



Mayor/Council Meeting Agenda
Tuesday, May 2, 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:

PRESENTATIONS / RECOGNITIONS:

- A. Proclamation: Drinking Water Week
- B. Department of Water Resources Awards and Recognitions

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Appointments

- A. Chicopee Woods Area Park Commission
 - Reappoint Emily "Sissy" Lawson
- B. Appointments: Gainesville-Hall County Land Bank Authority
 - Reappoint Doug Carter
 - Appoint Ken Thompson

Minutes

- A. March 17, 2023 Retreat
- B. March 21, 2023 Mayor/Council Meeting
- C. April 13, 2023 Work Session
- D. April 18, 2023 Mayor/Council Meeting

Resolutions

- A. BR-2023-16 Builders First Source Airport Lease Extension Agreement
- B. GR-2023-03 Georgia Transit Trust Fund (TTF) Program
- C. GR-2023-04 Community Development Block Grant (CDBG) 2023 Annual Action Plan

PUBLIC HEARING(S):

Annexation/Zoning Items

- A. Request from the **City of Gainesville** to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a **1200 and 1204 Marler Street**) and to establish a zoning of Heavy Industrial (H-I). **Ward Number: Three**. Tax Parcel: 00-031-005-001B. **Request: Department of Water Resources water/sewer services.**
 - Proposed Annexation Ordinance 2023-06
 - Proposed Zoning Ordinance 2023-07

- B. Request from **Bradley Duncel** to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a **1113 and 1117 Green Street Circle**) from Residential-I (R-I) to Office and Institutional (O-I). **Ward Number: Two.** Tax Parcel Number(s): 01-074-002-015 and 022. **Request: Office uses.**

- Proposed Rezoning Ordinance 2023-08

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Friday, April 28, 2023, 4:00 PM



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 13, 2023
Date Submitted: April 13, 2023
Final Approval Date: May 2, 2023
Presenter: Mayor Couvillon
Item of Business: Proclamation: Drinking Water Week
Meeting Date: May 2, 2023

Purpose of Request:

To present a proclamation in recognition of the vital role water plays in our daily lives, educate the public, connect with the community and promote employee morale.

Facts & Issues / History & Background:

For more than 40 years the American Water Works Association and its members have used Drinking Water Week as a unique opportunity for both water professionals and the communities they serve to recognize the vital role water plays in our daily lives.

Department Recommendation:

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:

1. Drinking Water Week - 2023



PROCLAMATION

WHEREAS, water is our most valuable resource; and

WHEREAS, only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of successful society – low mortality rates, economic growth and diversity, productivity, and public safety – are in some way related to access to safe water; and

WHEREAS, through hard work performed by the entire water sector, from designing capital projects, to operators ensuring the safety and quality of drinking water, to the members of a pipe crew maintaining infrastructure, this community relies on the high quality drinking water from its source to consumers' taps; and

WHEREAS, the coronavirus pandemic has shone a light on the importance of drinking water for health, hydration and hygiene needs; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of the City of Gainesville and, indeed, all of Hall County, is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved with their water by becoming familiar with it.

NOW, THEREFORE, BE IT RESOLVED, that I, W. Samuel Couvillon, Mayor and the Gainesville City Council, do hereby proclaim May 7-13, 2023 to be

“Drinking Water Week”

Presented this 2nd day of May, 2023

**W. Samuel Couvillon, Mayor
City of Gainesville**



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 17, 2023
Date Submitted: April 27, 2023
Final Approval Date: April 28, 2023
Presenter: Linda MacGregor, Director of Water Resources
Item of Business: Department of Water Resources Awards and Recognitions
Meeting Date: May 2, 2023

Purpose of Request:

To recognize recent awards earned by the Department of Water Resources and acknowledge the hard work and dedication of the 200+ staff members in these matters. The following staff award recipients are expected to attend:

- Jeremy Garmon (Top Operator) (Gold Award for Linwood WRF)
- Tim Tench (Top Maintenance Technician)
- Damond Castelberry (Platinum Award for Lakeside WTP)
- Stephen Douglas (Gold Award for Riverside WTP)
- Jill Graham (Special Achievement in GIS)

Facts & Issues / History & Background:

Over the decades, the Department has been the proud recipient of several prestigious awards, and this commendable trend has continued into the present. The Department wanted the City Council, as well as the public-at-large, to be informed of this. For calendar year 2022, the Department has received awards such as the Top Operator for Region 2 (Jeremy Garmon of the Linwood Water Reclamation Facility); the Top Maintenance Technician, aka Golden Wrench Award (Tim Tench); the Platinum Award for the Lakeside Water Treatment Plant (19 consecutive years); the Gold Award for both the Riverside Water Treatment Plant and the Linwood Water Reclamation Facility; and the Special Achievement in GIS Award from ESRI. In addition, a significant number of employees have received State licenses, certifications and other evidence of their professional development. Lastly, the Department has also received numerous compliments from the public and their working peers throughout the City.

Department Recommendation:

N/A

Department Director:

Linda MacGregor

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Presentation: DWR Awards and Recognitions



Water Makes It Happen !!



- Top Operator
 - **Jeremy Garmon**
- Top Maintenance Technician
 - **Tim Tench**
- GIS Special Achievement
 - **Jill Graham**



Water Makes It Happen !!



- Platinum Award
 - Lakeside Water Treatment - **Damond Castleberry**
- Gold Award
 - Linwood Water Reclamation – **Jeremy Garmon**
 - Riverside Water Treatment – **Stephen Douglas**



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023
Date Submitted: April 28, 2023
Final Approval Date: April 28, 2023
Presenter: Sam Couvillon
Item of Business: Chicopee Woods Area Park Commission

- Reappoint Emily "Sissy" Lawson

Meeting Date: May 2, 2023

Purpose of Request:

The purpose of this request is to address the expired term position held by Emily "Sissy" Lawson.

Facts & Issues / History & Background:

The Commission follows the guidelines of the City Charter and the Code of Ordinances. Members serve three-year term limits.

Mrs. Lawson confirmed a willingness to serve another term. The outstanding debt verification process was completed with no concerns.

Department Recommendation:

To accept and approve the nomination for appointment as submitted by the Mayor during the April 27, 2023 Work Session.

Department Director:

Sam Couvillon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. CWAPC Members

CHICOPEE WOODS AREA PARK COMMISSION

APPOINTED BY	LAST NAME	FIRST NAME	APPOINTED	REAPPOINTED	EXPIRES
CWAPC (2)	Gilliam	Steve Secretary	2/14/2011	2/10/2014 2/2017 2/18/2020 2/21/2023	3/26/2026
CWAPC (1)	Girardeau	John At-Large	2019	2022	3/26/2025
City Council (1)	Lee	Kelly	4/19/2022		3/26/2025
City Council (2)	Lawson	Emily D. (Sissy)	3/6/2007	3/4/2008 5/17/2011 3/4/2014 5/2/2017 5/5/2020	3/26/2023
City Council (3)	Whitehead	RK Chairman	3/7/2006	3/17/2009 5/1/2012 5/5/2015 3/6/2018 3/17/2021	3/26/2024
County Commission (2)	Bagwell	Emily	3/9/2017	2/27/2020 3/9/2023	3/26/2026
County Commission (1)	Hemmer	Jane Vice Chair	2007	2010 3/14/2013 3/10/2016 2019 2022	3/26/2025
County Commission (3)	Morris	Keith	2022 UE		3/26/2024
County Commission (3)	Norton	Amanda	4/25/17 UE	3/27/2018 3/11/2021	3/26/2024
Ex-Officio	Wangemann	George	1/7/2020	1/19/2021 1/4/2022 1/17/2023	1/16/2024
Ex-Officio	Stowe	Jeff	2019		N/A

TERM: Three year terms

CONTACT: RK Whitehead

NOTE: All terms expire March 26th

UPDATED: 4/7/2023 ag



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023
Date Submitted: April 28, 2023
Final Approval Date: April 28, 2023
Presenter: Sam Couvillon
Item of Business: Appointments: Gainesville-Hall County Land Bank Authority

- Reappoint Doug Carter
- Appoint Ken Thompson

Meeting Date: May 2, 2023

Purpose of Request:

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

Facts & Issues / History & Background:

The committee was established in accordance with the Georgia Land Bank Act and follows the guidelines as set forth by the intergovernmental agreement between the City of Gainesville and Hall County. Members serve four-year terms.

Doug Carter has confirmed he is willing to serve another term. Ken Thompson has confirmed an interest in serving on the committee. An outstanding debt verification process was completed with no concerns.

Department Recommendation:

To accept and approve the nominations for appointment as submitted by the Mayor during the April 27, 2023 Work Session.

Department Director:

Sam Couvillon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. G-HC Land Bank Authority Members
2. Attendance Report: G-HC Land Bank Authority 2023 Report

GAINESVILLE-HALL COUNTY LAND BANK BOARD

GOVERNING BODY	LAST NAME	FIRST NAME	APPOINTED	INITIAL TERM	REAPPOINTED	EXPIRES
City	Carter	Doug	10/2/2018	4 yrs		10/2/2022
City	Mitchell	Willie	10/2/2018	4 yrs		10/2/2022
City	Cox (Chairman)	Carlyle	10/2/2018	2 yrs	10/6/2020	10/2/2024
County	O'Rourke (Vice Chairman)	Tate	1/28/2019	4 yrs	1/12/2023	1/30/2027
County	Barnes (Secretary)	Glennis	10/25/2018	2 yrs	1/14/2021 (from 1/30/21)	1/29/2025
Land Bank Ex-Officio	None Appointed At This Time					
City Ex-Officio	Brooks	Barbara	1/4/2022		1/17/2023	1/16/2024

TERM: Four-Year Terms
(Initial terms staggered)

NOTES: This committee was established
per Resolution BR-2018-41 based
on Intergovernmental Agreement

CONTACT: Jessica Tullar, Community & Economic Development Department
jtullar@gainesville.org

Updated: 3/20/2023 ag

**GAINESVILLE-HALL COUNTY LAND BANK AUTHORITY
ATTENDANCE REPORT**

MEETING			BOARD MEMBER					
	DATE	TYPE	Doug Carter	Willie Mitchell	Carlyle Cox	Tate O'Rourke (County)	Glennis Barnes (County)	
1	1/30/2019	R	1	1	1	1	1	
2	2/27/2019	R	1	1	1	1	1	
3	3/27/2019	R	1	1	1	1	1	
4	8/7/2019	R	1	1	1	1	1	
5	1/20/2021	R	1	1	1	1	1	
6	5/4/2022	R	0	1	0	1	0	
7	3/22/2023	C	1	1	1	1	1	
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
TOTAL		7	6	7	6	7	6	
ATTENDANCE %			86%	100%	86%	100%	86%	

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

C = Called Meeting
1 = Attended

NOTES: All dates were kept due to very little meetings being held.

Submitted By: Gwen Fleming
Recording Secretary

Date: 4/7/2023



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 25, 2023
Date Submitted: April 25, 2023
Final Approval Date: April 28, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: March 17, 2023 Retreat
Meeting Date: May 2, 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: April 28, 2023
Date Submitted: April 28, 2023
Final Approval Date: April 28, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: March 21, 2023 Mayor/Council Meeting
Meeting Date: May 2, 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: January 6, 2023
Date Submitted: April 26, 2023
Final Approval Date: May 2, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: April 13, 2023 Work Session
Meeting Date: May 2, 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: January 6, 2023
Date Submitted: May 2, 2023
Final Approval Date: May 2, 2023
Presenter: Denise Jordan, City Clerk
Item of Business: April 18, 2023 Mayor/Council Meeting
Meeting Date: May 2, 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: April 27, 2023
Date Submitted: April 27, 2023
Final Approval Date: April 27, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: BR-2023-16 Builders First Source Airport Lease Extension Agreement
Meeting Date: May 2, 2023

Purpose of Request:

To request authorization to extend the term of the leases for an additional 2 years.

Facts & Issues / History & Background:

Department Recommendation:

Adopt the resolution.

Department Director:

Abb Hayes

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. BR-2023-16 Gainesville Builders First Source Airport Lease Extension Agreement
2. Attachment: Builders First Source Lease Extension Agreement

RESOLUTION BR-2023-16

Builders First Source Airport Lease Extension Agreement

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

WHEREAS, the successor to BFS Operations LLC originally leased Airport Industrial Park Lots B1, B2, and B3 at the Airport pursuant to a Lease Agreement dated September 24, 1973, and Airport Industrial Park Lot B4 pursuant to a Lease Agreement dated May 28, 1999, which Lease Agreements currently expire on August 31, 2023 (hereinafter referred to as "the Leases"); and

WHEREAS, the City desires to extend the term of the Leases an additional two (2) years through August 31, 2025, as set forth in the attached Lease Extension Agreement.

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

Adopted this ____ day of May, 2023.

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk

LEASE EXTENSION AGREEMENT

BFS Operations LLC, successor in interest to Builders First Source – Southeast Group, LLC (“Lessee”) and THE CITY OF GAINESVILLE, GEORGIA (the “City”) (collectively, the “Parties”) enter into this Lease Extension Agreement (the “Agreement”) as of the 1st day of September, 2023 (the “Effective Date”).

On or about September 24, 1973, Builder Marts of America, Inc. and the City entered into a Lease Agreement relating to Airport Industrial Park Lots B1, B2, and B3. On or about May 28, 1999, Builderway of Gainesville, a Pelican Company, with execution by Pelican Companies, Inc. on behalf of the tenant, and the City entered into a Lease Agreement relating to Airport Industrial Park Lot B4. Said Lease Agreements are hereinafter collectively referred to as “the Leases.” Subsequent to execution of the Leases, the City extended the terms of the Leases through August 31, 2023, upon a request by Builders First Source – Southeast Group, LLC on behalf of the original tenants under the Leases. By execution below, Lessee confirms and represents that Lessee has the full power and authority to extend the Leases on behalf of the original tenants under the Leases. The Parties hereby extend the terms of the Leases, such that the Leases will terminate on August 31, 2025. The Parties hereby agree the rent due under the Leases will increase to \$8,590 per month beginning on the Effective Date.

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

The Parties execute this **LEASE EXTENSION AGREEMENT** as of the Effective Date.

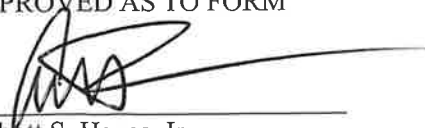
BFS Operations LLC

By: 

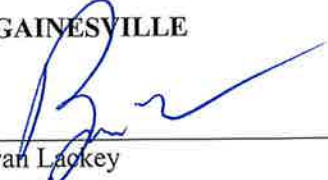
Print Name: Paul W. Dunn

Title: VP- Real Estate

APPROVED AS TO FORM


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

CITY OF GAINESVILLE

By: 

Bryan Lackey
City Manager

Attest: _____

Denise O. Jordan, City Clerk

CITY SEAL

BFS OPERATIONS LLC
ASSISTANT SECRETARY'S CERTIFICATE

I, Minator Azemi, hereby certify that I am the duly elected, qualified and acting Assistant Secretary of BFS Operations LLC, a Delaware limited liability company (the "Company"), and in my capacity as such, I further certify as follows:

1. Paul Dunn is a duly elected and qualified officer of the Company, holding the office set forth opposite his name, and the signature appearing opposite his name is his true and genuine signature.

Name

Title

Signature

Paul Dunn

Vice President – Real Estate



2. Paul Dunn has full corporate power and authority to act alone on behalf of the Company with regard to the execution and delivery of any real property instruments and documents.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on March 29, 2023.


Minator Azemi
Assistant Secretary



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023
Date Submitted: April 27, 2023
Final Approval Date: April 27, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: GR-2023-03 Georgia Transit Trust Fund (TTF) Program
Meeting Date: May 2, 2023

Purpose of Request:

To request authorization to accept Georgia Transit Trust Fund monies.

Facts & Issues / History & Background:

The Georgia General Assembly passed HB511 in 2001 establishing the Georgia Transit Trust Fund (TTF) to collect fees on for-hire ground transportation services. These fees have produced \$15,927,600 for distribution to transit agencies throughout Georgia. The Hall Area Transit staff have sought and been awarded its formula allocation of \$178,627 to purchase a third Gainesville Trolley. The TTF has no match requirement.

Department Recommendation:

Adopt the resolution.

Department Director:

Phillippa Lewis-Moss

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

Amount Requested:

Sources of Funds: Georgia Transit Trust Fund

0.00

Finance Comments:

Administrative Comments:

Attachments:

1. GR-2023-03 Georgia Transit Trust Fund (TTF) Programs
2. Draft Agreement for Allocation of Funds under the TTF Program

RESOLUTION GR-2023-03

GEORGIA TRANSIT TRUST FUND (TTF) PROGRAM

WHEREAS, the Georgia General Assembly passed HB511 in 2021 establishing the Georgia Transit Trust Fund ("TTF") and establishing fees on for-hire ground transportation services; and

WHEREAS, these fees have produced \$15,927,600 for distribution to transit agencies throughout Georgia; and

WHEREAS, the City of Gainesville, through Hall Area Transit, has received GDOT approval for \$178,627.00 in TTF to purchase a third Gainesville trolley with no requirement that the City match the TTF funds.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby approves the Agreement for Allocation of Funds under the TTF Program between the City of Gainesville and the Georgia Department of Transportation (the "Agreement") and authorizes the City Manager, Mayor, and City Attorney to execute the Agreement and all such other documents as may be necessary to effectuate the provisions of the Agreement.

Adopted this _____ day of _____, 2023.

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk

**CITY OF GAINESVILLE (HALL AREA TRANSIT)
AND
GEORGIA DEPARTMENT OF TRANSPORTATION
FOR
TRANSIT TRUST FUND PROGRAM ALLOCATION**

THIS AGREEMENT FOR ALLOCATION OF FUNDS UNDER THE TRANSIT TRUST FUND PROGRAM (“Agreement”), effective as of _____, (the “Effective Date”) is made by and between the CITY OF GAINESVILLE (HALL AREA TRANSIT), of the State of Georgia, and the Georgia Department of Transportation (“GDOT”), a public agency of the State of Georgia. CITY OF GAINESVILLE (HALL AREA TRANSIT) and GDOT may collectively be referred to as the “Parties” and individually as the “Party.”

WHEREAS, during the 2020 legislative session, the Georgia General Assembly passed HB 105 (as codified at O.C.G.A. § 48-13-140) establishing fees on for-hire ground transport service, intended to fund transit projects within the State of Georgia (“State”); and

WHEREAS, during the 2021 legislative session, the Georgia General Assembly passed HB 511 (as codified at O.C.G.A. § 48-13-141) establishing a Georgia Transit Trust Fund (“TTF”) as a separate fund in the State Treasury, with annual appropriations of for-hire ground transportation fees; and

WHEREAS, the GDOT Commissioner shall be the trustee of the Georgia Transit Trust Fund; and

WHEREAS, subsequently, in the FY2023 Budget, \$15,927,600.00 was appropriated to the GDOT TTF, to be dedicated for use by one or more transit providers to fund transit projects (“Program Funds”); and

WHEREAS, the funds allocated by GDOT to the Georgia Transit Trust Fund Program (“TTFP”) represent the balance remaining after GDOT (i) retains matching funds for Federal Transit Administration (“FTA”) programs it administers (specifically FTA formula grant programs governed by 49 U.S.C. §§ 5303, 5304, 5307, 5311, and 5339), and for select Intermodal TTF projects, and (ii) coordinates with the Atlanta-region Transit Link Authority (“The ATL”) regarding directed appropriations; and

WHEREAS, the funds allocated by GDOT to the TTFP shall be distributed to counties with existing transit service using a population-based formula, excluding counties covered by The ATL, as reflected in the TTFP SFY2023 Annual County Allocations posted to the GDOT website, on the Division of Intermodal Transit Program page: <https://www.dot.ga.gov/GDOT/Pages/TTFP.aspx>; and

WHEREAS, a transit provider must submit an eligible use application that is approved and accepted by GDOT, for TTFP dollars (“TTFP Application”); and

WHEREAS, CITY OF GAINESVILLE (HALL AREA TRANSIT) submitted the TTFP Application for the Fiscal Year 2023, which was accepted by GDOT; and

WHEREAS, GDOT has agreed to transfer the amount of \$178,627.00 (“Transit Project(s) Amount”) to the CITY OF GAINESVILLE (HALL AREA TRANSIT) in a certain manner; and

WHEREAS, CITY OF GAINESVILLE (HALL AREA TRANSIT) represents that it will expend the monies described herein for the purposes of funding transit projects as further described in the TTFP Application (“Transit Project(s)”), and pursuant to the terms and conditions set forth herein.

NOW THEREFORE, for and in consideration of the covenants and agreements contained herein and other valuable consideration, the receipt and adequacy of which are hereby acknowledged by both Parties, the Parties agree as follows:

1. **TERM.** This Agreement shall begin on the Effective Date and shall continue for 24 months, unless CITY OF GAINESVILLE (HALL AREA TRANSIT) has expended or contractually obligated the entire Transit Project(s) Amount or completed the Transit Project(s) prior to the expiration of this 24-month term, or unless this Agreement is terminated earlier by the Parties (the "Term").
2. **ACCEPTANCE.** GDOT hereby makes and CITY OF GAINESVILLE (HALL AREA TRANSIT) hereby accepts the payment of \$178,627.00 for the funding of Transit Project(s) included on the TTFP Application attached hereto as Exhibit A and incorporated herein by reference, which funding will be additive and not supplant existing funds.

The maximum amount to be received by the CITY OF GAINESVILLE (HALL AREA TRANSIT) from GDOT is \$178,627.00.

CITY OF GAINESVILLE (HALL AREA TRANSIT) agrees that the Transit Project(s) Amount will not be used for expenses already incurred or paid before the Effective Date unless such expenses are expressly authorized in advance and in writing by GDOT.

3. **DEADLINES.** CITY OF GAINESVILLE (HALL AREA TRANSIT) must expend or contractually obligate the Transit Project(s) Amount no later than the end of the Term.
4. **TIME IS OF THE ESSENCE.** Time is of the essence for this Agreement.
5. **ACCOUNTABILITY.**
 - 5.1. Accounting. CITY OF GAINESVILLE (HALL AREA TRANSIT) will account for the Transit Project(s) Amount in accordance with generally accepted governmental accounting principles. CITY OF GAINESVILLE (HALL AREA TRANSIT) will also account for the Transit Project(s) Amount by keeping track of the application of the Transit Project(s) Amount to the Transit Project(s) to account for the receipt and expenditures in accordance with generally accepted accounting principles.
 - 5.2. Audit. CITY OF GAINESVILLE (HALL AREA TRANSIT) will cooperate with an audit request by GDOT either by the State Auditor or other officers of the State with power to conduct or request such audit. In its agreements with its recipients for the expenditure of the Transit Project(s) Amount, CITY OF GAINESVILLE (HALL AREA TRANSIT) will require such parties to allow and cooperate with such audits.
 - 5.3. Records Retention. CITY OF GAINESVILLE (HALL AREA TRANSIT) will maintain the records described in Section 5.1 and all other documents produced as a result of this Agreement in accordance with the Records Retention policy set forth by the Office of the Secretary of State.
 - 5.4. Written Agreements. Any expenditure or obligation of the Transit Project(s) Amount by CITY OF GAINESVILLE (HALL AREA TRANSIT) to a third party must be pursuant to a written agreement.

