



**Work Session Agenda**  
**Thursday, August 11, 2022, 9:00 AM**  
**Administration Building, Boardroom (3rd Floor)**  
**300 Henry Ward Way, Gainesville, GA 30501**  
**Mayor or Mayor Pro Tem Presides**

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**DEPARTMENT ISSUES**

**Communications & Tourism**

- Tourism Update for 2nd Quarter 2022 Robyn Lynch

**Public Works**

- Resolution: Authorization to Partner, Submit and Accept Grant Funding for the Safe Streets and Roads for All Program Matt Tarver

**Water Resources**

- Resolution: Williams Brothers Development (Ramsey Circle Tract) Annexation Waiver Nick Swafford

**CITY MANAGER ISSUES**

- Resolution: Approving Projects (The Coop, a Retail Facility, and The Boathouse), Authorizing Staff and Professionals to Develop a Plan of Finance, and Authorizing Execution of Related Documents Bryan Lackey
- **Public Hearing Item: August 16, 2022 Council Meeting** Bryan Lackey  
Consideration of a resolution regarding a Project Description Supplement (the "Project Supplement") to the Midtown Gainesville Redevelopment Plan originally adopted on April 20, 2010 (the "Plan"). The Plan set forth the urban redevelopment area (the "Midtown Redevelopment Area") and some urban redevelopment projects.

**MAYOR/COUNCIL ISSUES**

- Ex-Officio Report(s)
- Appointment(s): Convention & Visitors Bureau Authority Sam Couvillon
- Appointment(s): Historic Preservation Commission Sam Couvillon
- Appointment(s): Lake Lanier Olympic Park Foundation Board Sam Couvillon
- Appointment(s): Main Street Advisory Board Sam Couvillon
- Appointment(s): Metropolitan Planning Committee - Citizens Advisory Committee Sam Couvillon
- Appointment(s): Redevelopment Authority Sam Couvillon

**CITY ATTORNEY ISSUES**

- Resolution: Hall County Sardis Road Connector Project Abb Hayes
- Ordinance: Deannexation of Capstone Inland Crossing Abb Hayes
- Resolution: Capstone Inland Crossing Sewer Annexation Waiver Abb Hayes

**CITY CLERK ISSUES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

Final: Tuesday, August 9, 2022, 11:35 AM



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** July 28, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Robyn Lynch, Tourism Director  
**Item of Business:** Tourism Update for 2nd Quarter 2022  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

To present to the Mayor and Council information on activities and statistics in the 2nd quarter of the year.

**Facts & Issues / History & Background:**

**Department Recommendation:**

**Department Director:**

Robyn Lynch

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Presentation: CVB 2nd Quarter Report



CONVENTION & VISITORS  
BUREAU

UPDATE AND LOOKING AHEAD



## 2<sup>nd</sup> Quarter EVENTS & ECONOMIC IMPACT

- GA Bass Nation Fishing Tournament
- GHSA Qualifier Bass Fishing Tournament
- Skeeter 2 day Tournament
- ATF Retiree Conference
- Gainesville Welcome Center Open House
- NCAA Women's Division II Golf Championships
- GHSA Boy's Golf State Championship
- Food Truck Fridays
- Farmer's Market
- First Friday
- Tri the Parks triathlon
- Georgia Police and Fire Games
- Georgia Shootout Lacrosse

11,550

ATTENDEES

\$

\$2.2 million

2.5k

ROOM NIGHTS



## FY22 Economic Impact Stats 7/1/2021- 6/30/2022

+180k

ATTENDEES

Gainesville CVB involved with over 60 events from conferences, concerts, festivals, training at LLOP and sporting events.

\$

+19 million

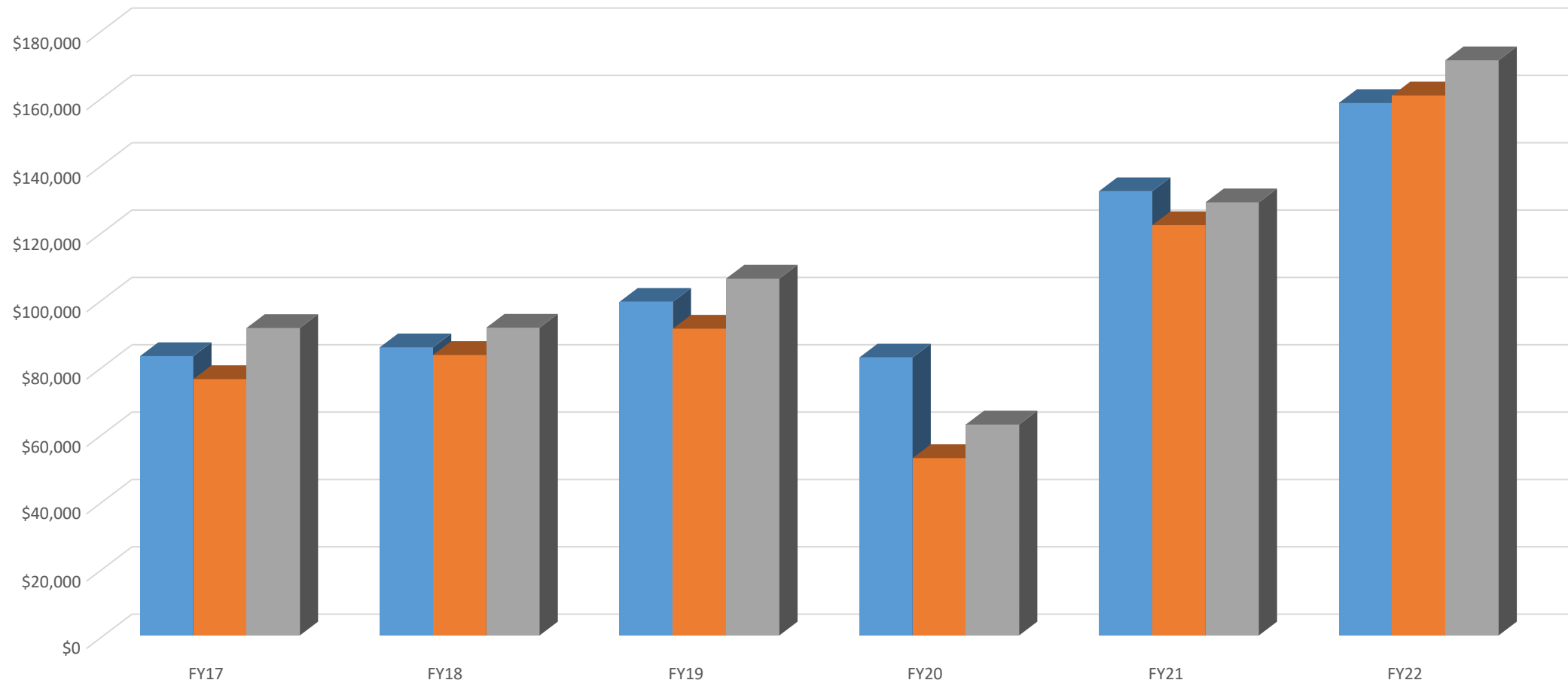
From welcome bags, room block negotiations, hosting hospitality rooms and parties, hosting fees, hospitality sheets, visitor guides and promotional items- the Gainesville CVB welcomed over 100,000 guests!

+12k

ROOM NIGHTS

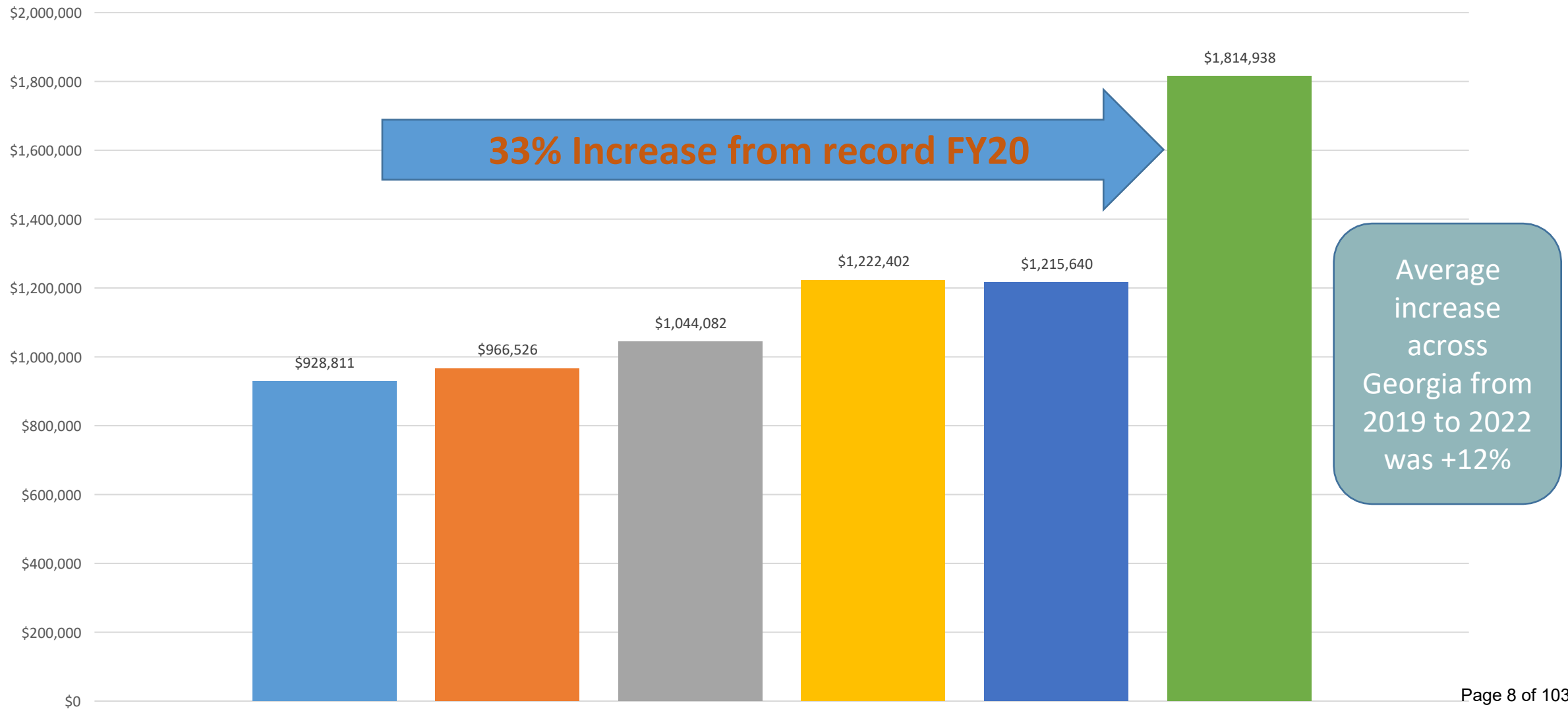


# HOTEL/MOTEL Revenue: April – June FY17-FY22





# HOTEL/MOTEL Annual Revenue FY17-FY22





# CONFERENCE/BUSINESS

- Small training groups on the rise
  - 3x conferences scheduled in 2023 compared to 2022
  - 97% of Companies are resuming travel
- GA Dept of Economic Development and Tourism

## ATF Retirees

April 24-28, 2022

- 150 attendees
- Itineraries to Atlanta Botanical Garden, History Center
- Excursions to Dahlonega and Helen
- Gainesville Trolley utilized to shuttle guests from Ramada to Aqualand for boat trip
- Welcome bags
- Room block assistance





# SPORTS



GREATER  
*Gainesville*  
SPORTS ALLIANCE



WINNING COMBINATION



# SPORTS





# SPORTS



**TRI the PARKS**  
TRIATHLON • DUATHLON • AQUABIKE





# Community Events





# 3<sup>rd</sup> Quarter 2022 EVENTS

## JULY

- First Friday
- Beach Bash
- GA Peach Triathlon
- Wicked Weekend RC Car Racing
- CWSA Wakeboard Event

## AUGUST

- First Friday
- Food Truck Friday
- Tiger Takeover
- MLF Bulldog Series
- Wakeboard Series

## SEPTEMBER

- First Friday
- Hong Kong Dragon Boat Festival
- Mizuno Golf Tournament
- Georgia Beekeepers Association Conference
- Georgia Square Dancing Association Conference
- Georgia Public Library Director's Conference



# GAINESVILLE-HALL DRAGONBOAT CHALLENGE



The GAINESVILLE EXPLORERS DRAGON BOAT CREW



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 8, 2022  
**Date Submitted:** August 9, 2022  
**Final Approval Date:** August 10, 2022  
**Presenter:** Matt Tarver, Deputy Director of Engineering & Transportation  
**Item of Business:** Resolution: Authorization to Partner, Submit and Accept Grant Funding for the Safe Streets and Roads for All Program  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

In cooperation with Hall County and other municipalities, submit a joint funding application for the Safe Streets and Roads for All Grant Opportunity.

**Facts & Issues / History & Background:**

This funding is made available through the USDOT as part of the Bipartisan Infrastructure Law. Hall County would be the primary grant applicant and Gainesville would be a co-applicant.

**Department Recommendation:**

Approve the resolution.

**Department Director:**

Chris Rotalsky

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

**Amount Requested:**

**Sources of Funds:** CIP Funds

Up to \$40,000

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Resolution: Authorization to Partner, Submit and Accept Grant Funding for the Sale of Streets and Roads for All Programs

**RESOLUTION BR-2022 - \_\_\_\_**

**Authorization to Partner, Submit and Accept Grant Funding for the  
Safe Streets and Roads for All Program**

**WHEREAS**, the Bipartisan Infrastructure Law (BIL) passed by the United States Government established the new Safe Streets and Roads for All (SS4A) program; and

**WHEREAS**, the SS4A program funds regional and local initiatives to prevent roadway deaths and serious injuries through the development of a Comprehensive Safety Action Plan; and

**WHEREAS**, a Comprehensive Safety Action Plan will analyze roadway safety problems through an assessment of current conditions, engagement and collaboration with citizens, and project development; and

**WHEREAS**, the City of Gainesville desires to partner with Hall County to develop a Comprehensive Safety Action Plan to improve vehicular and pedestrian safety throughout the City of Gainesville and Hall County; and

**WHEREAS**, the SS4A grant program requires twenty percent matching funds from local jurisdictions that apply for and are awarded the grant; and

**WHEREAS**, the City of Gainesville will apply with Hall County and provide matching funds required for the SS4A grant application based on population within each participating jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby authorizes the Mayor, City Manager, and City Attorney to apply for, provide matching funds and accept grant funds for the Safe Streets and Roads for All (SS4A) program and to execute such documents that may be necessary to effectuate the approvals set forth in this Resolution.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

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

**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 2, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Nick Swafford, Civil Engineer III Perm Service Manager  
**Item of Business:** Resolution: Williams Brothers Development (Ramsey Circle Tract) Annexation Waiver  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

Williams Brothers Development, LLC, has formally requested the annexation requirement for sanitary sewer service be waived for a proposed residential development located at 2581 Ramsey Circle, which is currently contiguous with the existing City limits.

**Facts & Issues / History & Background:**

Per resolution BR-2018-44, the governing body of the City may waive the annexation requirement for sanitary sewer service if the proposed use of the property is non-conforming to the City's Unified Land Development Code (ULDC) or if the use is inconsistent with the City's Comprehensive Future Land use Plan. Community and Economic Development Department staff have identified the proposed use as non-conforming and, as such, supports the developer's desire to remain in unincorporated Hall County while still allowing the development to connect to the City's sanitary sewer system.

**Department Recommendation:**

Approve the proposed resolution for a request by the developer to remain in unincorporated Hall County and connect to the City's public sanitary sewer system, while waiving the requirement to annex the property into the City limits of Gainesville.

**Department Director:**

Linda MacGregor

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Resolution: William\_Brothers\_Dev\_Ramsey\_Circle\_Tract\_
2. Backup Material: Location Map
3. Backup Material: Sewer Letter\_Ramsey

**RESOLUTION BR-2022 - \_\_\_\_**

**WILLIAMS BROTHERS DEVELOPMENT (RAMSEY CIRCLE TRACT) ANNEXATION  
WAIVER**

**WHEREAS**, the City of Gainesville owns and operates a sanitary sewer collection system serving the City of Gainesville and surrounding areas; and

**WHEREAS**, the City of Gainesville requires property owners who desire to connect to the sanitary sewer collection system to annex into the corporate limits of the City of Gainesville prior to connection when contiguous to the City Limits; and

**WHEREAS**, in some instances, the City may desire to provide sanitary sewer service to property which is contiguous to the municipal boundaries of the City for protection of the public health and welfare of the community, despite the proposed use of said property not conforming to the City Unified Land Development Code and/or despite the proposed use of said property being inconsistent with the City Comprehensive Future Land Use Plan; and

**WHEREAS**, in these instances, the City of Gainesville will allow connection to the City's sanitary sewer collection system without requiring annexation into the City Limits but will require execution of a sanitary sewer service agreement and power of attorney for future annexation of said property; and

**WHEREAS**, the developer, Williams Brothers Development, LLC, proposes a residential development encompassing the property located at 2581 Ramsey Circle and has formally requested, in writing, the annexation requirement for connection to the City's sanitary sewer system be waived; and

**WHEREAS**, Community and Economic Development Department staff have identified the nature of the residential development to be non-conforming with the City's Comprehensive Future Land Use Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby approves this request to allow connection of the proposed development to the City's sanitary sewer system without annexing.

**BE IT FURTHER RESOLVED THAT** the Mayor, City Manager and/or City Attorney are authorized to sign any and all documents that may be necessary to effectuate the connection of the Property to the City's sanitary sewer system.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.**

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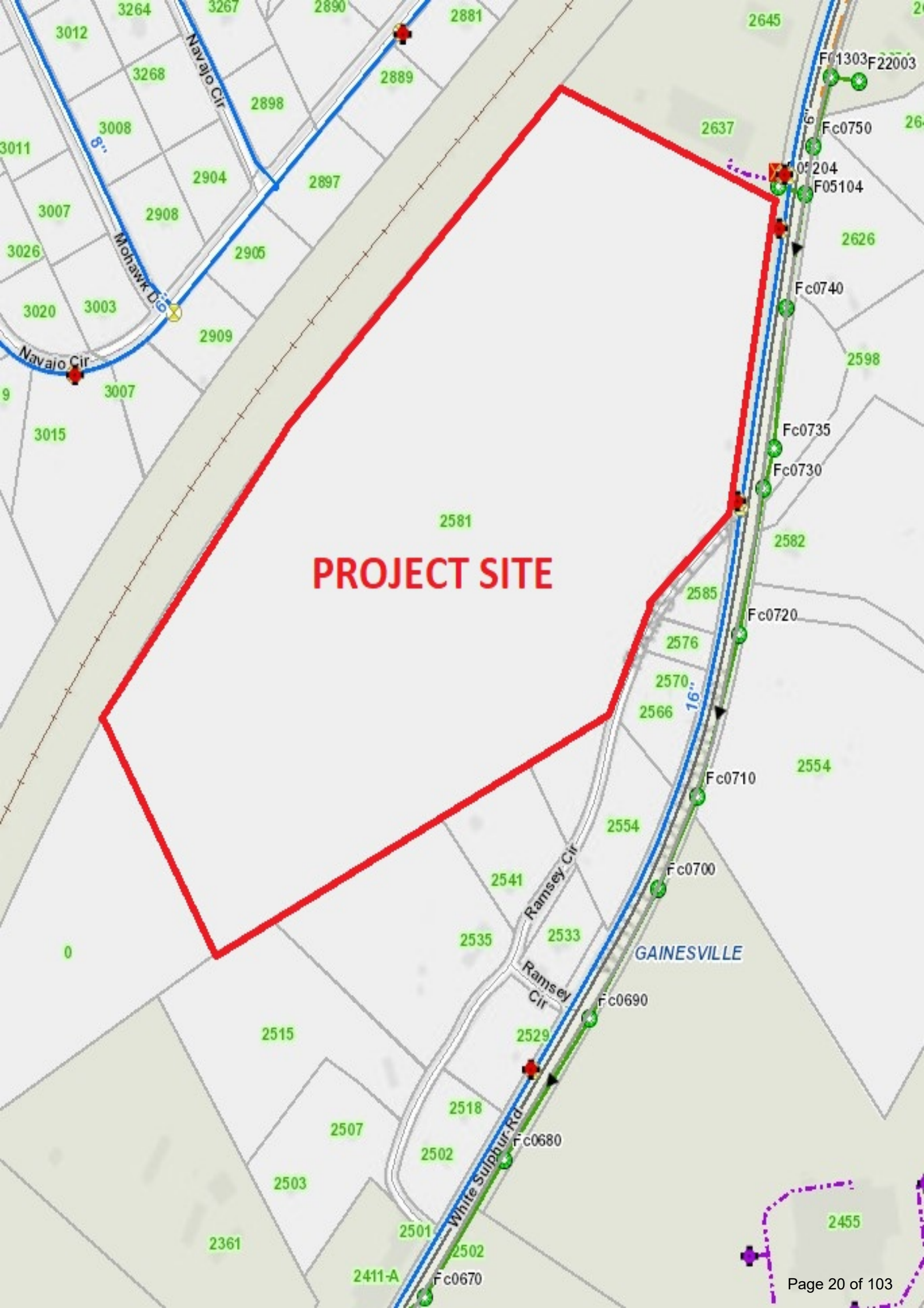
**W. Samuel Couvillon, Mayor**

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

**ATTEST:**

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**Denise O. Jordan, City Clerk**



To Whom it May Concern,

This letter is to request access to the City of Gainesville Water and Sewer for a proposed development along White Sulphur Road in Hall County. The property will be a consolidation of 2 lots, addresses are 2581 Ramsey Circle, Parcel ID 09113000001 and the other address is not listed, Parcel ID 09120000004.

The applicant has spoken to Nick Swafford at City of Gainesville for consideration to access water and sewer while foregoing annexation into the Gainesville city limits.

Sewer access is currently at the property, along White Sulphur Road.

Thank you,

Cameron Grogan  
Williams Brothers Development, LLC  
[cgrogan@williamsbrothersdev.com](mailto:cgrogan@williamsbrothersdev.com)  
404-548-7128



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 2, 2022  
**Date Submitted:** August 7, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Bryan Lackey, City Manager  
**Item of Business:** Resolution: Approving Projects (The Coop, a Retail Facility, and The Boathouse), Authorizing Staff and Professionals to Develop a Plan of Finance, and Authorizing Execution of Related Documents  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

To present the resolution for approving Approving Projects (The Coop, a Retail Facility, and The Boathouse), Authorizing Staff and Professionals to Develop a Plan of Finance, and Authorizing Execution of Related Documents.

**Facts & Issues / History & Background:**

The Gainesville Redevelopment Authority has been created pursuant to an Act of the General Assembly (Ga. Laws 1978 p. 4440 *et seq.*, as amended by Ga. Laws 1980 p. 2024 *et seq.*, as continued by Ga. Laws 1987 p. 3637 *et seq.* and as further amended by Ga. Laws 1999 p. 4697 and Ga. Laws 2009 p. 4105 *et seq.* (the "Act")). The Act grants the Authority the power and authority to issue its revenue bonds. Pursuant to the Act, the Authority is not permitted to engage in an undertaking that requires capital expenditures until a resolution approving such undertaking has been adopted by a majority vote of the members of the governing body of the City attending a regular or special meeting of the governing body at which a majority of the members of the governing body is present. The City hereby requests that the Authority issue its revenue bonds for the purpose of financing The Coop, a Retail Facility, and The Boathouse (said projects collectively referred to as the "Projects").

**Department Recommendation:**

The recommendation is to approve the Projects as required by the Act. To authorize the City's staff, its financial advisor, and its bond counsel to do all things necessary or desirable in connection with the issuance of the Bonds for the purpose of financing the Projects. To authorize the Mayor, City Manager, and City Attorney to execute all such documents.

