



Mayor/Council Meeting Agenda
Tuesday, February 7, 2023, 5:30 PM
Public Safety Complex, Municipal Court Room
701 Queen City Parkway, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Minutes

- A. January 12, 2023 Work Session
- B. January 17, 2023 Mayor/Council Meeting

Resolution

- A. BR-2023-05 General Banking Resolution

PUBLIC HEARING(S):

Annexation/Zoning Items

- A. Request from **Jaime Torres** to annex a 0.35± acre tract located on the north side of Mountain View Road, between Atlanta Highway and Memorial Park Place (a/k/a **1930 and 1942 Mountain View Road**) and to establish a zoning of Residential-II (R-II). **Ward Number: Five**. Tax Parcel Number(s): 08-009-007-002 and 002A. **Request: Four townhomes.**
 - Proposed Annexation Ordinance 2023-01
 - Proposed Zoning Ordinance 2023-02

- B. Request from **Rochester & Associates, LLC** to annex a 3.674± acres tract located on the north side of Aviation Boulevard, between Queen City Parkway and Dorsey Street (a/k/a **1010 Aviation Boulevard**) and to establish a zoning of Heavy Industrial (H-I). **Ward Number: Four**. Tax Parcel Number(s): 00-051-002-011 (Part). **Request: Expansion of poultry freezer and processing.**
 - Proposed Annexation Ordinance 2023-03
 - Proposed Zoning Ordinance 2023-04

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: January 6, 2023
Date Submitted: February 3, 2023
Final Approval Date: February 7, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: January 12, 2023 Work Session
Meeting Date: February 7, 2023

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:

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

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: January 6, 2023
Date Submitted: February 3, 2023
Final Approval Date: February 3, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: January 17, 2023 Mayor/Council Meeting
Meeting Date: February 7, 2023

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: February 2, 2023
Date Submitted: February 2, 2023
Final Approval Date: February 2, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2023-05 General Banking Resolution
Meeting Date: February 7, 2023

Purpose of Request:

To provide an update to the list of City officials authorized to transact banking business on behalf of the City of Gainesville, Georgia is necessary.

Facts & Issues / History & Background:

Financial institutions require a corporate resolution to establish a banking relationship. The resolution establishes City employees who are authorized to transact business with financial institutions.

Department Recommendation:

Financial Services recommends the adoption of the General Banking Resolution.

Department Director:

Jeremy Perry

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2023-05 General Banking Resolution

RESOLUTION BR-2023-05

GENERAL BANKING RESOLUTION

WHEREAS, financial institutions require a “corporate” resolution to establish a banking relationship; and

WHEREAS, the City of Gainesville, Georgia, from time to time, has banking relations with the various local banks; and

WHEREAS, there is a need to formally authorize and update the list of City officials authorized to transact banking business on behalf of the City of Gainesville, Georgia

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville, Georgia hereby adopts that any financial institution with offices in our local area and being registered with the City of Gainesville Business Tax and Licensing Office for a business license tax, being paid in full, be designated as depositories of the City of Gainesville, Georgia; and

BE IT FURTHER RESOLVED THAT all general banking resolutions approved prior to the adoption of this resolution are hereby rescinded; and

BE IT FURTHER RESOLVED THAT this resolution shall be in effect until an updated resolution has been adopted by the governing body and notification of such action has been provided to the respective financial institutions; and

BE IT FURTHER RESOLVED THAT all transactions, if any, with respect to any deposits, withdrawals, investments, etc., by or on behalf of the City of Gainesville, Georgia with these financial institutions prior to the adoption of this resolution are hereby ratified approved and confirmed; and.

BE IT FURTHER RESOLVED THAT these financial institutions are requested, authorized, and directed to honor the signature of the persons named below, when they act in the representative capacity as agents of the City of Gainesville, Georgia, for (1) checks, drafts, wires and other orders of payment drawn; (2) the purchase of investments authorized by State of Georgia law for purchase by municipal corporations; and (3) other necessary transactions or documents to properly manage the various accounts of the City of Gainesville, Georgia.

Bryan Lackey
City Manager

Signature

Angela Sheppard
Assistant City Manager

Signature

Jeremy Perry
Chief Financial Officer

Signature

Mary Beth Cooper
Deputy CFO – Audit and Financial Operations

Signature

RESOLUTION BR-2023-05

GENERAL BANKING RESOLUTION

BE IT FURTHER RESOLVED THAT the City of Gainesville, Georgia agrees to the terms and conditions of any account agreement properly opened by any authorized representative of the City of Gainesville, Georgia and authorizes the financial institutions to charge the City of Gainesville, Georgia for all checks, drafts, wires, or other orders for the payment of monies that are drawn on these financial institutions, regardless of whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen above.

Adopted this ____ day of February, 2023.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville, Georgia. 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: February 2, 2023
Date Submitted: February 3, 2023
Final Approval Date: February 3, 2023
Presenter: Abb Hayes, City Attorney
Item of Business: Request from **Jaime Torres** to annex a 0.35± acre tract located on the north side of Mountain View Road, between Atlanta Highway and Memorial Park Place (a/k/a **1930 and 1942 Mountain View Road**) and to establish a zoning of Residential-II (R-II). **Ward Number: Five**. Tax Parcel Number(s): 08-009-007-002 and 002A. **Request: Four townhomes.**

- Proposed Annexation Ordinance 2023-01
- Proposed Zoning Ordinance 2023-02

Meeting Date: February 7, 2023

Purpose of Request:

To conduct a public hearing regarding the following zoning request as presented at the January 10, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The applicant is proposing to annex the subject property with a zoning of Residential-II (R-II) in order to connect to sewer for a maximum of four townhome units. The property is zoned Residential-II (R-II) within unincorporated Hall County. The property consists of two parcels and contains two older rental homes that will be demolished. The townhomes will be two stories and approximately 1,260 square feet of heated floor space with a one-car garage. Access is planned from one driveway on Mountain View Road. The adjacent properties include various office, retail, restaurant and undeveloped property.

Department Recommendation:

Staff and PAB recommended approval with four conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2023-01:

I move to approve the ordinance to annex the subject property for four townhomes as presented.

Approval of Ordinance 2023-02:

I move to approve the ordinance to establish zoning as Residential-II (R-II) with four conditions as presented.

Denial of the Request:

I move to deny the request.

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. Legal Ad
2. PAB Recommendation Report
3. Proposed Annexation Ordinance 2023-01
4. Proposed Zoning Ordinance 2023-02
5. Location Maps
6. Narrative
7. Site plan
8. Subdivision plat
9. Survey
10. Floor plan
11. Elevations

and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Selene Finance they can be contacted at (877) 735-3637 for Loss Mitigation Dept, or by writing to 3501 Olympus Boulevard, 5 th Floor, Suite 500, Coppell, Texas 75019, to discuss possible alternatives to avoid foreclosure. Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. To the best knowledge and belief of the undersigned, the party in possession of the property is Kenmlen R. Roberts or tenant(s); and said property is more commonly known as **6437 Yellow Creek Rd, Murrayville, GA 30564**. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code (2) final confirmation and audit of the status of the loan with the holder of the security deed and (3) any right of redemption or other lien not extinguished by foreclosure. Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust as Attorney in Fact for Ken Roberts A.K.A. Kenmlen R. Roberts and Renee Roberts A.K.A. Renee L. Roberts. Brock & Scott, PLLC 4360 Chamblee Dunwoody Road Suite 310 Atlanta, GA 30341 404-789-2661 B&S file no.: 19-21238 **116379 1/11, 18, 25, 2/1**

(Soto) NOTICE OF SALE UNDER POWER IN CONTAINED SECURITY DEED OF STATE OF GEORGIA, COUNTY OF Hall
Pursuant to a power of sale contained in a certain security deed executed by Viviana D. Soto, hereinafter referred to as Grantor, to Mortgage Electronic Registration Systems, Inc. as nominee for Everett Financial, Inc DBA Supreme Lending recorded in Deed Book 7684, beginning at page 458, of the deed records of the Clerk of the Superior Court of the aforesaid state and county, and by virtue of a default under the terms of said security deed, and the related note, the undersigned attorney-in-fact for the aforesaid Grantor (which attorney-in-fact is the present holder of said security deed and note secured thereby) will sell at the usual place of conducting Sheriff's sales in said county within the legal hours of sale, to the highest bidder on the first Tuesday in February 2023, all property described in said security deed including but not limited to the following described property: All that tract or parcel of land lying and being in the Tadmore District, (GMD 268), Hall County, Georgia, being Lot 32 of Southchase Subdivision, Unit One, as per plat of the subdivision recorded in Plat Slide 835, Pages 118A-127A, Hall County, Georgia Records, which plat is incorporated herein and made a part hereof. Said legal description being controlling, however, the Property is more commonly known as: **3704 Amber Dawn Way, Gainesville, GA 30507**

Said property will be sold on an "as-is" basis without

any representation, warranty or recourse against the above-named or the undersigned. The sale will be subject to the following items which may affect the title: any outstanding ad valorem taxes (including taxes which are a lien but not yet due and payable); any matters which might be disclosed by an accurate survey and inspection of the property; any assessments, liens, encumbrances, zoning ordinances, restrictions, and all other matters of record superior to the said Security Deed. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed. MidFirst Bank, through its division Midland Mortgage is the entity with authority to negotiate, amend and modify the terms of the Note and Security Deed. MidFirst Bank, through its division Midland Mortgage may be contacted by telephone at 1-800-552-3000. To the best of the undersigned's knowledge and belief, the party in possession of the property is believed to be Viviana D. Soto, or tenant(s). MidFirst Bank, as Transferee, Assignee, and Secured Creditor As attorney-in-fact for the aforesaid Grantor CB Legal, LLC Attorneys at Law Glenridge Highlands II 5565 Glenridge Connector, Suite 350 Atlanta, GA 30342 (770) 392-0041 222-6929 THIS LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. **116660 1/11, 18, 25, 2/1**

Local Government

TheWorkSource Georgia Mountains, Workforce Development Board (WDB), will hold its regular scheduled meeting on Thursday, January 26, 2023, at 4:00 p.m. The meeting will be held at the Brenau Downtown Center located at 301 Main Street, Gainesville, GA 30501.

116892 1/18
THE TOWN OF CLERMONT TOWN COUNCIL MEETING SCHEDULED FOR TUESDAY, FEBRUARY 7, 2023, HAS BEEN RESCHEDULED FOR THURSDAY, FEBRUARY 9, 2023, AT 7:00 PM. THE MEETING WILL BE HELD AT 639 MAIN STREET, CLERMONT, GA 30527.

Miscellaneous

ABANDONED MOTOR VEHICLE PETITION ADVERTISEMENT You are hereby notified, in accordance with O.C.G.A. Section 40-11-19.1, that petitions were filed in the Magistrate Court of HALL COUNTY to foreclose liens against the vehicles listed below for all amounts owed. If a lien is foreclosed, the Court shall order the sale of the vehicle to satisfy the debt. The present location of the vehicles is: Statewide Wrecker Service, Inc. 2315 Murphy Blvd, Gainesville, GA 30504 Anyone with an ownership interest in a vehicle listed herein may file an answer to the petition on or before: 01/23/2023 Answer forms may be found in the Magistrate Court Clerk's office. Forms may also be obtained online at www.georgiamagistratecouncil.com. 2018 Ford Focus, 1FADP3K23JL234166, TEI2376 (Georgia), MV-2022-196075 2009 Honda Accord, 1HGCP26869A150432, CP59707 (Georgia), MV-2022-196057 2013 Chevrolet Camaro,

2G1FE1E30D9239671, RVS3300 (Georgia), MV-2022-196070 2011 Chevrolet Malibu, 1G1ZD5E71BF394230, RIY3158 (Georgia), MV-2022-196076 2000 Honda Accord, 1HGGC3250YA802106, NO TAG, MV-2022-196077 MAG 40-10 **116442 1/4, 11, 18**



NEW SEX OFFENDER TO HALL COUNTY NAME: Peter Michael Perez ADDRESS: 400 Shallowford Rd Gainesville GA 30501 Homeless DATE OF OFFENSE: 04/12/2004 OFFENSE: Aggravated Sexual Assault COURT OF CONVICTION: Bexar County, TX WEBSITE: <https://gbi.georgia.gov/georgia-sex-offender-registry> **117122 1/18**

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: JEFFREY PHILIP TATUM Petitioner. Civil Action Case Number: 2023CV62B NOTICE OF PETITION TO CHANGE NAME OF ADULT JEFFREY PHILIP TATUM filed a petition in the Hall County Superior Court on January 10, 2023 to change the name from: JEFFREY PHILIP TATUM to JUNIPER SELWYN TATUM Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 10, Jan, 2023 Petitioner, Pro se Name: JEFFREY PHILIP TATUM Address: 3159 LILAC CREEK TRL GAINESVILLE, GA 30507 **116992 1/18, 25, 2/1, 8**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: Tyler Kaine Woodfin, Petitioner. Civil Action Case Number: 2022CV002253J NOTICE OF PETITION TO CHANGE NAME OF ADULT Tyler Kaine Woodfin filed a petition in the Superior Court of Hall County on December 30th, 2022, to change the name from: Tyler Kaine Woodfin to Tyler Kaine Spina. Any interested party has the right to appear in this case and file the objections within 30 days after the Petition was filed. Dated: 12/30/2022 Petitioner, Pro se Name: Tyler Kaine Woodfin Address: 1680 Meadowlark Ln, Apt. C1, Gainesville, GA 30501 Email: twoodfn92@gmail.com Phone (day): 404-936-2225 **116568 1/11, 18, 25, 2/1**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of Amie Marie Farmer, Petitioner. Civil Action Case Number: 2022CV002163JJD NOTICE OF PETITION TO CHANGE NAME OF ADULT Amie Marie Farmer filed a petition in the Superior Court of Hall County on December 12th, 2022 to change the name from: Amie Marie Farmer to Amie Marie Bassett. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 11/16/2022 Amie Farmer Petitioner, Pro se NAME : Amie Marie Farmer ADDRESS: 8714 Shade Tree Ct. Clermont, Ga 30527 PHONE : 706-973-9870 EMAIL: amiebassett@yahoo.com **116333 12/28, 1/4, 11, 18**

SUPERIOR COURT OF

HALL COUNTY STATE OF GEORGIA In re the Name Change of Child(ren): FNU Alishba FNU Waniea

Shahla Imam Petitioner, V. Muhammad Kashif Respondent. Civil Action File No: 2022CV002204A NOTICE OF FILING PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN) A petition was filed in the Superior Court of Hall County on 12-20, 2022 to change the name of the following minor child(ren): From FNU Alishba FNU Waniea Proposed New Name Alishba Imam Kashif Waniea Imam Kashif. Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA sec. 19-12-1(f)(2) and (3). Dated 12-20-222 Petitioner, Pro Se Name: Shahla Imam Address: 3442 Long Creek Drive Buford, GA 30519 Phone: 941-413-9981 Email: shahlaasadali@gmail.com **116240 12/28, 1/4, 11, 18**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: Jonathan Richard Creishton, Petitioner. CivilActionCaseNumber 2023CV000004JJD NOTICE OF PETITION TO CHANGE NAME OF ADULT Jonathan Richard Creishton filed a petition in the Superior Court of Hall County 01-03,2023 to change name from: Jonathan Richard Creishton to Richard Dean Short. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Date: 01-03-2023 Jonathan Richard Creishton Petitioner, Pro se Name: Jonathan Richard Creishton Address: 3528 Lakeview Dr Gainesville, GA 30501 Email: tabooakitas@gmail.com Phone (day): 770-545-9529 **116609 1/11, 18, 25, 2/1**

Public Hearings

NOTICE is hereby given that the Hall County Planning Commission shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on Monday, February 6, 2023 to consider the following:

1. 3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | * Commission District 3 | Lydia Gonzalez, applicant.