6. **PAYMENT.** GDOT shall make full payment to CITY OF GAINESVILLE (HALL AREA TRANSIT) of the Transit Project(s) Amount within thirty (30) days of receipt of an invoice from CITY OF GAINESVILLE (HALL AREA TRANSIT). The related invoice template is attached hereto as Exhibit B. The Transit Project(s) Amount cannot be used for anything other than funding the Transit Project(s) identified in the TTFP Application. To the extent any portion of the Transit Project(s) Amount is used for anything other than the Transit Project(s) identified in the TTFP Application, CITY OF GAINESVILLE (HALL AREA TRANSIT) will immediately reimburse such funds to GDOT. The Statement of Project Expenditure (SOPE) form, attached hereto as Exhibit C, shall be completed and submitted by the CITY OF GAINESVILLE (HALL AREA TRANSIT) at GDOT's request and used to detail Transit Project(s) Amount expenditures and remaining balance (if any). The SOPE form shall be completed and submitted by the CITY OF GAINESVILLE (HALL AREA TRANSIT) upon completion of the Transit Project(s) and used to detail Transit Project(s) Amount expenditures and remaining balance (if any). At the end of the Term, if CITY OF GAINESVILLE (HALL AREA TRANSIT) has not obligated all of the Transit Project(s) Amount(s), all unexpended funds must be returned to GDOT. GDOT will provide CITY OF GAINESVILLE (HALL AREA TRANSIT) written notification to indicate approval of Transit Project(s) closeout and instructions on the return of unused funds, if applicable.
7. **CONFLICTS OF INTEREST.** CITY OF GAINESVILLE (HALL AREA TRANSIT) hereby attests that all of the officials of the CITY OF GAINESVILLE (HALL AREA TRANSIT) have certified and that its recipients will certify that they have not violated any applicable conflict of interest law under either state law (O.C.G.A. §§ 45-10-20 through 45-10-28) or any local ordinance, charter, rule or regulation and that they shall comply with the same throughout the Term of this Agreement.
8. **ENFORCABLE AND LEGALLY BINDING ACTIONS.** By entering into this Agreement, CITY OF GAINESVILLE (HALL AREA TRANSIT) warrants and represents that it has complied with all laws applicable to its participation in the Agreement and makes the Agreement binding.
9. **PARTIES BOUND.** This Agreement will bind the respective heirs, executors, administrators, legal representatives, successors, and assigns of each Party.
10. **ASSIGNMENT.** CITY OF GAINESVILLE (HALL AREA TRANSIT) may not assign all or part of this Agreement to a third party without the prior written permission of GDOT, which may be granted or refused at the sole discretion of GDOT. Any assignment made in violation of this paragraph is hereby declared null and void.
11. **NOTICE.** Any notices, requests, demands, or other communications that may be required hereunder, shall be in writing and transmitted via hand delivery, overnight courier, or certified mail to the Parties at the respective addresses set forth below. Notices may also be sent by email provided that the recipient acknowledges receipt. Notices will be deemed to have been given when received unless otherwise noted in the Agreement.

CITY OF GAINESVILLE (HALL AREA TRANSIT)

Attn: _____

Phone: _____

Email: _____

Georgia Department of Transportation

Attn: Leigh Ann Trainer, Assistant Division Director

One Georgia Center, 600 W Peachtree NW

Atlanta, GA 30308

Phone: (404) 347-0597

Email : ltrainer@dot.ga.gov

12. **WAIVER AND SEVERABILITY.** The waiver by either Party of any breach of any provision in this Agreement shall not be deemed to be a waiver of such provision of any subsequent breach of the same or any other provision in this Agreement. Any such waiver must be in writing to be effective, and no such waiver shall establish a course of performance between the Parties contradictory to the terms hereof. All provisions of this Agreement are severable, and the unenforceability or invalidity of any of the provisions will not affect the validity or enforceability of the remaining provisions. The remaining provisions will be construed so as to carry out the full intention of the Parties.
13. **RECITALS.** The recitals set forth in the beginning of this Agreement are true and correct and are hereby incorporated into this Agreement.
14. **SURVIVABILITY.** If any provision of this Agreement, or any portion thereof, should be ruled void, invalid, or unenforceable by any court of competent jurisdiction, then the remaining portion of such provision and all other provisions of this Agreement shall survive and be applied, and any invalid or unenforceable portion shall be construed or reformed to preserve as much of the original words, terms, purpose, and intent as shall be permitted by law.
15. **GOVERNING LAW.** This Agreement shall be governed by Georgia law, without regard to its conflict of law provisions. Venue shall be exclusively in the Superior Court of Fulton County, Georgia, and the Parties consent to venue and jurisdiction in such court to the fullest extent permitted by law for any and all claims related to this Agreement.
16. **AUTHORITY/SIGNATURE.** The individual signing this Agreement on behalf of each Party represents and warrants that (s)he has the actual authority to sign this Agreement on behalf of such Party and to bind such Party to the terms and conditions of this Agreement.
17. **NO THIRD-PARTY BENEFICIARY.** Nothing herein shall be construed as conferring upon any person or entity, other than the Parties hereto, any rights or benefits under or by reason of this Agreement.
18. **COUNTERPARTS.** This Agreement may be executed in counterparts which, when taken together, will constitute one agreement. Copies of this Agreement will be equally binding as originals and faxed or scanned and emailed counterpart signatures will be sufficient to evidence execution.
19. **INTERPRETATION.** Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise require. Unless the context shall otherwise require, references to any Person or Party shall be deemed to include such Person's or Party's successors and permitted assigns. The headings or titles of this Agreement, its sections and exhibits are for convenience of reference only and shall not define or limit its provisions. Unless the context shall otherwise require, all references to any resolution, contract, agreement, lease, or other documents shall be deemed to include any amendments or supplements to, or

modifications or restatements or replacements of, such documents that are approved from time to time in accordance with the terms hereof.

20. **COMPLETE AGREEMENT.** This Agreement constitutes the entire understanding between the Parties with respect to the subject matter; all prior agreements, representations, statements, negotiations, and undertakings are superseded hereby.

IN WITNESS WHEREOF, the Parties have signed, sealed and delivered this Agreement as of the Effective Date.

CITY OF GAINESVILLE (HALL AREA TRANSIT)

Georgia Department of Transportation

APPROVED AS LEGAL FORM

By: _____
Title: Commissioner

Counsel, Hall Area Transit

Attest: _____
Title: Treasurer

By: _____ [SEAL]

Name: _____

Title: _____

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

Date: _____

Notary Public [NOTARY SEAL]

Name: _____

My Commission Expires: _____

Certificate Of Completion

Envelope Id: CF021376F0E94400AE8D85D2F5D5075F

Status: Sent

Subject: 48400-294-IGOIP2302066/CITY OF GAINESVILLE

Source Envelope:

Document Pages: 5

Signatures: 0

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Envelope Originator:

GDOT DocuSign Admin

600 W Peachtree St, NW

Atlanta, GA 30308

gdot_contracts@dot.ga.gov

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Pool: Georgia Department of Transportation

Location: DocuSign

Signer Events**Signature****Timestamp**

Abbott Hayes

Sent: 4/20/2023 5:14:14 PM

ash@homlaw.com

Resent: 4/24/2023 1:03:12 PM

City Attorney

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 1/30/2023 9:07:08 AM

ID: c357bb12-e93d-46b5-81ca-9a4b897daac3

Bryan Lackey

blackey@gainesvillega.gov

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 12/5/2022 8:11:10 AM

ID: 0dc5c5ac-2397-4ca9-a5b0-c8e08ef8ba5b

Denise Jordan

djordan@gainesville.org

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 6/15/2018 10:23:49 AM

ID: 65a9be86-6da4-48a8-8a40-4096a169f8e4

Alisa Grayson

agrayson@gainesvillega.gov

Security Level: Email, Account Authentication
(None)**Electronic Record and Signature Disclosure:**

Accepted: 2/3/2023 2:50:35 PM

ID: 9fdf6524-bd7c-4a15-b16d-ead8395d5a71

Russell R McMurry

catscommissioner@dot.ga.gov

Security Level: In Session

Electronic Record and Signature Disclosure:

Accepted: 7/26/2021 12:44:29 PM

ID: 300af4e1-68da-47c5-887e-c649aaedd680

In Process

Signer Events	Signature	Timestamp
Angela O. Whitworth catstreasurerattest@dot.ga.gov Security Level: In Session Electronic Record and Signature Disclosure: Not Offered via DocuSign		
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Phillippa Lewis Moss pmoss@gainesvillega.gov Director, Community Servi Gainesville Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 4/24/2023 1:03:11 PM ID: 3e62f5c1-6e50-4b36-a4e1-52ebbd4f19e1	VIEWED Using IP Address: 24.216.88.162	Sent: 4/20/2023 9:45:38 AM Resent: 4/24/2023 10:51:32 AM Viewed: 4/24/2023 1:03:11 PM
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Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
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Envelope Updated	Security Checked	4/21/2023 6:38:25 PM
Payment Events	Status	Timestamps
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ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Georgia Department of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

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

Withdrawing your consent

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

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

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

How to contact Georgia Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: gdot_contracts@dot.ga.gov

To advise Georgia Department of Transportation of your new e-mail address

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

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Georgia Department of Transportation

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to gdot_contracts@dot.ga.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Georgia Department of Transportation

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

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to gdot_contracts@dot.ga.gov and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Georgia Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Georgia Department of Transportation during the course of my relationship with you.



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023
Date Submitted: April 27, 2023
Final Approval Date: April 27, 2023
Presenter: Bryan Lackey, City Manager
Item of Business: GR-2023-04 Community Development Block Grant (CDBG) 2023 Annual Action Plan
Meeting Date: May 2, 2023

Purpose of Request:

Adoption of the 2023 CDBG Annual Action Plan.

Facts & Issues / History & Background:

The City of Gainesville is designated by the U.S. Department of Housing and Urban Development (HUD) as a Community Development Block Grant (CDBG) entitlement grantee. As such, the City receives an annual CDBG allocation intended to (1) benefit low- and moderate-income persons, (2) eliminate slum and blight, and/or (3) meet a particular urgent need. The Annual Action Plan provides a detailed budget and description of activities the City will carry out with that year's CDBG allocation.

In order to remain in compliance and be eligible to receive the annual CDBG allocation, the City must adopt its Annual Action Plan in accordance with the 2019-2023 HUD Consolidated Plan, as amended. A public review and comment period was held from 3/13/2023 through 4/11/2023 during which time Staff held two public hearings and one community meeting to receive comments and input as well as answer questions regarding the CDBG program and proposed Annual Action Plan. Public hearings included (1) an open house-style hearing on Thursday, 3/23/2023 and (2) a combined in-person and virtual Zoom hearing on Tuesday, 3/28/2023. The community meeting was held on Saturday, 4/1/2023. A total of 22 people participated.

Department Recommendation:

Adopt the resolution.

Department Director:

Rusty Ligon

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

Amount Requested:

\$451,710 (HUD Award)

Finance Comments:

Sources of Funds:

HUD's Community Development Block Grant (CDBG) for entitlement communities

Administrative Comments:

Attachments:

1. GR-2023-04 Community Development Block Grant (CDBG) 2023 Annual Action Plan
2. Exhibit A: 2023 CDBG Plan Budget Summary
3. Exhibit B: 2023 CDBG Annual Action Plan

RESOLUTION GR-2023-04

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2023 ANNUAL ACTION PLAN

WHEREAS, the City of Gainesville is designated an entitlement grantee by the U. S. Department of Housing and Urban Development (HUD) for the purpose of participation in the *Community Development Block Grant (CDBG)* Program; and

WHEREAS, the Community Development Department is directed to prepare and file an application including all appropriate appendages, assurances, and certifications with the U.S. Department of Housing and Urban Development requesting funding under the *Community Development Block Grant Program for Entitlement Cities*; and

WHEREAS, all proposed activities are consistent with the City's 2019-2023 Consolidated Plan, as amended; and

WHEREAS, the City has been awarded a total of \$451,710 in 2023 CDBG-Entitlement funds from HUD; and

WHEREAS, all monies distributed from the *2023 Community Development Block Grant* will be utilized for specifically designated and approved projects as outlined in the Fifth Program Year 2023 Annual Action Plan, attached as Exhibit B, and the activities list outlined in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby adopts the 2023 Annual Action Plan and authorizes the Mayor or City Manager to sign all necessary resolutions, certifications, applications, subrecipient agreements, and documents directly related to obtaining and administering the *2023 Community Development Block Grant* on behalf of the City of Gainesville.

Adopted this ____ **day of** _____, **2023.**

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk

EXHIBIT A

CITY OF GAINESVILLE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIFTH PROGRAM YEAR 2023 ANNUAL ACTION PLAN

PROGRAM FUNDING SOURCES

2023 Grant Allocation	\$451,710
Program Income	\$ 0

TOTAL FUNDING	\$451,710
----------------------	------------------

PROPOSED ACTIVITIES

BUDGETED AMOUNT

HOUSING REHABILITATION / EMERGENCY REPAIRS & REHAB ADMIN/PROJECT DELIVERY	\$ 25,000
--	------------------

Homeowner rehabilitation/emergency repairs and Rehab Admin/Project Delivery funds will be used to assist income-eligible homeowners with repairs and other housing improvements, including handicap accessibility features and emergency repairs.

PUBLIC FACILITIES OR INFRASTRUCTURE	\$ 286,278
--	-------------------

Acquisition, construction, or rehabilitation of public facilities/infrastructure, including but not limited to, parks/recreation facilities; sidewalks; water/sewer and stormwater; and parking lots and parking garages. Other uses for the CDBG-2023 funds may include acquisition and demolition of vacant, dilapidated properties; installation or repair of streets, storm drains, curbs and gutters, tunnels, bridges, and traffic lights/signs; and improvements to sidewalks that include the installation of trash receptacles, lighting, benches, and trees; as well as activities limited to tree planting (sometimes referred to as "beautification"). Installation or replacement of water lines, sanitary sewers, storm sewers, fire hydrants, and other drainage improvements associated with developing affordable housing. Grading and site work on publicly-owned property.

PUBLIC SERVICES AND ECONOMIC OPPORTUNITY	\$ 50,000
---	------------------

Economic opportunity may include collaborating with Vision 2030, nonprofits and other City of Gainesville economic development stakeholders to expand economic opportunities in order to attract or expand businesses through community revitalization and blight removal that will make existing low- to moderate-income neighborhoods attractive for investment and job creation. Tools may include forgivable loans for demolition, work to correct code violations or to bring systems up to code, or to support the Business Incubators and other initiatives.

PROGRAM ADMINISTRATION	\$ 90,432
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Funds for the management and oversight of all activities carried out under the CDBG Program. Funds cover expenses for salaries, legal fees, advertisements, supplies and equipment, planning and other administrative costs.

TOTAL EXPENDITURES	\$ 451,710
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EXHIBIT B



GAINESVILLE

2023 Annual Action Plan

May 2, 2023

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ANNUAL ACTION PLAN

For Program Year 2023

CITY OF GAINESVILLE, GEORGIA

Community & Economic Development Department

FINAL

May 2, 2023

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EXECUTIVE SUMMARY

AP-05 EXECUTIVE SUMMARY - 24 CFR 91.200(C), 91.220(B)

1. Introduction

The City of Gainesville's 2023-2024 Annual Action Plan outlines the City's strategy for the use of Community Development Block Grant (CDBG) funds received from the U.S. Department of Housing and Urban Development (HUD) during the 2023 program year. The Annual Action Plan (AAP) details CDBG projects anticipated to be completed during PY23, along with funding levels, related activities, and anticipated beneficiaries for each. The 2023 program year is the fifth program year covered under Gainesville's 2019-2023 Five-Year Consolidated Plan, which identified priorities for and provided guidance on investment of HUD funds over a five-year period. During PY23, Gainesville will work toward addressing priorities related to housing affordability, infrastructure and public facility improvements, neighborhood revitalization, fair housing, and program administration.

2. Summarize the objectives and outcomes identified in the Plan

Priority needs for the 2019 through 2023 planning period were developed based on citizen participation and stakeholder consultation, and analysis of the city's top housing, homeless, special needs populations, and non-housing community development needs. These priorities include:

Housing Affordability

- Support the development of affordable rental and owned housing, including projects located near employment and transportation.
- Expand the useful life of existing affordable housing through rehabilitation, repair, or weatherization programs.
- Provide homeownership opportunities for households through down-payment or closing cost assistance.

Infrastructure and Public Facility Improvements

- Provide safe neighborhoods, public facilities, recreational and cultural opportunities which meet both safety and health regulations for citizens of all ages and socioeconomic backgrounds.
- Improve public infrastructure, increase public safety, residential desirability and quality of life in low- and moderate-income neighborhoods.
- Assist community service organizations in improving their physical structures to ensure they are sufficient in size, accessible, safe and meet the organization's service goals.
- Infrastructure improvements including but not limited to sidewalks, roadway, park, and water and sewer replacement or expansion.

Neighborhood Revitalization

- Non-housing community development activities that eliminate blight, including code enforcement, demolition, acquisition, and redevelopment.

- Through property acquisition, increase greenspace, improve housing affordability, or encourage economic development.

Economic Development

- Support business development to create new employment opportunities for low- and moderate-income workers.
- Provide job training assistance to help residents access employment opportunities.

Public Services

- Fund community services such as youth-focused activities, programming for seniors, services for people experiencing homelessness, employment training, housing counseling, transportation assistance, fair housing education and enforcement, legal services, and others.

Fair Housing Activities

- Either in-house or through an award to a local organization, provide fair housing education activities to residents, housing providers, and local agencies in English and Spanish.

Program Administration

- Funding for performance of administrative, implementation, and planning requirements of the CDBG program.

3. Evaluation of past performance

Each year, the City of Gainesville reports its progress in meeting its five-year and annual goals by preparing a Consolidated Annual Performance Evaluation Report (CAPER). The CAPER is submitted to HUD within 90 days of the start of a new program year. Copies of recent CAPERs are available for review at Gainesville's Community and Economic Development Department or online at <https://www.gainesville.org/180/HUD-Consolidated-Plan>. During the last program year (PY 2021), work was completed towards multiple program goals: Code Enforcement and Neighborhood Beautification, Expanding Affordable Housing, Homeowner Housing Rehabilitation, Improved Public Facilities and Infrastructure, and Public Services and Economic Development. For every \$1 in CDBG funds expended, over \$18.00 in City General Funds, State grant monies and private dollars were leveraged to complete work intended to achieve the priorities set forth in the 2019-2023 Consolidated Plan and PY 2022 Annual Action Plan.

4. Summary of Citizen Participation Process and consultation process

City of Gainesville conducts a variety of public outreach to garner input from city staff, government agencies, nonprofit agencies, affordable housing developers, local service providers, and Gainesville residents in planning its CDBG program. The City conducted a COMBINED in-person and virtual public hearing session and an in-person “open-house style” drop-in event to gather input from interested stakeholders. This input is summarized in the Participation section of this document. The draft Annual Action Plan was available for a 30-day public comment period from Monday, March 13, 2023 through Tuesday, April 11, 2023. Public hearings were held on Thursday, March 2023 (daylong in-person open-house style drop-in event) and Tuesday, March 28, 2023 (combined in-person and virtual public hearing).

Additionally, City staff presented the full draft plan at a community meeting held on Saturday, April 1, 2023 at 11:00 A.M. Residents and representatives from various local nonprofit organizations were invited to attend and provide input. Twenty-three individuals, other than City Staff, attended one of the meetings/public hearings. Invitees to all three meetings included residents, the community at large, Mayor and City Council, Gainesville Nonprofit Development Foundation, Inc. Board, Gainesville Housing Authority residents and staff, the United Way of Hall County's Board and One Hall committee members, Gainesville-Hall County's GICH (Georgia Initiative for Community Housing) Housing Team. Both One Hall committees and the GICH Housing team involve representatives from local public and nonprofit agencies and private business focused on housing needs and workforce development.

In developing the 2019-2023 Consolidated Plan under which this Annual Action Plan falls, the City held public meetings, conducted focus groups with local agencies or committees, interviewed key stakeholders, and conducted a public survey regarding community development and housing priorities. During that process, a total of 50 people attended a community meeting or focus group, 38 people completed the survey, and 25 people participated in an interview.

City consulted the Federal Communication Commission's database and maps regarding broadband service as well as reviewed the State of Georgia's Broadband Program website, annual reports, and mapping of broadband services. According to the Federal Communication Commission's database and maps of broadband availability, over 99% of Gainesville's population lives in areas with access to multiple service providers offering internet service at download speeds of 25 megabits per second (Mbps) or higher and upload speeds of 3 Mbps, which would be sufficient for most use. The remaining less than 1% of the population has access to two providers with these speeds. The FCC's data indicates that the availability of broadband connections through a variety of providers should not be an issue in Gainesville. Georgia's Broadband Program mapping confirms broadband availability in the City of Gainesville, including in the low- to mod-income. Both the FCC and Georgia Broadband Service Maps are included in an exhibit with a map of the City Limits and low- to mod-income areas delineated. Despite the availability of several internet access providers, affordability may still be a challenge for many low- and moderate-income households, including homeless individuals and families. Stakeholder interviews and other community input did not specifically identify internet access as an unmet need for low- and moderate-income households in Gainesville, and thus, no additional consultation was conducted. However, several organizations provide computer and internet access (both in-house in the building and via hotspots provided in open parking lots attached to the facilities), including the Gainesville Housing Authority, Gainesville City Schools, Gainesville-Hall County Senior Life Center, Hall County Public Libraries, and others. Additionally, City of Gainesville provides free public wireless internet at several areas in the city.

With its location on Lake Lanier, flood risk is an important consideration for Gainesville. The City, however, maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. The City also has continued its educational programming regarding fire safety and water resources conservation and protection. Because Hall County Government manages the combined, coordinated multi-jurisdictional Hazard Mitigation Plan to which the City of Gainesville agrees, the City consulted with Hall County. Hall County submitted an updated plan prepared by a consultant to FEMA in late 2022. FEMA approved the 2022-2027 Hazard Mitigation Plan, which the City of Gainesville adopted by resolution in

March 2023. A plan update committee comprised of representatives from the various cities and County emergency response groups (i.e. Fire, Police, EMS), city officials, public works and planning department staff, utility providers, local college police, Parks/Recreation staff, Hall County Health Department, GEMA, and Northeast Georgia Medical Center convened four times to develop the plan update. The public also contributed to plan development through multiple public input meetings held in late 2021.

To mitigate environmental hazards in the County, EMA adopted strategies in all size of the major mitigation categories: Prevention, Property Protection, Natural Resource Protection, Structural Projects, Emergency Services, and Public Education and Awareness. Structural Projects and Emergency Services comprised the greatest percentage of the mitigation strategies identified by Hall County. No additional consultation was conducted, given no concerns or questions were raised during the public comment period or during the implementation of the City's PY 2022 projects. The City maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. Hall County Emergency Management Agency provides emergency preparedness and management for residents living in Gainesville. To mitigate environmental hazards in the County, EMA identified a variety of techniques focused primarily on structural projects and emergency services. The City has and will continue its educational and awareness programming as well as its training and testing of systems protocols.

5. Summary of public comments

Comments received through the public hearings and public comment period are summarized in the Participation section of this Plan and incorporated in individual sections as relevant. Several questions raised simply asked for clarification or additional information specific to CDBG as well as the City's State grant and nonprofit funds used for housing. No comments asking for revisions to the draft plan were received by the City.

6. Summary of comments or views not accepted and the reasons for not accepting them

The City considered all comments in preparing this Annual Action Plan. The City reviewed all comments for common and recurring themes to help establish goals and priorities. No comments requesting revisions or changes to the proposed Annual Action Plan were received. City received a number of questions related to eligible activities and other non-CDBG grant programs, and received questions asking for clarification.

7. Summary

During the 2023-2024 program year, the City of Gainesville will use CDBG funds to address priorities identified in its 2019-2023 Five-Year Consolidated Plan. Specifically, Gainesville will fund public facility and infrastructure improvements, including improvements to support affordable housing development; down-payment assistance for first-time homebuyers; housing rehabilitation and emergency repair for current homeowners; demolition and acquisition; economic opportunities; and program administration.

THE PROCESS

PR-05 LEAD & RESPONSIBLE AGENCIES – 91.200(B)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

TABLE 1- RESPONSIBLE AGENCIES

Agency Role	Name	Department/Agency
Lead Agency	Gainesville	
CDBG Administrator	Gainesville	Community & Economic Development / Housing & Special Projects Division

Narrative (optional)

The City of Gainesville Community & Economic Development Department's Housing & Special Projects Division is responsible for administering the City's Community Development Block Grant Program. Among other City responsibilities, the Division coordinates the planning process, works with other city agencies and nonprofit partners on planning and implementation, and reports on performance to the City Council, city residents, and HUD.

