AGENDA

Gainesville Mayor/Council Meeting
Tuesday, January 9, 2018, 5:30 PM
Public Safety Complex (Gainesville Justice Center)
Municipal Court Room, 701 Queen City Parkway
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATION(S):

A. Meritorious Service Award - Brad Raper

ELECTED OFFICIAL OATH OF OFFICE:

A. C. Danny Dunagan, Jr., Mayor

B. Warren Samuel Couvillon, Council Member, Ward 1

C. George Wangemann, Council Member, Ward 4

ORGANIZATIONAL MEETING:

A. Appointments: Municipal Court Solicitor and Deputy Solicitor

B. Solicitor and Deputy Solicitor Oath of Office

C. Resolution: BR-2018-01 Emergency Interim Successors

D. Appointment: Administrative Hearing Officer

E. Appointment: Legal Organ

F. Appointments: Board/Committee Ex-Officio Members

G. Appointment: Georgia Mountains Regional Commission

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

A. Planning and Appeals Board
- Position held by Doug Carter
- Position held by Eddie Martin, Sr.

Minutes

A. November 30, 2017 Work Session

B. December 5, 2017 Mayor/Council Meeting

Resolutions

A. AR-2018-01 Authorization for Additional Funding for Desota Park Renovation Project

B. BR-2018-02 FEMA's Debris Removal Program

C. BR-2018-03 Increase Funding and Staffing for School Resource Officer Program

D. PR-2018-01 Wal-Mart Foundation Local Facility Giving Program

PUBLIC HEARING(S):

Annexation/Zoning Items

A. **Tabled to the January 16, 2018 PAB Meeting and February 6, 2018 Council Meeting**
Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D). **Ward Number: Two.** Tax Parcel Number(s): 09-110-000-019, 024 and 027. **Request: 3 single-family lots.**

B. Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**) . **Ward Number: One.** Tax Parcel Number(s): 01-116-002-032. **Request: Office building addition.**

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, January 5, 2018, 5:18 PM

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/19/2017

Presenter: Carol Martin

Item of Business: Meritorious Service Award - Brad Raper

Meeting Date: 1/9/2018

Purpose of Request:

Present the GPD Meritorious Service Award to Brad Raper for his life saving actions on 11/16/17.

History/Background:

See attached Meritorious Service Award Certificate.

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

Carol Martin

If funding is involved, are funds approved within the current budget?

No

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Meritorious Service Award - Brad Raper	Presentation

MERITORIOUS SERVICE

This certificate is awarded to

BRAD RAPER

For recognition of your life saving actions on November 16, 2017.

You heard a call for assistance over the radio from a Hall County Sheriff's deputy and you responded immediately to the scene of an accident in which another deputy was being transported to the Northeast GA Medical Center for a possible heart attack. You observed the deputy and asked for an estimated time of arrival for a med unit. Based upon your evaluation, you determined that the deputy needed immediate medical aid and could not wait for a med unit. You immediately transported the deputy to the Northeast GA Medical Center where he received life saving emergency surgery. Due to your actions, you assisted in saving the life of this deputy.

You are to be commended for your actions, your dedication to the law enforcement profession and this agency, and your service to our community.

Carla Martin
Chief of Police

12/19/17
Date

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Denise Jordan

Item of Business: C. Danny Dunagan, Jr., Mayor

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reserve time to administer the Oath of Office.

History/Background:

Mayor Dunagan was reelected to serve another four-year term during the November 7, 2017 election.

Facts & Issues for Consideration:

Section 2.19 of the Charter sets forth the organizational meeting requirements and provides the oath of office to be administered.

Department Recommendation:

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Dunagan Oath of Office	Backup Material

Mayor Oath of Office

"I, **C. Danny Dunagan, Jr.**, do solemnly swear that I will faithfully perform the duties of Mayor of the City of Gainesville and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America; that I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia; that I have been a resident of Ward 1 and the City of Gainesville for the time required by the Constitution and laws of this State and by the Municipal Charter; and that I will perform the duties of my office in the best interest of the City of Gainesville to the best of my ability without fear, favor, affection, reward, or expectation thereof."

_____

Signature

OATH ADMINISTERED BY

_____

Denise O. Jordan, City Clerk

Sworn, subscribed and witnessed before me this _____ day of _____, 2018

_____

Witness

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Denise Jordan

Item of Business: Warren Samuel Couvillon, Council Member, Ward 1

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reserve time to administer the Oath of Office.

History/Background:

Council Member Couvillon was reelected to serve another four-year term during the November 7, 2017 election.

Facts & Issues for Consideration:

Section 2.19 of the Charter sets forth the organizational meeting requirements and provides the oath of office to be administered.

Department Recommendation:

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Couvllon Oath of Office	Backup Material

Council Member Oath of Office

"I, **Warren Samuel Couvillon**, do solemnly swear that I will faithfully perform the duties of Council Member of the City of Gainesville and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America; that I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia; that I have been a resident of Ward 1 and the City of Gainesville for the time required by the Constitution and laws of this State and by the Municipal Charter; and that I will perform the duties of my office in the best interest of the City of Gainesville to the best of my ability without fear, favor, affection, reward, or expectation thereof."

_____

Signature

ADMINISTERED BY

_____

Denise O. Jordan, City Clerk

Sworn, subscribed and witnessed before me this _____ day of _____, 2018

_____

Witness

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Denise Jordan

Item of Business: George Wangemann, Council Member, Ward 4

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reserve time to administer the Oath of Office.

History/Background:

Council Member Wangemann was reelected to serve another four-year term during the November 7, 2017 election.

Facts & Issues for Consideration:

Section 2.19 of the Charter sets forth the organizational meeting requirements and provides the oath of office to be administered.

Department Recommendation:

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Wangemann Oath of Office	Backup Material

Council Member Oath of Office

"I, **George Wangemann**, do solemnly swear that I will faithfully perform the duties of Council Member of the City of Gainesville and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America; that I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia; that I have been a resident of Ward 4 and the City of Gainesville for the time required by the Constitution and laws of this State and by the Municipal Charter; and that I will perform the duties of my office in the best interest of the City of Gainesville to the best of my ability without fear, favor, affection, reward, or expectation thereof."

_____

Signature

ADMINISTERED BY

_____

Denise O. Jordan, City Clerk

Sworn, subscribed and witnessed before me this _____ day of _____, 2018

_____

Witness

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Appointments: Municipal Court Solicitor and Deputy Solicitor

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reappoint Anne Marie Bishop as the Solicitor and Inez Grant as the Deputy Solicitor with each to serve another two-year term.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

The Administrative Services Director and the Municipal Court Manager recommend reappointment.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Organizational Meeting Appointment List	Backup Material

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	ADDRESS	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	P.O. Box 2496 Gainesville, GA 30503	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		P.O. Box 1457 200 E. E. Butler Parkway Gainesville, GA 30503 770-532-6312 ash@homlaw.com	10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		726 S. Enota Drive NE Gainesville, GA 30501 770-287-7800	2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1988 1/7/2014		As Needed
Municipal Court Solicitor	Bishop	Anne Marie	P.O. Box 313 Gainesville, GA 30503 annemariebishop@att.net 770-718-6762	2/16/16 UE	1/2/2018	2 year appt
Deputy Municipal Court Solicitor	Grant	Inez	Gillsville Law, LLC P. O. Box 246 Gillsville, GA 30543 gillsvillelaw@bellsouth.net 770-297-0620	4/19/2016	1/2/2018	2 year appt
Adminstrative Hearing Officer	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017	1/9/2018	Annual
Legal Organ	The Times		345 Green Street, NW Gainesville, GA 30501 770-532-1234	1/10/2017	1/9/2018	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 4/20/16, 455 PM dj

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Solicitor and Deputy Solicitor Oath of Office

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reserve time to administer the Oath of Office.

History/Background:

Facts & Issues for Consideration:

Section 4.12 of the Charter requires the solicitor to take an oath of office given by the Mayor.

Department Recommendation:

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Bishop Oath of Office	Backup Material
Grant Oath of Office	Backup Material

Solicitor Oath of Office

"I, **Anne Marie Bishop**, do solemnly swear that I will conduct the Office of the Solicitor of the Municipal Court of Gainesville, Georgia, in accordance with the law, that I will prosecute all cases made in said court to the very best of my ability, and that I will so conduct myself in carrying out the duties of the office in such a manner as will reflect credit upon the municipality in its administration of justice."

_____

Signature

OATH ADMINISTERED BY

_____

C. Danny Dunagan, Jr., Mayor

Sworn, subscribed and witnessed before me this _____ day of _____, 2018

_____

Witness

Deputy Solicitor Oath of Office

"I, **Inez Grant**, do solemnly swear that I will conduct the Office of the Deputy Solicitor of the Municipal Court of Gainesville, Georgia, in accordance with the law, that I will prosecute all cases made in said court to the very best of my ability, and that I will so conduct myself in carrying out the duties of the office in such a manner as will reflect credit upon the municipality in its administration of justice."

_____

Signature

OATH ADMINISTERED BY

_____

C. Danny Dunagan, Jr., Mayor

Sworn, subscribed and witnessed before me this _____ day of _____, 2018

_____

Witness

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Resolution: BR-2018-01 Emergency Interim Successors

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this resolution is to define the order of succession.

History/Background:

Facts & Issues for Consideration:

The order of succession is established annually during the organizational meeting by adoption of the Emergency Interim Resolution.

Department Recommendation:

During the January 4, 2018 Work Session, Mayor Dunagan nominated Council Member Couvillon to serve as the Mayor Pro Tem and nominated the remaining elected officials to serve in emergency capacity by their tenure of service.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Emergency Interim Successors Resolution	Resolution

RESOLUTION BR-2018-01
EMERGENCY INTERIM SUCCESSORS

WHEREAS, The Georgia Civil Defense Act as amended in 1962 requires the Emergency Interim Successor to be named.

NOW, THEREFORE, BE IT RESOLVED, that the Emergency Interim Successors for the City of Gainesville are designated in the order as listed below:

1. Mayor C. Danny Dunagan, Jr.
2. Mayor Pro Tem W. Samuel Couvillon
3. Council Member George Wangemann
4. Council Member Ruth Bruner
5. Council Member Zack Thompson
6. Council Member Barbara Brooks

Adopted this 9th day of January, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Appointment: Administrative Hearing Officer

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reappoint G. Hammond Law, III to serve another one-year term.

History/Background:

Facts & Issues for Consideration:

Section 1-8-1(6) of the Code of Ordinances sets forth a one-year term.

Department Recommendation:

The nomination was presented during the January 4, 2018 Work Session.

Department Director:

Danny Dunagan, Jr.

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Organizational Meeting Appointment List	Backup Material

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	ADDRESS	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	P.O. Box 2496 Gainesville, GA 30503	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		P.O. Box 1457 200 E. E. Butler Parkway Gainesville, GA 30503 770-532-6312 ash@homlaw.com	10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		726 S. Enota Drive NE Gainesville, GA 30501 770-287-7800	2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1988 1/7/2014		As Needed
Municipal Court Solicitor	Bishop	Anne Marie	P.O. Box 313 Gainesville, GA 30503 annemariebishop@att.net 770-718-6762	2/16/16 UE	1/2/2018	2 year appt
Deputy Municipal Court Solicitor	Grant	Inez	Gillsville Law, LLC P. O. Box 246 Gillsville, GA 30543 gillsvillelaw@bellsouth.net 770-297-0620	4/19/2016	1/2/2018	2 year appt
Adminstrative Hearing Officer	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017	1/9/2018	Annual
Legal Organ	The Times		345 Green Street, NW Gainesville, GA 30501 770-532-1234	1/10/2017	1/9/2018	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 4/20/16, 455 PM dj

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Appointment: Legal Organ

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reappoint The Times to serve as the Legal Organ.

History/Background:

Facts & Issues for Consideration:

The Times is the only newspaper published daily in the Gainesville/Hall County area.

Department Recommendation:

Nominated for reappointment during the January 4, 2018 Work Session.

Department Director:

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Organizational Meeting Appointment List	Backup Material

ORGANIZATIONAL MEETING APPOINTMENTS

POST	LAST NAME	FIRST NAME	ADDRESS	APPOINTED	EXPIRATION	FREQUENCY
City Manager	Lackey	Bryan	P.O. Box 2496 Gainesville, GA 30503	11/3/2015 effective 11/30/2015		As Needed
City Attorney	Hulsey, Oliver & Mahar, LLP (Abbott Hayes, Jr.)		P.O. Box 1457 200 E. E. Butler Parkway Gainesville, GA 30503 770-532-6312 ash@homlaw.com	10/6/2015 effective 1/1/2016		As Needed
City Auditor	Rushton & Company, CPA		726 S. Enota Drive NE Gainesville, GA 30501 770-287-7800	2/18/1997 1/7/2014		As Needed
Chief Judge	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1988 1/7/2014		As Needed
Municipal Court Solicitor	Bishop	Anne Marie	P.O. Box 313 Gainesville, GA 30503 annemariebishop@att.net 770-718-6762	2/16/16 UE	1/2/2018	2 year appt
Deputy Municipal Court Solicitor	Grant	Inez	Gillsville Law, LLC P. O. Box 246 Gillsville, GA 30543 gillsvillelaw@bellsouth.net 770-297-0620	4/19/2016	1/2/2018	2 year appt
Adminstrative Hearing Officer	Law, III	G. Hammond	539 Green Street NW Gainesville, GA 30501 770-534-2511 lawhammond@bellsouth.net	1/1/1992 1/7/2014 1/6/2015 1/5/2016 1/10/2017	1/9/2018	Annual
Legal Organ	The Times		345 Green Street, NW Gainesville, GA 30501 770-532-1234	1/10/2017	1/9/2018	Annual

EXPIRATION DATE: First Council Meeting of the year

UPDATED: 4/20/16, 455 PM dj

"As Needed": Charter states "shall be removed at anytime upon majority vote of the governing body".

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Appointments: Board/Committee Ex-Officio Members

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to address the annual ex-officio appointments.

History/Background:

Facts & Issues for Consideration:

The appointments were discussed during the January 4, 2018 Work Session.

Department Recommendation:

Appoint the ex-officio members as presented.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Ex-Officio Member List	Backup Material

BOARD/COMMITTEE EX-OFFICIO APPOINTMENTS

(One Year Terms)

COMMITTEE	Meeting Schedule	2018
Chicopee Woods Area Park Commission	Quarterly	Bruner
Economic Development Council	Monthly	Mayor
Gainesville-Hall County Development Authority	As Needed	Mayor
Gainesville Redevelopment Authority	As needed	Mayor
Greater Hall Chamber of Commerce Board of Directors	Monthly	Mayor
HALLmark Initiative		Mayor
Airport Advisory Committee	Quarterly	Couvillon
Keep Hall Beautiful/Hall County Green Alliance		Wangemann
Board of Health	Quarterly	Wangemann
Chattahoochee Golf Course Advisory Committee	Monthly	Thompson
Friends of the Park	Monthly	Brooks
Gainesville Non-Profit Development Authority	Quarterly	Brooks
Historic Preservation Commission	Monthly	Wangemann
Housing Authority	Monthly	Wangemann
Main Street Gainesville Advisory Board	Bi-Monthly	Bruner
Parks & Recreation Board	Monthly	Couvillon
Planning and Appeals Board	Monthly	Brooks

1/5/18 dj

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Appointment: Georgia Mountains Regional Commission

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to reappoint Council Member George Wangemann to represent the City of Gainesville.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

The nomination was presented at the January 4, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter:

Item of Business: Consent Agenda Items

Meeting Date: 1/9/2018

Purpose of Request:

The following appointments, minutes and/or resolutions are being considered under the Consent Agenda Section. These items were previously distributed for review and/or discussed. Unless otherwise directed by Mayor and Council, they will not be discussed during this meeting.