**Department Director:**

Jeremy Perry

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**  
\$38 million

**Sources of Funds:**  
Debt Service Fund, Hotel/Fund Funds

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

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1. Resolution: Approving Projects (The Coop a Retail Facility and The Boathouse) Authorize Develop a Plan of Finance and Execution of Related Documents

**RESOLUTION BR-2022 - \_\_\_\_**

**APPROVING PROJECTS (THE COOP, A RETAIL FACILITY, AND THE BOATHOUSE),  
AUTHORIZING STAFF AND PROFESSIONALS TO DEVELOP A PLAN OF FINANCE, AND  
AUTHORIZING EXECUTION OF RELATED DOCUMENTS**

**WHEREAS**, the Gainesville Redevelopment Authority (the “Authority”) has heretofore been created pursuant to an Act of the General Assembly (Ga. Laws 1978 p. 4440 *et seq.*, as amended by Ga. Laws 1980 p. 2024 *et seq.*, as continued by Ga. Laws 1987 p. 3637 *et seq.* and as further amended by Ga. Laws 1999 p. 4697 and Ga. Laws 2009 p. 4105 *et seq.* (the “Act”)) and the Authority is now existing and operating and its members have been duly appointed and entered into their duties; and

**WHEREAS**, the Authority was created for the general purpose of expanding for the public good and welfare the public facilities of “project areas” and to do any and all things deemed by the Authority necessary, convenient or desirable for or incident to the efficient and proper development, revitalization, modernization and operation therefor; and

**WHEREAS**, project areas are those urban, central city or other areas within the city limits of the City of Gainesville, Georgia (the “City”) selected by the Authority for redevelopment, development or improvement; and

**WHEREAS**, the Act grants the Authority the power and authority to issue its revenue bonds, in accordance with the applicable provisions of the Revenue Bond Law of the State of Georgia (O.C.G.A. Title 36, Chapter 82, Article 3, as amended) for the purpose of paying all or part of the costs incurred for any one or more projects as defined in the Act, which revenue bonds shall be validated; and

**WHEREAS**, pursuant to the Act, the Authority is not permitted to engage in an undertaking that requires capital expenditures until a resolution approving such undertaking has been adopted by a majority vote of the members of the governing body of the City attending a regular or special meeting of the governing body at which a majority of the members of the governing body is present; and

**WHEREAS**, the City hereby requests that the Authority issue its revenue bonds (the “Bonds”) for the purpose of financing a multi-field recreation facility known as “The Coop”, a retail facility, and a facility known as “The Boathouse” that will include a boathouse, a conference center and office space (said projects collectively referred to as the “Projects”), all in accordance with a plan of finance to be provided to the Authority by the City and its financial advisor (the “Plan of Finance”); and

**WHEREAS**, the City desires to approve the Projects as required by the Act.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body hereby approve the Projects as required by the Act.

**BE IT FURTHER RESOLVED** that the City’s staff, its financial advisor and its bond counsel are hereby authorized, empowered and directed to do all such acts and things as may be necessary or desirable in connection with the issuance of the Bonds for the purpose of financing the Projects, including, but not limited to the development of the Plan of Finance.

**BE IT FURTHER RESOLVED** that the Mayor, City Manager, and City Attorney are hereby authorized and empowered to execute all such documents (the “Documents”) as may be necessary or desirable in connection with the issuance of the Bonds.

**RESOLUTION BR-2022 - \_\_\_\_**

**APPROVING PROJECTS (THE COOP, A RETAIL FACILITY, AND THE BOATHOUSE),  
AUTHORIZING STAFF AND PROFESSIONALS TO DEVELOP A PLAN OF FINANCE, AND  
AUTHORIZING EXECUTION OF RELATED DOCUMENTS**

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon its adoption.

**BE IT FURTHER RESOLVED** that any and all resolutions in conflict with this resolution are hereby repealed.

**Adopted this \_\_\_\_ day of August, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

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

**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**



## CITY OF GAINESVILLE

### Work Session Agenda Request

**Item Created:** August 2, 2022

**Date Submitted:** August 7, 2022

**Final Approval Date:** August 9, 2022

**Presenter:** Bryan Lackey, City Manager

**Item of Business:** **Public Hearing Item: August 16, 2022 Council Meeting**  
Consideration of a resolution regarding a Project Description Supplement (the "Project Supplement") to the Midtown Gainesville Redevelopment Plan originally adopted on April 20, 2010 (the "Plan"). The Plan set forth the urban redevelopment area (the "Midtown Redevelopment Area") and some urban redevelopment projects.

**Meeting Date:** August 11, 2022

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**Purpose of Request:**

To adopt and approve the Project Description Supplement to the Urban Redevelopment Plan.

**Facts & Issues / History & Background:**

The City of Gainesville previously approved an urban redevelopment plan entitled "Midtown Gainesville Redevelopment Plan" for an urban redevelopment area known as the "Midtown Gainesville Redevelopment Area" (Resolution BR-2010-09). The Plan set forth the urban redevelopment area (the "Midtown Redevelopment Area") and some urban redevelopment projects. The Midtown Redevelopment Area generally includes approximately 270+ acres and is bounded by Academy Street to the North, Queen City Pkwy to the West, Norfolk Railway to the South, and EE Butler Pkwy to the East. A map of the Midtown Redevelopment Area is on file at the City Manager's Office (the "Map"). The Project Supplement adds the Retail Project to the Plan. The Retail Project consists of retail space that will be attached to the parking deck located at 215 NW Bradford Street.

**Department Recommendation:**

To conduct a public hearing for its consideration and approve the resolution as presented upon its conclusion.

**Department Director:**

Jeremy Perry

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Legal Ad: Public Hearing Notice
2. Notice of Public Hearing Plan Supplement (Midweek Edition August 3-4, 2022)

3. Resolution Project Description Supplement to the Midtown Gainesville Redevelopment Plan
4. Exhibit A: Urban Redevelopment Plan Supplement

deadline for applying for this position is Friday, November 4, 2022. Any person applying must meet the minimum requirements as set out in O.C.G.A. §15-11-51. 1103128/3/9/7,10/5

**NOTICE TO THE PUBLIC**  
YOU ARE HEREBY NOTICED that the Presiding Judge of the Superior Court of Hall County, Georgia, on the 15th day of August, 2022, at 10:00 o'clock a.m., at the Courthouse in the City of Gainesville, Georgia, will hear VIA ZOOM the case of STATE OF GEORGIA V. GAINESVILLE AND HALL COUNTY DEVELOPMENT AUTHORITY, and LANIER CHRISTIAN ACADEMY, INC. in the Superior Court of Hall County, the same being a proceeding to confirm and validate the Gainesville and Hall County Development Authority Education Facility Revenue Bonds, Series 2022A, in a maximum aggregate principal amount not to exceed \$11,800,000 (the "Series 2022A Bonds") and Gainesville and Hall County Development Authority Education Facility Revenue Bonds, Series 2022B (Taxable), in a maximum aggregate principal amount not to exceed \$200,000 (the "Series 2022B Bonds") and together the "Series 2022 Bonds" or the "Bonds"), to be issued by the Gainesville and Hall County Development Authority (the "Authority") for the purpose of providing funds to be loaned to Lanier Christian Academy, Inc. (the "Borrower") and applied towards the cost of (a) refinancing and planning design, acquisition, construction, and installation of a new academic campus, including real property, infrastructure, and academic facilities, and the containing classrooms, a media center, a music room, a practice gym, and a cafeteria, and (b) the campus shall be located at 4937 Chestnut Mountain Circle, and 4883 Winder Highway, Flowery Branch, Hall County, Georgia, 30542 (the "Facilities"), to be used by the Borrower as facilities to provide educational curriculum to individuals in the City of Flowery Branch, greater Hall County, and neighboring areas, (b) funding a debt service reserve fund for the Series 2022 Bonds, if required, and other required reserves, and capitalized interest with respect to the Series 2022 Bonds, and (c) paying certain costs of issuance in connection with the issuance of the Series 2022 Bonds (collectively, the "Project").

In said proceeding, said Presiding Judge will also pass upon the constitutionality and legality of a Loan Agreement, dated as of September 1, 2022 (the "Loan Agreement"), to be entered into by and between the Authority and the Borrower, a Trust Indenture, dated as of September 1, 2022 (the "Trust Indenture"), between the Authority and U.S. Bank Trust Company, National Association (the "Trustee"), and a Deed to Secure Debt and Security Agreement, dated September 1, 2022 (the "Security Deed"), from the Borrower to the Trustee and the respective rights, duties and obligations of each of said defendants. Any citizen of the State of Georgia residing in Hall County, or any other person who is residing who has a right to object, may intervene and become a party to these proceedings. The Zoom video conference may be accessed

by logging into the Zoom application and entering: Meeting ID: 770 297 2333, Password: 2333. The Authority HAS WAIVED THE PERFORMANCE AUDIT AND PERFORMANCE REVIEW WITH RESPECT TO THE SERIES 2022 BONDS.

This 27th day of July, 2022.

s/Lisa W. Cook, Deputy Clerk of the Superior Court, Hall County, Georgia  
1105828/3,10

**REDEMPTION NOTICE TO ALL OWNER(S), LESSOR(S), SECURITY INTEREST HOLDER(S), AND LIENHOLDER(S) OF THE ABOVE DESCRIBED VESSEL.**

To the above styled individuals: You are hereby given notice that the below named individual or company is in possession of your vessel.

The vessel is described as:

1979 Hunter 30  
The certificate number is GA 6279 ZP

The hull identification number is: HUN1437M79C

The vessel was removed from:

The present location of the vessel is: Safe Harbor Aqualand—Lot 7

The Project being financed with the proceeds of the Governmental Note located within the corporate limits of Hall County, Georgia. In said proceeding, the Court will also pass upon the validity of the Act

and upon the validity of the Governmental Note, the Project Loan Agreement, the Funding Loan Agreement, the Security Instrument and the Land Use Restriction Agreement and certain related matters and documents. Any citizen of the State of Georgia residing in Hall County, Georgia, or any other person who has a right to object, may intervene, and may become a party to this proceeding.

THE ISSUER WILL NOT CONDUCT ANY "PERFORMANCE AUDIT" OR "PERFORMANCE REVIEW" WITH RESPECT TO THE GOVERNMENTAL NOTE. AS SUCH TERMS ARE DESCRIBED IN SECTION 36-82-100, OFFICIAL CODE OF GEORGIA ANNOTATED.

This 26th day of July, 2022.

CHARLES BAKER, Clerk of the Superior Court of Hall County, Georgia  
1105018/3,10

**Name Changes**

HALL COUNTY SUPERIOR COURT

STATE OF GEORGIA

Civil Action Case Number: 2022CV1242C

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Gabriela Rosales Garcia filed a petition in the Hall County Superior Court on July 19th, 2022, to change the name from: Jennifer Gabriela Rosales Garcia to Jennifer Gabriela Castaneda Garcia. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 7/19/2022

Gabriela Rosales Garcia, Petitioner, Pro se

Name: Jennifer Gabriela Rosales Garcia

Address: 3832 Green Ridge Ct Gainesville, GA 30507

Phone (day): 678-630-3391

110192 7/27,8/3,8/10,8/17

IN THE SUPERIOR COURT OF HALL COUNTY

STATE OF GEORGIA

In re the Name Change of

Carolee A. Whitesides, Petitioner.

Civil Action Case Number 2022CV1193B

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Agreement, dated as of August 1, 2022, or such other date as agreed by the parties (the "Project Loan Agreement"), among the Issuer, Regions Bank, as fiscal agent (the "Fiscal Agent") and the Borrower, which obligates the Borrower to the Issuer such loan payments at such times and in such amounts as will be sufficient to pay the principal of, premium (if any), and interest on the Governmental Note, as and when the same become due. To secure its obligation to pay principal of, premium (if any), and interest on the Governmental Note, the Issuer will assign and pledge to the Initial Funding Lender, and grant a security interest in, all of its right, title, and interest (except for the Unassigned Rights, as defined in the Funding Loan Agreement, as hereinafter defined) in the Project Loan Agreement, and all revenues, payments, receipts, and monies to be received and held thereunder, all pursuant to the Funding Loan Agreement, dated as of August 1, 2022, or such other date as agreed by the parties (the "Funding Loan Agreement"), among the Issuer, the Fiscal Agent, and Cadence Bank, as Initial Funding Lender (the "Initial Funding Lender"). The Project being financed with the proceeds of the Governmental Note located within the corporate limits of Hall County, Georgia. In said proceeding, the Court will also pass upon the validity of the Act

and upon the validity of the Governmental Note, the Project Loan Agreement, the Funding Loan Agreement, the Security Instrument and the Land Use Restriction Agreement and certain related matters and documents. Any citizen of the State of Georgia residing in Hall County, Georgia, or any other person who has a right to object, may intervene, and may become a party to this proceeding.

THE ISSUER WILL NOT CONDUCT ANY "PERFORMANCE AUDIT" OR "PERFORMANCE REVIEW" WITH RESPECT TO THE GOVERNMENTAL NOTE. AS SUCH TERMS ARE DESCRIBED IN SECTION 36-82-100, OFFICIAL CODE OF GEORGIA ANNOTATED.

This 26th day of July, 2022.

CHARLES BAKER, Clerk of the Superior Court of Hall County, Georgia  
1105018/3,10

**Name Changes**

HALL COUNTY SUPERIOR COURT

STATE OF GEORGIA

Civil Action Case Number: 2022CV1242C

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Gabriela Rosales Garcia filed a petition in the Hall County Superior Court on July 19th, 2022, to change the name from: Jennifer Gabriela Rosales Garcia to Jennifer Gabriela Castaneda Garcia. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 7/19/2022

Gabriela Rosales Garcia, Petitioner, Pro se

Name: Jennifer Gabriela Rosales Garcia

Address: 3832 Green Ridge Ct Gainesville, GA 30507

Phone (day): 678-630-3391

110192 7/27,8/3,8/10,8/17

IN THE SUPERIOR COURT OF HALL COUNTY

STATE OF GEORGIA

In re the Name Change of

Carolee A. Whitesides, Petitioner.

Civil Action Case Number 2022CV1193B

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Carolee A. Whitesides filed a petition in the Hall County Superior Court on 7-7, 2022, to change the name from: Carolee A. Whitesides to Carolee A. Clark. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 6-20-22

Petitioner, Pro se

Name: Carolee A. Whitesides

Address: 505 Carrington Park Dr Gainesville, GA 30504

1098697/13,20,27,8/3

IN THE SUPERIOR COURT OF HALL COUNTY

STATE OF GEORGIA

In re the Name Change of

Diana Lynn Whitely-Foster, Petitioner.

Civil Action Case Number: 22-CV-1178

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Diana Lynn Whitely-Foster filed a petition in the Hall County Superior Court on 1st July, 2022, to change the name from Diana Lynn Whitely-Foster to Diana Lynn Whitely.

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: July 1st, 2022.

Diana Lynn Whitely-Foster, Petitioner, Pro se

Name: Diana Lynn Whitely-Foster

Address: 6247 IVY STONE WAY HOSCHTON, GEORGIA 30548

1097497/13,20,27,8/3

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of

Doreah Tonni Awey David Selasi Awu Michael Nuna Awu Doreah Tonni Awey

Petitioner

Respondent

Civil Action Case Number 2022CV1276J

NOTICE OF PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN)

Doreah Tonni Awey filed a petition in the Superior Court of Hall County on July 19, 2022 to change the names of the following minor children

from David Selasi Awu to Rio Brown Awey

from Michael Nuna Awu to: Toby Awey

Any interested party has the right to appear in this case and file objections within the time prescribed in O.C.G.A. §919-12(f)(2) and (3).

s/Doreah Tonni Awey Petitioner, Pro se

110356 7/27,8/3,10/17

**Public Hearings**

NOTICE OF PUBLIC HEARING ON PROJECT DESCRIPTION SUPPLEMENT

THE MIDTOWN GAINESVILLE REDEVELOPMENT PLAN ORIGINALLY ADOPTED ON APRIL 20, 2010 (RETAIL PROJECT)

TO WHOM IT MAY CONCERN

YOU ARE HEREBY NOTIFIED that on the 16th day of August, 2022, at 5:30 p.m., in the Gainesville Justice Center, 701 Queen City Parkway, Gainesville, Georgia 30501, the Mayor and City Council of the City of Gainesville (the "City") will hold a public hearing on the Project Description Supplement (the "Project Supplement") to the Midtown Gainesville Redevelopment Plan originally adopted on April 20, 2010 (the "Plan"). The Plan set forth the urban redevelopment area (the "Midtown Redevelopment Area") and some urban redevelopment projects. The Midtown Redevelopment Area generally includes approximately 270+ acres and is bounded by Academy Street to the North, Quail City Parkway to the West, Norfolk Railway to the South, and E. Butler Highway to the East. A map of the Midtown Redevelopment Area is on file at the City Manager's Office (the "Map").

The Project Supplement adds the Retail Project to the Plan. The Retail Project consists of retail space that will be attached to the parking deck located at 215 NW Bradford Street. The Project Supplement is on file at the City Manager's Office.

Any interested person may submit oral or written comments on the Project Supplement at the hearing. Copies of the Plan, the Map and the Project Supplement may be obtained from the City Manager's Office, 300 Henry Ward Way, Gainesville, Georgia 30501.

1106718/3

NOTICE OF PUBLIC HEARING UPON APPLICATION FOR ANNEXATION AND REZONING

Pursuant to O.C.G.A. § 36-36-1 et seq. and O.C.G.A. § 36-36-20 et seq., notice is hereby given that the City of Buford, a Georgia Municipal Corporation, will hold a public hearing to evaluate the applications of certain landowners, more fully set forth on Exhibit "A", to annex and zone property to the corporate limits of the City of Buford as provided in O.C.G.A. § 36-36-20 which is contiguous to the existing limits. The property proposed for annexation and rezoning is contiguous to the present corporate limits of the City of Buford and is more particularly described in Exhibit "A" attached hereto.

The City of Buford Planning Commission will hold a public hearing and make recommendations on such application for annexation and rezoning on Tuesday, August 9, 2022, at 7:00 pm, Buford City Hall, 2300 Buford Highway, Buford, Georgia 30518. The Buford City Commission will hold a public hearing to discuss and pass upon the proposed applications for annexation and rezoning on Tuesday, September 6, 2022 at 7:00 p.m., Buford City Arena, 2795 Sawnee Avenue, Buford, Georgia 30518. Please note that this is a change in local government from the regular monthly City Commission meeting.

This 12th day of July, 2022

CHANDLER, BRITT & JAY, LLC

CITY ATTORNEYS

EXHIBIT "A" OWNER: NGO PHAN PROPERTIES, LLC

ADDRESS: 3754 EAST GONES DR. ALL THAT TRACT OR PARCEL OF LAND IN LAND LOT 156 IN THE RTH LAND DISTRICT CONSISTS OF RETAIL SPACE OF HALL COUNTY, GEORGIA AS FOLLOWS: BEGINNING AT AN IRON PIN ON AN UNNAMED DIRT ROAD ABOUT 150' FROM FRIENDSHIP ROAD, SAID PIN BEING CORNER BETWEEN TIDS PROPERTY AND PROPERTY OF JOHN A. BOWMAN; THENCE NORTH 00° ALONG HWY 205.3' TO IRON PIN CORNER; THENCE S 14 DEGREES 30 MINUTES E 148.2'; THENCE N 58 DEGREES 42 MINUTES E 179.5' TO BEGINNING IRON PIN CORNER. 7/20/22, 109992, 8/3,10,17,24,31

Key Storage located at 3719 Winder Hwy, Flowery Branch, GA 30542 will hold an online public sale to enforce a lien imposed on said property, as described below, pursuant to the Georgia Self Storage Facility Act, Georgia Code 10-4-210 to 10-4-215. The auction will be held on website www.storageauctions.com (http://www.storageauctions.com) and will end at 3:00 PM on Thursday, August 25, 2022. Management reserves the right to withdraw any unit from sale. Registered or motor vehicles are sold "As Is / Parts Only," no titles or registration. Tenant Name Unit # Stored Items Anita Banks 202 HHG,BOXES,FURN Edward Kawczynski 412 Clothes,BOXES HOSCHTON,GA 30526 HHG,BOXES,FURN 110487 8/3,10

NOTICE OF PUBLIC SALE

To satisfy the owner's storage lien, PS Retail Sales, LLC will sell at public lien sale on August 11, 2022, the personal property in the below-listed units, which may include but are not limited to: household and personal items, office and other equipment. The public sale of these items will begin at 9:30 AM and continue until all units are sold. Lien sale to be held at the online auction website, www.storageauctions.com, where indicated. For online lien sales, bids will be accepted until 2 hours after the time of the sale specified.

PUBLIC STORAGE # 26961, 7366 Friendship Springs Blvd, Flowery Branch, GA 30542, (678) 693-2587

Time: 09:30 AM

Sale to be held at www.storageauctions.com. 1157 - Pruitt, Randall; 2042 - Truitt, Randell; 2157 - Pruitt, Randell; 3119 - Hulsey, Jamie; 3128 - Snell, Kayla; 3144 - Brown, Felicia

Public sale terms, rules, and regulations will be made available prior to the sale. All sales are subject to cancellation. We reserve the right to refuse any bid. Payment must be in cash or credit card no checks. Buyers must secure the units with their own personal locks. To claim tax-exempt status, original RESALE certificates for each space purchased is required. By PS Retail Sales, LLC, 701 Western Avenue, Glendale, CA 91201. (818) 244-8080. 110140 7/27/8/3

NOTICE OF PUBLIC SALE

The undersigned, wishing to avail themselves of the provisions under the Georgia Self-storage Facility Act of 2013, hereby gives notice of the sale under said act to wit: Tuesday the 23rd day of August, 2022 at 10:00 AM, on that day will conduct a public sale to the highest bidder, with bidding to take place on lockerfox.com, FOR CASH ONLY, the contents of spaces at Storage Depot of Gainesville GA 1, 319 Linwood Dr, Gainesville, GA, 30501 Mabry, Tracy

110559 8/3,10

Notice of Self Storage Sale

Please take notice FreeUp Storage - Murrayville located at 5162 Thompson Bridge Rd., Murrayville, GA 30564 intends to hold a public sale to sell the property stored in the following units stored at the Facility. The public sale to the highest bidder will occur at an online auction via www.selfstorageauction.com on 8/16/2022 at 10:00am. Unless stated otherwise the description of the contents are household goods and furnishings. Kelly Littlefair unit #2007; Cary Moore unit #2012; Nick And Ashley Sanders unit #220; Amber Chester unit #226; Michelle Aidas unit #3017; Leslie Reid unit #3015. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details. 110244 7/27,8/3

Notice of Self Storage Sale

Please take notice USA Storage Centers - Flowery Branch at 6113 Atlanta Hwy, Flowery Branch, GA 30542 intends to hold a public sale to sell the property stored in the following units stored at the Facility. The public sale to the highest bidder will occur at an online auction via www.storageauctions.com on 8/11/2022 at 10:00am. Unless stated otherwise the description of the contents are household goods and furnishings. Bryce Roberts unit #017; Thomas Badnek unit #125; Kayla Robinson R Welch unit #136. All property is being stored at the above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details. 110028 7/27,8/3

PUBLIC SALE

D & Storage

5529 Thompson Bridge Rd., Murrayville, GA 30564

770-536-3790

Notice of Foreclosure/Liquidation

Unit# 20 belonging to Judy Ledford will be emptied and liquidated on August 13,2022 at 10:00 a.m.

D & E Storage has the right to reject and withdraw any and all bids.

110589 8/3,10

PUBLIC SALE

D & Storage

5529 Thompson Bridge Rd., Murrayville, GA 30564

770-536-3790

Notice of Foreclosure/Liquidation

Unit# 21 belonging to Christine Tumlin will be emptied and liquidated on August 13,2022 at 10:00 a.m.

D & E Storage has the right to reject and withdraw any and all bids.

110590 8/3,10

PUBLIC SALE

D & Storage

5529 Thompson Bridge Rd., Murrayville, GA 30564

770-536-3790

Notice of Foreclosure/Liquidation

Unit# 7 belonging to Randall Eagol will be

NOTICE OF PUBLIC HEARING ON  
PROJECT DESCRIPTION SUPPLEMENT TO THE MIDTOWN GAINESVILLE  
REDEVELOPMENT PLAN ORIGINALLY ADOPTED ON APRIL 20, 2010  
(RETAIL PROJECT)

TO WHOM IT MAY CONCERN

YOU ARE HEREBY NOTIFIED that on the 16<sup>th</sup> day of August, 2022, at 5:30 p.m., in the Gainesville Justice Center, 701 Queen City Parkway, Gainesville, Georgia 30501, the Mayor and City Council of the City of Gainesville (the “City”) will hold a public hearing on a Project Description Supplement (the “Project Supplement”) to the Midtown Gainesville Redevelopment Plan originally adopted on April 20, 2010 (the “Plan”). The Plan set forth the urban redevelopment area (the “Midtown Redevelopment Area”) and some urban redevelopment projects. The Midtown Redevelopment Area generally includes approximately 270+ acres and is bounded by Academy Street to the North, Queen City Pkwy to the West, Norfolk Railway to the South, and EE Butler Pkwy to the East. A map of the Midtown Redevelopment Area is on file at the City Manager’s Office (the “Map”).

The Project Supplement adds the Retail Project to the Plan. The Retail Project consists of retail space that will be attached to the parking deck located at 215 NW Bradford Street. The Project Supplement is on file at the City Manager’s Office.