2. 3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | * Commission District 2 | Douglas & Sheridan Bazemore, applicants.

3. 4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | ** Commission District 3 | Rochester|DCCM, applicant.

4. 4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet

from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | ** Commission District 3 | Rochester|DCCM, applicant.

5. 1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | ** Commission District 3 | Gerardo Vargas, applicant.

6. 1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | ** Commission District 3 | Gerardo Vargas, applicant.

7. 3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | ** Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.

NOTE: In accordance with Georgia law, anyone who (a) wishes to express opposition to the proposed rezoning and (b) has made, within two years immediately preceding the filing of the proposed rezoning, campaign contributions aggregating \$250 or more to a member of the County Commission shall file a disclosure of contributions with the Planning Department at least five (5) days prior to the first hearing of the proposed rezoning by the County Commission. (OCGA § 36-67A-3[C]).

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, March 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, March 9, 2023. Th333e Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

117118 1/18

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

Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, February 7, 2023 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in Gainesville on the

following requests:

1) Request Jaime Torres to annex a 0.35± acre tract located on the north side of Mountain View Road, between Atlanta Highway and Memorial Park Place (a/k/a 1930 and 1942 Mountain View Road) and to establish a zoning of Residential-II (R-II). Ward Number: Five Tax Parcel Number(s): 08-009-007-002 and 002A. Request: F o u r townhomes

2) Request Rochester & Associates, LLC to annex a 3.674± acres tract located on the north side of Aviation Boulevard, between Queen City Parkway and Dorsey Street (a/k/a 1010 Aviation Boulevard) and to establish a zoning of Heavy Industrial (H-I). Ward Number: Four Tax Parcel Number(s): 00-051-002-011 (Part) Request: E x p a n s i o n of poultry freezer and processing

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

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 (c)) **117117 1/18**

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 February 14, 2023, at 7:00 pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518. The Buford City Commission will hold a public hearing to discuss and pass upon the proposed applications for annexation and rezoning on Monday, March 6, 2023 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518. This 9th day of January, 2023. CHANDLER, BRITT & JAY, LLC City Attorneys

OWNER: PATRICK G. HOULIHAN CURRENTLY ZONED: AR-III PROPOSED ZONING: RA-200 LOCATION: 463 THUNDER ROAD All that tract or parcel of land lying and being in Robert Militia District of Hall County, Georgia and same being more fully described as follows: BEGINNING at an iron pin corner on Northeast side of a country road known as Green's Crossing Road

and on the line of the property of Robert Martin and running in a Northeasterly direction along the said Martin line a distance of 210 feet, more or less, to an iron pin corner; thence in a Northwesterly direction a distance of 100 feet, along the property of L.C. Wade to an iron pin corner; thence in a Southwesterly direction along other property of said Wade a distance of 210 feet to an iron pin corner on the right-of-way of said Green's Crossing Road, thence in a Southeasterly direction along the Northeastern boundary of said road a distance of 100 feet to an iron pin corner and the point of beginning. Parcel ID: 07299 004002

OWNER: CIV Friendship Business Park II, LLC CURRENTLY ZONED: AR-III PROPOSED ZONING: M-1 ADDRESS: 4764 BENNETT ROAD All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1” open top pipe found at the intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60’ public R/W per Plat Book 781, Page 192A); THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances, South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point;

THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point; THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point; THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2” rebar found, said 1/2” rebar found being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road the following courses and distances, along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point; THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2” rebar found; THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 45 minutes 34 seconds West for a distance of 765.52 feet to a computed point; THENCE South 55 degrees 14 minutes 52 seconds West for a distance of 766.40 feet to a 1/2” rebar found; THENCE North 60 degrees 23 minutes 16 seconds East for a distance of 1629.32 feet to a 1/2” rebar found on said westerly right-of-way line of Bennett Road, said 1/2” rebar found being the POINT OF BEGINNING. Said tract or parcel of land contains 10.909 acres or 475,193 square feet and is a portion

**GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION**

Applicant and Property OwnerJaime Torres
Location1930 and 1942 Mountain View Road
Request.....Annex with R-II
Total Acres0.35±
WardFive
Proposed Use.....Four townhomes
Planning Division Staff Recommendation.....**Approval, with conditions**
Planning & Appeals Board Recommendation.....**Approval, with conditions**
DateJanuary 10, 2023

Applicant's Proposal and Background Information

The applicant is proposing to annex the subject property with a zoning of Residential-II (R-II) in order to connect to sewer for a maximum of four townhome units. The property is zoned Residential-II (R-II) within unincorporated Hall County. The property consists of two parcels and contains two older rental homes that will be demolished. The townhomes will be two stories and approximately 1,260 square feet of heated floor space with a one-car garage. Access is planned from one driveway on Mountain View Road. The adjacent properties include various office, retail, restaurant and undeveloped property.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
Northeast	Plaza Tapatia (City)	General Business (G-B)
Northwest	Single-family homes (County)	Residential-II (R-II)
Southeast	Plaza Tapatia (City)	General Business (G-B)
Southwest	Abandoned property and Single-family homes (County)	Residential-II (R-II)

▪ **Other Departmental Comments**

There were no other departmental comments for this request.

▪ **Zoning History**

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

2022 – A request by CA Holdings, LLC to amend a 17.28± acres tract located within the Mundy Mill development at 0 Mundy Mill Road, SW and 0 Old Oakwood Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved for industrial warehouse / distribution uses.

2021 – A request by Scott Stringer to amend a 57.29± acres tract located within the Mundy Mill development at 0 Mundy Mill Road, SW and 0 Old Oakwood Road, SW zoned Planned Unit Development (P-U-D) was conditionally approved to change the location of multi-family apartments and industrial/ office/ warehouse uses.

2020 – A request by Smith, Gambrell & Russell, LLP to annex a 4.01± acres tract with a zoning of Light Industrial (L-I) located at 2500 West Park Drive was conditionally approved for an existing industrial warehouse use.

2018 – A request by Hydro Extruder, LLC to annex a 10.98± acres tract and a 11.29± acres tract with a zoning of Light Industrial (L-I) located at 2829 Mountain View Road and 2949 Old Oakwood Road was conditionally approved to expand the existing industrial use.

▪ **Staff Analysis**

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

The adjacent and nearby property consists of a mixture of single-family, multi-family, and commercial uses. The surrounding zonings are Residential-II (R-II) and Highway Business (H-B) within unincorporated Hall County and Residential-II (R-II) and General Business (G-B) within the City of Gainesville. Much of the development within the immediate area has included multi-family and commercial retail/restaurant growth. The Retreat at Chicopee single-family and townhome subdivision is currently under development in the county to the west off of Titshaw Road. It appears the proposal is suitable given the variety of uses that surround the property.

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

The proposed use should not adversely affect the existing use or usability of adjacent or nearby property over and above what uses are currently zoned for the property. The proposal includes residential space limited to four townhomes which will function similarly to the nearby multi-family and single family uses.

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

Housing would be an appropriate long-term use for this area. The Future Development Map for the City of Gainesville places the property within the *Commercial* land use category. The proposed rental townhomes will serve as a transitional use between the adjacent commercial and single-family property.

According to the Character Area map for the City of Gainesville, the subject properties are located within the Westside character area which appears to support the applicant's proposal. The Westside character area is abound with traditional neighborhoods and includes more diverse housing such as ranch homes built between 1930 and 1960, mobile homes, a few apartment complexes and some new construction. Many of the older neighborhoods need revitalization.

If approved, the proposed rental townhomes should have minimal impacts on the adjacent and nearby property given the assortment of uses that surround the property and the small scale of the proposal. The surrounding properties should continue to operate without being impacted negatively.

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

The subject property is zoned Residential-II (R-II) in Hall County. In Hall County, this zoning district prohibits the development of multi-family housing. Once annexed into the City of Gainesville Residential-II (R-II) could be developed for multi-family housing.

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

City water, sewer and public safety services are currently provided to the property. Gainesville Fire Station #4 is located off of Memorial Park Drive and is approximately 0.5± mile from the subject property.

The proposal will slightly increase ingress and egress traffic movements on Mountain View Road. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the townhomes on average could generate 23± new trips per day, 2± A.M. and P.M. peak hour trips.

The proposed use will have minimal impact on the Gainesville City School System given there are only four residential units proposed. Nearby larger residential developments such as the Catalina Subdivision have children that attend City schools which are provided bus service.

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

This property is located near older single family and multi-family residential development. A residential development appears to make sense and would be a compatible use for this property. The proposed four townhomes would serve a larger number of people, than the allowed two single-family rental homes, without negatively impacting the character of the area. It would also help revitalize the existing neighborhood.

Revitalizing neighborhoods is an important goal of the Gainesville Comprehensive Plan. The city does this by engaging in neighborhood revitalization activities, demolition of dilapidated housing, and acquisition of vacant parcels. This development would provide a well-established neighborhood with new quality construction and a desirable housing option.

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

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

▪ **Staff Recommendation**

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

Conditions

1. The development shall be generally consistent with the site plan and the architectural style of the elevation drawings submitted with this annexation application to include a mixture of cementitious siding and brick or stone materials on the front and two sides of the building. In addition, each townhome unit shall be constructed with architectural roof shingles and provide for a side-by-side or tandem two car garage.
2. All outdoor equipment and items such as trash receptacles, grills, recreational equipment and such shall be screened from view from Mountain View Road and Memorial Park Place.
3. All access point design for the subject property shall be submitted for review by Hall County Public Works, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
4. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Excerpts from the January 10, 2023 PAB Meeting Minutes

Applicant Presentation: Jason Smith with JM Smith Engineering, 317 Woodmont Road, Cornelia, stated he is representing the applicant which operates a real estate office and owns a strip center located in the vicinity. Mr. Smith said the applicant currently rents the two homes but wants to have something nicer in the neighborhood. He stated he is glad to answer any questions.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for four townhomes and establish zoning as Residential-II (R-II) with the following conditions:

Conditions

1. The development shall be generally consistent with the site plan and the architectural style of the elevation drawings submitted with this annexation application to include a mixture of cementitious siding and brick or stone materials on the front and two sides of the building. In addition, each townhome unit shall be constructed with architectural roof shingles and provide for a side-by-side or tandem two car garage.

2. All outdoor equipment and items such as trash receptacles, grills, recreational equipment and such shall be screened from view from Mountain View Road and Memorial Park Place.
3. All access point design for the subject property shall be submitted for review by Hall County Public Works, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
4. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Motion made by Board Member Thompson

Motion seconded by Board Member White

Vote – 6 favor, 1 absent (Martin)

Passed: _____

AN ORDINANCE

No. 2023-01

AN ORDINANCE ANNEXING A TOTAL OF 0.35± ACRE LOCATED ON THE NORTH SIDE OF MOUNTAIN VIEW ROAD, BETWEEN ATLANTA HIGHWAY AND MEMORIAL PARK PLACE (A/K/A 1930 AND 1942 MOUNTAIN VIEW ROAD) 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

Beginning at a point on the northern side of the 40-foot right-of-way of Mountain View Road approximately 133 ft. southwest of the intersection of Mountain View Drive and Atlanta Highway, thence following said right-of-way south 75 degrees 57 minutes and 46 seconds West for a distance of 55.00 feet to a point:

Thence South 75 degrees 57 minutes and 46 seconds West for a distance of 74.98 feet to a point: thence leaving said right-of-way North 30 degrees 00 minutes and 8 seconds East for a distance of 204.57 feet to a point; thence South 60 degrees 32 minutes and 12 seconds East for a distance of 62 feet to a point: thence South 60 degrees 32 minutes and 12 seconds East for a distance of 38.00 feet to a point: thence South 33 degrees 15 seconds and 47 seconds West for a distance of 115.34 feet to a Point of Beginning:

Said property containing 0.35 acres more or less and being further shown on a conceptual exhibit by J M Smith Engineering for Jaime Torres dated 5/17/2022.

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.

ORDINANCE NO. 2023-01

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 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

Passed: _____

AN ORDINANCE

No. 2023-02

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING A TOTAL OF 0.35± ACRE LOCATED ON THE NORTH SIDE OF MOUNTAIN VIEW ROAD, BETWEEN ATLANTA HIGHWAY AND MEMORIAL PARK PLACE (A/K/A 1930 AND 1942 MOUNTAIN VIEW ROAD) AT THE TIME OF ANNEXATION AS RESIDENTIAL-II, WITH CONDITIONS (R-II-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 **Residential-II, with conditions (R-II-c)**.

Conditions

- 1. The development shall be generally consistent with the site plan and the architectural style of the elevation drawings submitted with this annexation application to include a mixture of cementitious siding and brick or stone materials on the front and two sides of the building. In addition, each townhome unit shall be constructed with architectural roof shingles and provide for a side-by-side or tandem two car garage.**
- 2. All outdoor equipment and items such as trash receptacles, grills, recreational equipment and such shall be screened from view from Mountain View Road and Memorial Park Place.**
- 3. All access point design for the subject property shall be submitted for review by Hall County Public Works, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
- 4. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.**

Legal Description

Beginning at a point on the northern side of the 40-foot right-of-way of Mountain View Road approximately 133 ft southwest of the intersection of Mountain View Drive and Atlanta Highway,

ORDINANCE NO. 2023-02

thence following said right-of-way South 75 degrees 57 minutes and 46 seconds West for a distance of 55.00 feet to a point:

Thence South 75 degrees 57 minutes and 46 seconds West for a distance of 74.98 feet to a point: thence leaving said right-of-way North 30 degrees 00 minutes and 8 seconds East for a distance of 204.57 feet to a point; thence South 60 degrees 32 minutes and 12 seconds East for a distance of 62 feet to a point: thence South 60 degrees 32 minutes and 12 seconds East for a distance of 38.00 feet to a point: thence South 33 degrees 15 seconds and 47 seconds West for a distance of 115.34 feet to a point of beginning:

Said property containing 0.35 acres more or less and being further shown on a conceptual exhibit by J M Smith Engineering for Jaime Torres dated 5/17/2022.