Consolidated Plan Public Contact Information

The primary contact for Gainesville's CDBG Program and the consolidated planning process is:

Jessica Tullar, AICP
Housing & Special Projects Manager
Gainesville Community & Economic Development Department
PO Box 2496
Gainesville, Georgia 30503
770-531-6570
JTullar@gainesvillega.gov

AP-10 CONSULTATION – 91.100, 91.200(B), 91.215(L)

1. Introduction

The City of Gainesville conducts a variety of public outreach to garner input from city staff, government agencies, nonprofit agencies, affordable housing developers, local service providers, and Gainesville residents in planning its CDBG program. In order to gather input from interested stakeholders during the preparation of this PY 2023 Annual Action Plan, the City held two in-person public hearings, one daylong “Open House-style, drop-in” meeting and a second formal meeting with a virtual attendance option. Additionally, City staff presented the full draft plan at a community meeting held on Saturday, April 1, 2023 at 11:00 A.M. Residents and representatives from various local nonprofit organizations were invited to attend and provide input. Twenty-three individuals, other than City Staff, attended one of the meetings/public hearings. Invitees to all three meetings included residents, the community at large, Mayor and City Council, Gainesville Nonprofit Development Foundation, Inc. Board, Gainesville Housing Authority residents and staff, the United Way of Hall County’s Board and One Hall committee members, Gainesville-Hall County’s GICH (Georgia Initiative for Community Housing) Housing Team. Both One Hall committees and the GICH Housing team involve representatives from local public and nonprofit agencies and private business focused on housing needs and workforce development. The City also made available an electronic copy and hard copies of the draft plan for public review and comment. Public notice of the available draft copies was provided via the City’s website, Facebook page, and multiple legal ads published in the local newspaper in both English and Spanish.

In developing the 2019-2023 Consolidated Plan under which this Annual Action Plan falls, the City held public meetings, conducted focus groups with local agencies or committees, interviewed key stakeholders, and conducted a public survey regarding community development and housing priorities. During that process, a total of 50 people attended a community meeting or focus group, 38 people completed the survey, and 25 people participated in an interview.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Gainesville works closely with public and private sector providers to ensure delivery of services to residents and to promote interagency communication and planning. The City has representatives on many nonprofit agency boards or advisory committees. The Community & Economic Development Department works with various housing, health, mental health, and service agencies to gather data and identify gaps in services.

In developing this Annual Action Plan, the City strove to include input from housing providers, health and mental health agencies, and other housing, workforce development and social service partners. During the public comment period, stakeholders were invited to participate in (1) an open house-style, daylong drop-in event public hearing, (2) a combined in-person and virtual meeting and public hearing, and (3) a community meeting held on a Saturday; or otherwise provide input to City of Gainesville staff via fax, email, delivery or U.S. Postal Service. Stakeholders included city elected officials and staff, housing

authority staff and residents, housing developers, nonprofit organizations, homeless housing and service providers, mental health service providers, agencies serving people with disabilities, senior services, residents, community at-large, and others. This Annual Action Plan and the associated Consolidated Plan are designed to promote enhanced coordination amongst local housing and service organizations over the five-year planning period.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Gainesville and Hall County fall within the Georgia Balance of State Continuum of Care (BoS CoC). The Georgia Department of Community Affairs (DCA) staffs the CoC and allocates Emergency Shelter Grant (ESG) funds across 152 counties statewide to assist with emergency shelter, transitional housing, and homelessness prevention, outreach, and supportive services. The City of Gainesville supports local groups that apply for funding through DCA to coordinate housing and services for its residents experiencing or at risk of homelessness.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Gainesville and Hall County are part of the Georgia Balance of State Continuum of Care (BoS CoC), which covers 152 Georgia counties and is staffed by the Georgia Department of Community Affairs. DCA administers ESG funding statewide, and the City of Gainesville provides input regarding local homeless needs and risk of homelessness as requested to assist in determining how to allocate ESG funds, develop performance standards, and evaluate outcomes.

Under CoC guidance, homeless housing and service providers in Hall County are implementing a coordinated entry system that matches households with the most appropriate housing and service intervention based on their needs, with the goals of prioritizing resources and preventing or reducing the time of homelessness. Implementation sites use HMIS to record assessments, manage priorities, track referrals, and enter data.

Discussion:

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities

TABLE 2 – AGENCIES, GROUPS, ORGANIZATIONS WHO PARTICIPATED

	Agency/Group/Organization Name	Type	Section of Plan Addressed	Consultation Method
1	United Way of Hall County – One Hall Housing & Financial Stability Committee includes reps from public, private & nonprofit agencies focused on housing, homelessness, employment, workforce development, social services, etc. Agencies include: • United Way of Hall County • City of Gainesville Government • Hall County Government • Gainesville Housing Authority • GA Department of Community Supervision (prisoner reentry) • Habitat for Humanity of Hall County • Georgia Legal Services Program • Gateway Domestic Violence Shelter • Family Promise • My Sister’s Place • Ninth District Opportunity • Greater Hall Chamber of Commerce’s Vision2030 Wisdom Keepers • Gainesville Action Ministries • North Georgia Works • St. Vincent de Paul • Avita Partners • Legacy Link • J’s Place Recovery Center • Good News at Noon Homeless Shelter • St. Paul UMC – Summit St • WorkSource Georgia Mountains • Goodwill of North Georgia Career Center • Hopkins Associates • Gainesville City & Hall Co Schools • Realtors: Norton Agency, Keller Williams, Simpson Company • Private Citizens	• Community interest group focused on housing, housing stability and workforce development	• Entire plan presented at two public hearings and one additional community meeting for public input and questions • National Objectives, proposed projects and population that can be served using CDBG funds	• In-person meetings - PowerPoint presentation with Q&A from attendees

2	Gainesville-Hall County Georgia Initiative for Community Housing (GICH) Housing Team, which includes reps from local governments, private sector realtors/mortgage companies/developers and rental property owners, and nonprofit housing-focused organizations as follows: • City of Gainesville Government • Hall County Government • City of Oakwood Government • City of Flowery Branch Government • Gainesville Housing Authority • Habitat for Humanity of Hall County • United Way of Hall County • GA Department of Community Affairs • Mortgage: HomeStar Financial • Rental Property Owners: Owens Management, LLC • Realtors: Keller Williams Realty • Greater Hall Chamber of Commerce's Vision2030 Wisdom Keepers • Attorney: Stewart Melvin & Frost	• Community interest group focused on housing	• Entire plan presented at two public hearings and one additional community meeting for public input and questions	• In-person meetings - PowerPoint presentation with Q&A from attendees
3	Gainesville Housing Authority – This agency works closely with City staff to address community needs in a strategic manner to extend the use of federal funds that come into the City.	• Public housing authority	• Entire plan presented • Housing Need Assessment, public housing needs	• In-person meetings - PowerPoint presentation with Q&A from attendees

Identify any Agency Types not consulted and provide rationale for not consulting

Efforts were made to consult as broad a group of community stakeholders as possible. No agency types were excluded from participation.

Other local/regional/state/federal planning efforts considered when preparing the Plan

TABLE 3 – OTHER LOCAL / REGIONAL / FEDERAL PLANNING EFFORTS

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Georgia Department of Community Affairs	The DCA provides homeless McKinney Vento Act funds to agencies in Gainesville through the Balance of State Continuum of Care. These funds assist with emergency shelter, transitional housing, homelessness prevention, and outreach and supportive services. Point in time homeless counts prepared by the Continuum of Care are reported in the Needs Assessment.
2040 Comprehensive Plan	City of Gainesville	Goals identified in the Community Work Program that overlap with those on the Strategic Plan include development of infill housing, blight reduction, sidewalk improvements, extension of infrastructure, public facility improvements, and economic development/commercial revitalization.
2017-2022 Comprehensive Economic Development Strategy (CEDS) & Regional Plan	Georgia Mountains Regional Commission	City of Gainesville priorities in the CEDS include airport renovation, continuation of the Midtown Greenway, stormwater planning, and a wireless hot zone project. Infrastructure development, possibly to include things such as stormwater and greenway planning, is reflected in the Strategic Plan.
2015 Downtown Gainesville Renaissance Strategic Vision & Plan	Carl Vinson Institute, University of Georgia	Action items overlap with the Strategic Plan relative to public infrastructure and public facilities, such as pedestrian and bicycle access, safety, and security; transit; and parks/community space.
Westside TAD Redevelopment Plan, 2018	City of Gainesville	Potential benefits of the TAD that are relevant to Strategic Plan goals include infrastructure improvements, redevelopment of vacant/ blighted properties, and economic development.
Midtown Gainesville Redevelopment Plan & Tax Allocation District, 2010	City of Gainesville, Hall County Commission, Gainesville City Schools	Goals that overlap with the Strategic Plan include economic development, blight removal, and new residential development.
Bradford-Ridgewood NPU Vision, Goals & Objectives Statement, 2010	City of Gainesville	Goals that overlap with the Strategic Plan include pedestrian safety, property maintenance, and housing rehabilitation and new development.
Fair Street Area NPU Vision, Goals & Objectives Statement, 2008	City of Gainesville	Goals that overlap with the Strategic Plan include pedestrian safety, sidewalk improvements/expansion, code enforcement, property maintenance, and addition of parks/greenspace.

Community Game Plan	United Way of Hall County	Goals that overlap with the Strategic Plan include adequate affordable housing, supportive housing/ services, emergency and transitional housing, improved connectivity, financial literacy, employment assistance, and healthy food access.
ULI Technical Assistance Panel (TAP) Report	United Way of Hall County & Urban Land Institute	Goals that overlap with the Strategic Plan include adequate affordable housing.
GICH Housing Team Work Plan	Hall County, City of Gainesville & GICH Team	Goals that overlap with the Strategic Plan include adequate affordable housing, supportive housing/ services, emergency and transitional housing, improved connectivity, code enforcement, and property maintenance.
2022 Athens Street & Hwy 129 South Corridors Vision & Master Plan	Carl Vinson Institute, University of Georgia	Action items overlap with the Strategic Plan relative to public infrastructure and public facilities, such as pedestrian and bicycle access; developing parks and greenspace; addressing the food desert in the Athens Street area which is a low/mod income area; and neighborhood revitalization.

Identify any Agency Types not consulted and provide rationale for not consulting

Community input did not specifically identify internet access as an unmet need for low- and moderate-income households in Gainesville. No formal consultation was conducted with broadband advocate groups, providers or other agencies. City consulted the Federal Communication Commission's database and maps regarding broadband service as well as reviewed the State of Georgia's Broadband Program website, annual reports, and mapping of broadband services. According to the Federal Communication Commission's database and maps of broadband availability, over 99% of Gainesville's population lives in areas with access to multiple service providers offering internet service at download speeds of 25 megabits per second (Mbps) or higher and upload speeds of 3 Mbps, which would be sufficient for most use. The remaining less than 1% of the population has access to two providers with these speeds. The FCC's data indicates that the availability of broadband connections through a variety of providers should not be an issue in Gainesville.

Georgia's Broadband Program mapping confirms broadband availability in the City of Gainesville, including in the low- to mod-income. Both the FCC and Georgia Broadband Service Maps are included in an exhibit with a map of the City Limits and low- to mod-income areas delineated. Despite the availability of several internet access providers, affordability may still be a challenge for many low- and moderate-income households, including homeless individuals and families. Stakeholder interviews and other community input did not specifically identify internet access as an unmet need for low- and moderate-income households in Gainesville, and thus, no additional consultation was conducted. However, several organizations provide computer and internet access (both in-house in the building and via hotspots provided in open parking lots attached to the facilities), including the Gainesville Housing Authority, Gainesville City Schools, Gainesville-Hall County Senior Life Center, Hall County Public Libraries, and

others. Additionally, the City of Gainesville provides free public wireless internet at several areas in the city.

With its location on Lake Lanier, flood risk is an important consideration for Gainesville. The City, however, maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. The City also has continued its educational programming regarding fire safety and water resources conservation and protection. Because Hall County Government manages the combined, coordinated multi-jurisdictional Hazard Mitigation Plan to which the City of Gainesville agrees, the City consulted with Hall County. Hall County submitted an updated plan prepared by a consultant to FEMA in late 2022. FEMA approved the 2022-2027 Hazard Mitigation Plan, which the City of Gainesville adopted by resolution in March 2023. A plan update committee comprised of representatives from the various cities and County emergency response groups (i.e. Fire, Police, EMS), city officials, public works and planning department staff, utility providers, local college police, Parks/Recreation staff, Hall County Health Department, GEMA, and Northeast Georgia Medical Center convened four times to develop the plan update. The public also contributed to plan development through multiple public input meetings held in late 2021.

To mitigate environmental hazards in the County, EMA adopted strategies in all size of the major mitigation categories: Prevention, Property Protection, Natural Resource Protection, Structural Projects, Emergency Services, and Public Education and Awareness. Structural Projects and Emergency Services comprised the greatest percentage of the mitigation strategies identified by Hall County. No additional consultation was conducted, given no concerns or questions were raised during the public comment period or during the implementation of the City's PY 2022 projects. The City maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. Hall County Emergency Management Agency provides emergency preparedness and management for residents living in Gainesville. To mitigate environmental hazards in the County, EMA identified a variety of techniques focused primarily on structural projects and emergency services. The City has and will continue its educational and awareness programming as well as its training and testing of systems protocols.

AP-12 PARTICIPATION – 91.105, 91.200(C)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Gainesville conducted a 30-day public comment period to receive comments on the draft 2023-2024 Annual Action Plan and use of CDBG funding from Monday, March 13, 2023 through Tuesday, April 11, 2023. During this time, copies of the draft report were available for public inspection, and residents and stakeholders were invited to provide written comments to the Community & Economic Development Department. Gainesville staff held a daylong open house, drop-in public hearing on Thursday, March 23, 2023; and a combined in-person and virtual public hearing session on Tuesday, March 28, 2023 to present the plan and gather feedback. Additionally, council member Barbara Brooks hosted Housing Programs + 2023 CDBG Annual Action Plan Info Session on Saturday, April 1, 2023. City staff presented the full draft plan at the community meeting held, asked for feedback and public comment, and answered questions related to eligible activities and the City's programs funded with the CDBG grant.

Residents and representatives from various local nonprofit organizations were invited to attend and provide input. Twenty-three individuals, other than City Staff, attended one of the meetings/public hearings. Invitees to all three meetings included residents, the community at large, Mayor and City Council, Gainesville Nonprofit Development Foundation, Inc. Board, Gainesville Housing Authority residents and staff, the United Way of Hall County's Board and One Hall committee members, Gainesville-Hall County's GICH (Georgia Initiative for Community Housing) Housing Team. Both One Hall committees and the GICH Housing team involve representatives from local public and nonprofit agencies and private business focused on housing needs and workforce development. The City also made available an electronic copy and hard copies of the draft plan for public review and comment. Public notice of the available draft copies was provided via the City's website, Facebook page, and multiple legal ads published in the local newspaper in both English and Spanish. Following the public comment period, the 2023-2024 Annual Action Plan was presented to the Gainesville City Council for approval. Questions and comments will be included as "Citizen Participation Comments" attachment.

This Annual Action Plan builds on the 2019-2023 Consolidated Plan, during which residents could participate in one of three public meetings and/or take a community-wide survey. During the Consolidated Plan development process, a total of 50 people attended a community meeting or focus group and 38 people completed the survey.

Citizen Participation Outreach

TABLE 4- CITIZEN PARTICIPATION OUTREACH

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Comments not accepted and reasons
1	Newspaper ads and articles	Residents, including minority residents, people with limited English proficiency, people with disabilities, and assisted housing residents; Housing and service providers; Community development practitioners; non-targeted/broad community	N/A	Multiple Legal Ads in English and Spanish were published in <i>The Gainesville Times</i> newspaper. No news articles, no phone calls received regarding the Legal Ads, and no written comments received via fax, email, U.S. Mail or delivery.	None
2	City webpage and social media (Internet Outreach)	Residents, including minority residents, people with limited English proficiency, people with disabilities, and assisted housing residents; Housing and service providers; Community development practitioners; non-targeted/broad community	Facebook social media post: City website Newsflash:	Facebook Post Impressions = N/A Facebook Post Reach = 3,500 Facebook Engagement = None Facebook Reactions = 5 Facebook Link Clicks = 0 Facebook Shares = 4 City website Newsflash = 91 unique views	None
3	Public comment period	Residents, including minority residents, people with limited English proficiency, people with disabilities, and assisted housing residents; Housing and service providers; Community development practitioners; non-targeted/broad community	No walk-ins, calls, emails, or letters were received. No requests for additional meetings were received. No Comments	No comments or questions received via fax, email, U.S. Mail or delivery during 30-day public comment period. Comments and questions received during two public hearings and a third community meeting are summarized below under the respective entries.	None

TABLE 4- CITIZEN PARTICIPATION OUTREACH (CONTINUED)

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Comments not accepted and reasons
4	Open House and Combined In-Person/Virtual Public Hearings: - Thurs., 3/23/2023 (Open House, 9:00AM-5:00PM) - Tues., 3/28/2023 (Combined In-person/Virtual at 5:30PM)	Residents, including minority residents, people with limited English proficiency, people with disabilities, and assisted housing residents; Housing and service providers; Community development practitioners	Open House attendees: 3 Combined In-Person/Virtual Hearing - Total attendees: 7 (3 in person & 4 virtual)	Questions required clarification or asked for additional information specific to CDBG as well as the City's other grant funds used for housing. No comments or changes to the draft plan were requested.	None
5	Housing + 2023 CDBG Annual Action Plan Info Session & Community Meeting: Sat., 4/1/2023 11:00AM-12:30PM Senior Life Center	Residents, government officials, private and nonprofit agencies, and church leaders focused on housing, homelessness, utilities assistance, workforce development, and social services	15 attendees	Questions required clarification or asked for additional information specific to CDBG as well as the City's other grant funds used for housing. No comments or changes to the draft plan were requested.	None

EXPECTED RESOURCES

AP-15 EXPECTED RESOURCES – 91.220(C)(1,2)

Introduction

Due to its size, the City of Gainesville only qualifies for a formula grant under HUD’s CDBG program. The table below shows the City’s CDBG allocation of \$451,710 for the 2023-2024 program year, along with the balance of grant funding for the prior years covered by the 2019-2023 Consolidated Plan. CDBG funds will be used to carry out activities related to housing, acquisition, public facility and infrastructure improvements, economic development, administration and planning, and public services. Prior Year Resources totaling \$1,050,853 reflects the combined balances of CDBG grants from 2018, 2019, 2020, 2021 and 2022 at the close of PY 2022. These Prior Year Resources will be combined with the PY 2023 allocation to carry out previously noted activities.

In addition to its regular CDBG program funding, the City of Gainesville has a balance of \$362,908 in CDBG-CV funds through the federal CARES Act to prevent, prepare for, and respond to the COVID-19 pandemic. This is the balance of CDBG-CV (Coronavirus) funding that Gainesville received in CDBG-CV1 and CDBG-CV3 rounds.

Gainesville residents also are eligible for housing assistance through the Section 8 Housing Choice Voucher program and Continuum of Care programs operated by the Georgia Department of Community Affairs. However, the City of Gainesville does not receive direct allocations under either program.

All federal funds will be used in a manner that supports decent affordable housing, a suitable living environment, and expanded economic opportunities to benefit principally low- and moderate-income Gainesville residents.

Anticipated Resources

TABLE 5- EXPECTED RESOURCES- PRIORITY TABLE

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			ANTICIPATED Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public - Federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$451,710	\$0	\$1,050,853	\$1,502,563	\$1,502,563	CDBG funds will be used to carry out activities related to housing, acquisition, public facility improvements, economic development, administration and planning, and public services.
Other	Public – Federal	Other	0	0	0	0	0	
CDBG-CV	Public - Federal	Prevention of, preparation for, and response to the COVID-19 pandemic	\$ 0	\$0	\$362,908	\$362,908	\$362,908	CDBG-CV funds will be used to carry out activities related to preventing, preparing for, and responding to the COVID-19 pandemic.

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

While CDBG funds do not require a match, the City anticipates leveraging local, state, other federal and private funds as they address the priorities and goals outlined in the Consolidated Plan. The City will leverage local funds (i.e., City general funds) to complete public improvements and code enforcement activities in neighborhoods and business districts with low- and moderate-income households. Private funds, state funds, and other federal funds will be leveraged for housing rehabilitation and new construction projects. Additionally, the Gainesville Nonprofit Development Foundation (GNPDF), which is the City's community housing development agency, has been a vital part of revitalizing the city for over 50 years and provides annual financial support to enhance opportunities provided by the CDBG program

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

CDBG funding will be used to develop and improve public facilities and infrastructure for the benefit of low- and moderate-income residents using existing publicly owned, vacant land that is planned to be used to expand affordable housing. For CDBG funds used to acquire private land for public purpose, the City will follow CDBG acquisition requirements and procedures.

Discussion:

ANNUAL GOALS AND OBJECTIVES

AP-20 ANNUAL GOALS AND OBJECTIVES

Goals Summary Information

TABLE 6- GOALS SUMMARY INFORMATION

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	ANTICIPATED Funding	Goal Outcome Indicator
1	Expanded Affordable Housing Supply	2019	2023	Affordable Housing Public Housing Non-Housing Community Development	Citywide	Housing Affordability Infrastructure and Public Facility Improvements	CDBG: \$286,278 CDBG-CV: \$0	Public facility or infrastructure activity: 4 LMI households assisted
2	Homeowner Housing Rehabilitation	2019	2023	Affordable Housing Non-Homeless Special Needs	Fair Street Neighborhood Newtown Citywide	Housing Affordability	CDBG: \$25,000 CDBG-CV: \$0	Homeowner housing rehabilitated: 5
3	Homebuyer Assistance	2019	2023	Affordable Housing	Citywide	Housing Affordability	CDBG: \$0 CDBG-CV: \$0	Direct financial assistance to homebuyers:
4	Improved Public Facilities and Infrastructure	2019	2023	Non-Housing Community Development	Citywide	Infrastructure and Public Facility Improvements Neighborhood Revitalization	CDBG:\$0 CDBG-CV: \$0	Public facility or infrastructure activities for low/moderate income housing benefit:
5	Demolition and Acquisition	2019	2023	Affordable Housing Non-Housing Community Development	Citywide	Housing Affordability Neighborhood Revitalization Economic Development	CDBG: \$0 CDBG-CV: \$0	Property Acquisition & Buildings demolished:

6	Code Enforcement and Neighborhood Revitalization	2019	2023	Non-Housing Community Development	Citywide	Neighborhood Revitalization	CDBG: \$0 CDBG-CV: \$0	Housing code enforcement/foreclosed property care:
7	Public Services and Economic Opportunity	2019	2023	Non-Housing Economic Development	Fair Street Neighborhood Newtown Citywide	Public Services Economic Development Fair Housing	CDBG: \$50,000 CDBG-CV: \$0	Economic Opportunity: 2 Businesses assisted Housing Festival, classes such as “Pathway to Homeownership” and staying housed, budgeting, personal finance, etc.
8	General Program Administration	2019	2023	Non-Housing Community Development	Citywide	Program Administration Fair Housing	CDBG: \$90,432 CDBG-CV: \$0	Other: 1 Other

Goal Descriptions

TABLE 7- GOAL DESCRIPTIONS

1	Goal name	Expanded Affordable Housing Supply
	Goal description	Site improvements, public infrastructure, public facilities, or other eligible activities for the support of affordable housing development or reconstruction
2	Goal name	Homeowner Housing Rehabilitation
	Goal description	Housing rehabilitation and emergency repair for income-eligible homeowners
3	Goal name	Homebuyer Assistance
	Goal description	Provide down-payment, closing cost, or other eligible assistance to income-eligible homebuyers
4	Goal name	Improved Public Facilities and Infrastructure
	Goal description	Improve public facilities and infrastructure in low- and moderate-income neighborhoods; Potential improvements may include, but are not limited to, parks and open space, community centers, water/sanitary sewer extensions or improvements, storm drain construction or improvements, road construction or improvements, sidewalk construction or improvement, ADA improvements, pedestrian safety devices and lighting, and bus shelters/seating
5	Goal name	Demolition and Acquisition
	Goal description	Demolition and/or acquisition of dilapidated buildings and vacant land to create greenspace, improve housing affordability, or promote economic development
6	Goal name	Code Enforcement and Neighborhood Revitalization
	Goal description	Code enforcement activities with a special emphasis in low/mod income target areas
7	Goal name	Public Services and Economic Opportunity
	Goal description	Community services possibly to include, but not be limited to, youth-focused activities, programming for seniors, services for people experiencing homelessness, employment training, housing counseling, transportation assistance, fair housing education and enforcement, and others. Includes activities to prevent, prepare for, and respond to the COVID-19 pandemic, possibly to include, but not be limited to, access to food and cleaning supplies, remote learning, small business assistance, medical supplies such as personal protective equipment (PPE), utility assistance and budgeting assistance, and others. Economic opportunity may include collaborating with Vision 2030, nonprofits and other City of Gainesville economic development stakeholders to expand economic opportunities in order to attract or expand businesses through community revitalization and blight removal that will make existing low- to moderate-income neighborhoods attractive for investment and job creation. Tools may include forgivable loans for demolition, work to correct code violations or to bring systems up to code, or to support the Business Incubators and other initiatives

8	Goal name	General Program Administration
	Goal description	General Admin includes funds earmarked for fair housing activities, staff salaries, etc.

