DOJ; State and Local Law Enforcement Assistance; Byrne Discretionary
Please choose the following account within the Energy and Water Development subcommittee you would wish to submit a project proposal:	
Please choose the following account within the Financial Services and General Government subcommittee you would wish to submit a project proposal:	
Please choose the following account within the Homeland Security subcommittee you would wish to submit a project proposal:	

Please choose the following account within the Interior, Environment, and Related Agencies subcommittee you would wish to submit a project proposal:	
Please choose the following account within the Labor, Health and Human Services, Education, and Related Agencies subcommittee you would wish to submit a project proposal:	
Please choose the following account within the Transportation, Housing and Urban Development and Related Agencies subcommittee you would wish to submit a project proposal:	
Are you an entity based in Georgia?	YES
Requesting Organization	Hall County, Georgia 2875 Browns Bridge Road Gainesville GA 30504 sgreen@hallcounty.org
Organization County: Please note the Georgia county your organization is primarily based in	Hall County, Georgia
What is the primary county of impact for this investment?	Hall County, Georgia
Please list any other counties in Georgia that will benefit, if applicable	NA
Please list the Congressional District(s) the project would serve	9
Organization Point-of-Contact	Sommer Green 2875 Browns Bridge Road Gainesville GA 30504 sgreen@hallcounty.org W: 770-297-5503
Link to the applying Organization's website, if possible	https://www.hallcounty.org/
Organization Designation	Local Government Entity
Non-profit EIN	58-6000836

Lobbyist Name	NA
Lobbyist Organization	NA
Lobbyist Phone	NA
Lobbyist Email	NA
Priority Ranking	1
Has the requesting organization previously submitted appropriations requests to Senator Ossoff?	NA
Has this project previously received CDS funding from Senator Ossoff or another office?	NA
What is the full cost of the Project?	1599999
What amount are you requesting? This figure should only be the amount you are requesting as congressionally directed spending.	1599999
FY24 Funding Level	0
Did the requesting organization receive funding for a congressionally directed spending project in FY24 Appropriations? This question is not project-specific and is intended to understand whether your organization has received funding for congressionally directed spending in the previous application cycle.	NA

Previous Grant Requests: **Has the requestor applied for a federal grant for this project in the past outside of the congressionally directed spending process?** ***This question is project-specific and is intended to understand the full scope of federal funding sources for this project.*** **1. What was the grant?** ***Please list the specific grant program your organization applied to for this project.*** **2. In what year did the requestor apply for the grant?** ***Please note the calendar year of your application for the grant.*** **3. What was the sponsoring entity?** ***Provide the name of the agency or office that administered or implemented the grant.*** **4. Did Senator Ossoff offer a letter of support for the grant?** ***Please provide a "yes" or "no" answer.***	NA
State and Local Authorization: **Does this request require approval from state or local authorities?** **Please indicate if any permitting is required from state or local authorities, if that approval or permitting still pending, and please list which approvals/permits are necessary, from what entity they will be/have been granted, and when should be/were granted.**	NO
Project Name: **Please use the same name of the project as submitted to other Members of Congress**	Hall County's Mental Healthcare Intervention Program

Project Description **Please provide a brief description of the your project in two or three sentences. This should include details about the project, how the funding will be used, and its expected impact on Georgia.**	Hall County Sheriff's Office is desperately in need of providing their 230,000 citizens with Mental Healthcare in its correctional institutions. Currently Hall County is in the search for a Georgia-based, physician-owned company that provides healthcare in jails and prisons. Hall County believes that all people, regardless of their legal status, deserve high-quality and humane medical care. In addition, Hall County recognizes the unique medical and public-health issues that currently exist and continue to rise. Hall County would like to utilize this as an opportunity to intervene in an individual's life and attempt to provide much-needed care for this often-underserved population. Hall County has partnered with healthcare providers who seek to assist with this growing concern. Hall County has supported an existing Lieutenant who is currently finalizing a doctorate degree in the mental health field into a mental health role within the correctional institutions. Having this education and insight will assist Hall County to oversee this program to have the highest degree of impact on their citizens.
Project Justification: **Please describe an adequate explanation of why this project is a valuable use of Federal dollars and how this funding (or the federal program for which you are requesting funding) will impact the requesting organization's work, the local community and Georgians.**	Hall County's Mental Healthcare Intervention Program will set the precedence of quality and humane medical treatment within the Correctional Institutions that serve over 230,000 citizens. By viewing an inmate's time within a facility as an opportunity to intervene in an individual's life, this program can provide much-needed care for this often underserved population. Giving an inmate quality care can change the course of not only their future, but the future of their families, and their community.
Who will this project benefit?	Inmates, Families of Incarcerated, Community, Local Businesses, etc.
Will this project create any new jobs?	Yes
Number of Jobs Created **If so, how many new jobs will be created? Please provide information on jobs created (if any) by this project.**	5

Budget Breakdown: Please provide a breakdown of the budget for the project using the template provided in the Office of Senator Ossoff's FY25 Appropriations Guidance on page 4.	Hall County- FY25 Ossoff CDS Request Budget.pdf (41143 bytes)
Does the project meet the required cost share? Please note whether this project meets the required cost share for the relevant account as outlined in the most recent version of Office of Senator Ossoff's FY25 Appropriations Guidance.	No Cost Share Required
Organization's Capacity: Please describe the requesting organization's capacity to carry out the project, including references to prior similar projects.	Hall County follows the general provisions set forth in the Code of Federal Regulations to include 2 CFR Part 200 and the Department of Justice Grants Financial Guide. Hall County has sufficiently staffed their Grant's Division with individuals who are certified in the Federal Requirements and Guidelines, which assist project management with the technical capacity and financial oversite of the project. A Project Management Team will be created to provide project management and to ensure proper oversite for Hall County's Mental Healthcare Intervention Program. Hall County has extensive experience in the utilization of federally funded programs as some of its current operations are supported by the federal government. Some of those programs include the Department of Justice, Department of Community Affairs, Department of Natural Resources, Department of Transportation, and Economic Development Administration.
Insufficient Allocation: Please describe the requesting organization's capacity to carry out the project, if the full amount of the request cannot be met.	Hall County will financially support this program through its FY25 local general fund if the full allocation request cannot be met by FY25 Congressionally Direct Spending.
If the requested amount cannot be provided, what is the *minimum* amount needed to move the final project forward?	800000

