



Work Session Agenda
Thursday, February 29, 2024, 9:00 AM
Administration Building, Boardroom (3rd Floor)
300 Henry Ward Way, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

DEPARTMENT ISSUES:

Financial Services

- Resolution: Declaration of Surplus Property Brenda Carpio

Community & Economic Development

- Resolution: Authorization to Apply for and Accept a One Georgia Equity Fund - Rural Workforce Housing Initiative Grant Jessica Tullar
- **Public Hearing Item: March 5, 2024 Council Meeting** Abb Hayes
Request from the **City of Gainesville** to rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I). **Ward Number: Three**. Tax Parcel Number(s): 01-015-001-010 and 013. **Request: Existing uses.**
- **Public Hearing Item: March 5, 2024 Council Meeting** Abb Hayes
(Tabled at the February 13, 2024, Planning and Appeals Board meeting).
Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I). **Ward Number: Five**. Tax Parcel Number(s): 15-035-000-015. **Request: Data mining facility.**

CITY MANAGER ISSUES:

- Resolution: Adoption of Addendum to Intergovernmental Agreement Concerning Trails and Associated Greenspace and Community Service Center Campus Improvements Angela Sheppard
- Resolution: Adoption of Intergovernmental Agreement for Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and General Facility Improvements Jessica Tullar

MAYOR/COUNCIL ISSUES:

- Ex-Officio Report(s)

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Tuesday, February 27, 2024, 9:30 AM



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: February 12, 2024
Date Submitted: February 26, 2024
Final Approval Date: February 27, 2024
Presenter: Brenda Carpio, Budget and Purchasing Manager
Item of Business: Resolution: Declaration of Surplus Property
Meeting Date: February 29, 2024

Purpose of Request:

Requesting Council declare the property on the attached listings as surplus for public sale or disposal.

Facts & Issues / History & Background:

The City's Capital Asset policy dictates the procedure for transferring assets that have outlived their useful life to surplus. This policy has been followed with the assets listed on Attachment A and B. Finance periodically requests that property be declared surplus in order to sell or dispose of property in a timely and orderly manner. Surplus property that was purchased by the City is offered to other City departments before a sale takes place. Property seized or confiscated by the Police department is not offered to City departments.

Department Recommendation:

Property listed on Attachments A and B be declared as surplus.

Department Director:

Jeremy Perry

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

Amount Requested:

Sources of Funds: N/A

N/A

Finance Comments: N/A

Administrative Comments:

N/A

Attachments:

1. Resolution: Declaration of Surplus Property
2. Attachment A-Tagged- Final
3. Attachment B- Non-Tagged-Final

RESOLUTION BR-2024 - ____

Declaration of Surplus Property

WHEREAS, the City Finance staff recommends that the attached list (Attachment A and B) of property be declared surplus and made available for the sale or donation in accordance with Resolution BR-90-81 adopting the City's Purchasing Policies and Procedures; and

WHEREAS, it has been determined that the attached list of property has served beyond its useful life and the City Finance staff believes that the method of disposal shall be by sale at auction to the highest bidder in accordance with the policies and procedure, or dispensation in a manner approved by the City Manager; and

WHEREAS, the City Finance staff shall set a date, place and time for the appropriate sale; and

WHEREAS, the method of disposal of surplus property shall be an auction, utilizing GovDeals, an online auction company recommended by the Georgia Municipal Association, with concurrence of the City Attorney, City Clerk, and City Manager in accordance with the policies and procedures, or dispensation in a manner approved by the City Manager; and

WHEREAS, funds derived from the sale of surplus property shall be deposited to the appropriate fund and account as determined by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby declare this property surplus and available for public sale or disposal as approved by the City Manager, and that any item not sold at the sale shall be disposed of in an appropriate manner with concurrence of the City Manager.

Adopted this ____ day of _____, 2024.