Any interested person may submit oral or written comments on the Project Supplement at the hearing. Copies of the Plan, the Map and the Project Supplement may be obtained from the City Manager’s Office, 300 Henry Ward Way, Gainesville, Georgia 30501.

**PROJECT DESCRIPTION SUPPLEMENT TO THE MIDTOWN GAINESVILLE  
REDEVELOPMENT PLAN ORIGINALLY ADOPTED ON APRIL 20, 2010  
(RETAIL PROJECT)**

**WHEREAS**, the City of Gainesville, Georgia (the “City”) previously approved an urban redevelopment plan entitled “Midtown Gainesville Redevelopment Plan” (the “Plan”) for an urban redevelopment area known as the “Midtown Gainesville Redevelopment Area” after the Mayor and City Council (a) determined that the Midtown Gainesville Redevelopment Area was a “slum area” and designated the Midtown Gainesville Redevelopment Area as appropriate for an urban redevelopment project, (b) held a public hearing on the Plan after publishing a public notice thereof in a newspaper of general circulation and (c) made certain additional findings, all in accordance with Chapter 61 of Title 36 of the Official Code of Georgia Annotated (as amended, the “Urban Redevelopment Law”); and

**WHEREAS**, the governing body of the City has determined that it is in the best interest of the citizens of the City and in accordance with the Plan to supplement such Plan by adding an additional redevelopment project; and

**WHEREAS**, the Urban Redevelopment Law provides that the City may approve a substantial modification of an approved urban redevelopment plan if it (a) holds a public hearing on the substantial modification (the “Public Hearing”) after a public notice (the “Notice”) thereof is published in a newspaper having a general circulation in the area of operation of the City and (b) makes certain additional findings; and

**WHEREAS**, after careful study and investigation, the City desires to adopt and approve the Project Description Supplement to the Urban Redevelopment Plan attached hereto as Exhibit A (the “Project Supplement”); and

**WHEREAS**, the City published the Notice and held the Public Hearing as required by the Urban Redevelopment Law.

**NOW, THEREFORE, BE IT RESOLVED THAT** by the governing body, that it is hereby found, determined, and declared that the Midtown Gainesville Redevelopment Area previously identified in the Plan continues to be and is hereby determined to be a “pocket of blight” by reason of (a) the presence of a substantial number of deteriorated or deteriorating structures; (b) unsafe conditions; (c) the deterioration of site or other improvements; and (d) the existence of conditions which endanger life or property by fire and other causes, all of which substantially impair or arrest the sound growth of the City, retard the provisions of housing accommodations, or constitute an economic or social liability and are a menace to the public health, safety, morals, or welfare in its present condition and use.

**BE IT FURTHER RESOLVED** that because the Midtown Gainesville Redevelopment Area is a pocket of blight, it continues to be and it is hereby designated as appropriate for urban redevelopment projects.

**BE IT FURTHER RESOLVED** that it is hereby found, determined, and declared that (a) no families will be displaced from the Midtown Gainesville Redevelopment Area, and therefore no method for relocation of such families need be provided, (b) the Project Supplement conforms to the general plan of the City as a whole, (c) the Project Supplement will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Midtown Gainesville Redevelopment Area by private development and (d) the Project Supplement constitutes an appropriate part of the City’s workable program for utilizing appropriate private and public resources to eliminate and prevent the impairment of the

**RESOLUTION BR-2022 - \_\_\_\_**

**PROJECT DESCRIPTION SUPPLEMENT TO THE MIDTOWN GAINESVILLE  
REDEVELOPMENT PLAN ORIGINALLY ADOPTED ON APRIL 20, 2010  
(RETAIL PROJECT)**

sound growth of the City and to encourage needed urban rehabilitation all as set forth in the Urban Redevelopment Law.

**BE IT FURTHER RESOLVED** that the Project Supplement and the Retail Project set forth in the Project Supplement are hereby approved.

**BE IT FURTHER RESOLVED** that this Resolution shall be effective immediately upon its adoption.

**BE IT FURTHER RESOLVED** that any and all resolutions in conflict with this Resolution are hereby repealed.

**BE IT FURTHER RESOLVED** that the governing body of the City hereby authorizes the Mayor, City Manager, and City Attorney to sign such documents as necessary to effectuate the approvals set forth in this Resolution.

**Adopted this \_\_\_\_ day of August, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

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

**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**

## EXHIBIT A

### PROJECT DESCRIPTION SUPPLEMENT TO THE MIDTOWN GAINESVILLE REDEVELOPMENT PLAN ORIGINALLY ADOPTED ON APRIL 20, 2010 (RETAIL PROJECT)

#### I. Existence of Urban Redevelopment Plan

The Midtown Gainesville Redevelopment Plan (the “Plan”) constitutes an urban redevelopment plan of the City of Gainesville, Georgia (the “City”) within the meaning of Section 36-61-2(21) of the Official Code of Georgia Annotated (“O.C.G.A.”).

The Plan was properly authorized by the governing body of the City pursuant to a resolution adopted on April 20, 2010 and in compliance with the Urban Redevelopment Law (O.C.G.A. 36-61-1 *et seq.*), as amended (the “Act”). The Plan is in full force and effect as of that date.

The Plan contains a listing of specific focus areas and proposed redevelopment projects within the Midtown Gainesville Redevelopment Area (the “Midtown Area”) designated pursuant to the Plan.

The governing body of the City have determined that it is in the best interests of the citizens of the City and in accordance with the Plan to supplement such Plan by adding an additional redevelopment project.

This Project Description Supplement (this “Project Supplement”) has been duly adopted and approved in accordance with an ordinance of the City duly adopted by the governing body of the City on August 30, 2012 (the “Resolution”). This Project Supplement provides for the specification of an urban redevelopment project within the Midtown Area consistent with the redevelopment objectives set forth in the Plan and provides a more detailed description of the nature of such redevelopment. This Project Supplement shall hereafter be read in conjunction with, and is hereby incorporated into and made a part of, the Plan.

#### III. Description of the Retail Urban Redevelopment Project

The retail project (the “Retail Project”) consists of retail space that will be attached to the parking deck located in the City and bounded by Academy Street, Bradford Street, Main Street, and Brenau Avenue.

#### IV. Relationship to Local Objective

The Retail Project will not require any zoning change and its ultimate redevelopment will be accomplished in accordance with the City’s zoning ordinances, as then applicable, unless exceptions are made in accordance with the law. The Retail Project conforms to the general plan of the City as a whole and is in accordance with the purposes of the Plan. The Retail Project constitutes an appropriate land use in its current use.

#### V. Ownership of Retail Project

The City shall hold title to the Retail Project and has the right to sell and dispose of such property, subject to the terms of existing contractual obligations with respect to the Retail Project and provisions of the Gainesville Redevelopment Authority Act (Ga. Laws 1978 p. 4440 *et seq.*, as amended by Ga. Laws 1980 p. 2024 *et seq.*, as continued by Ga. Laws 1987 p. 3637 *et seq.* and as further amended by Ga. Laws 1999 p. 4697 and Ga. Laws 2009 p. 4105 *et seq.*), as amended from time to time).



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 8, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Convention & Visitors Bureau Authority  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

The purpose of this request is to address the expired term positions for the Hotel/Motel Industry and the Attractions Industry.

**Facts & Issues / History & Background:**

The board follows the guidelines set forth in state legislation as well as the City Charter and Code of Ordinances. Members of the Authority serve two-year terms. Glen Kyle (Attractions Industry) is ineligible for reappointment.

Nimisha Patel (Hotel/Motel Industry) and Amy Bradford with Elachee Nature Science Center (Attractions Industry) have expressed a willingness to serve. A verification of outstanding debt was completed with no concerns.

**Department Recommendation:**

To consider the nominations as submitted by the Mayor.

**Department Director:**

Sam Couvillon

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. CVB Members
2. CVB 2022 Attendance Report

# CONVENTION VISITORS BUREAU AUTHORITY

| POST                                                  | LAST NAME | FIRST NAME | APPOINTED     | REAPPOINTED            | EXPIRES    |
|-------------------------------------------------------|-----------|------------|---------------|------------------------|------------|
| Hotel/Motel Industry<br>Econo Lodge                   | Patel     | Nimisha    | 3/15/2022 UE  |                        | 6/30/2022  |
| Hotel/Motel Industry<br>The Guest Lodge               | Singh     | Jay        | 6/15/2021     |                        | 6/30/2023  |
| Restaurant/Food<br>Establishment<br>(Brenau Catering) | Caron     | Rob        | 10/19/2021 UE |                        | 6/30/2023  |
| Attractions Industry<br>(Brenau History Center)       | Kyle      | Glen       | 7/19/2016     | 6/19/2018<br>6/16/2020 | 6/30/2022  |
| Attractions Industry<br>(Ramsey Conference Ctr)       | Pruitt    | Jeff       | 6/18/2019     | 6/15/2021              | 6/30/2023  |
| Virtue of Position                                    | Mattison  | Kate       | 7/1/2014      |                        | Indefinite |
| Virtue of Position                                    | Lackey    | Bryan      | 11/30/2015    |                        | Indefinite |

TERM: Two-year  
(Est. Staggered Terms Initially )

CONTACT: Regina Dyer, CVB Manager

NOTES: Est. with HB 1132 executed by the Governor on April 29, 2014  
Members eligible to succeed themselves for a maximum of three consecutive terms

UPDATED: Wednesday, March 16, 2022

# CONVENTION AND VISITORS BUREAU ADVISORY BOARD ATTENDANCE REPORT

| MEETING      |            |      | BOARD MEMBER |       |       |      |        |
|--------------|------------|------|--------------|-------|-------|------|--------|
|              | DATE       | TYPE | Singh        | Caron | Patel | Kyle | Pruitt |
| 1            | 7/29/2020  | R    |              |       |       | 0    | 1      |
| 2            | 9/30/2020  | R    |              |       |       | 1    | 0      |
| 3            | 11/18/2020 | R    |              |       |       | 0    | 0      |
| 4            | 1/27/2021  | R    |              |       |       | 0    | 1      |
| 5            | 3/27/2021  | R    |              |       |       | 0    | 1      |
| 6            | 5/26/2021  | R    |              |       |       | 0    | 0      |
| 7            | 7/21/2021  | R    | 1            |       |       | 1    | 1      |
| 8            | 9/22/2021  | R    | 0            |       |       | 0    | 0      |
| 9            | 11/17/2021 | R    | 1            | 0     |       | 0    | 1      |
| 10           | 3/30/2022  | R    | 1            | 1     | 1     | 1    | 1      |
| 11           | 5/25/2022  | R    | 1            | 0     | 1     | 1    | 1      |
| 12           | 7/27/2022  | R    | 0            | 1     | 1     | 0    | 1      |
| 13           |            |      |              |       |       |      |        |
| 14           |            |      |              |       |       |      |        |
| 15           |            |      |              |       |       |      |        |
| 16           |            |      |              |       |       |      |        |
| 17           |            |      |              |       |       |      |        |
| 18           |            |      |              |       |       |      |        |
| 19           |            |      |              |       |       |      |        |
| 20           |            |      |              |       |       |      |        |
| 21           |            |      |              |       |       |      |        |
| 22           |            |      |              |       |       |      |        |
| 23           |            |      |              |       |       |      |        |
| 24           |            |      |              |       |       |      |        |
| 25           |            |      |              |       |       |      |        |
| 26           |            |      |              |       |       |      |        |
| TOTAL        |            | 12   | 4            | 2     | 3     | 4    | 8      |
| ATTENDANCE % |            |      | 33%          | 50%   | 100%  | 33%  | 67%    |

**TYPE MEETING:** R = Regular Scheduled Meeting  
**ATTENDANCE:** 0 = Absent

**C = Called Meeting**  
**1 = Attended**

**NOTES:**

**Submitted By:** \_\_\_\_\_  
 Regina Dyer  
 Recording Secretary

**Date:** \_\_\_\_\_  
 8/10/2022



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 8, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Historic Preservation Commission  
**Meeting Date:** August 11, 2022

---

**Purpose of Request:**

The purpose of this request is to address the expired term positions held by Dick Bachman and Cathy Day.

**Facts & Issues / History & Background:**

The HPC follows the guidelines set forth in the City Charter, Code of Ordinances and the Unified Land Development Code. Members serve a three-year term.

Dick Bachman and Cathy Day have confirmed a willingness to serve another term. The debt verification process was completed with no concerns.

**Department Recommendation:**

To consider the nominations as submitted by the Mayor.

**Department Director:**

Sam Couvillon

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

---

**Administrative Comments:**

---

**Attachments:**

1. HPC Members
2. HPC Attendance Report

## HISTORIC PRESERVATION COMMISSION

| POST       | LAST NAME               | FIRST NAME     | APPOINTED     | REAPPOINTED                                               | EXPIRES   |
|------------|-------------------------|----------------|---------------|-----------------------------------------------------------|-----------|
| Ward 1     | Bachman                 | Richard (Dick) | 7/17/2007     | 9/7/2010<br>5/21/2013<br>7/19/2016<br>6/18/2019           | 6/30/2022 |
| Ward 2     | Wiley                   | Emily          | 4/20/2021     |                                                           | 6/30/2023 |
| Ward 3     | Bruner                  | Ruth           | 12/15/2020 UE |                                                           | 6/30/2023 |
| Ward 4     | Day                     | Cathy          | 12/5/2017     | 6/18/2019                                                 | 6/30/2022 |
| Ward 5     | Bailey<br><i>Vacant</i> | Jack           | 12/6/11 UE    | 6/5/2012<br>8/18/2015<br>7/17/2018<br>6/16/2021           | 6/30/2024 |
| Ex-Officio | Wangemann               | George         | 1/10/2017     | 1/9/2018<br>1/8/2019<br>1/7/2020<br>1/19/2021<br>1/4/2022 | 1/17/2023 |

TERM: Initial terms were staggered beginning July 1, 2002  
Three year terms which expire on June 30th.

CONTACT: Jessica Tullar / Rusty Ligon, Community & Economic Development Dept.

UPDATED: 8/4/22 ag

# HISTORIC PRESERVATION COMMISSION BOARD ATTENDANCE REPORT

| MEETING |                     |      | BOARD MEMBER |            |            |             |            |            |
|---------|---------------------|------|--------------|------------|------------|-------------|------------|------------|
|         | DATE                | TYPE | Bachman      | Wiley      | Bruner     | Day         | Bailey     | Wangemann  |
| 1       | 7/6/2020            | R    | 0            |            |            | 1           | 1          | 1          |
| 2       | 5/3/2021            | R    | 1            | 1          | 0          | 1           | 1          | 1          |
| 3       | 6/7/2021            | R    | 1            | 1          | 1          | 1           | 0          | 1          |
| 4       | 8/2/2021            | R    | 0            | 0          | 1          | 1           | 1          | 1          |
| 5       | 9/13/2021           | R    | 1            | 1          | 1          | 1           | 1          | 1          |
| 6       | 10/4/2021           | R    | 0            | 1          | 1          | 1           | 1          | 0          |
| 7       | 11/1/2021           | R    | 1            | 0          | 0          | 1           | 1          | 1          |
| 8       | 12/6/2021           | R    | 1            | 1          | 1          | 1           | 1          | 1          |
| 9       |                     |      |              |            |            |             |            |            |
| 10      |                     |      |              |            |            |             |            |            |
| 11      |                     |      |              |            |            |             |            |            |
| 12      |                     |      |              |            |            |             |            |            |
| 13      |                     |      |              |            |            |             |            |            |
| 14      |                     |      |              |            |            |             |            |            |
| 15      |                     |      |              |            |            |             |            |            |
| 16      |                     |      |              |            |            |             |            |            |
| 17      |                     |      |              |            |            |             |            |            |
| 18      |                     |      |              |            |            |             |            |            |
| 19      |                     |      |              |            |            |             |            |            |
| 20      |                     |      |              |            |            |             |            |            |
| 21      |                     |      |              |            |            |             |            |            |
| 22      |                     |      |              |            |            |             |            |            |
| 23      |                     |      |              |            |            |             |            |            |
| 24      |                     |      |              |            |            |             |            |            |
| 25      |                     |      |              |            |            |             |            |            |
| 26      |                     |      |              |            |            |             |            |            |
|         | <b>TOTAL</b>        |      | <b>5</b>     | <b>5</b>   | <b>5</b>   | <b>8</b>    | <b>7</b>   | <b>7</b>   |
|         | <b>ATTENDANCE %</b> |      | <b>63%</b>   | <b>71%</b> | <b>71%</b> | <b>100%</b> | <b>88%</b> | <b>88%</b> |

**TYPE MEETING:** R = Regular Scheduled Meeting C = Called Meeting  
**ATTENDANCE:** 0 = Absent 1 = Attended

**Submitted By:** \_\_\_\_\_ Jessica Tullar \_\_\_\_\_ **Date:** \_\_\_\_\_ 5/20/2022 \_\_\_\_\_  
 Recording Secretary



## CITY OF GAINESVILLE

### Work Session Agenda Request

---

**Item Created:** July 28, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Lake Lanier Olympic Park Foundation Board  
**Meeting Date:** August 11, 2022

---

**Purpose of Request:**

The purpose of this request is to address the expired term position held by Robyn Lynch.

**Facts & Issues / History & Background:**

The Lake Lanier Olympic Park Foundation (formerly known as GH '96) follows the guidelines as set forth by Georgia Law, the by-laws and the Corporation's Articles of Incorporation. The board's by-laws were revised on June 21, 2019. Board members serve a three-year term.

**Department Recommendation:**

To consider the nomination as submitted by the Mayor.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. LLOP Foundation Members
2. 2022 LLOPF Attendance Report

## Lake Lanier Olympic Park Foundation

| POST               | ORGANIZATION                        | LAST NAME    | FIRST NAME | APPOINTED   | REAPPOINTED           | EXPIRES   |
|--------------------|-------------------------------------|--------------|------------|-------------|-----------------------|-----------|
| Chairman           | Longstreet Clinic                   | Collins      | Mimi       | 2014        | 2017, 2020            | 6/30/2023 |
| Vice Chairman      | Truelove Dairy                      | Truelove     | Dixie      | 2014        | 2017, 2019, 2021      | 6/30/2023 |
| Treasurer          | Kelly and Bell                      | Bell         | Mark       | 2017        | 2020                  | 6/30/2022 |
| Secretary          | Brenau University                   | Westmoreland | Lila       | 2019        | 7/13/2021             | 6/30/2024 |
| Appointed          | Lake Lanier CVB                     | Dickson      | Stacey     |             |                       |           |
| Appointed          | Vision 2030 / GHCC                  | Higgins      | Elizabeth  | 2019        |                       | 6/30/2022 |
| Appointed          | City of Gainesville - CVB           | Lynch        | Robyn      | 10/15/19 UE |                       | 6/30/2022 |
| Appointed          | Lanier Canoe & Kayak Club           | O'Dell       | Jim        | 2019        |                       | 6/30/2022 |
| Appointed          | Lake Lanier Rowing Club             | Gaspar       | Jay        | 2019        |                       | 6/30/2022 |
| At Large           | Brenau University                   | Barnett      | David      | 2017        | 2020                  | 6/30/2022 |
| At Large           | Hall County District Attorney Ofc   | Greene       | Julia      | 2019        | 7/13/2021             | 6/30/2024 |
| At Large           | Millard, Inc. Architects            | Millard      | Matt       | 2019        |                       | 6/30/2021 |
| At Large           | The Guest House                     | Singh        | Jay        | 2019        |                       | 6/30/2022 |
| At Large           | Jackson EMC                         | Smith        | Doug       | 2019        |                       | 6/30/2022 |
| At Large           | Habersham County Government         | Sutton       | Phil       | 2014        | 2017, 2020            | 6/30/2022 |
| At Large           | Rochester and Associates            | Rochester    | Brian      | 2019        |                       | 6/30/2022 |
| At Large           | Forum Communications                | Williamson   | Erin       | 2019        | 7/13/2021             | 6/30/2024 |
| Ex-Officio         | City of Gainesville                 | Dunagan      | Danny      | 1/7/20 UE   | 1/19/2021<br>1/4/2022 | 1/17/2023 |
| Ex Officio         | U.S. Army Corp                      | Noe          | Ernest     | 2020        |                       |           |
| Ex Officio         | City of Gainesville - P&R           | Mattison     | Kate       |             |                       |           |
| Virtue of Position | LLOP Facilites/Water Sports Manager | Watson       | James      |             |                       |           |
| Virtue of Position | LLOP Special Events Manager         | Larsen       | Eric       |             |                       |           |

TERM: Three-Year Terms - (officers are limited to three consecutive two-year terms)  
Initial terms were staggered beginning July 2013

CONTACT: James Watson  
Interim LLOP Division Manager  
P. O. Box 369, Gainesville 30503  
404-683-1965  
[james@lakelanierolympicvenue.org](mailto:james@lakelanierolympicvenue.org)

Meg Nivens  
GHCC - Vision 2030  
P.O. Box 374, Gainesville 30503  
[mnivens@ghcc.com](mailto:mnivens@ghcc.com)

UPDATED: 1/6/22 ag

# LLOP FOUNDATION BOARD ATTENDANCE REPORT

| MEETING      |         |      | CITY APPOINTED BOARD MEMBERS |         |  |  |  |
|--------------|---------|------|------------------------------|---------|--|--|--|
|              | DATE    | TYPE | LYNCH                        | DUNAGAN |  |  |  |
| 1            | 6/2020  | R    | 1                            | 1       |  |  |  |
| 2            | 8/2020  | R    | 1                            | 1       |  |  |  |
| 3            | 9/2020  | R    | 1                            | 0       |  |  |  |
| 4            | 11/2020 | R    | 1                            | 0       |  |  |  |
| 5            | 2/2021  | R    | 1                            | 0       |  |  |  |
| 6            | 3/2021  | R    | 1                            | 0       |  |  |  |
| 7            | 5/2021  | R    | 1                            | 0       |  |  |  |
| 8            | 7/2021  | R    | 1                            | 0       |  |  |  |
| 9            | 9/2021  | R    | 1                            | 0       |  |  |  |
| 10           | 10/2021 | R    | 1                            | 1       |  |  |  |
| 11           | 2/2022  | R    | 1                            | 0       |  |  |  |
| 12           | 4/2022  | R    | 1                            | 0       |  |  |  |
| 13           | 6/2022  | R    | 1                            | 1       |  |  |  |
| 14           |         |      |                              |         |  |  |  |
| 15           |         |      |                              |         |  |  |  |
| 16           |         |      |                              |         |  |  |  |
| 17           |         |      |                              |         |  |  |  |
| 18           |         |      |                              |         |  |  |  |
| 19           |         |      |                              |         |  |  |  |
| 20           |         |      |                              |         |  |  |  |
| 21           |         |      |                              |         |  |  |  |
| 22           |         |      |                              |         |  |  |  |
| 23           |         |      |                              |         |  |  |  |
| 24           |         |      |                              |         |  |  |  |
| 25           |         |      |                              |         |  |  |  |
| 26           |         |      |                              |         |  |  |  |
| TOTAL        |         | 13   | 13                           | 4       |  |  |  |
| ATTENDANCE % |         |      | 100%                         | 31%     |  |  |  |

**TYPE MEETING:** R= Regular Scheduled Meeting

C= Called Meeting

**ATTENDANCE:** 0 = Absent

1 = Attended

**NOTES:** information submitted by James Watson and added to spreadsheet by Alisa Grayson.

Submitted By: James Watson

Date: 8/9/2022

Recording Secretary



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 8, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Main Street Advisory Board  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

The purpose of this request is to address the four expired terms.

**Facts & Issues / History & Background:**

The Main Street Board follows the guidelines as set forth in the City Charter and Code of Ordinances as well as Business Resolution 2010-02. Members serve two-year terms.

Nominees Pamela Williams-Lime, Connie Rock, Jennifer Corbin and Edward Puckett have confirmed a willingness to serve. A verification of debt was completed with no concerns.

**Department Recommendation:**

To consider the nominations as submitted by the Mayor.

