



INVOCATION:

PLEDGE OF ALLEGIANCE:

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

- A. Building Board of Appeals
 - Appoint Greg Loyd
- B. Housing Authority
 - Appoint Kimberly Harper

Minutes

- A. September 29, 2022 Work Session
- B. October 4, 2022 Mayor/Council Meeting

Resolutions

- A. BR-2022-62 Airport Fixed Based Operator Lease Extension
- B. BR-2022-63 Hall Area Transit Additional Personnel
- C. GR-2022-11 FY24 Section 5307 Grant Application & Contract

ANNEXATION / ZONING:

- A. **Ordinance 2022-24 Annex Victory Street Property**
(Tabled at the August 2, 2022 Council Meeting)
AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- B. **Ordinance 2022-25 Zone Victory Street Property**
(Tabled at the August 2, 2022 Council Meeting)
AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Monday, October 17, 2022, 9:15 AM



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 13, 2022
Date Submitted: October 17, 2022
Final Approval Date: October 17, 2022
Presenter: Sam Couvillon
Item of Business: Building Board of Appeals

- Appoint Greg Loyd

Meeting Date: October 18, 2022

Purpose of Request:

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

Facts & Issues / History & Background:

The Board follows the guidelines of the International Building Code in addition to the City Charter and Code of Ordinances. The qualifications for BBA members are defined in the International Building Code. Members serve a five-year term.

Greg Loyd confirmed a willingness to serve. The outstanding debt verification process was completed with no concerns.

Department Recommendation:

To accept and approve the nomination for appointment as submitted by the Mayor during the October 13, 2022 Work Session.

Department Director:

Sam Couvillon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Building Board of Appeals Members

BUILDING BOARD OF APPEALS

POST	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
Structural Engineer	Bowman	Larry	3/5/2019		3/4/2024
Architect - Alternate	Bachman	Dick	10/5/2004	9/6/2011 10/18/2016 10/5/2021	10/5/2026
Architect - Alternate	Tipton	James	10/18/2016	10/5/2021	10/5/2026
Plumbing/Fire Safety	Merritt	Larry	10/5/2004	5/20/2008 3/4/2014 2/19/2019	3/4/2024
Architect	Crocker	Jeff	10/5/2021		10/5/2026
Mechanical	Davis	Vincent	11/6/2018 UE		10/3/2022
Electrical	Caldwell	Daniel	9/6/2011	10/18/2016 10/5/2021	10/5/2026
Ex-Officio	Davidson	Joe			

TERM: Five year terms

CONTACT: Joe Davidson, Inspection Services Manager

Appointments to be made by profession in accordance with the International Building Code
 NOTES: This Board replaces the Housing Board of Adjustment and Appeals.
 This Board eliminates the Electrical, Heating & Air and Plumbing Boards.

UPDATED: Wednesday, October 6, 2021



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 13, 2022
Date Submitted: October 17, 2022
Final Approval Date: October 17, 2022
Presenter: Sam Couvillon
Item of Business: Housing Authority

- Appoint Kimberly Harper

Meeting Date: October 18, 2022

Purpose of Request:

The purpose of this request is to address the expired term for Resident Commissioner.

Facts & Issues / History & Background:

The Housing Authority follows the guidelines within the Georgia Code (Section 8-3-50) as well as the City Charter and the City Code of Ordinances. Authority Commissioners terms are for five-years and the Housing Commissioner term is for one-year.

Kimberly Harper has confirmed a willingness to serve. The verification of outstanding debt was completed with no concerns.

Department Recommendation:

To accept and approve the nomination for appointment as submitted by the Mayor during the October 13, 2022 Work Session.

Department Director:

Sam Couvillon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Housing Authority Members

HOUSING AUTHORITY

POST	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
Commissioner Vice Chair	Thompson	Faron	8/16/2011 UE	8/18/2015 7/21/2020	8/18/2025
Commissioner	Griffin	Joy	11/2/21 UE		5/19/2025
Commissioner Chair	Smallwood	Darryl	10/1/1997	8/20/2002 9/2/2008 3/4/2014 2/19/2019	3/4/2024
Resident Commissioner	Brown	Mary	8/16/2011	9/6/2016 9/21/2021	9/6/2022
Commissioner	Figueras	Myrtle	1/19/2016 UE	1/22/2019	2/4/2024
Ex-Officio	Thompson	Zack	1/4/2022		1/17/2023

TERM: Five year terms

CONTACT: Beth Brown, Executive Director
Housing Authority
P.O. Box 653
Gainesville, GA 30503
770-536-1294
bbrown@gainesvillehousing.org
www.gainesvillehousing.org

UPDATED: 1/6/22 ag



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: August 26, 2022
Date Submitted: October 13, 2022
Final Approval Date: October 13, 2022
Presenter: Denise Jordan, City Clerk
Item of Business: September 29, 2022 Work Session
Meeting Date: October 18, 2022

Purpose of Request:

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

Facts & Issues / History & Background:

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

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: August 26, 2022
Date Submitted: October 13, 2022
Final Approval Date: October 13, 2022
Presenter: Denise Jordan, City Clerk
Item of Business: October 4, 2022 Mayor/Council Meeting
Meeting Date: October 18, 2022

Purpose of Request:

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

Facts & Issues / History & Background:

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

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 13, 2022
Date Submitted: October 13, 2022
Final Approval Date: October 13, 2022
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2022-62 Airport Fixed Based Operator Lease Extension
Meeting Date: October 18, 2022

Purpose of Request:

To request extension of lease for Airport Fixed Based Operator.

Facts & Issues / History & Background:

Champion Aviation Services, Inc. serves as the Fixed Based Operator at the Airport pursuant to a Lease Agreement dates September 1, 2016, which Lease Agreement currently expires on August 31, 2023. The City desires to extend the Lease term an additional five (5) years through August 31, 2028, with the option of a further five (5) year extension through August 31, 2033.

Department Recommendation:

Approve the resolution.

Department Director:

Chris Rotalsky

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2022-62 Airport Fixed Based Operator Lease Extension
2. Attachment: Lease Extension Agreement

RESOLUTION BR-2022-62

Airport Fixed Based Operator Lease Extension

WHEREAS, the City of Gainesville owns and operates the Lee Gilmer Memorial Airport for the public interest; and

WHEREAS, Champion Aviation Services, Inc. serves as the Fixed Based Operator at the Airport pursuant to a Lease Agreement dated September 1, 2016, which Lease Agreement currently expires on August 31, 2023 (hereinafter referred to as "the Lease"); and

WHEREAS, the City desires to extend the Lease term an additional five (5) years through August 31, 2028, with the option of a further five (5) year extension through August 31, 2033, as set forth in the attached Lease Extension Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the attached Lease Extension Agreement and hereby authorizes the Mayor, City Manager, and the City Attorney to sign the attached Lease Extension Agreement and such documents as necessary to effectuate the provisions set forth in the attached Lease Extension Agreement.