PROJECTS

AP-35 PROJECTS – 91.220(D)

Introduction

Projects planned for Program Year 2023 are identified in the table below, with additional detail provided in AP-38. Over the next year, the City of Gainesville anticipates assisting low- and moderate-income homeowners with home rehabilitation/emergency repair and down-payment assistance. The City also will use CDBG funds for demolition and acquisition, public facilities and improvements, and construction of public infrastructure to support affordable housing development. Using program administration funds, the City will provide fair housing education to its residents.

Projects

TABLE 8- PROJECT INFORMATION

#	Project Name
1	Wood Avenue Infrastructure and Site Development
2	Midtown Public Facilities and Infrastructure Improvements
3	Demolition and Acquisition
4	Housing Rehabilitation and Emergency Repairs
5	Housing Rehabilitation and Emergency Repairs Administration
6	Homeownership Assistance
7	Public Services and Economic Opportunity
8	General Program Administration

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities are based on the 2019-2023 HUD Consolidated Plan. Allocation priorities included projects designed to implement the goals and priorities set by the 2019-2023 Consolidated Plan, which were noted as priorities during the public engagement process for the PY 2022 Annual Action Plan.

City does not anticipate any obstacles to addressing the underserved. However, given current market conditions, a lack of material supplies and labor shortages could cause delays and require completion dates to be extended. Similarly, the lack of participation by income-eligible applicants will delay spending down of funds earmarked for homeowner housing rehabilitation and homebuyer assistance.

Broadband Availability and Access

City consulted the Federal Communication Commission's database and maps regarding broadband service as well as reviewed the State of Georgia's Broadband Program website, annual reports, and mapping of broadband services. According to the Federal Communication Commission's database and maps of broadband availability, over 99% of Gainesville's population lives in areas with access to multiple service providers offering internet service at download speeds of 25 megabits per second (Mbps) or higher and upload speeds of 3 Mbps, which would be sufficient for most use. The remaining less than 1% of the population has access to two providers with these speeds. The FCC's data indicates that the availability of broadband connections through a variety of providers should not be an issue in Gainesville.

Georgia's Broadband Program mapping confirms broadband availability in the City of Gainesville, including in the low- to mod-income. Both the FCC and Georgia Broadband Service Maps are included in an exhibit with a map of the City Limits and low- to mod-income areas delineated. Despite the availability of several internet access providers, affordability may still be a challenge for many low- and moderate-income households, including homeless individuals and families. Stakeholder interviews and other community input did not specifically identify internet access as an unmet need for low- and moderate-income households in Gainesville, and thus, no additional consultation was conducted. However, several organizations provide computer and internet access (both in-house in the building and via hotspots provided in open parking lots attached to the facilities), including the Gainesville Housing Authority, Gainesville City Schools, Gainesville-Hall County Senior Life Center, Hall County Public Libraries, and others. Additionally, the City of Gainesville provides free public wireless internet at several areas in the city.

Environmental Resiliency

With its location on Lake Lanier, flood risk is an important consideration for Gainesville. The City, however, maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. The City also has continued its educational programming regarding fire safety and water resources conservation and protection. Because Hall County Government manages the combined, coordinated multi-jurisdictional Hazard Mitigation Plan to which the City of Gainesville agrees, the City consulted with Hall County. Hall County submitted an updated plan prepared by a consultant to FEMA in late 2022. FEMA approved the 2022-2027 Hazard Mitigation Plan, which the City of Gainesville adopted by resolution in March 2023. A plan update committee comprised of representatives from the various cities and County emergency response groups (i.e. Fire, Police, EMS), city officials, public works and planning department staff, utility providers, local college police, Parks/Recreation staff, Hall County Health Department, GEMA, and Northeast Georgia Medical Center convened four times to develop the plan update. The public also contributed to plan development through multiple public input meetings held in late 2021.

To mitigate environmental hazards in the County, EMA adopted strategies in all size of the major mitigation categories: Prevention, Property Protection, Natural Resource Protection, Structural Projects, Emergency Services, and Public Education and Awareness. Structural Projects and Emergency Services comprised the greatest percentage of the mitigation strategies identified by Hall County. No additional

consultation was conducted, given no concerns or questions were raised during the public comment period or during the implementation of the City's PY 2022 projects. The City maintains and enforces its building codes and site development regulations intended to minimize likelihood, and if one does so minimize the risks, of developing in environmentally sensitive and hazardous areas. Hall County Emergency Management Agency provides emergency preparedness and management for residents living in Gainesville. To mitigate environmental hazards in the County, EMA identified a variety of techniques focused primarily on structural projects and emergency services. The City has and will continue its educational and awareness programming as well as its training and testing of systems protocols.

AP-38 PROJECT SUMMARY

Project Summary Information

TABLE 9 – PROJECT INFORMATION

1	Project Name	Wood Avenue Infrastructure and Site Development
	Target Area	Citywide
	Goals Supported	Expanded Affordable Housing Supply
	Needs Addressed	Housing Affordability, Infrastructure and Public Facility Improvements
	Funding	CDBG: \$0.00
	Description	Infrastructure improvements and site development work to support development of the Wood Avenue tract by the Gainesville Nonprofit Development Foundation, Inc. (community housing development agency)
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	None using the PY 2023 allocation
	Location Description	Westside Redevelopment Area (Atlanta Highway / Census Tract 11.02 – 2022 Qualified Census Tract)
	Planned Activities	Infrastructure improvements and site development work (i.e., grading, water and sanitary sewer extension or connection, streetscape, pedestrian facilities, street improvements)
2	Project Name	Public Facilities and Infrastructure Improvements
	Target Area	Fair Street Neighborhood Midtown Redevelopment Area
	Goals Supported	Improved Public Facilities and Infrastructure
	Needs Addressed	Infrastructure and Public Facility Improvements, Neighborhood Revitalization

	Funding	CDBG: \$286,278
	Description	Facility and infrastructure improvement projects such as, but not limited to: • Acquisition, construction, or rehabilitation of parking lots and parking garages. • Installation or repair of streets, street drains, storm drains, curbs and gutters, tunnels, bridges, and traffic lights/signs. • Improvements to sidewalks that include the installation of trash receptacles, lighting, benches, and trees. Activities limited to tree planting (sometimes referred to as neighborhood beautification). • Installation or replacement of water lines, sanitary sewers, storm sewers, and fire hydrants. • Site work/development, drainage Improvements and the installation of water lines, sanitary sewer and storm sewers associated with developing affordable housing.
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	5 LMI households assisted (up to 4 in the Summit Street area)
	Location Description	Summit Street, Midtown Redevelopment Area and Tax Allocation District
	Planned Activities	Road, water/sanitary sewer, storm sewer infrastructure, sidewalks improvements, and public facility improvement activities
3	Project Name	Acquisition and Demolition
	Target Area	Newtown Midtown Redevelopment Area
	Goals Supported	Improved Public Facilities and Infrastructure Demolition and Acquisition
	Needs Addressed	Housing Affordability, Neighborhood Revitalization
	Funding	\$0.00
	Description	Acquire unkempt/abandoned vacant properties; acquire blighted or foreclosed properties with dilapidated structures and demolish dilapidated structures
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	None using the PY 2023 allocation

	Location Description	Citywide in income-eligible census tracts
	Planned Activities	Property acquisition of vacant lots, or acquisition and demolition of vacant, dilapidated structures
4	Project Name	Housing Rehabilitation and Emergency Repairs
	Target Area	Fair Street Neighborhood
		Newtown
		Citywide
	Goals Supported	Homeowner Housing Rehabilitation
	Needs Addressed	Housing Affordability
	Funding	CDBG: \$25,000
	Description	Housing rehabilitation and emergency repair funding of up to \$10,000 for income-eligible homeowners
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	5 LMI homeowners/households
	Location Description	Citywide
	Planned Activities	Housing rehabilitation and emergency repair funding of up to \$10,000 for income-eligible homeowners
5	Project Name	Housing Rehabilitation and Emergency Repairs Administration
	Target Area	Fair Street Neighborhood
		Newtown
		Citywide
	Goals Supported	Homeowner Housing Rehabilitation
	Needs Addressed	Housing Affordability
	Funding	CDBG: \$0.00

	Description	CDBG funding will be used to cover implementation/administrative costs associated with the Housing Rehab and Emergency Repair program.
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	5 LMI homeowners/households (prior year funds will be used for Rehab Admin/Activity Delivery Costs)
	Location Description	Citywide
	Planned Activities	Administration of the Housing Rehab and Emergency Repair program
6	Project Name	Homeownership Assistance
	Target Area	Citywide
	Goals Supported	Homebuyer Assistance
	Needs Addressed	Housing Affordability
	Funding	CDBG: \$0.00
	Description	Financial assistance to low- and moderate-income, first-time homebuyers to assist them with the purchase of a home. Eligible uses of these funds include: up to 50% of down-payment, reasonable closing costs, and premium for mortgage insurance required up-front.
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	None using the PY 2023 allocation (prior year funds available for this project)
	Location Description	Location to be determined during program year; income-eligible first-time homebuyers will be assisted for home purchase within the city limits
7	Planned Activities	First-time homebuyer assistance with down-payment, closing cost and/or up-front mortgage insurance premium
	Project Name	Special Economic Activity
	Target Area	Fair Street Neighborhood Newtown Athens Street

	Goals Supported	Public Services and Economic Opportunity; Demolition and Acquisition
	Needs Addressed	Non-housing community and economic development, neighborhood revitalization, job creation and prevention of slum and blight
	Funding	CDBG: \$50,000
	Description	Support business development to create new employment opportunities for LMI workers. Seek opportunities to expand residents' access to groceries and fresh food. Provide job training assistance to help residents access employment opportunities.
	Target Date	06/30/2024
	Estimate the number and type of persons that will benefit from the proposed activity	Up to 2 businesses
	Location Description	Citywide
	Planned Activities	Forgivable or low-interest loans for demolition, work to correct code violations or to bring systems into code compliance, or to support business incubator; funds for training and technical assistance or to support microenterprises.
8	Project Name	General Program Administration
	Target Area	Citywide
	Goals Supported	General Program Administration
	Needs Addressed	Fair Housing Activities Program Administration
	Funding	CDBG: \$90,432
	Description	Staff salary, planning, and administrative service delivery costs for implementing the Community Development Block Grant program.
	Target Date	06/30/2024

	Estimate the number and type of persons that will benefit from the proposed activity	Not applicable
	Location Description	Citywide
	Planned Activities	Staff salary, planning, and administrative service delivery costs for implementing the Community Development Block Grant program. Provide fair housing education to Gainesville residents.
CDBG Total		\$451,710
Total		\$451,710

AP-50 GEOGRAPHIC DISTRIBUTION – 91.220(F)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

HUD identifies CDBG-eligible block groups where there are concentrations of low- and moderate-income families. In this case, HUD defines a concentration as a block group where low- and moderate-income households make up more than 51% of total households in the block group. There are 20 such block groups in Gainesville. Notably, 16 of these block groups are located in census tracts that have high rates of housing need (40% or more of households with a cost burden) and/or populations that are majority people of color.

Six of these census tracts (tracts 10.05, 10.07, 10.08, 11.01, 11.02, and 12.03) are contiguous tracts all located south and west of E.E. Butler Parkway extending roughly from Athens Street on the east to Dawsonville Highway and McEver Road on the west. These tracts cover the Downtown, Midtown, and Westside neighborhoods. In all of these tracts, the largest share of the population is Latino, ranging from 46 to 82%.

Two tracts where people of color and/or Hispanic origin comprise more than 50% of the population are immediately south, east and west of Downtown, and include areas such as the Fair Street Area NPU, the Newtown community, Westside and Midtown redevelopment areas, and neighborhoods to the east (Tracts 7.03 and 8). In each of these tracts, Latinos and African Americans each make up considerable shares of the population. White residents make up less than 40% of people in these tracts.

Geographic Distribution

TABLE 10- GEOGRAPHIC DISTRIBUTION

Target Area	Percent of Funds
Fair Street Neighborhood	6%
New Town	11%
Midtown-Redevelopment Area	63%
Hillcrest Avenue	0%
Citywide	20%

Rationale for the priorities for allocating investments geographically

The City will focus its funding in neighborhoods that have concentrations of low- and moderate-income households and substantial needs related to housing quality and affordability, public facilities and infrastructure, and economic development. While specific target areas are listed in Gainesville's 2019-2023 Consolidated Plan, individual low- and moderate-income persons residing anywhere in the City may be eligible beneficiaries of CDBG funds. CDBG funding also may be spent within eligible block groups /

census tracts where at least 51% of households have low- or moderate-incomes (i.e., incomes under 80% of the area median, adjusted for household size).

Discussion

AFFORDABLE HOUSING

AP-55 AFFORDABLE HOUSING – 91.220(G)

Introduction

Over the 2023-2024 program year, the City of Gainesville estimates that it will assist two (2) non-homeless low- and moderate-income homeowner households with the rehabilitation of existing residential units. The City will help fund public infrastructure improvements to support expanding affordable housing for homeownership by low- to moderate-income households.

TABLE 11- ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT REQUIREMENT

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	4
Special-Needs	0
Total	4

TABLE 12- ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT TYPE

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
Production of New Units	4
Rehab of Existing Units	2
Acquisition of Existing Units	0
Total	6

AP-60 PUBLIC HOUSING – 91.220(H)

Introduction

Public housing in the city of Gainesville is managed by the Gainesville Housing Authority (GHA). The quasi-governmental authority is governed by its board of directors who are appointed by the City. According to HUD's PIC (the HUD Office of Public & Indian Housing Information Center) data, there are 468 public housing units and no housing choice vouchers in Gainesville. The GHA receives federal funds to modernize and repair those units. The City of Gainesville Community and Economic Development Department works closely with the GHA to offer financial literacy classes to public housing residents and other citizens. Efforts also have been made to identify residents that may be ready for homeownership and direct them toward those opportunities. Grant funds from the City of Gainesville down-payment assistance program are available to assist residents with purchasing a new home. Such actions will help housing authority residents become more independent and make units available for families with affordable housing needs.

The GHA is independent of the City of Gainesville. The City does not manage or oversee GHA funds.

Actions planned during the next year to address the needs to public housing

The GHA has been working with HUD to obtain the ability to convert its remaining public housing units under the Rental Assistance Demonstration (RAD) program. Such approval would give the GHA opportunities to leverage its real estate assets to replace and/or rehabilitate these units. The GHA also will continue to work with Walton Communities, its LIHTC development partner, to redevelop Tower Heights into Walton Harbor as a LIHTC project.

The GHA also was awarded a grant from Hall County government to assist with acquisition and planning for new additional rental housing and redevelopment of its Harrison Square apartments. Project will not be completed until the State of Georgia releases bonds for public housing. GHA also will continue working with its tax credit private developer to complete Phase 2 of the Tower Heights Redevelopment, which will increase the number of affordable units from 32 to 181 at one location.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The GHA receives a Resident Opportunity and Supportive Services Program (ROSS) grant that supports GHA's residents by linking them with valuable community resources to obtain economic self-sufficiency, independence, improved quality of life, and in some cases, help maintaining stable housing as residents age.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The GHA is rated a "Standard Performer" and is not designated as troubled.

Discussion:

AP-65 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES – 91.220(I)

Introduction

The City of Gainesville is covered by the Balance of State Continuum of Care, a network of homeless service providers covering all but the most populous Georgia counties and coordinated by Georgia DCA. The State conducts a biennial homeless count. The most recent data released as of the date this plan was drafted was from January 2019 (Georgia Balance of State Continuum of Care 2019 Point in Time County). On the night of the count, there were a total of 149 homeless persons enumerated in Hall County, including 92 residing in shelters and 57 unsheltered.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The primary source of funding for homelessness programs and services in the Gainesville community comes from Georgia DCA through the Balance of State Continuum of Care. The local organizations receiving funding from this stream will continue to be engaged in the work of outreach to homeless persons in order to assess individual needs and share information about available resources.

Addressing the emergency shelter and transitional housing needs of homeless persons

Several local organizations address the emergency and transitional housing needs of homeless persons. In addition, emergency and transitional housing needs may be addressed through grant funding opportunities, such as the competitive Continuum of Care process, or through other state or local funding streams.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Stakeholder input suggests that one reason households in transitional housing are slow to transition out is because there are so few decent affordable options available in the private rental market. Increasing support and case management funding associated with shelter and transitional housing programs may help, but adding new units to the overall affordable housing stock may help as well.

The City of Gainesville is not a direct recipient of the Emergency Solutions Grant (ESG), which could assist with housing the homeless and provide services to prevent homelessness, rehouse or otherwise permanently house the homeless. ESG funding is made available through a competitive process through the Department of Community Affairs.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Service providers in the city, along with housing providers, work together to prevent homelessness in those populations, which are vulnerable, or at risk of homelessness. These groups include extremely low-income individuals and families, people discharged from institutions, and those receiving assistance from agencies addressing a variety of needs, such as housing, health, social services, employment, education or youth needs.

This plan identifies a need for additional affordable housing in Gainesville. The City and the Gainesville Housing Authority will continue to work toward the goal of creating additional affordable housing options, which will provide additional housing options for all people exiting an institutional setting and who may otherwise become homeless. The existing nonprofit organizations that serve the homeless population will also continue planning and coordinating procedures to ensure people are not discharged from hospitals or jails into homelessness. Various other homeless prevention efforts will be initiated and maintained by the local organizations participating in the Continuum of Care.

Discussion

Local homeless service providers generally agree that the point-in-time count underestimates the true number of homeless people in the community, yet no more reliable source of data is available. Compared with what is likely a low-end estimate of 149 homeless people in Hall County, the 87 available emergency or transitional housing beds indicate a shortage of at least 36 beds within the community.

AP-75 BARRIERS TO AFFORDABLE HOUSING – 91.220(J)

Introduction:

Market data and stakeholder input both suggest a tight housing market in Gainesville, with low vacancy rates and increasing housing costs. While the market depends largely on the private sector to provide housing, there are roles the City and others can play through policy and regulation that may encourage greater private investment in new housing development in Gainesville.

Several aspects of the City's zoning code could potentially have a negative effect on housing development. For example, the City may want to consider adopting means to allow more flexibility in density and affordable housing development by carving out additional residential zoning districts or subdistricts that allow for a greater mix of housing types, lower minimum lot sizes, and higher multifamily density, and other alternatives such as relaxing the infill residential development standards, providing for cluster developments, density blending, and transfer of development rights in appropriate locations. Permitting or incentivizing conversion of single-family dwellings in high opportunity intown neighborhoods to two-family, 3-family, or multifamily dwellings on large lots also is a strategic way to address the need for more density and infill development in established neighborhoods.

Moreover, the City's land use regulations could go beyond just meeting the minimum FHA standards and affirmatively further and incentivize the development of affordable housing with inclusionary zoning policies. Gainesville has not adopted specific development incentives like density bonuses, reduced parking, or design waivers, reduced or waiver of development impact fees, administrative variances, or expedited permitting for the development of affordable or low-income housing or housing for protected classes.

Taken together, these zoning tools could potentially allow for more supply of housing, which helps put downward pressure on rental and sale prices, so that moderate and low-income families have access to those neighborhoods and all the congruent benefits that come with higher opportunity areas such as access to jobs, better schools, access to transportation, and access to cultural amenities and public accommodations.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

As described more completely in the City's Analysis of Impediments to Fair Housing Choice, the City will work toward removing barriers to affordable housing development related to zoning code issues by reviewing its current code and drafting any amendments that could expand housing choice by making affordable housing development more efficient and less costly. Additionally, the City will continue to be supportive of Low Income Housing Tax Credit development proposals that would add additional affordable rental units to the local housing stock in a manner in keeping with the City's Comprehensive Plan and GICH housing work plan.

AP-85 OTHER ACTIONS – 91.220(K)

Introduction

This section details the City’s actions planned to ensure safe and affordable housing for its residents, along with plans to meet underserved needs, reduce poverty, develop institutional structure, and enhance coordination between public and private sector housing and community development agencies.

Actions planned to address obstacles to meeting underserved needs

The City will work with its community partners to assist low- and moderate-income residents in accessing employment services, childcare, health services, substance abuse counseling and treatment, education programs, services for senior citizens, services for people experiencing homelessness, and fair housing counseling.

Actions planned to foster and maintain affordable housing

In an effort to maintain the current affordable housing stock, the City of Gainesville will continue to provide funding for owner-occupied housing rehabilitation. Since 2001, the City has rehabilitated 48 homes with a total cost of about \$1.3 million. The City also will provide funding for infrastructure activities to support rental and ownership housing development and redevelopment by the Gainesville Housing Authority and Gainesville Nonprofit Development Foundation, Inc. respectively, and will provide down-payment assistance to income-eligible persons and families.

Actions planned to reduce lead-based paint hazards

An important initiative emanating from HUD in the last decade is the reduction of lead-based paint hazards, and many jurisdictions around the country have focused on reaching this goal. The federal Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992) amends the Lead-Based Paint Poisoning Prevention Act of 1971, which is the law covering lead-based paint in federally funded housing. These laws and subsequent regulations issued by the U.S. Department of Housing and Urban Development (24 CFR part 35) protect young children from lead-based paint hazards in housing that is financially assisted or being sold by the federal government.

In property rehabilitation projects involving the City of Gainesville, the City will assess whether lead-based paint might be present and, if so, follow the guidelines set forth in the Residential Lead-Based Paint Hazard Reduction Act of 1992.

The City of Gainesville is committed to testing and abating lead in all pre-1978 housing units assisted with federal grant funds in any of the housing programs it implements. The City will contract with an agency to provide all lead testing and clearance activities. Clearance testing is performed on all completed units.

Discussion:

Actions planned to reduce the number of poverty-level families

The City of Gainesville's anti-poverty strategy focuses on helping all low-income households improve their economic status and remain above poverty levels. This may include, but is not limited to, job training, education, healthcare services, and emergency assistance. Current programs to reduce poverty through access to education and jobs are provided by through WorkSource Georgia Mountains and Lanier Technical College. Emergency assistance is also provided by several nonprofit housing and service agencies in Gainesville and Hall County. Additionally, City of Gainesville's housing programs and activities that support development of affordable housing inherently address poverty by creating housing opportunities for low-income households. Without these housing opportunities, many low-income households would not be able to afford housing rehabilitation costs or to purchase a home.