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

Tagged Assets

Asset #	Asset Description	Dept #	Purchase Date	Attachment A Purchase Cost
PW. Traffic				
15560	1999 Ford F-800 Bucket Truck	4270	05/25/1999	\$ 74,998.00
11400	2004 Ford F-250 2WD Regular Cab	4270	10/3/2003	\$ 20,618.00
PW. Cemetery				
14199	Hustler Zero Turn Mower	4950	02/27/2013	\$ 6,874.99
PW. Engineering				
0019906	2001 GMC Sierra	4100	07/23/2001	\$ 20,900.00
Golf				
12478	2006 Toro Walking Green Mower	6135	11/15/2006	\$ 5,940.22
12477	2006 Toro Walking Green Mower	6135	11/15/2006	\$ 5,940.22
12476	2006 Toro Walking Green Mower	6135	11/15/2006	\$ 2,940.22
11074	1997 Toro Walking Green Mower	6135	02/28/1997	\$ 3,912.70
13326	2011 Yamaha 48V Golf Cart	6135	09/14/2010	\$ 2,490.85
13320	2011 Yamaha 48V Golf Cart	6135	09/14/2010	\$ 2,490.85
12712	2007 Club Car Carryall Cart	6135	09/18/2007	\$ 6,150.52
13342	2011 Yamaha 48V Golf Cart	6135	09/14/2010	\$ 2,490.85
13364	2011 Yahama 48V Golf Cart	6135	09/14/2010	\$ 2,490.85
Fire				
0019216	2000 Ford F250	3500	08/10/2000	\$ 18,219.00
Police				
14277	2013 Chevy Impala	3200	06/26/2013	\$ 21,965.60
13038	2009 Chevy Trailblazer	3200	05/19/2009	\$ 18,917.00
14278	2013 Chevy Impala	3200	06/26/2013	\$ 21,965.60
12833	2004 Ford Explorer	3200	01/11/2008	\$ 12,765.00
15065	2013 Ford Explorer	3200	03/13/2015	\$ 33,489.00
Department of Water Resources				
15844	2000 Pusher Semi Trailer	4430.07	12/9/1999	\$ 57,610.00
14111	2013 Ford F150 4X4 Regular Cab	4900	10/18/2012	\$ 21,198.00

Non-Tagged Assets

Attachment B

Asset #	Asset Description	Dept #	Comments
Police			
NO TAG	1999 Ford F250	3200	SEIZED
Fire			
NO TAG	3- Battery Fan	3500	BELOW THRESHOLD
Golf			
NO TAG	2001 Yamaha Utility Cart	6135	BELOW THRESHOLD
Department of Water Resources			
NO TAG	2006 Dodge Dakota	4330	TRADE-IN
NO TAG	Misc. Samplers and Equipment	4980	BELOW THRESHOLD



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: February 6, 2024
Date Submitted: February 26, 2024
Final Approval Date: February 27, 2024
Presenter: Jessica Tullar, Neighborhood Development Manager
Item of Business: Resolution: Authorization to Apply for and Accept a One Georgia Equity Fund - Rural Workforce Housing Initiative Grant
Meeting Date: February 29, 2024

Purpose of Request:

Resolution to authorize submittal and acceptance of, if awarded, a *OneGeorgia Equity Fund - Rural Workforce Housing Initiative* grant application.

Facts & Issues / History & Background:

The *One Georgia Equity Fund - Rural Workforce Housing Initiative* is a newly established program under the OneGeorgia Authority. The program provides flexible funding for developing housing and related infrastructure. Grants will be awarded on a competitive basis to communities for qualifying projects that demonstrate the ability to address: (1) ongoing workforce housing needs; (2) difficulty satisfying workforce needs in communities or regions with low unemployment; or (3) a community or regional commitment to expand and improve housing stock. This program is expected to spur the development of critically needed workforce housing in communities across the state through the One Georgia Authority at the Georgia Department of Community Affairs.

Georgia Rural Workforce Housing Initiative funds can be used in OneGeorgia "eligible" and "conditionally eligible" counties. Hall County is a One Georgia "conditionally eligible" county, and as such, the City is eligible to apply for this program.

The *One Georgia Equity Fund - Rural Workforce Housing Initiative* involves a two-step application process, with an initial project assessment/pre-application and full application should the state approve the initial project assessment. *One Georgia Equity Fund - Rural Workforce Housing Initiative* grant funds will be used for stormwater facilities and infrastructure improvements in the Gainesville Mill Village area, which will in turn support the development of community workforce housing.