**Department Director:**

Sam Couvillon

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Main Street Advisory Board Members

## MAIN STREET GAINESVILLE ADVISORY BOARD

| POST                    | LAST NAME                                                | FIRST NAME | APPOINTED    | REAPPOINTED                                                  | EXPIRES   |
|-------------------------|----------------------------------------------------------|------------|--------------|--------------------------------------------------------------|-----------|
| Post 1                  | Elliott<br>The Inked Pig                                 | Andrew     | 11/5/2019    | 6/15/2021                                                    | 6/30/2023 |
| Post 2<br>Vice Chairman | Tatro, Jr.<br>Tatro Properties, LLP<br>Pharmacon Nuclear | Claude     | 6/18/2019    | 6/15/2021                                                    | 6/30/2023 |
| Post 3                  | White<br>Resource Property Mgmt                          | Leslie     | 6/16/2020 UE | 6/15/2021                                                    | 6/30/2023 |
| Post 4                  | Groves (Tanner)<br>Carroll Daniel Construction           | Taylor     | 6/16/2020    |                                                              | 6/30/2022 |
| Post 5<br>Chairman      | Everett                                                  | Jason      | 7/16/2013    | 8/5/2014<br>7/19/2016<br>6/19/2018<br>6/16/2020              | 6/30/2022 |
| Post 6                  | Quinn<br>Peach State Bank                                | Ron        | 6/16/2020    |                                                              | 6/30/2022 |
| Post 7                  | Jaeger                                                   | Dale       | 2/1/2011 UE  | 7/16/2013<br>8/5/2014<br>7/19/2016<br>6/19/2018<br>6/16/2020 | 6/30/2022 |
| Ex-Officio              | Dunagan                                                  | Danny      | 1/4/2022     |                                                              | 1/17/2023 |

TERM: 2 year terms

CONTACT: Nicole Ricketts, Main St Manager  
Robyn Lynch, Communications and Tourism Director

NOTES: Appointments made by the Governing Body  
All Directors shall assume their office/duties in July of each year (except for the initial Board).

UPDATED: Monday, July 25, 2022



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** July 28, 2022  
**Date Submitted:** August 8, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Metropolitan Planning Committee - Citizens Advisory Committee  
**Meeting Date:** August 11, 2022

---

**Purpose of Request:**

The purpose of this request is to address the expired term position.

**Facts & Issues / History & Background:**

The MPO-CAC follows the guidelines of the City Charter and the Code of Ordinances as well as the bylaws of the committee. Members of the committee serve three-year terms.

Berlinda Lipscomb confirmed a willingness to serve another term. The verification process has been completed.

**Department Recommendation:**

To consider the nominations as submitted by the Mayor.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. MPO-CAC Members
2. MPO-CAC Attendance Report

**Gainesville - Hall County  
Metropolitan Planning Organization  
Citizen Advisory Committee  
(GHMPO-CAC)**

| POST   | LAST NAME | FIRST NAME     | APPOINTED  | REAPPOINTED                                                 | EXPIRES   |
|--------|-----------|----------------|------------|-------------------------------------------------------------|-----------|
| Ward 1 | Propes    | Connie         | 7/5/2011   | 3/19/2013<br>8/18/2015<br>6/6/2017<br>6/16/2020             | 6/30/2023 |
| Ward 2 | Nordholz  | Beverly        | 8/7/2018   | 6/16/2020                                                   | 6/30/2023 |
| Ward 3 | Smith     | Sammy          | 8/15/17 UE | 6/16/2020                                                   | 6/30/2023 |
| Ward 4 | Lipscomb  | Berlinda       | 12/2/2003  | 4/3/2007<br>7/5/2011<br>3/19/2013<br>7/19/2016<br>6/18/2019 | 6/30/2022 |
| Ward 5 | Bush      | William "Bill" | 7/21/2020  |                                                             | 6/30/2023 |

TERMS: Three year terms as of 6/6/17

Two year terms \*Wards 2, 4, and 5 are 3 year terms

Part of Gainesville-Hall MPO  
(GHMPO). The committee  
consists of 19 appointees from  
the member jurisdictions as

NOTES: follows:

- Braselton - 1
- Flowery Branch - 2
- Gainesville - 5
- Hall County - 8

CONTACT: \*Primary: Joseph Boyd, Transportation Planning Director, jboyd@hallcounty.org  
Sarah McQuade, Director, smcquade@hallcounty.org  
Michael Haire, Transportation Planner, mhaire@hallcounty.org  
Rusty Ligon, Community Development Director

UPDATED: 7/28/20 ag

**From:** [Joseph Boyd \(GHMPO\)](#)  
**To:** [Alisa Grayson](#)  
**Subject:** RE: MPO Citizens Advisory Committee Appointment  
**Date:** Monday, May 23, 2022 9:46:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

**CAUTION:\*\*\*This email originated from outside the City of Gainesville networks. Be aware of phishing, and remember CoG DoIT will never ask for your password or other personal information in email. Do not open up attachments or click on links unless you are absolutely sure it is legit and safe..\*\*\***

Good Morning Alisa,

Sorry I am just getting back to you. Berlinda Lipscomb has been at every meeting we have had for this committee over the last two years. She is active and engaged and we hope that Gainesville considers her for another term on our Citizens Advisory Committee. My only other note would be that she is, by far, our longest serving committee member, having served since 2004 (when the MPO was created!).

Please let me know if you need anything else from us. Thanks!

**Joseph Boyd, AICP**

Transportation Planning Director  
Gainesville-Hall Metropolitan Planning Organization  
2875 Browns Bridge Road, Gainesville, GA 30504  
(770) 297-5541 | [www.ghmpo.org](http://www.ghmpo.org)



---

**From:** Alisa Grayson <AGrayson@gainesvillega.gov>  
**Sent:** Thursday, May 19, 2022 8:09 AM  
**To:** Joseph Boyd (GHMPO) <jboyd@hallcounty.org>  
**Subject:** RE: MPO Citizens Advisory Committee Appointment

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Joseph,

I'm working to provide information to the Mayor to assist in his consideration when addressing the upcoming City appointed expiring term on the MPO-CAC. Part of this process includes an attendance record encompassing the past 2 years. Please provide this information along with any other information you wish to be considered as soon as practical (preferably by Wednesday, May 25). I'll be happy to assist with any questions/concerns you may have.

Thank you,

**Alisa Grayson**  
Deputy City Clerk



+1.770.535.6865  
[www.gainesville.org](http://www.gainesville.org)

300 Henry Ward Way, Suite 303  
Gainesville, Georgia 30501  
P.O. Box 2496  
Gainesville, Georgia 30503

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**From:** Joseph Boyd (GHMPO) <[jboyd@hallcounty.org](mailto:jboyd@hallcounty.org)>  
**Sent:** Thursday, March 31, 2022 10:55 AM  
**To:** Alisa Grayson <[AGrayson@gainesvillega.gov](mailto:AGrayson@gainesvillega.gov)>  
**Subject:** RE: MPO Citizens Advisory Committee Appointment

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Great – thanks Alisa!

**Joseph Boyd, AICP**

Transportation Planning Director  
Gainesville-Hall Metropolitan Planning Organization  
2875 Browns Bridge Road, Gainesville, GA 30504  
(770) 297-5541 | [www.ghmpo.org](http://www.ghmpo.org)



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**From:** Alisa Grayson <[AGrayson@gainesvillega.gov](mailto:AGrayson@gainesvillega.gov)>  
**Sent:** Wednesday, March 30, 2022 10:16 AM  
**To:** Joseph Boyd (GHMPO) <[jboyd@hallcounty.org](mailto:jboyd@hallcounty.org)>  
**Cc:** Michael Haire (GHMPO) <[mhaire@hallcounty.org](mailto:mhaire@hallcounty.org)>  
**Subject:** RE: MPO Citizens Advisory Committee Appointment

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Joseph;  
Yes, the expiring term is on our schedule to be addressed in the near future prior to the 6/30/22 end term. I will be in contact with you for additional information that may be needed. In the meantime, if you have any questions/concerns, please do not hesitate to contact me.  
Have a great day!

**Alisa Grayson**  
Deputy City Clerk



+1.770.535.6865  
[www.gainesville.org](http://www.gainesville.org)

300 Henry Ward Way, Suite 303  
Gainesville, Georgia 30501  
P.O. Box 2496  
Gainesville, Georgia 30503

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**From:** Joseph Boyd (GHMPO) <[jboyd@hallcounty.org](mailto:jboyd@hallcounty.org)>  
**Sent:** Monday, March 28, 2022 4:00 PM  
**To:** Alisa Grayson <[AGrayson@gainesvillega.gov](mailto:AGrayson@gainesvillega.gov)>  
**Cc:** Michael Haire (GHMPO) <[mhaire@hallcounty.org](mailto:mhaire@hallcounty.org)>  
**Subject:** MPO Citizens Advisory Committee Appointment

**CAUTION:\*\*\*This email originated from outside the City of Gainesville networks. Be aware of phishing, and remember CoG DoIT will never ask for your password or other personal information in email. Do not open up attachments or click on links unless you are absolutely sure it is legit and safe..\*\*\***

Good Afternoon Alisa,

Hope you are well! Just wanted to reach out to let you know that our records are showing that Gainesville's appointment of Berlinda Lipscomb to the Gainesville-Hall MPO Citizens Advisory Committee will be expiring on June 30<sup>th</sup> of this year. Please let us know when/if the City reappoints her to another term (which would run from July 1, 2022 to June 30, 2025).

Let me know if you have any questions or need anything from MPO staff! Thanks.

|                        |                   |   |           |                                                                                                          |           |
|------------------------|-------------------|---|-----------|----------------------------------------------------------------------------------------------------------|-----------|
| Gainesville-<br>Ward 4 | Berlinda Lipscomb | 3 | 12/2/2003 | 7/1/04-6/30/07<br>7/1/07-6/30/10<br>7/1/10-6/30/13<br>7/1/13-6/30/16<br>7/1/16-6/30/19<br>7/1/19-6/30/22 | 6/30/2022 |
|------------------------|-------------------|---|-----------|----------------------------------------------------------------------------------------------------------|-----------|

**Joseph Boyd, AICP**

Transportation Planning Director  
Gainesville-Hall Metropolitan Planning Organization  
2875 Browns Bridge Road, Gainesville, GA 30504  
(770) 297-5541 | [www.ghmpo.org](http://www.ghmpo.org)





## CITY OF GAINESVILLE

### Work Session Agenda Request

---

**Item Created:** August 8, 2022  
**Date Submitted:** August 9, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Sam Couvillon  
**Item of Business:** Appointment(s): Redevelopment Authority  
**Meeting Date:** August 11, 2022

---

**Purpose of Request:**

The purpose of this request is to address the expired term positions.

**Facts & Issues / History & Background:**

The Redevelopment Authority was created by action taken by the 1978 General Assembly of Georgia. Members serve four-year terms and must come off the Authority for at least one year after serving two full four-year terms per HB 651 effective 5/6/2019. The Authority also complies with the requirements of the City Charter and Code of Ordinances as applicable.

Nominations were submitted by the Redevelopment Authority in accordance with the legislation. The verification of outstanding debt process was completed with no concerns.

**Department Recommendation:**

To consider the nominations as submitted by the Mayor.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. GRA Members
2. GRA Resolution Nominating Blair Diaz, Cooper Embry and Brett Fowler for Reappointment

## GAINESVILLE REDEVELOPMENT AUTHORITY

| POST                      | LAST NAME       | FIRST NAME    | APPOINTED                  | REAPPOINTED                                               | EXPIRES   |
|---------------------------|-----------------|---------------|----------------------------|-----------------------------------------------------------|-----------|
| Post 1<br>By Council      | Diaz            | Blair         | 8/21/2018                  |                                                           | 7/31/2022 |
| Post 2<br>By Council      | Jacobs, III     | John W. "Jay" | 8/4/2015                   | 10/15/2019                                                | 7/31/2023 |
| Post 3<br>By Council      | Nix<br>Chairman | Matt          | 12/6/2016                  | 7/21/2020                                                 | 7/31/2024 |
| Post 4<br>By Council      | Fowler          | Brett         | 8/21/2018                  |                                                           | 7/31/2022 |
| Post 5<br>By Council      | Everett         | Jason         | 10/15/2019 UE              | 7/21/2020                                                 | 7/31/2024 |
| Post 6<br>By Council      | White           | Davis         | 10/15/2019                 |                                                           | 7/31/2023 |
| Post 7<br>By Council      | Embry           | Cooper        | 8/21/2018                  |                                                           | 7/31/2022 |
| Post 8<br>By Council      | Lee             | Kelly         | 8/21/18 UE                 | 7/20/2021                                                 | 7/31/2025 |
| Appointed by<br>Authority | Smith           | Tyler         | 2/22/2018<br>( At GRA Mtg) | 7/20/2021                                                 | 7/31/2025 |
| Ex-Officio                | Thompson        | Zack          | 1/10/2017                  | 1/9/2018<br>1/8/2019<br>1/7/2020<br>1/19/2021<br>1/4/2022 | 1/17/2023 |

Four year terms following the initial staggered term appointments.

TERM: Must come off the Authority for at least one year after serving two full four-year terms per HB 651 effective 5/6/2019.

NOTES: House Bill 801 was passed and effective 5/11/2009 which reduced the number of board members to nine. Members must be either residents of the City of Gainesville; operate, manage or work for a business within the City of Gainesville; or own real property within the City of Gainesville. City Council appointed the initial eight members with staggered terms and those members were to appoint the ninth member for a four year term. Two nominations are to be submitted by the Authority to fill each vacancy. Appointments made by Council.

\*A letter dated 3/5/13 to William Bagwell established the precedent of setting terms to expire on July 31 (7/31).

CONTACT: Joseph A. "Joey" Homans (Secretary)  
Fox, Chandler, Homans, Hicks & McKinnon, LLP  
P. O. Box 477  
Dawsonville, GA 30534  
706-265-3090

Sabrina Jackson, Paralegal

UPDATED: 2/25/22 ag

Page 1 of 1

RESOLUTION OF THE  
GAINESVILLE REDEVELOPMENT AUTHORITY  
REGARDING NOMINATIONS FOR MEMBERSHIP

**WHEREAS**, the Gainesville Redevelopment Authority (the “Authority”) has been created and is existing pursuant to an Act of the General Assembly (Ga. Laws 1978 p.4440 *et seq.*, as amended by Ga. Laws 1980 p. 2024, *et seq.*, as continued by Ga. Laws 1987 p. 3637 *et seq.* and as further amended by Ga. Laws 1999 p.4697 *et seq.* (the “Act”) and has been activated as required by the terms of the Act and is now existing and operating as a public corporation and an instrumentality of the State of Georgia and is now existing and operating as a public body corporate and politic for the purpose of redevelopment, development, and improvement of certain project areas within the City of Gainesville; and

**WHEREAS**, the term of Blair Diaz, who was appointed by Council on August 21, 2018, and the term will expire on July 31, 2022, with the result that Ms. Diaz is eligible for reappointment by the Council; and

**WHEREAS**, the term of Cooper Embry, who was appointed by Council on August 21, 2018, and the term will expire on July 31, 2022, with the result that Mr. Embry is eligible for reappointment by the Council; and

**WHEREAS**, the term of Brett Fowler, who was appointed by Council on August 21, 2018, and the term will expire on July 31, 2022, with the result that Mr. Fowler is eligible for reappointment by Council;

**NOW, THEREFORE, BE IT RESOLVED**, by the members of Gainesville Redevelopment Authority that nominations of Blair Diaz, Cooper Embry and Brett Fowler are hereby made to the City Council of the City of Gainesville to fill the Council-appointed positions.

[Signatures of the following page]

APPROVED AND ADOPTED this 26<sup>th</sup> day of July, 2022.

GAINESVILLE REDEVELOPMENT AUTHORITY

BY:   
Matt Nix, Chairperson

Attest:

  
Secretary

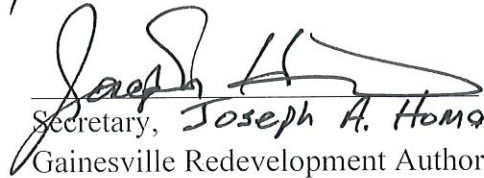


### SECRETARY'S CERTIFICATE

I, Joseph A. Homans, DO HEREBY CERTIFY that I am the Secretary of the Gainesville Redevelopment Authority (the "Authority"), and that the foregoing page constitutes a true and correct copy of a resolution adopted by a majority of the members of the Authority at a meeting which was duly called and assembled on the 26<sup>th</sup> day of July, 2022, which meeting was open to the public and at which a quorum was present and acting throughout, which resolution has not since been amended or rescinded and is in full force and effect on the date of this Certificate.

Witness my hand this 26<sup>th</sup> day of July, 2022.



  
Secretary, Joseph A. Homans  
Gainesville Redevelopment Authority



## CITY OF GAINESVILLE

### Work Session Agenda Request

---

**Item Created:** August 3, 2022  
**Date Submitted:** August 3, 2022  
**Final Approval Date:** August 9, 2022  
**Presenter:** Abb Hayes, City Attorney  
**Item of Business:** Resolution: Hall County Sardis Road Connector Project  
**Meeting Date:** August 11, 2022

---

**Purpose of Request:**

The purpose of this request is to coordinate efforts with Hall County regarding the Sardis Road Connector Project.

**Facts & Issues / History & Background:**

The location and design of the Sardis Road Connector Project was approved by the Department of Transportation in 2020. The project consists of widening, realignment, and reconstruction of existing roadways as well as the construction of new roadways to provide a connector between State Route 53 and State Route 60. It will begin at the intersection of Sardis Road and Chestatee Road and end near the intersection of Mount Vernon Road. The proposed roadway will consist of a four-lane curb and gutter divided road with a designed speed limit of 45 mph. Sidewalks will be included. There is a desire to coordinate activities and obtain the City's approval since some parcels are within the City of Gainesville municipal limits.

**Department Recommendation:**

Adopt the resolution as presented.

**Department Director:**

Bryan Lackey

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Resolution: Hall County Sardis Road Connector Project
2. Backup Material: Hall County Sardis Road Connector Project Resolution & Easements

**RESOLUTION BR-2022-\_\_\_\_\_**

**HALL COUNTY SARDIS ROAD CONNECTOR PROJECT**

**WHEREAS**, Article IX, Section II, Paragraph V of the Georgia Constitution of 1983 authorizes counties to exercise the right of eminent domain; and

**WHEREAS**, O.C.G.A. § 32-3-1 *et seq.* provides for acquisition of property for public road purposes; and

**WHEREAS**, on January 2, 2020, the location and design of the Sardis Road Connector Project (Federal Aid Project STP00-0003-00(626)) were approved by the Georgia Department of Transportation; and

**WHEREAS**, said Sardis Road Connector Project (the “Project”) is located in Land Districts 9 and 10 and G.M.D. 570 of Hall County, Georgia, with a portion located within the municipal limits of the City of Gainesville, Georgia, and consists of the widening, realignment, and reconstruction of existing roadways and the construction of new roadways to provide a connector roadway between Georgia State Route 53 to the South and Georgia State Route 60 to the North; and

**WHEREAS**, the Project will begin at the Sardis Road and Chestatee Road intersection and will extend northward approximately 3.55 miles to Georgia State Route 60 ending near the intersection of State Route 60 and Mount Vernon Road; and

**WHEREAS**, the proposed roadway will consist of a four-lane curb and gutter divided roadway, having 2 lanes in each direction that will be separated by a 20-foot wide, 6-inch-high curb and gutter median and sidewalks will be provided on both sides of the road having a design speed limit of 45 mph; and

**WHEREAS**, the City of Gainesville, Georgia (the “City”) is located wholly within borders of Hall County, Georgia (the “County”) and is the County seat; and

**WHEREAS**, the Project will serve the citizens of the County including the citizens of the City of Gainesville; and

**WHEREAS**, the Board of Commissioners of Hall County, Georgia (the “Board of Commissioners”), as the governing body of the County, being charged with the duty of managing the affairs of the County, including the provision of adequate public roads, has determined that in order to accomplish the Project certain parcels, portions of parcels, temporary easements, and permanent easements lying and being within the municipal limits of the City, as more particularly described on **Exhibit “A”** hereto (collectively, the “Property Interests”), must be acquired; and

**WHEREAS**, pursuant to resolutions adopted on July 28, 2022 (collectively, the “Condemnation Resolutions”), the Board of Commissioners authorized the acquisition by deed or condemnation of the Property Interests for public road purposes in furtherance of the Project; and

**WHEREAS**, because certain parcels within the Project are located partially or wholly within the geographical boundaries of the City of Gainesville, the County desires to coordinate activities with the City and obtain the City's approval of the Project for public transportation purposes serving the citizens of both the City and the County; and

**WHEREAS**, it is necessary that the County acquire the Property Interests in furtherance of the Project; and

**RESOLUTION BR-2022-\_\_\_\_\_**

**HALL COUNTY SARDIS ROAD CONNECTOR PROJECT**

**WHEREAS**, it is necessary that the City acquire easements for the relocation and installation of sewer infrastructure in conjunction with the Project, including but not limited to the acquisition of easements from the County on the following two real properties owned by the County, said real properties hereinafter collectively referred to as “the Garden Boulevard tracts:” (a) Hall County Tax Parcel 10105 002007 located at 3678 Garden Boulevard; and (b) Hall County Tax Parcel 10105 002010 located at 3666 Garden Boulevard.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the City of Gainesville, Georgia, and it is hereby resolved by authority of same, that the Project and acquisition of the Property Interests by the County, using its eminent domain power, in furtherance of the Project is hereby approved.

**BE IT FURTHER RESOLVED** by the authority aforesaid that the various departments of the City shall coordinate with the County as needed, including but not limited to acquisition of easements from the County needed on the Garden Boulevard Tracts, to ensure that no utilities or services provided by the City to its citizens are disrupted as a result of the Project.

**BE IT FURTHER RESOLVED** by the authority aforesaid that the County shall maintain the Project, and the City shall have no maintenance obligation with respect to the Project.

**BE IT FURTHER RESOLVED** by the authority aforesaid that the City shall make claim for condemnation proceeds in any condemnation action where the Property Interests to be taken is subject to taxes or utility fees which remain unpaid and indebted to the City.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

---

**W. Samuel Couvillon, Mayor**

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

**ATTEST:**

---

**Denise O. Jordan, City Clerk**

**RESOLUTION BR-2022-\_\_\_\_**

**HALL COUNTY SARDIS ROAD CONNECTOR PROJECT**

**EXHIBIT "A"  
PROPERTY INTERESTS**

| <b><u>Project<br/>Parcel<br/>Number</u></b> | <b><u>Tax Parcel<br/>Number</u></b> | <b><u>Property Owner</u></b>               | <b><u>Address</u></b>                              | <b><u>Interest Acquired</u></b>                                                                                                                                                                          |
|---------------------------------------------|-------------------------------------|--------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 72                                          | 10097<br>000118                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC | 3893 NW Ledan Road,<br>Gainesville, GA 30506       | (i) A right of way, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |
| 73                                          | 10097<br>000119                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC | 3879 NW Ledan Road,<br>Gainesville, GA 30506       | (i) a right of way, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |
| 74                                          | 10097<br>000120                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC | 3869 NW Ledan Road,<br>Gainesville, GA 30506       | (i) a right of way, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |
| 75                                          | 10097<br>000121                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC | 3857 NW Ledan Road,<br>Gainesville, GA 30506       | (i) A right of way in fee simple and (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities                                                           |
| 89                                          | 10097<br>000205                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC | 3803 NW Windsor<br>Trail, Gainesville, GA<br>30506 | (i) A right of way in fee simple and (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities                                                           |

**RESOLUTION BR-2022-\_\_\_\_\_**

**HALL COUNTY SARDIS ROAD CONNECTOR PROJECT**

| <b><u>Project<br/>Parcel<br/>Number</u></b> | <b><u>Tax Parcel<br/>Number</u></b> | <b><u>Property Owner</u></b>                      | <b><u>Address</u></b>                        | <b><u>Interest Acquired</u></b>                                                                                                                                                                                        |
|---------------------------------------------|-------------------------------------|---------------------------------------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 90                                          | 10097<br>000002                     | WINDSOR FOREST<br>HOMEOWNERS<br>ASSOCIATION, INC. | 3845 NW Ledan Road,<br>Gainesville, GA 30506 | (i) A right of way in fee simple, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |
| 91                                          | 10097<br>000206                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC        | 3805 NW Ledan Road,<br>Gainesville, GA 30506 | (i) A right of way in fee simple, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |
| 92                                          | 10097<br>000207                     | BOWEN AND<br>BOWEN<br>HOMEBUILDERS,<br>LLC        | 3791 NW Ledan Road,<br>Gainesville, GA 30506 | (i) A right of way in fee simple, (ii) a permanent easement for the purpose of constructing and maintaining slopes and relocating utilities, and (iii) a temporary easement for the purpose of constructing a driveway |

## **RESOLUTION**

### **A RESOLUTION TO AUTHORIZE AND APPROVE THE CONVEYANCE OF CERTAIN PERMANENT SEWER EASEMENTS TO THE CITY OF GAINESVILLE, GEORGIA; AND FOR SUCH OTHER PURPOSES.**

**WHEREAS**, said Sardis Road Connector Project (the "Project") is located in Land Districts 9 and 10 and G.M.D. 570 of Hall County, Georgia, and consists of the widening, realignment, and reconstruction of existing roadways and the construction of new roadways to provide a connector roadway between Georgia State Route 53 to the South and Georgia State Route 60 to the North; and

**WHEREAS**, the Project will begin at the Sardis Road and Chestatee Road intersection and will extend northward approximately 3.55 miles to Georgia State Route 60 ending near the intersection of State Route 60 and Mount Vernon Road; and

**WHEREAS**, the proposed roadway will consist of a four-lane curb and gutter divided roadway, having 2 lanes in each direction that will be separated by a 20-foot wide, 6 inch high curb and gutter median and sidewalks will be provided on both sides of the road having a design speed limit of 45 mph; and

**WHEREAS**, the Project will widen Sardis Road from 2 lanes to 4 lanes, necessitating that utility lines be relocated so that such utility lines will not be located under the roadway once the Project is complete; and

**WHEREAS**, in furtherance of the Project; Hall County acquired in fee simple the property known as Tax parcel #10105 002007, which property is located at 3678 Garden Boulevard Gainesville, Georgia 30506 ("Parcel 132"), and the property known as Tax parcel #10105 002010, which property is located at 3666 Garden Boulevard Gainesville, Georgia 30506 ("Parcel 135"); and

**WHEREAS**, the City of Gainesville, Georgia (the "City") operates and maintains sewer lines that will be impacted by the Project and must be relocated; and

**WHEREAS**, the City has prepared a plan to relocate certain utilities, including but not limited to sewer lines, in response to the Project; and

**WHEREAS**, the City has requested that Hall County convey to the City permanent utility easements over, under, and through portions of Parcel 132 and Parcel 135; and

**WHEREAS**, the Board now desires to authorize the conveyance of the requested easements.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Hall County (the "Board"), in regular session, as the managing and controlling body of the County, and it is hereby resolved by authority of the same as follows:

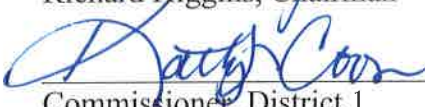
**Section 1.** The conveyance of a permanent sanitary sewer easement over, under, and through Parcel 132 is hereby authorized and approved. The Chairman and Clerk of the Board are hereby authorized to execute and deliver said permanent sanitary sewer easement, the form of which is attached as **Appendix A** hereto and incorporated herein by reference.