Adopted this _____ day of October, 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

LEASE EXTENSION AGREEMENT

Champion Aviation Services, Inc (the “Lessee”) and THE CITY OF GAINESVILLE, GEORGIA (the “City”) (collectively, the “Parties”) enter into this Lease Extension Agreement (the “Agreement”) as of the 18th day of October, 2022 (the “Effective Date”).

The parties hereto entered into a Fixed Based Operations Lease Agreement dated September 1, 2016, which is hereinafter referred to as “the Lease.”

The Parties hereby extend the terms of the Lease, such that the Lease will terminate on August 31, 2028. If the City wishes, in its sole discretion, to renew the Lease for up to one (1) additional five (5) year term, the City will provide notice to Lessee two (2) months prior to August 31, 2028 of the terms of the proposed renewal, including proposed renewal term, rental rate, and any other changes in the terms and conditions of the renewal lease term. If Lessee wishes to renew the Leases under the terms and conditions proposed by the City, the Lessee must provide written notice to the City at least one month prior to August 31, 2028. If such notice is not given by Lessee accepting the renewal terms proposed by the City, the Leases will terminate on August 31, 2028.

Except as set forth herein, all terms and conditions of the Lease shall remain unchanged.

The Parties hereto have executed this **LEASE EXTENSION AGREEMENT** as of the Effective Date set forth above.

Champion Aviation Services, Inc.

By: _____
Frederick Henry, CEO

Attest: _____

APPROVED AS TO FORM

CITY OF GAINESVILLE

Abbott S. Hayes, Jr.
Hulsey, Oliver & Mahar, LLP
City Attorney

By: _____
Bryan Lackey
City Manager

Attest: _____
Denise O. Jordan, City Clerk

CITY SEAL



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 13, 2022
Date Submitted: October 13, 2022
Final Approval Date: October 13, 2022
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2022-63 Hall Area Transit Additional Personnel
Meeting Date: October 18, 2022

Purpose of Request:

Hall Area Transit's WeGo service has become extremely vital to our community and is in great demand. To ensure successful operations of this service, it is necessary to move money budgeted for part-time staffing over to full-time staffing so 2 additional full-time vehicle operators can be hired.

Facts & Issues / History & Background:

Department Recommendation:

Approve the resolution.

Department Director:

Janeann Allison

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

Yes, currently allocated to part-time salaries. Requesting to move a portion of the money allocated over to full-time salaries.

Administrative Comments:

Attachments:

1. BR-2022-63 Hall Area Transit Additional Personnel

RESOLUTION BR-2022-63

HALL AREA TRANSIT ADDITIONAL PERSONNEL

WHEREAS, each City Department strives to stay staffed appropriately in an effort to provide the best services possible to the City of Gainesville; and

WHEREAS, the governing body sets the approved positions for each Department upon approval of the annual budget; and

WHEREAS, from time to time, it is necessary to hire additional personnel not realized during the annual budget process; and

WHEREAS, the City of Gainesville operates the Hall Area Transit; and

WHEREAS, Hall Area Transit's WeGo service has become extremely vital to our community and is in great demand; and

WHEREAS, to ensure successful operations of this service, it is necessary to move money budgeted for part-time staffing over to full-time staffing so two (2) additional full-time vehicle operators can be hired; and

WHEREAS, there is no impact to the FY2023 budget.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the addition of two (2) full-time Vehicle Operator positions to the current FY23 budget.

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

Mayor/Council Agenda Request

Item Created: October 13, 2022
Date Submitted: October 13, 2022
Final Approval Date: October 13, 2022
Presenter: Bryan Lackey, City Manager
Item of Business: GR-2022-11 FY24 Section 5307 Grant Application & Contract
Meeting Date: October 18, 2022

Purpose of Request:

To approve a request for a FY24 Grant Application, Contract and Associated Documents.

Facts & Issues / History & Background:

The Section 5307 grant funds 80% of Hall Area Transit's capital expenses and 50% of its operating expenses. The resolution asks the governing body to approve the submission of the FY24 grant application as well as authorize execution of the contract and other associated documents necessary to accept the grant funds.

Department Recommendation:

Approve FY24 Section 5307 Grant Application and Contract.

Department Director:

Phillippa Lewis-Moss

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

Amount Requested:

\$2,185,459

Finance Comments:

Sources of Funds: The 50% match requirement will be built into the CSC's FY24 budget request to the City of Gainesville and Hall County Government

Administrative Comments:

Attachments:

1. GR-2022-11 FY24 Section 5307 Grant Application and Contract

RESOLUTION GR-2022-11

FY24 SECTION 5307 GRANT APPLICATION & CONTRACT

WHEREAS, this is a resolution authorizing the filing of an application with the Department of Transportation, United States of America, and Georgia Department of Transportation, for a grant under TITLE 49 U.S.C., SECTION 5307; and

WHEREAS, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grants to non-urbanized (rural) areas for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon Applicant, including the provision of the local share of project costs; and

WHEREAS, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise (Disadvantaged Business Enterprise and Women's Business Enterprise) be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority business shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW THEREFORE, BE IT RESOLVED BY the City of Gainesville (Hall Area Transit), hereinafter referred to as the "Applicant":

1. That the Designated Official Bryan Lackey, is authorized to execute and file an application on behalf of the City of Gainesville (Hall Area Transit) with the Georgia Department of Transportation, to aid in the purchase of bus transit vehicles and/or the planning, development, and construction of bus transit-related facilities pursuant to Section 5307 of the Federal Transit Act.
2. That the Official is authorized to execute and file such application and assurances or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That the Official is authorized to execute and file all other standard assurances or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.
4. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation.
5. That the Official is authorized to set forth and execute Minority Business Enterprise, DBD (Disadvantaged Business Enterprise) and WBE (Women Business Enterprise) policies and procedures in connection with the project's procurement needs as applicable.

RESOLUTION GR-2022-11

FY24 SECTION 5307 GRANT APPLICATION & CONTRACT

6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9030.1E, FTA Certifications and Assurances for Federal Assistance 2022 as listed in this grant application and General Operating Guidelines as illustrated in the Georgia State Management Plan.
7. That the applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements for this grant application.

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

Mayor/Council Agenda Request

Item Created: August 26, 2022

Date Submitted: October 17, 2022

Final Approval Date: October 17, 2022

Presenter: Abb Hayes, City Attorney

Item of Business: **Ordinance 2022-24 Annex Victory Street Property (Tabled at the August 2, 2022 Council Meeting)**
AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Meeting Date: October 18, 2022

Purpose of Request:

To address the zoning request previously tabled at the August 2, 2022 Mayor/Council Meeting.