Actions planned to develop institutional structure

The City of Gainesville will continue to work closely with the United Way, Gainesville Housing Authority, state and local agencies and governments, and other service providers to coordinate delivery of services to city residents. The City has representatives on many nonprofit boards and advisory committees, and the Community & Economic Development Department will continue to consult with various housing, social service, elderly and disability resource agencies to gather data and identify service gaps. While there are unmet needs within the City of Gainesville, we have not identified any significant gaps in the service delivery system provided by the institutions within the city.

Actions planned to enhance coordination between public and private housing and social service agencies

Additionally, the Resident Opportunity and Supportive Services Program (ROSS) will continue to support public housing residents by linking them with valuable community resources to obtain economic self-sufficiency, independence, improved quality of life, and in some cases, helping individuals maintain stable housing as they age.

Discussion:

PROGRAM SPECIFIC REQUIREMENTS

AP-90 PROGRAM SPECIFIC REQUIREMENTS – 91.220(L)(1,2,4)

Introduction:

Projects planned with CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0
3. The amount of surplus funds from urban renewal settlements	\$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	\$0
5. The amount of income from float-funded activities	\$0
Total Program Income	\$0.00

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall benefit – A consecutive period of one, two, or three years may be used to determine that a minimum of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan – 2018, 2019, 2020, 2021, 2022 and 2023.	70%



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023

Date Submitted: April 28, 2023

Final Approval Date: April 28, 2023

Presenter: Abb Hayes, City Attorney

Item of Business: Request from the **City of Gainesville** to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a **1200 and 1204 Marler Street**) and to establish a zoning of Heavy Industrial (H-I). **Ward Number: Three**. Tax Parcel: 00-031-005-001B.
Request: Department of Water Resources water/sewer services.

- Proposed Annexation Ordinance 2023-06
- Proposed Zoning Ordinance 2023-07

Meeting Date: May 2, 2023

Purpose of Request:

To conduct a public hearing regarding the following zoning request as presented at the April 11, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City in order to expand maintenance operations for water and sewer services. The property is currently zoned Heavy Industrial (I-II) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). City of Gainesville property currently adjoins the property to the east and is also located across Marler Street. Other adjacent uses include older Gainesville Mill housing single-family and duplex homes in the county.

Department Recommendation:

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

SAMPLE MOTIONS:

Approval of Ordinance 2023-06:

I move to approve the ordinance to annex the subject property for Department of Water Resources water/sewer services.

Approval of Ordinance 2023-07:

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

Denial of the Request:

I move to deny the request.

Department Director:

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
4. Proposed Zoning Ordinance
5. Location Maps
6. Narrative
7. Plat
8. Photos
9. Proposed Annexation Ord. 2023-06

Vs. Robert Cornett
Civil Action Case Number: 2023CV352BCO
NOTICE OF PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN)
Sarah Cornett filed a petition in the Hall County Superior Court on Feb. 22, 2023, to change the name(s) of the following minor child(ren) from: Grace Blythe Cornett to: Grace-Blythe Cornett
Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA § 519-12-1(0)(2) and (3).
Dated 2/22/23
Petitioner, Pro se
Name: Sarah Cornett
Address: 6324 Blackjack Rd Flowery Branch, GA 30542
Phone(day): (678) 617-9624
118916 3/8, 15, 22, 29

HALL COUNTY SUPERIOR COURT STATE OF GEORGIA
Civil Action Case Number: 2023CV000426JJD
NOTICE OF PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN)

JARY Y. FLORES-MARTINEZ filed a petition in the DeKalb County Superior Court on March 7th ,2023,to change the name(s) of the following minor child(ren) from: JONAH JAZIEL FLORES CAUDILLO to: JONAH JAZIEL FLORES
Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA § 519-12-1 (f)(2) and (3).
Dated: 03/07/2023
Petitioner, Pro se
Name: JARY Y. FLORES-MARTINEZ
Address: 406 Hollywood Circle Gainesville, GA 30501
Phone (Day): 678-989-9296
119406 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: Petition of AMANDA BROOKE BRACKEN, for a Name Change.
Civil Action File No. 2023CV000373
Notice of Filing of Petition for Name Change of Adult
IN THE SUPERIOR COURT OF HALL COUNTY, STATE OF GEORGIA, Civil Action File No.: 2023CV000373
IN RE: Petition of AMANDA BROOKE BRACKEN for the Name Change of an Adult. A petition was filed in the Superior Court of Hall County on February 28, 2023 to change the name of AMANDA BROOKE BRACKEN to A M A N D A BROKEWORTH. Let any interested party appear in this case and file any objection within the time proscribed by O.C.G.A. § 19-12-1. Dated: February 28, 2023, Law Offices of Stephanie Salb, P.C., 4850 Golden Parkway, Suite B-#330, Buford, Georgia, 30518, Attorney for Petitioner. (770) 271-1843, Stephanie.salb@norhtgadivorcelaw.com. This 28th day of February, 2023
Stephanie Salb Attorney for Petitioner
119115 3/8, 15, 22, 29

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: PETITION OF MARIA MARTINEZ TO CHANGE NAME OF ASHLEY MICHELLE

FIGEROA LARA, A MINOR
Civil Action File Number 2023CV000432
NOTICE OF PETITION FOR NAME CHANGE OF MINOR CHILD
GEORGIA, HALL COUNTY
NOTICE is hereby given that Maria Martinez, filed this Petition in the Superior Court of Hall County, Georgia, on the 6th day of March, 2023, praying for a change in the name of the minor child, Ashley Michelle Figeroa Lara to Ashley Michelle Lara.
NOTICE is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty days

of the filing of said Petition.
This 8th day of March, 2023.
/s/ Natalie V. Teston
NATALIE V. TESTON Attorney for Petitioner Georgia Bar No. 292396
Coleman, Chambers & Rogers, LLP
1370 Thompson Bridge Road, Suite 300 Gainesville, Georgia 30501
770-534-3770/770-534-1441 natalie@colemanchambers.com
119493 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: PETITION OF MARIA MARTINEZ TO CHANGE NAME OF MIA DIANA FIGEROA, A MINOR
Civil Action File Number 2023CV000433
NOTICE OF PETITION FOR NAME CHANGE OF MINOR CHILD
GEORGIA, HALL COUNTY
NOTICE is hereby given that Maria Martinez, filed this Petition in the Superior Court of Hall County, Georgia, on the 6th day of March, 2023, praying for a change in the name of the minor child, Mia Diana Figeroa to Mia Diana Lara.
NOTICE is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty days of the filing of said Petition.
This 8 day of March, 2023.
/s/ Natalie V. Teston
NATALIE V. TESTON Attorney for Petitioner Georgia Bar No. 292396
Coleman, Chambers & Rogers, LLP
1370 Thompson Bridge Road, Suite 300 Gainesville, Georgia 30501
770-534-3770/770-534-1441 natalie@colemanchambers.com
119490 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Ryan Kerul, Petitioner.
Civil Action Case Number: 2023CV000439BCO
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Ryan Kerul filed a petition in Hall County Superior Court on March 8th, 2023, to change the name from: Ryan Edward Kerul to Abigail Sophia Kerul. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 3/8/2023
Ryan Kerul Petitioner, Pro se.
Name: Ryan Kerul
Address: 7219 Lake Sterling Blvd Flowery Branch, GA 30542
119744 3/22,29,4/5, 12
IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: Petition of ADDISON SIDNEY BRACKEN, for a Name Change.
Civil Action File No. 2023CV000374
IN RE: Petition of ADDISON SIDNEY BRACKEN for the Name Change of an Adult. A petition was filed in the Superior Court of Hall County on February 28, 2023 to change the name of ADDISON SYDNEY BRACKEN to ADDISON SYDNEY WORTH. Let any interested party appear in this case and file any objection within the time proscribed by O.C.G.A. § 19-12-1. Dated: February 28, 2023, Law Offices of Stephanie Salb, P.C., 4850 Golden Parkway, Suite B-#330, Buford, Georgia, 30518, Attorney for Petitioner. (770) 271-1843, Stephanie.salb@norhtgadivorcelaw.com. This 28th day of February, 2023
Stephanie Salb Attorney for Petitioner
119111 3/8, 15, 22, 29

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: Petition of ADDISON SIDNEY BRACKEN for the Name Change of an Adult. A petition was filed in the Superior Court of Hall County on February 28, 2023 to change the name of ADDISON SYDNEY BRACKEN to ADDISON SYDNEY WORTH. Let any interested party appear in this case and file any objection within the time proscribed by O.C.G.A. § 19-12-1. Dated: February 28, 2023, Law Offices of Stephanie Salb, P.C., 4850 Golden Parkway, Suite B-#330, Buford, Georgia, 30518, Attorney for Petitioner. (770) 271-1843, Stephanie.salb@norhtgadivorcelaw.com. This 28th day of February, 2023
Stephanie Salb Attorney for Petitioner
119111 3/8, 15, 22, 29
SUPERIOR COURT HALL COUNTY STATE OF GEORGIA
In re the Name Change of:

Waneda Jordan, Petitioner.
Civil Action Case Number: 2023CV369BCO
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Waneda Jordan filed a petition in the Superior Court of Hall County on February 27th, 2023, to change the from: Waneda Jordan to Joann Juanita Jordan. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 2/27/2023
Petitioner, Pro se
Name: Waneda Jordan
Address: 1929 Friendship Rd Apt.2403, Hoschton, GA 30548
E m a i l : RANDALLCJORDAN@YAHOO.COM
Phone (day): 678-936-1112
119028 3/8, 15, 22, 29

SUPERIOR COURT HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Brian Reese Thaxton Jr, Petitioner.
Civil Action Case Number: 2023CV455LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Brian Thaxton Jr filed a petition in the Superior Court of Hall County on March 10, 2023 to change the name from Brian Reese Thaxton Jr to Brian Reese Wallace. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 2-23-2023
Petitioner Pro se
Name: Brian Thaxton Jr
Address: 3812 Clubhouse Dr Gainesville, GA 30501
Email: Brian107751t@icloud.com
Phones(day): 678-725-6470
119564 3/22, 29, 4/5, 12

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of Jennifer Lee Tamayo
Petitioner.
Civil Action File No.: 2023CV000368
NOTICE OF PETITION TO CHANGE NAME OF ADULT
An action was filed in the Superior court of Hall County on FEB 27, 2023 ,to change the Petitioner's name as follows:
Petitioner's name: Jennifer Lee Tamayo
Desired new name: Jennifer Lee Medina
Any interested party has the right to appear in this case and file objection before the final judgment is ordered in this case.
Dated: 2/16/2023
Name: Jennifer Lee Tamayo
Address: 3272 Rose Petal St Gainesville, Georgia 30507
City, State ZIP Phone: 678-522-4245
Email: jennifer.medina428@gmail.com
118971 3/8, 15, 22, 29

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Angela Purvis, Petitioner.
Civil Action Case Number: 2023CV000511LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Angela Purvis filed a petition in the Superior Court of Hall County on March 15th, 2023 to change the name from: Angela DeAnne Purvis to DeAnne Sullivan Purvis. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: March 15, 2023
Angela DeAnne Purvis Petitioner, Pro se.
Name: Angela DeAnne Purvis
Address: 5736 Pleasant Woods Drive Flowery Branch, GA 30542
Email: deannespurvis@gmail.com
Phone (day): 470-509-9457
119709 3/22, 29, 4/5, 12

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re Name Change of Children
Colsten Jack Johnson
Jessica Cain
Petitioner
V Joshua Johnson
Respondent
Civil Action File No 2023CV109A

NOTICE OF FILING PETITION TO CHANGE NAMES OF MINOR CHILDREN
A petition was filed in the Superior Court of Hall County on January 20, 2023 to change the name of the following minor children
From Colsten Jack Johnson Proposed New Name Colsten Jack Cain
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 1/20/2023
/s/ Jessica Cain
Petition Pro se
118639 3/1,8,15,22

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Jordan M. Jones, Petitioner.
Civil Action Case Number: 2023CV000414LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Jordan M. Jones filed a petition in the Superior Court of Hall County on 3/6, 2023 to change the name from: Jordan Maurice Jones to: Jordan Maurice McLee. Any interest party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 3/6/23
Jordan M. Jones Petitioner, Pro se
Name: Jordan M. Jones
AddressL 6643 Splash Water Dr
Email: Jordanmclcee44@gmail.com
Phone (day) 678-361-1320
119361 3/15, 22, 29, 4/5

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Lydia McMurray, Petitioner.
Civil Action Case Number: 2023CV000346CGB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Lydia McMurray filed a petition in the Superior Court of Hall County on 2/20/2023, to change the name from: Lydia Rachele McMurray to Lydia Rachele Mabee. Any interested party has the right to appear in this case and filed objections with 30 days after the Petition was filed.
Dated:3/3/2023
Lydia McMurray Petitioner Pro se
Name: Lydia McMurray
Address:4207 Swamp Cypress Trl. Gainesville, GA 30504
E m a i l : LydiaMcMurray21@gmail.com
Phone(day): 770-519-7583
119257 3/8, 12, 19, 26

Public Hearings

NOTICE OF HISTORIC P R E S E R V A T I O N COMMISSION MEETING

NOTICE is hereby given that the Gainesville Historic Preservation Commission will conduct a public hearing on Monday, April 10, 2023 at 5:30 p.m. This meeting will be held in the Community & Economic Development Office Plan Review Conference Room, which is located at 311 Henry Ward Way, 1st floor, in downtown Gainesville for the following request:

1)Request from Quinlan Visual Arts Center (Quinlan Arts, Inc.) for a Certificate of Appropriateness for a Major Work Project involving building changes on a 1.23± acres tract located on the northeast corner of the intersection of Green Street and Candler Street on the northeast (a/k/a 514 Green Street, NE).
Ward Number: Two
Local Historic District: Green Street LHD
Tax Parcel Number(s): 01-039-001-011
Proposed Work Project: B u i l d i n g changes, involving the roof and gutter system
119807 3/22

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the Gainesville Planning and Appeals Board will conduct a public hearing on Tuesday, April 11, 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 from the City of Gainesville to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a 1200 and 1204 Marler Street) and to establish a zoning of Heavy Industrial (H-I).
Ward Number: Three
Tax Parcel Number(s): 00-031-005-001B
Request: Department of Water Resources water/ sewer services

2) Request from Bradley Duncel to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a 1113 and 1117 Green Street Circle) from Residential-I (R-I) to Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 01-074-002-015 and 022
Request: Office uses

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, May 2, 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 from the City of Gainesville to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a 1200 and 1204 Marler Street) and to establish a zoning of Heavy Industrial (H-I).
Ward Number: Three
Tax Parcel Number(s): 00-031-005-001B
Request: Department of Water Resources water/ sewer services

2) Request from Bradley Duncel to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a 1113 and 1117 Green Street Circle) from Residential-I (R-I) to Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 01-074-002-015 and 022
Request: Office uses

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))
119704 3/22

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 recommendation on such application for annexation and rezoning on April 11, 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, May 1, 2023 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.
This 13th day of March, 2023.

CHANDLER, BRITT & JAY, LLC
City Attorneys

OWNER: NANETTE O. CROSS
CURRENTLY ZONED: AR-III
PROPOSED ZONING: RA-200
LOCATION: 3518 N. BOGAN RD
All that tract or parcel of land lying and being in Land Lots 155 and 156 of the 8th District, Hall County, Georgia, containing 1.00 acre and being more particularly described in deed from Nanette C. Cross, Executor of Curtis Benson Cross estate to Nanette O. Cross, dated March 3, 2020 and recorded in Deed Book 8440, Page 20, Hall County, Georgia Records.
Parcel ID: 08156 002020

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 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 1237.49 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;
THENCE 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, 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: South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;
THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2” rebar found;
THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 55 minutes 38 seconds West for a distance of 697.26 feet to a point;
THENCE South 54 degrees 07 minutes 39 seconds West for a distance of 699.94 feet to a point;
THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 368.19 feet to a 1/2” rebar found;

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 29 degrees 55 minutes 57 seconds West for a distance of 358.58 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 of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

OWNER: CIV Friendship Business Park II, LLC
CURRENTLY ZONED: AR-III
PROPOSED ZONING: M-1
ADDRESS: 4740 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;
THENCE 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, 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: South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;
THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2” rebar found;
THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 55 minutes 38 seconds West for a distance of 697.26 feet to a point;
THENCE South 54 degrees 07 minutes 39 seconds West for a distance of 699.94 feet to a point;
THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 368.19 feet to a 1/2” rebar found;

Applicant and Property Owner	City of Gainesville
Location	1200 and 1204 Marler Street
Request	Annex, with H-I zoning
Total Acres	1.866±
Ward	Three
Proposed Use	Department of Water Resources water/sewer services
Planning Division Staff Recommendation	Approval
Planning & Appeals Board Recommendation	Approval
Date	April 11, 2023

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City in order to expand maintenance operations for water and sewer services. There are no specific plans at this time regarding what improvements will be made to the property. The property is currently zoned Heavy Industrial (I-II) and Office Institutional (O-I) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). The property was previously occupied by a roofing and sheet metal contractor business. Properties owned by the City of Gainesville adjoin the subject property to the east and to the north across Marler Street which are used for public utility purposes. Other adjacent uses include older Gainesville Mill housing single-family and duplex homes in the county.

Location	Use	Zoning
North	City of Gainesville Water Resources	Heavy Industrial (H-I) - City
South	Single-family and duplex homes (Gainesville Mill housing)	Residential-II (R-II) - County
East	City of Gainesville Water Resources	Heavy Industrial (H-I) - City
West	Duplex home City of Gainesville Water Resources	Residential-II (R-II) - County Heavy Industrial (H-I) - City

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:

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.

2021 – A request by Koch Foods of Gainesville, LLC to rezone 0.55± acre tract from Residential-II (R-II) to Heavy Industrial (H-I) located at 911, 913 and 919 Davis Street, SW was conditionally approved to expand the existing poultry processing plant.

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.

2020- A request by Davis Pine, LLC to rezone a 0.47± acre tract located at 890, 892 and 898 Wills Street, SW from General Business (G-B) to Residential-II (R-II) for seven multi-family apartments was approved with conditions.

2020- A request by the Gainesville Non-Profit Development Foundation to rezone a 1.07± acres tract located at 623, 635, 641 and 645 Davis Street, SW from General Business (G-B) and Heavy Industrial (H-I) to Residential-II (R-II) for four single-family homes was approved with conditions.

▪ **Staff Analysis**

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

The subject property has functioned for industrial purposes adjacent and nearby property consists of mostly Heavy Industrial zoned property within the jurisdictions of Gainesville and Hall County. However, the property is adjacent to established Gainesville Mill housing in the county which is zoned for residential purposes. The City of Gainesville currently owns and operates the adjacent properties to the east and to the north across Marler Street. It appears the proposal is suitable given how much of the adjacent properties are used for public purposes.

(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. Any future improvements made to the property will be required to adequately buffer the adjacent residential uses. It is anticipated that the property will function similarly as the adjacent Gainesville Water Resources operations.

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

The Future Development Map for the City of Gainesville places the property within the *General Mixed Use* land use category. This includes areas contain or are planned for a mixture of land uses including office, neighborhood retail, and detached and attached residential. The types of nonresidential uses that are desirable in this area would include restaurants, specialty retail and low intensity office.

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 a wide range of office, business, light industrial, manufacturing, research, and development uses; and commercial uses that directly support or are otherwise linked to the dominant business use as well as mixed-use, residential (existing uses only), public / institutional, transportation / communications / utilities, and parks / recreation / conservation uses.

In addition, the Comprehensive Plan includes the subject property within the redevelopment concept plan for the Mill Village & Midland Infill area. The long-range plan envisions the old Gainesville Mill serving as a mixed-use building (retail/office/apartments) and surrounding properties consisting of mixed-use, light industrial, commercial, multi-family, townhomes and single-family uses as a way to reactivate and revitalize the area south of Midland.

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

The subject property is zoned Heavy Industrial (I-II) and Office Institutional (O-I) within unincorporated Hall County. The City of Gainesville recently acquired the property and desires to annex the property into the city limits with H-I zoning to be consistent with the adjacent City owned property.

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

The property will be used to expand existing Department of Water Resources Operations and will function in a similar manner as the adjacent Water Resources operations. City water and sewer services are currently provided to the property. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 0.8± mile from the subject property.

It is anticipated that the ingress and egress traffic movements will function similar to the existing industrial traffic along Marler Street and nearby Dean Street and Hancock Avenue. Traffic movements along Marler Street are acceptable but are periodically impacted due to the nearby Norfolk Southern railway train crossings. The property currently has three driveways that function adequately but are anticipated to be improved according to the needs for the Water Resources utility.

The proposed use will have no impact on the Gainesville City School System given the proposal is for public utility purposes.

(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 established industrial and residential uses. It is anticipated that the property will be utilized for public purposes but could eventually include mixture of residential and light industrial uses along Marler Street as part of the overall redevelopment of the Gainesville Mill Village. Revitalizing the area south of Midland is an important goal of the Gainesville Comprehensive Plan which will require annexing additional properties and improving nearby blighted properties. 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 public facilities and industrial properties, the proposal 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 **approval** of this annexation request with **Heavy Industrial (H-I) zoning**, based on the Comprehensive Plan and the adjacent industrial uses.

Excerpts from the April 11, 2023 PAB Meeting Minutes

FAVOR: None

OPPOSE: **Barbara Hooper**, 3 Dean Street, stated her concerns were street access, fencing for security purposes, security system, and natural barriers to protect the neighbors in the residential area. She said she owns two properties next to it which is a vacant lot and her home. Another concern was the size of buildings planned, noise issues with trucks and if gravel or sand is stored on the property to keep it away from the residential area. She stated another concern was the future proposed development for midtown and would like the proposed use to be good for all.

Planning and Appeals Board Comments: None

There was a motion to recommend approval of the annexation request and establish zoning as Heavy Industrial (H-I).

Motion made by Board Member White
Motion seconded by Board Member Simmons
Vote – 5 favor, 2 absent (Carter, Martin)

Passed: _____

AN ORDINANCE

No. 2023-

AN ORDINANCE ANNEXING A 1.866± ACRES TRACT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MARLER STREET AND DEAN STREET (A/K/A 1200 AND 1204 MARLER STREET) ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

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

Legal Description

All that tract of land lying in the G.M.D 411 (Gainesville) District of Hall County, Georgia, and being 1.866 acres as shown and delineated on a plat of survey recorded in Plat Slide 728, page 120A, Hall County, Plat Records, which plat and the description thereon is herein incorporated by references for a more complete description.

COMMENCE at the centerline intersection of Marler Street and Hancock Avenue (A.K.A Candler Road) THENCE North 55 degrees 08 minutes 55 seconds East for a distance of 338.13 feet to a PK nail set on the right of way of Dunlap Street, said point being the **POINT OF BEGINNING**.

THENCE leaving the right of way of Dunlap Street (40' right-of-way) South 29 degrees 16 minutes 00 seconds East for a distance of 205.10 feet to a 1 inch square open top found; THENCE South 29 degrees 29 minutes 50 seconds East for a distance of 50.79 feet to a ½ inch rebar found; THENCE South 53 degrees, 21 minutes 55 seconds West for a distance of 201.87 feet to a ¾ inch crimp top pipe found; THENCE North 42 degrees 19 minutes 50 seconds West for a distance of 48.31 feet to a 1 inch square open top pipe found; THENCE North 44 degrees 08 minutes 00 seconds West for a distance of 20.76 feet to a ½ inch rebar found; THENCE South 51 degrees 15 minutes 45 seconds West for a distance of 195.89 feet to a ½ inch open top found at the East side of the right of way of Dean Street; THENCE North 39 degrees 33 minutes 00 seconds West for a distance of 131.82 feet to a PK nail set found at the Southeast side of the intersection of Marler Street and Dean Street; THENCE North 45 degrees 35 minutes 15 seconds East for a distance of 444.43 feet, said being the **POINT OF BEGINNING**.

ORDINANCE NO. 2023 -

Said property contains **1.866 Acres** more or less.