Project Support: Please list and upload letters from elected officials, state elected officials, community organizations and individuals in support of the project. **Applications without letters of support are considered incomplete.**	LOS FY25 Ossoff Courts - Hall Co..pdf (205703 bytes) LOS FY25 Ossoff Diaz - Hall Co..pdf (196509 bytes) LOS FY25 Ossoff Hall - Hall Co..pdf (167667 bytes) LOS FY25 Ossoff Reisman - Hall Co..pdf (57163 bytes) LOS FY25 Ossoff Woodard - Hall Co..pdf (515960 bytes)
Have you submitted this request to another Member of the Georgia Congressional Delegation? Please note the relevant members of the Georgia Congressional Delegation that have also received this request from your organization.	No
Has this request been submitted to Members of Congress in other states?	No
Additional Information	
Certification I attest that I have read this guidance and that, to the best of my knowledge, my community project is eligible for congressionally directed spending.	Yes

Washington, D.C. Office
Hart Senate Office Building, Suite 303
Washington, DC 20510
Phone: (202) 224-3521

Atlanta Office
271 17th Street NW, Suite 1510
Atlanta, GA 30363
Phone: (470) 786-7800

Augusta Office
One Tenth Street, Suite 660
Augusta, GA 30901
Phone: (706) 261-5031

Columbus Office
18 9th Street, Suite 513
Columbus, GA 31901
Phone: (706) 780-7053

Savannah Office
532 Stephenson Avenue, Suite 103B
Savannah, GA 31405
Phone: (912) 200-9402

AGENDA ITEM

Sheriff's Office

REPORT TO: **Work Session (04/22/24)**

REPORT TO: **Voting Meeting (04/23/24)**

ITEM NO: 103/2024

SUBJECT: Approve the award of Task Order #2024-030 under RFQ/P #44-021 Demand Services for On-Call General Contractors and RFQ/P #44-004 Demand Services for Public Works Contractors for Sheriff's Complex Driveway Improvements for the Sheriff's Office to Simpson Trucking & Grading, Inc., of Gainesville, GA, in the amount of $226,141.00.

Meetings:

Work Session Date: 04/22/24

Voting Meeting Date: 04/23/24

Executive Summary:

Presenter: LBP

Recommendation:
Approve.

Purpose of Request:

Approve the award of Task Order #2024-030 under RFQ/P #44-021 Demand Services for On-Call General Contractors and RFQ/P # 44-004 Demand Services for Public Works Contractors for Sheriff's Complex Driveway Improvements for the Sheriff's Office to Simpson Trucking & Grading, Inc., of Gainesville, GA, in the amount of $226,141.00.

History:
This recommendation comes after the issuance of competitive Task Order #2024-030 where Simpson Trucking & Grading, Inc. is the lowest responsible and responsive bidder. Simpson Trucking & Grading, Inc. is a current contractor in good standing with the County.

Fourteen (14) task orders were sent out - including five (5) contractors within Hall County. Five (5) bids were received - two (2) of which were from contractors within Hall County.

Facts and Issues:
This is for the construction of a two-lane driveway on the west side of the Sheriff's Office building that will connect the front north parking lot to the rear south parking lot creating an additional means of ingress/egress to the rear of the building.

A security gate will be sourced at a later date, but prior to completion of the driveway.

Options:

Funding Requested	$ 226,141.00
Are funds within current budget?	Yes
Source of Funds	Capital Projects
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2024-04-08

Approvals:

Buyer	Submit	Approve	Purchasing
AY	SC	SC	AP
Budget	**Finance**	**Attorney**	**Administration**
EW	TS	WLI	CR
Clerk			
JR			

Attachments:
Financial Supplement
Task Order
Plan Set
Bid Tab

HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 103/2024

Funds Requested: $ 226,141.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2024	350-CAPITAL PROJECTS FUND	3310-SHERIFFâ€OPERATIONS	541400-INFRASTRUCTURE	$226,141.00

Budget Transfer Items:

Additional Information/Comments:

Plans and Drawings developed internally by Public Works and Utilities.

Contact for Questions: BN

Phone: 678-780-6843

HALL COUNTY
GEORGIA
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POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

Hall County Government
FINANCIAL SERVICES

Task Order #2024-030

Sheriff's Complex Driveway Improvements

Demand Services for On-Call General Contractors and Public Works Contractors Contract # 44-021 & 44-004

PROJECT DESCRIPTION

The Hall County Public Works Department for the Hall County Sheriff's Department is requesting Task Order bids for the construction of a new driveway from the upper parking area of the Hall County Government Center parking lot to the lower Sheriff's parking lot.

The Scope of Work is the construction of a new 270-foot driveway to include 20-foot asphalt drive with 2-foot concrete curb and gutter and all site prep, drainage pipes, storm sewer, and structures indicated on the plans attached hereto as Attachment 1 – Scope of Work and Attachment 2 – Stamped Drawings.

Task Order bids must be received by 2:00pm on Thursday, March 28, 2024, on the 4th floor of the Hall County Government Center, located at 2875 Browns Bridge, Gainesville, GA 30504. Electronic bids are acceptable and may be emailed to andrew.youngblood@hallcounty.org.

SCHEDULE OF EVENTS

Release Date: Tuesday, February 27, 2024
On-Site Pre-Bid Site Visits: There will be two (2) mandatory on-site pre-bid meetings at the Hall County Law Enforcement Center (Sheriff's Office), 2859 Browns Bridge Rd, Gainesville, GA 30504. Failure to attend at least one (1) of the mandatory pre-bid meetings will result in an ineligible bid.
Wednesday, March 6, 2024 at 9am and Thursday, March 7, 2024 at 9am.
Bid Due Date: Thursday, March 28, 2024 by 2:00pm

SCOPE OF WORK

See Attachment 1 – Scope of Work
See Attachment 2 – Stamped Drawings

The Scope of Work includes the construction of a 270-foot driveway from the upper parking area of the Hall County Government Center parking lot to the lower Sheriff's parking lot, to include 20-foot asphalt drive with 2-foot concrete curb and gutter and all site prep, drainage pipes, storm sewer, and structures indicated on the plans. Work will also include the removal of existing pipes, curbs, pavement, and fence material as indicated on the plans and as may be required for the construction limits.