Facts & Issues / History & Background:

The City of Gainesville is proposing to annex all of Victory Street which is currently zoned Residential-II (R-II) in the County and is located within the Limestone Parkway Overlay Zone. Victory Street is a narrow two-lane road approximately 20 feet wide with no sidewalks. Upon annexation, the road will be improved to City standards to address vehicular/pedestrian access and safety to include widening the right-of-way and road bed, installation of curb, gutters, sidewalks, decorative street lights, street trees and on-street parallel parking. The improvements will be constructed and paid for by the developer of the proposed commercial grocery retail center within the adjacent Limestone Greenway mixed-use development to provide secondary access. The additional land needed to widen Victory Street will be dedicated by the adjacent commercial land owner to the City of Gainesville and maintained as a public street. The adjacent uses include New Holland Mill residential community and future commercial uses within the Limestone Greenway mixed-use development.

Department Recommendation:

Approve the Ordinance as presented.

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Proposed Ordinance 2022-24 COG Victory St annex ord
2. Location Maps
3. Plat
4. Architectural Renderings

Passed: _____

AN ORDINANCE

No. 2022-24

AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

That from and after the passage of this Ordinance the following described lands are and shall be annexed into the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall 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 Land Lot 133, 9th Land District, City of Gainesville, Hall County, Georgia as shown on a sketch and description prepared by Patton Land Surveying, LLC, for the City of Gainesville, dated May 25th, 2022 and being more particularly described as follows:

Commencing at the Centerline Intersection of State Route 365 (Business) (Jesse Jewell Parkway) (varying width right-of-way) and U.S. Highway 11 (State Route 129) (Limestone Parkway) (varying width right-of-way) (having a coordinate value of Northing: 1568809.49 Easting: 2408275.75 based on the Georgia State Plane Coordinate System, North American Datum of 1983/1990 adjustment, Georgia West Zone;

Thence South 36 degrees 09 minutes 54 seconds West for a distance of 874.72 feet to the point of intersection of the Northerly right-of-way line of said Jesse Jewell Parkway with the Westerly right-of-way line of Victory Street (32' wide right-of-way) and said point being the TRUE POINT OF BEGINNING:

Thence leaving said Jesse Jewell Parkway and following the Westerly right-of-way line of said Victory Street the following courses:

Thence North 20 degrees 54 minutes 06 seconds West for a distance of 321.56 feet to a point; Thence along a curve to the left having a radius of 1457.31 feet and an arc length of 124.63 feet, being subtended by a chord of North 23 degrees 21 minutes 06 seconds West for a distance of 124.59 feet to a point; Thence along a curve to the left having a radius of 23748.56

ORDINANCE NO. 2022-24

feet and an arc length of 232.38 feet, being subtended by a chord of North 26 degrees 04 minutes 55 seconds West for a distance of 232.38 feet to a point;

Thence continuing along the Westerly right-of-way line of said Victory Street and the Northerly extension thereof, the following course:

Thence North 26 degrees 21 minutes 44 seconds West for a distance of 233.08 feet to a point on the Easterly right-of-way line of said Victory Street;

Thence following the Easterly right-of-way line of said Victory Street the following courses:

Thence along a curve to the right having a radius of 63.31 feet and an arc length of 66.75 feet, being subtended by a chord of South 56 degrees 31 minutes 01 seconds East for a distance of 63.71 feet to a point; Thence South 26 degrees 21 minutes 44 seconds East for a distance of 177.99 feet to a point; Thence along a curve to the right having a radius of 23780.55 feet and an arc length of 232.69 feet, being subtended by a chord of South 26 degrees 04 minutes 55 seconds East for a distance of 232.69 feet to a point; Thence along a curve to the right having a radius of 1489.31 feet and an arc length of 127.37 feet, being subtended by a chord of South 23 degrees 21 minutes 06 seconds East for a distance of 127.33 feet to a point; Thence South 20 degrees 54 minutes 06 seconds East for a distance of 226.23 feet to a 1/2" rebar pin set;

Thence leaving the Easterly right-of-way of said Victory Street and following the Southeasterly extension of the Easterly right-of-way of said Victory Street the following course:

Thence South 20 degrees 54 minutes 06 seconds East for a distance of 95.24 feet to a point;

Thence leaving said Southeasterly extension the following course:

Thence South 68 degrees 54 minutes 52 seconds West for a distance of 32.00 feet to a point and said point being the POINT OF BEGINNING.

Said property contains 0.66 acres more or less.

SECTION II

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 annexed to the City of Gainesville by this Ordinance.

SECTION III

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

SECTION IV

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

ORDINANCE NO. 2022-24

such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION V

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

W. Samuel Couvillon, Mayor

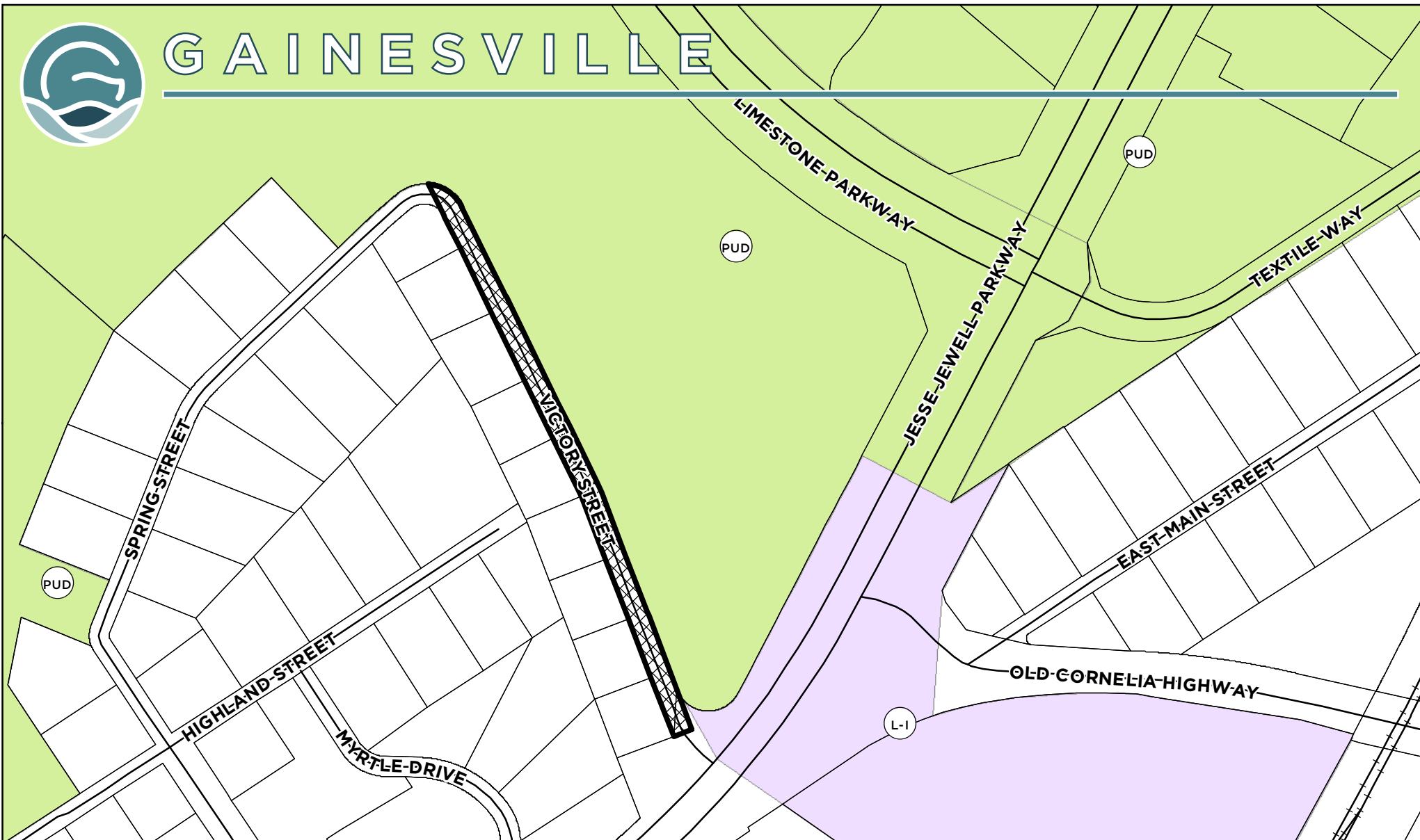
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **CITY OF GAINESVILLE**