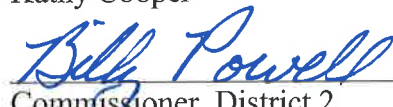
**Section 2.** The conveyance of a permanent sanitary sewer easement over, under, and through Parcel 135 is hereby authorized and approved. The Chairman and Clerk of the Board are hereby authorized to execute and deliver said permanent sanitary sewer easement, the form of which is attached as **Appendix B** hereto and incorporated herein by reference.

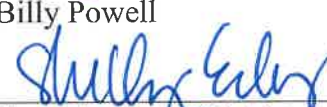
This Resolution is adopted in regular session of the Board, this 28th day of July, 2022, to become effective immediately upon its execution, the public health, safety, and general welfare demanding it.

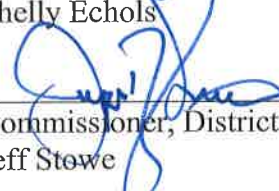
**HALL COUNTY BOARD OF  
COMMISSIONERS**

  
Richard Higgins, Chairman

  
Commissioner, District 1  
Kathy Cooper

  
Commissioner, District 2  
Billy Powell

  
Commissioner, District 3  
Shelly Echols

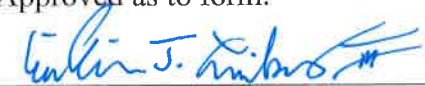
  
Commissioner, District 4  
Jeff Stowe

  
ATTEST  
Jennifer Rivera, Clerk



Approved as to form:

Dep.

  
County Attorney

M. Van Stephens, II



***Appendix A to Resolution***  
***(Permanent Sanitary Sewer Easement, Parcel 132)***



CITY OF GAINESVILLE

•  
**DEPARTMENT OF  
WATER RESOURCES**  
•

757 Queen City Parkway, SW  
Gainesville, Georgia 30501-4358  
Telephone: 770.535.6892  
Fax: 770.538.2411  
Web Site: www.gainesville.org

Mail original to: City of Gainesville DWR    Sardis Road Connector Utility Relocation Project  
Attn: Fay Howard    (Parcel #: 10105 002007)  
757 Queen City Pkwy.  
Gainesville, GA 30501

**PERPETUAL EASEMENT -- SANITARY SEWER MAIN**

**GEORGIA, HALL COUNTY**

This conveyance executed this 1<sup>st</sup> day of August, 2022 that for and in consideration of the benefits to the undersigned of public sewer service and Ten Dollars & No/100 (\$10.00) in hand paid, receipt of which is acknowledged, the undersigned (hereinafter "Grantor") does hereby grant, sell and convey unto The City of Gainesville, Georgia, its successors and assigns (hereinafter "Grantee"), a perpetual easement for right-of-way for the purpose of laying, constructing and maintaining a sanitary sewer main, across, through and adjacent to the undersigned's real property located in Hall County, Georgia, said easements being described on the plans attached hereto as Exhibit "A", and legal description attached hereto as Exhibit "B" and by reference made a part hereof. Said land is indicated on Tax Map Parcel No. 10105 002007, said tax map located in the Hall County Tax Assessor's Office in Gainesville, Georgia.

The Grantee shall have the right of ingress and egress on the tract of land shown on Exhibit "A" as Proposed Permanent Sanitary Sewer Easement, being 0.023 acres of land in size, for the purpose of constructing, laying, operating, maintaining, improving, renewing and overlaying continuously said City of Gainesville sanitary sewer main upon and under said property; together with the right at all times to enter upon said lands for the purpose of inspecting said sanitary sewer main and making repairs, alterations and extensions thereon, there under, thereto and there from; together with the right to cut away and keep clear of said sanitary sewer mains all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said sanitary sewer mains; also the right of ingress and egress over lands of the Grantor to and from said lines; and shall exercise reasonable diligence in doing necessary work in connection therewith so as to avoid damaging Grantor's property.

In the event Grantee causes any damage to Grantor's property in the exercise of Grantee's rights hereunder, Grantee shall restore Grantor's property to as close to the pre-damage state as possible.

The undersigned does not convey any property, but merely grants the rights, privileges and easements herein before set out, however, undersigned warrants that he or she has title to said lands and is authorized to convey the within easement.



CITY OF GAINESVILLE  
•  
DEPARTMENT OF  
WATER RESOURCES  
•

757 Queen City Parkway, SW  
Gainesville, Georgia 30501-4358  
Telephone: 770.535.6892  
Fax: 770.538.2411  
Web Site: www.gainesville.org

Mail original to: City of Gainesville DWR    Sardis Road Connector Utility Relocation Project  
Attn: Fay Howard    (Parcel #: 10105 002007)  
757 Queen City Pkwy.  
Gainesville, GA 30501

The easement granted shall inure to the benefit of and be binding on the Grantee and Grantor and their respective heirs, legal representatives, successors and assigns.

Grantor has the right to use said lands for purposes not inconsistent with the rights hereby granted, provided such use shall not injure or interfere with the proper operation, maintenance, repair, or extensions or additions to the sanitary sewer mains and water mains, and provided further that no buildings or structures shall be erected on said easements and the Grantor shall not obstruct or otherwise interfere with any of the rights granted to the Grantees herein.

The Grantee shall not be liable for, or bound by any statement, agreement or understanding not herein expressed.

**IN WITNESS WHEREOF**, the undersigned hereto set his/her hand and seal the day and year above written.

Signed, Sealed and Delivered this 1<sup>st</sup> day of August, 2022 in the Presence of:

Jennifer Rivera  
Notary Public

Richard Higgins  
Name: Richard Higgins  
Click or tap here to enter text.



Commission Expires: May 10, 2025

(NOTARY SEAL)

[Signature]  
Witness

Jennifer Rivera  
Name

Abril Olivas  
Name

# SARDIS RD CONNECTOR

HALL COUNTY GEORGIA  
3678 GARDEN BOULEVARD  
PARCEL#: 10105 002007

ABANDON  
EXISTING 12"  
SANITARY SEWER

30' EXISTING  
SANITARY SEWER  
EASEMENT

PROPOSED SSMH

PROPOSED 12" PVC  
SANITARY SEWER

EASEMENT FOR  
CONSTRUCTION &  
MAINTENANCE OF  
SLOPES & UTILITY  
RELOCATION

PROPOSED PERMANENT  
SANITARY SEWER  
EASEMENT (0.023 AC)



Date:  
07-06-22

N.T.S

HALL COUNTY  
EXHIBIT "A"

PERMANENT EASEMENT

SARDIS RD. CONNECTOR

## EXHIBIT "B"

### LEGAL DESCRIPTION PERMANENT EASEMENT FOR SANITARY SEWER

Grantor: Hall County, Georgia  
Tax Map Parcel No. 10105 002007

Said permanent sewer easement being 0.023 acres of land shown on Exhibit "A", dated July 6, 2022 over and across that tract or tracts of land lying and being in Hall County, Georgia, said tract or tracts of land being more particularly described in a Warranty Deed from Jarrod R. Knabel to Hall County Georgia, dated September 2, 2021, and recorded in Deed Book 8923, Page 31-32, Hall County, Georgia Deed Records, the legal description in said deed being incorporated herein and made a part hereof by reference.

The purpose of this permanent sewer easement from Hall County is to allow the relocation of sewer lines made necessary by the Right of Way of Proposed Sardis Road Connector from East of Chestatee Road to West of SR 60 along SR 283 in Hall County, Georgia, being Project No. STP00-0003-00 (626) Hall, P.I. No. 0003626, the sewer easement herein conveyed being supplemental to the Permanent Easement for Construction and Maintenance of Slopes and Utility Relocation on Parcel 132 on said Project, as shown on Sheet 60-0013 and Sheet 60-0053, dated 10/18/19, Sheet 60-0013 last revised 06/07/2021.

***Appendix B to Resolution***  
***(Permanent Sanitary Sewer Easement, Parcel 135)***



**CITY OF GAINESVILLE**

**DEPARTMENT OF  
WATER RESOURCES**

757 Queen City Parkway, SW  
Gainesville, Georgia 30501-4358  
Telephone: 770.535.6892  
Fax: 770.538.2411  
Web Site: [www.gainesville.org](http://www.gainesville.org)

Mail original to: City of Gainesville DWR    Sardis Road Connector Utility Relocation Project  
Attn: Fay Howard    (Parcel #: 10105 002010)  
757 Queen City Pkwy.  
Gainesville, GA 30501

**PERPETUAL EASEMENT – SANITARY SEWER MAIN**

**GEORGIA, HALL COUNTY**

This conveyance executed this 1<sup>st</sup> day of August, 2022 that for and in consideration of the benefits to the undersigned of public sewer service and Ten Dollars & No/100 (\$10.00) in hand paid, receipt of which is acknowledged, the undersigned (hereinafter "Grantor") does hereby grant, sell and convey unto The City of Gainesville, Georgia, its successors and assigns (hereinafter "Grantee"), a perpetual easement for right-of-way for the purpose of laying, constructing and maintaining a sanitary sewer main, across, through and adjacent to the undersigned's real property located in Hall County, Georgia, said easements being described on the plans attached hereto as Exhibit "A", and legal description attached hereto as Exhibit "B" and by reference made a part hereof. Said land is indicated on Tax Map Parcel No. 10105 002010, said tax map located in the Hall County Tax Assessor's Office in Gainesville, Georgia.

The Grantee shall have the right of ingress and egress on the tract of land shown on Exhibit "A" as Proposed Permanent Sanitary Sewer Easement, being 0.009 acres of land in size, for the purpose of constructing, laying, operating, maintaining, improving, renewing and overlaying continuously said City of Gainesville sanitary sewer main upon and under said property; together with the right at all times to enter upon said lands for the purpose of inspecting said sanitary sewer main and making repairs, alterations and extensions thereon, there under, thereto and there from; together with the right to cut away and keep clear of said sanitary sewer mains all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said sanitary sewer mains; also the right of ingress and egress over lands of the Grantor to and from said lines; and shall exercise reasonable diligence in doing necessary work in connection therewith so as to avoid damaging Grantor's property.

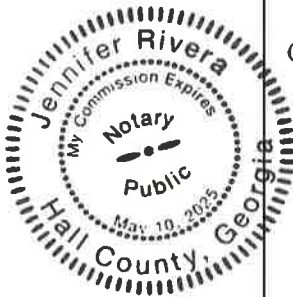
In the event Grantee causes any damage to Grantor's property in the exercise of Grantee's rights hereunder, Grantee shall restore Grantor's property to as close to the pre-damage state as possible.

The undersigned does not convey any property, but merely grants the rights, privileges and easements herein before set out, however, undersigned warrants that he or she has title to said lands and is authorized to convey the within easement.



**CITY OF GAINESVILLE**  
•  
**DEPARTMENT OF  
WATER RESOURCES**  
•

757 Queen City Parkway, SW  
Gainesville, Georgia 30501-4358  
Telephone: 770.535.6892  
Fax: 770.538.2411  
Web Site: www.gainesville.org



Mail original to: City of Gainesville DWR    Sardis Road Connector Utility Relocation Project  
Attn: Fay Howard    (Parcel #: 10105 002010)  
757 Queen City Pkwy.  
Gainesville, GA 30501

The easement granted shall inure to the benefit of and be binding on the Grantee and Grantor and their respective heirs, legal representatives, successors and assigns.

Grantor has the right to use said lands for purposes not inconsistent with the rights hereby granted, provided such use shall not injure or interfere with the proper operation, maintenance, repair, or extensions or additions to the sanitary sewer mains and water mains, and provided further that no buildings or structures shall be erected on said easements and the Grantor shall not obstruct or otherwise interfere with any of the rights granted to the Grantees herein.

The Grantee shall not be liable for, or bound by any statement, agreement or understanding not herein expressed.

**IN WITNESS WHEREOF**, the undersigned hereto set his/her hand and seal the day and year above written.

Signed, Sealed and Delivered this 1<sup>st</sup> day of August, 2022 in the Presence of:

Jennifer Rivera  
Notary Public

Richard Higgins  
Name: Richard Higgins  
Click or tap here to enter text.

Commission Expires: May 10, 2025

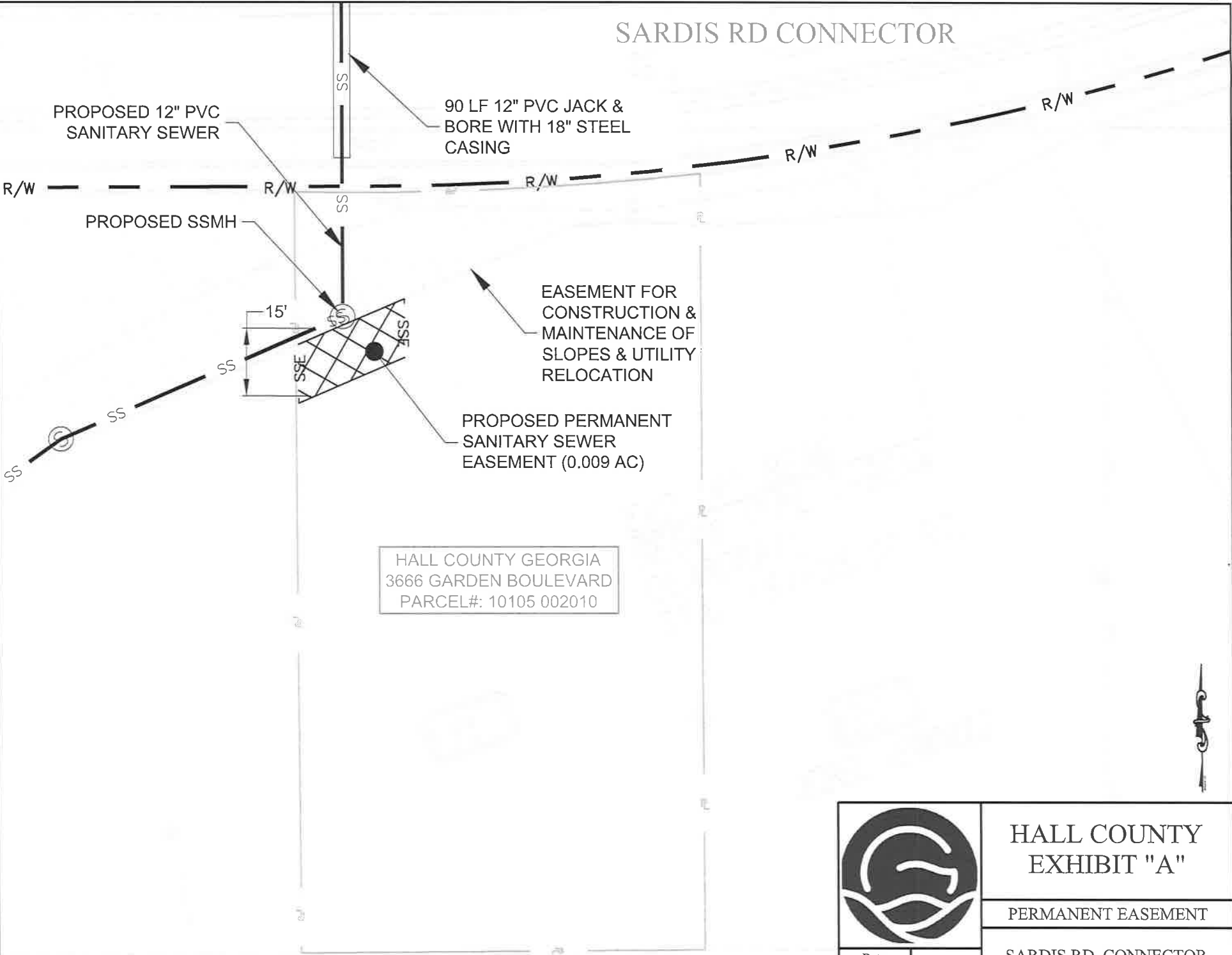
Jennifer Rivera  
Name

(NOTARY SEAL)

[Signature]  
Witness

Abril Olivas  
Name

SARDIS RD CONNECTOR



HALL COUNTY GEORGIA  
3666 GARDEN BOULEVARD  
PARCEL#: 10105 002010



HALL COUNTY  
EXHIBIT "A"

PERMANENT EASEMENT

SARDIS RD. CONNECTOR

Date:  
07-06-22

N.T.S

## EXHIBIT "B"

### LEGAL DESCRIPTION PERMANENT EASEMENT FOR SANITARY SEWER

Grantor: Hall County, Georgia  
Tax Map Parcel No. 10105 002010

Said permanent sewer easement being 0.009 acres of land shown on Exhibit "A", dated July 6, 2022 over and across that tract or tracts of land lying and being in Hall County, Georgia, said tract or tracts of land being more particularly described in a Warranty Deed from BGD Ventures, LLC to Hall County Georgia, dated July 30, 2021, and recorded in Deed Book 8894, Page 705, Hall County, Georgia Deed Records, the legal description in said deed being incorporated herein and made a part hereof by reference.

The purpose of this permanent sewer easement from Hall County is to allow the relocation of sewer lines made necessary by the Right of Way of Proposed Sardis Road Connector from East of Chestatee Road to West of SR 60 along SR 283 in Hall County, Georgia, being Project No. STP00-0003-00 (626) Hall, P.I. No. 0003626, the sewer easement herein conveyed being supplemental to the Permanent Easement for Construction and Maintenance of Slopes and Utility Relocation on Parcel 135 on said Project, as shown on Sheet 60-0013 and Sheet 60-0053, dated 10/18/19, Sheet 60-0013 last revised 06/07/2021.

GEORGIA, HALL COUNTY.

I, JENNIFER RIVERA, do hereby certify that I am the Clerk of the Board of Hall County, Georgia.

I further certify that the foregoing pages constitute a true, correct, and exact copy of a Resolution passed by the Board on July 28, 2022, and that the original of said Resolution is on file in the Hall County Commission Office, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia 30504.

Given under my hand and seal of Hall County, Georgia this 28th day of July, 2022.

  
JENNIFER RIVERA  
Clerk of the Board of Commissioners of  
Hall County, Georgia.

(SEAL OF HALL COUNTY)



1153461-1



## CITY OF GAINESVILLE

### Work Session Agenda Request

---

**Item Created:** August 4, 2022  
**Date Submitted:** August 4, 2022  
**Final Approval Date:** August 10, 2022  
**Presenter:** Abb Hayes, City Attorney  
**Item of Business:** Ordinance: Deannexation of Capstone Inland Crossing  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

The purpose of this request is to allow the de-annexation of property located at 2866 NE Lanier Tech Drive, Gainesville, GA.

**Facts & Issues / History & Background:**

O.C.G.A. § 36-36-22 grants the City of Gainesville authority to accept an application for de-annexation upon the written and signed application of all owners of all land proposed to be de-annexed. The City of Gainesville received a de-annexation application from Capstone with a complete description of the lands to be de-annexed.

O.C.G.A. § 36-36-22 also grants the City of Gainesville authority to pass an ordinance to complete the de-annexation of land upon the adoption of a resolution by the county. A resolution providing de-annexation consent will be considered by the Hall County Board of Commissioners on August 11, 2022.

**Department Recommendation:**

Adopt the ordinance as presented.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Ordinance: Deannex Capstone Inland Crossing
2. Backup Materials: Capstone Inland Crossing Fact Sheet, De-annexation Application, Correspondence, Maps and Proposed Hall County Ordinance

**AN ORDINANCE**

**No. 2022-\_\_**

**AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GAINESVILLE TO ACCEPT THE APPLICATION OF CAPSTONE ACQUISITIONS, LLC ("CAPSTONE") TO DE-ANNEX CERTAIN PROPERTY CURRENTLY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE ("PROPERTY") PURSUANT TO O.C.G.A. § 36-36-22; TO ACKNOWLEDGE RECEIPT OF THE RESOLUTION BY HALL COUNTY, GEORGIA CONSENTING TO THE DE-ANNEXATION OF THE PROPERTY; TO DE-ANNEX SAID PROPERTY; TO CONFIRM THAT SAID PROPERTY CEASES TO CONSTITUTE A PART OF THE LANDS WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE; TO INSTRUCT THAT AN IDENTIFICATION OF THE PROPERTY BE FILED BY THE CITY OF GAINESVILLE WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Howard LT Holdings 1, LLC and Howard LT Holdings 2, LLC (the "Owners") are the sole landowners of a certain piece of property, consisting of 58.28 +/- acres, more or less, currently located within the city limits of the City of Gainesville, the address of said property being 2866 NE Lanier Tech Drive, Gainesville, Georgia ("Property"); and

**WHEREAS**, a complete legal description of the Property is more fully set forth herein below; and

**WHEREAS**, on August 3, 2022, the City of Gainesville received a written and signed de-annexation application from Capstone as representative for the Owners (the "Application"), which Application contained a complete description of the lands to be de-annexed; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to accept an application for de-annexation upon the written and signed application of all of the owners of all of the land proposed to be de-annexed; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to pass an ordinance to complete the de-annexation of land upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such de-annexation; in this case, the applicable county is Hall County, Georgia; and

**WHEREAS**, the City of Gainesville is in receipt of a resolution by Hall County dated August 11, 2022, consenting to the de-annexation of the Property requested in Capstone's Application;

**NOW, THEREFORE, BE IT RESOLVED** and is hereby ordained by the governing body for the City of Gainesville as follows:

**SECTION I**

The governing body of the City of Gainesville hereby accepts the application of Capstone Acquisitions, LLC to de-annex that certain above-defined Property currently located within the city limits of the City of Gainesville, Georgia pursuant to O.C.G.A. § 36-36-22 and hereby acknowledges receipt of a resolution by Hall County, Georgia consenting to the de-annexation of the Property.

## ORDINANCE NO. 2022-\_\_

### SECTION II

That from and after the passage of this Ordinance the following described lands are and shall be de-annexed from the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall cease to constitute a part of the land within the corporate limits of the City of Gainesville, Georgia, as fully and completely as if the limits had been so defined by the General Assembly of Georgia.