If you have questions regarding these documents, please feel free to contact the City Clerk's Office during normal business hours (Monday through Friday from 8:00 AM to 5:00 PM) at 770-535-6865 or via email to cityclerk@gainesville.org.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Department Director:

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Danny Dunagan

Item of Business: Planning and Appeals Board
- Position held by Doug Carter
- Position held by Eddie Martin, Sr.

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to address expired terms.

History/Background:

PAB members serve three-year terms. The Board follows the guidelines set forth in the City Charter, Code of Ordinances and the Unified Land Development Code.

Facts & Issues for Consideration:

Department Recommendation:

The Mayor nominated Doug Carter and Eddie Martin, Sr. for reappointment during the January 4, 2018 Work Session.

Department Director:

Danny Dunagan

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
PAB Members	Backup Material

PLANNING APPEALS BOARD

POST	LAST NAME		APPOINTED	REAPPOINTED	EXPIRES
At-Large	Martin, Sr.	Eddie	9/16/2014 UE	12/15/2015	11/30/2017
At-Large	Thompson	Ryan	11/15/2016		11/30/2018
Ward 1 (Chairman)	Carter	Doug	12/15/2015		11/30/2017
Ward 2	White	Richard (Rich)	3/21/2017		11/30/2018
Ward 3	Rucker	Connie	5/20/2008	12/1/2009 10/18/2011 11/5/2013 12/15/2015	11/30/2017
Ward 4	Fleming	Jane	12/5/2006	1/6/2009 12/21/2010 11/20/2012 8/4/2015 11/15/2016	11/30/2018
Ward 5	Delgado	Carmen	8/4/15 UE	11/15/2016	11/30/2018
Ex-Officio	Wangemann	George	1/10/2017		1/9/2018

Unable to serve effective January 2018

TERM: Two year terms
(Always expire on November 30th)

NOTES: Chairman appointed by governing body.
Vice Chairman elected by the Board.

CONTACT: Rusty Ligon, Director of Community Development

UPDATED: 12/8/17 dj

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Denise Jordan

Item of Business: November 30, 2017 Work Session

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 1/4/2018

Presenter: Denise Jordan

Item of Business: December 5, 2017 Mayor/Council Meeting

Meeting Date: 1/9/2018

Purpose of Request:

The purpose of this request is to allow the governing body to approve minutes from the referenced meeting.

History/Background:

Facts & Issues for Consideration:

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget?

N/A

Amount Requested:

Source of Funds:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/15/2017

Presenter: Bryan Lackey

Item of Business: AR-2018-01 Authorization for Additional Funding for Desota Park Renovation Project

Meeting Date: 1/9/2018

Purpose of Request:

To request additional funding from the governing body of the City of Gainesville in order to adequately fund the Desota Park Renovations consisting of demolition and erosion control, grading and drainage, reconstruction of a tennis and basketball court, fencing, walkway replacement and landscaping.

History/Background:

The Parks and Recreation Board approved the Desota Park Renovations project including the reconstruction of the tennis and basketball courts authorizing funding in the amount of $225,000 through the FY18 Capital Budget.

With design and construction documents finalized by Foresite Group, Inc. (Cost of $14,200), Request for Proposals (RFP) were solicited. Along with advertising the RFP, twelve (12) companies were specifically targeted and 1 additional company requested information. Three (3) of those companies attended a pre-proposal meeting. Only one (1) proposal was received on December 6, 2017. The proposal received included a base cost of $290,845.54 and $21,347.76 in add alternates as requested (Replacement of Concrete Walkways - $13,459.68 and Landscaping at $7,888.08) for a total project cost of $312,193.30. This amount exceeded both a similar project at Wessell Park, which was used to estimate the project budget, and the opinion of probable costs determined by the Foresite Group.

Facts & Issues for Consideration:

With the total project costs more than the total funds authorized, the staff and Parks and Recreation Board reviewed the following options:

- Revise the scope of work;
- Solicit for additional proposals; or,
- Request additional funding.

It was agreed that there should not be a change in scope of work: The project has already been value engineered to meet our minimum standards.
Authorization of additional funding would best support the success of the project without affecting the existing timeline. The Parks and Recreation Board has identified funding from the Parks and Recreation's collected but unreserved and unappropriated fund balance.

Department Recommendation:

The Parks and Recreation Board requests the transfer of funds from the Parks and Recreations collected but unreserved and unappropriated fund balance account to the Desota Park Renovation account # 390.70052.

Department Director:

Melvin Cooper

If funding is involved, are funds approved within the current budget?

Amount Requested:

$132,600

Source of Funds:

Parks and Recreation's collected but unreserved and unappropriated fund balance

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
AR-2018-01 Authorization for Additional Funding for Desota Park	Resolution
Parks and Recreationi Board Resolutioin	Backup Material

RESOLUTION AR-2018-01

AUTHORIZATION OF ADDITIONAL FUNDING FOR DESOSTA PARK RENOVATIONS

WHEREAS, the Parks and Recreation Board met in an official session on December 11, 2017; and

WHEREAS, Parks and Recreation Board Resolution AR-17-05 requested additional funding from the governing body in order to adequately fund the Desota Park Renovations consisting of demolition and erosion control, grading and drainage, reconstruction of a tennis and basketball court, fencing, walkway replacement and landscaping; and

WHEREAS, additional funding needed in the amount of $132,600 has been identified and is available from Parks and Recreation's collected, but unreserved and unappropriated fund balance; and

WHEREAS, the contracted price for the project to Tri-Scapes, Inc., as authorized by the Parks and Recreation Board will be $312,194 with an additional $31,206 in contingency and other miscellaneous project expenditures that may be necessary to complete the project; and

WHEREAS, including design and engineering fees of $14,200 the total project costs shall not exceed $357,600.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the transfer of funds from the Parks and Recreations collected but unreserved and unappropriated fund balance account to the Desota Park Renovation project.

Adopted this _____ day of _____, 2018.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

RESOLUTION AR - 17 - 05
GAINESVILLE PARKS AND RECREATION

DESOTA PARK RENOVATIONS – TENNIS/BASKETBALL COURT RECONSTRUCTION
AUTHORIZATION OF ADDITIONAL FUNDING AND CONSTRUCTION CONTRACT

WHEREAS, the Parks and Recreation Board approved renovations to include reconstruction of the tennis and basketball courts at Desota Park authorizing funding for said renovations through the FY18 Capital Budget (Acct.# 390.70052) in the amount of $225,000; and,

WHEREAS, a Request for Proposals was solicited for the planned renovations and only one (1) proposal from TriScapes Inc. was received on December 6, 2017; and,

WHEREAS, TriScapes, Inc. has an excellent reputation actually completing other projects for the City of Gainesville previously; and,

WHEREAS, upon reviewing the proposal, the total construction amount of $312,194 to include add alternates for additional concrete walkway replacement and landscaping exceeded the authorized funding.

NOW, THEREFORE, BE IT RESOLVED THAT the Gainesville Parks and Recreation Board hereby authorizes and requests that the City Council approve additional funding for the Desota Park Renovations in the amount of $132,600 from the unreserved, undesignated Parks and Recreation Fund Balance bringing the total allocation for the project to $357,600.

BE IT FURTHER RESOLVED THAT the Gainesville Parks and Recreation Board authorizes the award of the construction contract for said renovations to TriScapes, Inc. in the amount of $312,194 with an additional $31,206 also authorized for contingency and other miscellaneous project expenditures that may be necessary to complete the project on top of the design and engineering fees of $14,200 for total project costs that shall therefore not exceed $357,600 as now budgeted.

BE IT EVEN FURTHER RESOLVED THAT the Director is authorized to sign such documents that may be necessary to complete this project.

Adopted by the Gainesville Parks and Recreation Board of the City of Gainesville, Georgia this 11th day of December 2017.

John Simpson, Chairman

I HEREBY CERTIFY that the foregoing Appropriation Resolution was adopted by the Gainesville Parks and Recreation Board of the City of Gainesville in their regularly scheduled meeting on this 11th day of December 2017 and will be recorded in the official minutes.

ATTEST:

Chris Romberg, Secretary/Treasurer

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/27/2017

Presenter: Bryan Lackey

Item of Business: BR-2018-02 FEMA's Debris Removal Program

Meeting Date: 1/9/2018

Purpose of Request:

The purpose is to participate in FEMA's public assistance alternative procedures pilot program for debris removal.

History/Background:

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act of 2013. The law authorized the Federal Emergency Management Agency (FEMA) to implement the alternative procedures through a pilot program. The pilot program contains alternative procedures that pertain to debris removal and is available through June 27, 2018. FEMA will analyze data documented throughout the pilot to assess the procedures' effectiveness at achieving the goals outlined in the Sandy Recovery Improvement Act (SRIA).

Facts & Issues for Consideration:

Department Recommendation:

Financial Services recommends authorizing the City Manager to sign FEMA's debris removal program, along with any additional forms needed by FEMA or GEMA, after the review and approval of the City Attorney.

Department Director:

Jeremy Perry

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2018-02 FEMA's Debris Removal Program	Resolution
Debris Removal Program (FEMA)	Backup Material

RESOLUTION BR-2018-02

FEMA's DEBRIS REMOVAL PROGRAM

WHEREAS, on September 15, 2017 President Donald J. Trump declared that a major disaster exists in the State of Georgia. This declaration was based on the disastrous event resulting from Hurricane IRMA beginning on September 7, 2017; and

WHEREAS, upon the declaration of a major disaster or emergency by the President authorizing the Federal Emergency Management Agency, hereafter referred to as "FEMA", to provide debris removal assistance, FEMA provides the opportunity to participate in the alternative procedures for the debris removal pilot program; and

WHEREAS, FEMA working in accordance with the presidential disaster declaration of FEMA-DR-4338-GA, has determined that the City of Gainesville will be eligible for public assistance with valid claims in three categories; and

WHEREAS, FEMA working with City staff members have determined that the City of Gainesville qualifies for federal reimbursement for the costs associated to: Category A (Debris Removal), Category B (Emergency Protective Measures), and Category E (Buildings and Equipment); and

WHEREAS, the federal reimbursement request will be submitted in 3 phases. Phase one comprises the first 30 days following the incident start date of September 7, 2017. Phase two encompasses 31-90 days following the incident start date. The third and final phase for the time frame covers the 91-180 days following the incident start date.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the City to enter into the Public Assistance Alternative Procedures Pilot Program for Debris Removal and for the Mayor, City Manager and/or the City Attorney to execute any additional forms that may be required by FEMA or the Georgia Emergency Management Agency (GEMA) surrounding this program after the review and approval of the City Attorney.

Adopted this _____ day of January, 2018.

_____

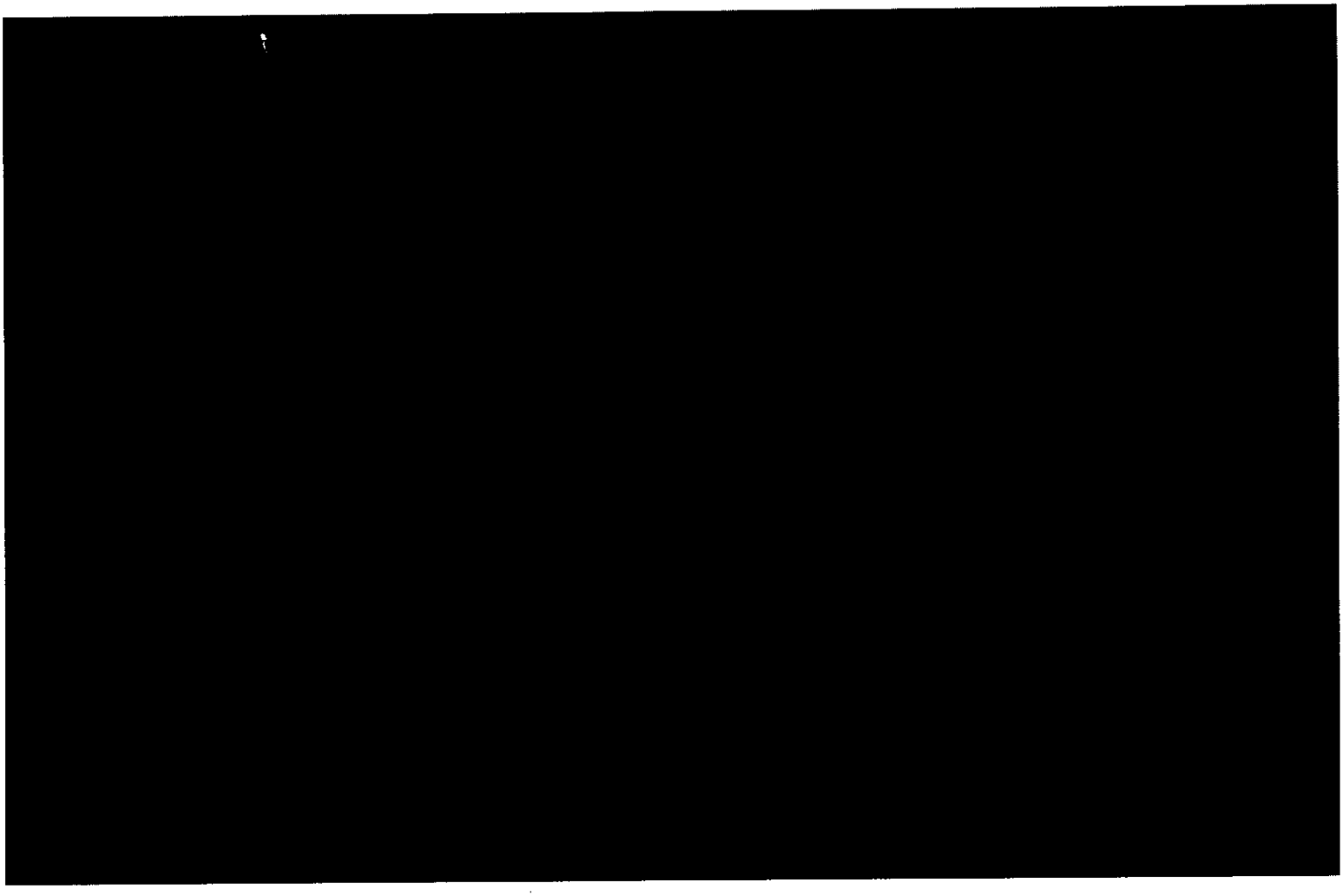
C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk



Public Assistance Alternative Procedures Pilot Program Guide for Debris Removal (Version 5)

June 28, 2017

FEMA

Federal Emergency Management Agency
Department of Homeland Security
500 C Street, S.W.
Washington, DC 20472

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PART I. OVERVIEW

On January 29, 2013, President Obama signed into law the Sandy Recovery Improvement Act of 2013 (P.L. 113-2). This law amends Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) (Stafford Act). Specifically, the law adds section 428, which authorizes alternative procedures for the Public Assistance Program under sections 403(a)(3)(A), 406, 407 and 502(a)(5) of the Stafford Act. It also authorizes the Federal Emergency Management Agency (FEMA) to implement the alternative procedures through a pilot program. The pilot program for the alternative procedures that pertain to debris removal is available through June 27, 2018. FEMA will analyze data documented throughout the pilot to assess the procedures' effectiveness at achieving the goals outlined in the Sandy Recovery Improvement Act (SRIA). Based on the assessment, FEMA may elect to discontinue the program, extend the pilot for an additional performance period, or issue regulations that would institute the program changes authorized by the law.

The law identifies the following goals for these procedures:

- Reducing the costs to the Federal Government of providing Public Assistance.
- Increasing flexibility in the administration of such assistance.
- Expediting the provision of assistance to a state, tribal or local government, or nonprofit owner or operator of a private nonprofit facility.
- Providing financial incentives and disincentives for timely and cost-effective completion of projects with such assistance.

Public Assistance Program Features Included in the Alternative Procedures

The alternative procedures authorized under the law pertain to debris removal (emergency work) and repair, restoration, and replacement of disaster-damaged public and private nonprofit facilities (permanent work). This guide outlines the alternative procedures for debris removal only.