SECTION II

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

SECTION III

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

SECTION IV

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

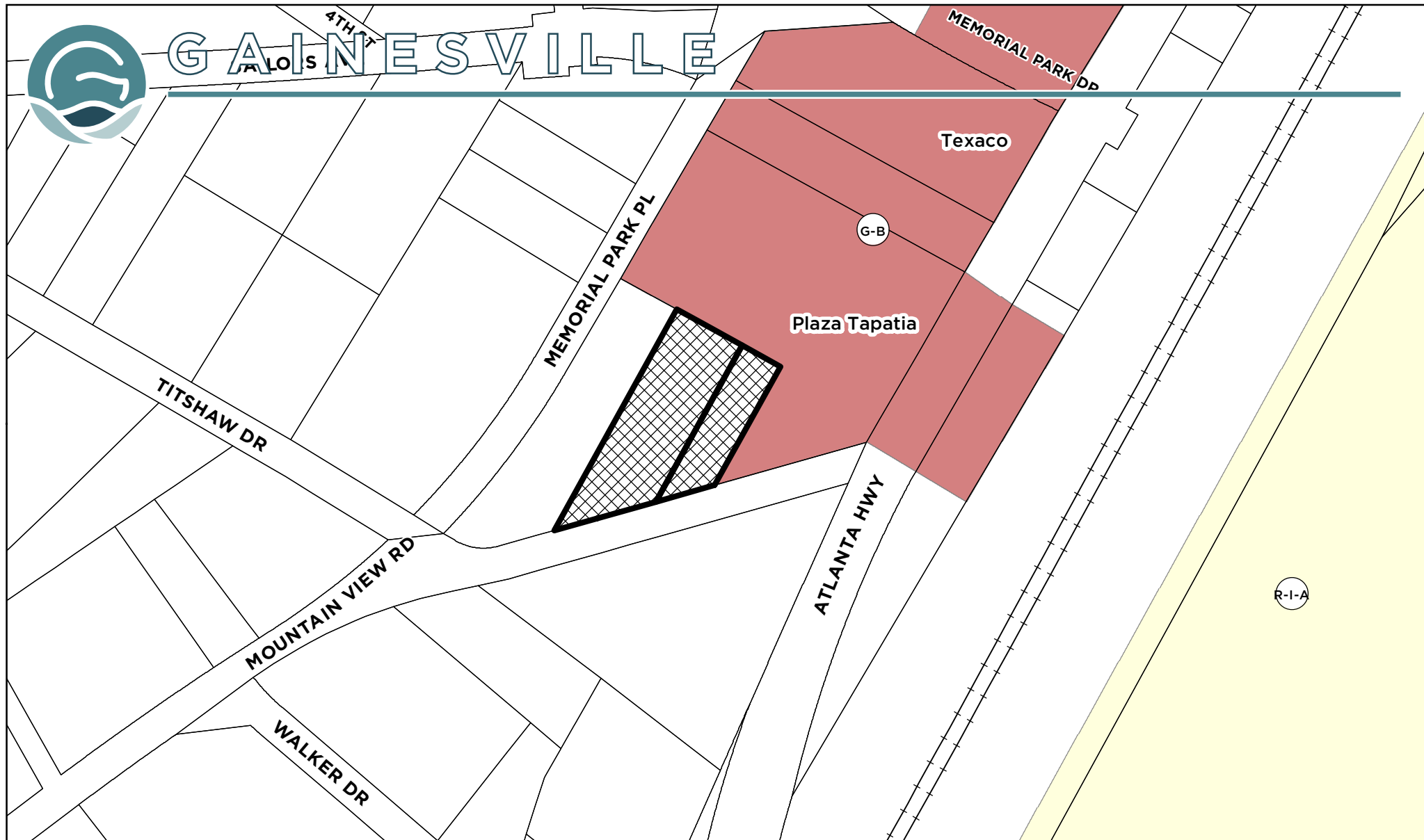
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **JAIME TORRES**

ANNEXATION REQUEST

Subject Property Address:
1930 & 1942 Mountain View Road

Tax Parcel:
08-009-007-002 & 002A

Request:

Annex 0.35+/- acre tract and establish zoning as Residential-II (R-II) for four townhomes



Subject Property



Meeting Date: **01/10/2023**

Map Prepared: **11/30/2022**

0 60 120 180 240 Feet

SCALE: 1" = 117'



GAINESVILLE



Applicant:

JAIME TORRES

Request:

Annex 0.35+/- acre tract and establish zoning as Residential-II (R-II) for four townhomes

ANNEXATION REQUEST

Subject Property Address:

1930 & 1942 Mountain View Road

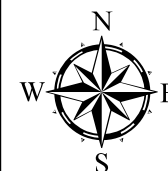
Tax Parcel:

08-009-007-002 & 002A



Subject Property

Aerial from 2021



Meeting Date: 01/10/2023

Map Prepared: 11/30/2022

0 110 220 330 440 Feet

SCALE: 1" = 208'

Narrative

Owner wishes to remove two older and run-down single family residential units on Mountainview Drive and replace with 4 townhomes. The owner wishes to annex the property into the City of Gainesville in order to have access to sewer. The site is currently zoned R-II in Hall County. Surrounding property is commercially zoned and developed and owned by the applicant except for the parcel directly to the west which is zone R-II, undeveloped, and not owned by the applicant. This area has a mix of commercial and residential uses that would lend itself well to a townhome use on the property. All of the townhomes will share a single drive. The area underneath the townhomes will be utilized for parking and storage.

P:\Users\j2261\OneDrive\2022\2022-09 Mountainview Townhomes\Map_2022-09-09.dwg
Plotted: Nov 14, 2022: 10:38am
Printed By: JMS/Karm
Copyright © 2022 • ALL RIGHTS RESERVED • DRAWINGS MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION

ANNEXATION (ZONED R-II)

SETBACKS
30 FT FRONT
10 FT SIDE
20 FT REAR

SEWER TYPE - PUBLIC SEWER - CITY OF GAINESVILLE
WATER TYPE - PUBLIC WATER - CITY OF GAINESVILLE

BOUNDARY INFORMATION FROM PLAT OF SUBDIVISION FOR F. M. TUMLIN DATED 1/5/1927 BY E.P. TITTSWAW (LOT 27) AND SURVEY OF PROPERTY OF BILLY J. PETHEL BY HENRY GRADY JARRARD DATED 2/26/1970 (PART OF LOT 25 AND ALL OF LOT 26).
TOPOGRAPHY INFORMATION FROM USGS TOPOGRAPHY. THE INFORMATION SHOWN ON THIS EXHIBIT HAS BEEN ADJUSTED FOR CLOSURE AND FITTED TO STATE PLANE COORDINATES IN A COMPILED FASHION. THIS INFORMATION SHOULD NOT BE CONSIDERED A PLAT OF THE PROPERTY AND SHOULD NOT BE USED FOR TRANSFER OF PROPERTY.

Mountainview Rd (40' R/W)

PARCEL 0000 007001
NE ENRIQUE DELAUNO
ZONED R-II (GAINESVILLE)

PARCEL 0000 007002
NE JAMES TORRES
ZONED R-II
(CITY OF GAINESVILLE)

PARCEL 0000 007003
NE JAMES TORRES
ZONED R-II
(CITY OF GAINESVILLE)

Proposed
Townhouse 4
(Parking underneath)

Proposed
Townhouse 3
(Parking underneath)

Proposed
Townhouse 2
(Parking underneath)

Proposed
Townhouse 1
(Parking underneath)

Shared Driveway

WELL OF
0.35 AC

"0.16 Acre" "Open Space"
(Space to be retained)

Existing
Town
(to be retained)

Existing
Town
(to be retained)

0.02 Acre
"Open Space"
(Space to be retained)



CONCEPT PLAN - NOT FOR CONSTRUCTION



J M Smith Engineering LLC
ENGINEERS AND CONSULTANTS
1501 LAMAR BLVD, SUITE 200
GAINESVILLE, FL 32609
TEL: 352.333.1111
LOCAL: 352.333.1111
FAX: 352.333.1111
www.jmsmithengineering.com

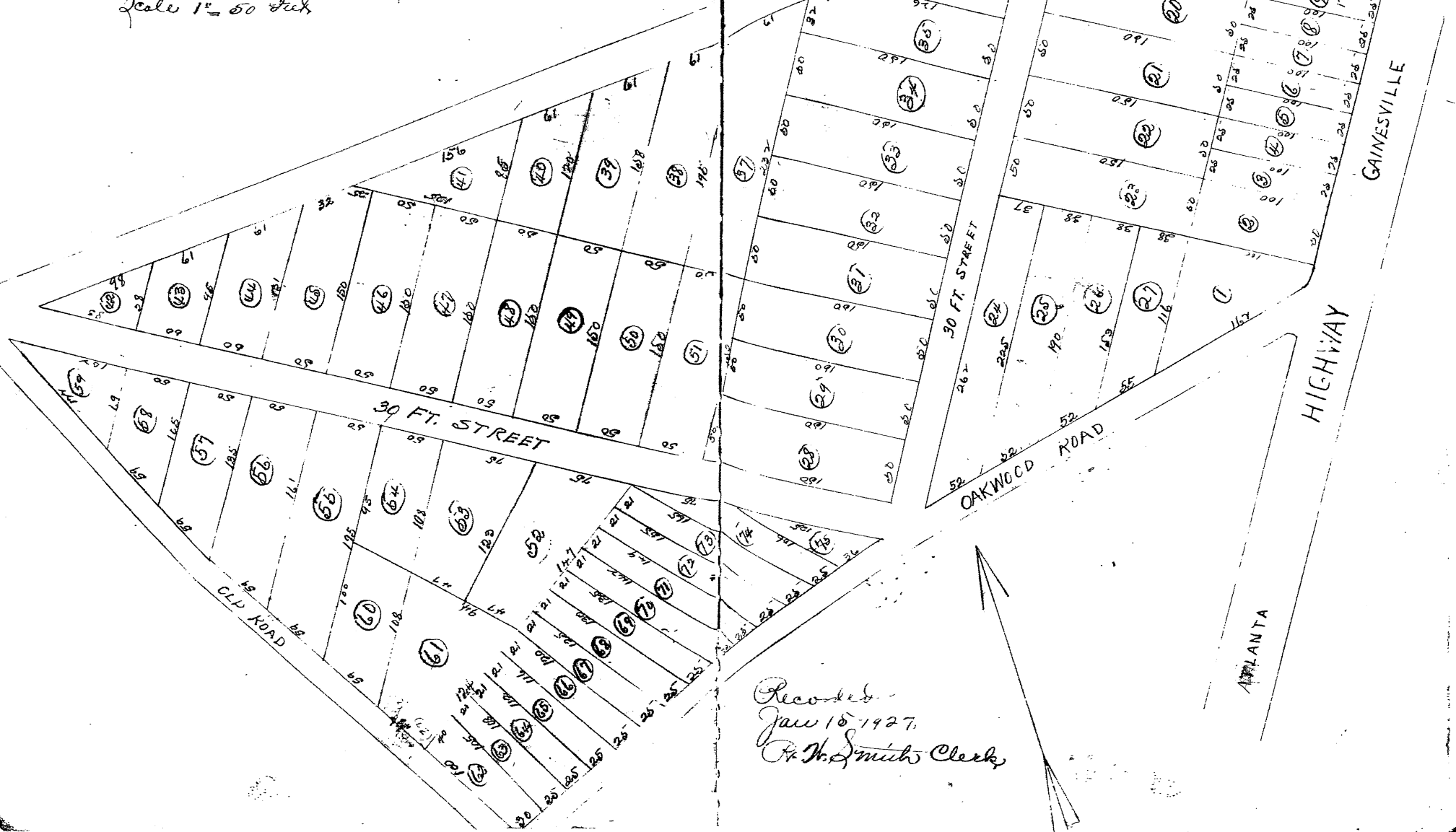


DATE	BY	CHKD
10/10/22	JMS	JMS

Mountainview Drive Townhomes
Revised on 10/10/22
Final Plot of
Jalime Torres
Concept Plan

SHEET NUMBER
EX1
OF 13

Subdivision
 Property of F. M. Tumlin
 Gainesville, Hall County Georgia
 Surveyed Jan'y 5-1927, by E. L. Fitcher.
 Scale 1" = 50 Feet