ANNEXATION REQUEST

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)

Subject Property Address:

Tax Parcel:



Subject Property



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'



GAINESVILLE



Applicant:

CITY OF GAINESVILLE

ANNEXATION REQUEST

Subject Property Address:

Tax Parcel:

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)



Subject Property

Aerial from 2021



Meeting Date: 07/12/2022

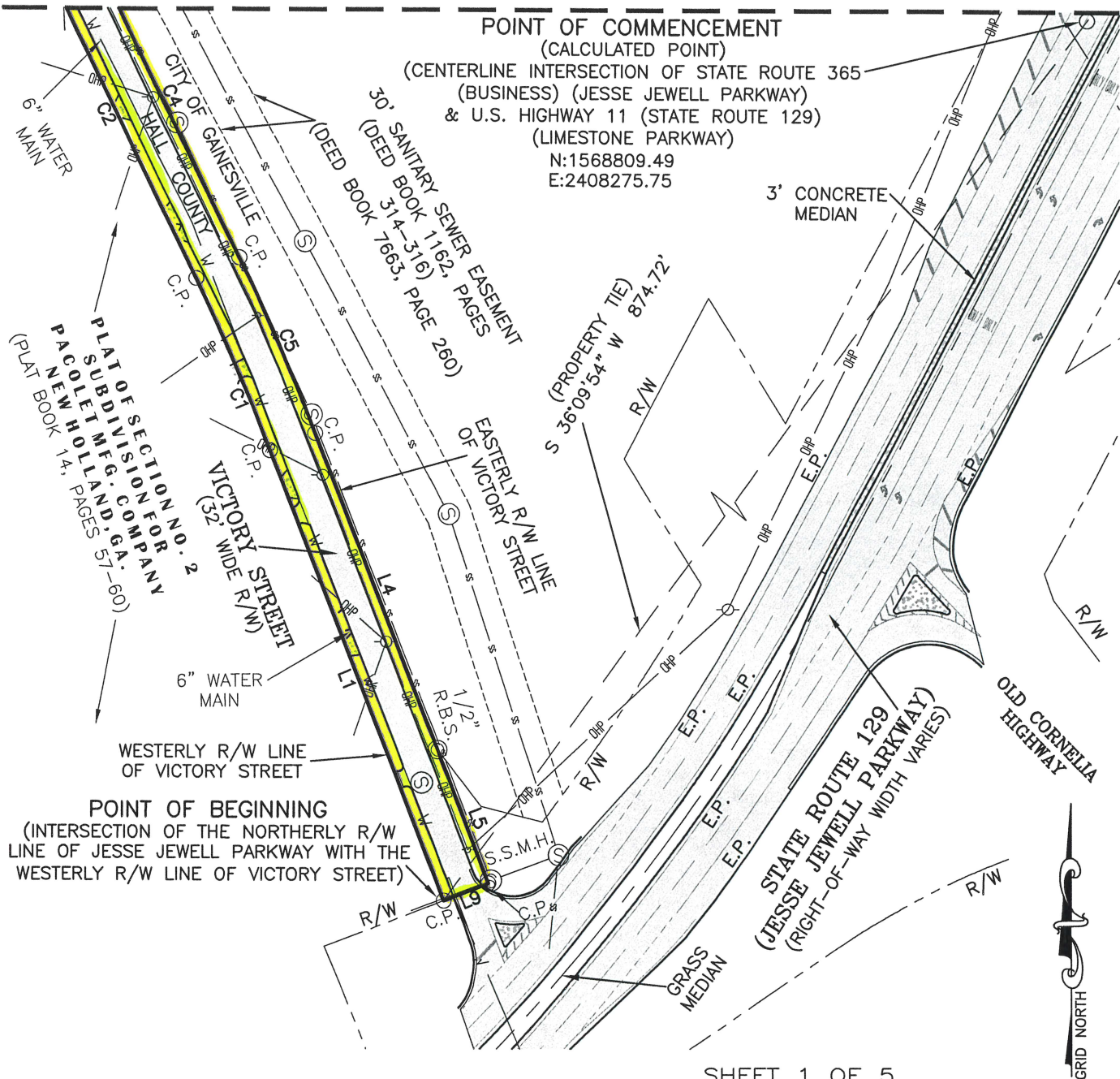
Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'

* SEE SHEET 3 FOR LINE &
CURVE TABLE

MATCH LINE "A" (SEE SHEET 2 OF 5)



SHEET 1 OF 5



LAND SURVEYING, LLC
REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:

CITY OF GAINESVILLE
(VICTORY STREET ANNEXATION)