Alternative Procedures for Debris Removal

For debris removal, the law allows for, and FEMA is currently piloting:

- The use of a sliding scale for determining the federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal. FEMA is changing the basis for when this provision will be implemented effective 60 days from issuance of this guidance;
- The use of program income from recycled debris without offset to the award amount;

- Reimbursing base and overtime wages for the employees of state, tribal or local governments, or owners or operators of private nonprofit facilities performing or administering debris and wreckage removal; and
- Providing incentives to a state or tribal or local government to have a debris management plan accepted[1] by the FEMA Administrator and have pre-qualified one or more debris and wreckage removal contractors before the start of the declaration's incident period.

The law also authorizes FEMA to make awards for debris removal on the basis of fixed estimates, and to allow subrecipients to use excess funds from those awards for approved purposes. FEMA is not implementing these procedures as part of this pilot. FEMA continues to work to improve debris estimating methodologies and will consider implementing these procedures in the future.

A. Applicability

In accordance with the law, state, tribal, and local governments, and the owners and operators of certain private nonprofit facilities may participate in the alternative procedures during the pilot performance period.[2] Participation in the pilot program and use of the alternative procedures for debris removal is voluntary. If subrecipients use any of the alternative procedures, they must sign an acknowledgement regarding these procedures, which FEMA will attach to the Subaward Application (Project Worksheet).

The alternative procedures for the debris removal pilot program are available to any applicant, upon request, for any major disaster or emergency declared on or after June 28, 2013, and until the end of the pilot program period. For incidents declared between June 28, 2013, and June 27, 2014, the alternative procedures contained in this document are for large projects only with the exception of reimbursement for straight time force account labor which can be applied to both small and large projects.[3] (See **Debris Removal Straight Time Force Account Labor** section.) For disasters and emergencies declared on or after June 28, 2014, all of the debris removal alternative procedures can be applied to both small and large projects. Small projects, with the exception of those using the Accelerated Debris Removal--Increased Federal Cost Share

[1] FEMA will review debris management plans as described in the Debris Management Plan Job Aid.
[2] *See* "FEMA: Public Assistance Interim Program Guidance on 2 C.F.R. Part 200," which applies to all major disasters and emergencies declared on or after December 26, 2014. "Recipient" is a "state or Indian tribal government that receives a Federal award directly from FEMA to carry out an activity under the PA Program." "Subrecipient" is a "non-Federal entity that receives a subaward from a pass-through entity [e.g., a state or Indian tribal government that provides a subaward to a subrecipient] to carry out an activity under the PA program."

[3] A Large Project is a project with a total estimated cost that exceeds the monetary threshold established in section 422 of the Stafford Act and 44 CFR §206.203(c). For major disasters and emergencies declared after October 1, 2016, the threshold is $123,100. This threshold will be adjusted annually for inflation. A small project is any project with a value less than the large project threshold.

(Sliding Scale) alternative procedure, will be processed using the Simplified Procedures authorized by Section 422 of the Stafford Act.

B. Compliance With Applicable Laws, Regulations, and Policies

The law authorizes FEMA to carry out the alternative procedures via this guidance as a pilot program. Accordingly, FEMA has developed this document to provide the framework for implementing the alternative procedures as a pilot program and to establish acceptable requirements for those elements of existing regulations that are excepted by the provisions of the law. This guidance document addresses exceptions to regulations in 44 CFR §§206.203(c)(1), 206.204(e), 206.206, and 206.253(a).

Subrecipients participating in this pilot program must abide by the elements of this guidance document for applicable components of the Public Assistance Program; and FEMA will approve projects to which the alternative procedures apply in accordance with this document. However, all other statutory, regulatory and policy requirements of the Public Assistance Program apply and are not affected by the alternative procedures. The alternative procedures also do not affect requirements for compliance with other federal requirements, including environmental and historic preservation (EHP) laws, regulations, and executive orders.

C. Purpose of this Guidance Document

This document provides guidance to FEMA, recipients, and subrecipients for implementing the alternative procedures for the debris removal pilot program. This guidance document pertains only to procedures authorized under the law. FEMA, recipients, and subrecipients will implement all other aspects of the Public Assistance Program in accordance with standard procedures. It describes the scope and limitations of the alternative procedures; describes changes to the aspects of the Public Assistance Program to which these procedures apply; identifies responsibilities for certain activities; and, identifies timelines for key actions and decisions.

As described previously, FEMA is implementing the alternative procedures initially through a pilot program. The pilot will allow FEMA to gather meaningful information on the effectiveness of the alternative procedures, to establish controls for the proper use of federal funds, and to inform a potential future proposed rulemaking.

PART II. ALTERNATIVE PROCEDURES FOR DEBRIS REMOVAL

These procedures contain provisions intended to increase the effectiveness of debris removal operations and reduce federal administrative costs. Although some provisions are most effective when used together, such as employing a debris management plan in an accelerated debris removal operation, subrecipients may elect to use one or more of the procedures for their debris removal projects. Utilizing multiple debris removal alternative procedures is not required for any given debris removal project in order to receive the incentive for any of the other provisions. These alternative procedures are addressed in greater detail in the following sections.

A. Requesting Alternative Procedures for Debris Removal

Upon the declaration of a major disaster or emergency by the President authorizing FEMA to provide debris removal assistance, FEMA will provide eligible Public Assistance subrecipients the opportunity to participate in the alternative procedures for the debris removal pilot program. Subrecipients must notify FEMA of their intent to participate in the alternative procedures by signing and submitting the *Public Assistance Alternative Procedures Pilot Program for Debris Acknowledgement* (Appendix A) before obligation of their first subaward for debris removal.

B. Accelerated Debris Removal--Increased Federal Cost Share (Sliding Scale)

FEMA analyzed previous disasters under the pilot and determined that the sliding scale has been effective in achieving faster debris removal in high impact incidents such as Hurricane Matthew in 2016, which generated large quantities of debris. In order to determine if the sliding scale is effective FEMA will only authorize this procedure in events with significant impacts. Therefore, 60 days after the publication date of this guidance FEMA will authorize the sliding scale in major disasters for states that meet the following indicators:

- Generated large quantities of debris in the affected state with estimates exceeding 1.5 million cubic yards or $20 million in debris removal costs;
- Caused a high concentration of localized damage (e.g. large number damaged or destroyed homes and businesses; and/or significant infrastructure damage in affected communities); and
- Was declared very soon after the incident (within eight days) in order to incentivize rapid debris removal.

However, special consideration will be given to tribes, on a case-by-case basis, to determine whether the impact of an event merits sliding scale activation. States and tribes are not required to request authorization of the sliding scale when requesting a major disaster declaration. FEMA

will evaluate the information included in the Preliminary Damage Assessment prior to authorizing the sliding scale. FEMA will notify affected states and tribes if the sliding scale is authorized at the time of the declaration. The state or tribe cannot appeal FEMA's decision to authorize the procedure. Once authorized, the sliding scale procedure will be available upon a recipient's and subrecipient's request. This procedure provides an increased federal cost share for the collection, hauling, processing, and disposal of debris when subrecipients perform removal operations within a specified time frame (Table 1). To participate in this procedure, debris removal projects must include all debris for which a subrecipient will be requesting FEMA assistance.

Table 1. Alternative Procedure Federal Cost Share

Debris Removal Work (Days from Start of Incident Period)	Federal Cost Share
1-30	85%
31-90	80%
91-180	75%
Federal dollars will NOT be provided for debris removal after 180 days (unless an extension is authorized by FEMA HQ)	

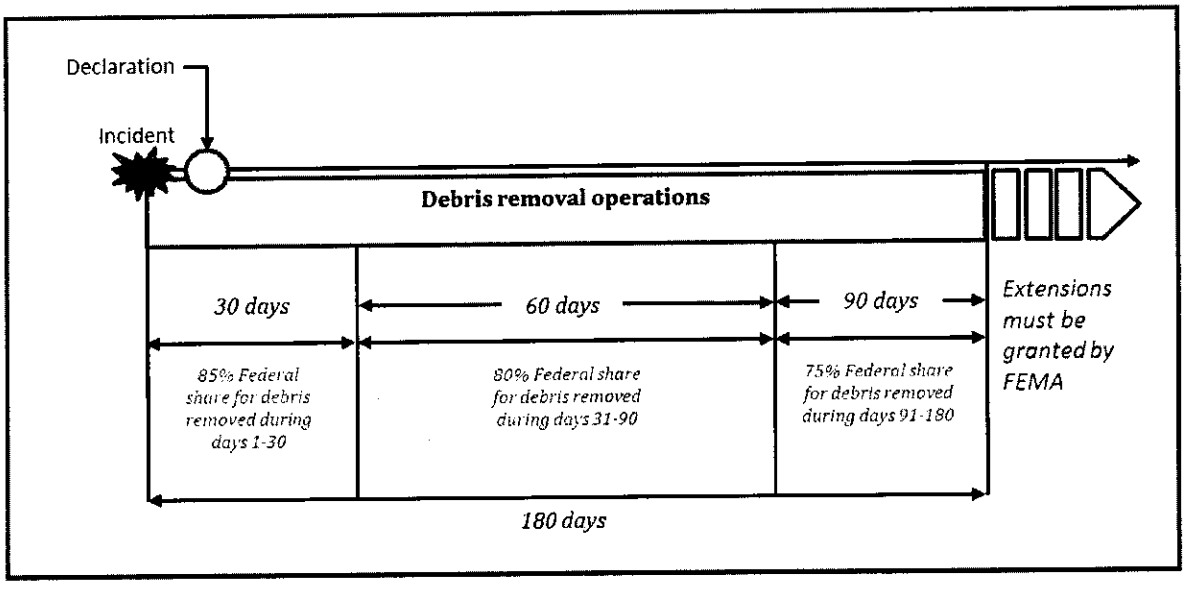
Reimbursement provided to subrecipients is based on the federal cost share percentages shown in Table 1 for debris removal work performed within the specified time frames. The subaward will reflect actual costs for debris removal activities conducted from the incident's start date until the ending time frame specified in the table. The increased federal cost share for accelerated debris removal is available only for assistance provided to a subrecipient for the debris removal it performs. It does not apply to debris removal conducted under Direct Federal Assistance (DFA).

FEMA prepares a PW version at the appropriate cost share to reflect the amount of debris removal work completed during each operational time frame. If the subrecipient agrees to this alternative procedure, no debris removal activities conducted after 180 days from the start of the incident period will be funded, unless FEMA authorizes an extension. FEMA will fund eligible direct administrative costs (DAC) incurred after the end of the 180-day timeframe or the end of an approved time extension only for activities directly related to and associated with work performed during the eligible time frames.

All requests for an extension to the 180-day time frame must be submitted through the recipient, and only FEMA Headquarters may authorize extensions. Generally, FEMA will only authorize extensions when unusual circumstances delay the start or completion of work. FEMA is unlikely to authorize extensions for weather-related delays or the inability to obtain permits in a timely fashion. Additional debris removal beyond the 180 days cannot be funded through DFA. After

agreeing to this alternative procedure, and once the first subaward is prepared and obligated at the increased Federal share, the subrecipient cannot revert to standard procedures for the remaining debris removal costs. Figure 1 describes the overall timeline for use of the sliding scale.

Figure 1. Timeline for use of the sliding scale for debris removal.



C. Recycling Revenues

Subrecipients may retain revenues received through recycling eligible disaster debris. The subrecipient shall provide the recipient written notification of the revenue received as part of its final accounting of actual costs. This should include the completion date of the debris removal operations, a brief description of the quantity and types of debris recycled, and the cost for processing debris for recycling. The recipient will forward this information to FEMA in the accounting of the final project costs. The cost of establishing and managing the recycling program or process and additional sorting and processing of the debris for recycling purposes cannot be claimed as a direct project cost on the debris removal subaward. This alternative procedure can be used in combination with any other alternative procedure or on its own.

Subrecipients can use revenues from debris recycling only for the following approved purposes: to meet the cost sharing requirements of Public Assistance subaward funding for debris removal; to develop comprehensive disaster preparedness and assistance plans, programs, and capabilities; to conduct activities that reduce the risk of future damage, hardship or suffering from a major disaster; or to improve future debris removal operations or planning. Activities that improve future debris removal operations and planning may include:

- Developing disaster debris management plans.

- Updating or revising existing plans.
- Enhancing subrecipient landfill-management sites.
- Installing mechanisms such as debris trash racks, K-Rail debris guards and silt fences to control the flow of disaster debris in future events.
- Buying equipment such as street sweepers, shredders, backhoes, balers and sorting conveyors that would facilitate sorting, volume reduction, or removing disaster debris.
- Purchasing debris recycling equipment.
- Purchasing software and hardware products to facilitate quantifying disaster debris.
- Buying onboard weight measurement systems for debris-collection trucks.
- Purchasing software systems for debris load management to assist in tracking trucks, drivers and routes.

If revenues are not used for an authorized purpose, subaward funding will be reduced by the amount of that revenue as program income.

D. Straight Time Force Account Labor

When subrecipients use their own labor forces to perform all or part of debris removal operations, FEMA will reimburse, at the appropriate cost share level, the base and overtime wages for existing employees and hiring of additional staff. This alternative procedure can be used with any other alternative procedure or on its own.

E. Debris Management Plans

A subrecipient with a FEMA-accepted debris management plan at the time of an event can increase the effectiveness of its debris management operations. Specifically, a debris management plan should improve a subrecipient's ability to complete debris removal within the timelines associated with the sliding scale.

When the subrecipient has a FEMA-accepted debris management plan before the date of the declared incident period, FEMA will provide a one-time incentive of a two (2) percent cost share adjustment applied to debris removal work completed within 90 days. This one-time incentive will not be available to the same subrecipient again during the course of the pilot. This procedure can be used with any of the other pilot procedures or on its own. FEMA will review plans submitted through the recipient. Plans should include all of the following 10 elements:

- Debris management overview
- Incidents and assumptions
- Debris collection and removal plan
- Debris removal from private property
- Public information
- Health and safety requirements
- Environmental considerations and other regulatory requirements
- Temporary debris management sites and disposal locations

- Force account or contracted resources and procurement
- Monitoring of debris operations

Please see FEMA's *Public Assistance Program and Policy Guide* at https://ww.fema.gov/public-assistance-policy-and-guidance for more information on debris management plans.

The legislation also requires a subrecipient to have at least one (1) or more pre-qualified debris removal contractors.[4] Any debris contract award must comply with federal procurement requirements, as outlined in 2 CFR Part 200. Federal procurement compliance may have more stringent requirements than state or local requirements.

In addition, the content of the plans will vary and depend highly on state and local ordinances and zoning, as well as the location of critical infrastructure, emergency services, disposal locations, and other localized factors. FEMA will review the plans to ensure that subrecipients have considered the 10 elements previously listed. FEMA review or acceptance of the plan does not mean it is approving any operational component of the plan and does not commit the Federal Government to funding any aspect of the plan.

[4] A pre-qualified contractor is one that has been identified and evaluated by a local government and has been determined to be capable to perform debris removal work (e.g., capabilities, bonding, insurance, availability). Identification of these qualifications should be done in conjunction with the drafting of a debris management plan, which should include specific contract requirements and explain how contractor qualifications are established. Identifying a pre-qualified contractor does not create a "stand-by" contract.

PART III. FEDERAL AWARDS MANAGEMENT REQUIREMENTS

The process for monitoring and closing projects is streamlined under the alternative procedures. The federal awards management requirements are outlined in the sections that follow.