Department Recommendation:

Adopt the resolution.

Department Director:

Rusty Ligon

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

Amount Requested: \$3,500,000

Finance Comments:

Sources of Funds:

One Georgia Grant (\$2,500,000) and DWR CIP Fund (\$1,000,000)

Administrative Comments:

Attachments:

1. Resolution: Apply for and Accept a One Georgia Rural Workforce Housing Initiative Grant

RESOLUTION GR-2024 - ____

AUTHORIZATION TO APPLY FOR AND ACCEPT A *ONE GEORGIA EQUITY FUND – RURAL WORKFORCE HOUSING INITIATIVE GRANT*

WHEREAS, the Rural Workforce Housing Initiative is a component of the One Georgia Authority intended to provide flexible funding for developing critically-needed, quality workforce housing and related infrastructure in rural parts of the state; and

WHEREAS, grant awards are available on a competitive basis to One Georgia “eligible” and “conditionally eligible” counties, including Hall County, for activities that result in housing that meets the needs of working families and others who may consider relocating to the community for employment reasons; and

WHEREAS, the Gainesville 2040 Comprehensive Plan suggests the investment experienced in the Midland area will extend southward into the Gainesville Mill and Village area as the Midland area approaches build-out, and puts forth a vision with various housing types, mixed-use buildings and parks/greenspace; and

WHEREAS, the City wishes to apply for a *One Georgia Authority Equity Fund – Rural Workforce Housing Initiative Infrastructure Grant* to improve and enhance existing stormwater infrastructure near Marler Street in the Gainesville Mill and village neighborhood in order to accommodate potential future floodplain and to support the development of new quality community workforce housing on adjacent property and redevelopment of existing housing in disrepair; and

WHEREAS, a local match is not required but encouraged and will increase the competitiveness of the application, and thus, the City intends to contribute \$1 million towards a local match using funds from the Gainesville Water Resources Capital Improvements Project Fund.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Community and Economic Development Department to apply for a *One Georgia Equity Fund – Rural Workforce Housing Initiative* grant.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville authorizes the Mayor, City Manager, and/or City Attorney, or their designee, to sign necessary documents to apply for, accept, execute and administer the grant.

Adopted this ____ day of _____, 2024.

RESOLUTION GR-2024 - ____

**AUTHORIZATION TO APPLY FOR AND ACCEPT A *ONE GEORGIA EQUITY FUND –
RURAL WORKFORCE HOUSING INITIATIVE GRANT***

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: February 14, 2024

Date Submitted: February 19, 2024

Final Approval Date: February 27, 2024

Presenter: Abb Hayes, City Attorney

Item of Business: **Public Hearing Item: March 5, 2024 Council Meeting**
Request from the **City of Gainesville** to rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I). **Ward Number: Three.** Tax Parcel Number(s): 01-015-001-010 and 013. **Request: Existing uses.**

Meeting Date: February 29, 2024

Purpose of Request:

To provide an overview of the following zoning request as presented at the February 13, 2024, Planning and Appeals Board Meeting.

Facts & Issues / History & Background:

The City of Gainesville is proposing to rezone two properties totaling 0.5± acre located within the Midtown Overlay Zone (733 Main Street = 0.3± acre; 718-A Bradford Street = 0.2± acre). The properties are owned by G-4 Development Group, LLC and consist of a photography studio under development and a parking lot. As part of the approved Tax Allocation Development (TAD) agreement, the properties were required to be rezoned from L-I to O-I. Adjacent uses include a hair salon, offices and a climate-controlled self-storage facility. There are no other changes proposed to the properties at this time.

Department Recommendation:

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

SAMPLE MOTIONS

Approval of Ordinance 2024- :

I move to approve the ordinance to rezone the subject property from Light Industrial (L-I) to Office and Institutional (O-I) 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
4. Location maps
5. Narrative
6. Survey
7. Photo

ORION CONSTRUCTION GROUP, Plaintiff, v. FERNANDO BECERRA, HEIDI BECERRA, and DANNY ALLEN d/b/a ABBAHOMZ Defendants. CIVIL ACTION File No. 2023CV000889

PROPOSED NOTICE OF PUBLICATION

TO: Danny Allen d/b/a Abba Homz

5095 Mouse Creek Road, Cleveland, Tennessee 37312

By Order for service by publication dated the 18 day of January, 2024, you are hereby notified that on the 5th day of October 2023, Racks SBG, LLC d/b/a Orion Construction Group filed suit against you for Breach of Contract, Quantum Meruit, and Unjust Enrichment.