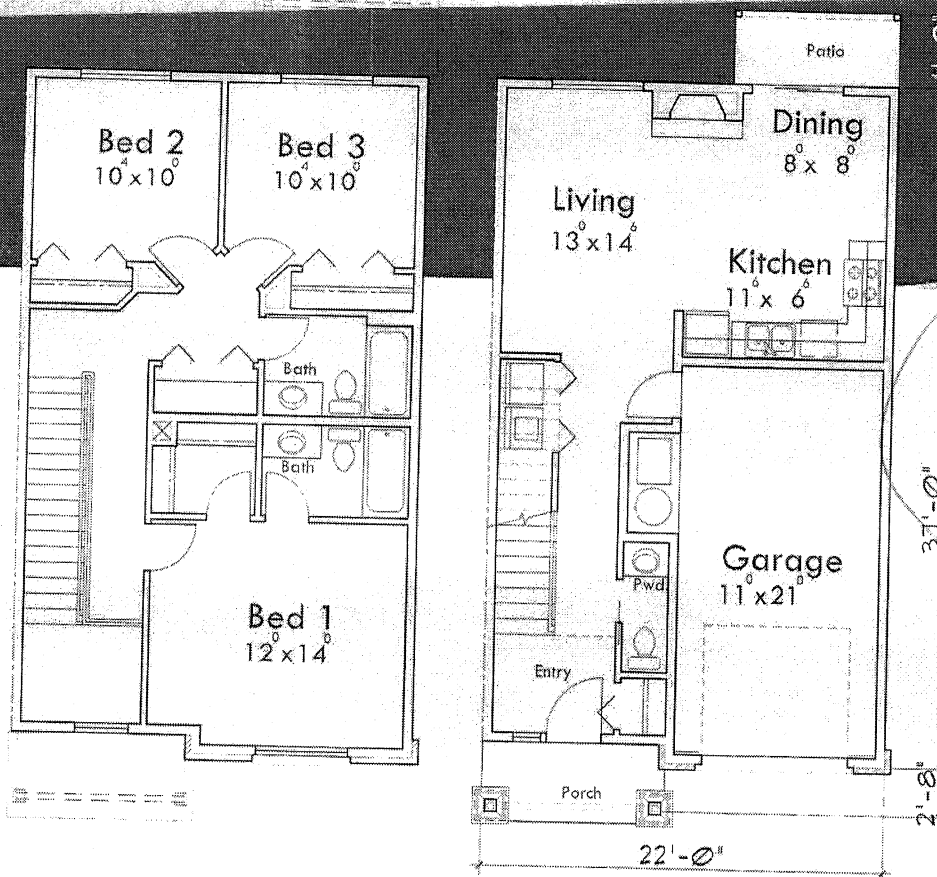
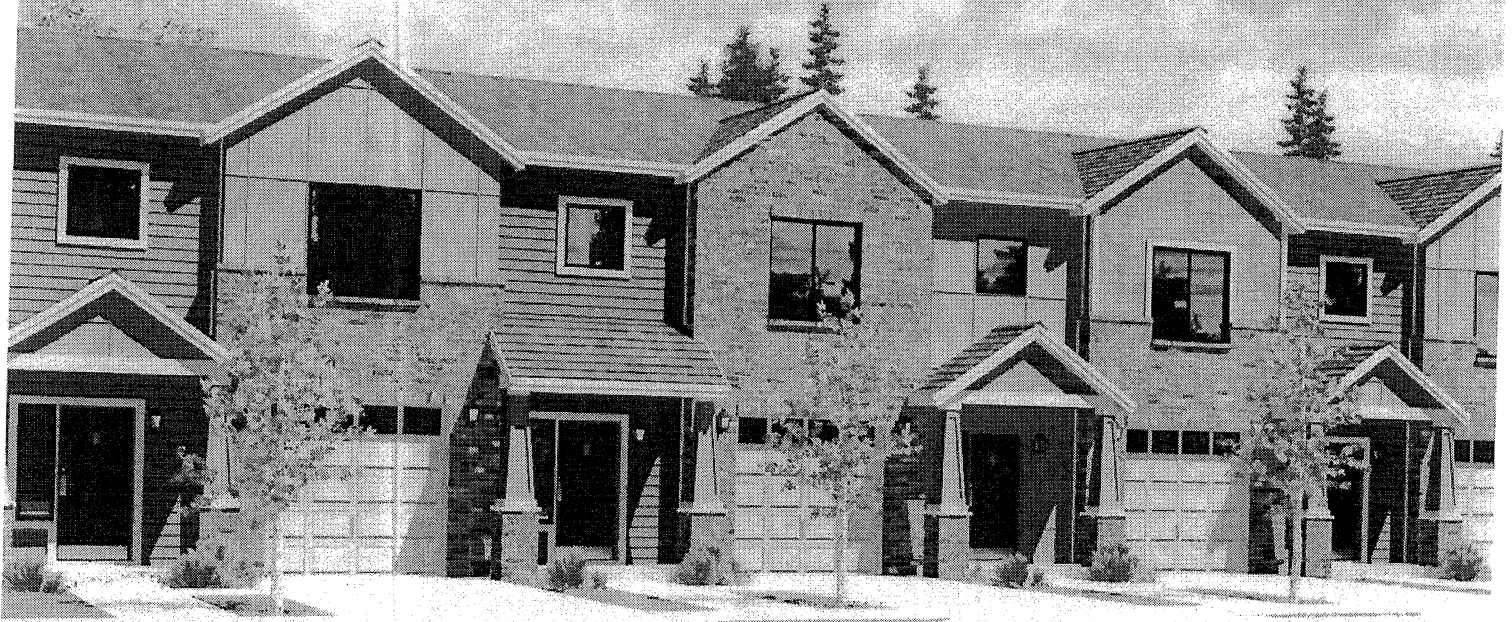
PLAN #F-597

MAIN FLR. 540 SQ. FT.

UPPER FLR. 720 SQ. FT.

TOTAL 1260 SQ. FT.

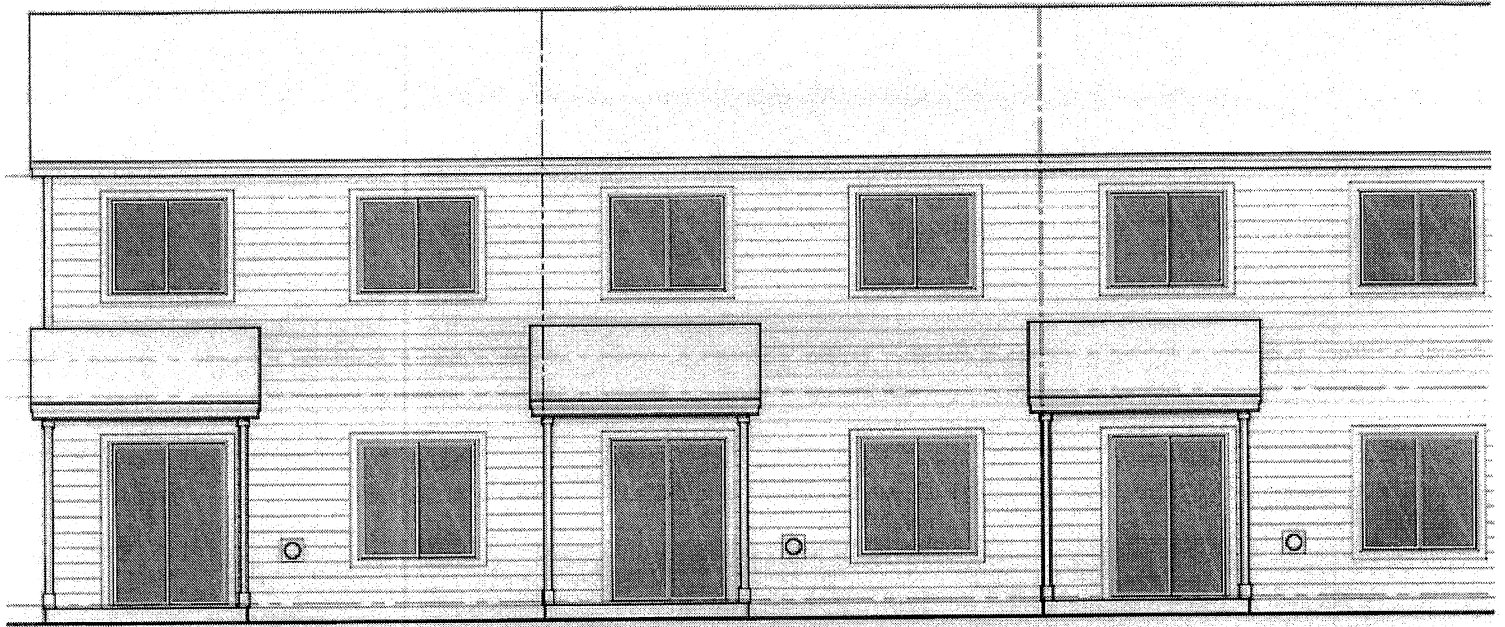
GARAGE 263 SQ. FT.



Art work may vary from building plans

1930 AND 1942
MOUNTAIN VIEW
GARAGE UNIT GA 30504





REAR ELEVATION



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: February 2, 2023
Date Submitted: February 3, 2023
Final Approval Date: February 3, 2023
Presenter: Abb Hayes, City Attorney
Item of Business: Request from **Rochester & Associates, LLC** to annex a 3.674± acres tract located on the north side of Aviation Boulevard, between Queen City Parkway and Dorsey Street (a/k/a **1010 Aviation Boulevard**) and to establish a zoning of Heavy Industrial (H-I). **Ward Number: Four**. Tax Parcel Number(s): 00-051-002-011 (Part). **Request: Expansion of poultry freezer and processing.**

- Proposed Annexation Ordinance 2023-03
- Proposed Zoning Ordinance 2023-04

Meeting Date: February 7, 2023

Purpose of Request:

To conduct a public hearing regarding the zoning request as presented at the January 10, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The applicant is proposing to annex the subject property with a zoning of Heavy Industrial (H-I) in order to connect to sewer for the expansion of the Mar-Jac Poultry facility. The property is zoned Heavy Industrial (I-II) within unincorporated Hall County and was part of the former Department of Driver Services (DDS) complex. Flat Creek and the Southern Railway are located along the northerly boundary. The proposed addition is to include approximately 156,000 square feet of processing and freezer space which will be similar in architecture as the existing metal and concrete masonry building. Truck access is proposed from Aviation Boulevard. The adjacent properties include Lee Gilmer Memorial Airport, DDS building, industrial uses, offices and vacant property.

Department Recommendation:

Staff and PAB recommended approval with three conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2023-03:

I move to approve the ordinance to annex the subject property for expansion of poultry freezer and processing as presented.

Approval of Ordinance 2023-04:

I move to approve the ordinance to establish zoning as Heavy Industrial (H-I) with three conditions as presented.

Denial of the Request:

I move to deny the request.

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. Legal Ad
2. PAB Recommendation Report
3. Proposed Annexation Ordinance 2023-03
4. Proposed Zoning Ordinance 2023-04
5. Location Maps
6. Narrative
7. Site plan
8. Survey

and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Selene Finance they can be contacted at (877) 735-3637 for Loss Mitigation Dept, or by writing to 3501 Olympus Boulevard, 5 th Floor, Suite 500, Coppell, Texas 75019, to discuss possible alternatives to avoid foreclosure. Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. To the best knowledge and belief of the undersigned, the party in possession of the property is Kenmlen R. Roberts or tenant(s); and said property is more commonly known as **6437 Yellow Creek Rd, Murrayville, GA 30564**. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code (2) final confirmation and audit of the status of the loan with the holder of the security deed and (3) any right of redemption or other lien not extinguished by foreclosure. Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust as Attorney in Fact for Ken Roberts A.K.A. Kenmlen R. Roberts and Renee Roberts A.K.A. Renee L. Roberts. Brock & Scott, PLLC 4360 Chamblee Dunwoody Road Suite 310 Atlanta, GA 30341 404-789-2661 B&S file no.: 19-21238 **116379 1/11, 18, 25, 2/1**

(Soto) NOTICE OF SALE UNDER POWER IN CONTAINED SECURITY DEED OF GEORGIA, COUNTY OF Hall
Pursuant to a power of sale contained in a certain security deed executed by Viviana D. Soto, hereinafter referred to as Grantor, to Mortgage Electronic Registration Systems, Inc. as nominee for Everett Financial, Inc DBA Supreme Lending recorded in Deed Book 7684, beginning at page 458, of the deed records of the Clerk of the Superior Court of the aforesaid state and county, and by virtue of a default under the terms of said security deed, and the related note, the undersigned attorney-in-fact for the aforesaid Grantor (which attorney-in-fact is the present holder of said security deed and note secured thereby) will sell at the usual place of conducting Sheriff's sales in said county within the legal hours of sale, to the highest bidder on the first Tuesday in February 2023, all property described in said security deed including but not limited to the following described property: All that tract or parcel of land lying and being in the Tadmore District, (GMD 268), Hall County, Georgia, being Lot 32 of Southchase Subdivision, Unit One, as per plat of the subdivision recorded in Plat Slide 835, Pages 118A-127A, Hall County, Georgia Records, which plat is incorporated herein and made a part hereof. Said legal description being controlling, however, the Property is more commonly known as: **3704 Amber Dawn Way, Gainesville, GA 30507**

Said property will be sold on an "as-is" basis without

any representation, warranty or recourse against the above-named or the undersigned. The sale will be subject to the following items which may affect the title: any outstanding ad valorem taxes (including taxes which are a lien but not yet due and payable); any matters which might be disclosed by an accurate survey and inspection of the property; any assessments, liens, encumbrances, zoning ordinances, restrictions, and all other matters of record superior to the said Security Deed. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed. MidFirst Bank, through its division Midland Mortgage is the entity with authority to negotiate, amend and modify the terms of the Note and Security Deed. MidFirst Bank, through its division Midland Mortgage may be contacted by telephone at 1-800-552-3000. To the best of the undersigned's knowledge and belief, the party in possession of the property is believed to be Viviana D. Soto, or tenant(s). MidFirst Bank, as Transferee, Assignee, and Secured Creditor As attorney-in-fact for the aforesaid Grantor CB Legal, LLC Attorneys at Law Glenridge Highlands II 5565 Glenridge Connector, Suite 350 Atlanta, GA 30342 (770) 392-0041 22-6929 THIS LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. **116660 1/11, 18, 25, 2/1**

Local Government

TheWorkSource Georgia Mountains, Workforce Development Board (WDB), will hold its regular scheduled meeting on Thursday, January 26, 2023, at 4:00 p.m. The meeting will be held at the Brenau Downtown Center located at 301 Main Street, Gainesville, GA 30501. **116892 1/18**

THE TOWN OF CLERMONT TOWN COUNCIL MEETING SCHEDULED FOR TUESDAY, FEBRUARY 7, 2023, HAS BEEN RESCHEDULED FOR THURSDAY, FEBRUARY 9, 2023, AT 7:00 PM. THE MEETING WILL BE HELD AT 639 MAIN STREET, CLERMONT, GA 30527. **116795 1/18**

Miscellaneous

ABANDONED MOTOR VEHICLE PETITION ADVERTISEMENT You are hereby notified, in accordance with O.C.G.A. Section 40-11-19.1, that petitions were filed in the Magistrate Court of HALL COUNTY to foreclose liens against the vehicles listed below for all amounts owed. If a lien is foreclosed, the Court shall order the sale of the vehicle to satisfy the debt. The present location of the vehicles is: Statewide Wrecker Service, Inc. 2315 Murphy Blvd, Gainesville, GA 30504 Anyone with an ownership interest in a vehicle listed herein may file an answer to the petition on or before: 01/23/2023 Answer forms may be found in the Magistrate Court Clerk's office. Forms may also be obtained online at www.georgiamagistratecouncil.com. 2018 Ford Focus, 1FADP3K23JL234166, TEI2376 (Georgia), MV-2022-196075 2009 Honda Accord, 1HGCP26869A150432, CP59707 (Georgia), MV-2022-196057 2013 Chevrolet Camaro,

2G1FE1E30D9239671, RVS3300 (Georgia), MV-2022-196070 2011 Chevrolet Malibu, 1G1ZD5E71BF394230, RIY3158 (Georgia), MV-2022-196076 2000 Honda Accord, 1HGGC3250YA802106, NO TAG, MV-2022-196077 MAG 40-10 **116442 1/4, 11, 18**



NEW SEX OFFENDER TO HALL COUNTY NAME: Peter Michael Perez ADDRESS: 400 Shallowford Rd Gainesville GA 30501 Homeless DATE OF OFFENSE: 04/12/2004 OFFENSE: Aggravated Sexual Assault COURT OF CONVICTION: Bexar County, TX WEBSITE: <https://gbi.georgia.gov/georgia-sex-offender-registry> **117122 1/18**