A. Federal Awards Management Activities

For projects funded under the alternative procedures, major activities conducted during the Federal Awards Management phase are as follows:

- The subrecipient must complete work within established regulatory time frames and request time extensions as applicable;
- The subrecipient must submit quarterly progress reports to the recipient for large projects in which the work is not completed and financially reconciled, pursuant to 44 CFR §206.204(f) *Progress reports*;
- The recipient will provide funds to the subrecipient in accordance with federal and state requirements;
- The recipient will ensure that subrecipients understand and adhere to federal procurement requirements as well as other requirements of 2 CFR Part 200. The recipient will ensure that subrecipients comply with EHP requirements, notify FEMA of any work that requires EHP compliance reviews, and provide necessary documentation to conduct EHP reviews;
- The subrecipient must not deposit subaward funds in an interest-bearing account. If that occurs, the subrecipient must remit any interest earned to FEMA; and
- The subrecipient will submit to the recipient a final report of project costs. This report will be used to track and monitor the success of the pilot (see Standard Operating Procedures 9570.14, *Program Management and Closeout* for information on closeout processes and requirements). The final report should include the following components as documented on the Project Worksheet (FEMA Form 90-91):
    - Total actual costs to complete the subaward
    - Actual quantities of debris removed
    - Time frames for full removal of debris
    - Compliance with federal procurement requirements
    - Documentation of compliance with all subaward conditions
    - Compliance with EHP conditions

B. Subaward Closure

Alternative procedures subawards are closed when the approved scope of work is completed, and the subrecipient provides the recipient an accounting of the subaward in accordance with the requirements detailed in subsection A – Federal Awards Management Activities. The recipient will provide the accounting of project costs to FEMA and will request the project be closed.

C. Appeals

For subawards funded using the alternative procedures, the subrecipient can submit an appeal, in accordance with 44 CFR §206.206, only for the following:

- Subaward approval and obligation
- Corrective actions resulting from compliance reviews such as an audit

D. Audits and Compliance Reviews

The Office of Inspector General may audit any subrecipient and/or subaward. FEMA also can conduct compliance reviews of awards and subawards. Any corrective actions the Agency takes as a result of these audits or compliance reviews may be appealed in accordance with 44 CFR §206.206. For alternative procedures subawards, a compliance audit will review subawards and costs to ensure that the subrecipient complied with the guidelines contained within this document and other applicable requirements.

PART IV. REPORTING AND PERFORMANCE MEASURES

FEMA will review and evaluate the alternative procedures pilot program to determine if the pilot met the objectives of the Sandy Recovery Improvement Act. FEMA will assess if the pilot achieved the objectives for the alternative procedures outlined in the law, namely:

- Reducing the costs to the Federal Government of providing Public Assistance.
- Increasing flexibility in the administration of such assistance.
- Expediting the provision of assistance to a state, tribal or local government, or nonprofit owner or operator of a private nonprofit facility.
- Providing financial incentives and disincentives for timely and cost-effective completion of projects with such assistance.

FEMA will implement a comprehensive assessment based on performance measures and metrics that are identified to measure the success of the pilot in meeting these objectives. If the pilot is determined to be effective, the data will be used to inform the development of future proposed rulemaking.

APPENDIX - A

Public Assistance Alternative Procedures Pilot Program for Debris Removal Acknowledgement

In accordance with the Sandy Recovery Improvement Act of 2013, the Federal Emergency Management Agency (FEMA) is implementing alternative procedures for the Public Assistance (PA) Program through a pilot program.

As a representative of the subrecipient, we elect to participate in the following:

- ☐ Accelerated Debris Removal - increased federal cost share (sliding scale) – * Check this box ONLY if the sliding scale procedure is authorized for the declaration. If this provision is not authorized for the current disaster, it is not available for use.
- ☐ Recycling Revenue (subrecipient retention of income from debris recycling without a award offset)
- ☐ One-time incentive for a FEMA-accepted debris management plan and identification of at least one pre-qualified contractor
- ☐ Reimbursement of straight time force account labor costs for debris removal

1. The pilot is voluntary and the subrecipient must apply the selected alternative procedures to all of its debris removal subawards.
2. For the sliding scale (if authorized), the subrecipient accepts responsibility for any costs related to debris operations after six months from the date of the incident unless, based on extenuating circumstances, FEMA authorizes a time extension.
3. The subrecipient acknowledges that FEMA may request joint quantity evaluations and details regarding subrecipient operations necessary to assess the pilot program procedures.
4. All contracts must comply with local, state, and federal requirements for procurement, including provisions of 2 CFR Part 200.
5. The subrecipient must comply with all federal, state and local environmental and historic preservation laws, regulations, and ordinances.
6. The Office of Inspector General may audit any subrecipient and/or subaward.

Signature of Subrecipient's Authorized Representative Date

Printed Name and Title

Subrecipient Name PA ID Number

☐ We elect to **not** participate in the Alternative Procedures for Debris Removal.

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/19/2017

Presenter: Bryan Lackey

Item of Business: BR-2018-03 Increase Funding and Staffing for School Resource Officer Program

Meeting Date: 1/9/2018

Purpose of Request:

To increase the GPD staffing for an additional certified police officer to serve in a School Resource Officer capacity.

History/Background:

With the expansion of the Gainesville City School System over the past few years, it is necessary to increase the School Resource Officers from 4 to 5.

Facts & Issues for Consideration:

The Gainesville City School System has agreed to increase their funding of this program from 75% to 80%. GPD has funding in FY18 to accommodate this request, but additional funding for the extra position would need to be added for the FY19 budget.

Department Recommendation:

Approval to increase staffing and funding for School Resource Officer program.

Department Director:

Carol Martin

If funding is involved, are funds approved within the current budget?

Amount Requested:

Source of Funds:

Operating Budget

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
BR-2018-03 Increase Funding and Staffing for School Resource Officer Program	Resolution

RESOLUTION BR-2018-03

EXPAND THE GAINESVILLE POLICE DEPARTMENT SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, the Gainesville Police Department and the Gainesville City School System have a longstanding successful partnership with our current School Resource Officer Program; and

WHEREAS, with the expansion of the Gainesville City School System over the last few years, they desire to expand our School Resource Officer Program from four (4) officers to five (5) officers with the addition of another School Resource Officer; and

WHEREAS, the Gainesville City School System has agreed to increase their current funding of the School Resource Officer Program as outlined in the Intergovernmental Services Agreement made and entered into the 1st day of July, 2017 from 75% to 80%; and

WHEREAS, the Gainesville Police Department would increase overall staffing levels with the addition of one (1) sworn officer position dedicated to the School Resource Officer Program; and

WHEREAS, the additional sworn officer position will be encumbered from within our current operating budget and the additional savings from the Gainesville City School System agreed 5% increase in funding.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville approves the Gainesville Police Department to increase staffing with the addition of one (1) sworn police officer position for the School Resource Officer Program; and further authorizes the City Manager to execute a new intergovernmental services agreement with the Gainesville City School System.

Adopted this _____ day of _____, 2018.

_____

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____

Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/19/2017

Presenter: Bryan Lackey

Item of Business: PR-2018-01 Wal-Mart Foundation Local Facility Giving Program

Meeting Date: 1/9/2018

Purpose of Request:

To obtain approval to accept a $2,500.00 donation from the Wal-Mart Foundation.

History/Background:

Facts & Issues for Consideration:

The Wal-Mart Foundation has selected the GPD to receive $2,500.00 for law enforcement educational programs and materials.

Department Recommendation:

To accept said $2,500.00 donation.

Department Director:

Carol Martin

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
PR-2018-01 Wal-Mart Foundation Local Facility Giving Program	Resolution

RESOLUTION PR-2018-01

WAL-MART FOUNDATION
LOCAL FACILITY GIVING PROGRAM

WHEREAS, the Wal-Mart Foundation has selected the Gainesville Police Department to receive grant funding through the Local Facility Giving Program; and

WHEREAS, the Wal-Mart Foundation has indicated that the Gainesville Police Department will receive $2,500.00; and

WHEREAS, the Gainesville Police Department has needs which are related to law enforcement programs and educational materials.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the acceptance of said funds awarded by the Wal-Mart Foundation.

Adopted this _____ day of _____, 2018.

_____
C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

_____
Denise O. Jordan, City Clerk

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/20/2017

Presenter: Matt Tate

Item of Business: **Tabled to the January 16, 2018 PAB Meeting and February 6, 2018 Council Meeting**
Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D). **Ward Number: Two.** Tax Parcel Number(s): 09-110-000-019, 024 and 027. **Request: 3 single-family lots.**

Meeting Date: 1/9/2018

Purpose of Request:

The applicant is proposing to annex the subject property with a zoning of Planned Unit Development (P-U-D) for the purpose of utilizing city sewer for 3 single-family lots that would access a future shared driveway. The property is currently zoned Planned Residential Development (P-R-D) within unincorporated Hall County and is adjacent to the city limits to the south and east. In 2008, the subject tract was conditionally approved for a 3 lot subdivision in the county but has remained undeveloped. The property touches Lake Lanier to the north, is heavily wooded, contains sloping topography and has minimal access on Ramsey Road. Nearby uses include mostly undeveloped land, a single-family home and Kubota Manufacturing.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff is recommending conditional approval with 5 conditions. See Staff Recommendation Report for details.

NOTE: This item was tabled at the December 12, 2017 PAB meeting to the January 16, 2018 PAB meeting and the February 6, 2018 Council Meeting.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Legal Ad	Legal Ad
Staff Recommendation Report	Report
Location Maps	Backup Material
Narrative	Backup Material
Survey	Backup Material
Architectural Renderings	Backup Material

COMBINED LEGAL AD
Gainesville Planning and Appeals Board
Gainesville City Council

Publish Sunday, November 26, 2017
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, December 12, 2017** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D).
   Ward Number: Two
   Tax Parcel Number(s): 09-110-000-019, 024 and 027
   Request: 3 single-family lots

2) Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**).
   Ward Number: One
   Tax Parcel Number(s): 01-116-002-032
   Request: Office building addition

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, January 9, 2018** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D).
   Ward Number: Two
   Tax Parcel Number(s): 09-110-000-019, 024 and 027
   Request: 3 single-family lots

2) Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**).
   Ward Number: One
   Tax Parcel Number(s): 01-116-002-032
   Request: Office building addition

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})

GAINESVILLE PLANNING and APPEALS BOARD
STAFF RECOMMENDATION

Applicant and Property Owner..... EDRE Assets, LLC

Location..... 0, 2608 and 2611 Ramsey Road

Request..... Annex with Planned Unit Development (P-U-D) zoning

Size ..... $5.21^{\pm}$ acres

Ward..... Two

Proposed Use..... 3 single-family lots

Planning Division Staff Recommendation ..... **Approval, with conditions**

Date..... December 12, 2017

- ***Applicant's Proposal and Background Information***

The applicant is proposing to annex the subject property with a zoning of Planned Unit Development (P-U-D) for the purpose of utilizing city sewer for 3 single-family lots. The property is currently zoned Planned Residential Development (P-R-D) within unincorporated Hall County and is adjacent to the city limits to the south and east. The property touches Lake Lanier to the north, is heavily wooded, contains sloping topography and has 41 feet of frontage on Ramsey Road. Nearby uses include mostly undeveloped land, a single-family home and Kubota Manufacturing.

In 2008, the subject tract was conditionally approved for a 3 lot subdivision in Hall County, but has remained undeveloped. As part of the approval, a short private street and cul-de-sac was required to be constructed with a security gate. The applicant desires to change this requirement to allow for an open shared driveway instead of constructing a gated private street and cul-de-sac. Access to the three lots from Ramsey Road will be provided by a common access easement and driveway on Lot 2. Each lot will conform to the minimum Residential-I (R-I) zoning standards excluding the minimum road frontage requirements. Each home will have a minimum heated floor space of 2,000 square feet and each of the three lots will be approximately 1.5 acres in size. No storm water detention is required for this type of subdivision and three, two-slip boat docks have been approved by the Corps of Engineers. Of note, part of a driveway, fence and septic drain field from the adjacent residential property to the east encroaches within the subject property. The applicant will be required to address this issue prior to subdividing the property according to the Hall County Environmental Health Department.

- ***Adjacent Land Use and Zoning***

Location	Use	Zoning
North	Single-family homes, Lake Lanier	Vacation Cottage (V-C) -County
South	Kubota Manufacturing, Single-family property	Light Industrial (L-I) and Residential-I (R-I) – City Agricultural Residential-III (AR-III) -County
East	Undeveloped land	Residential-I (R-I) – City Vacation Cottage (V-C) - County
West	Single-family home	Vacation Cottage (V-C) -County

Other uses in the immediate area include Clarks Bridge Park which is the site of the Olympic rowing, canoe and kayak venue.

- ***Other Departmental Comments***

According to the Hall County Environmental Health Department, the proposed subdivision plat will create a violation of the On-Site Sewage Management System Regulations in that the septic system on the adjacent property crosses the property line. This issue needs to be addressed between the property owners by either adjusting the property line accordingly or relocating the septic system prior to any new plat recordation.

The Gainesville City School System states that to access the road, GCSS Transportation would have to use Sargent Road, which will cause the bus to cross railroad tracks two (2) times with one of them being in a dangerous curve. We do not currently provide transportation to the area and would not justify extending a bus route until additional developments are built.

There were no other departmental comments regarding this request.

- ***Zoning History***

The following zoning actions have taken place in the immediate area during the last ten years:

2015 – A request by Jordan and Jordan Properties, Inc. to annex a $0.89^{\pm}$ acre tract located at 2860 Goetz Circle was approved with conditional Residential-I (R-I) zoning for access for a 16-lot single-family subdivision.

2010 – A request by Jordan and Jordan Properties, Inc. to annex a $8.27^{\pm}$ acres tract located at 2880 Goetz Circle was approved with conditional Residential-I (R-I) zoning for a 16-lot single-family subdivision.

2008 – A request by Kubota USA, Inc. to abandon a 3.313± acres portion of Ramsey Road right-of-way zoned Light Industrial (L-I) was approved with conditions.

- ***Staff Analysis***

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The proposed 3 lot subdivision appears to be suitable with the adjacent and nearby single-family properties and has already received zoning approval in the County. The proposed annexation desires to utilize city sewer which will cause less environmental impact to Lake Lanier. The surrounding area includes Lake Lanier, vacant land, single-family homes and Kubota Manufacturing.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The proposal should not adversely affect the existing use or usability of the adjacent or nearby property. The applicant proposes a shared driveway concept which will provide for sufficient access and less impervious surface runoff to Lake Lanier. The neighboring single-family residential property to the west should experience little to no impact as its access to Ramsey Road and use of a private septic system will remain. Impacts to nearby Kubota Manufacturing

should be minimal as residential traffic is now redirected to Sargent Road which was extended to White Sulphur Road away from the industrial truck traffic on Ramsey Road.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The Future Development Map for the City of Gainesville places the subject property within the *Low-Medium Density Residential* land use category, which includes areas containing or planned for single-family detached or semi-detached housing at densities ranging from two to four dwelling units per acre. The development proposes a residential density of only 0.57 dwelling units per acre.

According to the Character Area Map of the 2030 Gainesville Comprehensive Plan the property is located within the *Economic Development Gateways* Character Area and is directly adjacent to the *Lake District* Character Area. The primary vision for the *Economic Development Gateways* Character Area is to continue to support economic development while preserving and strengthening important natural and cultural resources. The vision for *Lake District* Character Area is driven by the presence of Lake Lanier and its distinctive rolling landscape. Infill development is not a priority although redevelopment of older apartments, retail and office space is important. Land uses allowed include commercial, industrial, mixed-use, residential (existing low density residential uses), public / institutional, transportation / communications / utilities, and parks / recreation / conservation.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

Presently, the subject property is zoned Planned Residential Development (P-R-D) within the County and is approved for 3 single-family lots of similar size. The development proposes a similar zoning in the City to utilize water and sewer services, which requires the property to be annexed when contiguous to the city limits.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The proposed annexation should not cause an excessive or burdensome use of public facilities or service over and above what has already been approved for the adjacent property. Given the scale of the proposed residential subdivision, the load on public services is expected to be moderately increased. Existing water and sewer is available and the applicant is not requesting the City to share in the cost of accessing available sewer.