SECTION II

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

SECTION III

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

SECTION IV

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that 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-

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING A 1.866± ACRES TRACT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MARLER STREET AND DEAN STREET (A/K/A 1200 AND 1204 MARLER STREET) AT THE TIME OF ANNEXATION AS HEAVY INDUSTRIAL (H-I); 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 (H-I)**.

Legal Description

All that tract of land lying in the G.M.D 411 (Gainesville) District of Hall County, Georgia, and being 1.866 acres as shown and delineated on a plat of survey recorded in Plat Slide 728, page 120A, Hall County, Plat Records, which plat and the description thereon is herein incorporated by references for a more complete description.

COMMENCE at the centerline intersection of Marler Street and Hancock Avenue (A.K.A Candler Road) **THENCE** North 55 degrees 08 minutes 55 seconds East for a distance of 338.13 feet to a PK nail set on the right of way of Dunlap Street, said point being the **POINT OF BEGINNING**.

THENCE leaving the right of way of Dunlap Street (40' right-of-way) South 29 degrees 16 minutes 00 seconds East for a distance of 205.10 feet to a 1 inch square open top found; **THENCE** South 29 degrees 29 minutes 50 seconds East for a distance of 50.79 feet to a ½ inch rebar found; **THENCE** South 53 degrees, 21 minutes 55 seconds West for a distance of 201.87 feet to a ¾ inch crimp top pipe found; **THENCE** North 42 degrees 19 minutes 50 seconds West for a distance of 48.31 feet to a 1 inch square open top pipe found; **THENCE** North 44 degrees 08 minutes 00 seconds West for a distance of 20.76 feet to a ½ inch rebar found; **THENCE** South 51 degrees 15 minutes 45 seconds West for a distance of 195.89 feet to a ½ inch open top found at the East side of the right of way of Dean Street; **THENCE** North 39 degrees 33 minutes 00 seconds West for a distance of 131.82 feet to a PK nail set found at the Southeast side of the intersection of Marler Street and Dean Street; **THENCE** North 45 degrees 35 minutes 15 seconds East for a distance of 444.43 feet, said being the **POINT OF BEGINNING**.

Said property contains **1.866 Acres** more or less.

ORDINANCE NO. 2023 -

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.

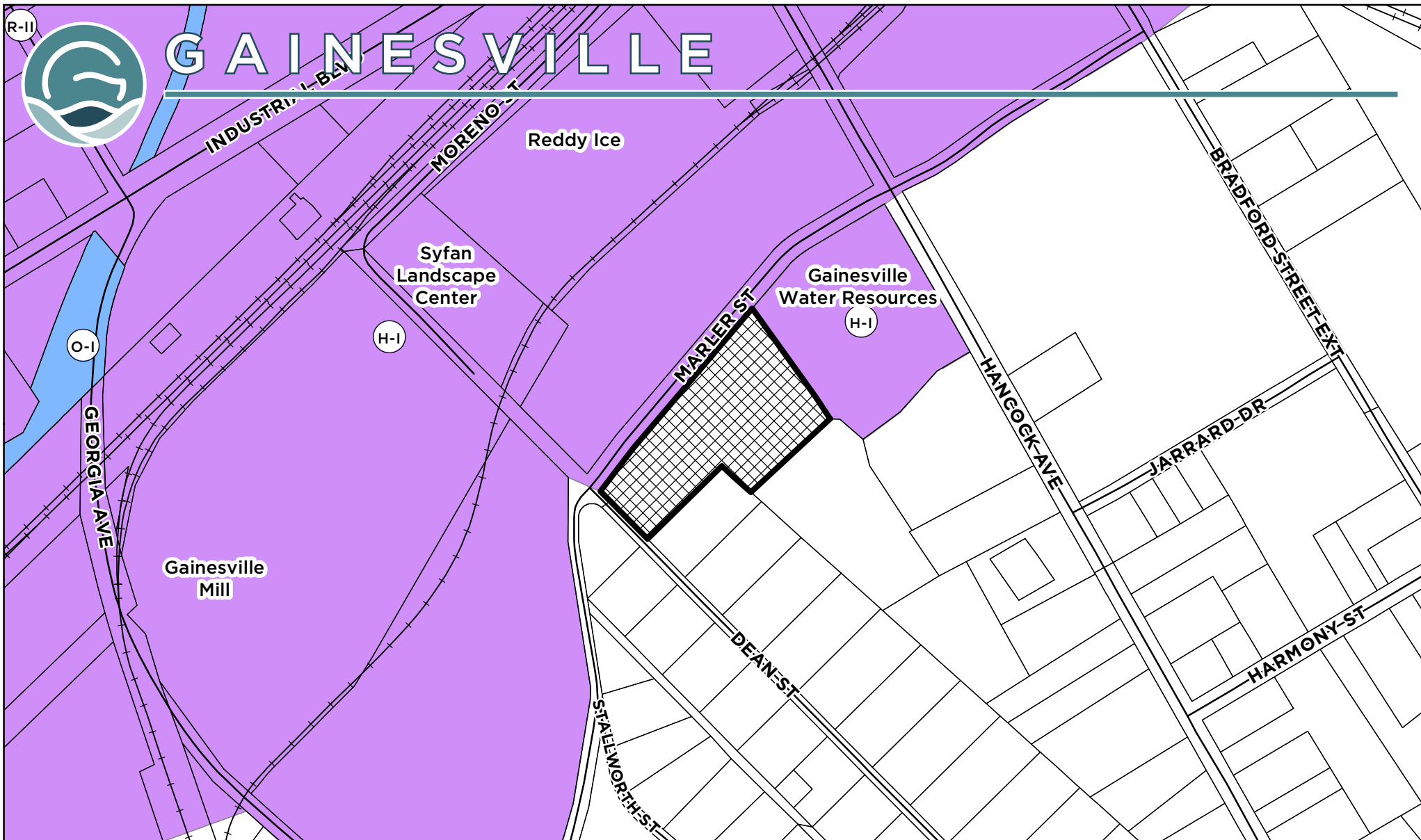
ATTEST:

Denise O. Jordan, City Clerk

R-II



GAINESVILLE



Applicant:

CITY OF GAINESVILLE

ANNEXATION REQUEST

Subject Property Address:

1200 & 1204 Marler Street

Tax Parcel:

00-031-005-001B

Request:

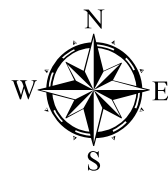
Annex a 1.866+/- acres tract and establish zoning as Heavy Industrial (H-I) for water and sewer services for the Department of Water Resources



Subject Property

0 130 260 390 520 Feet

SCALE: 1" = 250'





GAINESVILLE



Applicant:

CITY OF GAINESVILLE

ANNEXATION REQUEST

Subject Property Address:

1200 & 1204 Marler Street

Tax Parcel:

00-031-005-001B

Request:

Annex a 1.866+/- acres tract and establish zoning as Heavy Industrial (H-I) for water and sewer services for the Department of Water Resources



Subject Property

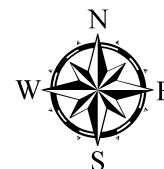
Aerial from 2021

Meeting Date: 04/11/2023

Map Prepared: 03/01/2023

0 130 260 390 520 Feet

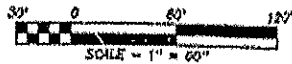
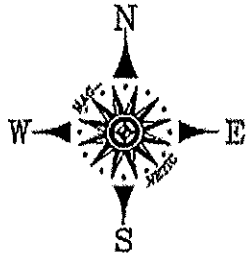
SCALE: 1" = 250'



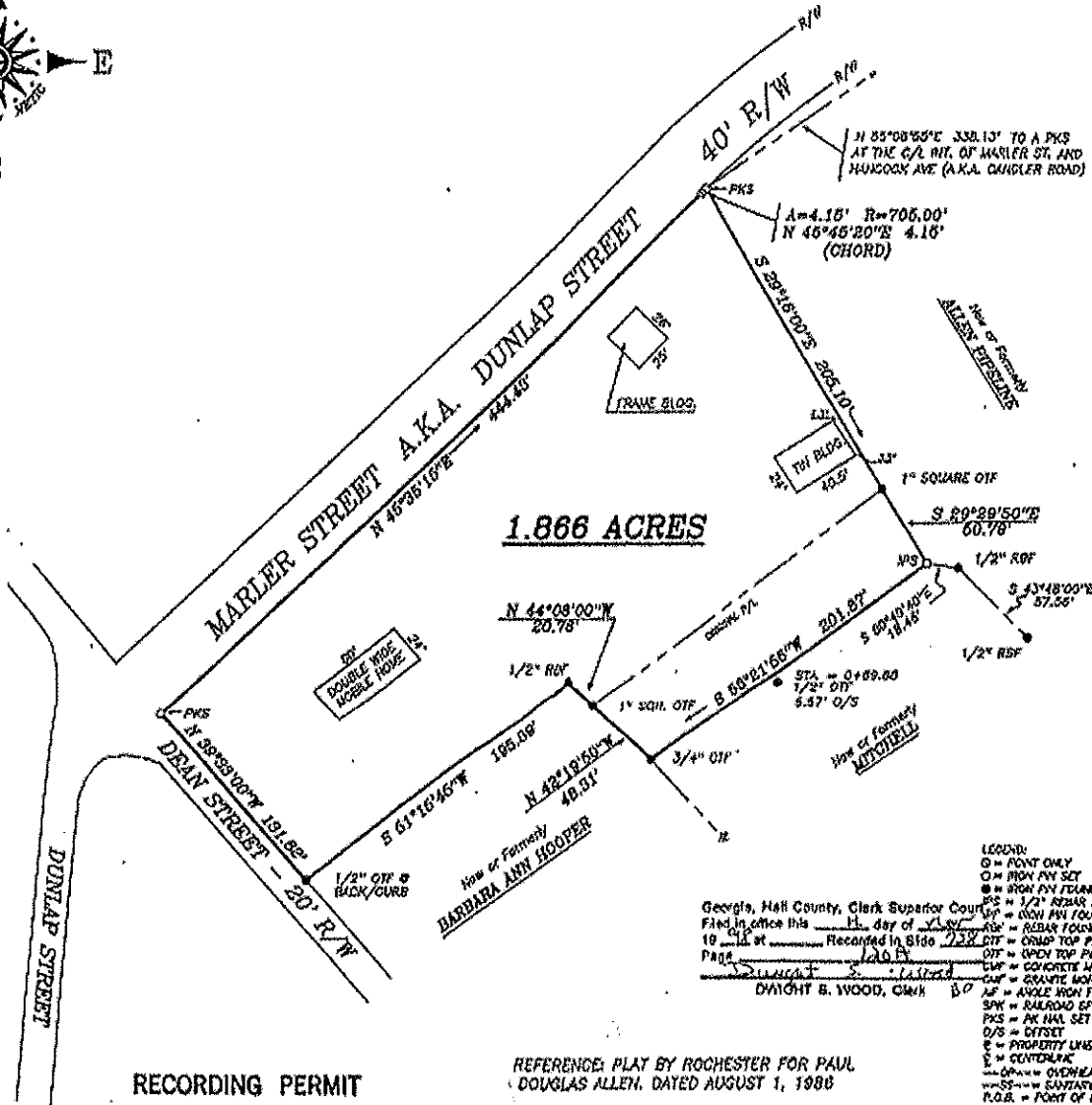
City of Gainesville Annexation Narrative

1200 and 1204 Marler Street

The City of Gainesville is proposing to annex a 1.866± acres property with a zoning of Heavy Industrial (H-I) zoning. The property is located at the southeast corner of the intersection of Marler Street and Dean Street, and was recently purchased by the City to expand water and sewer services as part of the Department of Water Resources. The property is currently zoned Heavy Industrial (I-II) within unincorporated Hall County and contains four buildings (two small office structures and two metal warehouse buildings). City of Gainesville property currently adjoins the property to the east and is also located across Marler Street.



THIS PLAT IS SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY HERETOFORE GRANTED.



LEGEND:
 O = POINT ONLY
 □ = IRON PIN SET
 ● = IRON PIN FOUND
 RS = 1/2\"/>

Georgia, Hall County, Clerk Superior Court
 Filed in office this 11. day of 11/97
 10 of 11 at Recorded in Side 728 DT
 Page 120 of 120
 DWIGHT B. WOOD, Clerk

REFERENCE: PLAT BY ROCHESTER FOR PAUL DOUGLAS ALLEN, DATED AUGUST 1, 1988

RECORDING PERMIT
 By [Signature]
 GAINESVILLE PLANNING COMMISSION

	SURVEY FOR: PAUL DOUGLAS ALLEN			
	COUNTY: HALL	G.M.D.: 411 GAINESVILLE	STATE: GEORGIA	
	DATE: OCTOBER 20, 1990	SCALE: 1" = 60'	PARTY CHIEF: WSB	
	SURVEYED BY: BAUKNIGHT & ASSOCIATES, INC.		DRAWN BY: WSB	
	W. SLATE BAUKNIGHT GEORGIA REG # 2534 2397 BETHANY BOWERSVILLE RD. CAULON, GA 30520 706-378-3918 706-245-0927 CALL TOLL FREE 1-800-376-3846		APPROVED BY: WSB	
			OLD FILE: DGALLENE	
			NEW FILE: DGALLENE	LOCATION MAP

THE FIELD EQUIPMENT USED FOR THIS SURVEY WAS A SURVEY SET.
 THE FIELD DATA OBTAINED FOR THIS PLAT IS BASED UPON A CLOSURE PRECISION OF ONE FOOT IN 12,562 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT AND WAS ADJUSTED USING THE RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 12,562 FEET.
 I HEREBY CERTIFY, THAT IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



Passed: _____

AN ORDINANCE

No. 2023-06

AN ORDINANCE ANNEXING A 1.866± ACRES TRACT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MARLER STREET AND DEAN STREET (A/K/A 1200 AND 1204 MARLER STREET) ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

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

Legal Description

All that tract of land lying in the G.M.D 411 (Gainesville) District of Hall County, Georgia, and being 1.866 acres as shown and delineated on a plat of survey recorded in Plat Slide 728, page 120A, Hall County, Plat Records, which plat and the description thereon is herein incorporated by references for a more complete description.

COMMENCE at the centerline intersection of Marler Street and Hancock Avenue (A.K.A Candler Road) THENCE North 55 degrees 08 minutes 55 seconds East for a distance of 338.13 feet to a PK nail set on the right of way of Dunlap Street, said point being the **POINT OF BEGINNING**.

THENCE leaving the right of way of Dunlap Street (40' right-of-way) South 29 degrees 16 minutes 00 seconds East for a distance of 205.10 feet to a 1 inch square open top found; THENCE South 29 degrees 29 minutes 50 seconds East for a distance of 50.79 feet to a ½ inch rebar found; THENCE South 53 degrees, 21 minutes 55 seconds West for a distance of 201.87 feet to a ¾ inch crimp top pipe found; THENCE North 42 degrees 19 minutes 50 seconds West for a distance of 48.31 feet to a 1 inch square open top pipe found; THENCE North 44 degrees 08 minutes 00 seconds West for a distance of 20.76 feet to a ½ inch rebar found; THENCE South 51 degrees 15 minutes 45 seconds West for a distance of 195.89 feet to a ½ inch open top found at the East side of the right of way of Dean Street; THENCE North 39 degrees 33 minutes 00 seconds West for a distance of 131.82 feet to a PK nail set found at the Southeast side of the intersection of Marler Street and Dean Street; THENCE North 45 degrees 35 minutes 15 seconds East for a distance of 444.43 feet, said being the **POINT OF BEGINNING**.

ORDINANCE NO. 2023-06

Said property contains **1.866 Acres** more or less.

SECTION II

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

SECTION III

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

SECTION IV

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that 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



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 27, 2023
Date Submitted: April 28, 2023
Final Approval Date: April 28, 2023
Presenter: Abb Hayes, City Attorney
Item of Business: Request from **Bradley Duncel** to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a **1113 and 1117 Green Street Circle**) from Residential-I (R-I) to Office and Institutional (O-I). **Ward Number: Two.** Tax Parcel Number(s): 01-074-002-015 and 022. **Request: Office uses.**

- Proposed Rezoning Ordinance 2023-08

Meeting Date: May 2, 2023

Purpose of Request:

To conduct a public hearing regarding the zoning request as presented at the April 11, 2023 Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The applicant is proposing to rezone the property from Residential-I (R-I) to Office and Institutional (O-I) for office uses which may include a medical office/clinic, business service establishment or a general office. The proposed office building is one-story and approximately 2,000 square feet in size. The property consists of two parcels which contain a sewer easement in the middle of the two tracts along the combined property line. Shared access is proposed from the adjacent James Kennedy State Farm insurance office property which has an existing driveway on Green Street Circle. Other adjacent uses include a professional office, Stans Biscuits/Deli restaurant and single-family homes located to the rear of the property off of Green Street Circle. Jacobs Media/WDUN and the Thompson Court shopping center are located directly across Thompson Bridge Road.

Department Recommendation:

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

SAMPLE MOTIONS:

Approval of Ordinance 2023-08:

I move to approve the ordinance to rezone the subject property from Residential-I (R-I) to Office and Institutional (O-I) with seven 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 Rezoning Ordinance 2023-08
4. Location Maps
5. Narrative
6. Site plan
7. Survey
8. Architectural Renderings

Vs. Robert Cornett
Civil Action Case Number: 2023CV352BCO
NOTICE OF PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN)
Sarah Cornett filed a petition in the Hall County Superior Court on Feb. 22, 2023, to change the name(s) of the following minor child(ren) from: Grace Blythe Cornett to: Grace-Blythe Cornett
Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA § 19-12-1(0)(2) and (3).
Dated 2/22/23
Petitioner, Pro se
Name: Sarah Cornett
Address: 6324 Blackjack Rd Flowery Branch, GA 30542
Phone(day): (678) 617-9624
118916 3/8, 15, 22, 29

HALL COUNTY SUPERIOR COURT STATE OF GEORGIA
Civil Action Case Number: 2023CV000426JJD
NOTICE OF PETITION TO CHANGE NAME(S) OF MINOR CHILD(REN)

JARY Y. FLORES-MARTINEZ filed a petition in the DeKalb County Superior Court on March 7th ,2023,to change the name(s) of the following minor child(ren) from: JONAH JAZIEL FLORES CAUDILLO to: JONAH JAZIEL FLORES
Any interested party has the right to appear in this case and file objections within the time prescribed in OCGA § 19-12-1 (f)(2) and (3).
Dated: 03/07/2023
Petitioner, Pro se
Name: JARY Y. FLORES-MARTINEZ
Address: 406 Hollywood Circle Gainesville, GA 30501
Phone (Day): 678-989-9296
119406 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: Petition of AMANDA BROOKE BRACKEN, for a Name Change.
Civil Action File No. 2023CV000373
Notice of Filing of Petition for Name Change of Adult
IN THE SUPERIOR COURT OF HALL COUNTY, STATE OF GEORGIA, Civil Action File No.: 2023CV000373
IN RE: Petition of AMANDA BROOKE BRACKEN for the Name Change of an Adult. A petition was filed in the Superior Court of Hall County on February 28, 2023 to change the name of AMANDA BROOKE BRACKEN to A M A N D A BROKEWORTH. Let any interested party appear in this case and file any objection within the time proscribed by O.C.G.A. § 19-12-1. Dated: February 28, 2023, Law Offices of Stephanie Salb, P.C., 4850 Golden Parkway, Suite B-#330, Buford, Georgia, 30518, Attorney for Petitioner. (770) 271-1843, Stephanie.salb@norhtgadivorcelaw.com. This 28th day of February, 2023
Stephanie Salb Attorney for Petitioner
119115 3/8, 15, 22, 29

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: PETITION OF MARIA MARTINEZ TO CHANGE NAME OF ASHLEY MICHELLE

FIGEROA LARA, A MINOR
Civil Action File Number 2023CV000432
NOTICE OF PETITION FOR NAME CHANGE OF MINOR CHILD
GEORGIA, HALL COUNTY
NOTICE is hereby given that Maria Martinez, filed this Petition in the Superior Court of Hall County, Georgia, on the 6th day of March, 2023, praying for a change in the name of the minor child, Ashley Michelle Figeroa Lara to Ashley Michelle Lara.
NOTICE is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty days

of the filing of said Petition.
This 8th day of March, 2023.
/s/ Natalie V. Teston
NATALIE V. TESTON Attorney for Petitioner Georgia Bar No. 292396
Coleman, Chambers & Rogers, LLP
1370 Thompson Bridge Road, Suite 300 Gainesville, Georgia 30501
770-534-3770/770-534-1441 natalie@colemanchambers.com
119493 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: PETITION OF MARIA MARTINEZ TO CHANGE NAME OF MIA DIANA FIGEROA, A MINOR
Civil Action File Number 2023CV000433
NOTICE OF PETITION FOR NAME CHANGE OF MINOR CHILD
GEORGIA, HALL COUNTY
NOTICE is hereby given that Maria Martinez, filed this Petition in the Superior Court of Hall County, Georgia, on the 6th day of March, 2023, praying for a change in the name of the minor child, Mia Diana Figeroa to Mia Diana Lara.
NOTICE is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty days of the filing of said Petition.
This 8 day of March, 2023.
/s/ Natalie V. Teston
NATALIE V. TESTON Attorney for Petitioner Georgia Bar No. 292396
Coleman, Chambers & Rogers, LLP
1370 Thompson Bridge Road, Suite 300 Gainesville, Georgia 30501
770-534-3770/770-534-1441 natalie@colemanchambers.com
119490 3/15, 22, 29, 4/5

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Ryan Kerul, Petitioner.
Civil Action Case Number: 2023CV000439BCO
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Ryan Kerul filed a petition in Hall County Superior Court on March 8th, 2023, to change the name from: Ryan Edward Kerul to Abigail Sophia Kerul. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 3/8/2023
Ryan Kerul Petitioner, Pro se.
Name: Ryan Kerul
Address: 7219 Lake Sterling Blvd Flowery Branch, GA 30542
119744 3/22,29,4/5, 12
IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
IN RE: Petition of ADDISON SIDNEY BRACKEN, for a Name Change.
Civil Action File No. 2 0 2 3 C V 0 0 0 3 7 4
Notice of Filing of Petition for Name Change of Adult

IN THE SUPERIOR COURT OF HALL COUNTY, STATE OF GEORGIA, Civil Action File No. 2023CV000374, IN RE: Petition of ADDISON SIDNEY BRACKEN for the Name Change of an Adult. A petition was filed in the Superior Court of Hall County on February 28, 2023 to change the name of ADDISON SYDNEY BRACKEN to ADDISON SYDNEY WORTH. Let any interested party appear in this case and file any objection within the time proscribed by O.C.G.A. § 19-12-1. Dated: February 28, 2023, Law Offices of Stephanie Salb, P.C., 4850 Golden Parkway, Suite B-#330, Buford, Georgia, 30518, Attorney for Petitioner. (770) 271-1843, Stephanie.salb@norhtgadivorcelaw.com. This 28th day of February, 2023
Stephanie Salb Attorney for Petitioner
119111 3/8, 15, 22, 29
SUPERIOR COURT HALL COUNTY STATE OF GEORGIA
In re the Name Change of:

Waneda Jordan, Petitioner.
Civil Action Case Number: 2023CV369BCO
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Waneda Jordan filed a petition in the Superior Court of Hall County on February 27th, 2023, to change the from: Waneda Jordan to Joann Juanita Jordan. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 2/27/2023
Petitioner, Pro se
Name: Waneda Jordan
Address: 1929 Friendship Rd Apt.2403, Hoschton, GA 30548
E m a i l : RANDALLCJORDAN@YAHOO.COM
Phone (day): 678-936-1112
119028 3/8, 15, 22, 29

SUPERIOR COURT HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Brian Reese Thaxton Jr, Petitioner.
Civil Action Case Number: 2023CV455LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Brian Thaxton Jr filed a petition in the Superior Court of Hall County on March 10, 2023 to change the name from Brian Reese Thaxton Jr to Brian Reese Wallace. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 2-23-2023
Petitioner Pro se
Name: Brian Thaxton Jr
Address: 3812 Clubhouse Dr Gainesville, GA 30501
Email: Brian107751t@icloud.com
Phones(day): 678-725-6470
119564 3/22, 29, 4/5, 12