#### Legal Description

All that tract or parcel of land lying and being in G.M.D. 411 of Hall County, Georgia and being more particularly described as follows:

Beginning at a concrete monument at the right of way intersection of the easterly right of way and Howard Road and the southerly right of way of Georgia State Route No. 365, a.k.a. Cornelia Highway, said point being the POINT OF BEGINNING; THENCE along the southerly right of way of Howard Road heading N60°21'53"W for a distance of 83.01' to a point; THENCE along a curve to the right with an arc length of 73.52', having a radius of 2598.27', with a chord bearing of N43°58'26"W, with a chord length of 73.52' to a point; THENCE N44°42'44"W for a distance of 178.31'; THENCE N44°42'57"W for a distance of 1113.38' to a point; THENCE N44°42'56"W for a distance of 359.90' to a point; THENCE along a curve to the right with an arc length of 160.50', having a radius of 1165.00', with a chord bearing of N40°43'43"W, with a chord length of 160.37', said point being the TRUE POINT OF BEGINNING; THENCE N66°36'46"E for a distance of 141.46' to a point; THENCE N86°19'11"E for a distance of 36.86' to a point; THENCE S39°57'45"E for a distance of 38.56' to a point; THENCE S83°26'11"E for a distance of 32.02' to a point; THENCE S46°42'57"E for a distance of 86.22' to a point; THENCE S82°51'07"E for a distance of 141.80' to a point; THENCE S86°52'30"E for a distance of 113.60' to a point; THENCE S41°39'36"E for a distance of 44.46' to a point; THENCE N88°49'55"E for a distance of 77.20' to a point; THENCE S82°43'46"E for a distance of 54.70' to a point; THENCE S53°53'53"E for a distance of 50.16' to a point; THENCE N63°25'41"E for a distance of 32.21' to a point; THENCE S77°50'07"E for a distance of 45.68' to a point; THENCE N72°24'52"E for a distance of 83.85' to a point; THENCE N01°44'45"E for a distance of 52.46' to a point; THENCE N39°17'09"E for a distance of 16.67' to a point; THENCE N71°53'09"E for a distance of 37.22' to a point; THENCE N87°12'51"E for a distance of 58.80' to a point; THENCE N41°21'16"E for a distance of 69.26' to a point; THENCE N21°47'41"W for a distance of 54.92' to a point; THENCE N04°28'14"W for a distance of 43.94' to a point; THENCE N38°33'03"E for a distance of 20.17' to a point; THENCE N85°43'27"E for a distance of 49.38' to a point; THENCE S63°53'32"E for a distance of 37.42' to a point; THENCE N15°41'43"E for a distance of 62.26' to a point; THENCE N62°54'30"E for a distance of 80.36' to a point; THENCE N12°44'09"E for a distance of 52.88' to a point; THENCE N40°14'05"E for a distance of 62.97' to a point; THENCE N12°58'17"E for a distance of 106.42' to a point; THENCE N34°09'14"W for a distance of 52.94' to a point; THENCE N13°40'12"E for a distance of 23.61' to a point; THENCE N64°04'52"E for a distance of 44.44' to a point; THENCE N03°59'48"W for a distance of 45.85' to a point; THENCE S12°59'04"E for a distance of 877.50' to a point; THENCE S12°43'04"E for a distance of 428.02' to an iron pin set; THENCE S60°19'30"W for a distance of 2823.97' to a point; THENCE N22°22'29"E for a distance of 2276.53' to a point, said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 58.28 acres as shown on a Composite Plat for Howard Road Townhomes, prepared by Myers & Co, Inc., dated 12/18/18.

**ORDINANCE NO. 2022-\_\_**

**SECTION III**

The Community and Economic Development Department of the City of Gainesville is directed to make and file with the Department of Community Affairs of the State of Georgia a certified copy of this Ordinance together with a plat describing lands de-annexed from the City of Gainesville by this Ordinance.

**SECTION IV**

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

**SECTION V**

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 VI**

The effective date of this Ordinance shall be the date of approval/adoption by the governing body of the City of Gainesville, Georgia.

**BE IT FURTHER RESOLVED THAT** the Mayor, City Manager and/or City Attorney are authorized to sign any and all documents that may be necessary to effectuate the de-annexation of the Property.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

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

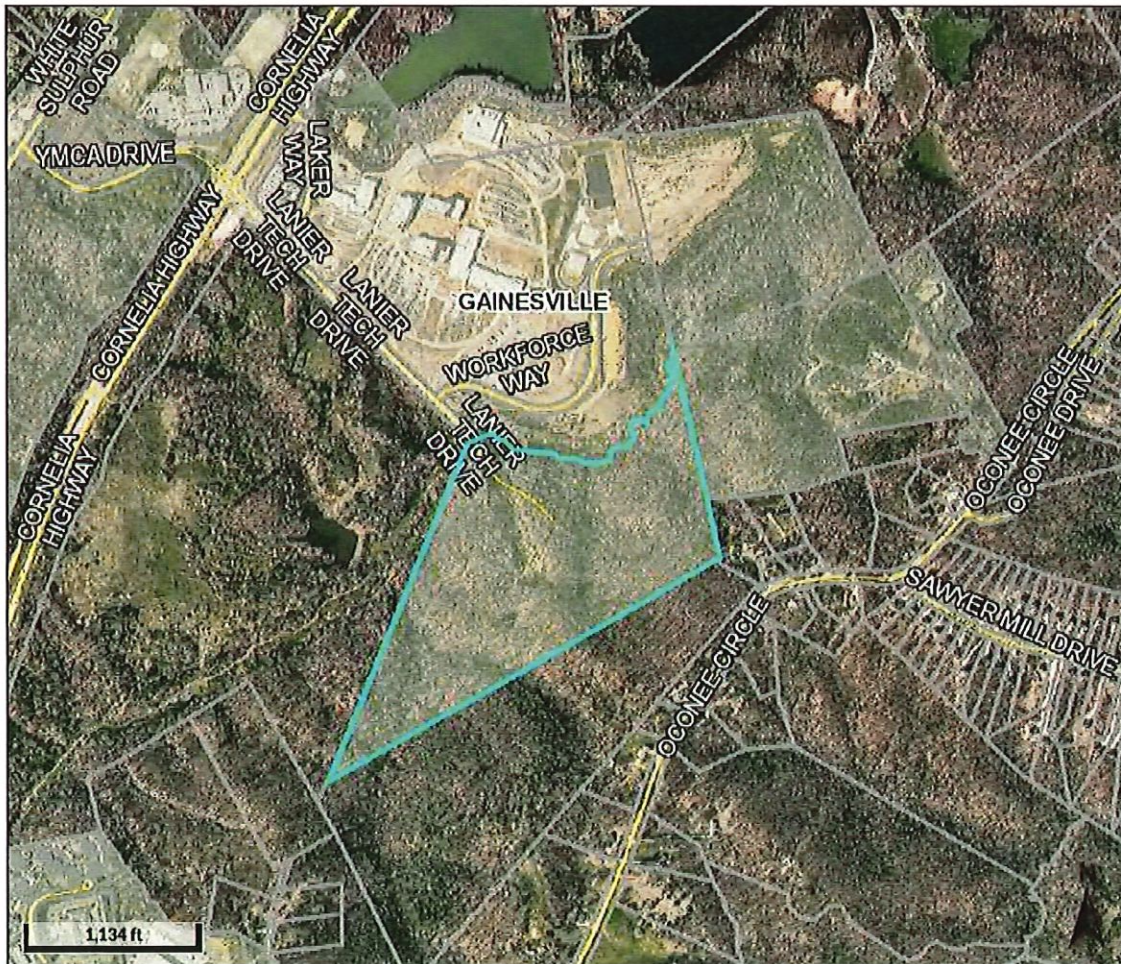
**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**

**Capstone at Inland Crossing**  
**Proposed 342-unit multi-family development**

**FACT SHEET**

- Applicant: Capstone Acquisitions, LLC
- Location: 2866 NE Lanier Tech Drive
- Tax Parcel: 15021 000085
- Property Owners: Howard LT Holdings 1, LLC and Howard LT Holdings 2, LLC
- Property: 58.28 +/- acres (unimproved) near Lanier Technical College
- Current Zoning: L-I (Light Industrial) Gainesville
- Proposed Zoning: R-MF (Residential Multi-Family) Hall County
- Overlay District: N. Oconee WPD Zone
- Abuts County property on Easterly, Southerly and Westerly boundaries
- Property has public access via Lanier Tech Drive which is approximately 0.2 miles east of Hwy 365
- Proposed Density: between 5.87 units/acre and 7 units/acre
- Preliminary Concept Plan: 342 units and amenity package
- Note: Preliminary Plan has 18.34 +/- acres for Green Space and 37.11 +/- acres for Development
- Water and Sanitary Sewer Service to be provided by City of Gainesville Public Utilities Dept.
- Development would support housing needs of growing local industry & adjacent college campus
- Contacts: Jonathan Collins, Lead Developer ([jonathan@cpglc.net](mailto:jonathan@cpglc.net) or 770-519-5598)  
Carla J. Walker, Esq., Attorney for Applicant ([cwalker@ihslawllc.com](mailto:cwalker@ihslawllc.com) or 404-210-6271)



**IHS LAW, LLC**  
*A Georgia limited liability company*

340 Jesse Jewell Pkwy, Suite 105  
P.O. Box 907146  
Gainesville, GA 30501  
404-210-6271  
cwalker@ihslawllc.com

August 3, 2022

**VIA HAND DELIVERY AND**  
**VIA ELECTRONIC MAIL**

ash@homlaw.com  
vstephens@hallcounty.org

Hulsey, Oliver & Mahar, LLP  
Mr. Abbott S. Hayes, Jr., City Attorney  
200 E. E. Butler Parkway  
Gainesville, GA 30501

Hall County Law Department  
Mr. Van Stephens, County Attorney  
2875 Browns Bridge Road  
Gainesville, GA 30504

**Re: De-Annexation Application (the "De-Annexation Application" or the "Application") of Capstone Acquisitions, LLC (the "Applicant") regarding 58.28 +/- acres located at 2866 Lanier Tech Drive (i.e. Tax Parcel # 15021 000085) (the "Property")**

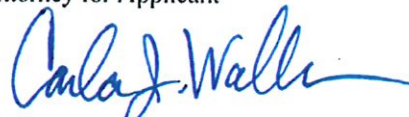
Dear City and County Attorneys:

Please find enclosed herewith a copy of the above-referenced De-Annexation Application that has been submitted to the City of Gainesville's Community and Economic Development Dept. this morning. In furtherance of this Application, I/we hereby respectfully request the following:

- (1) That the Hall County Board of Commissioners consent to Applicant's De-Annexation Application and pass a Resolution setting forth said consent; and
- (2) That the City of Gainesville grant Applicant's request for the de-annexation of the above-described Property and pass a Resolution setting forth said approval; and
- (3) That Applicant's requests be added to the next Work Session and Voting Meeting agendas for the Hall County Board of Commissioners & the Governing Body of the City of Gainesville; and
- (4) That Applicant be permitted to file its Zoning Application with the Hall County Planning and Development Department by the next deadline of August 15, 2022; and
- (5) That the Property (and the development proposed thereon) retain access to the utility services of the City of Gainesville for water and sewer connectivity, if the Application is approved.

Thank you in advance for your consideration of this matter. Please do not hesitate to contact me directly if any additional information is needed to evaluate and approve these requests.

Sincerely,  
**IHS LAW, LLC,**  
Attorney for Applicant



Carla J. Walker, Esq.

*Enclosure: Copy of De-annexation Application*

Cc: William J. Linkous, III, Deputy County Attorney (via e-mail only: wlinkous@hallcounty.org)  
Jonathan Collins, Capstone Acquisitions, LLC (via e-mail only: jonathan@cpgllc.net)



**GAINESVILLE**

## APPLICATION FOR ZONING ACTIONS

PAB Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

### Applicant Information

|                |                            |
|----------------|----------------------------|
| Name           | Capstone Acquisitions, LLC |
| Address        | P.O. Box 723               |
| City/State/Zip | Gainesville, GA 30503      |
| Phone/Cell     | 770-519-5598               |
| Email          | jonathan@cpallc.net        |

### Property Owner Information

|                |                                                     |
|----------------|-----------------------------------------------------|
| Name           | Howard LT Holdings 1, LLC; Howard LT Holdings 2, L  |
| Address        | c/o IHS Law, LLC - 340 Jesse Jewell Pkwy, Suite 105 |
| City/State/Zip | Gainesville, GA 30501                               |
| Phone/Cell     | 404-210-6271                                        |
| Email          | cwalker@ihslawllc.com                               |

### Applicant Status

|                                     |                        |
|-------------------------------------|------------------------|
| <input type="checkbox"/>            | Current Property Owner |
| <input type="checkbox"/>            | Option to Purchase     |
| <input type="checkbox"/>            | Area Resident          |
| <input checked="" type="checkbox"/> | Representative         |
| <input type="checkbox"/>            | Government             |

### Zoning Request

|                                             |                                                   |
|---------------------------------------------|---------------------------------------------------|
| Existing Zoning                             | L-1                                               |
| Rezone To / Establish As                    |                                                   |
| <input type="checkbox"/> Annexation         | <input checked="" type="checkbox"/> De-annexation |
| <input type="checkbox"/> Rezoning           | <input type="checkbox"/> Zoning Amendment         |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Road Action Request      |

### Parcel Information

|                             |                           |          |       |
|-----------------------------|---------------------------|----------|-------|
| Tax Parcel Number(s)        | 15021 000085              | Ward No. | 2     |
| Location (Address)          | 2866 NE Lanier Tech Drive | Acres    | 58.28 |
| Existing Structure(s)       | N/A - vacant              |          |       |
| Description of Proposed Use | multi-family development  |          |       |

### Connect to City Sewer (For Annexations Only)

|                                                                                                                            |                                         |                                        |
|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| Does the applicant wish to connect to city sewer?                                                                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| Does the applicant plan to request the city to share in the cost of the sewer line extension as a condition of annexation? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| If Yes to cost sharing, provide a Letter of Cost Estimate from the Department of Water Resources                           |                                         |                                        |

### Fee Information

|                                                            |          |
|------------------------------------------------------------|----------|
| Annexation or De-annexation, Rezoning, or Zoning Amendment | \$500.00 |
| Special Use Permit                                         | \$400.00 |
| Road Action Request                                        | \$250.00 |
| Amount Due (Include all fees required)                     | \$       |

### Method of Payment

|                                        |             |  |
|----------------------------------------|-------------|--|
| <input type="checkbox"/> Paid by Check | Check No.   |  |
| <input type="checkbox"/> Paid Cash     | Receipt No. |  |

### Supporting Documents Required in PDF Format

|                                     |                                                                                                                 |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | Concept Plan - Prepared by a Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect |
| <input type="checkbox"/>            | Plat                                                                                                            |
| <input checked="" type="checkbox"/> | Legal Description of Property - Word DOC or DOCX format                                                         |
| <input type="checkbox"/>            | Narrative Report                                                                                                |
| <input type="checkbox"/>            | Architectural Rendering                                                                                         |
| <input type="checkbox"/>            | Traffic Impact Study - If applicable                                                                            |
| <input type="checkbox"/>            | DRI Review - Large scale projects only                                                                          |
| <input checked="" type="checkbox"/> | Other - Explain Request for Annexation Waiver re: Sewer                                                         |

**Applicant's Certification:** I hereby certify the above information, and all attached information, is true and correct; and that I have read, understand, and have received a copy of the Public Notice Requirements.

Signature of Applicant

Capstone Acquisitions, LLC

Jonathan Collins, Manager

Date 8-3-2022

Application Taken By

Date

**Application WITHDRAWAL Notification:** I hereby withdraw the above application.

Signature of Applicant

Date

## Zoning Action Request

### PROPERTY OWNER AUTHORIZATION

As the owner of the subject property, I hereby authorize the person named below to act on my behalf as Applicant in the pursuit of zoning action for this property.

|                                |                            |
|--------------------------------|----------------------------|
| Applicant's Name, if not Owner | Capstone Acquisitions, LLC |
|--------------------------------|----------------------------|

### OWNER INFORMATION CERTIFICATION

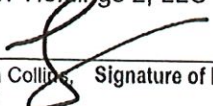
I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Hall County, Georgia:

|                           |                           |
|---------------------------|---------------------------|
| Name of Owner             | Howard LT Holdings 2, LLC |
| Owner's Address           | P.O. Box 723              |
| City / State / Zip Code   | Gainesville, GA 30503     |
| Owner's Phone Number      | 770-530-9850              |
| Owner's Cell Phone Number | Same                      |

### NOTARY PUBLIC CERTIFICATION

Personally appeared before me the following:

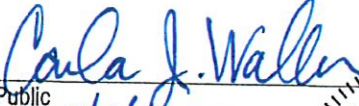
Howard LT Holdings 2, LLC

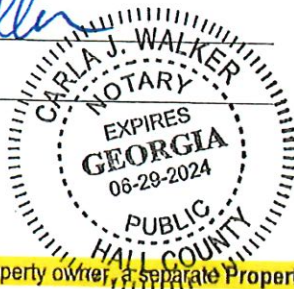
By:  Signature of Property Owner  
Jonathan Collins, Manager

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

Notary Public

Date

  
8/3/2022



In the event there is more than one property owner, a separate Property Owner Authorization page must be completed by each property owner.

## Zoning Action Request

### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

NOTE: This form is required for all annexation and/or zoning actions

- (a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
  - (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- (c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
  - (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

### APPLICANT'S CERTIFICATION

I hereby certify that I have read the above campaign disclosure information and declare that (select have or have not)

☐

I have within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

☒

I have not within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*NOTE:** If you are an applicant and you have made any such contribution(s), you must provide the information required in subsection (a) above within ten (10) days after the rezoning action is first filed. If you are an opponent and you have made a contribution, you must provide the information required in subsection (c) above at least five (5) calendar days prior to the public hearing by the City Council or any of its agencies on the rezoning application.

(1)

(Name and official position of the City Council Member of the City of Gainesville, Georgia to whom campaign contribution was made)

(2)

Amount: \$ \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Capstone Acquisitions, LLC

Signature of Applicant: By: \_\_\_\_\_

Jonathan Collins, Manager

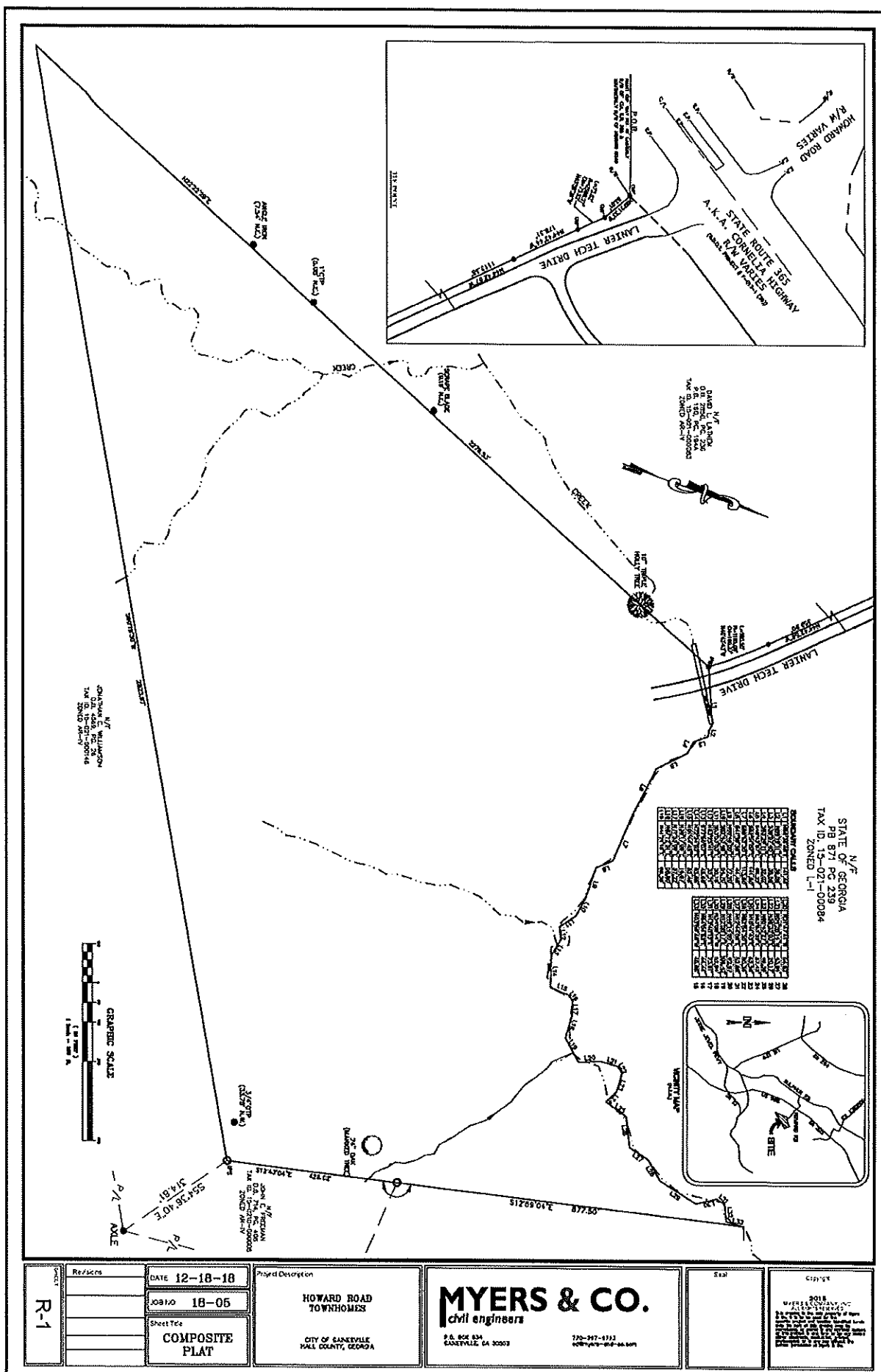
Date: 8-3-2022

Legal Description  
For  
Tax Parcel 15021 000085

All that tract or parcel of land lying and being in G.M.D. 411 of Hall County, Georgia and being more particularly described as follows:

Beginning at a concrete monument at the right of way intersection of the easterly right of way and Howard Road and the southerly right of way of Georgia State Route No. 365, a.k.a. Cornelia Highway, said point being the POINT OF BEGINNING; THENCE along the southerly right of way of Howard Road heading N60°21'53"W for a distance of 83.01' to a point; THENCE along a curve to the right with an arc length of 73.52', having a radius of 2598.27', with a chord bearing of N43°58'26"W, with a chord length of 73.52' to a point; THENCE N44°42'44"W for a distance of 178.31'; THENCE N44°42'57"W for a distance of 1113.38' to a point; THENCE N44°42'56"W for a distance of 359.90' to a point; THENCE along a curve to the right with an arc length of 160.50', having a radius of 1165.00', with a chord bearing of N40°43'43"W, with a chord length of 160.37', said point being the TRUE POINT OF BEGINNING; THENCE N66°36'46"E for a distance of 141.46' to a point; THENCE N86°19'11"E for a distance of 36.86' to a point; THENCE S39°57'45"E for a distance of 38.56' to a point; THENCE S83°26'11"E for a distance of 32.02' to a point; THENCE S46°42'57"E for a distance of 86.22' to a point; THENCE S82°51'07"E for a distance of 141.80' to a point; THENCE S86°52'30"E for a distance of 113.60' to a point; THENCE S41°39'36"E for a distance of 44.46' to a point; THENCE N88°49'55"E for a distance of 77.20' to a point; THENCE S82°43'46"E for a distance of 54.70' to a point; THENCE S53°53'53"E for a distance of 50.16' to a point; THENCE N63°25'41"E for a distance of 32.21' to a point; THENCE S77°50'07"E for a distance of 45.68' to a point; THENCE N72°24'52"E for a distance of 83.85' to a point; THENCE N01°44'45"E for a distance of 52.46' to a point; THENCE N39°17'09"E for a distance of 16.67' to a point; THENCE N71°53'09"E for a distance of 37.22' to a point; THENCE N87°12'51"E for a distance of 58.80' to a point; THENCE N41°21'16"E for a distance of 69.26' to a point; THENCE N21°47'41"W for a distance of 54.92' to a point; THENCE N04°28'14"W for a distance of 43.94' to a point; THENCE N38°33'03"E for a distance of 20.17' to a point; THENCE N85°43'27"E for a distance of 49.38' to a point; THENCE S63°53'32"E for a distance of 37.42' to a point; THENCE N15°41'43"E for a distance of 62.26' to a point; THENCE N62°54'30"E for a distance of 80.36' to a point; THENCE N12°44'09"E for a distance of 52.88' to a point; THENCE N40°14'05"E for a distance of 62.97' to a point; THENCE N12°58'17"E for a distance of 106.42' to a point; THENCE N34°09'14"W for a distance of 52.94' to a point; THENCE N13°40'12"E for a distance of 23.61' to a point; THENCE N64°04'52"E for a distance of 44.44' to a point; THENCE N03°59'48"W for a distance of 45.85' to a point; THENCE S12°59'04"E for a distance of 877.50' to a point; THENCE S12°43'04"E for a distance of 428.02' to an iron pin set; THENCE S60°19'30"W for a distance of 2823.97' to a point; THENCE N22°22'29"E for a distance of 2276.53' to a point, said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 58.28 acres as shown on a Composite Plat for Howard Road Townhomes, prepared by Myers & Co, Inc., dated 12/18/18.