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: JEFFREY PHILIP TATUM Petitioner. Civil Action Case Number: 2023CV62B NOTICE OF PETITION TO CHANGE NAME OF ADULT JEFFREY PHILIP TATUM filed a petition in the Hall County Superior Court on January 10, 2023 to change the name from: JEFFREY PHILIP TATUM to JUNIPER SELWYN TATUM Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 10, Jan, 2023 Petitioner, Pro se Name: JEFFREY PHILIP TATUM Address: 3159 LILAC CREEK TRL GAINESVILLE, GA 30507 **116992 1/18, 25, 2/1, 8**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: Tyler Kaine Woodfin, Petitioner. Civil Action Case Number: 2022CV002253J NOTICE OF PETITION TO CHANGE NAME OF ADULT Tyler Kaine Woodfin filed a petition in the Superior Court of Hall County on December 30th, 2022, to change the name from: Tyler Kaine Woodfin to Tyler Kaine Spina. Any interested party has the right to appear in this case and file the objections within 30 days after the Petition was filed. Dated: 12/30/2022 Petitioner, Pro se Name: Tyler Kaine Woodfin Address: 1680 Meadowlark Ln, Apt. C1, Gainesville, GA 30501 Email: twoodfn92@gmail.com Phone (day): 404-936-2225 **116568 1/11, 18, 25, 2/1**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of Amie Marie Farmer, Petitioner. Civil Action Case Number: 2022CV002163JJD NOTICE OF PETITION TO CHANGE NAME OF ADULT Amie Marie Farmer filed a petition in the Superior Court of Hall County on December 12th, 2022 to change the name from: Amie Marie Farmer to Amie Marie Bassett. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Dated: 11/16/2022 Amie Farmer Petitioner, Pro se NAME : Amie Marie Farmer ADDRESS: 8714 Shade Tree Ct. Clermont, Ga 30527 PHONE : 706-973-9870 EMAIL: amiebassett@yahoo.com **116333 12/28, 1/4, 11, 18**

SUPERIOR COURT OF

HALL COUNTY STATE OF GEORGIA In re the Name Change of Child(ren): FNU Alishba FNU Waniea

Shahla Imam Petitioner, V. Muhammad Kashif Respondent. Civil Action File No: 2022CV002204A NOTICE OF FILING PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN) A petition was filed in the Superior Court of Hall County on 12-20, 2022 to change the name of the following minor child(ren): From FNU Alishba FNU Waniea Proposed New Name Alishba Imam Kashif Waniea Imam Kashif. Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA sec. 19-12-1(f)(2) and (3). Dated 12-20-222 Petitioner, Pro Se Name: Shahla Imam Address: 3442 Long Creek Drive Buford, GA 30519 Phone: 941-413-9981 Email: shahlaasadali@gmail.com **116240 12/28, 1/4, 11, 18**

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA In re the Name Change of: Jonathan Richard Creishton, Petitioner. CivilActionCaseNumber 2023CV000004JJD NOTICE OF PETITION TO CHANGE NAME OF ADULT Jonathan Richard Creishton filed a petition in the Superior Court of Hall County 01-03,2023 to change name from: Jonathan Richard Creishton to Richard Dean Short. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed. Date: 01-03-2023 Jonathan Richard Creishton Petitioner, Pro se Name: Jonathan Richard Creishton Address: 3528 Lakeview Dr Gainesville, GA 30501 Email: tabooakitas@gmail.com Phone (day): 770-545-9529 **116609 1/11, 18, 25, 2/1**

Public Hearings

NOTICE is hereby given that the Hall County Planning Commission shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on Monday, February 6, 2023 to consider the following:

1. 3325 Lakeland Road | Variance | front yard setback variance from 30 feet to 10 feet on a 1.56± acre tract located on the west side of Lakeland Road at its intersection with Leisure Lane | Zoned R-I; Tax Parcel 10146 000163 | Proposed use: residential porch and garage addition | * Commission District 3 | Lydia Gonzalez, applicant.

2. 3268 Whidby Road | Variance | left side yard setback variance from 10 feet to 2 feet on a .30± acre tract located on the north side on Whidby Road approximately 1,692 feet from its intersection with Lanier Islands Parkway | Zoned V-C; Tax Parcel 07330 004001D | Proposed use: residential addition | * Commission District 2 | Douglas & Sheridan Bazemore, applicants.

3. 4654 Shirley Road | Variance | road frontage variance from 150 feet to 50 feet on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | ** Commission District 3 | Rochester|DCCM, applicant.

4. 4654 Shirley Road | Use Subject to County Commission Approval | on a 22.04± acre tract located on the south side of Shirley Road approximately 500 feet

from its intersection with Destitute Way | Zoned V-C & AR-III; Tax Parcel 10119 000001(pt.) | Proposed use: 6-lot subdivision | ** Commission District 3 | Rochester|DCCM, applicant.

5. 1600 Athens Highway, Building C | Rezone | from Highway-Business (H-B) to Light-Industrial (I-I) on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outdoor storage | ** Commission District 3 | Gerardo Vargas, applicant.

6. 1600 Athens Highway, Building C | Use Subject to County Commission Approval | on a .64± acre tract located at the south side of Athens Highway approximately 554 feet from its intersection with Old County Dump Road | Zoned H-B; Tax Parcel 15032 000050 | Proposed use: countertop manufacturing with outside storage | ** Commission District 3 | Gerardo Vargas, applicant.

7. 3675 Thompson Bridge Road, 3510 Southers Road, 3709, 3719, & 3739 Price Road | Rezone | from Highway-Business (H-B), Agricultural-Residential-III (AR-III), & Residential-I (R-I) to Planned Office Development (POD) on a 42.97± acre tract located at the intersection of Thompson Bridge Road and Southers Road | Zoned H-B, AR-III, & R-I; Tax Parcels 10104 000020, 10104 000022 – 000023, 000031, & 000059 | Proposed use: mixed use office-institutional park | ** Commission District 2 | Northeast Georgia Health Systems, Inc, applicant.

NOTE: In accordance with Georgia law, anyone who (a) wishes to express opposition to the proposed rezoning and (b) has made, within two years immediately preceding the filing of the proposed rezoning, campaign contributions aggregating \$250 or more to a member of the County Commission shall file a disclosure of contributions with the Planning Department at least five (5) days prior to the first hearing of the proposed rezoning by the County Commission. (OCGA § 36-67A-3[C]).

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Thursday, March 9, 2023 at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Thursday, March 9, 2023. Th333e Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia. **117118 1/18

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

Notice is hereby given that the Gainesville City Council will conduct a public hearing on Tuesday, February 7, 2023 at 5:30 p.m. in the Gainesville Justice Center (Municipal Courtroom at the Public Safety Complex), 701 Queen City Parkway in Gainesville on the

following requests:

1) Request Jaime Torres to annex a 0.35± acre tract located on the north side of Mountain View Road, between Atlanta Highway and Memorial Park Place (a/k/a 1930 and 1942 Mountain View Road) and to establish a zoning of Residential-II (R-II). Ward Number: Five Tax Parcel Number(s): 08-009-007-002 and 002A. Request: F o u r townhomes

2) Request Rochester & Associates, LLC to annex a 3.674± acres tract located on the north side of Aviation Boulevard, between Queen City Parkway and Dorsey Street (a/k/a 1010 Aviation Boulevard) and to establish a zoning of Heavy Industrial (H-I). Ward Number: Four Tax Parcel Number(s): 00-051-002-011 (Part) Request: E x p a n s i o n of poultry freezer and processing

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

NOTE: In accordance with Georgia law, anyone who wishes to express opposition to the proposed zoning action, and has made, within two years immediately preceding the filing of the proposed zoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA § 36-67A-3 3 (c)) **117117 1/18**

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 February 14, 2023, at 7:00 pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518. The Buford City Commission will hold a public hearing to discuss and pass upon the proposed applications for annexation and rezoning on Monday, March 6, 2023 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518. This 9th day of January, 2023. CHANDLER, BRITT & JAY, LLC City Attorneys

OWNER: PATRICK G. HOULIHAN CURRENTLY ZONED: AR-III PROPOSED ZONING: RA-200 LOCATION: 463 THUNDER ROAD All that tract or parcel of land lying and being in Robert Militia District of Hall County, Georgia and same being more fully described as follows: BEGINNING at an iron pin corner on Northeast side of a country road known as Green's Crossing Road

and on the line of the property of Robert Martin and running in a Northeasterly direction along the said Martin line a distance of 210 feet, more or less, to an iron pin corner; thence in a Northwesterly direction a distance of 100 feet, along the property of L.C. Wade to an iron pin corner; thence in a Southwesterly direction along other property of said Wade a distance of 210 feet to an iron pin corner on the right-of-way of said Green's Crossing Road, thence in a Southeasterly direction along the Northeastern boundary of said road a distance of 100 feet to an iron pin corner and the point of beginning. Parcel ID: 07299 004002

OWNER: CIV Friendship Business Park II, LLC CURRENTLY ZONED: AR-III PROPOSED ZONING: M-1 ADDRESS: 4764 BENNETT ROAD All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows: To find the POINT OF BEGINNING, COMMENCE at a 1” open top pipe found at the intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60’ public R/W per Plat Book 781, Page 192A); THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances, South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point; THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point; THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point; THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2” rebar found, said 1/2” rebar found being the POINT OF BEGINNING. THENCE continuing along said westerly right-of-way line of Bennett Road the following courses and distances, along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point; THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2” rebar found; THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 45 minutes 34 seconds West for a distance of 765.52 feet to a computed point; THENCE South 55 degrees 14 minutes 52 seconds West for a distance of 766.40 feet to a 1/2” rebar found; THENCE North 60 degrees 23 minutes 16 seconds East for a distance of 1629.32 feet to a 1/2” rebar found on said westerly right-of-way line of Bennett Road, said 1/2” rebar found being the POINT OF BEGINNING. Said tract or parcel of land contains 10.909 acres or 475,193 square feet and is a portion

**GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION**

Applicant.....Rochester & Associates, LLC
Property OwnersMar-Jac Poultry, Inc.
Locations1010 Aviation Boulevard
Request.....Annex with H-I zoning
Size3.674± acres
WardFour
Proposed Use.....Expansion of poultry freezer and processing
Planning Division Staff Recommendation.....**Approval, with conditions**
Planning & Appeals Board Recommendation.....**Approval, with conditions**
DateJanuary 10, 2023

Applicant's Proposal and Background Information

The applicant is proposing to annex the subject property with a zoning of Heavy Industrial (H-I) in order to connect to sewer for the expansion of the Mar-Jac Poultry facility. The property is zoned Heavy Industrial (I-II) within unincorporated Hall County and consists of an asphalt parking lot that was formerly part of the State of Georgia Department of Driver Services (DDS) established in 1990. Flat Creek and the Southern Railway are located along the northerly boundary.

The proposed addition is to include approximately 156,000 square feet of processing and freezer space which will be similar in architecture as the existing metal and concrete masonry building. Operations will include food processing, storage and distribution, processing support and freezer storage. The proposed building will be a maximum of 75-feet in height which will adhere to the Airport Overlay Zone standards. An additional 90+ employees are anticipated over three shifts. Existing access to the Mar-Jac poultry processing plant will remain except for an additional driveway which is planned off of Aviation Boulevard for truck access.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	Southern Railway, Pilgrim's Pride	Heavy Industrial (H-I) -City
South	Lee Gilmer Memorial Airport	Heavy Industrial (H-I) -City
East	Georgia Department of Driver Services	Heavy Industrial (I-II) -County
West	Mar-Jac Poultry Processing Plant	Heavy Industrial (H-I) -City

▪ **Zoning History**

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

2021- A request by the Koch Foods of Gainesville, LLC to annex 0.572± acre tract located at 950 and 966 Industrial Boulevard, SW, with Heavy Industrial (H-I) zoning and to rezone a 0.55± acre tract located at 911, 913 and 919 Davis Street, SW from Residential-II (R-II) to Heavy Industrial (H-I) for a poultry processing plant expansion was approved with conditions.

2020- A request by the City of Gainesville to rezone 39.0± acres consisting of 25 properties located within Midtown Gainesville from Heavy Industrial (H-I), Light Industrial (L-I), General Business (G-B), Residential-II (R-II) to Office and Institutional (O-I) for existing uses was approved.

▪ **Staff Analysis**

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

The surrounding uses include mostly heavy industrial uses which involve poultry processing, governmental and public uses such as the Lee Gilmer Memorial Airport. The adjacent property where Mar-Jac currently operates has functioned as a poultry processing facility for approximately 40+ years and has expanded numerous times. The proposed expansion of Mar-Jac appears logical given the surrounding uses.

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

The surrounding uses include heavy industrial uses which have been in operation for many years. The planned expansion includes an additional driveway off of Aviation Boulevard which will increase the amount of truck turning movements due to the increased volume processing and storage. However, the property is very accessible given its proximity to Aviation Boulevard, Queen City Parkway and I-985.

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

It is staff's opinion the proposal is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject property within the *Industrial* land use category. This category includes areas containing or planned for a wide range of office, business, light industrial, manufacturing, research and development uses.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Economic Development Gateways* character area which appears to support the applicant's proposal. This character area represents the industrial, warehousing and other commercial enterprises that parallel the I-985 and Norfolk-Southern railroad corridor. The primary vision for the area is to continue to support economic development while preserving and strengthening important natural and cultural resources. These areas include uses such as industrial, commercial, general mixed-use, public and institutional, limited multi-family residential, and parks and recreation.

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

The subject property is currently zoned Heavy Industrial (I-II) in Hall County which allows the proposed use. The applicant desires to operate within the City of Gainesville where most of the poultry processing plant currently exists. The adjacent property where the processing plant exists

is landlocked and is not large enough to accommodate the proposed addition. The expansion will update and address long standing logistical, operational and capacity issues.

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

City water, sewer, and public safety services are currently provided to the property and capacity is sufficient. Gainesville Fire Station #1 is located approximately 1.0± mile away off of Queen City Parkway. City of Gainesville Police currently patrol the area.

There should be no direct impacts to the City school system as the request is for future industrial purposes.

The applicant proposes to improve access and parking off of Aviation Boulevard.

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

It is anticipated that the use of the surrounding properties will remain mostly unchanged. However, the adjacent Department of Driver Services will be relocated further south off of Calvary Church Road. Most of the surrounding properties have remained mostly industrial for decades due to the close proximity to the interstate, railroad and airport.

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

Based on the Comprehensive Plan and the adjacent industrial uses, the proposal with the recommended conditions appears to reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of the annexation request based on the Comprehensive Plan and the adjacent industrial uses.

Conditions

1. Prior to a certificate of occupancy being issued for the subject property, a Traffic Impact Study shall be required if determined necessary by the Gainesville Public Works Department Director.
2. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development along Aviation Boulevard or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the developer/property owner.
3. An updated as-built survey/plat shall be required combining the subject property with the adjacent property owned by Mar-Jac Poultry, Inc.

Excerpts from the January 10, 2023 PAB Meeting Minutes

Applicant Presentation: **Bradley Dunckel**, Rochester & Associates, 425 Oak Street, stated he is representing Mar-Jac Poultry's request for annexation and rezoning to Heavy Industrial. He explained the request is for the expansion of the existing processing and freezer operation on Aviation Boulevard which is a long-time corporation of the City. Mr. Dunckel stated he will be glad to answer any questions and would appreciate a positive recommendation for the request.