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of Jennifer Lee Tamayo
Petitioner.
Civil Action File No.: 2023CV000368
NOTICE OF PETITION TO CHANGE NAME OF ADULT
An action was filed in the Superior court of Hall County on FEB 27, 2023 ,to change the Petitioner's name as follows:
Petitioner's name: Jennifer Lee Tamayo
Desired new name: Jennifer Lee Medina
Any interested party has the right to appear in this case and file objection before the final judgment is ordered in this case.
Dated: 2/16/2023
Name: Jennifer Lee Tamayo
Address: 3272 Rose Petal St Gainesville, Georgia 30507
City, State ZIP Phone: 678-522-4245
Email: jennifer.medina428@gmail.com
118971 3/8, 15, 22, 29

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Angela Purvis, Petitioner.
Civil Action Case Number: 2023CV000511LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Angela Purvis filed a petition in the Superior Court of Hall County on March 15th, 2023 to change the name from: Angela DeAnne Purvis to DeAnne Sullivan Purvis. Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: March 15, 2023
Angela DeAnne Purvis Petitioner, Pro se.
Name: Angela DeAnne Purvis
Address: 5736 Pleasant Woods Drive Flowery Branch, GA 30542
Email: deannespurvis@gmail.com
Phone (day): 470-509-9457
119709 3/22, 29, 4/5, 12

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re Name Change of Children Colsten Jack Johnson Jessica Cain
Petitioner V Joshua Johnson
Respondent
Civil Action File No 2023CV109A

NOTICE OF FILING PETITION TO CHANGE NAMES OF MINOR CHILDREN
A petition was filed in the Superior Court of Hall County on January 20, 2023 to change the name of the following minor children From Colsten Jack Johnson Proposed New Name Colsten Jack Cain
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 1/20/2023
/s/ Jessica Cain
Petition Pro se
118639 3/1,8,15,22

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Jordan M. Jones, Petitioner.
Civil Action Case Number: 2023CV000414LHB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Jordan M. Jones filed a petition in the Superior Court of Hall County on 3/6, 2023 to change the name from: Jordan Maurice Jones to: Jordan Maurice McLee. Any interest party has the right to appear in this case and file objections within 30 days after the Petition was filed.
Dated: 3/6/23
Jordan M. Jones Petitioner, Pro se
Name: Jordan M. Jones
AddressL 6643 Splash Water Dr
Email: Jordanmclcee44@gamil.com
Phone (day) 678-361-1320
119361 3/15, 22, 29, 4/5

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA
In re the Name Change of: Lydia McMurray, Petitioner.
Civil Action Case Number: 2023CV000346CGB
NOTICE OF PETITION TO CHANGE NAME OF ADULT
Lydia McMurray filed a petition in the Superior Court of Hall County on 2/20/2023, to change the name from: Lydia Rachele McMurray to Lydia Rachele Mabee. Any interested party has the right to appear in this case and filed objections with 30 days after the Petition was filed.
Dated:3/3/2023
Lydia McMurray Petitioner Pro se
Name: Lydia McMurray
Address:4207 Swamp Cypress Trl. Gainesville, GA 30504
E m a i l : LydiaMcMurray21@gmail.com
Phone(day): 770-519-7583
119257 3/8, 12, 19, 26

Public Hearings

NOTICE OF HISTORIC P R E S E R V A T I O N COMMISSION MEETING

NOTICE is hereby given that the Gainesville Historic Preservation Commission will conduct a public hearing on Monday, April 10, 2023 at 5:30 p.m. This meeting will be held in the Community & Economic Development Office Plan Review Conference Room, which is located at 311 Henry Ward Way, 1st floor, in downtown Gainesville for the following request:

1)Request from Quinlan Visual Arts Center (Quinlan Arts, Inc.) for a Certificate of Appropriateness for a Major Work Project involving building changes on a 1.23± acres tract located on the northeast corner of the intersection of Green Street and Candler Street on the northeast (a/k/a 514 Green Street, NE).
Ward Number: Two
Local Historic District: Green Street LHD
Tax Parcel Number(s): 01-039-001-011
Proposed Work Project: B u i l d i n g changes, involving the roof and gutter system
119807 3/22

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the Gainesville Planning and Appeals Board will conduct a public hearing on Tuesday, April 11, 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 from the City of Gainesville to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a 1200 and 1204 Marler Street) and to establish a zoning of Heavy Industrial (H-I).
Ward Number: Three
Tax Parcel Number(s): 00-031-005-001B
Request: Department of Water Resources water/ sewer services

2) Request from Bradley Duncel to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a 1113 and 1117 Green Street Circle) from Residential-I (R-I) to Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 01-074-002-015 and 022
Request: Office uses

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, May 2, 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 from the City of Gainesville to annex a 1.866± acres tract located at the southeast corner of the intersection of Marler Street and Dean Street (a/k/a 1200 and 1204 Marler Street) and to establish a zoning of Heavy Industrial (H-I).
Ward Number: Three
Tax Parcel Number(s): 00-031-005-001B
Request: Department of Water Resources water/ sewer services

2) Request from Bradley Duncel to rezone a 0.48± acre tract located at the southwest side of the intersection of Green Street Circle and Thompson Bridge Road (a/k/a 1113 and 1117 Green Street Circle) from Residential-I (R-I) to Office and Institutional (O-I).
Ward Number: Two
Tax Parcel Number(s): 01-074-002-015 and 022
Request: Office uses

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))
119704 3/22

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 recommendation on such application for annexation and rezoning on April 11, 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, May 1, 2023 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.
This 13th day of March, 2023.

CHANDLER, BRITT & JAY, LLC
City Attorneys

OWNER: NANETTE O. CROSS
CURRENTLY ZONED: AR-III
PROPOSED ZONING: RA-200
LOCATION: 3518 N. BOGAN RD
All that tract or parcel of land lying and being in Land Lots 155 and 156 of the 8th District, Hall County, Georgia, containing 1.00 acre and being more particularly described in deed from Nanette C. Cross, Executor of Curtis Benson Cross estate to Nanette O. Cross, dated March 3, 2020 and recorded in Deed Book 8440, Page 20, Hall County, Georgia Records.
Parcel ID: 08156 002020

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 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 1237.49 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;
THENCE 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, 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: South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;
THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2” rebar found;
THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 55 minutes 38 seconds West for a distance of 697.26 feet to a point;
THENCE South 54 degrees 07 minutes 39 seconds West for a distance of 699.94 feet to a point;
THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 368.19 feet to a 1/2” rebar found;

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 29 degrees 55 minutes 57 seconds West for a distance of 358.58 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 of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

OWNER: CIV Friendship Business Park II, LLC
CURRENTLY ZONED: AR-III
PROPOSED ZONING: M-1
ADDRESS: 4740 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;
THENCE 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, 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: South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;
THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2” rebar found;
THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 55 minutes 38 seconds West for a distance of 697.26 feet to a point;
THENCE South 54 degrees 07 minutes 39 seconds West for a distance of 699.94 feet to a point;
THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 368.19 feet to a 1/2” rebar found;

**GAINESVILLE PLANNING and APPEALS BOARD
RECOMMENDATION**

Applicant.....Bradley Dunckel
Property OwnerJames E. Bates, Jr.
Location1113 and 1117 Green Street Circle
Request.....Rezone from R-I to O-I
Size.....0.48± acre
WardTwo
Proposed Use.....Office uses
Planning Division Staff Recommendation.....**Approval, with conditions**
Planning & Appeals Board Recommendation.....**Approval, with conditions**
DateApril 11, 2023

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

The applicant is proposing to rezone the subject 0.48± acre property from Residential-I (R-I) to Office and Institutional (O-I) for a 2,000 square foot office building which may include a medical office/clinic, business service establishment or a general office uses. The proposed office is designed as a one-story building and will provide a total of 10 parking spaces. Shared access is proposed from the adjacent James Kennedy State Farm Insurance office property which has an existing driveway on Green Street Circle.

The subject property consists of two undeveloped, wooded parcels which contain a sewer easement along the shared side property line. The property slopes upward 30 to 35 feet from the road. One of the properties (1113 Green Street Circle), is located within the Gateway Corridor Overlay Zone which ensures improved development quality for new development along the corridor. The proposal appears to adhere to the Overlay standards according to the pictures provided with the application that depict the type of architecture and scale of the office building.

There was a proposal in 2001 to rezone the subject property from Residential-I (R-I) to Office and Professional (O-P). The proposal included a 4,255 square foot medical office building, 20 parking spaces and a separate proposed driveway on Green Street Circle. The Planning Staff recommended approval with conditions. The Planning and Appeals Board (PAB) recommended denial. The zoning request was later withdrawn prior to the City Council meeting. The PAB recommendation of denial was due to the proposed size of the office building and an unresolved property boundary/access issue that involved the grassed median area fronting Thompson Bridge Road.

▪ **Adjacent Land Use and Zoning**

Location	Use	Zoning
North	James Kennedy Insurance Office	Planned Unit Development (P-U-D)
South	Professional Office	Residential & Office (R-O)
East	Stans Biscuits deli/restaurant; Jacobs Media/WDUN; Thompson Court Shopping Center	Neighborhood Business (N-B)

West	Single-family homes (Green Street Circle Neighborhood)	Residential-I (R-I)
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▪ **Other Departmental Comments**

There were no other departmental comments for the request.

▪ **Zoning History**

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

2020 - A request by Clipper Petroleum, Inc to rezone a 0.41± acre tract with a special use located at 150 Christopher Drive; 1261 and 1265 Thompson Bridge Road from Residential-I (R-I) to Neighborhood Business (N-B) was approved with conditions for a convenience store with fuel pumps

2020 - A request by Walker-Lanier, LLC to rezone a 0.50± acre tract located at 989 Lanier Avenue and 1437 Walker Street from Residential-I (R-I) to Residential-II (R-II) was approved with conditions for duplex homes.

2017 - A request by The 5 MCS, LLC to rezone a 5.24± acres tract located at 1012 Enota Avenue from Residential-I (R-I) and Planned Unit Development (P-U-D) to Planned Unit Development (P-U-D) was approved with conditions for an assisted living facility, townhome cottages and a single-family home.

2017 - A request by Adams & Copeland, LLC for a special use for a hair salon and office within the Office and Institutional (O-I) zoning district located at 1665 Thompson Bridge Road was approved with conditions.

2017 - A request by Montecito Development for a special use for a convenience store with fuel pumps within the Neighborhood Business (N-B) zoning district located at 1281 Thompson Bridge Road was denied.

2017 - A request by Montecito Development to rezone a 0.48± acres tract located at 149 Enota Avenue from Office and Institutional (O-I) to Neighborhood Business (N-B) zoning district with a special use was denied.

2016 - A request by Jack Bailey to rezone a 0.61± acre tract located at 1665 Thompson Bridge Road NW from Residential-I (R-I) to Office and Institutional (O-I) was approved with conditions for an insurance office.

2016 - A request by Teresa Vickers for a special use for a hair salon within the Office and Institutional (O-I) zoning district located at 977 and 983 Enota Avenue was approved with conditions.

2015 - A request by David P. Johnson to rezone a 1.458± acres tract located at 1537 and 1551 Thompson Bridge Road; and 135 Virginia Circle from Residential-I (R-I) to Neighborhood Business (N-B) with a special use for a restaurant with drive-thru and retail was denied.

2014 – A request by Polestar Development, LLC to rezone a 1.741± acres tract located at 1435 Thompson Bridge Road from Residential-II (R-II) to Regional Business (R-B) for a grocery store and fuel service station was approved with conditions.

2013 - A request by Michael Slate to rezone a 0.67± acre tract located at 971 Lanier Avenue NE from Residential-I (R-I) to Residential and Office (R-O) for a professional office was approved with conditions.

▪ **Staff Analysis**

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

The adjacent properties include a mixture of residential, office and commercial uses. The subject property has retained its historic zoning of Residential-I (R-I) which is somewhat unusual in light of the nonresidential development that has occurred along this segment of Green Street Circle and Thompson Bridge Road. Similar office uses within the immediate vicinity include the Jim Kennedy State Farm Insurance, Trinity Engineering Group and Gainesville Dental Group.

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

The proposal appears to address the concerns raised during the previous 2001 rezoning request. The proposed office building is 2,000 square feet in size which is less than half the size of the previously proposed office building in 2001. Of comparison the adjacent residential and office buildings range from 924 and 2,825 square feet in size. In addition, shared access is now proposed which eliminates the need for a second driveway near the intersection of Green Street Circle and Thompson Bridge Road. As required by code, a vegetated buffer and no spill lighting will help screen the proposed office from the adjacent residential properties. In addition, the proposed office will operate during the day which should have minimal impact on the adjacent residential properties.

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

The Future Development Map for the City of Gainesville places the property within the *General Mixed-Use* land use category which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, detached residential and attached residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the *Traditional Neighborhoods Character Area*. Land uses allowed include Parks and recreation, single-family residential, multi-family residential, limited general mixed-use, commercial (retail and office), and public and institutional uses. Although the area is mostly built-out, opportunities for infill development should be promoted as they arise and neighborhood-serving businesses are encouraged.

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

The property is zoned for single-family residential purposes. The subject property has remained vacant for years in part due to the location, steep topography and previously unresolved access issues. Given the property is adjacent to other office and commercial uses, it appears the property is best suited for nonresidential purposes.

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

The proposal should not cause an excessive or burdensome use of public facilities or services. The development proposes to utilize City water and sewer services which are available and have capacity. Existing public safety services already respond to the adjacent and nearby properties. Gainesville Fire Station #1 located off of Queen City Parkway is approximately 2.1± miles away; Gainesville Fire Station #2 is located approximately 2.0± miles off of Cleveland Highway and Gainesville Fire Station #3 is located approximately 3.6± miles off of Nancy Creek Road.

Traffic generated from the proposed office should be minimal given the scale of the development and the limited parking spaces. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), a medical office could generate 72± new trips per weekday (50% entering, 50% exiting), including 7 A.M. and 9 P.M. peak hour trips. A traffic impact study was not required for the proposal.

The proposed use will have no impact on the Gainesville City School System given the proposal is for office purposes.

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

The property is located within a mixed-use area that includes uses such as residential, office and neighborhood scale retail. The nearby properties fronting Thompson Bridge Road and this segment of Green Street Circle have transitioned from residential uses to nonresidential uses over the past 30 years. The proposed office use is consistent with the Comprehensive Plan and appears to be in scale with the surrounding structures.

(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 nonresidential uses, it appears the proposed office use reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property, with the proposed original zoning conditions.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this rezoning request with **Office and Institutional (O-I) zoning**, based on the Comprehensive Plan and the adjacent residential and non-residential land uses.

Conditions

1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards. Specifically, the proposed office building shall not exceed 2,000 square feet in size and constructed with a minimum 6:12 pitched roof.
2. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.
3. A mixture of evergreen and deciduous buffer trees shall be planted within the required 25-foot wide buffer area adjacent to the single-family lots located to the rear of the property. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
4. Vehicular access to the subject property shall be from the adjacent driveway as shown on the applicant's site plan and shall require review and approval by the Gainesville Public Works Department Director.

Excerpts from the April 11, 2023 PAB Meeting Minutes

Applicant Presentation: **Bradley Dunckel**, 3703 Timber Walk Drive, stated he represents the property owner Jeff Bates which has owned the two lots since 1995 and 2002 and has invested tax dollars into the undeveloped parcels. He advised the request would not exceed 2,000 square feet office building and only one story to minimize impact to the surrounding property owners. Mr. Dunckel said the plan was for a dental office with a single dentist practice to occupy it.

OPPOSE: **Scott Legg**, 1090 Green Street Circle, stated his property is directly behind the subject property and has been there since 1996. He stated concerns that were not addressed was traffic noise from Thompson Bridge Road and noise from the nearby business dumpster service. Mr. Legg stated it is a very steep lot and not recommended for residential but concerned it's too steep for a doctor/dentist office. He stated as an example for the Board to take note of 1004 Green Street Circle which backs up to The Bradford Pair when precautions are not taken regarding the topography of the slope and ridge where Green Street Circle sits. He said the back yard of 1004 Green Street Circle fell off into the parking lot of The Bradford Pair ten years ago. He suggested to the Board to add conditions regarding a retaining wall and detail plans for the runoff issues. He stated 85 percent of runoff from his property drains into the subject property due to the topography of the land.

Joy Holmes, 1020 Green Street Circle, stated they purchased their home five to six years ago and are directly behind The Bradford Pair. She agreed with her neighbor that the hill has been a nightmare and is concerned with removing the trees and what might happen with the ground/land. She stated the intersection of Green Street Circle and Thompson Bridge Road is extremely dangerous without additional traffic from a doctor's office since there have been fatal accidents at that location. She mentioned once the trees are removed there will be no privacy for their neighborhood.

Molly Legg, 1090 Green Street Circle, stated she enjoys living in the city and historic neighborhood but would prefer for no development to be behind them. She was concerned about the rezoning from R-I to O-I and mentioned the zoning of surrounding businesses. Mrs. Legg stated in her opinion a 2,000 square feet building is too large for the size of the lot compared to the other buildings nearby. She said she spoke with neighbors at 1070, 1080, 1090 and 1102 and all are concerned with buffer issues, noise, runoff, sewer line and changes to the entrance of the street. She mentioned the traffic issues as vehicles coming out of the businesses nearby use the turn lane going onto Oak Tree Drive which is already a dangerous area. She stated the nearby businesses currently only have one vehicle in the parking lot, none or possibly two vehicles.

Shannon Ball, 1116 Green Street Circle, stated they have lived at the location since 1994 and living in the city with Thompson Bridge Road behind them are aware they cannot deny all future development but shares the same concerns especially with the turn lane. She said almost daily there are head-on collisions at the location with vehicles turning onto Oak Tree are getting into the turn lane too early and is a massive congestion at rush hour. She stated the concern with ten parking spaces and people coming into the dentist office after work hours will be adding more traffic and congestion. She stated it is very concerning with them trying to get home safely. Mrs. Ball stated her concern with the removal of the trees which provide a little sanctuary and will be exposed to all the noise on a more massive scale. She stated their request is to have a significant tree buffer and also concerned about the erosion and the incident at The Bradford Pair was terrifying. The other concern she stated was a retaining wall is ugly and unsightly and concerned about the trees if one is built. She stated her main concerns were the tree buffer, tree removal and traffic issues.

David Ball, 1116 Green Street Circle, stated he would prefer the location be an office rather than retail or rental house. He said he believes it is a good use of the land and site plan too. He stated he would like the Board to consider a larger than 25-foot buffer if possible and suggested moving the building forward toward the street. Mr. Ball said his primary concern is the buffer zone in the rear with a larger retaining wall, heavy vegetation and a fence.

Rebuttal: Mr. Dunckel stated GDOT reviewed the plan and replied there were no issues with it. He acknowledged with a business there would be noise from a dumpster being emptied but due to it being a small building there may not be a dumpster, only pick-up from the city twice a week. He agreed due to the steep topography a retaining wall would be required in the rear and a sub-wall in the front of the building. Mr. Dunckel stated due to elevation issues the building could not be moved forward. He acknowledged the runoff issue and said once the engineering process is complete, there will be a solution in the final version of the plan. He stated due to the severe topography every tree will need to be removed but with correctly placed engineered retaining walls to hold the soil.

Planning and Appeals Board Comments: Board Member Thompson asked about the location of the retaining wall and Mr. Dunckel stated they are allowed within the buffer zone and thought it to be approximately six to eight feet which would only be visible by someone in the parking lot. Mr. Tate confirmed fences are allowed along with retaining walls within the buffer and would expect plantings at the top and at the base of the wall but at the top would give more of an immediate buffer. Board Member Thompson stated a combination of a fence and planting buffer would be best. Vice-Chair Fleming said a fence would be for safety too. Board Member Simmons stated he felt there wasn't enough information on traffic safety and study. Mr. Dunckel stated there wasn't a true traffic study but was asked by GDOT to provide the projected average daily traffic numbers along with AM and PM peak traffic counts which was done by an engineer and sent to GDOT and their reply was they did not see any adverse effect from the amount of traffic. Vice-Chair Fleming asked about the submittal process from the applicant and Deputy Director Tate stated it is considered a commercial development and fully engineered civil plans addressing parking access, setbacks, buffers, stormwater and erosion are required. Mr. Tate stated The Bradford Pair is an example of what not to do and occurred many, many years ago and there have been significant changes to the stormwater ordinances for water quality and erosion. Deputy Director Tate explained what the anticipated traffic counts were for a medical office per the staff report. Board Member Young mentioned it would be weekday traffic and not weekend traffic with a medical office. Vice-Chair Fleming asked Mr. Tate to address the zoning and he explained currently the zoning is Residential-I and explained other surrounding properties are zoned Neighborhood Business (N-B), Residential & Office (R-O), Planned Unit Development (P-U-D) and Office & Institutional (O-I). A zoning of O-I is strictly office and would not allow for a convenience store or other commercial uses. Board Member Young asked about any guidelines for hours of operation with O-I zoning and Mr. Tate replied the code does not restrict hours of operation for any type of use but the Planning Board or City Council could add this as a condition.

Shannon Ball stated it was startling to hear that all trees would be removed and concerned about the length of time it would take for growth. She asked if they could require fast growing vegetation without having small shrubs, waiting ten years. She also mentioned the traffic and a fatality the year before along with other significant wrecks in the last months. Mrs. Ball stated studies show one thing but living to see the impact is another.

Vice-Chair Fleming asked if a certain type of tree could be required and Deputy Director Tate stated they preferred to determine the certain type tree based on the site. Board Member Thompson stated he has seen several landscape plans by the city and have done a great job of picking material. Mr. Thompson said he would prefer to see an 8-foot buffer material along with a 6-foot privacy fence on top of the wall if deciding to move forward. Board Member Thompson stated he would make a motion with amended conditions of no

dumpster, privacy fence on top of the wall, minimum of 8-foot buffer material and adding hours of operation time limit.

There was a motion to recommend conditional approval to rezone the subject property for office uses from Residential-I (R-I) to Office and Institutional (O-I) with the following amended conditions:

Conditions

- 1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards. Specifically, the proposed office building shall not exceed 2,000 square feet in size and constructed with a minimum 6:12 pitched roof.**
- 2. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.**
- 3. A mixture of evergreen and deciduous buffer trees shall be planted within the required 25-foot wide buffer area adjacent to the single-family lots located to the rear of the property. The minimum installation height of the trees shall be 8-feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.**
- 4. Vehicular access to the subject property shall be from the adjacent driveway as shown on the applicant's site plan and shall require review and approval by the Gainesville Public Works Department Director.**
- 5. In addition to the planted buffer, a 6 foot tall opaque fence shall be required at the top of the retaining wall adjacent to the single-family homes.**
- 6. A trash dumpster shall not be allowed on the property.**
- 7. The hours of operation for the proposed use shall be limited from 7:00 A.M. to 8:00 P.M., Monday through Sunday.**

Motion made by Board Member Thompson

Motion seconded by Board Member White

Vote – 5 favor, 2 absent (Carter, Martin)

Passed: _____

AN ORDINANCE

No. 2023-08

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON A 0.48± ACRE TRACT LOCATED AT THE SOUTHWEST SIDE OF THE INTERSECTION OF GREEN STREET CIRCLE AND THOMPSON BRIDGE ROAD (A/K/A 1113 AND 1117 GREEN STREET CIRCLE) FROM RESIDENTIAL-I (R-I) TO OFFICE AND INSTITUTIONAL (O-I), WITH CONDITIONS (O-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 **Office and Institutional, with conditions (O-I-c)**.