You are required to file with the Clerk of the Superior Court of Hall County, Georgia, and serve upon Plaintiffs attorney, Tyler L. Adams, whose address is 3575 Piedmont Road, NE, 15 Piedmont Center, Suite 200, Atlanta, Georgia 30305, an Answer in writing within sixty (60) days of the date of the order for publication.

WITNESS, the Honorable Jason J. Deal, Judge of this Superior Court.

This 19 day of January, 2024.

Charles Baker, Clerk of Superior Court

Prepared by: Is/Tyler L. Adams Anthony D. Lehman, Esq. Georgia Bar No. 44579

Tyler L. Adams, Esq. Georgia Bar No. 382117

Hudson Lambert Parrott, LLC

3575 Piedmont Road, NE 15 Piedmont Center, Suite 200

Atlanta, Georgia 30305

Telephone: 404-554-2860

Facsimile: 404-554-8171

ATTORNEYS FOR PLAINTIFF RACKS SBG, LLC D/B/A ORION CONSTRUCTION GROUP

130621

1/31, 2/7, 14, 21

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

INSUREMAX INSURANCE COMPANY, VS. Petitioner, ALBERLY M. POLUZZI ARGUELLO, LIVIA ARGUELLO, ADRIAN DEWENDT, GJANFRANCO DEWENDT, PATRICIA THOMPSON, NORTHEAST GEORGIA HEALTH SYSTEM, INC., JOHN DOE, and JOHN DOE, INC., Respondents, CIVIL ACTION FILE NUMBER: 2023 CV 001247

NOTICE OF PUBLICATION

TO: Patricia Thompson

4398 Autry Drive Gainesville, GA 30506

By Order for Service of Publication dated December 7, 2023, you are hereby notified that on July 12, 2023, Insure Max Insurance Company filed a Petition for Interpleader and Declaratory Relief against you.

You are hereby required to file with the Hall County Superior Court and serve the Plaintiff's attorney, Gregory H. Brack, Brack & Westee, 378 Lawrence Street, Marietta, GA 30060 an Answer in writing within sixty (60) days from the 13th day of December, 2023.

WITNESS the Honorable Clint G. Bearden, Judge of this Superior Court.

This 13th day of December, 2023.

Charles Baker Clerk, Hall County Superior Court

129551 1/3, 10, 17, 24, 31, 2/7, 14, 21

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: NAME CHANGE OF PATRICIA PREECE WATKINS, Petitioner

Civil Action Case Number: 2024CV000189BCO

NOTICE OF PETITION TO CHANGE NAME OF ADULT

PATRICIA ELIZABETH (PREECE) WATKINS filed a petition in the HALL County Superior Court on FEBRUARY 1, 2024

to change the name from: PATRICIA PREECE WATKINS to PATTI WATKINS

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Dated: FEBRUARY 1, 2024

Petitioner, Pro se (Signature) Name: PATRICIA PREECE

WATKINS Address: 6278 OAK RIDGE DRIVE FLOWERY BRANCH, GA 30542-5037

131241

2/14, 2/21, 2/28, 3/6

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ELISEO ACUNA ARROYO, Petitioner, CIVIL ACTION FILE NO. 2024CV000149

NOTICE OF PETITION FOR NAME CHANGE

Notice is hereby given that Eliseo Acuna Arroyo, by and through undersigned counsel, filed a petition to the Superior Court of Hall County, Georgia on the 25th day of January, 2024, praying for a change in the name of petitioner from Eliseo Acuna Arroyo to Eliseo Arroyo Acuna. 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 30 days of the filing of said petition.

This 25 day of January, 2024.