FAVOR: None

OPPOSE: None

There was a motion to recommend conditional approval of the annexation request for the expansion of poultry freezer and processing and establish zoning as Heavy Industrial (H-I) with the following conditions:

Conditions

- 1. Prior to a certificate of occupancy being issued for the subject property, a Traffic Impact Study shall be required if determined necessary by the Gainesville Public Works Department Director.**
- 2. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development along Aviation Boulevard or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the developer/property owner.**
- 3. An updated as-built survey/plat shall be required combining the subject property with the adjacent property owned by Mar-Jac Poultry, Inc.**

Motion made by Board Member Thompson
Motion seconded by Board Member Simmons
Vote – 6 favor, 1 absent (Martin)

Passed: _____

AN ORDINANCE

No. 2023-03

AN ORDINANCE ANNEXING A TOTAL OF 3.674± ACRES LOCATED ON THE NORTH SIDE OF AVIATION BOULEVARD, BETWEEN QUEEN CITY PARKWAY AND DORSEY STREET (A/K/A 1010 AVIATION BOULEVARD) 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 167, 9th District, Hall County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northern right-of-way of Aviation Boulevard (70' R/W) and the western right-of-way of Queen City Parkway (R/W varies); Thence continuing along the northern right-of-way of said Aviation Boulevard 481.32 feet along an arc of a curve to the left having a radius of 995.00 feet and a chord bearing and distance of south 66 degrees 44 minutes 03 seconds west 476.64 feet; Thence south 52 degrees 52 minutes 34 seconds west a distance of 95.43 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester LSF000484") on the common land lot line of Land Lot 152 and Land Lot 167, being the TRUE POINT OF BEGINNING; Thence continuing along said right-of-way south 52 degrees 52 minutes 34 seconds west a distance of 282.01 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester-LSF000484") on the common line of the City of Gainesville and Hall County; Thence leaving said right-of-way and along said city/county line and along the property now or formerly of MAR-JAC, INC., north 29 degrees 14 minutes 28 seconds west a distance of 668.48 feet to an iron pin found (1/2" rebar) on the southern right-of-way of Southern Railroad (200' R/W); Thence leaving said city/county line and along the southern right-of-way of said Southern Railroad, north 45 degrees 24 minutes 32 seconds east a distance of 195.73 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester LSF000484"); Thence leaving said right-of-way and into the property now or formerly of Department of Corrections, south 36 degrees 48 minutes 43 seconds east a distance of 687.61 feet to the TRUE POINT OF BEGINNING.

ORDINANCE NO. 2023-03

Said tract contains 3.674 acres.

The annexation is to include all that portion of the right-of-way known as Aviation Boulevard located between the subject property and the existing city limits as shown on the location map.

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 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

Passed: _____

AN ORDINANCE

No. 2023-04

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING A TOTAL OF 3.674± ACRES LOCATED ON THE NORTH SIDE OF AVIATION BOULEVARD, BETWEEN QUEEN CITY PARKWAY AND DORSEY STREET (A/K/A 1010 AVIATION BOULEVARD) AT THE TIME OF ANNEXATION AS HEAVY INDUSTRIAL, WITH CONDITIONS (H-I-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 **Heavy Industrial, with conditions (H-I-c)**.

Conditions

- 1. Prior to a certificate of occupancy being issued for the subject property, a Traffic Impact Study shall be required if determined necessary by the Gainesville Public Works Department Director.**
- 2. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development along Aviation Boulevard or any additional improvements identified within the Traffic Impact Study, if determined necessary, shall be at the full expense of the developer/property owner.**
- 3. An updated as-built survey/plat shall be required combining the subject property with the adjacent property owned by Mar-Jac Poultry, Inc.**

Legal Description

All that tract or parcel of land lying and being in land lot 167, 9th District, Hall County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the northern right-of-way of Aviation Boulevard (70' R/W) and the western right-of-way of Queen City Parkway (R/W varies); Thence continuing along the northern right-of-way of said Aviation Boulevard 481.32 feet along an arc of a curve to the left having a radius of 995.00 feet and a chord bearing and distance of south 66 degrees 44

ORDINANCE NO. 2023-04

minutes 03 seconds west 476.64 feet; Thence south 52 degrees 52 minutes 34 seconds west a distance of 95.43 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester LSF000484") on the common land lot line of Land Lot 152 and Land Lot 167, being the **TRUE POINT OF BEGINNING**; Thence continuing along said right-of-way south 52 degrees 52 minutes 34 seconds west a distance of 282.01 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester-LSF000484") on the common line of the City of Gainesville and Hall County; Thence leaving said right-of-way and along said city/county line and along the property now or formerly of MAR-JAC, INC., north 29 degrees 14 minutes 28 seconds west a distance of 668.48 feet to an iron pin found (1/2" rebar) on the southern right-of-way of Southern Railroad (200' R/W); Thence leaving said city/county line and along the southern right-of-way of said Southern Railroad, north 45 degrees 24 minutes 32 seconds east a distance of 195.73 feet to an iron pin set (1/2" rebar with yellow plastic cap stamped "Rochester LSF000484"); Thence leaving said right-of-way and into the property now or formerly of Department of Corrections, south 36 degrees 48 minutes 43 seconds east a distance of 687.61 feet to the **TRUE POINT OF BEGINNING**.

Said tract contains 3.674 acres.

The annexation is to include all that portion of the right-of-way known as Aviation Boulevard located between the subject property and the existing city limits as shown on the location map.

SECTION II

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

SECTION III

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

SECTION IV

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.

ORDINANCE NO. 2023-04

W. Samuel Couvillon, Mayor

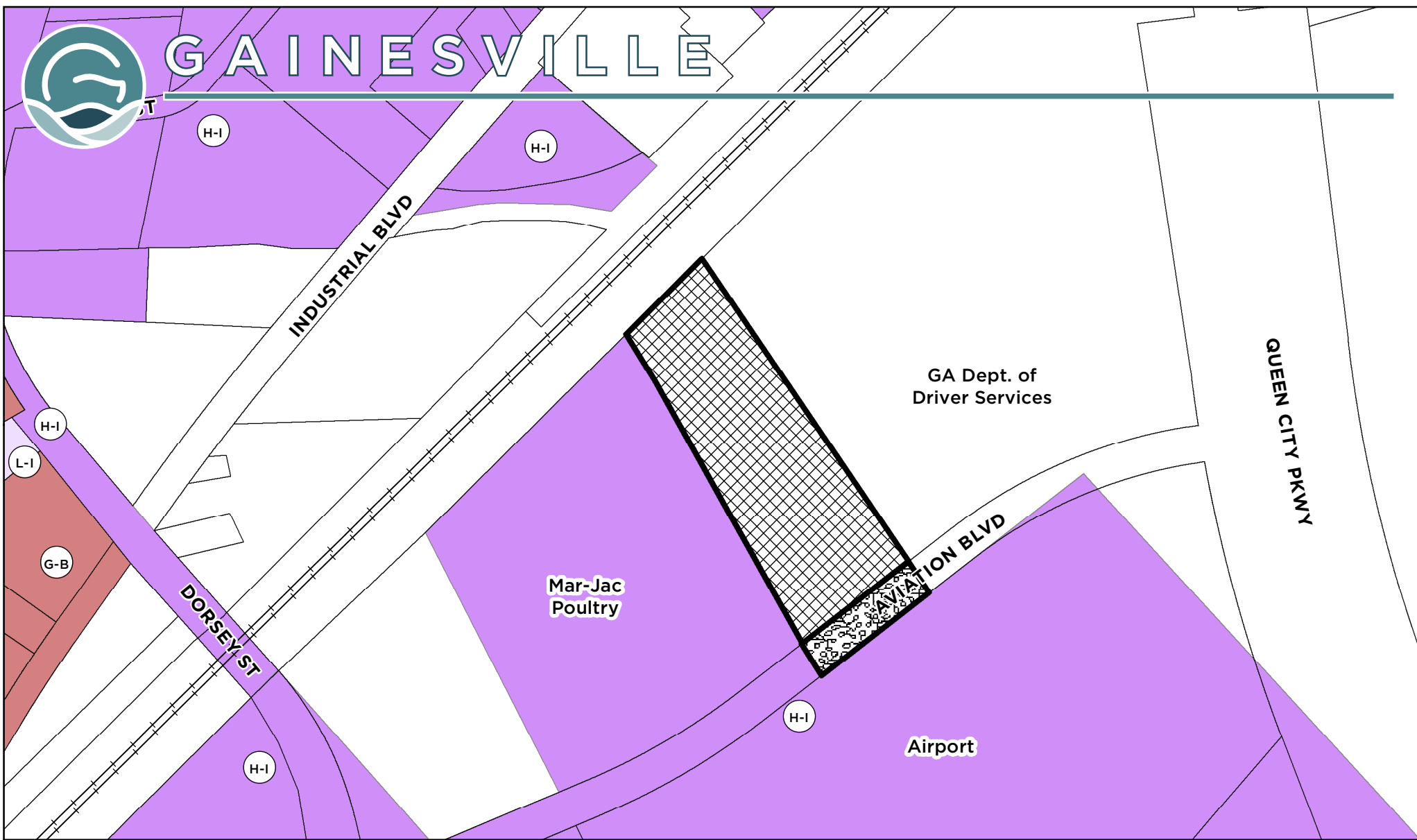
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **ROCHESTER & ASSOCIATES, LLC**

ANNEXATION REQUEST

Subject Property Address:
1010 Aviation Boulevard

Tax Parcel:
00-051-002-011 (Part)

Request:

Annex 3.674+/- acres tract and establish zoning as Heavy Industrial (H-I) for expansion of poultry freezer and processing

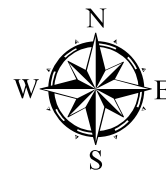


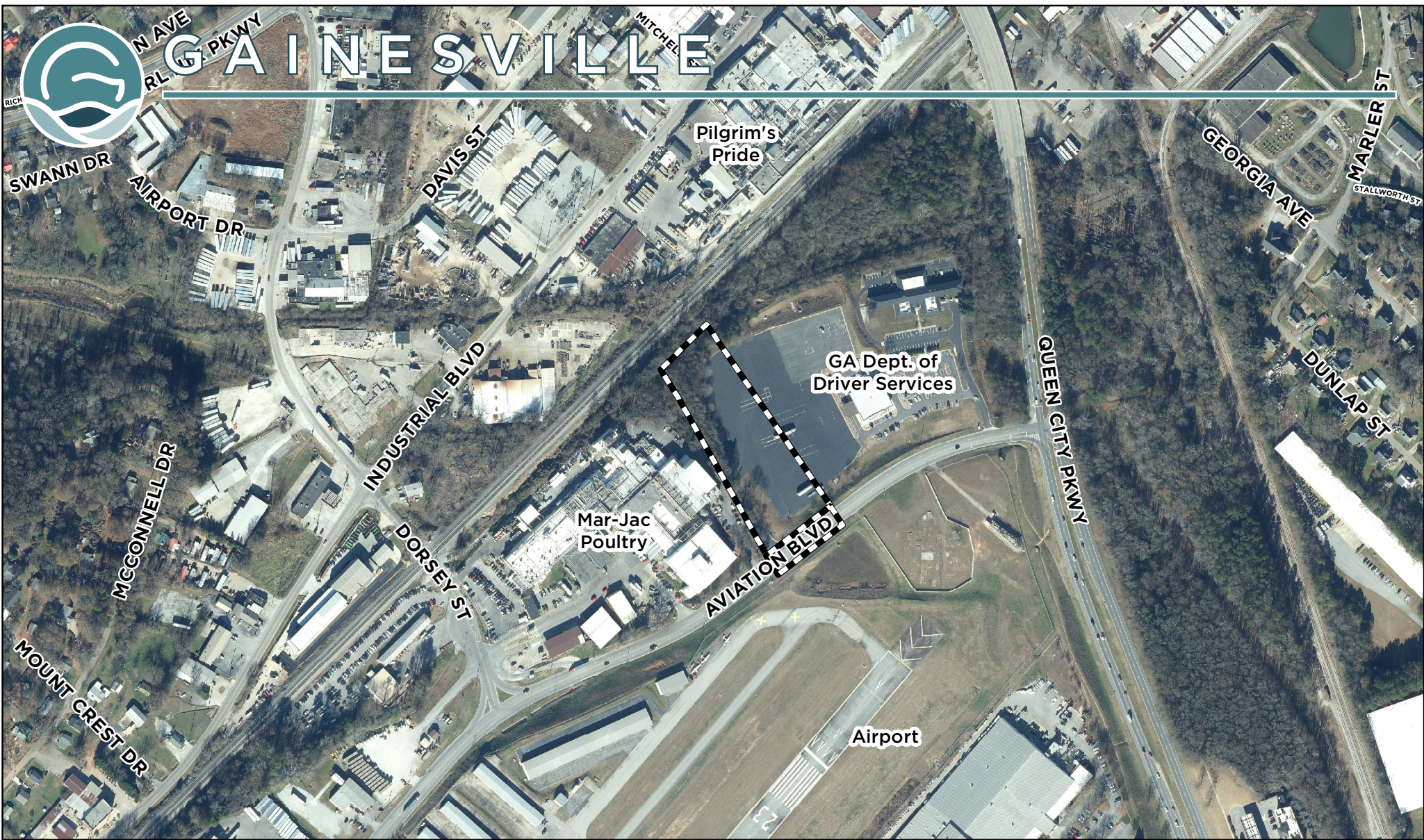
Subject Property

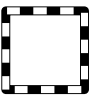
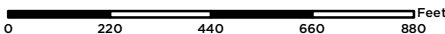
Right-of-way to be annexed

0 130 260 390 520 Feet

SCALE: 1" = 250'





Applicant: ROCHESTER & ASSOCIATES, LLC		Request: Annex 3.674+/- acres tract and establish zoning as Heavy Industrial (H-I) for expansion of poultry freezer and processing	
ANNEXATION REQUEST			
Subject Property Address: 1010 Aviation Boulevard	Tax Parcel: 00-051-002-011 (Part)	 Subject Property and Right-of-way to be annexed	Aerial from 2021 SCALE: 1" = 417'
Meeting Date: 01/10/2023	Map Prepared: 11/30/2022		 Page 42 of 47

Project Narrative – Annexation

LOCATION – 1010 Aviation Blvd.

ACREAGE – 3.67 acres +/-

APPLICANT – Mar-Jac Poultry, Inc.

Summary

The accompanying application seeks an annexation and zoning change from I-II (Light Industrial) in Hall County to H-I (Heavy Industrial) in the City of Gainesville for a 3.67 +/- acre tract that is currently part of the former Department of Driver Services complex. The parcel is located on Aviation Blvd., approximately 700' west of its intersection with Queen City Parkway (SR 60). The intent is to utilize the property for an expansion (approximately 156,000 SF) the adjacent Mar-Jac poultry processing and freezer facility. The proposed land use is consistent with the City's 2040 Comprehensive Plan for this area, which is described as "Industrial" and the Character Area, which is noted as an "Economic Development Gateway".