Both the Fire and Police Departments service the properties located in the adjacent Gainesville Industrial Park North. The closest fire stations include Gainesville Fire Station #1 which is approximately 6.3 miles from the subject property and Hall County Fire Station #7 which is 2.4 miles from the subject property. The City and County have an automatic aid agreement which allows the City or County to respond first in the event of a fire or medical emergency.

The proposed development will increase the loads on the City Public Works Department to provide for solid waste (i.e. household garbage, and leaf and limb) pick-up service because the subject property is located outside the current service area.

Should the future residents choose to send their school-age children to City schools, there would be a moderate increase to the Gainesville City School System including the need to bus the school aged children which is currently not within an existing bus route.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The subject property is somewhat unique in that it is positioned between industrial property and residential lake property. While it is expected that the adjacent land to the south within the industrial park will continue to be developed for industrial purposes, the subject property would be better suited for residential purposes based on the established residential development pattern that has occurred along Lake Lanier.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

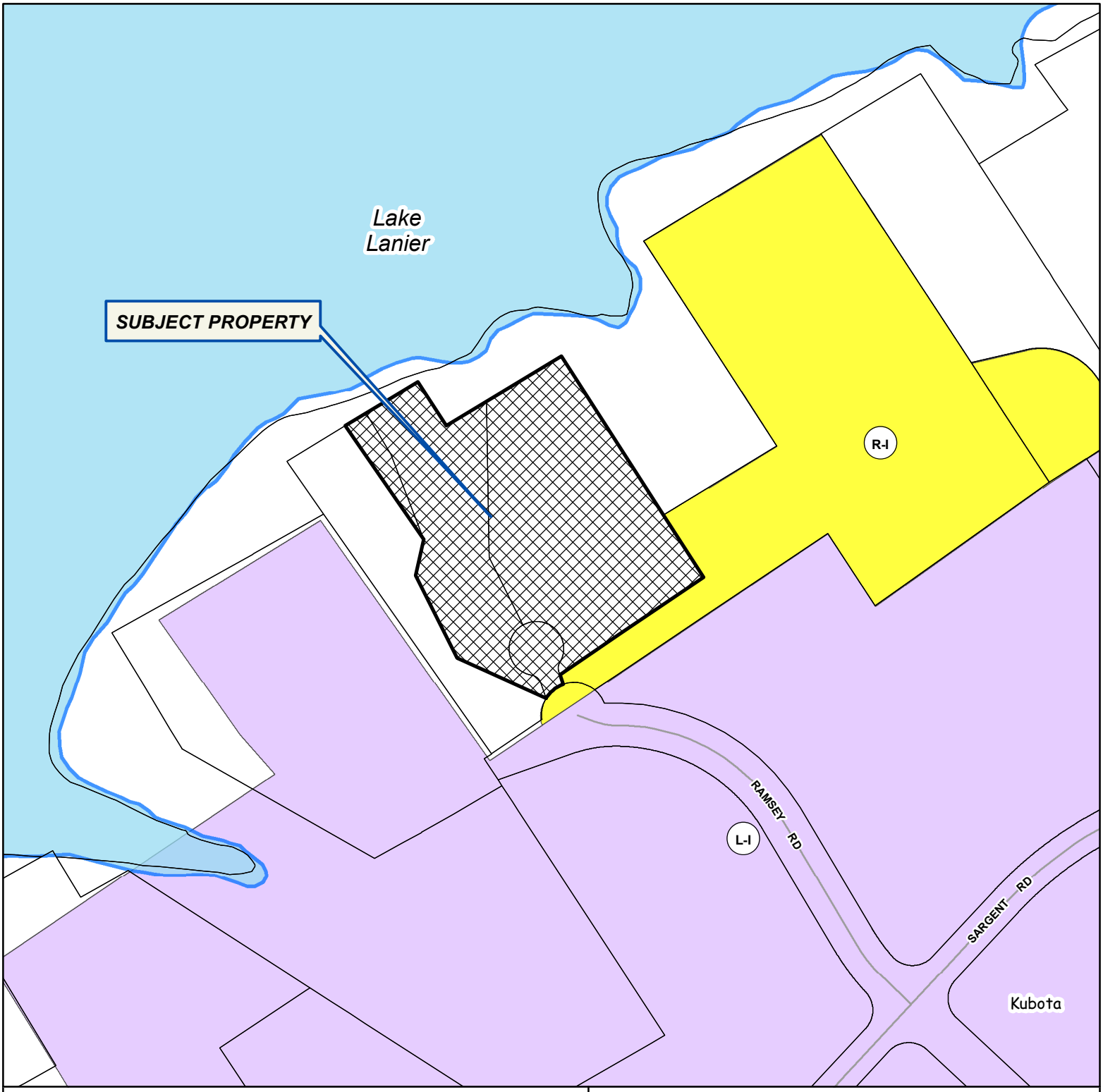
Based on the Comprehensive Land Use Plan and the surrounding mixture of land uses, the proposed use appears to be reasonable. The proposed 3 lot residential subdivision with the proposed zoning conditions appears to reflect a balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property based on the subject property's proximity to Lake Lanier and the adjacent residentially zoned properties.

- ***Staff Recommendation***

The Planning Division staff is recommending **conditional approval** of the annexation request with **Planned Unit Development (P-U-D) zoning**, based on the Comprehensive Plan and adjacent residential use.

Conditions

1. **The proposal shall be limited to a maximum of 3 single-family lots and shall adhere to the development standards as depicted within the narrative, concept plan and architectural renderings submitted with the application.**
2. **The minimum heated floor space of each single-family home shall be 2,000 square feet.**
3. **Completion of the common driveway shall be required prior to the issuance of a Certificate of Occupancy for the proposed homes. Access point design of the proposed shared driveway along Ramsey Road must be reviewed and approved by the Gainesville Public Works Department. All road improvements associated with access to the subject property shall be at the full expense of the developer.**
4. **The owner/developer shall disclose the existence of industrial activities on adjacent and nearby properties as part of the purchase/sale agreement with potential buyers. Said disclosure shall state: "Owners, occupants, and users of property shown are hereby informed of the impacts associated with industrial practices which may take place on adjacent and nearby property including, but not limited to noise, odors, dust, traffic and the operation of machinery. Therefore, owners, occupants and users of the property should be prepared to expect the effects of such practices."**
5. **All conditions of zoning shall be made a part of any final plat created for the subdivision.**



Applicant:

ANNEXATION REQUEST

EDRE ASSETS, LLC

Request:
Annex a 5.21+/- acres tract with Planned Unit Development (P-U-D) zoning for 3 single-family lots

Subject Area Address:
0, 2608, 2611 Ramsey Road

Meeting: 12/12/2017

Prepared: 10/30/2017

Gainesville Community Development Department

Subject Property

N

0 150 300 450 600 Feet

1 " = 250 '

Tax Parcel: 09-110-000-019, 024 and 027

Applicant:

ANNEXATION REQUEST

EDRE ASSETS, LLC

Request:
Annex a 5.21+/- acres tract with Planned Unit Development (P-U-D) zoning for 3 single-family lots

Subject Area Address:
0, 2608, 2611 Ramsey Road

Meeting: 12/12/2017

Prepared: 10/30/2017

Gainesville Community Development Department

Subject Property

Aerial from 2015

N

0 150 300 450 600 Feet

1 " = 250 '

Tax Parcel: 09-110-000-019, 024 and 027

City of Gainesville Annexation Narrative

Ramsey Road Property

Owner/Applicant: Edre Assets, LLC

Prepared by John P. O'Hanlon, PE

October 27, 2017

Background:

The subject property is 5.21 acres of land currently comprised of three tax parcels (09110 000019, 09110 000027, 09110 000024) located at the terminus cul-de-sac of Ramsey Road in Land Lot 110 of the 9th District of unincorporated Hall County. The property was re-zoned by Hall County from AR-III (Agricultural Residential) and VC (Vacation Cottage) to the PRD (Planned Residential District) on November 13, 2008 as a 3-lot subdivision. The property was subsequently subdivided in accordance with the re-zoning via the recording of a Final Plat on March 24, 2009. A copy of the 2008 Rezoning Plat, Zoning Approval Letter and Final Plat are included in the appendix.

Subsequent to the Final Plat recording, two of the three lots were combined into one (2611 Ramsey Road). Loans on the lots were foreclosed and the current owner purchased the two lots from lending institutions. A third parcel, containing a proposed cul-de-sac and a non-contiguous sliver of land (caused by a deed error) were purchased by the owner via a tax deed sale and foreclosure.

Annexation for Connection to City Sewer:

There is an existing City of Gainesville 8-inch sewer line running along Ramsey Road. The owner seeks to tie the three future homes onto the City's sewer system rather than use onsite septic tank systems. Connecting to the City's sewer system requires annexation of the property.

Annexation to Establish Zoning of PUD:

As part of the annexation, Edre Assets is requesting to establish the City's PUD zoning district upon the property. The City's PUD district is similar to the property's current Hall County zoning of PRD in that it provides for a flexible subdividing of the property while still conforming to the existing character of the surrounding area. The proposed three lots will conform to all the minimum requirements of the City's R-1 zoning district with the exception of the 40 foot minimum road frontage.

Annexation Concept Plan:

The Annexation/Zoning Concept Plan prepared by Patton Land Surveying depicts the configuration of the three proposed lots. The property has only about 40 feet of frontage on Ramsey Road but widens quickly. In order to provide road frontage to the lots, the 2008 Hall County re-zoning included a very short private street and cu-de-sac on its own tax parcel. The conditions for that rezoning included installing a security gate to control access to the private cul-de-sac and lots.

Rather than constructing a private cul-de-sac on its own tax parcel, Edre Assets is requesting a common driveway within a common access easement on Lot 2 to serve the three lots. Lots 1 and 3 will have frontage on the common access easement. Edre Assets is also requesting that the common security gate condition from the Hall County re-zoning be eliminated. Along with reducing land disturbance and impervious coverage, deleting the private cul-de-sac will eliminate the need for a separate tax parcel and the establishment of homeowner's association covenants controlling the ownership and maintenance of the parcel and its improvements. The proposed common driveway simplifies access to the three lots and will be constructed to City of Gainesville standard.

The internal lot lines on the Annexation/Zoning Concept Plan were reconfigured from those depicted on the Final Plat (see former property lines on Sheet 2) to provide each lot with sufficient direct access to lakefront land of the US Army Corps of Engineers. The former owner intended the three lots to have shared access to a proposed 6-slip community dock. Edre Assets has been granted the option of converting the proposed community dock to three 2-slip individual docks by the Army Corps.

Conditions of PUD Zoning:

Edre Assets requests the following conditions be made part of annexation and zoning of the property to the PUD District:

1. A maximum of a three (3) lots as generally shown on the Annexation Concept Plan prepared by Patton Land Surveying and dated October 23, 2017. Access to the three lots from Ramsey Road shall be provided by a common access easement and driveway on Lot 2.
2. All homes to have a minimum heated floor space on 2,000 square feet (same as current Hall County PRD conditions).
3. Subdividing the property into three (3) residential lots does not constitute a Land Development Project and the property shall be exempt from the City of Gainesville storm water ordinance (same as current Hall County PRD condition).
4. The common driveway entrance on Lot 2 shall be 18 feet wide and approximately 80 long, constructed of concrete in accordance with the standards of the City of Gainesville.
5. Completion of the common driveway shall occur before any homes constructed on the three lots are issued a Certificate of Occupancy. A note of this condition shall be prominently depicted on the superseding recorded Final Plat.

Appendix

Rezoning Plat for B-3, LLC by Diversified Technical Group and dated September 4, 2008

Hall County Board of Commissioners Approval Letter dated November 19, 2008

Recorded (Final) Plat for B-3, LLC by Diversified Technical Group and dated September 4, 2008 and recorded in Plat Book 860, Page 179 Hall County Record om March 24, 2009.

HALL COUNTY GOVERNMENT
BOARD OF COMMISSIONERS

POST OFFICE DRAWER 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8288
FAX (770) 531-3972

TOM OLIVER
CHAIRMAN

BOBBY BANKS, DISTRICT 1
BILLY POWELL, DISTRICT 2
STEVE GAILEY, DISTRICT 3
DEBORAH K. MACK, DISTRICT 4

November 19, 2008

Mr. William Brinson
2600 Ramsey Road
Gainesville, GA 30501

Dear Mr. Brinson:

Please be advised that in its meeting of November 13, 2008, the Hall County Board of Commissioners voted to approve your application to rezone from AR-III and V-C to PRD, a 5.0± acre tract located at the terminus of Ramsey Road; a.k.a. Ramsey Road; Tax Parcel 09110 000019. Proposed Use: 3 lot subdivision. Commission District Three.

The following conditions of zoning apply:

1. Development shall be limited to three lots as generally shown on the concept plan and descriptive narrative submitted.

2. Development will be limited to homes having no less than 2,000 square feet of heated floor space.

3. All conditions of zoning shall be made a part of any plat created for the subdivision.

If you have questions or require any additional information you may reach me at 770.535.8288.

Sincerely,

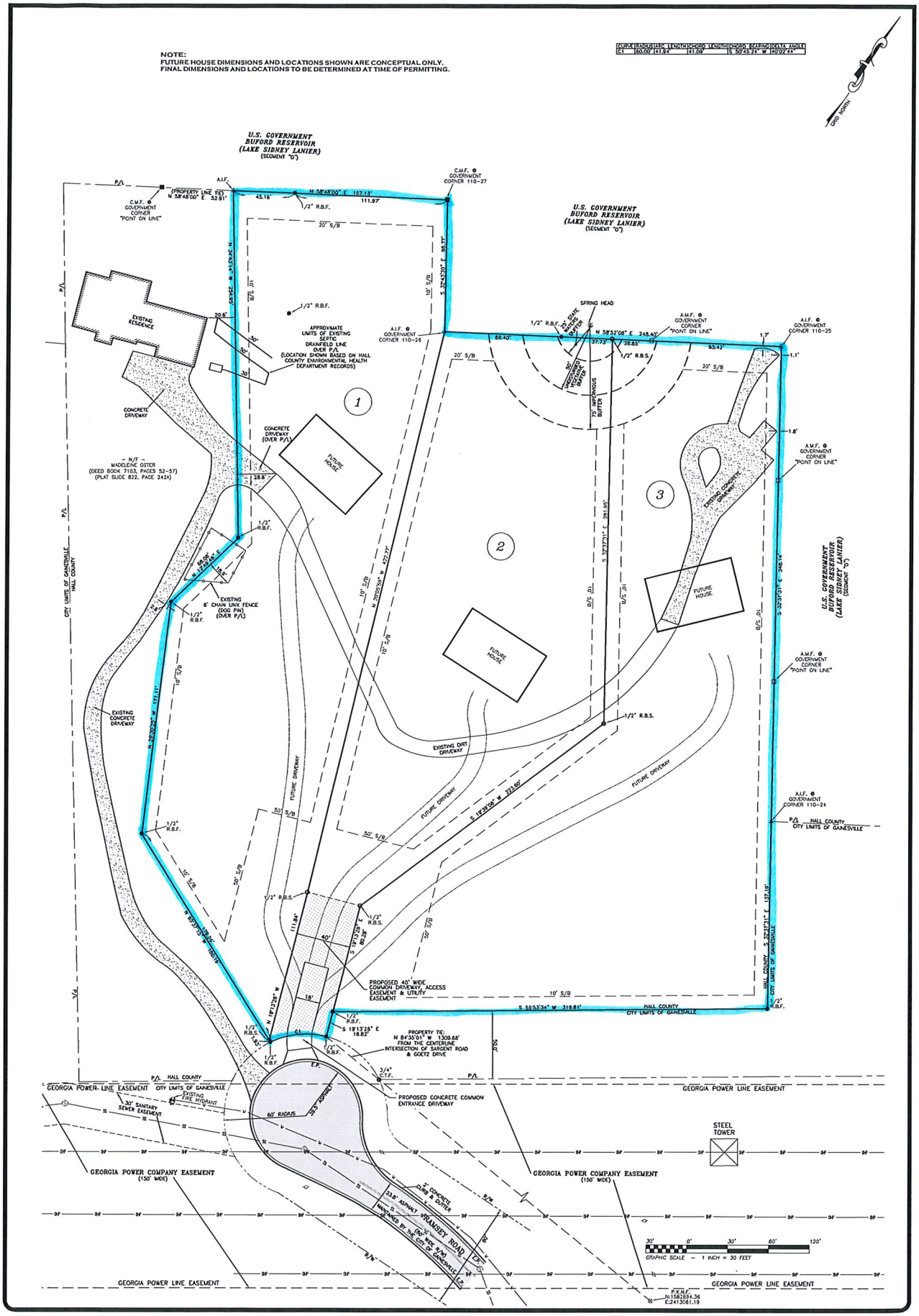
Heather Bates

Heather Bates
Commission Clerk

cc: Planning and Zoning
Building Inspections
Business License
Public Works
Tax Commissioner
Tax Assessor