Bid Lump Sum Amount $ 226,141

Sign below and return to andrew.youngblood@hallcounty.org

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

PRINT COMPANY'S FULL LEGAL NAME

Simpson Trucking & Grading, Inc.

By: _____

Print Name: David S. Hammond

Title: Chief Estimator

Sworn to and subscribed before me this

27th Day of March, 2024.

Notary Public: _____

Notary commission expires: 10-20-24

[Locus Sigilli – Seal or Stamp]

RACHEL OPOLKA
NOTARY PUBLIC
My Commission Expires
10-20-2024
WALTON COUNTY, GEORGIA

HALL COUNTY, GEORGIA

By: _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Date: _____

Attestment: _____

Board of Commissioners Clerk

Approved as to Form

_____

County Attorney or designee

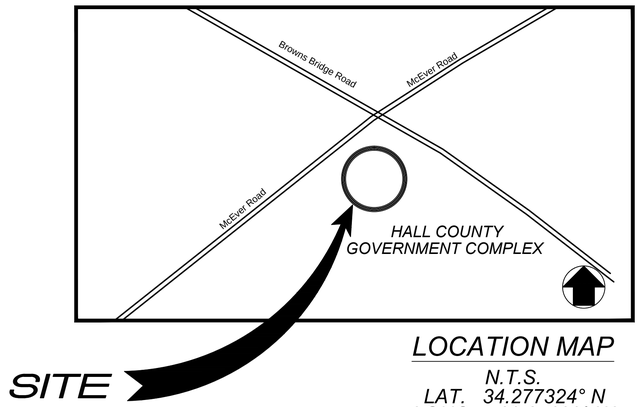
CONSTRUCTION PLANS
FOR
SHERIFFS COMPLEX DRIVEWAY

LOCATED IN HALL COUNTY, GEORGIA
4th. DISTRICT

CONSTRUCTION GENERAL NOTES:

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE ENTIRE CONSTRUCTION LIMITS DURING CONSTRUCTION. A PRECONSTRUCTION MEETING IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

1. *TOTAL DISTURBED AREA: 0.47 ACRES.*
2. *TOTAL PROPOSED IMPERVIOUS AREA: 0.70 ACRES*
3. *CONTRACTOR SHALL STORE ALL EQUIPMENT AND MATERIAL IN A LOCATION CLEAR OF TRAFFIC AND APPROVED BY HALL COUNTY.*
4. *CONTRACTOR SHALL MAINTAIN TRAFFIC AT ALL TIMES. ANY DETOURS OR ROAD CLOSURES SHALL BE APPROVED BY HALL COUNTY TRAFFIC ENGINEER AND SHALL MEET THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).*
5. *ALL ROADWAY SUBGRADE AND BASE SHALL BE COMPACTED TO 98% STANDARD PROCTOR. HALL COUNTY INSPECTOR MAY REQUIRE "ROLL TESTS" AS DEEMED NECESSARY USING A 20 TO 30 TON OR OTHER SIMILAR VEHICLE.*
6. *WHEN SITE IS APPROVED BY HALL COUNTY ENGINEERING, THE SITE SHALL BE CLEAN AND NEAT CONDITION. ALL DEBRIS , VEGETATION AND SPOILS SHALL BE REMOVED.*
7. *NO PART OF THE PROJECT SITE IS LOCATED WITHIN 1 MILE OF AN IMPAIRED STREAM .*
8. *THERE ARE NO STATE WATERS REQUIRING A 50' OR 100' UNDISTURBED BUFFER ON THE SITE OR WITHIN 200 FEET OF THE SITE.*
9. *NO PART OF THE SITE IS LOCATED IN THE 100 YEAR FLOOD PLAIN PER HALL COUNTY FUTURE FLOOD ZONE*
10. *ALL EXISTING PARKING LOT STRIPING THAT NEEDS TO BE REMOVED SHALL BE PAINTED WITH BLACK TRAFFIC PAINT. ALL NEW STRIPING SHALL BE 4" STANDARD TRAFFIC PAINT.*



LOCATION MAP
N.T.S.
LAT. 34.277324° N
LONG. - 83.87699° W

DRAWING INDEX

SHEET	DESCRIPTION
C-1	COVER SHEET/GENERAL NOTES
C-2	PLAN AND PROFILE SHEET
C-3	GRADING/DRAINAGE PLAN
C-4	DETAILS
C-5	DETAILS

HALL COUNTY CONTACT:
FRANK MILLER
770-531-6800

24 HR CONTACT:
FRANK MILLER
770-531-6800

CONTACTS

OWNER:

HALL COUNTY BOARD OF COMMISSIONERS
2875 BROWNS BRIDGE ROAD
GAINESVILLE, GEORGIA 30503

CIVIL ENGINEER:

HALL COUNTY OF PUBLIC WORKS
ENGINEERING DIVISION
2875 BROWNS BRIDGE ROAD
GAINESVILLE, GEORGIA 30503
CONTACT: FRANKLIN P. MILLER, P.E.
770-531-6800

GEORGIA811 Utilities Protection Center, Inc
Know what's below. Call before you dig.