Site Description

The site consists of a portion of parcel 00051 112011:



Adjacencies

The property is surrounded by a variety of Industrial zoned properties including the Lee Gilmer Memorial Airport directly across Aviation Blvd. from the site. The rear of the property is adjacent to the Norfolk-Southern right-of-way.

Access

Access to the property is planned from a new driveway location near the eastern end of the annexation parcel and approximately 700' from Queen City Parkway (SR 60). The current driveway, which served the DDS site, will be abandoned. All other existing driveways serving the Mar-Jac facility will be retained along Aviation Blvd. and Dorsey St. The property is strategically located with access to Exit 20 on Interstate 985, located approximately 0.9 miles to the south.

Comprehensive Plan Consistency

The project is located within the "Economic Development Gateway" character area designation of the 2040 Comprehensive Plan, which describes its primary vision for the area being continued support of economic development.

Proposed Uses

- Food Processing
- Storage & Distribution
- Processing Support
- Freezer Storage

Airport Overlay District

The property is located within the horizontal zone of the overlay, which limits building heights to 150' above the airport elevation. The maximum height proposed for the building expansion is 75'.

Lighting, Signage & Graphics

All outdoor lighting and signage will follow the guidelines and requirements of the City of Gainesville code. Low spill fixtures, up lighting and low impact signage will be utilized to mitigate negative impacts.

Architectural

The building expansion will be similar architecture to the existing facility and will utilize steel frame construction with insulated metal wall panels, concrete masonry units and a TPO roof system. The exterior finished to match the surrounding structures.

Stormwater Management

Stormwater Management for the expansion is proposed as a re-design of the existing pond located on the DDS site and through an agreement with State of Georgia for its perpetual use.

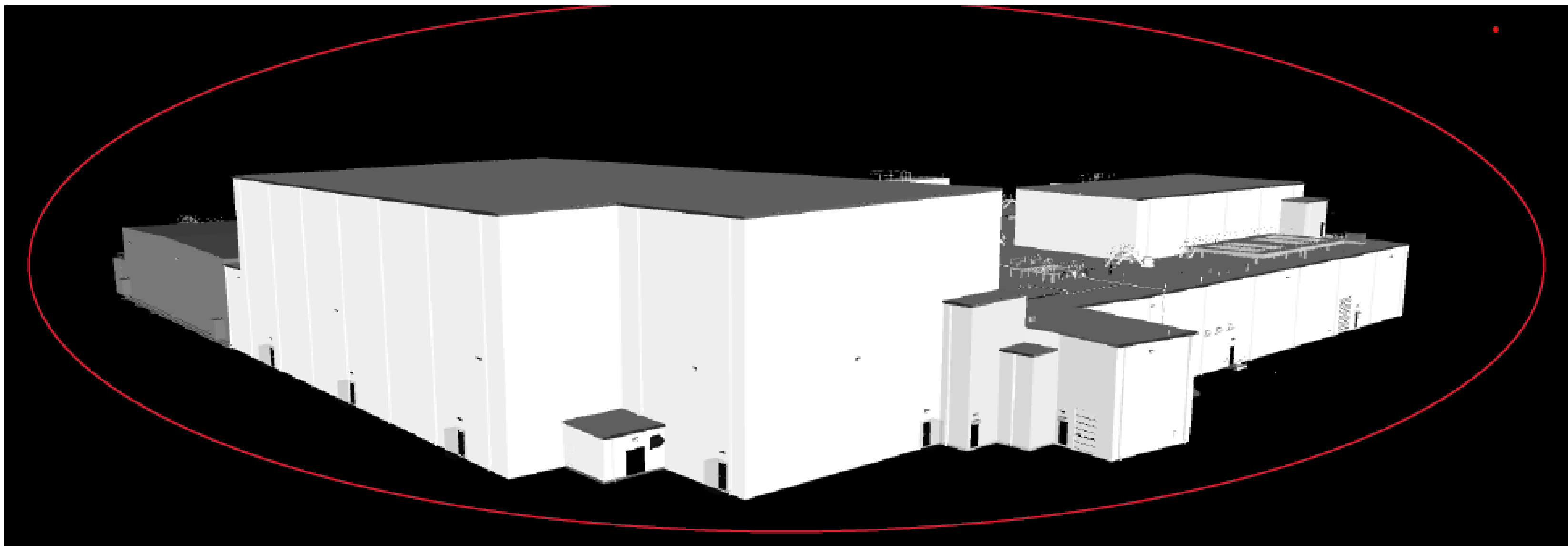
Dimensional Requirements

Dimensional Requirements shall follow those outlined in Table 9-6-2.

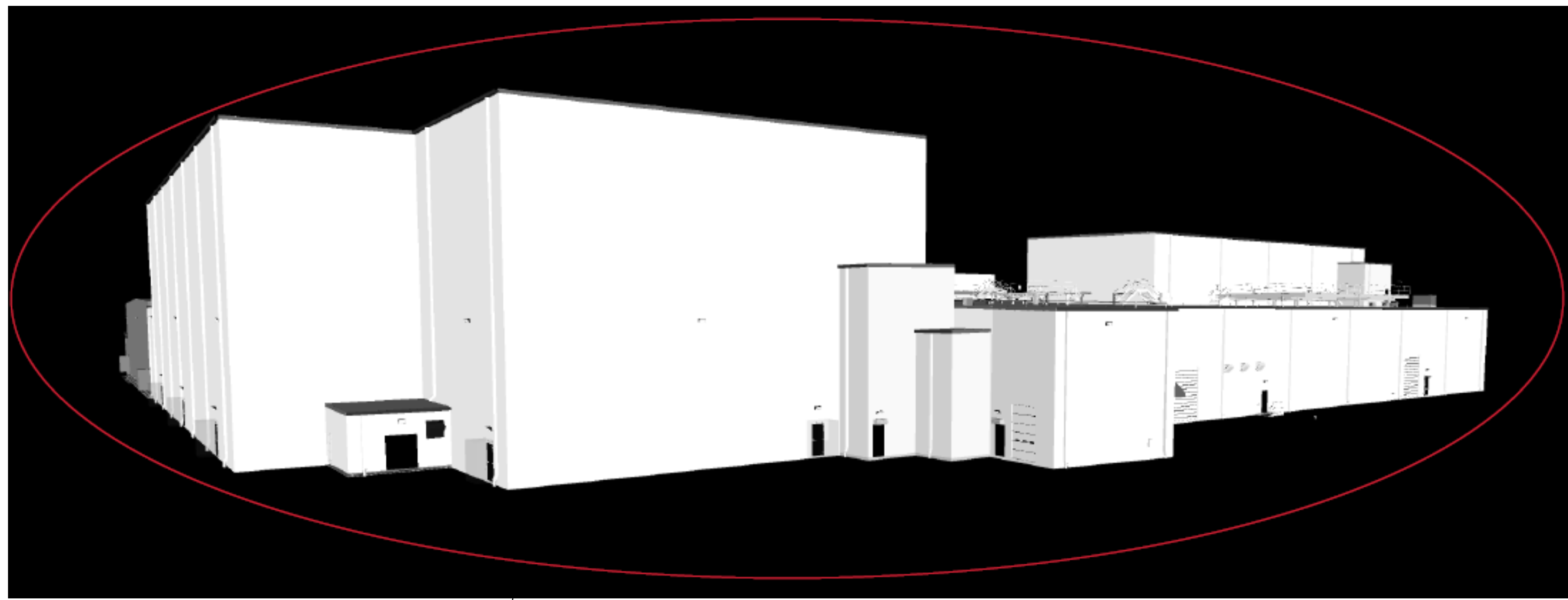
Hours of Operation/New Employees

- 1st Shift – 8 am to 5 pm (production shift)
- 2nd Shift – 3 pm to 11 pm (maintenance, sanitation & shipping shift)
- 2rd Shift – 11 pm to 8 am (production shift)

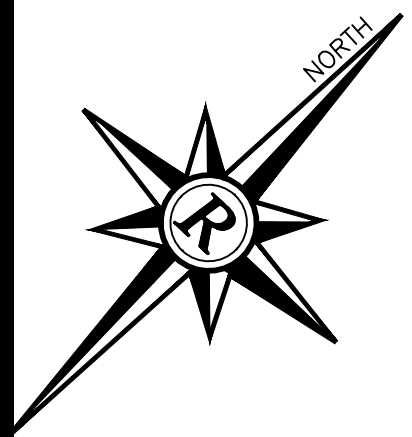
At full utilization of the expansion, the number of employees could increase by 90+.



Front View



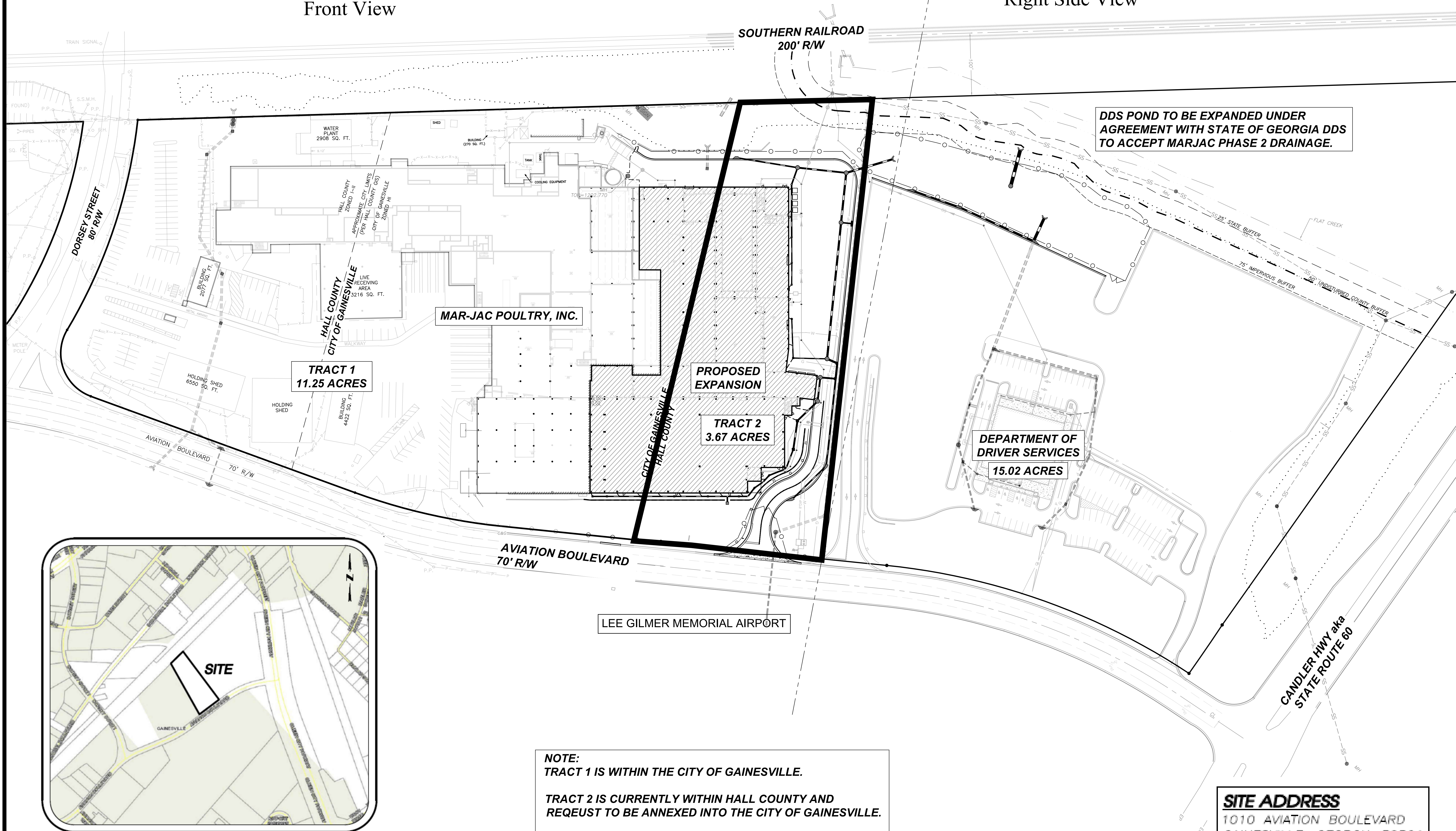
Right Side View



Rochester

DCCM

425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | rochester-assoc.com



DDS POND TO BE EXPANDED UNDER
AGREEMENT WITH STATE OF GEORGIA DDS
TO ACCEPT MARJAC PHASE 2 DRAINAGE.

MAR-JAC POULTRY, INC.

TRACT 1
11.25 ACRES

PROPOSED
EXPANSION

TRACT 2
3.67 ACRES

DEPARTMENT OF
DRIVER SERVICES
15.02 ACRES

AVIATION BOULEVARD
70' R/W

LEE GILMER MEMORIAL AIRPORT

CANDLER HWY aka
STATE ROUTE 60

NOTE:
TRACT 1 IS WITHIN THE CITY OF GAINESVILLE.

TRACT 2 IS CURRENTLY WITHIN HALL COUNTY AND
REQUEST TO BE ANNEXED INTO THE CITY OF GAINESVILLE.

REMAINING DEPARTMENT OF DRIVER SERVICES PARCEL TO
REMAIN WITHIN HALL COUNTY.

SITE ADDRESS
1010 AVIATION BOULEVARD
GAINESVILLE, GEORGIA 30501

VICINITY MAP
SCALE: NTS

project no.
RAL P#: G219144.PRI

seal

NOT FOR
CONSTRUCTION

GRAPHIC SCALE: 1"=60'
30' 0' 60' 120'

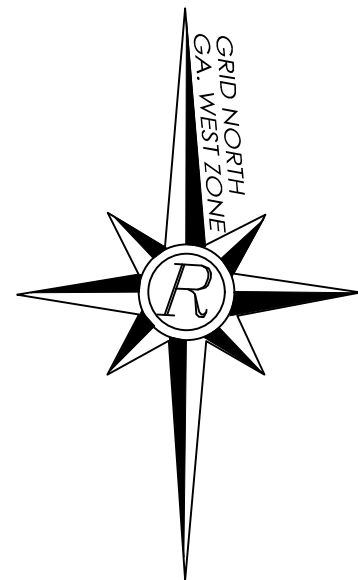
title
ANNEXATION PLAN

LOCATED IN:
LAND LOTS 152 & 167, 9TH DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

DATE: 10/21/2022
FILE: SITE.dwg
DRAWN BY: ATM

sheet
1

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



HALL COUNTY ENGINEERING NOTES

1. ANY STREAM OR STATE WATER LOCATED ON THIS PROPERTY MAY BE SUBJECT TO A 50 FEET UNDISTURBED NATURAL VEGETATIVE BUFFER AND A 75 FEET IMPERVIOUS SURFACE SETBACK. (HALL COUNTY CODE § 167-8.170.070)
2. IF PROPERTY IS LOCATED IN THE NORTH OCOONE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 167-17.225.040)
3. PORTIONS OF THIS PROPERTY ARE LOCATED IN THE HALL COUNTY FUTURE FLOOD ZONE PER HALL COUNTY GIS.