NOTE:
FUTURE HOUSE DIMENSIONS AND LOCATIONS SHOWN ARE CONCEPTUAL ONLY.
FINAL DIMENSIONS AND LOCATIONS TO BE DETERMINED AT TIME OF PERMITTING.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	60.00'	141.94'	141.09'	S 50°45'24" W	40°02'44"



SHEET NUMBER:	
3 of 4	
SCALE:	1" = 30'
SURVEY DATE:	10/16/2017
PLAT DATE:	10/23/2017
17-229 CONCEPT.dwg	
JN. 17-229	

No.	DATE	DESCRIPTION

REVISIONS

RETRACEMENT BOUNDARY SURVEY AND ANNEXATION/ZONING CONCEPT PLAN FOR:

EDRE ASSETS, LLC

- LOCATED IN -

LAND LOT 110
9TH LAND DISTRICT
HALL COUNTY, GEORGIA

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR
DORIS W. PATTON
HALL COUNTY SURVEYOR

PATTON
LAND SURVEYING, LLC

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
FAX: (770) 532-1995
www.pattonsurveying.com

Architectural Renderings

City of Gainesville Annexation
Ramsey Road Property
October 25, 2017

The following renderings represent a sample of home styles recently constructed on residential lots in the City of Gainesville with heated areas from approximately 2,000 to 4,000 sf. Home facades will be brick, stone, Hardie® type siding or a combination. Due to the limited number of lots, the Applicant anticipates individual lot owners will construct custom built homes.

American Craftsman 2-Story

Brick – Stone – Hardie® Siding
Side Entry Garage

Country European Traditional

Stone – Hardie® Siding/Board & Batten

Lake Retreat Cottage

Stone – Hardie® Siding
2-Story: 2,000 -2,400 SF

American Traditional

Brick - Stone – Hardie® Siding
Detached Garage

CITY OF GAINESVILLE

COUNCIL AGENDA REQUEST

Date Submitted: 12/20/2017

Presenter: Matt Tate

Item of Business: Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**). **Ward Number: One.** Tax Parcel Number(s): 01-116-002-032.
Request: Office building addition.

Meeting Date: 1/9/2018

Purpose of Request:

The applicant is proposing to amend a zoning condition to allow for a larger building within the existing Planned Unit Development (P-U-D) zoning. The proposal is to renovate and expand the existing Hall County Department of Family and Children Services office building from 25,000 square feet to 36,245 square feet. The expansion will occur in the existing parking lot and the total impervious area of the development would be reduced by creating more landscape areas in the existing parking lot. The surrounding properties include the Beechwood Estates subdivision, McEver Business Center, Gainesville pump station and The Retreat at McEver apartment complex.

History/Background:

Facts & Issues for Consideration:

Department Recommendation:

Planning staff recommended conditional approval with 5 conditions.

PAB recommended conditional approval with 5 conditions. See the PAB Recommendation Report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval
I move to approve first reading on an ordinance to amend the existing Planned Unit Development zoning with 5 conditions as presented.

Denial
I move to deny this zoning amendment request.

Department Director:

Rusty Ligon

If funding is involved, are funds approved within the current budget?

Amount Requested: **Source of Funds**:

Finance Comments:

Administrative Comments:

ATTACHMENTS:

Description	Type
Legal Ad	Legal Ad
PAB Recommendation Report	Report
Proposed Zoning Amendment Ordinance	Ordinance
Location Maps	Backup Material
Narrative	Backup Material
Survey	Backup Material
Site Plan	Backup Material
Elevations	Backup Material

COMBINED LEGAL AD
Gainesville Planning and Appeals Board
Gainesville City Council

Publish Sunday, November 26, 2017
THE TIMES

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville Planning and Appeals Board** will conduct a public hearing on **Tuesday, December 12, 2017** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D).
   Ward Number: Two
   Tax Parcel Number(s): 09-110-000-019, 024 and 027
   Request: 3 single-family lots

2) Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**).
   Ward Number: One
   Tax Parcel Number(s): 01-116-002-032
   Request: Office building addition

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, January 9, 2018** at **5:30 p.m.** in the **Gainesville Justice Center** (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in midtown Gainesville on the following requests:

1) Request from **EDRE Assets, LLC** to annex a 5.21± acres tract located on the north side of Ramsey Road at its terminus (a/k/a **0, 2608 and 2611 Ramsey Road**) and to establish zoning as Planned Unit Development (P-U-D).
   Ward Number: Two
   Tax Parcel Number(s): 09-110-000-019, 024 and 027
   Request: 3 single-family lots

2) Request from **McEver Extension Properties, LLC** to amend the existing Planned Unit Development (P-U-D) zoning on a 3.32± acres tract located on the north side of McEver Road and west of its intersection with Dawsonville Highway (a/k/a **970 McEver Road, NW**).
   Ward Number: One
   Tax Parcel Number(s): 01-116-002-032
   Request: Office building addition

Additional information is available from the Community Development Department, Planning Division, by calling 770-531-6570.

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating $250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 {c})

GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION

Applicant and Property Owner..... McEver Extension Properties, LLC
Location..... 970 McEver Road
Request..... Amend a P-U-D zoning
Total Acres ..... 3.32± acres
Ward..... One
Proposed Use..... Office building addition
Planning Division Staff Recommendation ..... **Approval, with conditions**
Planning and Appeals Board Recommendation.... **Approval, with conditions**
Date..... December 12, 2017

- ***Applicant's Proposal and Background Information***

The applicant is proposing to amend an existing Planned Unit Development (P-U-D) zoning to allow for a larger office building. The proposal is to renovate and expand the existing Hall County Department of Family and Children Services (DFACS) office building from 25,000 square feet to 36,245 square feet. The expansion is to be located within the existing parking lot and the total impervious area of the development would be reduced by creating more landscape areas. All access will remain unchanged and a total of 144 parking spaces will be provided which is consistent with the Unified Land Development Code requirement. The exterior of the building will consist of EIFS siding similar to the existing building with the addition of a watermark of stone along the front of the building.

The property was previously rezoned in 1986 for a 16,000 square foot office building for DFACS and was later amended in 1989 to expand the office to its current size.

- ***Adjacent Land Use and Zoning***

Location	Use	Zoning
North	Beechwood Estates Subdivision	Residential-I (R-I)
South	Vacant land; Retreat at McEver Apartments	Regional Business (R-B) Residential-II (R-II)
East	McEver Business Center offices	Planned Unit Development (P-U-D)
West	Gainesville Pump Station; Lake Lanier	Planned Unit Development (P-U-D)

- ***Other Departmental Comments***

There were no other departmental comments.

- ***Zoning History***

The following zoning actions have taken place in the immediate area during the last ten years:

2017 – A request by Lidl US Operations, LLC to rezone a 6.854± acres tract located at 0 and 1010 Dawsonville Highway from Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) for a grocery store was withdrawn.

2017 – A request by Oak Hall Companies, LLC to rezone a 157.98± acres tract located at 0, 1264 and 1817 Ahaluna Drive; 1876 Dawsonville Highway; 2208 Karen Lane; 0 and 2029 Strickland Drive; 0 and 1489 West Lake Drive from Residential-I-A (R-I-A), Residential-I (R-I), Planned Unit Development (P-U-D) and Regional Business (R-B) to Planned Unit Development (P-U-D) and General Business (G-B) zoning for a mixed-use, age restricted community was approved with conditions.

2017 – A request by Oak Hall Companies, LLC to annex a 50.81± acres tract with a zoning of Planned Unit Development (P-U-D) and General Business (G-B) located at 0 and 1758 Ahaluna Drive; 1508, 1550, 1740, 1746, 1758, 1760, 1934 and 1982 Dawsonville Highway; 300 and 301 Skyview Drive; 0, 2008 and 2016 Strickland Drive was conditionally approved for a mixed-use, age restricted community.

2017 – A request by Oak Hall Companies, LLC to annex a 26.16 ± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 2209 Karen Lane; 2106, 2234 and 2242 Sportsman Club Road; 2049 Strickland Drive was conditionally approved for an age restricted, active adult community.

2015 – A request by West Ahaluna, LLC to annex an 8.74± acres tract with a zoning of Residential-I-A (R-I-A) located at 0 and 1264 Ahaluna Drive was conditionally approved for no proposed use.

2014 – A request by West Ahaluna, LLC to annex a 70.23± acres tract with a zoning of Planned Unit Development (P-U-D) located at 0 and 1817 Ahaluna Drive; 1982 Dawsonville Highway; 2208 Karen Lane; 2008, 2016 and 2029 Strickland Drive was approved with conditions. In addition, the same applicant requested to rezone a 31.93± acres tract located at 0 Ahaluna Drive NW and 1489 West Lake Drive NW from Residential-I (R-I) to Planned Unit Development (P-U-D) was also approved with conditions for a 199-lot single-family subdivision.

2013 – A request by America's Home Place, Inc. to rezone a 25.11± acres tract located at 0 and 1198 Dawsonville Highway; 1232 Ahaluna Drive and 1162 Lakeshore Circle from Residential-I (R-I), Residential-II (R-II) and Office and Institutional (O-I) to General Business (G-B) zoning for a commercial shopping center was approved with conditions.

2012 – A request by America's Home Place, Inc. to rezone a 4.711± acres tract located at 0, 1122, 1138, 1162 and 1198 Dawsonville Highway from Residential-II (R-II), Office and Institutional (O-I) and General Business (G-B) to General Business (G-B) zoning for retail, restaurant and vehicle service uses was approved with conditions.

2011 – A request by Kauffman Tire Inc. for a special use within Regional Business (R-B) zoning on a 1.19± acres tract located at 801 & 805 Dawsonville Highway was approved with conditions for an automotive tire and service store.

2010 – A request by Bill Dupree to annex a 7.11± acres tract with General Business (G-B) zoning and rezone a 2.44± acres tract from Residential-II (R-II) to General Business (G-B)

located at 0, 1293, 1297 and 1139 Dawsonville Highway was approved with conditions for a business center with retail, office and restaurant uses.

- ***Staff Analysis***

(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

The proposed office addition is consistent with other non-residential development located along McEver Road and nearby Dawsonville Highway. The proposed addition will enhance the existing building and provide for good reinvestment in an ageing property. The surrounding uses include various office, service, multi-family and single-family uses.

(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

The adjacent single-family properties within the Beechwood Estates subdivision have been visually affected by the existing development. If approved with the recommended conditions by staff, the proposal will be required to provide additional landscape buffer and fencing which should lesson the visual impact. It appears that the addition will most likely be the last of its kind without further impacting the need for additional parking.

(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

The subject property is located within the *Retail/Commercial* land use category based on the Future Development Map for the City of Gainesville. This category includes commercial service activities such as grocery stores, banks, restaurants, theatres, hotels, and automotive related businesses. Commercial uses may be located as a single use in one building or grouped together in a shopping center.

The subject property is also located within the *Suburban Commercial* Character Area. This area will continue to grow as a regional retail center for the City and Hall County, but should diversify over time to include multi-family housing and a higher-density mix of retail, office, services and high-quality employment. In addition, expanding premium retail could offer a variety of shopping options that are currently not available elsewhere in the City. As it grows, the area will become one of the most prominent commercial corridors and gateways into the City, and a thriving economic anchor for the northwest side. When development occurs, adequate buffers should be maintained around development to protect watersheds and sensitive environments. Land uses allowed within the *Suburban Commercial* area include commercial, public / institutional, multi-family residential and mixed use.

(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?

The subject property is zoned Planned Unit Development (P-U-D) which is a site specific zoning that limited the size of the office building based on the projected needs in 1989. The existing office building has been occupied by DFACS for approximately 30 years and needs additional space which requires the current P-U-D zoning to be amended. Given the property's location on McEver Road, it appears the proposed rezoning request is reasonable.

(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

The subject property and adjacent development currently utilizes City water and sewer services and there is sufficient capacity to serve the development.

Existing public safety services respond to the adjacent and nearby properties. Gainesville Fire Station #1 is located approximately 2.7 miles from the property. Hall County Fire Station #4 is located off of McEver Road approximately 2.1 miles from the property.

No impacts to the school system are expected as the development is for non-residential purposes.

According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), an office building of the proposed size will have an estimated 400 vehicle trips per weekday, 57 A.M. new peak hour trips and 54 P.M. new peak hour trips. However, additional traffic could be expected throughout the weekday due to the building being occupied by government services.

(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

The anticipated use for the subject property is for an office addition which is consistent with the Comprehensive Plan.

The property is located along an arterial corridor near to one of Gainesville's most active regional commercial corridors. This area has experienced tremendous growth over the past 15 to 20 years including the development of numerous multi-family apartments and nearby shopping along McEver Road and Dawsonville Highway.

(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Due to the subject property's proximity to existing residential and commercial land uses, the proposed grocery store, with the recommended zoning conditions appears to promote a reasonable balance between the interests of the City, the property owner, and neighboring residents and property owners.

- ***Staff Recommendation***

The Planning Division staff is recommending **conditional approval** of this rezoning request with **P-U-D zoning**, based on the Comprehensive Plan and the adjacent residential and non-residential land uses.

Conditions

1. **The proposed office building shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application.**
2. **The existing wooden fence shall be extended for the length of the subject property adjacent to the Beechwood Estates Subdivision.**

3. **The rear of the entire office building shall be painted an earth tone color so as to blend with the natural environment.**
4. **The existing vegetated buffer areas adjacent to the Beechwood Estates Subdivision shall remain undisturbed except for where storm water improvements are required. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the Beechwood Estates Subdivision where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.**
5. **An updated as-built boundary survey/plat of the subject property indicating all improvements required for the proposed use and conditions of zoning shall be recorded prior to obtaining a Certificate of Occupancy.**

Excerpts from the December 12, 2017 PAB Meeting Minutes

Applicant Presentation: Ed Myers, Myers & Company, 752 Chattahoochee Place, stated he was the engineer for the project and noted one of the investors James Tipton was also present. He stated the applicant wanted to complete an overall renovation to expand the existing 30 year old building in order to make more private offices and larger conference rooms. He stated that the Department of Family and Children Services were not making any changes to their services but simply needed a better layout for the building. Mr. Myers stated that the State of Georgia requires four parking spaces per square foot, hence the reason for the additional parking. He stated they were able to fit the additional parking within the existing parking footprint. The applicant had no issues with the proposed zoning conditions.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: Upon inquiry by Chairman Carter, Planning Manager Matt Tate stated the revised parking spaces did not require any changes to the conditions of zoning.

There was a motion to recommend conditional approval of the request to amend the existing Planned Unit Development (P-U-D) zoning, with the following conditions:

Conditions

1. **The proposed office building shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application.**
2. **The existing wooden fence shall be extended for the length of the subject property adjacent to the Beechwood Estates Subdivision.**
3. **The rear of the entire office building shall be painted an earth tone color so as to blend with the natural environment.**
4. **The existing vegetated buffer areas adjacent to the Beechwood Estates Subdivision shall remain undisturbed except for where storm water improvements are required. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the Beechwood Estates Subdivision where needed. The intent of the buffer is to supplement the existing vegetation with buffer**

trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.