ENGINEERING DIVISION
HALL COUNTY DEPARTMENT OF PUBLIC WORKS
P.O. DRAWER 1435
GAINESVILLE, GA 30503
Phone: 770-531-6800 Fax: 770-531-3945

HALL COUNTY GEORGIA
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COVER SHEET
SHERIFFS COMPLEX DRIVEWAY IMPROVEMENT
HALL COUNTY, GEORGIA

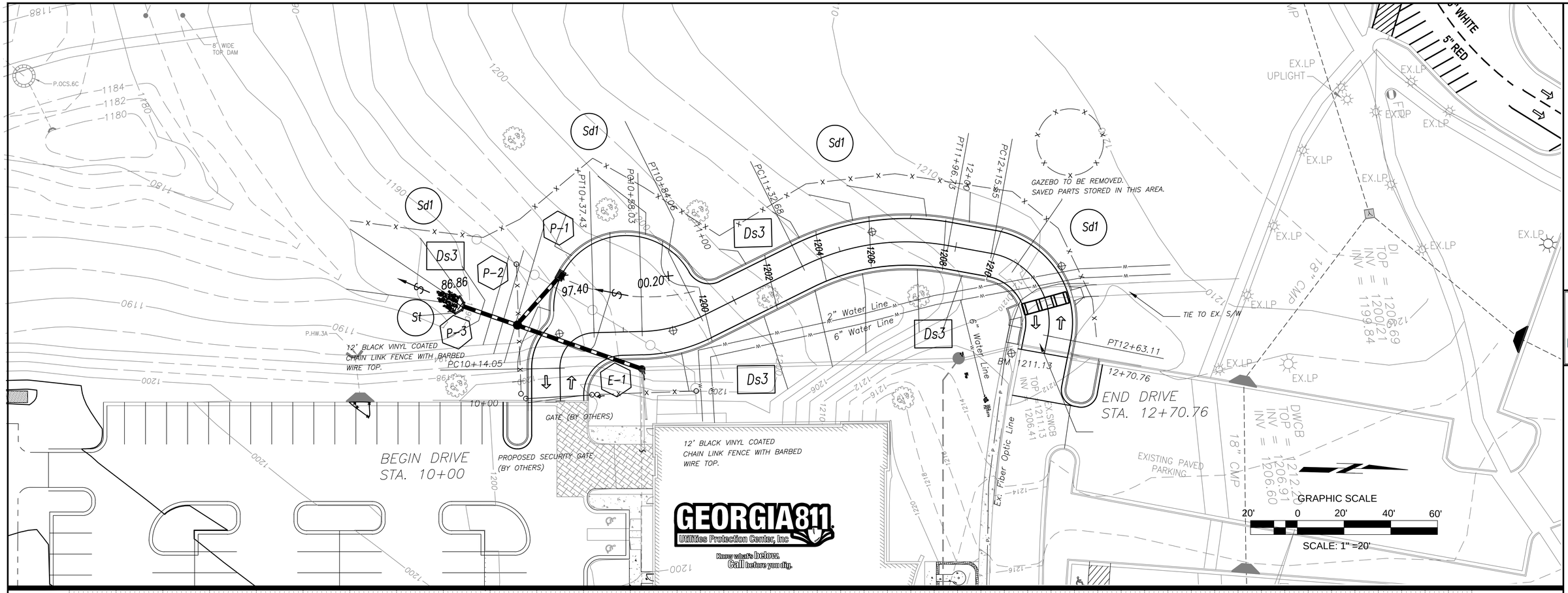
NO.	REVISION	DATE
1.	Issued for Construction	9/28/23
2.	Revised Plans	3/13/24

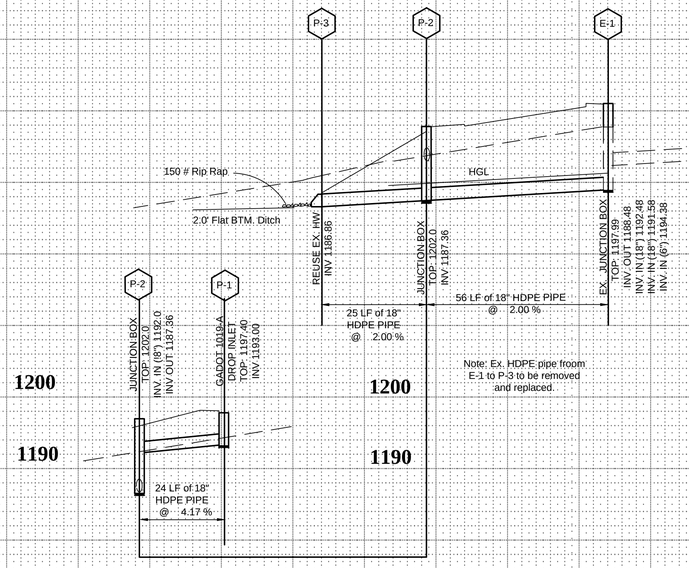
DRAWN BY. F. MILLER
CHECKED BY.
DATE:

GEORGIA REGISTERED PROFESSIONAL ENGINEER FRANKLIN P. MILLER

LEVEL II E&S CERT. # 13711
EXP. DATE 07-19-2024

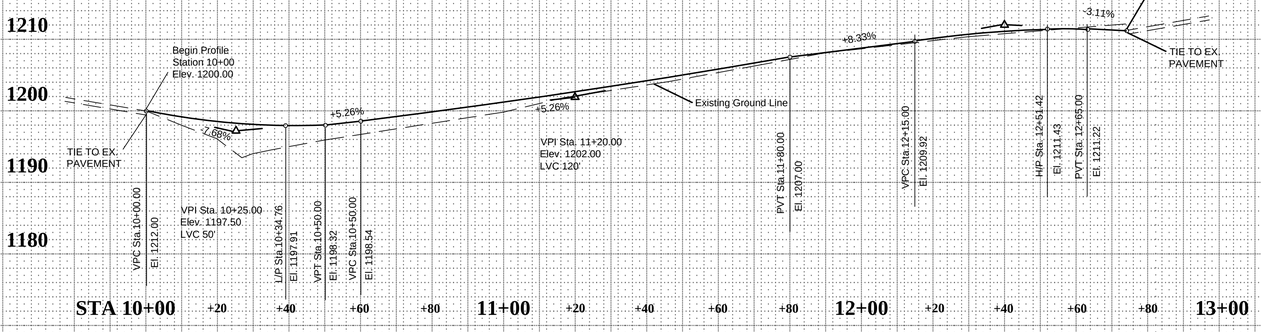
C-1





STORM DRAIN PROFILE

HORIZ. SCALE: 1"=20'
VERT. SCALE: 1"=10'



DRIVEWAY PROFILE

HORIZ. SCALE: 1"=20'
VERT. SCALE: 1"=10'