SURVEY NOTES

1. THE FIELD DATA DATED 4/19/21 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 63,296 FEET AND AN ANGULAR ERROR OF 5 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. A TRIMBLE S-SERIES ROBOTIC TOTAL STATION WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 497,781 FEET.
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST ZONE) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R10 GNSS GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY TRIMBLE NAVIGATION. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POSITIONS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THIS VALUE WAS DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
4. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHT-OF-WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR NOT REFLECTED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
5. THE UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN MARKED BY UTILITY MARKING, LLC (678-357-1946) AND FIELD LOCATED BY ROCHESTER & ASSOCIATES, LLC. PERSONNEL OF THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. THE WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS. SAID WETLANDS WERE DELINEATED BY U.S.A.C.O.E. AND FIELD LOCATED BY ROCHESTER & ASSOCIATES, LLC. THE OWNERS MAY BE SUBJECT TO PENALTY OF LAW FOR DISTURBANCE OF THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.
7. PORTIONS OF THIS PROPERTY ARE LOCATED IN FLOOD HAZARD ZONE "AE" PER F.E.M.A. INSURANCE RATE MAP OF HALL COUNTY, GEORGIA. MAP NO. 13139C0189G, REVISED DATE APRIL 4, 2018.
8. DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WAS NO VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED. HOWEVER, THIS SURVEYOR DID NOT PERFORM A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
9. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484", UNLESS OTHERWISE NOTED.
10. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
11. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).
12. ZONING INFORMATION TAKEN FROM HALL COUNTY GIS WEBSITE.
13. SITE ADDRESS SHOWN HEREON IS TAKEN FROM HALL COUNTY GIS WEBSITE.
14. PORTIONS OF THIS PROPERTY IS LOCATED IN THE HALL COUNTY GATEWAY DISTRICT PER THE HALL COUNTY GIS WEBSITE.
15. NO BUILDINGS WERE OBSERVED ON THE PROPERTY AT THE TIME OF THE SURVEY.

REFERENCES

1. RETRACEMENT & TOPOGRAPHIC SURVEY FOR GEORGIA DDS, PREPARED BY ROCHESTER & ASSOCIATES, INC., DATED 11/25/18.
2. GDOT RIGHT OF WAY PROJECT F-013-1(19) LOOP (SOUTH).

LEGAL DESCRIPTION

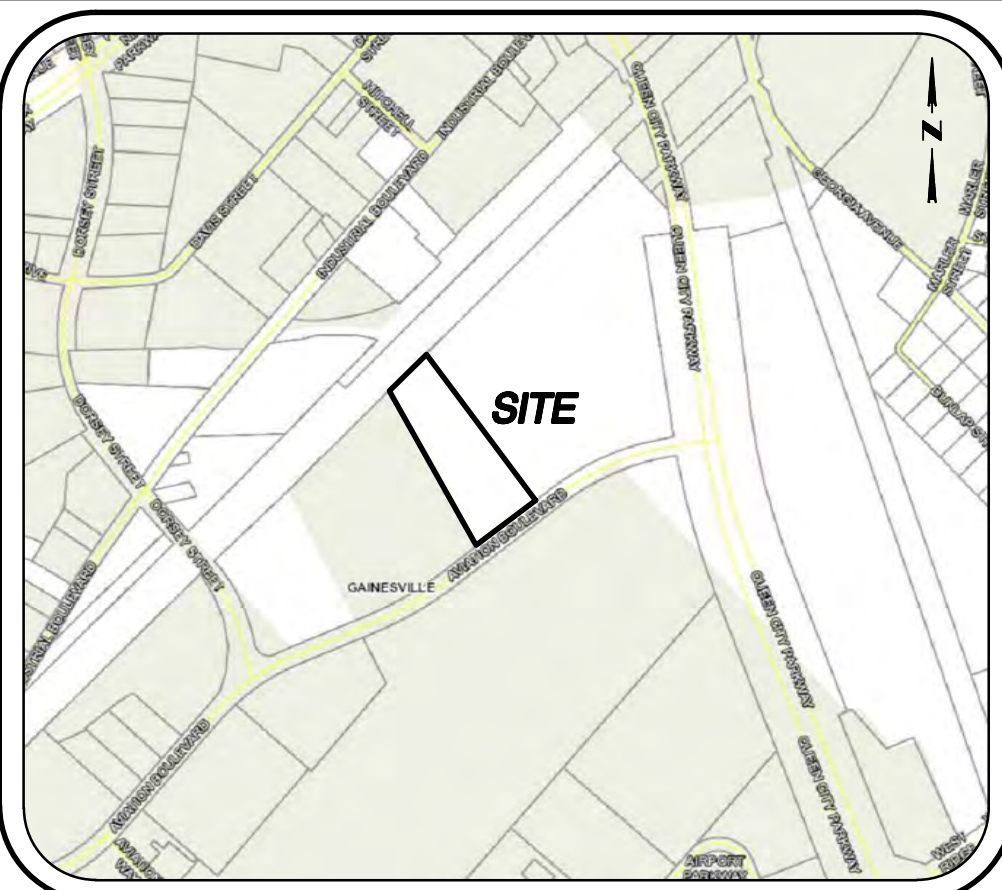
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 167, 9TH DISTRICT, HALL COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY OF AVIATION BOULEVARD (70' R/W) AND THE WESTERN RIGHT-OF-WAY OF QUEEN CITY PARKWAY (R/W VARIES); THENCE CONTINUING ALONG THE NORTHERN RIGHT-OF-WAY OF SAID AVIATION BOULEVARD 481.32 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 66 DEGREES 44 MINUTES 03 SECONDS WEST 476.64 FEET; THENCE SOUTH 52 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 95.43 FEET TO AN IRON PIN SET (1/2" REBAR WITH YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484") ON THE COMMON LAND LOT LINE OF LAND LOT 152 AND LAND LOT 167, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 52 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 282.01 FEET TO AN IRON PIN SET (1/2" REBAR WITH YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484") ON THE COMMON LINE OF THE CITY OF GAINESVILLE AND HALL COUNTY; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG SAID CITY/COUNTY LINE AND ALONG THE PROPERTY NOW OR FORMERLY OF MAR-JAC, INC., NORTH 29 DEGREES 14 MINUTES 18 SECONDS WEST A DISTANCE OF 668.48 FEET TO AN IRON PIN FOUND (1/2" REBAR) ON THE SOUTHERN RIGHT-OF-WAY OF SOUTHERN RAILROAD (200' R/W); THENCE LEAVING SAID CITY/COUNTY LINE AND ALONG THE SOUTHERN RIGHT-OF-WAY OF SAID SOUTHERN RAILROAD, NORTH 45 DEGREES 24 MINUTES 32 SECONDS EAST A DISTANCE OF 195.73 FEET TO AN IRON PIN SET (1/2" REBAR WITH YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484"); THENCE LEAVING SAID RIGHT-OF-WAY AND INTO THE PROPERTY NOW OR FORMERLY OF DEPARTMENT OF CORRECTIONS, SOUTH 36 DEGREES 48 MINUTES 43 SECONDS EAST A DISTANCE OF 687.61 FEET TO THE TRUE POINT OF BEGINNING.

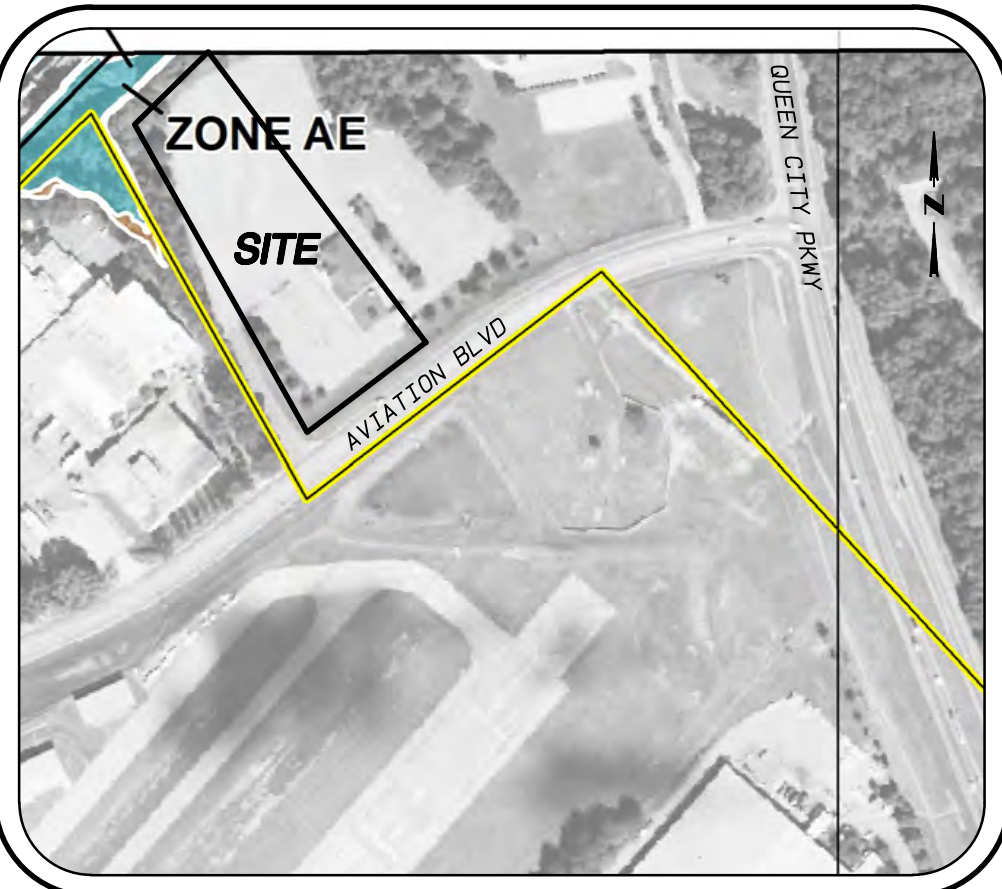
SAID TRACT CONTAINS 3.674 ACRES.
THE ABOVE DESCRIBED PROPERTY IS THE SAME AS THE CURRENT TITLE COMMITMENT.

SITE AREA

TRACT 1	3.674 ACRES
REMAINDER TRACT 1	15.024 ACRES
TOTAL	18.698 ACRES



VICINITY MAP
SCALE: NTS



FLOOD MAP
SCALE: NTS

LEGEND

AIF	ANGLE IRON FOUND	MH	MANHOLE
AKA	ALSO KNOWN AS	MON	MONUMENT
APPROX	APPROXIMATE	N/F	NOW OR FORMERLY
BC	BACK OF CURB	P	POWER LINE
BL	BUILDING SETBACK LINE	P-T	POWER & TELEPHONE LINE
BWF	BARBED WIRE FENCE	PB, PG	PLAT BOOK, PAGE
C&G	CURB & GUTTER	PBX	POWER BOX
CBX	CABLE BOX	PL	PROPERTY LINE
CCN	CONCRETE NAIL	PM	POWER METER
CTP	CRIMP TOP PIPE	PMB	POINT OF BEGINNING
CT	CURB INLET	PP	POWER POLE
CL	CENTERLINE	PLP	POWER & LIGHT POLE
CLF	CHAIN LINK FENCE	PTLP	POWER, TELEPHONE & LIGHT POLE
CMF	CONCRETE MONUMENT FOUND	PTP	POWER & TELEPHONE POLE
CMF	CORRUGATED METAL PIPE	PVC	POLYVINYLCHLORIDE PIPE
CO-SS	CLEARIT-SANITARY SEWER	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	R/W	RIGHT OF WAY
CTF	CRIMP TOP PIPE FOUND	-SS-	SANITARY SEWER LINE
DB, PG	DEED BOOK, PAGE	SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT	S/W	SIDEWALK
DIP	DROP INLET	SWCB	SINGLE-WING CATCH BASIN
DIR	DIRECTION	TBM	TEMPORARY BENCHMARK
DMCB	DOUBLE-WING CATCH BASIN	TBX	TELEPHONE BOX
EP	EDGE OF PAVEMENT	TMH	TELEPHONE MANHOLE
ET	EDGE OF CONCRETE	TPOB	TRUE POINT OF BEGINNING
FFS	FINISHED FLOOR ELEVATION	TYP	TRAFFIC SIGNAL POLE
FF	FINISHED FLOOR ELEVATION	TYP	TYPICAL
FH	FIRE HYDRANT	-UC-	UNDERGROUND COMMUNICATION
GM	GAS METER	-UC-	UNDERGROUND ELECTRIC
GP	GUY POLE	W	WATER LINE
GV	GUY WIRE	W-I	WEIR INLET
GW	GUY WIRE	NF	WATER FLAG
HW	HEADWALL	NW	WATER MANHOLE
IPS	IRON PIN SET (1/2" REBAR)	WV	WATER VALVE
JB	JUNCTION BOX		
LL	LAND LOT		
LLL	LAND LOT LINE		
LP	LIGHT POLE		

2021 SURVEYORS ALTA CERTIFICATION

TO MAR-JAC POULTRY, INC.,
STATE OF GEORGIA
CHICAGO TITLE INSURANCE COMPANY:
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,9,13 & 14 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 4/19/21.

Richard E. Millard
RICHARD E. MILLARD, GA PLS #3044

4/19/21

remillard@rochester-assoc.com
ROCHESTER AND ASSOCIATES, LLC.
LSF000484 EXPIRATION 6/30/24
www.rochester-assoc.com

SURVEYOR'S CERTIFICATE

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned and surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the O.C.G.A. Section 15-6-67.

Richard E. Millard
RICHARD E. MILLARD, GA PLS #3044

4/19/21

remillard@rochester-assoc.com
ROCHESTER AND ASSOCIATES, LLC.
LSF000484 EXPIRATION 6/30/24
www.rochester-assoc.com

SITE ADDRESS

1010 AVIATION BOULEVARD
GAINESVILLE, GEORGIA 30501

Rochester **BCCM**
Rochester and Associates, LLC
425 Oak St NW, Gainesville, GA 30501
770.718.0600 p | www.rochester-assoc.com

MAR-JAC POULTRY, INC., STATE OF GEORGIA
& CHICAGO TITLE INSURANCE COMPANY
ALTA/NSPS LAND TITLE SURVEY FOR
LOCATED IN DISTRICT
LAND LOT 167, 9TH DISTRICT
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS



SHEET
1
OF
1
DATE: 4/19/21
SCALE: 1" = 100'
JOB NO.: 0219144
DRAWN BY: LG
DWG NO.: P1ALTA