5. **An updated as-built boundary survey/plat of the subject property indicating all improvements required for the proposed use and conditions of zoning shall be recorded prior to obtaining a Certificate of Occupancy.**

Motion made by Board Member Martin
Motion seconded by Board Member Rucker
Vote – 7 favor

First Reading: _____
Passed: _____

AN ORDINANCE

No. 2018-

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY AMENDING THE EXISTING PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c) ZONING ON A 3.32± ACRES TRACT LOCATED ON THE NORTH SIDE OF MCEVER ROAD AND WEST OF ITS INTERSECTION WITH DAWSONVILLE HIGHWAY (A/K/A 970 MCEVER ROAD, NW); REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Amendment to the Zoning Map)

BE IT HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GAINESVILLE, GEORGIA AS FOLLOWS:

SECTION I.

That from and after the passage of this Ordinance, the subject property containing 3.32± acres with **Planned Unit Development, with conditions (P-U-D-c)** zoning is hereby amended as follows:

Conditions

1. **The proposed office building shall be generally consistent with the standards depicted on the architectural elevation provided with this rezoning application.**
2. **The existing wooden fence shall be extended for the length of the subject property adjacent to the Beechwood Estates Subdivision.**
3. **The rear of the entire office building shall be painted an earth tone color so as to blend with the natural environment.**
4. **The existing vegetated buffer areas adjacent to the Beechwood Estates Subdivision shall remain undisturbed except for where storm water improvements are required. Additional evergreen buffer trees shall be planted between the proposed building/parking lot/service areas and the Beechwood Estates Subdivision where needed. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The location, spacing, size and type of trees planted shall be subject to Community Development Department Director approval.**
5. **An updated as-built boundary survey/plat of the subject property indicating all improvements required for the proposed use and conditions of zoning shall be recorded prior to obtaining a Certificate of Occupancy.**

Legal Description

All that tract or parcel of land lying and being in Land Lot 171, 9th Land District, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for McEver Road Properties, LLC, dated July 10th, 2015 and being more particularly described as follows:

Beginning at a concrete monument found at the common land lot corner of Land Lots 4, 5, 171 & 172, 9th Land District, located at Georgia State Plane Coordinate Northing 1563050.12, Easting 2387586.92, Georgia West Zone, North American Datum of 1983/2007 adjustment;

Thence along the Northerly line of said Land Lot 171 the following course:

Thence North 59 degrees 10 minutes 02 seconds East for a distance of 559.97 feet to a 1/2" rebar pin found;

Thence leaving said Land Lot line the following courses:

Thence South 26 degrees 03 minutes 20 seconds East for a distance of 335.77 feet to a 1/2" rebar pin found on the Northerly right-of-way line of State Route No. 53 (McEver Road) (varying width right-of-way);

Thence along said State Route No. 53 the following courses:

Thence South 64 degrees 25 minutes 35 seconds West for a distance of 15.10 feet to a point; Thence along a curve to the left having a radius of 1497.40 feet and an arc length of 272.56 feet, being subtended by a chord of South 58 degrees 38 minutes 18 seconds West for a distance of 272.18 feet to a point; Thence South 64 degrees 09 minutes 35 seconds West for a distance of 9.69 feet to a point;

Thence leaving said State Route No. 53 the following courses:

Thence North 25 degrees 50 minutes 20 seconds West for a distance of 32.82 feet to a 1/2" rebar pin set; Thence South 64 degrees 09 minutes 40 seconds West for a distance of 68.06 feet to a 1/2" rebar pin set; Thence North 27 degrees 00 minutes 50 seconds West for a distance of 158.45 feet to a 1/2" rebar pin set; Thence South 59 degrees 46 minutes 38 seconds West for a distance of 182.21 feet to a 1/2" crimp top pin found; Thence North 30 degrees 13 minutes 27 seconds West for a distance of 136.25 feet to a point and said point being the POINT OF BEGINNING.

Said property contains 3.32 acres more or less.

SECTION II.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

This Ordinance is enacted as an amendment to the Code of the City of Gainesville, Georgia, and is to be codified as a part of Section 9-1-1-5 thereof.

SECTION V.

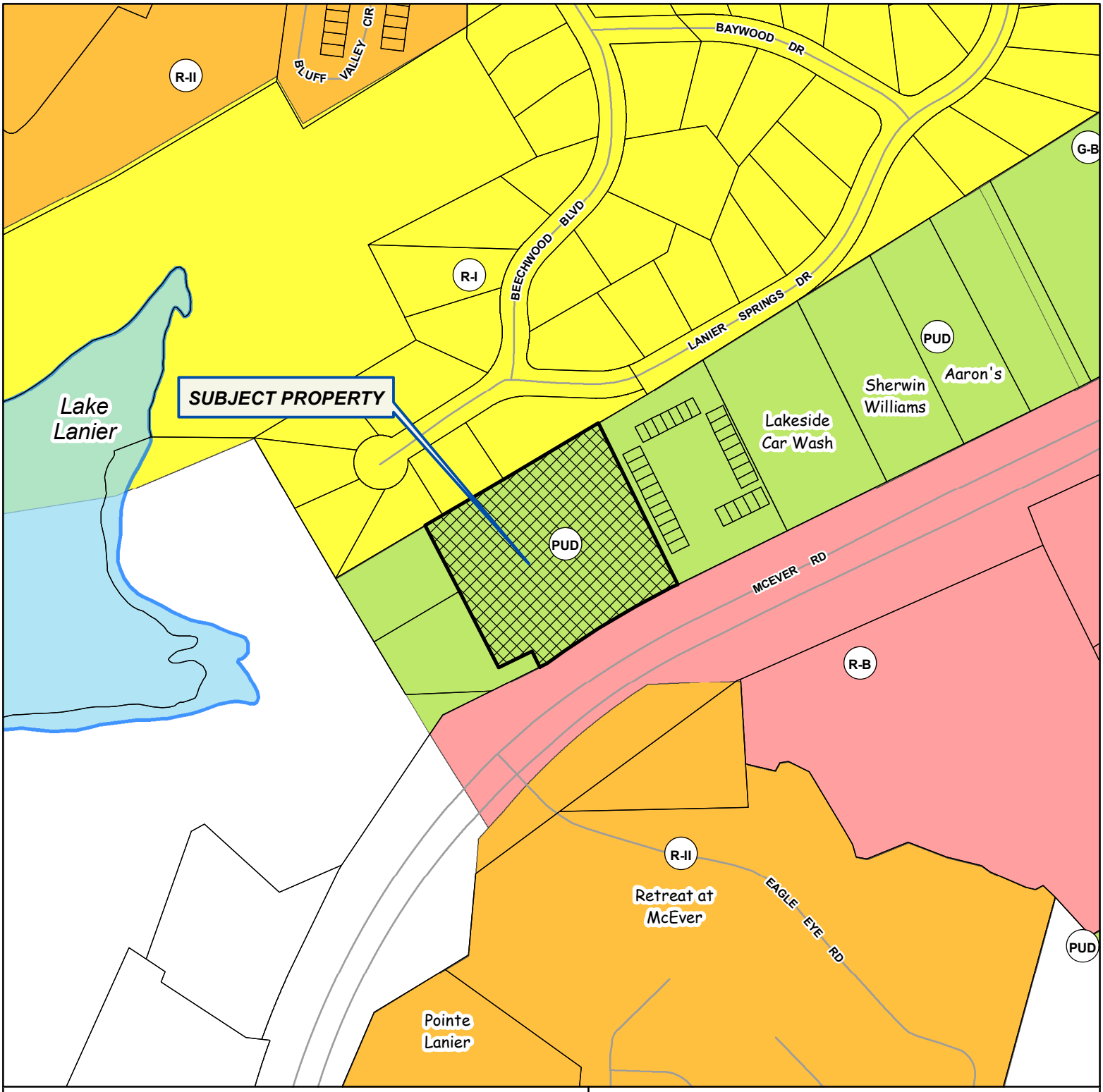
The effective date of this Ordinance shall be upon approval by the governing authority of the City of Gainesville, Georgia.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



Applicant:

ZONING AMENDMENT REQUEST

MCEVER EXTENSION PROPERTIES, LLC

Request:
Amend an existing condition of zoning within a Planned Unit Development (P-U-D) for an office building addition

Subject Area Address:
970 McEver Road, NW

Meeting: 12/12/2017

Prepared: 11/16/2017

Gainesville Community Development Department

Subject Property

N

0 150 300 450 600 Feet

1 " = 250 '

Tax Parcel: 01-116-002-032

Applicant:

ZONING AMENDMENT REQUEST

MCEVER EXTENSION PROPERTIES, LLC

Request:
Amend an existing condition of zoning within a Planned Unit Development (P-U-D) for an office building addition

Subject Area Address:
970 McEver Road, NW

Meeting: 12/12/2017

Prepared: 11/16/2017

Gainesville Community Development Department

Subject Property

Aerial from 2015

N

0 150 300 450 600 Feet

1 " = 250 '

Tax Parcel: 01-116-002-032

REZONING APPLICATION NARRITIVE

McEver Road
Office Building

PUD DEVELOPMENT

Introduction

The applicant is requesting a change in the zoning condition for a larger building in an existing PUD zoned commercial office development on McEver Road.

Existing Site Description

The development covers 3.32 acres with an office building and associated parking lot. The property was rezoned Planned Office Development (POD) in 1986. In 1989 the zoning was amended to expand the existing building to a maximum building size of 28,800 s.f.

The property to the east and west is a PUD office development and to the north is a residential single family development.

Proposed Site Description

The current proposal is to renovate and expand the existing building from 25,000 s.f. to 36,245 s.f. The expansion will occur in the existing parking lot. The total impervious area of the development will be reduced by creating more landscape areas in the existing parking lot. The site is currently covered with mature trees. The trees outside the building expansion will be saved and additional trees will be planted to improve the tree coverage and meet the tree and landscaping requirements.

.

Comprehensive Land Use Plan

The Comprehensive Land Use Plan calls for this parcel to be Commercial. This is what is proposed for this development.

Conclusion

It is therefore concluded that this development is in keeping with the comprehensive plan, is an asset to the community, and has been conceived and planned with compatibility to the neighborhood. McEver Extension Properties, LLC. respectfully requests that this development be approved as submitted.

Existing Facility

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PREPARED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST ZONE, NORTH AMERICAN DATUM OF 1983\2007 ADJUSTMENT. THE COMBINED SCALE FACTOR FOR THIS SITE IS: 0.99909481. (GRID DISTANCE\SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

2. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

3. THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). CONTOURS WERE COMPUTED BASED ON FIELD LOCATED SPOT ELEVATIONS AND ARE SHOWN AT 1-FOOT INTERVALS.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 18,430 FEET AND AN ANGULAR CLOSURE OF 00°00'03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.G. & G.A.

5. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 133,129 FEET.

6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

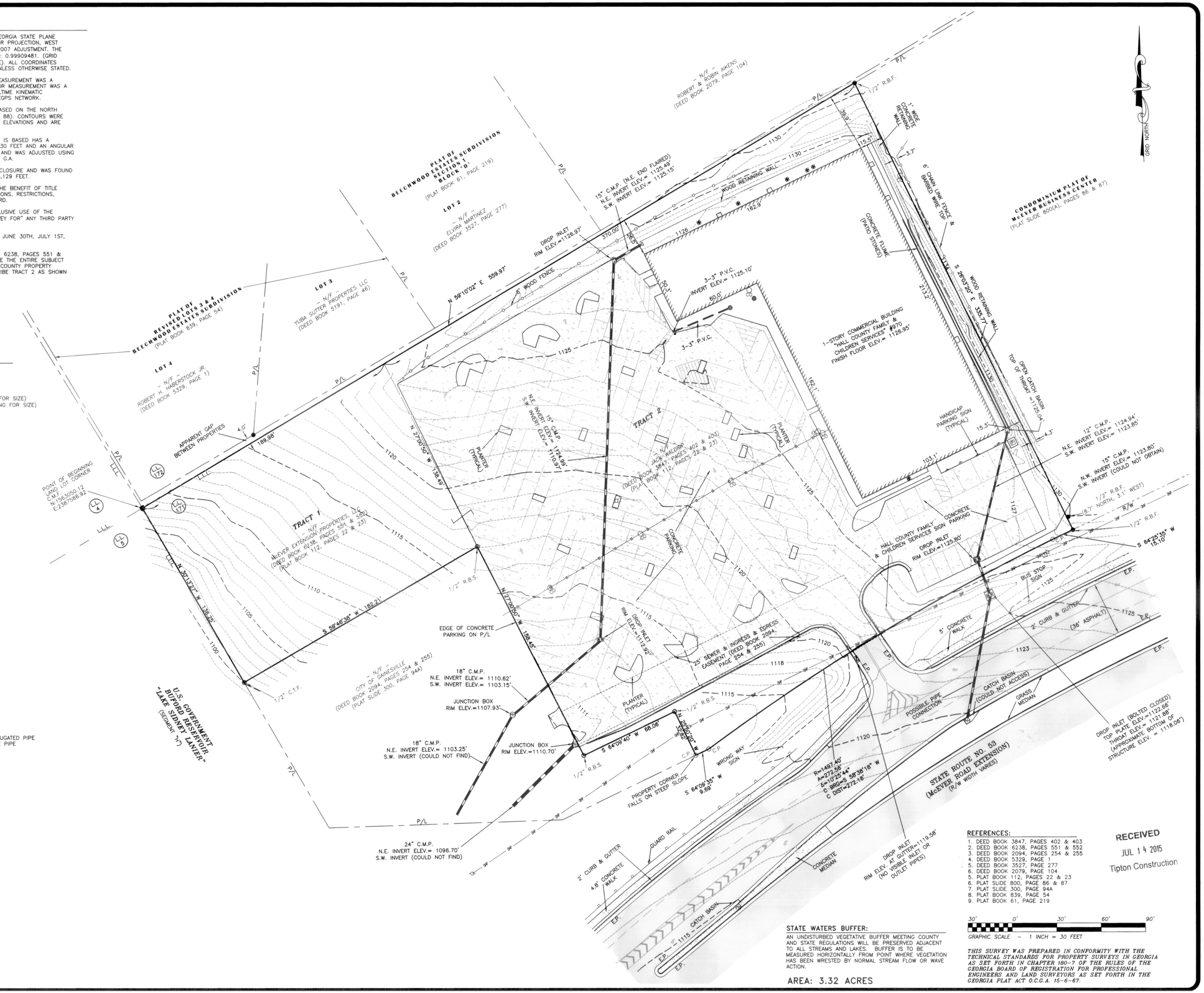
7. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

8. THE FIELD SURVEY WAS CONDUCTED ON JUNE 30TH, JULY 1ST, 2ND AND ??, 2015.

9. THE DEED AS RECORDED IN DEED BOOK 6238, PAGES 551 & 552 BY DESCRIPTION APPEARS TO DESCRIBE THE ENTIRE SUBJECT PROPERTY, HOWEVER BASED ON THE HALL COUNTY PROPERTY APPRAISER IT IS ONLY INTENDED TO DESCRIBE TRACT 2 AS SHOWN ON THIS SURVEY.