ENGINEERING DIVISION
HALL COUNTY DEPARTMENT OF PUBLIC WORKS
P.O. DRAWER 1435
GAINESVILLE, GA 30503
Phone: 770-531-6800 Fax: 770-531-3945

HALL COUNTY GEORGIA
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PLAN & PROFILE
HERIFF COMPLEX DRIVEWAY IMPROVEMENTS
HALL COUNTY

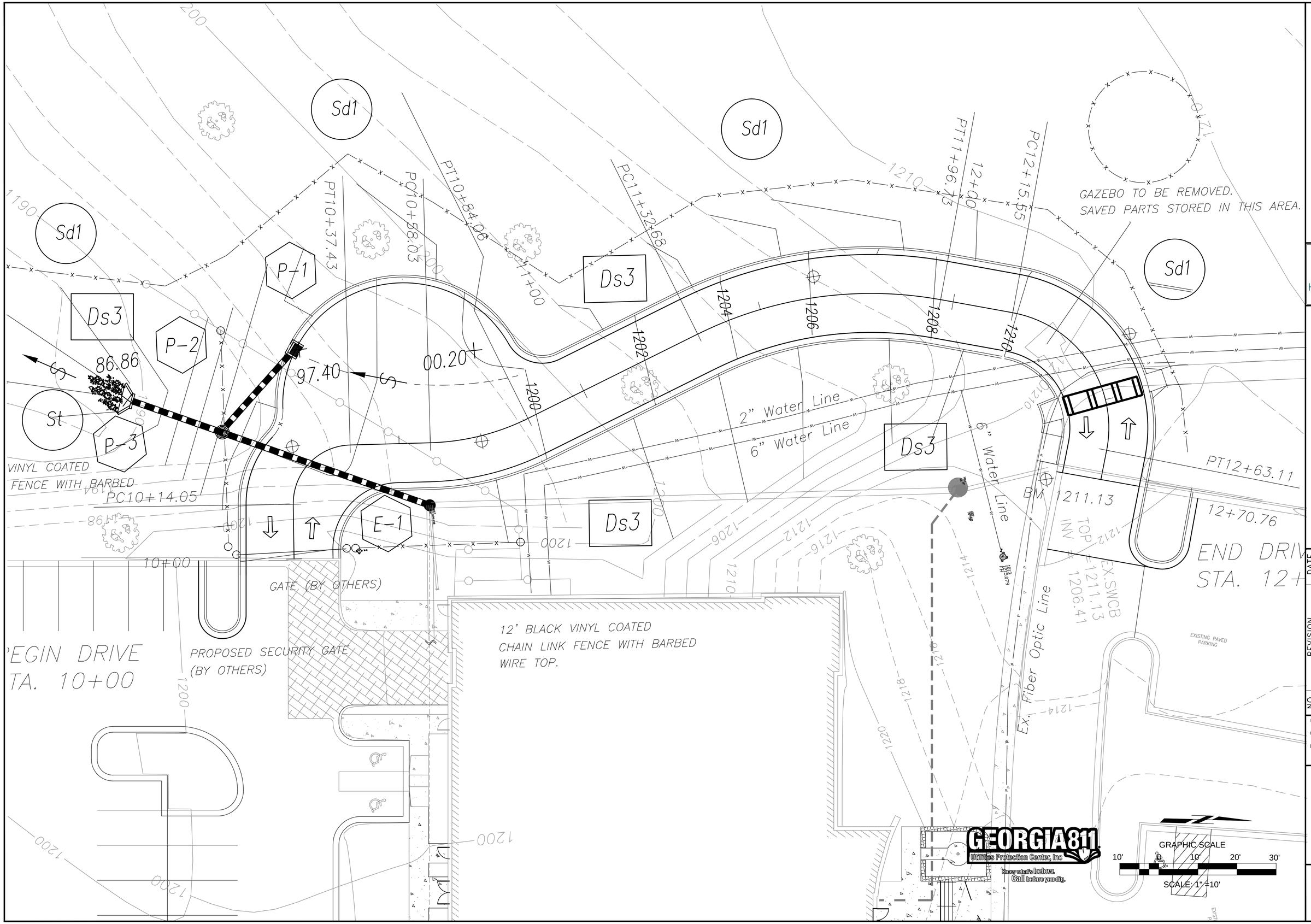
NO.	REVISION	DATE
1	ISSUED FOR CONSTRUCTION	1/17/2024
2	EROS. CONTROL ADDED	3/13/2024

DRAWN BY. F. MILLER
CHECKED BY. WWH
DATE:

GEORGIA REGISTERED PROFESSIONAL ENGINEER FRANKLIN P. MILLER

LEVEL II E&S CERT. # 13711
EXP. DATE 07-19-2024

C-2



ENGINEERING DIVISION
HALL COUNTY DEPARTMENT
OF PUBLIC WORKS
P.O. DRAWER 1435
GAINESVILLE, GA 30503
Phone: 770-531-6800 Fax: 770-531-3945

HALL COUNTY
GEORGIA
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GRADING & DRAINAGE PLAN
SHERIFF COMPLEX DRIVEWAY
IMPROVEMENTS
HALL COUNTY

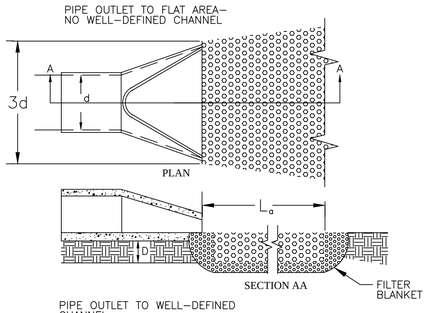
NO.	REVISION	DATE
1	ISSUED FOR CONSTRUCTION	1/17/2023
2	EROS CONTROL ADDED/GAZEBO	3/13/2024

DRAWN BY: F. MILLER
CHECKED BY: WWH
DATE:

GEORGIA REGISTERED PROFESSIONAL ENGINEER FRANKLIN P. MILLER

LEVEL II E&S CERT. # 13711
EXP. DATE 07-19-2024

C-3



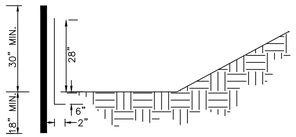
NOTES

1. L_a IS THE LENGTH OF THE RIPRAP APRON.
2. L_a = 6 x DIAMETER OF PIPE (IN FEET)
3. D = 1.5 TIMES THE MAXIMUM STONE DIAMETER BUT NOT LESS THAN 6".
4. IN A WELL–DEFINED CHANNEL EXTEND THE APRON UP THE CHANNEL BANKS TO AN ELEVATION OF 6" ABOVE THE MAXIMUM TAILWATER DEPTH OR TO THE TOP OF THE BANK, WHICHEVER IS LESS.
5. A FILTER BLANKET OR FILTER FABRIC SHOULD BE INSTALLED BETWEEN THE RIPRAP AND SOIL FOUNDATION.