- LOCATED IN -

LAND LOTS 133
9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA



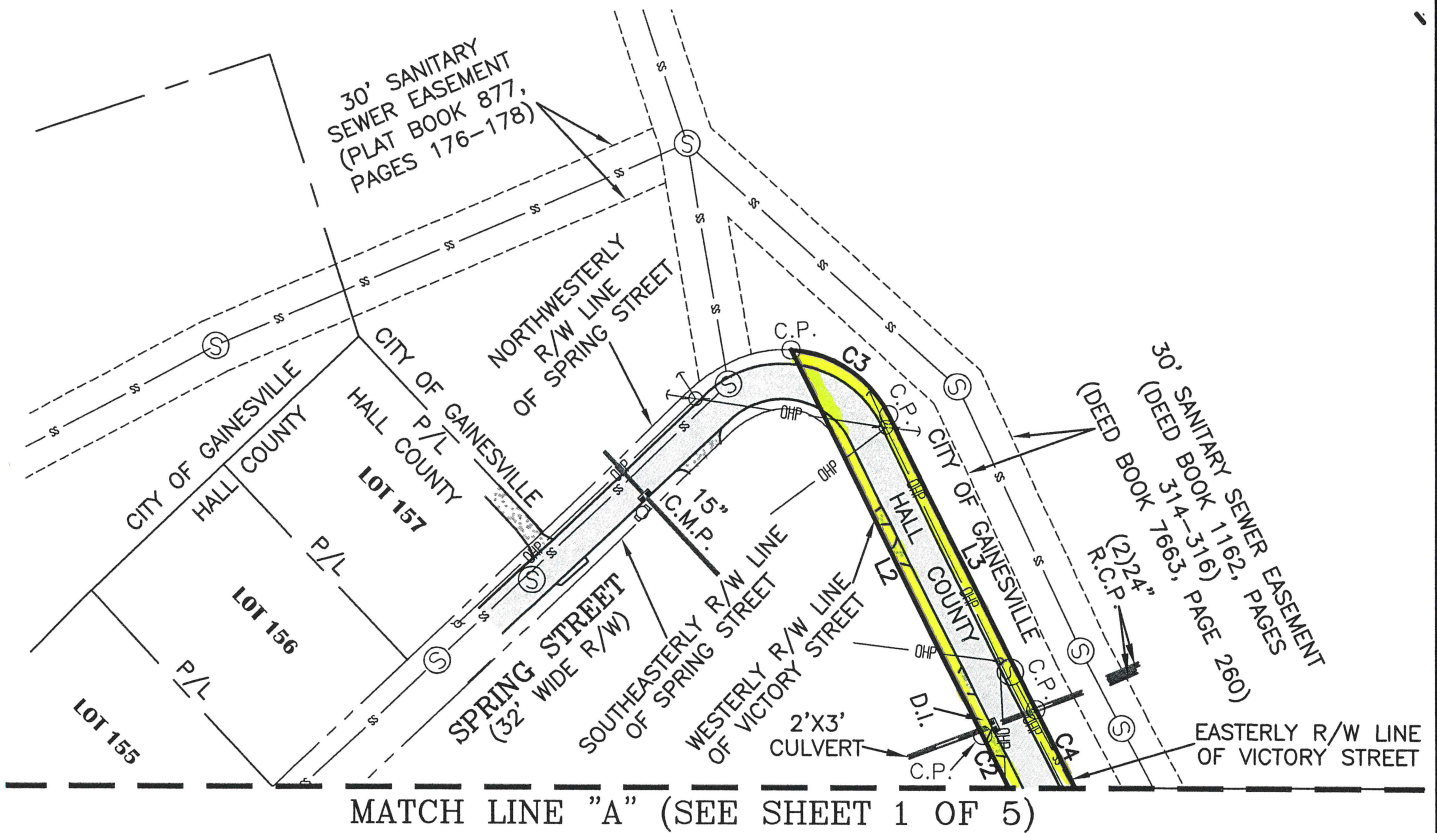
HALL COUNTY SURVEYOR

SCALE:
1" = 100'

DATE:
05/25/2022

21-259.02-VICTORY-STREET.dwg
JN. 21-259

* SEE SHEET 3 FOR LINE &
CURVE TABLE



SHEET 2 OF 5



LAND SURVEYING, LLC
REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:
CITY OF GAINESVILLE
(VICTORY STREET ANNEXATION)

- LOCATED IN -

LAND LOTS 133
9TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

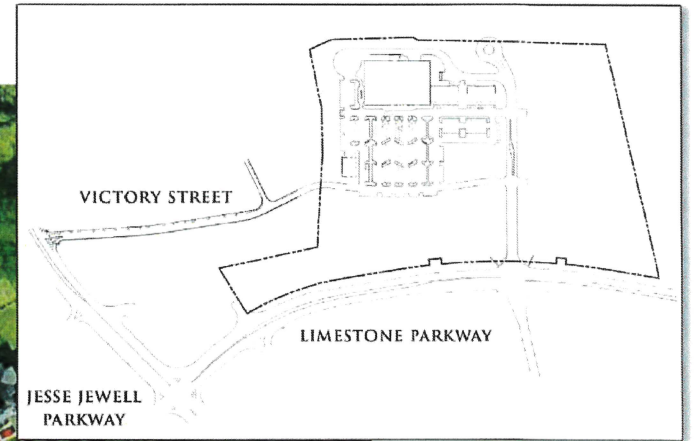


HALL COUNTY SURVEYOR

SCALE:
1" = 100'