Conditions

1. The proposed building shall be generally consistent with the standards depicted on the concept plan and photographs provided with this rezoning application and shall adhere to the Gateway Corridor Overlay Zone standards. Specifically, the proposed office building shall not exceed 2,000 square feet in size and constructed with a minimum 6:12 pitched roof.
2. Outdoor lighting used in this development shall be of non-spill design and placed in a manner so as to minimize direct visibility by the adjacent properties.
3. A mixture of evergreen and deciduous buffer trees shall be planted within the required 25-foot wide buffer area adjacent to the single-family lots located to the rear of the property. The minimum installation height of the trees shall be 8-feet. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
4. Vehicular access to the subject property shall be from the adjacent driveway as shown on the applicant's site plan and shall require review and approval by the Gainesville Public Works Department Director.
5. In addition to the planted buffer, a 6 foot tall opaque fence shall be required at the top of the retaining wall adjacent to the single-family homes.
6. A trash dumpster shall not be allowed on the property.

ORDINANCE NO. 2023-08

7. The hours of operation for the proposed use shall be limited from 7:00 A.M. to 8:00 P.M., Monday through Sunday.

Legal Description

All that tract or parcel of land lying and being in land lot 146, 9th District, City of Gainesville, Hall County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (3/4" open top pipe) on the West right-of-way of Green Street Circle (right-of-way varies) with a Georgia west state plane coordinate of North 1570176.15, east 2398137.83; thence along the West right-of-way of Green Street Circle the following courses and distances South 38°19'40" East, 49.84 feet to a point; thence South 38°19'40" East, 10.35 feet to an iron pin set (1/2" rebar with a yellow cap stamped "Rochester-000484"); thence North 85°30'23" East, 44.87 feet to an iron pin set (1/2" rebar with a yellow cap stamped "Rochester-000484") at the intersection with the West right-of-way of Thompson Bridge Road (right-of-way varies); thence along the West right-of-way of Thompson Bridge Road South 39°15'33" East, 37.36 feet to an iron pin set (1/2" rebar with a yellow cap stamped "Rochester- 000484"); thence leaving the West right-of-way of Thompson Bridge Road and along the property now or formerly of Joseph G. Weigand, Jr. the following courses and distances South 58°29'16" West, 38.15 feet to an axle found; thence South 58°29'16" West, 140.42 feet to an iron pin set (1/2" rebar with a yellow cap stamped "Rochester-000484"); thence along the property now or formerly of Scott D. Legg & Molly P. Legg the following courses and distances North 35°26'10" West, 75.00 feet to an iron pin found (1" open top pipe); thence South 60°54'47" West, 30.90 feet to an iron pin found (3/4" open top pipe); thence along the property now or formerly of Jacquelyn Roberts North 34°00'29" West, 57.48 feet to an iron pin found (1/2" open top pipe); thence along the property now or formerly of James C. Kennedy North 64°09'47" East, 165.74 feet to the **Point of Beginning**.

Said tract contains 0.47 acres or 20,494 square feet.

SECTION II

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

SECTION III

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

SECTION IV

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

ORDINANCE NO. 2023-08

SECTION V

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

W. Samuel Couvillon, Mayor

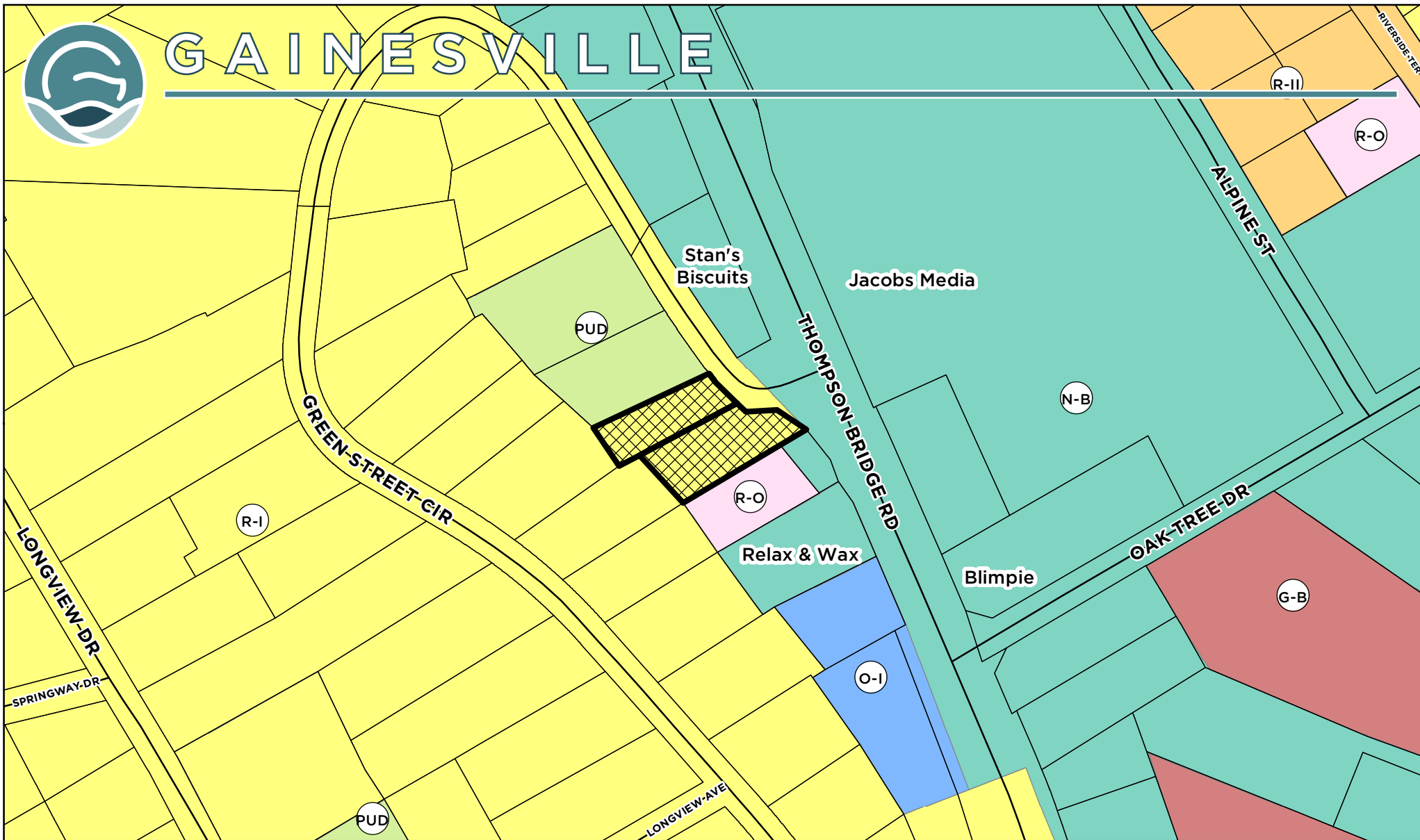
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE



Applicant: **BRADLEY DUNCKEL**

REZONING REQUEST

Subject Property Address:
1113 & 1117 Green Street Circle, NW

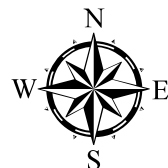
Tax Parcel:
01-074-002-015 & 022

Request:

Rezone a 0.48+/- acre tract from Residential-I (R-I) to Office and Institutional (O-I) for an office building



Subject Property



Meeting Date: **04/11/2023**

Map Prepared: **03/02/2023**

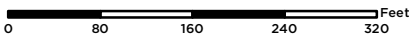
0 80 160 240 320 Feet

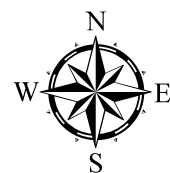
SCALE: 1" = 167'



GAINESVILLE



Applicant: BRADLEY DUNCKEL		Request: Rezone a 0.48+/- acre tract from Residential-I (R-I) to Office and Institutional (O-I) for an office building	
REZONING REQUEST			
Subject Property Address: 1113 & 1117 Green Street Circle, NW	Tax Parcel: 01-074-002-015 & 022	 Subject Property	Aerial from 2021
Meeting Date: 04/11/2023	Map Prepared: 03/02/2023		SCALE: 1" = 167'



Project Narrative – Re-Zoning

LOCATION – 1113 & 1117 Green Street Circle

ACREAGE – 0.48 acres +/-

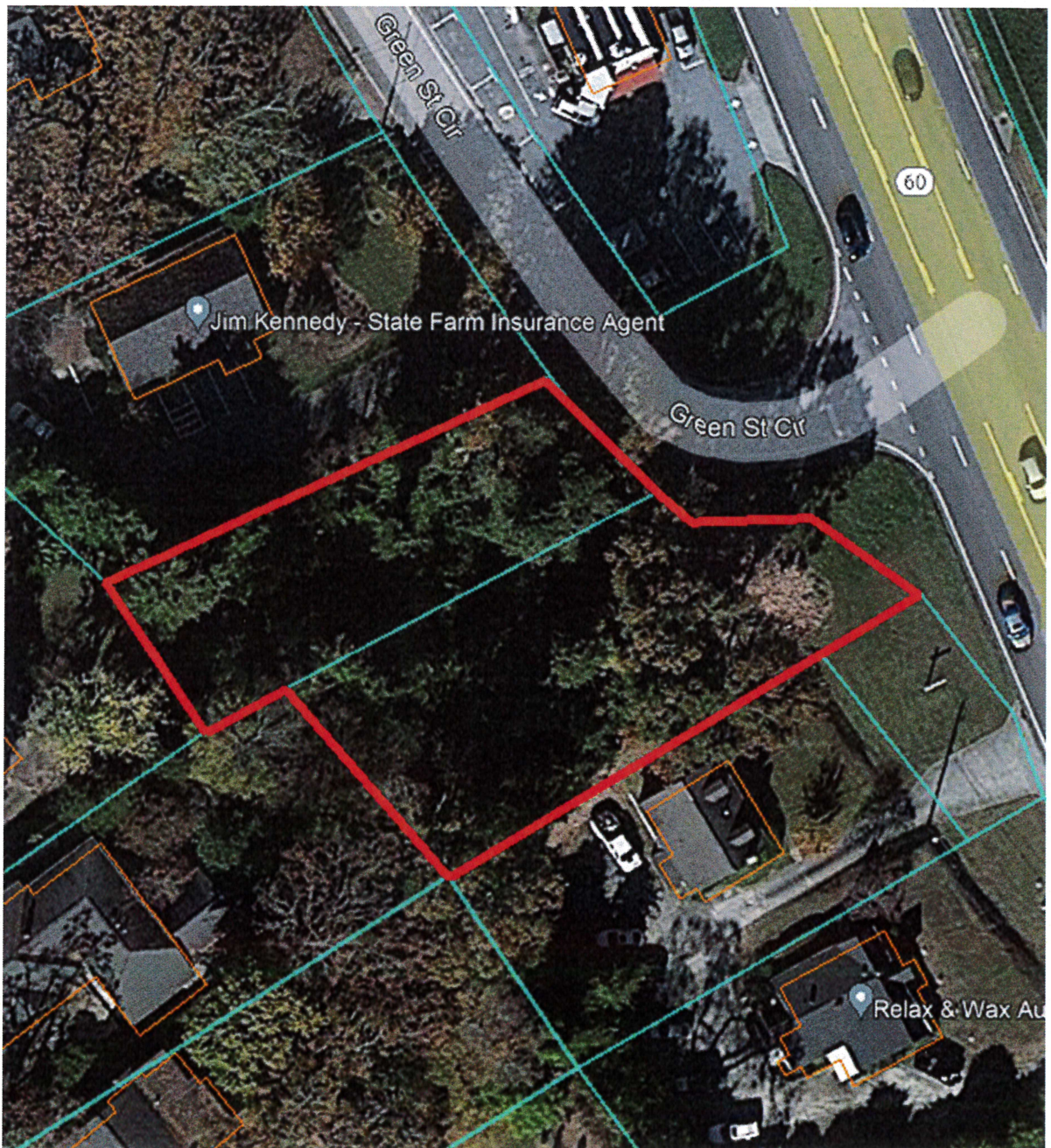
APPLICANT – Bradley Dunckel

Summary

The accompanying application seeks a zoning change from R-1 to O-I (Office/Institutional) for a 0.48 +/- acre undeveloped lot in two separate parcels. The parcel is located on Green Street Circle near its intersection with Thompson Bridge Road (SR 60). The intent is obtain a zoning change that would allow development of an office building on the lot. The proposed use is consistent with the City's 2040 Comprehensive Plan for this area, which is described as "General Mixed Use" and includes "areas containing or planned for a mixture of land uses including office, neighborhood retail, and detached and attached residential. The types of non-residential uses that are desirable in this would include restaurants, specialty retail, and low intensity office".

Site Description

The site consists of two adjacent parcels, located at 1113 & 1117 Green Street Circle



Adjacencies

The R-II property is surrounded by a variety of zonings including, PUD to the North, R-1 to the West and R-O to the south. Property to the east (across Green St. Circle) is zoned as N-B.

Access

Access to the property is planned from an existing driveway located on the parcel to the north owned by James C. Kennedy, through an access easement with Mr. Kennedy. The joint use of the existing driveway will eliminate the need for an additional driveway from the property, in an area where the proximity to the Green Street Circle/Thompson Bridge Road intersection could create traffic conflicts.

Comprehensive Plan Consistency

The project is located within the “Traditional Neighborhoods” character area designation of the 2040 Comprehensive Plan, which recognizes the need for “infill commercial development” along Thompson Bridge Road.

Proposed Uses (as described in Table 9.6.1)

- Clinic
- Business Service Establishment
- Office

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. All exterior street and directional signage will be coordinated to promote a unified and coordinated plan.

Architectural

Dimensional Requirements

Dimensional Requirements shall follow those outlined in Table 9-6-2 with the following variance requests:

- Reduce side setback to R-O from 25' to 10'.

Office	Office: A building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind on the premises. Includes medical, dental, clinical, CPA, attorney, and real estate offices among others. This term includes freight agency or shipping coordinators involved in the remote arrangement of freight or cargo transportation.
Clinic	Clinic: An institution or professional office, other than a hospital or nursing home, where persons are counseled, examined, and/or treated by one or more persons providing any form of healing or medical health service. Persons providing these services may offer any combination of counseling, diagnostic, therapeutic or preventative treatment, instruction, or services, and which may include medical, physical, psychological, or mental services and facilities for primarily ambulatory persons. Patients are not lodged overnight and are admitted for examination or treatment requiring only short (e.g., a matter of a few hours) recovery time.

Business service establishment	Business service establishment: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming and data processing, photocopying, blueprinting and duplication services, commercial art and graphic design, mailing agencies, employment services, detective, protective, and security system services, accounting, auditing, and bookkeeping services, messenger services and couriers, business consulting firms, interior decorating, locksmiths, and uniform rental and cleaning.
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APPLICANT INFORMATION:

BRADLEY DUNCKEL
3703 TIMBER WALK DRIVE
GAINESVILLE, GA 30506
770-363-1997
BDUNCK@GMAIL.COM

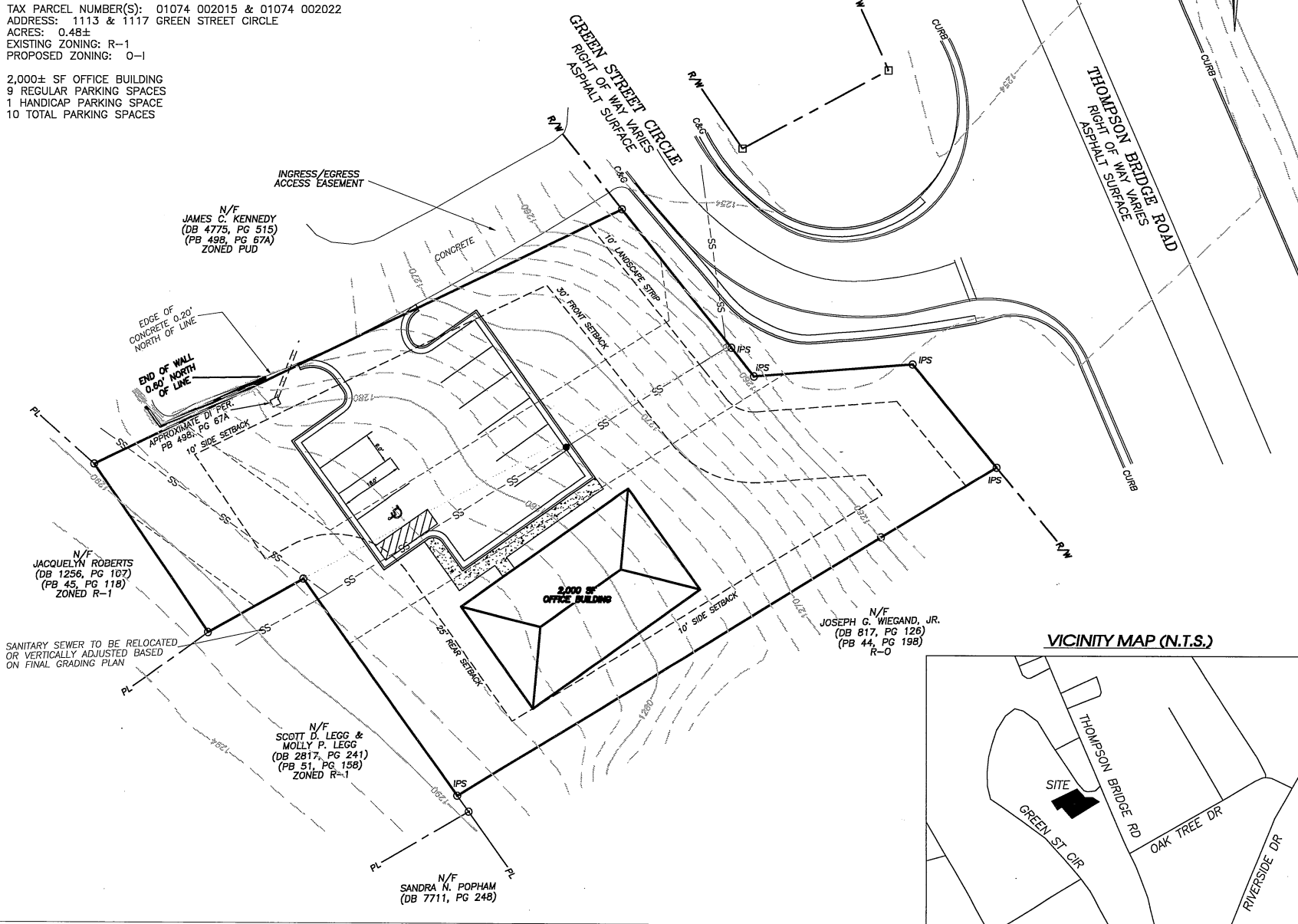
PROPERTY OWNER INFORMATION:

JAMES E. BATES, JR.
2275 LIMESTONE PARKWAY
GAINESVILLE, GA 30501
770-654-1132
JEBBER58@GMAIL.COM

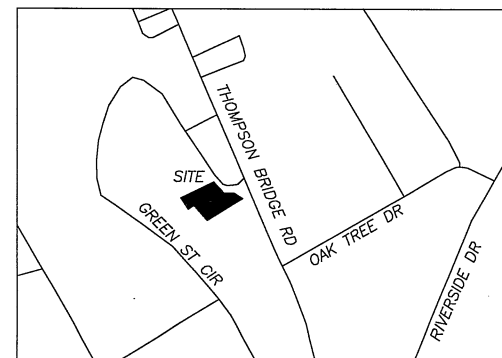
SITE NOTES

TAX PARCEL NUMBER(S): 01074 002015 & 01074 002022
 ADDRESS: 1113 & 1117 GREEN STREET CIRCLE
 ACRES: 0.48±
 EXISTING ZONING: R-1
 PROPOSED ZONING: O-1

2,000± SF OFFICE BUILDING
 9 REGULAR PARKING SPACES
 1 HANDICAP PARKING SPACE
 10 TOTAL PARKING SPACES



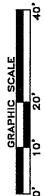
VICINITY MAP (N.T.S.)



REZONING PLAN FOR GREEN STREET CIRCLE

LOCATED IN LAND LOT 146, 9TH DISTRICT
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS



SHEET	1
DATE: 12-23-2022	SCALE: 1"=20'

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND 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 O.C.G.A. SECTION 15-6-67.

Robert S. Cleveland
 ROBERT S. CLEVELAND, PLS # 2894
 scleveland@rochester-assoc.com
 Rochester and Associates, LLC.
 LSF-000484 EXPIRATION 6/30/2024
 www.rochester-assoc.com

11/15/22
 DATE

THIS BLOCK RESERVED FOR THE
 CLERK OF THE SUPERIOR COURT

LEGEND

- C&G - CURB & GUTTER
- CTP - CRIMP TOP PIPE
- CL - CENTER LINE
- CLF - CHAIN LINK FENCE
- CTF - CRIMP TOP PIPE FOUND
- DB, PG - DEED BOOK, PAGE
- DI - DROP INLET
- GW - GUY WIRE
- IPS - IRON PIN SET (1/2" REBAR)
- JB - JUNCTION BOX
- LL - LAND LOT LINE
- LLL - LAND LOT LINE
- MH - MANHOLE
- MON - MONUMENT
- OT - OPEN TOP PIPE
- N/F - NOW OR FORMERLY
- P- - POWER LINE
- P/T- - POWER & TELEPHONE LINE
- PBX - POWER BOX
- PL - PROPERTY LINE
- PGB - POINT OF BEGINNING
- PP - POWER POLE
- RB - REBAR
- R/W - RIGHT OF WAY
- SS- - SANITARY SEWER LINE
- T- - TELEPHONE LINE
- UC- - UNDERGROUND COMMUNICATION
- UE- - UNDERGROUND ELECTRIC
- UP- - UNDERGROUND POWER
- UT- - UNDERGROUND TELEPHONE
- W- - WATER LINE
- WM - WATER METER



N/F
 JAMES C. KENNEDY
 (DB 4775, PG 515)
 (PB 498, PG 67A)

EDGE OF CONCRETE 0.20'
 NORTH OF LINE

APPROXIMATE DI PER.
 PB 498, PG 67A

TRACT "A"
 0.203 ACRES
 OR
 8,835 SQ. FT.
 N/F
 JAMES E. BATES, JR.
 (DB 6063, PG 353)
 (PB 45, PG 118)

TRACT "B"
 0.268 ACRES
 OR
 11,659 SQ. FT.
 N/F
 JAMES E. BATES, JR.
 (DB 6323, PG 511)
 (PB 51, PG 204)

N/F
 JOSEPH G. WIEGAND, JR.
 (DB 817, PG 126)
 (PB 44, PG 198)

N/F
 SCOTT D. LEGG &
 MOLLY P. LEGG
 (DB 2817, PG 241)
 (PB 51, PG 158)

N/F
 SANDRA N. POPHAM
 (DB 7711, PG 248)

SURVEY NOTES

1. THE FIELD DATA DATED 11/15/22 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,549 FEET AND AN ANGULAR ERROR OF 08" 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 276,004 FEET.
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE (R10-2) GNSS GPS RECEIVER WITH A TRIMBLE TSC7 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. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED 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 LOCATED FROM ABOVE GROUND VISIBLE EVIDENCE. 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. THIS PROPERTY ARE LOCATED IN ZONE "X" AS PER F.E.M.A. INSURANCE RATE MAP OF HALL COUNTY, GEORGIA. COMMUNITY PANEL NO. 13139C01796, EFFECTIVE DATE APRIL 4, 2018.
10. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484", UNLESS OTHERWISE NOTED.
11. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
13. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER)



Rochester **DECM**

Rochester and Associates, LLC
 425 Oak St NW, Gainesville, GA 30601
 770.718.0600 | www.rochester-assoc.com

RETRACEMENT SURVEY FOR:
JAMES E. BATES, JR
 LOCATED IN LAND LOT 146, 9TH DISTRICT
 CITY OF GAINESVILLE
 HALL COUNTY, GEORGIA

NO. DATE DESCRIPTION REVISIONS

GRAPHIC SCALE
 0' 10' 20' 40'

SHEET OF 11
 DATE: 11/15/22
 SCALE: 1"=100.00'
 DRAWN BY: SSC
 FILE NO.: 1-BDY01



Representative Only



Representative Only



Representative Only