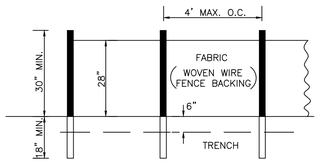
La DEMINSIONS							
PIPE SIZE	La	PIPE SIZE	La	PIPE SIZE	La	PIPE SIZE	La
12"	6'	24"	12'	48"	24'	72"	36'
15"	7.5'	30"	15'	60"	30'	78"	39'
18"	9'	36"	18'	66"	33'	86"	42'

STORM DRAIN OUTLET PROTECTION

St



SIDE VIEW



FRONT VIEW

NOTE:
USE 36" D.O.T. APPROVED FABRIC.
USE WOODEN OR STEEL POSTS.
USE WHERE SLOPE GRADIENT IS STEEPER THAN 3:1 AND/OR FILL SLOPES EXCEED A VERTICAL HEIGHT OF 20' OR AS DIRECTED BY ENGINEER

SILT FENCE-TYPE C

Sd1

Ds1

CRITICAL AREA
VEGETATIVE PLAN

GENERAL

Annual ryegrass at 40lbs/acre
with 500 lbs/acre of 10–10–10
Planting dates: 9/1 – 3/1

Ds2

CRITICAL AREA
VEGETATIVE PLAN

GENERAL

Annual ryegrass at 40lbs/acre
with 500 lbs/acre of 10–10–10
Planting dates: 9/1 – 3/1

Ds3

CRITICAL AREA
VEGETATIVE PLAN

GENERAL

This vegetative plan will be carried out on road cut and fill construction. Seeding will be done as soon as construction in an area is completed. Plantings will be made to control erosion, to reduce damages from sediment and runoff to downstream areas and to improve the safety and beauty of the development area.

SOIL CONDITIONS

Due to grading and construction, the areas to be treated are mainly subsoil and substrata. Fertility is low and the physical characteristics of the exposed material are unfavorable to all but the most hardy plants.

TREATMENT SPECIFICATIONS

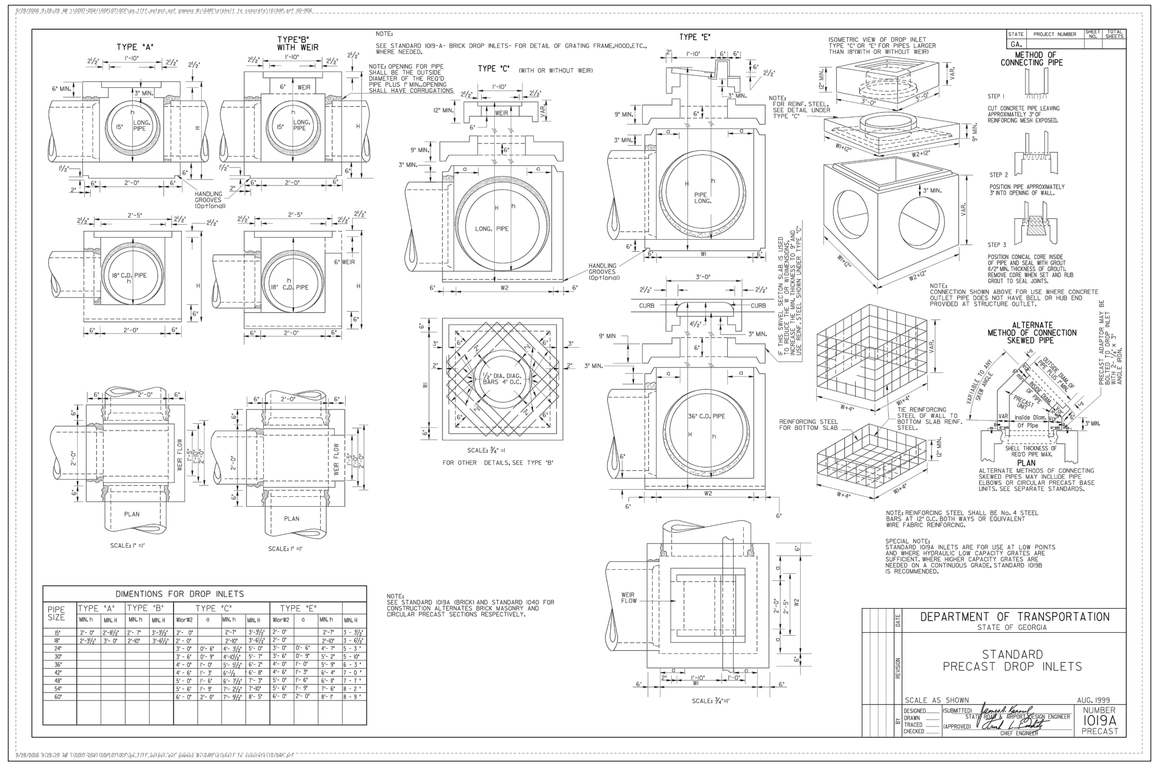
Hydraulic Seeding Equipment:
When hydraulic seeding and fertilizing equipment is used, no grading and shaping or seedbed preparation will be required. The fertilizer, seed and wood cellulose fiber mulch will be mixed with water and applied in a slurry. All slurry ingredients must be combined to form a homogenous mixture, and spread uniformly over the area within one hour after mixture is made. Straw or hay mulch and asphalt emulsion will be applied with blower–type mulch spreading equipment within 24 hours after seeding. The mulch will be spread uniformly over the area, leaving about 25 percent of the ground surface exposed. The per acre application rates are as follows:

A. Seeding with mulch: (Hydraulic seeding equipment on slopes 3:1 and steeper)

Agricultural Limestone #75	4000 lbs./acre
Fertilizer, 5–10–5	1800 lbs./acre
Mulch (straw or hay) OR	5000 lbs./acre
Wood Cellulose Fiber Mulch	1000 lbs./acre

Seed Species	Application Rate/Acre	Planting Dates
Sericea lespedeza, scarified Weeping lovegrass OR Common bermuda, hulled	60 lbs. 4 lbs. 6 lbs.	3/1 – 6/15
Fescue Sericea lespedeza, unscarified	50 lbs. 60 lbs.	9/1 – 10/31
Hay mulch for temporary cover	5000 lbs.	6/15 – 8/31
RYEGRASS, ANNUAL	168 lbs.	8/1 – 4/15

B. Topdressing: Apply when plants are 2 to 4 inches tall
Fertilizer (Ammonium Nitrat&)33.5 300 lbs./acre
C. Second–Year Fertilizer: (0–20–20 or equivalent) 500 lbs./acre



DIMENTIONS FOR DROP INLETS

PIPE SIZE	TYPE "A"		TYPE "B"		TYPE "C"				TYPE "E"			
	MIN.'h'	MIN. H	MIN.'h'	MIN. H	Wier W2	G	MIN.'h'	MIN. H	Wier W2	G	MIN.'h'	MIN. H
15"	2'- 0"	2'-4½"	2'- 7"	3'-3½"	2'- 0"		2'-7"	3'-3½"	2'- 0"		2'-7"	3 - 3½"
18"	2'-3½"	3'- 0"	2'-10"	3'-6½"	2'- 0"		2'-10"	3'-6½"	2'- 0"		2'-10"	3 - 6½"
24"					3'- 0"	0'- 6"	4'- 5½"	5'- 0"	3'- 0"	0'- 6"	4'- 7"	5 - 3"
30"					3'- 6"	0'- 9"	4'-10½"	5'- 7"	3'- 6"	0'- 9"	5'- 2"	5 - 10"
36"					4'- 0"	1'- 0"	5'- 5½"	6'- 2"	4'- 0"	1'- 0"	5'- 9"	6 - 3"
42"					4'- 6"	1'- 3"	5'-11"	6'- 8"	4'- 6"	1'- 3"	6'- 4"	7 - 0"
48"					5'- 0"	1'- 6"	6'- 7½"	7'- 3"	5'- 0"	1'- 6"	6'- 8"	7 - 1"
54"					5'- 6"	1'- 9"	7'- 2½"	7'-10"	5'- 6"	1'- 9"	7'- 0"	8 - 2"
60"					6'- 0"	2'- 0"	7'- 9½"	8'- 5"	6'- 0"	2'- 0"	8'- 1"	8 - 9"

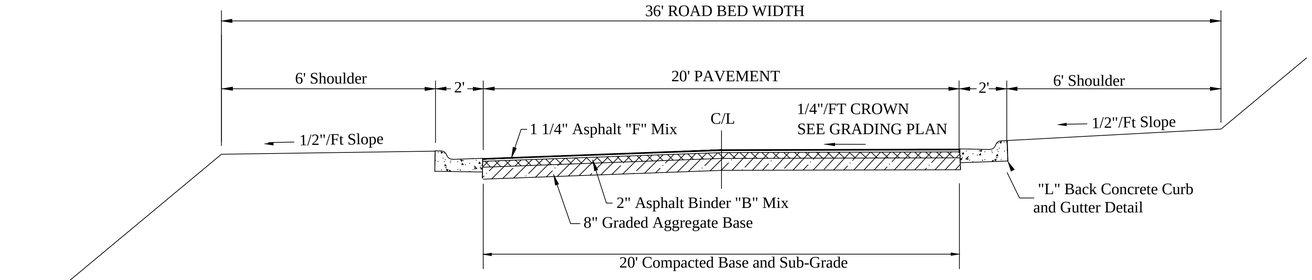
DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

STANDARD
PRECAST DROP INLETS

SCALE AS SHOWN AUG. 1999

DESIGNED ____ SUBMITTED ____ STATE BRIDGE DESIGN ENGINEER
DRAWN ____
TRACED ____ APPROVED ____ CHIEF ENGINEER
CHECKED ____

NUMBER 1019A PRECAST



NOTES:
1. Maximum Cut or Fill Slope is 2H:1V
2. Subgrade Compaction Minimum 98%
3. Clearing Required to Top or Toe of Slope Trees within one foot of fill or less may remain. See Section 16.70.170 for details
4. Prime Between GAB and Asphalt Binder
5. Tack Between Asphalt Binder and "F" Mix

NOT TO SCALE

GEORGIA811
Utilities Protection Center, Inc
Know what's below.
Call before you dig.

ENGINEERING DIVISION
HALL COUNTY DEPARTMENT OF PUBLIC WORKS
P.O. DRAWER 1435
GAINESVILLE, GA 30503
Phone: 770-531-6800 Fax: 770-531-3945

HALL COUNTY GEORGIA
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DETAILS

SHERIFFS COMPLE DRIVEWAY IMPROVEMENTS
HALL COUNTY, GEORGIA

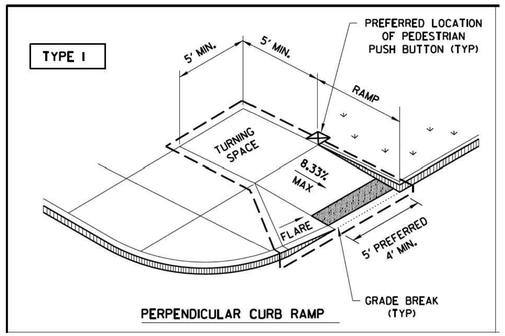
NO.	REVISION	DATE
1.	Issued for Construction	2/28/23
2.	Revised	3/13/24

DRAWN BY. F. MILLER
CHECKED BY.
DATE:

GEORGIA REGISTERED PROFESSIONAL ENGINEER FRANKLIN P. MILLER

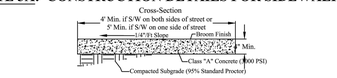
LEVEL II E&S CERT. # 13711
EXP. DATE 07-19-2024

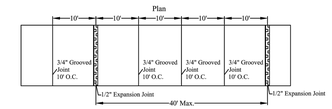
C-4



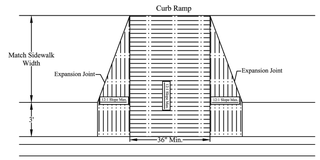
PERPENDICULAR CURB RAMP

PLATE 3A: CONSTRUCTION DETAILS FOR SIDEWALKS





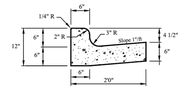
NOTES:
1. 4" Thick Concrete
2. Class "A" Concrete (3000 PSI)
3. 3/4" Grooved Joint 10' O.C.
4. 1/2" Expansion Joint 40' Max. and at Catch Basins, Driveways, Roads, Etc.
5. Broom Finish
6. 1/4"/Ft Cross Slope



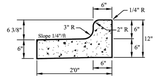
NOTES:
1. Curb ramps shall comply with ADA and the Georgia Accessibility Code.
2. Ramps will be located where sidewalks cross a curb.
3. Max slope of Ramp is 12:1.
4. Ramps will be flared and max slope of flares is 12:1.
5. Detectable warnings shall be installed on ramps and flares.

SIDEWALK DETAILS			
REVISED: JAN-2019	HALL COUNTY	HALL COUNTY PUBLIC WORKS & UTILITIES TRAFFIC ENGINEERING	STANDARD TE-7

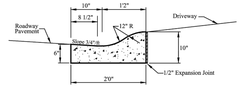
PLATE 3: CURB AND GUTTER



NORMAL GUTTER



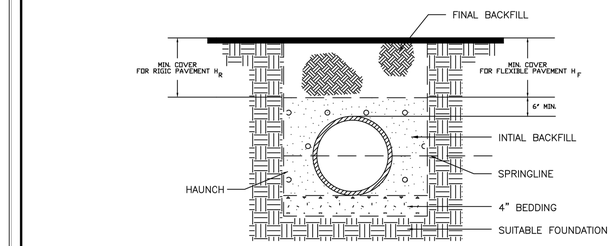
PITCHED GUTTER



ROLLED CURB AND GUTTER

NOTES:
1. Curb and Gutter to be constructed of 2200 PSI concrete.
2. One-half (1/2) inch expansion joints shall be provided at intervals not to exceed fifty (50) feet, at the ends and midpoint of returns, and at any point where the new curb and gutter abuts other concrete structures. Preshaped joints every ten (10) feet.
3. Five (5) foot long transitions shall be provided between normal gutter and pitched gutter unless otherwise noted.

CONCRETE CURB AND GUTTER			
REVISED: JAN-2019	HALL COUNTY	HALL COUNTY PUBLIC WORKS & UTILITIES TRAFFIC ENGINEERING	STANDARD TE-6



FILL AS SPECIFIED BY DESIGN ENGINEER

H_F, H_R FOR PIPE DIAMETERS UP TO 24"

STRUCTURAL BACKFILL COMPACTED CLASS I MATERIAL WITHIN ROW

TOTAL MINIMUM COVER INCLUDES 6" OF STRUCTURAL BACKFILL ABOVE THE PIPE CROWN AND THE FINAL FILL IN A SINGLE APPLICATION.

NOTES:

1. THE MAXIMUM HEIGHT OF FILL SHALL BE 20'.
2. BEFORE INSTALLING PIPE, SHAPE THE FOUNDATION MATERIAL AS SHOWN ON THE PLANS.
3. MINIMUM EXCAVATED TRENCH WIDTH SHALL BE 1.5 x O/S DIA. + 12"
4. SEE GA. DOT STANDARD 1030D FOR ANY DISCREPANCIES OR CHANGE IN SITE CONDITIONS.
5. CLASS III MATERIAL CAN BE USED AS BACKFILL OUTSIDE OF ROW WITH 90% COMPACTION.

HDPE PIPE BEDDING DETAIL			
REVISED: JAN-2019	HALL COUNTY	HALL COUNTY PUBLIC WORKS & UTILITIES ENGINEERING DIVISION	STANDARD SD-5

ENGINEERING DIVISION
HALL COUNTY DEPARTMENT OF PUBLIC WORKS
P.O. DRAWER 1435
GAINESVILLE, GA 30503
Phone: 770-531-6800 Fax: 770-531-3945

HALL COUNTY GEORGIA
We have it all in Hall!

DETAILS

SHERIFFS COMPLE DRIVEWAY IMPROVEMENTS HALL COUNTY, GEORGIA

NO.	REVISION	DATE
1.	Issued for Construction	2/28/23
2.	Revised/Added Details	3/13/24

DRAWN BY. F. MILLER

CHECKED BY.

DATE:

LEVEL II E&S CERT. # 13711
EXP. DATE 07-19-2024

C-5

GEORGIA811
Utilities Protection Center, Inc
Know what's below.
Call before you dig.

TO #:	2024-030 Sheriff's Complex Driveway Improvements	Simpson Trucking & Grading, Inc	Chattahoochee Group, Inc	Allied Paving Contractors, Inc	Hogan Construction Group, LLC	BM&K Construction Inc	Multiplex, LLC
		Gainesville, GA	Clermont, GA	Pendergrass, GA	Norcross, GA	Braselton, GA	Duluth, GA
ITEM NO.	ITEM DESCRIPTION	PRICE	PRICE	PRICE	PRICE	PRICE	PRICE
1	Lump Sum	$226,141.00	$248,807.29	$265,000.00	$366,067.00	$379,000.00	$443,000.00
	Total	**$226,141.00**	**$248,807.29**	**$265,000.00**	**$366,067.00**	**$379,000.00**	**$443,000.00**

RECOMMENDED AWARD: Simpson Trucking & Grading, Inc

TOTAL AWARDED AMOUNT: $226,141.00
BIDS EMAILED: 14 HALL: 5
BIDS RECEIVED: 5 (0 - NO BIDS) HALL: 2