/s/ June N. Lynn June N. Lynn Attorney for Petitioner GA Bar Number: 266931

Lynn Law Firm, LLC

295 S. Culver St. Ste. B Lawrenceville, GA 30046

Telephone: (770) 212-9090

Facsimile: (770) 212-9088

june@lynnlawga.com

130928 2/7, 14, 21, 28

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

Kade Traore Vs

Abdoulaye Diallo

In re: Binta Diallo, Minor Child(ren)

Civil Action File no. 2024CV000138JJD

NOTICE OF PETITION TO CHANGE NAME OF ADULT, HALL COUNTY

NOTICE is hereby given that Kade Traore the undersigned, filed this Petition to the Superior Court of Hall County, Georgia on the 16th day of January, 2024, praying for the change in the name of the minor child(ren) from Binta Diallo to Binta Bella Diallo. NOTICE is hereby given pursuant to law to any interested or affect 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 23 day of January, 2024

Kade Traore Petitioner, Pro se

130745

1/31, 2/7, 14, 21

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN re the Name Change of: Joy Lyn Holmes, Petitioner.

Civil Action File No: 2024-CV-000166-JJD

NOTICE OF PETITION TO CHANGE NAME OF ADULT

An action was filed in the Superior Court of Hall County on 2/6/24, to change the Petitioner's name as follows: Petitioner's name: Joy Lyn Holmes

Desired new name: Joy Lyn Licciardi

Any interested party has the right to appear in this case and file objections before the final judgment is ordered in this case.

Dated: 2/6/24

Joy Lyn Holmes Petitioner, Pro se

Name: Joy Lyn Holmes

Address: 1020 Green Street Circle Gainesville, GA 30501

Phone: 706-983-1821

Email: JLHolmes93@gmail.com

131400

2/14, 21, 28, 3/6

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN re the Name Change of Clara Sanchez de Contreras, Petitioner

Civil Action Case Number: 2024CV000101CGB

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Clara Sanchez de Contreras filed a petition in the Superior Court of Hall County on January 18, 2024, to change name from : Clara Sanchez de Contreras to Clara Contreras.

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Date: January 18, 2024

Clara Contreras Petitioner, Pro se

Name: Clara Contreras

Address: 2721 Glendale drive Gainesville, GA 30507

Email: bvictoria.contreras@hotmail.com

Phone (day): 678-897-9726

130528

1/24, 31, 2/7, 14

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of: Coral Abigail Foster (Coral (alias), Petitioner.

Civil Action File No.: 2024CV000119BCO

NOTICE OF PETITION TO CHANGE NAME OF ADULT

An action was filed in the Superior court of Hall County on 1/19/24. to change the Petitioner's name as follows: Petitioner's name: Coral Abigail Foster

Desired new name: Coral Abigail Moffatt.

Any interested party has the right to appear in this case and file objections before the final judgment is ordered in this case.

Dated: 01/19/2024

Coral Abigail Foster Petitioner, Pro se

Name: Coral Abigail Foster

Address: 6431 Waypoint Street Flowery Branch, GA 30542

Phone: 678-516-8432

Email: coralfoster@mrssystem.com

130861

1/31, 2/7, 14, 21

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of: Gabriela Katona Stoner, Petitioner.

Civil Action Case Number: 2023CV000132LHB

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Gabriela Katona Stoner filed a petition in the Superior Court of Hall County on January 22, 2024, to change the name from Gabriela Katona Stoner to Gabriela Sarkadi Stoner.

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Dated: 1/22/2024

Gabriela Katona Stoner, Petitioner, Pro se

Name: Gabriela Stoner

Address: 6367 Cross Creek Lane Flowery Branch, GA 30542

Email: gabriela.stoner@gmail.com

Phone(day): 404-453-8297

130693

1/31, 2/7, 14, 21

Public Hearings

NOTICE is hereby given that the **Hall County Planning Commission** shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on **Monday, March 18, 2024** to consider the following:

1.0 McKinzey Lane | Use Subject to County Commission Approval | 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089001019B | Proposed Use: 6-lot subdivision | ** Commission District 2 | **Garry L. English, applicant**

2. 2860 Atlanta Highway | Amend Conditions | on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center |** ** Commission District 2 | **Karan Ahuja, applicant**

3. 2852 Atlanta Highway | Rezone | from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center |** ** Commission District 2 | **Karan Ahuja, applicant**