# IHS LAW, LLC

*A Georgia limited liability company*

340 Jesse Jewell Pkwy, Suite 105  
P.O. Box 907146  
Gainesville, GA 30501  
404-210-6271  
cwalker@ihslawllc.com

August 3, 2022

**VIA HAND DELIVERY AND**  
**VIA ELECTRONIC MAIL**

rligon@gainesvillega.gov

City of Gainesville  
Mr. Rusty Ligon, Director  
Community and Economic Development  
300 Henry Ward Way, Suite 303  
Gainesville, GA 30501

**Re: Request for WAIVER of annexation requirement for water and sanitary sewer services and Request for ACCESS to said services to Capstone at Inland Crossing, being 58.28 +/- acres located at 2866 Lanier Tech Drive, Gainesville, Georgia (i.e. Tax Parcel # 15021 000085) (the "Property")**

Dear Rusty:

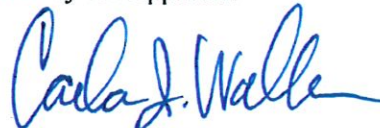
The purpose of this letter is: (i) to request a waiver of the annexation requirement for the provision of water and sanitary sewer services from the City of Gainesville (the "City") to the above-reference Property, and (ii) to request access to the City's water and sanitary sewer services for a proposed development off of Lanier Tech Drive a/k/a Howard Road in Hall County *after* said Property is de-annexed from the City, if approved. The proposed project is 342-unit multi-family development (the "Project"). Please see the attached site plan.

The requests above (the "Requests") are being made on behalf of Capstone Acquisitions, LLC (the "Applicant") as agent for the two owners of the Property and are being made contemporaneously with an application for de-annexation that is being submitted to the City of even date herewith. In support of the Requests, please find enclosed a letter from the City's Permitting Services Manager confirming the availability of water and sanitary sewer services to/for the Project.

Thank you in advance for your consideration of these Requests. Please do not hesitate to contact me directly if any additional information is needed to evaluate and approve the same.

Sincerely,

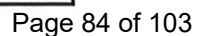
**IHS LAW, LLC,**  
Attorney for Applicant



Carla J. Walker, Esq.

*Enclosures: Preliminary Site Plan and Letter of Availability*

Cc: Mr. Abbott S. Hayes, Jr., Attorney for the City of Gainesville (via e-mail only)  
Mr. Jonathan Collins, Capstone Acquisitions, LLC (via e-mail only)



CITY OF  
**GAINESVILLE**

**WATER RESOURCES**

---

July 19, 2022

Capstone Acquisitions, LLC  
Attn: Carla J. Walker, Esq.  
340 Jesse Jewell Pkwy, Suite 105  
Gainesville, GA 30501

Re: Water & Sanitary Sewer Availability  
Proposed 342-Unit Multi-Family Development  
2866 Lanier Tech Drive  
PIN: 15021 000085

Dear Ms. Walker,

The purpose of this letter is to confirm the availability of water and sanitary sewer service to the above-referenced property.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Lanier Tech Drive, which terminates on the subject property. The City also owns and operates an existing 8-inch DIP gravity sanitary sewer located on the subject property.

The City of Gainesville has adequate capacity for your proposed 342-unit multi-family development, which we understand will generate an anticipated average sewage flow of 85,550 GPD and a peak flow of 213,750 GPD. It is our understanding the developer will be requesting to de-annex the property from the City of Gainesville, and, as a result, subsequently request the City to waive the annexation requirement for sanitary sewer service. If the request is approved by City Council, the City will honor this commitment of water and sanitary sewer service for your development.

This confirmation of water and sanitary sewer availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.

Please call me at (770) 538-2452 should you have any questions.

Sincerely,

*Nick Swafford*

Nick Swafford  
Permitting Services Manager

cc: Myron Bennett, P.E., Engineering and Construction Div. Manager

STATE OF GEORGIA  
COUNTY OF HALL

RESOLUTION NO. 2022-\_\_

A RESOLUTION OF THE HALL COUNTY BOARD OF COMMISSIONERS GRANTING PERMISSION TO CAPSTONE ACQUISITIONS, LLC ("CAPSTONE") TO SUBMIT A ZONING APPLICATION TO THE HALL COUNTY PLANNING AND DEVELOPMENT DEPARTMENT BY AUGUST 15, 2022; CONSENTING TO AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GAINESVILLE TO ACCEPT THE APPLICATION OF THE CAPSTONE TO DEANNEX CERTAIN PROPERTY CURRENTLY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE ("PROPERTY") PURSUANT TO O.C.G.A. § 36-36-22; ACKNOWLEDGING RECEIPT OF THIS RESOLUTION BY HALL COUNTY, GEORGIA CONSENTING TO THE DE-ANNEXATION OF THE PROPERTY; DE-ANNEXING SAID PROPERTY; CONFIRMING THAT SAID PROPERTY CEASES TO CONSTITUTE A PART OF THE LANDS WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE; APPROVING THE CONNECTION OF THE PROPERTY TO THE CITY'S WATER AND SANITARY SEWER SYSTEM WITHOUT ANNEXATION AND FOLLOWING ITS DE-ANNEXATION; INSTRUCTING THAT AN IDENTIFICATION OF THE PROPERTY BE FILED BY THE CITY OF GAINESVILLE WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, Howard LT Holdings 1, LLC and Howard LT Holdings 2, LLC (the "Owners") are the sole landowners of a certain piece of property, consisting of 58.28 +/- acres, more or less, currently located within the city limits of the City of Gainesville, the address of said property being 2866 NE Lanier Tech Drive, Gainesville, Georgia ("Property"); and

**WHEREAS**, a complete legal description of the Property is more fully set forth hereinbelow; and

**WHEREAS**, on August 3, 2022, the Hall County Law Department received a copy of a written and signed de-annexation application from Capstone as representative for the Owners (the "Application") submitted to the City of Gainesville, a which Application contained a complete description of the lands to be de-annexed and a request for service of water and sanitary sewer services to be provided to the Property by the City of Gainesville following the de-annexation, if approved; and

**WHEREAS**, on August 3, 2022, Capstone also submitted a request via cover letter to the Hall County Attorney that it be given permission to file a Zoning Application with the Hall County Planning and Development Department by August 15, 2022; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to accept an application for de-annexation upon the written and signed application of all of the owners of all of the land proposed to be de-annexed; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to pass an ordinance to complete the de-annexation of land upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such de-annexation; in this case, the applicable county is Hall County, Georgia; and

WHEREAS, the Board of Commissioners of Hall County, Georgia is granted authority pursuant to O.C.G.A. § 36-36-22 to consent to the de-annexation of the Property; and

WHEREAS, the Board of Commissioners of Hall County, Georgia has determined that it is in the best interests of the county to consent to the de-annexation of the Property that is more fully described hereinbelow; and

WHEREAS, accordingly, the Board of Commissioners of Hall County, Georgia has deemed it appropriate for Capstone to be granted permission to file a Zoning Application with the Hall County Planning and Development Department by August 15, 2022;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA AND IT IS HEREBY RESOLVED:

#### Section I

A more particular description of the Property is described as follows:

#### Legal Description

All that tract or parcel of land lying and being in G.M.D. 411 of Hall County, Georgia and being more particularly described as follows:

Beginning at a concrete monument at the right of way intersection of the easterly right of way and Howard Road and the southerly right of way of Georgia State Route No. 365, a.k.a. Cornelia Highway, said point being the POINT OF BEGINNING; THENCE along the southerly right of way of Howard Road heading N60°21'53"W for a distance of 83.01' to a point; THENCE along a curve to the right with an arc length of 73.52', having a radius of 2598.27', with a chord bearing of N43°58'26"W, with a chord length of 73.52' to a point; THENCE N44°42'44"W for a distance of 178.31'; THENCE N44°42'57"W for a distance of 1113.38' to a point; THENCE N44°42'56"W for a distance of 359.90' to a point; THENCE along a curve to the right with an arc length of 160.50', having a radius of 1165.00', with a chord bearing of N40°43'43"W, with a chord length of 160.37', said point being the TRUE POINT OF BEGINNING; THENCE N66°36'46"E for a distance of 141.46' to a point; THENCE N86°19'11"E for a distance of 36.86' to a point; THENCE S39°57'45"E for a distance of 38.56' to a point; THENCE S83°26'11"E for a distance of 32.02' to a point; THENCE S46°42'57"E for a distance of 86.22' to a point; THENCE S82°51'07"E for a distance of 141.80' to a point; THENCE S86°52'30"E for a distance of 113.60' to a point; THENCE S41°39'36"E for a distance of 44.46' to a point; THENCE N88°49'55"E for a distance of 77.20' to a point; THENCE S82°43'46"E for a distance of 54.70' to a point; THENCE S53°53'53"E for a distance of 50.16' to a point; THENCE N63°25'41"E for a distance of 32.21' to a point; THENCE S77°50'07"E for a distance of 45.68' to a point; THENCE N72°24'52"E for a distance of 83.85' to a point; THENCE N01°44'45"E for a distance of 52.46' to a point; THENCE N39°17'09"E for a distance of 16.67' to a point; THENCE N71°53'09"E for a distance of 37.22' to a point; THENCE N87°12'51"E for a distance of 58.80' to a point; THENCE N41°21'16"E for a distance of 69.26' to a point; THENCE N21°47'41"W for a distance of 54.92' to a point; THENCE N04°28'14"W for a distance of 43.94' to a point; THENCE N38°33'03"E for a distance of 20.17' to a point; THENCE N85°43'27"E for a distance of 49.38' to a point; THENCE S63°53'32"E for a distance of 37.42' to a point; THENCE N15°41'43"E for a distance of 62.26' to a point; THENCE N62°54'30"E for a distance of 80.36' to a point; THENCE N12°44'09"E for a distance of 52.88' to a point; THENCE N40°14'05"E for a distance of 62.97' to a point; THENCE N12°58'17"E for a distance of 106.42' to a point; THENCE N34°09'14"W for a distance of 52.94' to a point; THENCE N13°40'12"E for a distance of 23.61' to a point; THENCE N64°04'52"E for a distance of 44.44' to a point; THENCE N03°59'48"W for a distance of 45.85' to a point; THENCE S12°59'04"E for a distance of 877.50' to a point; THENCE S12°43'04"E for a distance of 428.02' to an iron pin set; THENCE S60°19'30"W for a distance of 2823.97' to a point; THENCE N22°22'29"E for a distance of 2276.53' to a point, said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 58.28 acres as shown on a Composite Plat for Howard Road Townhomes, prepared by Myers & Co, Inc., dated 12/18/18.

## **Section II**

The Board of Commissioners of Hall County, Georgia hereby consents to the request of Capstone Acquisitions, LLC to de-annex the Property currently located within the city limits of the City of Gainesville, Georgia pursuant to O.C.G.A. § 36-36-22, and, upon receipt of this Resolution by Hall County, Georgia consenting to the de-annexation of the Property, the City of Gainesville may adopt an ordinance providing for the following: that the Property is de-annexed, that the Property ceases to constitute a part of the lands within the city limits of the City of Gainesville, that connection of the Property to the City of Gainesville's water and sanitary sewer system is approved without annexation and following a de-annexation of the Property, and that an identification of the Property shall be filed by the City of Gainesville with the Georgia Department of Community Affairs.

## **Section III**

The Board of Commissioners of Hall County, Georgia hereby grants permission to Capstone Acquisitions, LLC to submit a Zoning Application with the Hall County Planning and Development Department by August 15, 2022.

## **Section IV**

This Resolution shall become effective upon its approval by the Board of Commissioners.

**BE IT FURTHER RESOLVED THAT** the Commissioners, County Administrator and/or County Attorney(s) are authorized to sign any and all documents that may be necessary to effectuate any of the action approved and/or consented to hereinabove.

**SO RESOLVED** this \_\_\_\_ day of August, 2022.

**HALL COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**Richard Higgins, Commission Chairman**

\_\_\_\_\_  
**Kathy Cooper, District 1 Commissioner**

\_\_\_\_\_  
**Billy Powell, District 2 Commissioner**

\_\_\_\_\_  
**Shelly Echols, District 3 Commissioner**

\_\_\_\_\_  
**Jeff Stowe, District 4 Commissioner**

**ATTEST:**

\_\_\_\_\_  
**Jennifer Rivera, Commission Clerk**



## CITY OF GAINESVILLE

### Work Session Agenda Request

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**Item Created:** August 4, 2022  
**Date Submitted:** August 4, 2022  
**Final Approval Date:** August 10, 2022  
**Presenter:** Abb Hayes, City Attorney  
**Item of Business:** Resolution: Capstone Inland Crossing Sewer Annexation Waiver  
**Meeting Date:** August 11, 2022

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**Purpose of Request:**

This is a companion to the de-annexation request asking for water and sanitary sewer connection at 2866 NE Lanier Tech Drive, Gainesville, GA.

**Facts & Issues / History & Background:**

In conjunction with the de-annexation request, Capstone Inland Crossing requested a waiver of the annexation requirement for connection to the City's sanitary sewer system for 58.28+/- acres at 2866 Lanier Tech Drive. The proposed resolution approves the waiver request allowing connection to the water and sanitary sewer system without annexation. It also authorizes execution of documents necessary to allow this connection.

**Department Recommendation:**

Adopt the resolution as presented.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Resolution: Capstone Inland Crossing Sewer Annexation Waiver
2. Backup Materials: Capstone Inland Crossing Fact Sheet, De-Annexation Application, Correspondence, Maps and Proposed Hall County Ordinance

**RESOLUTION BR-2022-\_\_**

**CAPSTONE AT INLAND CROSSING  
DEVELOPMENT ANNEXATION WAIVER**

**WHEREAS**, the City of Gainesville owns and operates a sanitary sewer collection system serving the City of Gainesville and surrounding areas; and

**WHEREAS**, the City of Gainesville requires property owners who desire to connect to the sanitary sewer collection system to annex into the corporate limits of the City of Gainesville prior to connection when contiguous to the City Limits; and

**WHEREAS**, in some instances, the City may desire to provide sanitary sewer service to property which is contiguous to the municipal boundaries of the City for protection of the public health and welfare of the community, despite the proposed use of said property not conforming to the City Unified Land Development Code and/or despite the proposed use of said property being inconsistent with the City Comprehensive Future Land Use Plan; and

**WHEREAS**, in these instances, the City of Gainesville will allow connection to the City's sanitary sewer collection system without requiring annexation into the City Limits but will require execution of a sanitary sewer service agreement and power of attorney for future annexation of said property; and

**WHEREAS**, Capstone Acquisitions, LLC, on behalf of the two owners of that certain 58.28 +/- acre tract located at 2866 Lanier Tech Drive (the "Property"), proposes a multi-family development on said parcel and has formally requested, in writing, the annexation requirement for connection to the City's sanitary sewer system be waived; and

**WHEREAS**, Community and Economic Development Department staff have identified the nature of the proposed multi-family development to be non-conforming with the City's Comprehensive Future Land Use Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby approves this request to allow connection of the Property to the City's water and sanitary sewer system without annexation.

**BE IT FURTHER RESOLVED THAT** the Mayor, City Manager and/or City Attorney are authorized to sign any and all documents that may be necessary to effectuate the connection of the Property to the City's sanitary sewer system.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

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

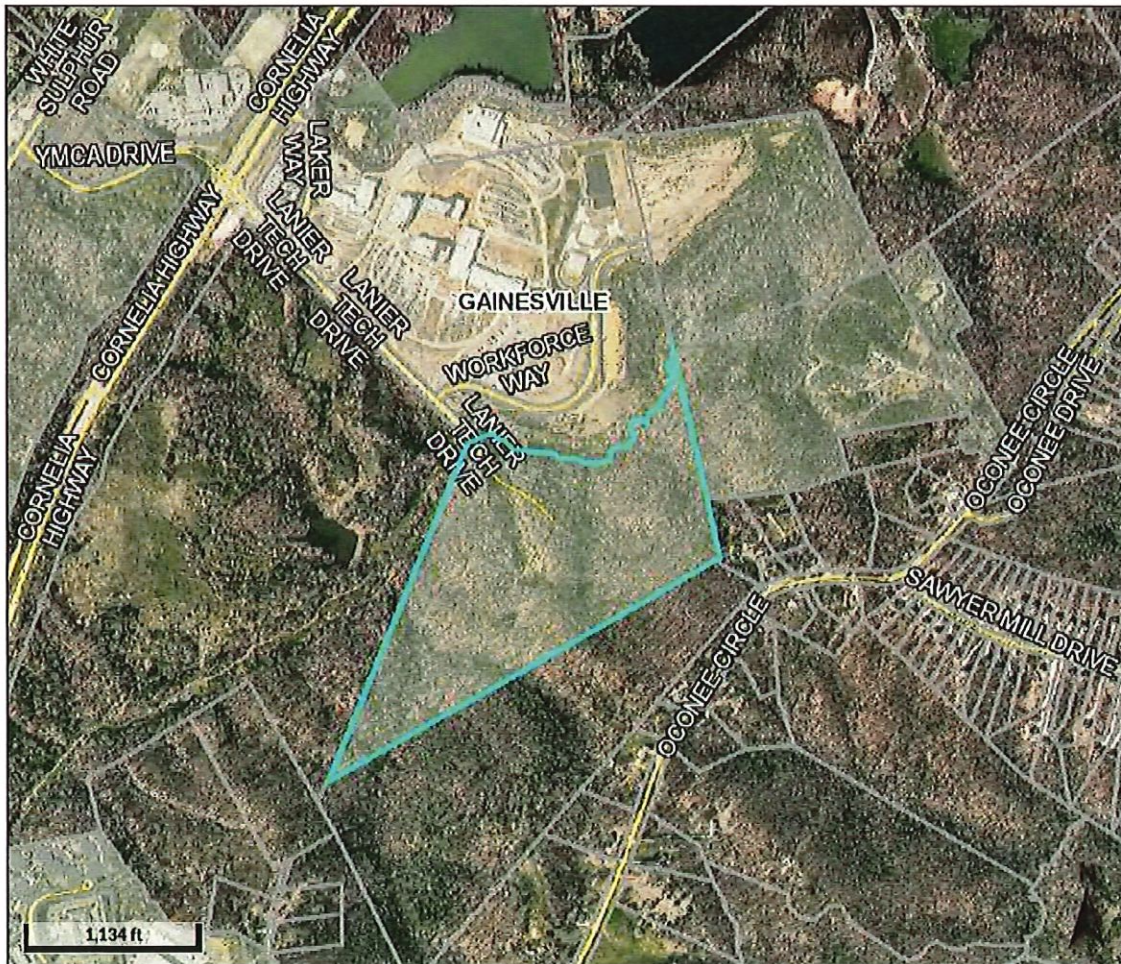
**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**

**Capstone at Inland Crossing**  
**Proposed 342-unit multi-family development**

**FACT SHEET**

- Applicant: Capstone Acquisitions, LLC
- Location: 2866 NE Lanier Tech Drive
- Tax Parcel: 15021 000085
- Property Owners: Howard LT Holdings 1, LLC and Howard LT Holdings 2, LLC
- Property: 58.28 +/- acres (unimproved) near Lanier Technical College
- Current Zoning: L-I (Light Industrial) Gainesville
- Proposed Zoning: R-MF (Residential Multi-Family) Hall County
- Overlay District: N. Oconee WPD Zone
- Abuts County property on Easterly, Southerly and Westerly boundaries
- Property has public access via Lanier Tech Drive which is approximately 0.2 miles east of Hwy 365
- Proposed Density: between 5.87 units/acre and 7 units/acre
- Preliminary Concept Plan: 342 units and amenity package
- Note: Preliminary Plan has 18.34 +/- acres for Green Space and 37.11 +/- acres for Development
- Water and Sanitary Sewer Service to be provided by City of Gainesville Public Utilities Dept.
- Development would support housing needs of growing local industry & adjacent college campus
- Contacts: Jonathan Collins, Lead Developer ([jonathan@cpglc.net](mailto:jonathan@cpglc.net) or 770-519-5598)  
Carla J. Walker, Esq., Attorney for Applicant ([cwalker@ihslawllc.com](mailto:cwalker@ihslawllc.com) or 404-210-6271)



**IHS LAW, LLC**  
*A Georgia limited liability company*

340 Jesse Jewell Pkwy, Suite 105  
P.O. Box 907146  
Gainesville, GA 30501  
404-210-6271  
cwalker@ihslawllc.com

August 3, 2022

**VIA HAND DELIVERY AND**  
**VIA ELECTRONIC MAIL**

ash@homlaw.com  
vstephens@hallcounty.org

Hulsey, Oliver & Mahar, LLP  
Mr. Abbott S. Hayes, Jr., City Attorney  
200 E. E. Butler Parkway  
Gainesville, GA 30501

Hall County Law Department  
Mr. Van Stephens, County Attorney  
2875 Browns Bridge Road  
Gainesville, GA 30504

**Re: De-Annexation Application (the "De-Annexation Application" or the "Application") of Capstone Acquisitions, LLC (the "Applicant") regarding 58.28 +/- acres located at 2866 Lanier Tech Drive (i.e. Tax Parcel # 15021 000085) (the "Property")**

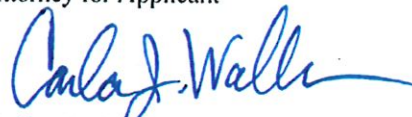
Dear City and County Attorneys:

Please find enclosed herewith a copy of the above-referenced De-Annexation Application that has been submitted to the City of Gainesville's Community and Economic Development Dept. this morning. In furtherance of this Application, I/we hereby respectfully request the following:

- (1) That the Hall County Board of Commissioners consent to Applicant's De-Annexation Application and pass a Resolution setting forth said consent; and
- (2) That the City of Gainesville grant Applicant's request for the de-annexation of the above-described Property and pass a Resolution setting forth said approval; and
- (3) That Applicant's requests be added to the next Work Session and Voting Meeting agendas for the Hall County Board of Commissioners & the Governing Body of the City of Gainesville; and
- (4) That Applicant be permitted to file its Zoning Application with the Hall County Planning and Development Department by the next deadline of August 15, 2022; and
- (5) That the Property (and the development proposed thereon) retain access to the utility services of the City of Gainesville for water and sewer connectivity, if the Application is approved.

Thank you in advance for your consideration of this matter. Please do not hesitate to contact me directly if any additional information is needed to evaluate and approve these requests.

Sincerely,  
**IHS LAW, LLC,**  
Attorney for Applicant



Carla J. Walker, Esq.