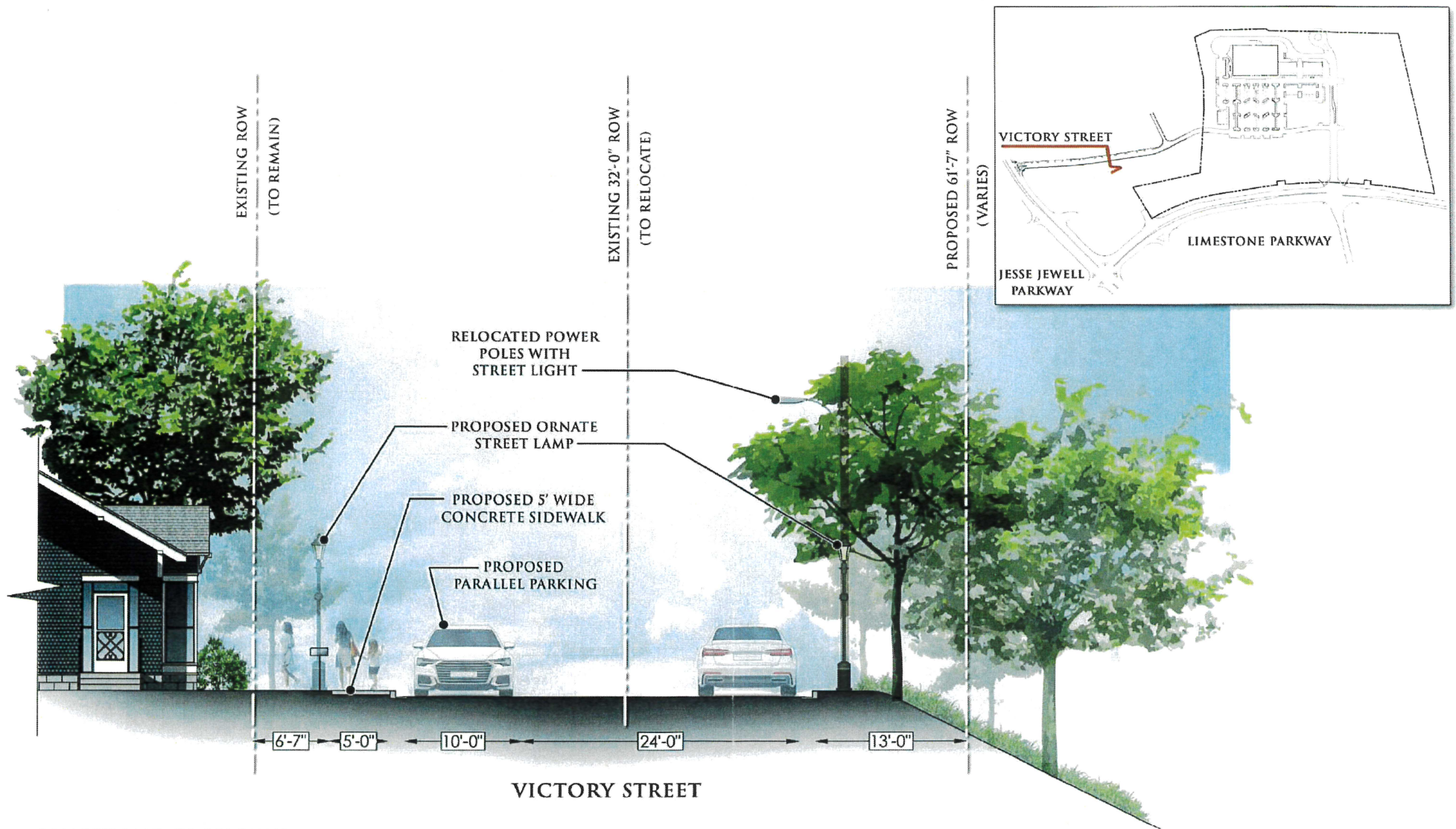
DATE:
05/25/2022

21-259.02-VICTORY-STREET.dwg
JN. 21-259



LIMESTONE GREENWAY

VICTORY STREET ROADWAY SECTION
GAINESVILLE, GEORGIA
04.01.2022



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CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: August 26, 2022

Date Submitted: October 17, 2022

Final Approval Date: October 17, 2022

Presenter: Abb Hayes, City Attorney

Item of Business: **Ordinance 2022-25 Zone Victory Street Property**

(Tabled at the August 2, 2022 Council Meeting)

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Meeting Date: October 18, 2022

Purpose of Request:

To address the zoning request previously tabled at the August 2, 2022 Mayor/Council Meeting.

Facts & Issues / History & Background:

The City of Gainesville is proposing to annex all of Victory Street which is currently zoned Residential-II (R-II) in the County and is located within the Limestone Parkway Overlay Zone. Victory Street is a narrow two-lane road approximately 20 feet wide with no sidewalks. Upon annexation, the road will be improved to City standards to address vehicular/pedestrian access and safety to include widening the right-of-way and road bed, installation of curb, gutters, sidewalks, decorative street lights, street trees and on-street parallel parking. The improvements will be constructed and paid for by the developer of the proposed commercial grocery retail center within the adjacent Limestone Greenway mixed-use development to provide secondary access. The additional land needed to widen Victory Street will be dedicated by the adjacent commercial land owner to the City of Gainesville and maintained as a public street. The adjacent uses include New Holland Mill residential community and future commercial uses within the Limestone Greenway mixed-use development.

Department Recommendation:

Approve the Ordinance 2022-25 with conditions as presented.

Department Director:

Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Proposed Ordinance 2022-25 COG Victory St zon ord
2. Exhibit A
3. Location Maps
4. Plat
5. Architectural Renderings

Passed: _____

AN ORDINANCE

No. 2022-25

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Planned Unit Development, with conditions (P-U-D-c)**.

Conditions

- 1. Prior to a Certificate of Occupancy being issued for the adjacent grocery retail shopping center, Victory Street shall be improved to meet City of Gainesville standards as depicted on Exhibit “A” entitled “Victory Street Roadway Section”, per the approval of the Gainesville Public Works Director.**
- 2. No commercial delivery trucks with 10 wheels or more shall be allowed to access Victory Street. Signage restricting thru truck traffic shall be installed near the intersection of Victory Street and Jesse Jewell Parkway and near the entrance of the future commercial access driveway, per the approval of the Gainesville Public Works Director.**

Legal Description

All that tract or parcel of land lying and being in Land Lot 133, 9th Land District, City of Gainesville, Hall County, Georgia as shown on a sketch and description prepared by Patton Land Surveying, LLC, for the City of Gainesville, dated May 25th, 2022 and being more particularly described as follows:

Commencing at the Centerline Intersection of State Route 365 (Business) (Jesse Jewell Parkway) (varying width right-of-way) and U.S. Highway 11 (State Route 129) (Limestone Parkway) (varying width right-of-way) (having a coordinate value of Northing: 1568809.49 Easting: 2408275.75 based on the Georgia State Plane Coordinate System, North American Datum of 1983/1990 adjustment, Georgia West Zone;

ORDINANCE NO. 2022-25

Thence South 36 degrees 09 minutes 54 seconds West for a distance of 874.72 feet to the point of intersection of the Northerly right-of-way line of said Jesse Jewell Parkway with the Westerly right-of-way line of Victory Street (32' wide right-of-way) and said point being the TRUE POINT OF BEGINNING:

Thence leaving said Jesse Jewell Parkway and following the Westerly right-of-way line of said Victory Street the following courses:

Thence North 20 degrees 54 minutes 06 seconds West for a distance of 321.56 feet to a point; Thence along a curve to the left having a radius of 1457.31 feet and an arc length of 124.63 feet, being subtended by a chord of North 23 degrees 21 minutes 06 seconds West for a distance of 124.59 feet to a point; Thence along a curve to the left having a radius of 23748.56 feet and an arc length of 232.38 feet, being subtended by a chord of North 26 degrees 04 minutes 55 seconds West for a distance of 232.38 feet to a point;

Thence continuing along the Westerly right-of-way line of said Victory Street and the Northerly extension thereof, the following course:

Thence North 26 degrees 21 minutes 44 seconds West for a distance of 233.08 feet to a point on the Easterly right-of-way line of said Victory Street;

Thence following the Easterly right-of-way line of said Victory Street the following courses:

Thence along a curve to the right having a radius of 63.31 feet and an arc length of 66.75 feet, being subtended by a chord of South 56 degrees 31 minutes 01 seconds East for a distance of 63.71 feet to a point; Thence South 26 degrees 21 minutes 44 seconds East for a distance of 177.99 feet to a point; Thence along a curve to the right having a radius of 23780.55 feet and an arc length of 232.69 feet, being subtended by a chord of South 26 degrees 04 minutes 55 seconds East for a distance of 232.69 feet to a point; Thence along a curve to the right having a radius of 1489.31 feet and an arc length of 127.37 feet, being subtended by a chord of South 23 degrees 21 minutes 06 seconds East for a distance of 127.33 feet to a point; Thence South 20 degrees 54 minutes 06 seconds East for a distance of 226.23 feet to a 1/2" rebar pin set;

Thence leaving the Easterly right-of-way of said Victory Street and following the Southeasterly extension of the Easterly right-of-way of said Victory Street the following course:

Thence South 20 degrees 54 minutes 06 seconds East for a distance of 95.24 feet to a point;

Thence leaving said Southeasterly extension the following course:

Thence South 68 degrees 54 minutes 52 seconds West for a distance of 32.00 feet to a point and said point being the POINT OF BEGINNING.