4. 8545 Belton Bridge Road | Amend Conditions | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area |** ** Commission District 3 | **Mallard View Homeowners Association, applicant.**

5.(A) 2696 Cleveland Highway | Rezone | from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD); Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair |** **

Commission District 3 | **Ramon Carrillo Jr, applicant**

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

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

131459 2/14

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, March 5, 2024 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 rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I). Ward Number: Three

Tax Parcel Number(s): 01-015-001-010; 013

Request: Existing uses

2) Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I). Ward Number: Five

Tax Parcel Number(s): 15-035-000-015

Request: Data mining facility

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 (c))

131487 2/14

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 Tuesday, March 12, 2024, 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 Tuesday, April 9, 2024 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.

This 1st day of February, 2024.

CHANDLER, BRITT & JAY, LLC

City Attorneys

OWNER: Amy L. Barfield and Christopher W. Watford

CURRENTLY ZONED: S-5/AR-III

PROPOSED ZONING: RA-200

LOCATION: 4470 Bennett Rd

ALL THAT TRACT or parcel of land lying and being in Land Lots 153 and 154 of the 8th District of Hall County, Georgia, and being more particularly described as follows: BEGINNING at the northern corner of Buford Road (later called Roberts Cross Road and now known as Friendship Road) and the Gainesville Road, run thence East along the northeast side of Gainesville Road to the western side of Mount Salem Church Road to J.W. Parks land; run thence South 46.5 degrees West along the Parks line and land of Carl Perry to Roberts Cross Road to the Beginning Point. Said tract contains 36.5 acres more or less and is a portion of the property described and conveyed by W.R. Davis and Mrs. Julia Davis to Mrs. Winnie Roberts Tutton by Warranty Deed dated September 14, 1935, recorded in Deed Book 32, page 289, Hall County, Georgia Deed Records.

131230 2/14, 21, 28, 3/6, 13, 20, 27

Public Sales/Auctions

Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated:

1010 Dawsonville Hwy, Gainesville, GA 30501, 2/29/2024 12:00pm

Taylor McKenzie 1039

Holiday decor, seasonal clothing

Rashika Williams 1052

two couches 4 mattresses one headboard couple of bags

Vivian Richardson 1119

Boxes toys bedding

Danny Baugh 1509

Misc household and decorations

Edwin Marte 2234

Household goods

The auction will be listed and advertised on www.storagetreasures.com.

Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction.

Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property.

130790 2/7, 14

Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated:

1010 Dawsonville Hwy, Gainesville, GA 30501, 2/29/2024 12:00pm

Taylor McKenzie 1039

Holiday decor, seasonal clothing

Julio Paz 2231

bedroom, living items, etc.

Edwin Marte 2234

Household goods

Rashika Williams 1052

two couches 4 mattresses one headboard couple of bags

Vivian Richardson 1119

Boxes toys bedding

Danny Baugh 1509

Misc household and decorations

Jordan Grizzle 1489

Rashika Williams 1052

The auction will be listed and advertised on www.storagetreasures.com.

Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction.

Extra Space Storage may refuse any bid and may

rescind any purchase up until the winning bidder takes possession of the personal property.

130631 2/14, 2/21

Flowery Branch Mini Storage located at 5110 Chattahoochee St. Flowery Branch, GA 30542 will finalize an auction for the contents of Unit R13 – Felix Flores-consisting of household items including clothing. The auction will be held online at www.storageauctions.com and will conclude at NOON on February 29, 2024.

131232 2/14, 2/21

IN THE PROBATE COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ESTATE OF JOSEPH ADAM MCFRY, DECEASED

ESTATE NO. E-24-006

PETITION FOR LETTERS OF ADMINISTRATION NOTICE

[Strike the sentence in parenthesis below if not applicable.]