*Enclosure: Copy of De-annexation Application*

Cc: William J. Linkous, III, Deputy County Attorney (via e-mail only: wlinkous@hallcounty.org)  
Jonathan Collins, Capstone Acquisitions, LLC (via e-mail only: jonathan@cpgllc.net)



**GAINESVILLE**

## APPLICATION FOR ZONING ACTIONS

PAB Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

### Applicant Information

|                |                            |
|----------------|----------------------------|
| Name           | Capstone Acquisitions, LLC |
| Address        | P.O. Box 723               |
| City/State/Zip | Gainesville, GA 30503      |
| Phone/Cell     | 770-519-5598               |
| Email          | jonathan@cpallc.net        |

### Property Owner Information

|                |                                                     |
|----------------|-----------------------------------------------------|
| Name           | Howard LT Holdings 1, LLC; Howard LT Holdings 2, L  |
| Address        | c/o IHS Law, LLC - 340 Jesse Jewell Pkwy, Suite 105 |
| City/State/Zip | Gainesville, GA 30501                               |
| Phone/Cell     | 404-210-6271                                        |
| Email          | cwalker@ihslawllc.com                               |

### Applicant Status

|                                     |                        |
|-------------------------------------|------------------------|
| <input type="checkbox"/>            | Current Property Owner |
| <input type="checkbox"/>            | Option to Purchase     |
| <input type="checkbox"/>            | Area Resident          |
| <input checked="" type="checkbox"/> | Representative         |
| <input type="checkbox"/>            | Government             |

### Zoning Request

|                                             |                                                   |
|---------------------------------------------|---------------------------------------------------|
| Existing Zoning                             | L-1                                               |
| Rezone To / Establish As                    |                                                   |
| <input type="checkbox"/> Annexation         | <input checked="" type="checkbox"/> De-annexation |
| <input type="checkbox"/> Rezoning           | <input type="checkbox"/> Zoning Amendment         |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Road Action Request      |

### Parcel Information

|                             |                           |          |       |
|-----------------------------|---------------------------|----------|-------|
| Tax Parcel Number(s)        | 15021 000085              | Ward No. | 2     |
| Location (Address)          | 2866 NE Lanier Tech Drive | Acres    | 58.28 |
| Existing Structure(s)       | N/A - vacant              |          |       |
| Description of Proposed Use | multi-family development  |          |       |

### Connect to City Sewer (For Annexations Only)

|                                                                                                                            |                                         |                                        |
|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| Does the applicant wish to connect to city sewer?                                                                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| Does the applicant plan to request the city to share in the cost of the sewer line extension as a condition of annexation? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| If Yes to cost sharing, provide a Letter of Cost Estimate from the Department of Water Resources                           |                                         |                                        |

### Fee Information

|                                                            |          |
|------------------------------------------------------------|----------|
| Annexation or De-annexation, Rezoning, or Zoning Amendment | \$500.00 |
| Special Use Permit                                         | \$400.00 |
| Road Action Request                                        | \$250.00 |
| Amount Due (Include all fees required)                     | \$       |

### Method of Payment

|                                        |             |  |
|----------------------------------------|-------------|--|
| <input type="checkbox"/> Paid by Check | Check No.   |  |
| <input type="checkbox"/> Paid Cash     | Receipt No. |  |

### Supporting Documents Required in PDF Format

|                                     |                                                                                                                 |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | Concept Plan - Prepared by a Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect |
| <input type="checkbox"/>            | Plat                                                                                                            |
| <input checked="" type="checkbox"/> | Legal Description of Property - Word DOC or DOCX format                                                         |
| <input type="checkbox"/>            | Narrative Report                                                                                                |
| <input type="checkbox"/>            | Architectural Rendering                                                                                         |
| <input type="checkbox"/>            | Traffic Impact Study - If applicable                                                                            |
| <input type="checkbox"/>            | DRI Review - Large scale projects only                                                                          |
| <input checked="" type="checkbox"/> | Other - Explain Request for Annexation Waiver re: Sewer                                                         |

**Applicant's Certification:** I hereby certify the above information, and all attached information, is true and correct; and that I have read, understand, and have received a copy of the Public Notice Requirements.

Signature of Applicant \_\_\_\_\_  
 Capstone Acquisitions, LLC  
 Jonathan Collins, Manager

Date 8-3-2022

Application Taken By \_\_\_\_\_

Date \_\_\_\_\_

**Application WITHDRAWAL Notification:** I hereby withdraw the above application.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

## Zoning Action Request

### PROPERTY OWNER AUTHORIZATION

As the owner of the subject property, I hereby authorize the person named below to act on my behalf as Applicant in the pursuit of zoning action for this property.

|                                |                            |
|--------------------------------|----------------------------|
| Applicant's Name, if not Owner | Capstone Acquisitions, LLC |
|--------------------------------|----------------------------|

### OWNER INFORMATION CERTIFICATION

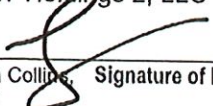
I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Hall County, Georgia:

|                           |                           |
|---------------------------|---------------------------|
| Name of Owner             | Howard LT Holdings 2, LLC |
| Owner's Address           | P.O. Box 723              |
| City / State / Zip Code   | Gainesville, GA 30503     |
| Owner's Phone Number      | 770-530-9850              |
| Owner's Cell Phone Number | Same                      |

### NOTARY PUBLIC CERTIFICATION

Personally appeared before me the following:

Howard LT Holdings 2, LLC

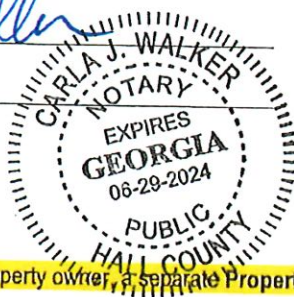
By:   
Jonathan Collins, Signature of Property Owner  
Manager

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

Notary Public

Date

8/3/2022



In the event there is more than one property owner, a separate Property Owner Authorization page must be completed by each property owner.

## Zoning Action Request

### CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

NOTE: This form is required for all annexation and/or zoning actions

- (a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
  - (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- (c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
  - (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

### APPLICANT'S CERTIFICATION

I hereby certify that I have read the above campaign disclosure information and declare that (select have or have not)

☐

I have within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

☒

I have not within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

**\*NOTE:** If you are an applicant and you have made any such contribution(s), you must provide the information required in subsection (a) above within ten (10) days after the rezoning action is first filed. If you are an opponent and you have made a contribution, you must provide the information required in subsection (c) above at least five (5) calendar days prior to the public hearing by the City Council or any of its agencies on the rezoning application.

(1) \_\_\_\_\_  
(Name and official position of the City Council Member of the City of Gainesville, Georgia to whom campaign contribution was made)

(2) Amount: \$ \_\_\_\_\_ Date of Contribution: \_\_\_\_\_

Capstone Acquisitions, LLC

Signature of Applicant: By: \_\_\_\_\_

Jonathan Collins, Manager

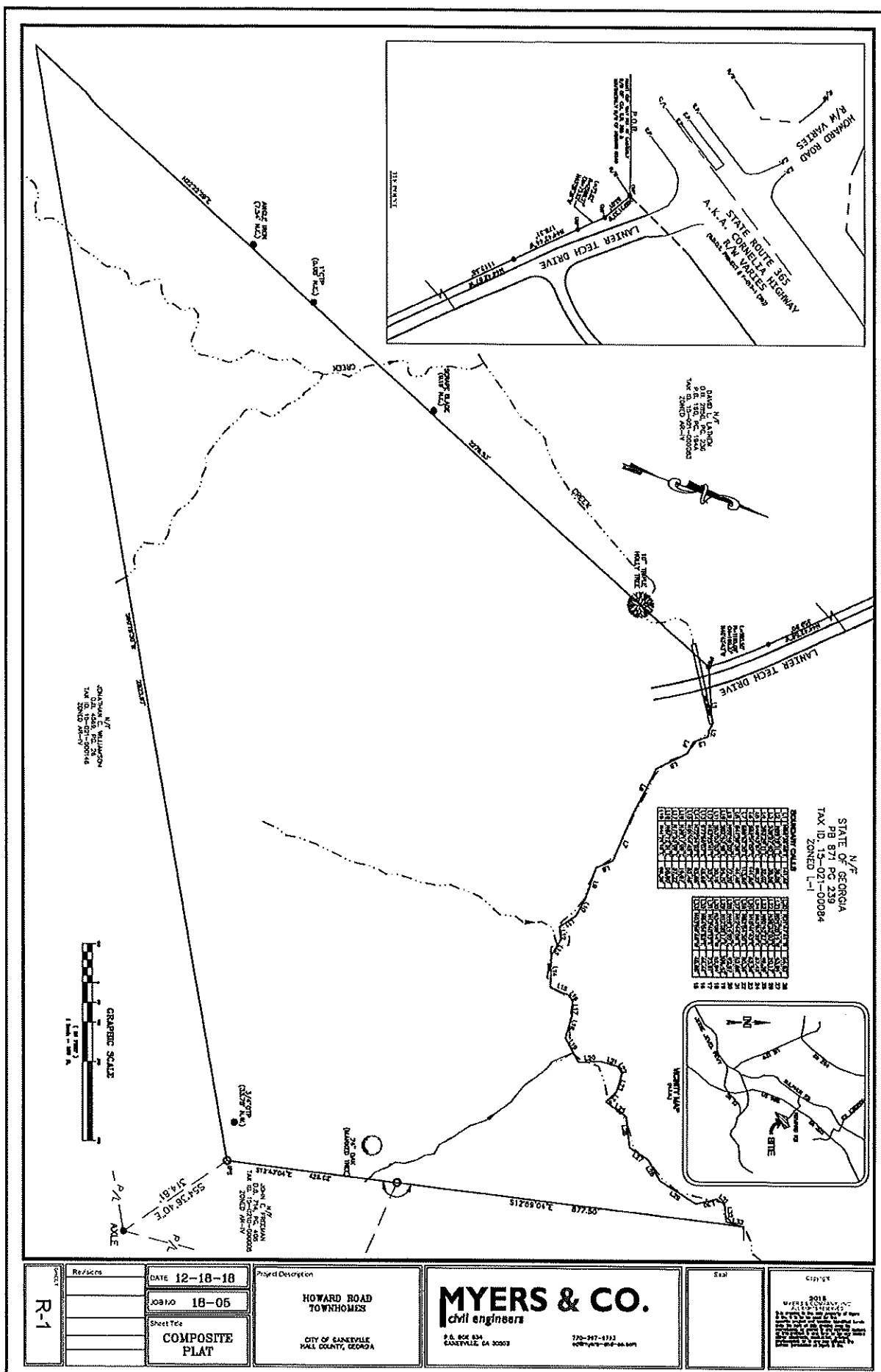
Date: 8-3-2022

Legal Description  
For  
Tax Parcel 15021 000085

All that tract or parcel of land lying and being in G.M.D. 411 of Hall County, Georgia and being more particularly described as follows:

Beginning at a concrete monument at the right of way intersection of the easterly right of way and Howard Road and the southerly right of way of Georgia State Route No. 365, a.k.a. Cornelia Highway, said point being the POINT OF BEGINNING; THENCE along the southerly right of way of Howard Road heading N60°21'53"W for a distance of 83.01' to a point; THENCE along a curve to the right with an arc length of 73.52', having a radius of 2598.27', with a chord bearing of N43°58'26"W, with a chord length of 73.52' to a point; THENCE N44°42'44"W for a distance of 178.31'; THENCE N44°42'57"W for a distance of 1113.38' to a point; THENCE N44°42'56"W for a distance of 359.90' to a point; THENCE along a curve to the right with an arc length of 160.50', having a radius of 1165.00', with a chord bearing of N40°43'43"W, with a chord length of 160.37', said point being the TRUE POINT OF BEGINNING; THENCE N66°36'46"E for a distance of 141.46' to a point; THENCE N86°19'11"E for a distance of 36.86' to a point; THENCE S39°57'45"E for a distance of 38.56' to a point; THENCE S83°26'11"E for a distance of 32.02' to a point; THENCE S46°42'57"E for a distance of 86.22' to a point; THENCE S82°51'07"E for a distance of 141.80' to a point; THENCE S86°52'30"E for a distance of 113.60' to a point; THENCE S41°39'36"E for a distance of 44.46' to a point; THENCE N88°49'55"E for a distance of 77.20' to a point; THENCE S82°43'46"E for a distance of 54.70' to a point; THENCE S53°53'53"E for a distance of 50.16' to a point; THENCE N63°25'41"E for a distance of 32.21' to a point; THENCE S77°50'07"E for a distance of 45.68' to a point; THENCE N72°24'52"E for a distance of 83.85' to a point; THENCE N01°44'45"E for a distance of 52.46' to a point; THENCE N39°17'09"E for a distance of 16.67' to a point; THENCE N71°53'09"E for a distance of 37.22' to a point; THENCE N87°12'51"E for a distance of 58.80' to a point; THENCE N41°21'16"E for a distance of 69.26' to a point; THENCE N21°47'41"W for a distance of 54.92' to a point; THENCE N04°28'14"W for a distance of 43.94' to a point; THENCE N38°33'03"E for a distance of 20.17' to a point; THENCE N85°43'27"E for a distance of 49.38' to a point; THENCE S63°53'32"E for a distance of 37.42' to a point; THENCE N15°41'43"E for a distance of 62.26' to a point; THENCE N62°54'30"E for a distance of 80.36' to a point; THENCE N12°44'09"E for a distance of 52.88' to a point; THENCE N40°14'05"E for a distance of 62.97' to a point; THENCE N12°58'17"E for a distance of 106.42' to a point; THENCE N34°09'14"W for a distance of 52.94' to a point; THENCE N13°40'12"E for a distance of 23.61' to a point; THENCE N64°04'52"E for a distance of 44.44' to a point; THENCE N03°59'48"W for a distance of 45.85' to a point; THENCE S12°59'04"E for a distance of 877.50' to a point; THENCE S12°43'04"E for a distance of 428.02' to an iron pin set; THENCE S60°19'30"W for a distance of 2823.97' to a point; THENCE N22°22'29"E for a distance of 2276.53' to a point, said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 58.28 acres as shown on a Composite Plat for Howard Road Townhomes, prepared by Myers & Co, Inc., dated 12/18/18.



# IHS LAW, LLC

*A Georgia limited liability company*

340 Jesse Jewell Pkwy, Suite 105  
P.O. Box 907146  
Gainesville, GA 30501  
404-210-6271  
cwalker@ihslawllc.com

August 3, 2022

**VIA HAND DELIVERY AND  
VIA ELECTRONIC MAIL**

rligon@gainesvillega.gov

City of Gainesville  
Mr. Rusty Ligon, Director  
Community and Economic Development  
300 Henry Ward Way, Suite 303  
Gainesville, GA 30501

**Re: Request for WAIVER of annexation requirement for water and sanitary sewer services and Request for ACCESS to said services to Capstone at Inland Crossing, being 58.28 +/- acres located at 2866 Lanier Tech Drive, Gainesville, Georgia (i.e. Tax Parcel # 15021 000085) (the "Property")**

Dear Rusty:

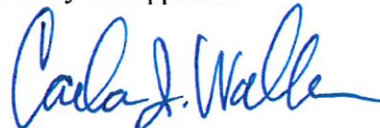
The purpose of this letter is: (i) to request a waiver of the annexation requirement for the provision of water and sanitary sewer services from the City of Gainesville (the "City") to the above-reference Property, and (ii) to request access to the City's water and sanitary sewer services for a proposed development off of Lanier Tech Drive a/k/a Howard Road in Hall County *after* said Property is de-annexed from the City, if approved. The proposed project is 342-unit multi-family development (the "Project"). Please see the attached site plan.

The requests above (the "Requests") are being made on behalf of Capstone Acquisitions, LLC (the "Applicant") as agent for the two owners of the Property and are being made contemporaneously with an application for de-annexation that is being submitted to the City of even date herewith. In support of the Requests, please find enclosed a letter from the City's Permitting Services Manager confirming the availability of water and sanitary sewer services to/for the Project.

Thank you in advance for your consideration of these Requests. Please do not hesitate to contact me directly if any additional information is needed to evaluate and approve the same.

Sincerely,

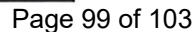
**IHS LAW, LLC,**  
Attorney for Applicant



Carla J. Walker, Esq.

*Enclosures: Preliminary Site Plan and Letter of Availability*

Cc: Mr. Abbott S. Hayes, Jr., Attorney for the City of Gainesville (via e-mail only)  
Mr. Jonathan Collins, Capstone Acquisitions, LLC (via e-mail only)



CITY OF  
**GAINESVILLE**

**WATER RESOURCES**

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July 19, 2022

Capstone Acquisitions, LLC  
Attn: Carla J. Walker, Esq.  
340 Jesse Jewell Pkwy, Suite 105  
Gainesville, GA 30501

Re: Water & Sanitary Sewer Availability  
Proposed 342-Unit Multi-Family Development  
2866 Lanier Tech Drive  
PIN: 15021 000085

Dear Ms. Walker,

The purpose of this letter is to confirm the availability of water and sanitary sewer service to the above-referenced property.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Lanier Tech Drive, which terminates on the subject property. The City also owns and operates an existing 8-inch DIP gravity sanitary sewer located on the subject property.

The City of Gainesville has adequate capacity for your proposed 342-unit multi-family development, which we understand will generate an anticipated average sewage flow of 85,550 GPD and a peak flow of 213,750 GPD. It is our understanding the developer will be requesting to de-annex the property from the City of Gainesville, and, as a result, subsequently request the City to waive the annexation requirement for sanitary sewer service. If the request is approved by City Council, the City will honor this commitment of water and sanitary sewer service for your development.

This confirmation of water and sanitary sewer availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.

Please call me at (770) 538-2452 should you have any questions.

Sincerely,

*Nick Swafford*

Nick Swafford  
Permitting Services Manager

cc: Myron Bennett, P.E., Engineering and Construction Div. Manager

STATE OF GEORGIA  
COUNTY OF HALL

RESOLUTION NO. 2022-\_\_

A RESOLUTION OF THE HALL COUNTY BOARD OF COMMISSIONERS GRANTING PERMISSION TO CAPSTONE ACQUISITIONS, LLC ("CAPSTONE") TO SUBMIT A ZONING APPLICATION TO THE HALL COUNTY PLANNING AND DEVELOPMENT DEPARTMENT BY AUGUST 15, 2022; CONSENTING TO AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GAINESVILLE TO ACCEPT THE APPLICATION OF THE CAPSTONE TO DEANNEX CERTAIN PROPERTY CURRENTLY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE ("PROPERTY") PURSUANT TO O.C.G.A. § 36-36-22; ACKNOWLEDGING RECEIPT OF THIS RESOLUTION BY HALL COUNTY, GEORGIA CONSENTING TO THE DE-ANNEXATION OF THE PROPERTY; DE-ANNEXING SAID PROPERTY; CONFIRMING THAT SAID PROPERTY CEASES TO CONSTITUTE A PART OF THE LANDS WITHIN THE CITY LIMITS OF THE CITY OF GAINESVILLE; APPROVING THE CONNECTION OF THE PROPERTY TO THE CITY'S WATER AND SANITARY SEWER SYSTEM WITHOUT ANNEXATION AND FOLLOWING ITS DE-ANNEXATION; INSTRUCTING THAT AN IDENTIFICATION OF THE PROPERTY BE FILED BY THE CITY OF GAINESVILLE WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, Howard LT Holdings 1, LLC and Howard LT Holdings 2, LLC (the "Owners") are the sole landowners of a certain piece of property, consisting of 58.28 +/- acres, more or less, currently located within the city limits of the City of Gainesville, the address of said property being 2866 NE Lanier Tech Drive, Gainesville, Georgia ("Property"); and

**WHEREAS**, a complete legal description of the Property is more fully set forth hereinbelow; and

**WHEREAS**, on August 3, 2022, the Hall County Law Department received a copy of a written and signed de-annexation application from Capstone as representative for the Owners (the "Application") submitted to the City of Gainesville, a which Application contained a complete description of the lands to be de-annexed and a request for service of water and sanitary sewer services to be provided to the Property by the City of Gainesville following the de-annexation, if approved; and

**WHEREAS**, on August 3, 2022, Capstone also submitted a request via cover letter to the Hall County Attorney that it be given permission to file a Zoning Application with the Hall County Planning and Development Department by August 15, 2022; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to accept an application for de-annexation upon the written and signed application of all of the owners of all of the land proposed to be de-annexed; and

**WHEREAS**, O.C.G.A. § 36-36-22 grants the City of Gainesville authority to pass an ordinance to complete the de-annexation of land upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such de-annexation; in this case, the applicable county is Hall County, Georgia; and

WHEREAS, the Board of Commissioners of Hall County, Georgia is granted authority pursuant to O.C.G.A. § 36-36-22 to consent to the de-annexation of the Property; and

WHEREAS, the Board of Commissioners of Hall County, Georgia has determined that it is in the best interests of the county to consent to the de-annexation of the Property that is more fully described hereinbelow; and

WHEREAS, accordingly, the Board of Commissioners of Hall County, Georgia has deemed it appropriate for Capstone to be granted permission to file a Zoning Application with the Hall County Planning and Development Department by August 15, 2022;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA AND IT IS HEREBY RESOLVED:

#### Section I

A more particular description of the Property is described as follows:

##### Legal Description

All that tract or parcel of land lying and being in G.M.D. 411 of Hall County, Georgia and being more particularly described as follows:

Beginning at a concrete monument at the right of way intersection of the easterly right of way and Howard Road and the southerly right of way of Georgia State Route No. 365, a.k.a. Cornelia Highway, said point being the POINT OF BEGINNING; THENCE along the southerly right of way of Howard Road heading N60°21'53"W for a distance of 83.01' to a point; THENCE along a curve to the right with an arc length of 73.52', having a radius of 2598.27', with a chord bearing of N43°58'26"W, with a chord length of 73.52' to a point; THENCE N44°42'44"W for a distance of 178.31'; THENCE N44°42'57"W for a distance of 1113.38' to a point; THENCE N44°42'56"W for a distance of 359.90' to a point; THENCE along a curve to the right with an arc length of 160.50', having a radius of 1165.00', with a chord bearing of N40°43'43"W, with a chord length of 160.37', said point being the TRUE POINT OF BEGINNING; THENCE N66°36'46"E for a distance of 141.46' to a point; THENCE N86°19'11"E for a distance of 36.86' to a point; THENCE S39°57'45"E for a distance of 38.56' to a point; THENCE S83°26'11"E for a distance of 32.02' to a point; THENCE S46°42'57"E for a distance of 86.22' to a point; THENCE S82°51'07"E for a distance of 141.80' to a point; THENCE S86°52'30"E for a distance of 113.60' to a point; THENCE S41°39'36"E for a distance of 44.46' to a point; THENCE N88°49'55"E for a distance of 77.20' to a point; THENCE S82°43'46"E for a distance of 54.70' to a point; THENCE S53°53'53"E for a distance of 50.16' to a point; THENCE N63°25'41"E for a distance of 32.21' to a point; THENCE S77°50'07"E for a distance of 45.68' to a point; THENCE N72°24'52"E for a distance of 83.85' to a point; THENCE N01°44'45"E for a distance of 52.46' to a point; THENCE N39°17'09"E for a distance of 16.67' to a point; THENCE N71°53'09"E for a distance of 37.22' to a point; THENCE N87°12'51"E for a distance of 58.80' to a point; THENCE N41°21'16"E for a distance of 69.26' to a point; THENCE N21°47'41"W for a distance of 54.92' to a point; THENCE N04°28'14"W for a distance of 43.94' to a point; THENCE N38°33'03"E for a distance of 20.17' to a point; THENCE N85°43'27"E for a distance of 49.38' to a point; THENCE S63°53'32"E for a distance of 37.42' to a point; THENCE N15°41'43"E for a distance of 62.26' to a point; THENCE N62°54'30"E for a distance of 80.36' to a point; THENCE N12°44'09"E for a distance of 52.88' to a point; THENCE N40°14'05"E for a distance of 62.97' to a point; THENCE N12°58'17"E for a distance of 106.42' to a point; THENCE N34°09'14"W for a distance of 52.94' to a point; THENCE N13°40'12"E for a distance of 23.61' to a point; THENCE N64°04'52"E for a distance of 44.44' to a point; THENCE N03°59'48"W for a distance of 45.85' to a point; THENCE S12°59'04"E for a distance of 877.50' to a point; THENCE S12°43'04"E for a distance of 428.02' to an iron pin set; THENCE S60°19'30"W for a distance of 2823.97' to a point; THENCE N22°22'29"E for a distance of 2276.53' to a point, said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements and restrictions of record. Said property contains 58.28 acres as shown on a Composite Plat for Howard Road Townhomes, prepared by Myers & Co, Inc., dated 12/18/18.

## **Section II**

The Board of Commissioners of Hall County, Georgia hereby consents to the request of Capstone Acquisitions, LLC to de-annex the Property currently located within the city limits of the City of Gainesville, Georgia pursuant to O.C.G.A. § 36-36-22, and, upon receipt of this Resolution by Hall County, Georgia consenting to the de-annexation of the Property, the City of Gainesville may adopt an ordinance providing for the following: that the Property is de-annexed, that the Property ceases to constitute a part of the lands within the city limits of the City of Gainesville, that connection of the Property to the City of Gainesville's water and sanitary sewer system is approved without annexation and following a de-annexation of the Property, and that an identification of the Property shall be filed by the City of Gainesville with the Georgia Department of Community Affairs.

## **Section III**

The Board of Commissioners of Hall County, Georgia hereby grants permission to Capstone Acquisitions, LLC to submit a Zoning Application with the Hall County Planning and Development Department by August 15, 2022.

## **Section IV**

This Resolution shall become effective upon its approval by the Board of Commissioners.

**BE IT FURTHER RESOLVED THAT** the Commissioners, County Administrator and/or County Attorney(s) are authorized to sign any and all documents that may be necessary to effectuate any of the action approved and/or consented to hereinabove.

**SO RESOLVED** this \_\_\_\_ day of August, 2022.

**HALL COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**Richard Higgins, Commission Chairman**

\_\_\_\_\_  
**Kathy Cooper, District 1 Commissioner**

\_\_\_\_\_  
**Billy Powell, District 2 Commissioner**

\_\_\_\_\_  
**Shelly Echols, District 3 Commissioner**

\_\_\_\_\_  
**Jeff Stowe, District 4 Commissioner**

**ATTEST:**

\_\_\_\_\_  
**Jennifer Rivera, Commission Clerk**