Said property contains 0.66 acres more or less.

SECTION II

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

SECTION III

ORDINANCE NO. 2022-25

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

SECTION IV

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

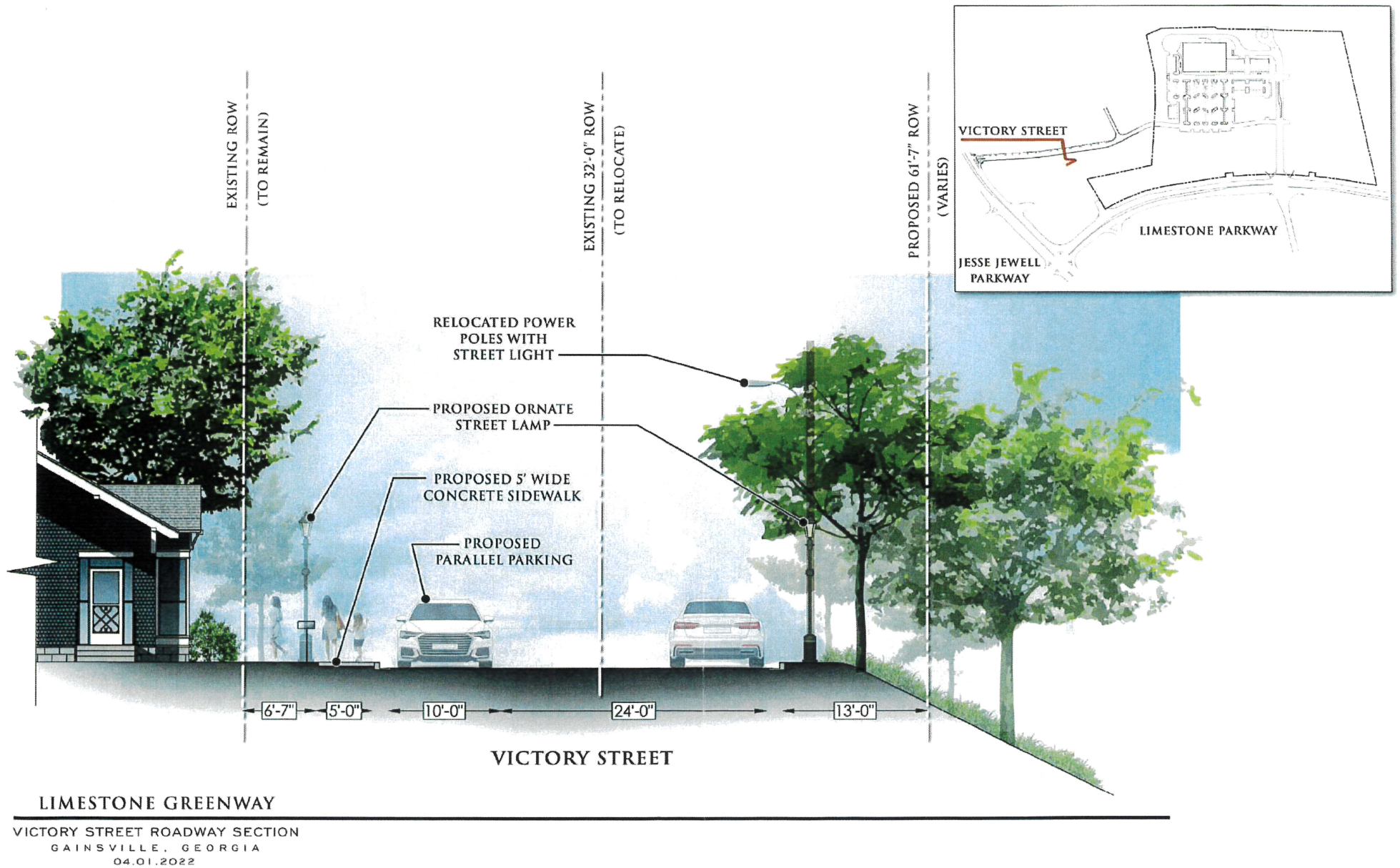
W. Samuel Couvillon, Mayor

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:

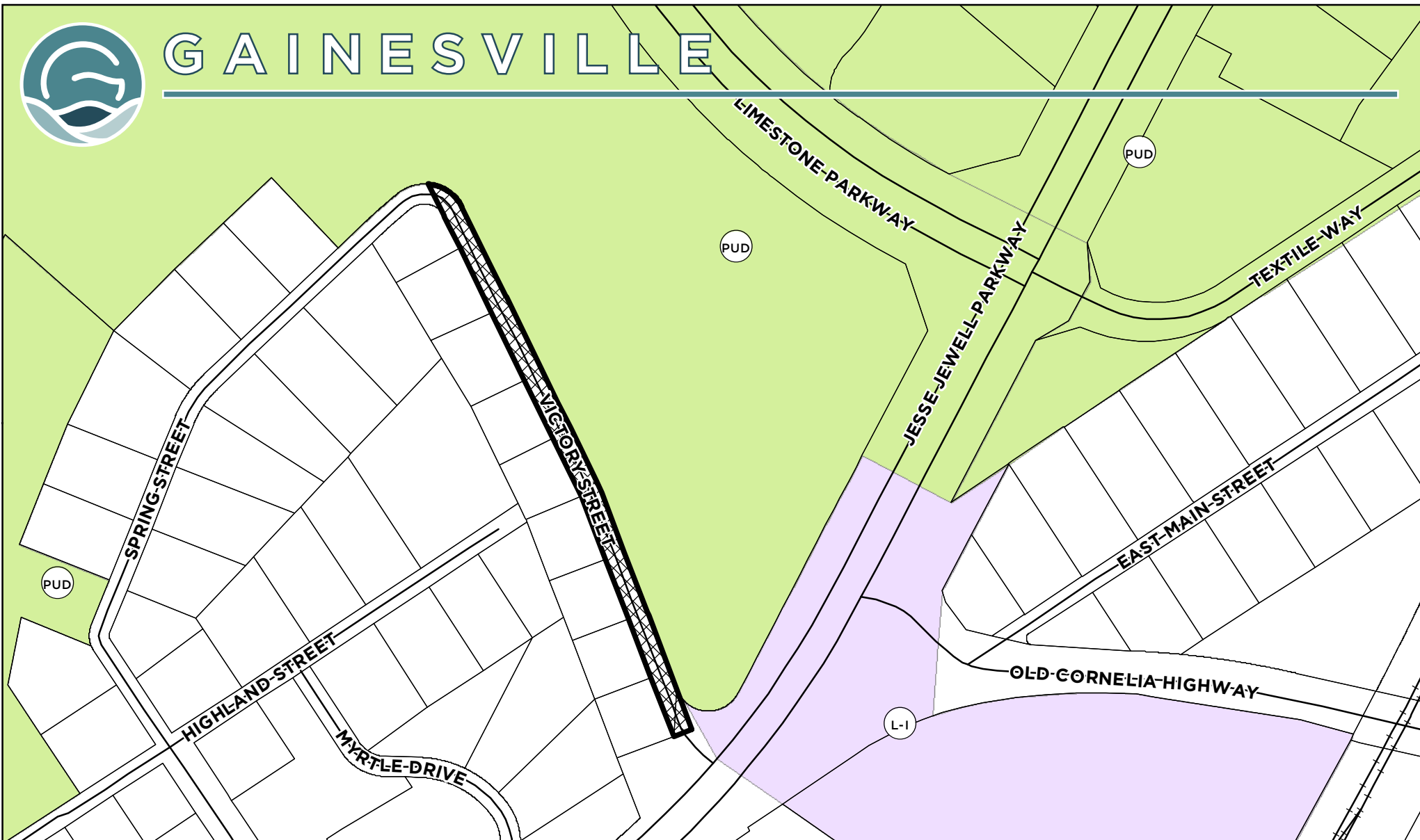
Denise O. Jordan, City Clerk

Exhibit "A"





GAINESVILLE



Applicant: **CITY OF GAINESVILLE**

ANNEXATION REQUEST

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)

Subject Property Address:

Tax Parcel:



Subject Property



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'



GAINESVILLE



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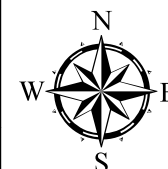
Subject Property Address:

Tax Parcel:



Subject Property

Aerial from 2021



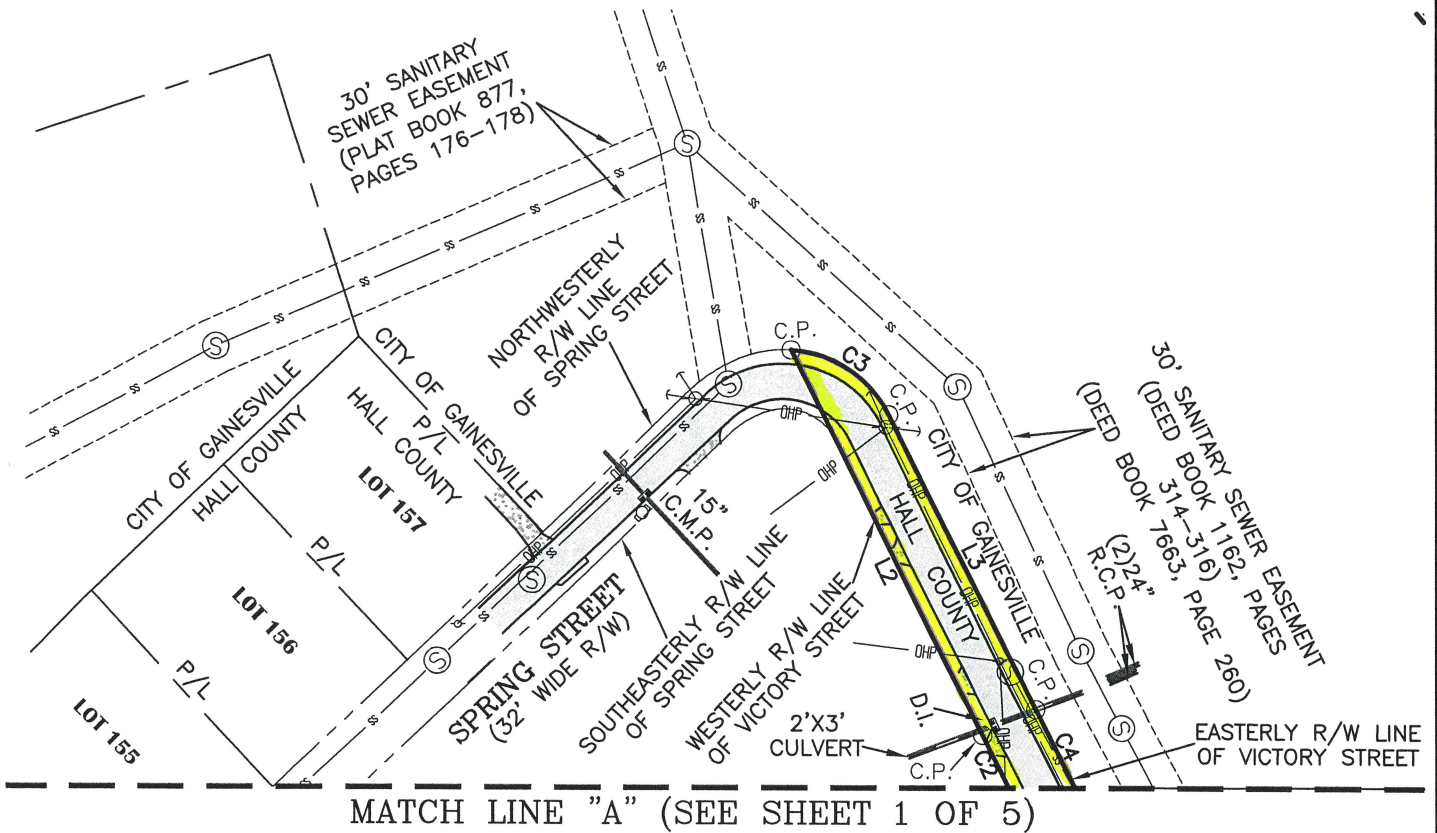
Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'

* SEE SHEET 3 FOR LINE &
CURVE TABLE



SHEET 2 OF 5



LAND SURVEYING, LLC
REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 256
GAINESVILLE, GA. 30503
PHONE: (770) 532-6492
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:
CITY OF GAINESVILLE
(VICTORY STREET ANNEXATION)

- LOCATED IN -

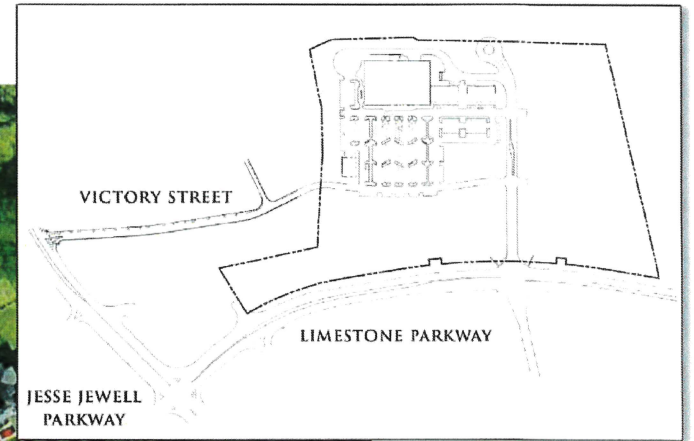
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