LEGEND:

- △ A.I.F. – ANGLE IRON FOUND
- ⊗ A.F. – AXLE FOUND
- ■ C.M.F. – CONCRETE MONUMENT FOUND
- ▣ A.M.F. – ALUMINUM MONUMENT FOUND
- ● C.T.F. – CRIMP TOP PIN FOUND
- ● R.B.F. – REBAR FOUND (SEE DRAWING FOR SIZE)
- ◉ O.T.F. – OPEN TOP FOUND (SEE DRAWING FOR SIZE)
- ⊙ I.P.F. – IRON PIN FOUND
- ⊗ P.K.N.F. – PARKER KALON NAIL FOUND
- ⚔ F.X. – X-CUT FOUND
- ◆ N.F. – NAIL FOUND
- ◇ R.F. – ROCK FOUND
- ▬ R.R.F. – RAILROAD SPIKE FOUND
- ⊡ T.F. – TACK FOUND
- ⊠ P.K.N.S. – PARKER KALON NAIL SET
- ⊙ R.B.S. – 1/2" REBAR SET WITH CAP
- □ C.M.S. – CONCRETE MONUMENT SET
- ○ N.S. – NAIL SET
- ○ C.P. – CALCULATED POINT
- ▣▣ D.I. – DROP INLET
- Ⓤ J.B. – JUNCTION BOX
- Ⓒ C.R. – CABLE RISER
- Ⓣ T.R. – TELEPHONE RISER
- Ⓟ P.B. – POWER TRANSFORMER BOX
- ◇ P.P. – POWER POLE
- ⌖ S.P. – SERVICE POLE
- T T.P. – TELEPHONE POLE
- ☼ L.P. – LIGHT POLE
- G G.W. – GUY WIRE
- ◒ G.P. – GUY ANCHOR POLE
- E E.S. – ELECTRIC SERVICE
- WM W.M. – WATER METER
- WV W.V. – WATER VALVE
- ⊙ F.H. – FIRE HYDRANT
- F.D.C. – FIRE DEPARTMENT CONNECTION
- I.C.V. – IRRIGATION CONTROL VALVE
- ⊛ W.P. – WELL POINT
- ⊙ C.O. – SANITARY CLEANOUT
- Ⓢ S.S.M.H. – SANITARY SEWER MANHOLE
- ⋈ G.V. – SANITARY GATE VALVE
- ✹ H.W. – HARDWOOD TREE
- ✹ P.T. – PINE TREE
- ○ M.T. – MISCELLANEOUS TYPE TREE
- Ⓤ U.M. – UNKNOWN TYPE MANHOLE
- GAS GAS – GAS VALVE
- GM G.M. – GAS METER
- P – P. – PROPANE TANK
- F.P. – FLAG POLE
- T.S.P. – TRAFFIC SIGNAL POLE
- T.S.B. – TRAFFIC SIGNAL BOX
- B.O. – WATER BLOW OFF
- B.F.P. – WATER BACKFLOW PREVENTER
- T.M.H. – TELEPHONE MANHOLE
- Ⓨ Y.I. – YARD INLET
- M.W. – MONITORING WELL
- B.P. – BOLLARD POST
- S.N.L. – TRAFFIC SIGN
- A.C. – AIR CONDITIONER
- E.P. – EDGE OF PAVEMENT
- B.C. – BACK OF CURB
- C.M.P. – CORRUGATED METAL PIPE
- R.C.P. – REINFORCED CONCRETE PIPE
- B.C.C.M.P. – BITUMINOUS COATED CORRUGATED PIPE
- H.D.P.E. – HIGH DENSITY POLYETHYLENE PIPE
- P.V.C. – POLYVINYL CHLORIDE PIPE
- D.I.P. – DUCTILE IRON PIPE
- R.W. – RETAINING WALL
- —T— – BURIED TELEPHONE LINE
- —TT— – OVERHEAD TELEPHONE LINE
- —W— – BURIED WATER MAIN
- —SS— – BURIED SEWER LINE
- —G— – BURIED GAS LINE
- —E— – BURIED ELECTRIC LINE
- —TV— – BURIED CABLE TV
- —O—O— – CHAIN LINK FENCE
- —□—□— – WOOD FENCE
- —x—x— – WIRE FENCE
- —OHP— – OVERHEAD POWER LINES
- P/L – PROPERTY LINE
- R/W – RIGHT-OF-WAY
- N/F – NOW OR FORMERLY
- ℄ – CENTERLINE
- INTX – INTERSECTION
- R – CURVE RADIUS
- L – CURVE ARC LENGTH
- Δ – CURVE CENTRAL ANGLE
- C BRG – CHORD BEARING
- C DIST – CHORD DISTANCE
- L.L. – LAND LOT
- N – NORTHING COORDINATE
- E – EASTING COORDINATE
- S/B – SETBACK
- ⁓ – CONTINUOUS OWNERSHIP



REFERENCES:

1. DEED BOOK 3847, PAGES 402 & 403
2. DEED BOOK 6238, PAGES 551 & 552
3. DEED BOOK 2094, PAGES 254 & 255
4. DEED BOOK 5329, PAGE 1
5. DEED BOOK 3527, PAGE 277
6. DEED BOOK 2079, PAGE 104
5. PLAT BOOK 112, PAGES 22 & 23
6. PLAT SLIDE 800, PAGE 86 & 87
7. PLAT SLIDE 300, PAGE 94A
8. PLAT BOOK 839, PAGE 54
9. PLAT BOOK 61, PAGE 219

RECEIVED
JUL 14 2015
Tipton Construction

STATE WATERS BUFFER:

AN UNDISTURBED VEGETATIVE BUFFER MEETING COUNTY AND STATE REGULATIONS WILL BE PRESERVED ADJACENT TO ALL STREAMS AND LAKES. BUFFER IS TO BE MEASURED HORIZONTALLY FROM POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION.

AREA: 3.32 ACRES

30' 0' 30' 60' 90'

GRAPHIC SCALE – 1 INCH = 30 FEET

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
FAX: (770) 532-1995
www.pattonsurveying.com

PATTON
LAND SURVEYING, LLC

GEORGIA REGISTERED PROFESSIONAL No. 2647 LAND SURVEYOR CHRIS M. PATTON

RETRACEMENT/TOPOGRAPHIC SURVEY FOR:

McEVER ROAD PROPERTIES, LLC

– LOCATED IN –

LAND LOT 171
9TH LAND DISTRICT
HALL COUNTY, GEORGIA

REVISIONS

No.	DATE	DESCRIPTION

SHEET NUMBER: 1 of 1

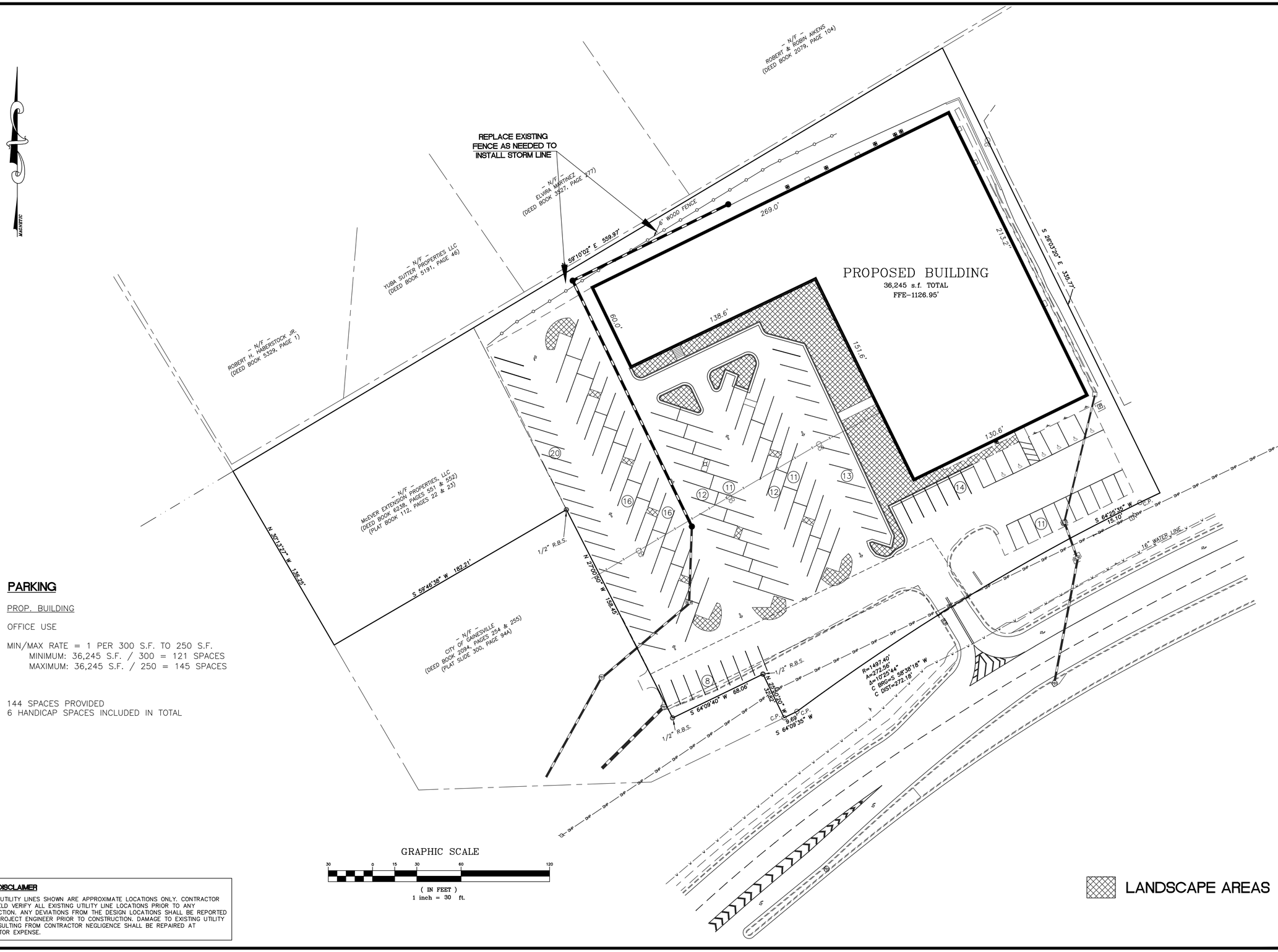
SCALE: 1" = 30'

SURVEY DATE: 07/02/2015

PLAT DATE: 07/10/2015

15-139.dwg

JN. 15-139



PARKING

PROP. BUILDING

OFFICE USE

MIN/MAX RATE = 1 PER 300 S.F. TO 250 S.F.
MINIMUM: 36,245 S.F. / 300 = 121 SPACES
MAXIMUM: 36,245 S.F. / 250 = 145 SPACES

144 SPACES PROVIDED
6 HANDICAP SPACES INCLUDED IN TOTAL

UTILITY DISCLAIMER

EXISTING UTILITY LINES SHOWN ARE APPROXIMATE LOCATIONS ONLY. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITY LINE LOCATIONS PRIOR TO ANY CONSTRUCTION. ANY DEVIATIONS FROM THE DESIGN LOCATIONS SHALL BE REPORTED TO THE PROJECT ENGINEER PRIOR TO CONSTRUCTION. DAMAGE TO EXISTING UTILITY LINES RESULTING FROM CONTRACTOR NEGLIGENCE SHALL BE REPAIRED AT CONTRACTOR EXPENSE.

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Seal
ROBERT EDWARD BORG
REGISTERED PROFESSIONAL ENGINEER
PROF. 30513
GEORGIA
10–11–17
GSWCC#21552

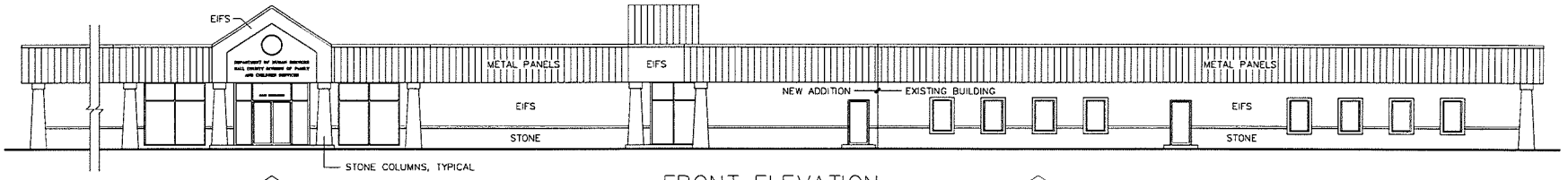
MYERS & CO.
civil engineers
P.O. BOX 634
GAINESVILLE, GA 30503
770–297–9793
ed@myers–and–co.com

Project Description
DEFACS
OFFICE BUILDING
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

DATE 10–25–17
JOB NO. 15–24
Sheet Title PROPOSED SITE

Revisions

SHEET C-3



FRONT ELEVATION

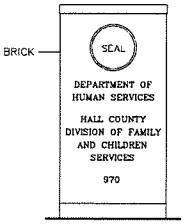
1/8" = 1'-0"

MAIN ENTRANCE

1/4" = 1'-0"

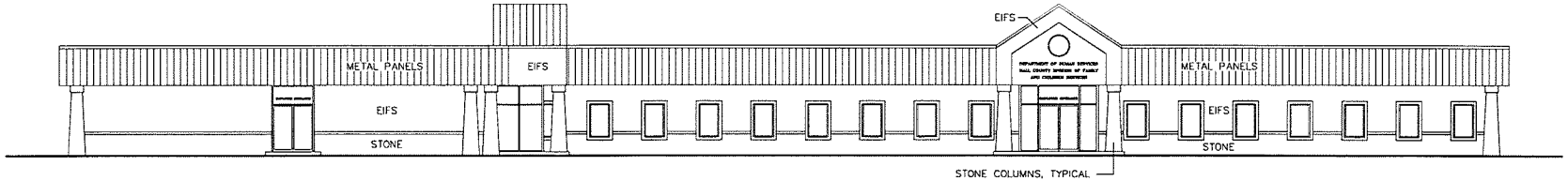
EMPLOYEE ENTRANCE

1/4" = 1'-0"



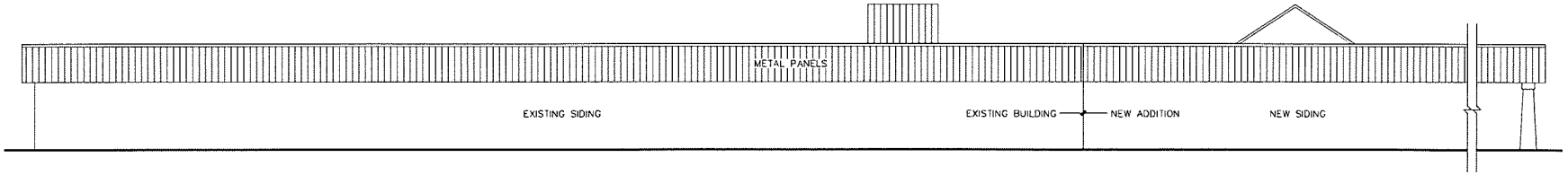
MONUMENT SIGN

3/8" = 1'-0"



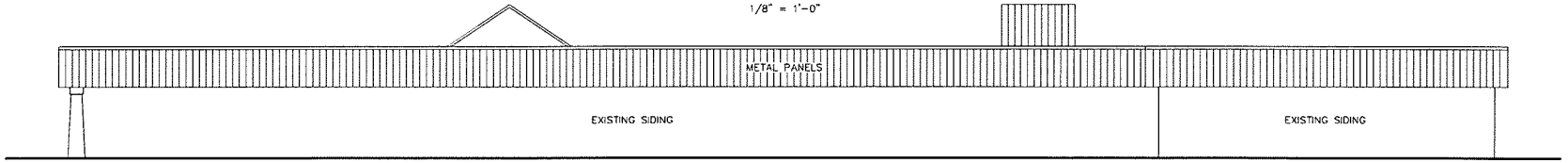
LEFT SIDE ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"



RIGHT SIDE ELEVATION

1/8" = 1'-0"

Bailey Associates
Architects
Conesville
Georgia 30501
770 534 6612

DFACS OFFICE BUILDING
970 MCEVER ROAD EXTENSION
GAINESVILLE, GEORGIA

Project No 16046
Drawn By JKB
Checked By
Date MAY 25, 2017
Revisions
OCT. 12, 2017

A3
OF