TO: **WHOM IT MAY CONCERN,**

Trudy Lundquist has petitioned for **Letters of Administration** to be appointed administrator of the estate of **Joseph Adam McFry** deceased, of said county. (The petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, and/or grant of certain powers contained in O.C.G.A. § 53-12-261.) All interested persons are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before March 4, 2024 by 10:00 A.M.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

Patty Walters Laine Judge of the Probate Court

By: Cohrren Williams Clerk of the Probate Court

116 Spring Street SE, First Floor Gainesville, GA 30501

Address 770-535-9710 Ext 701 J

Telephone Number **130254**

1/31, 2/7, 14, 21

Notice is hereby that on the 21st of February, 2024 at 5140 McEver Road Self Storage Oakwood, GA 30566 the undersigned will sell at the public auction by competitive bidding online on or after 2:00pm at storageauctions.com. The following personal property stored with this facility. All sales are cash only and all items must be removed from the unit within 48 hours.

Thomas K. Long Unit #205

Household Goods, Misc. Diane W. Randle Unit #242

Household Goods, Misc. Shaneqwa C Gibson Unit #414

Household Goods, Misc. Felipe Rios Unit #604

Household Goods, Misc. Ashley Martin Unit #638

Household Goods, Misc. Luis Rivera Unit #670

Household Goods, Misc. Sherron Robinson Unit #737

Household Goods, Misc. Vanessa Elston Unit #750

Household Goods, Misc. Cheryl Castleberry Unit #944

Household Goods, Misc. **131042 2/7, 14**

Notice of Public Auction Mini Mail Storage

We will be holding a public auction online at SelfStorageAuction.com

Date: February 21, 2023

Time: 10:00 am

The payment methods we accept for this are cash, Debit, Visa, Mastercard, and Amex.

All sales are final: The bidder must place a \$100 cash deposit, make payment and clear out the unit within 48 hours from the time the auction closes. Once the unit has been inspected, the

\$100 cash deposit will be returned to the bidder. We currently have 1 unit: B1923 Lisa Lavalley

131214 2/7, 14

Notice of Sale.

Notice is hereby given that Northeast Georgia Storage Center LLC, intends to sell the personal property described below to enforce a lien imposed on said property pursuant to the Georgia Self-Storage Facility Act, Georgia Code Section 10-4-210 to 10-4-215. The undersigned will sell at public sale by competitive bidding on Friday, March 1st, 2024 at 9:00 am on the premises where said property is being stored and which is located at, Northeast Georgia Storage Center, 1980 Delta Drive, Gainesville Georgia 30501, County of Hall, State of Georgia. 770-536-5173.

The personal property found in units: B010 Nathaniel Davis- Mattress, Chest of drawers, Nightstand; C029 Jonathan Molina-Clothes, Foosball Table, Fold out chairs, dartboard, punching bag; D037 Anita Todd- Tanning Bed, Toys, Totes, Vacuum, Furniture; K052 Sasha Knight- Toys, TV, Furniture. Purchases must be made with cash. All items are sold as is. Sale is subject to cancellation and Tenant has the right to redeem prior to sale.

131434 2/14, 2/21

The following units will be sold on Saturday. February 24, 2024, at 10:00 a.m. for non-payment of storage fees:

B1 and C2 — Tammy Walden

B3 — Cystalanne Boyer

B16 — Andie Givens

B20 — Tracey Parris

B14 — Samantha Evans

B9 — Ruthann Rocha

Units will be sold as a whole for cash only. Contents must be removed promptly and unit left broom clean.

Lula Mini storage reserves the right to withdraw any unit from the sale or refuse any bid.

Lula Mini Storage 5855 Main Street Lula, GA 30554

770-869-9085

131283 2/14, 2/21

Tier 1 Auto Sales

308 Atlanta Hwy ~ Gainesville, GA 30501

March 29, 2024 ~ 9am - 10am

1) 1989 BMW 3 Series WBAD1308K883485S

131456 2/14

WILL BE Sold Online at Storageauctions.com

Notice is hereby given that on Auction Date: February 19, 2024 U-Haul Company of Northeast Georgia will Sell under the contractual landlords lien process by Online auction the following storage units. The goods to be sold are generally described as household goods.

Gainesville:

U-Haul Of Oakwood: 121 Thomas Badnek 2181 Conor Cuomo

130912 2/7, 14

Probate Notices

IN THE PROBATE COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ESTATE OF JIMMY RONALD OWENS, DECEASED

ESTATE NO. E-23-686

PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: **WHOM IT MAY CONCERN,**

Eva Denisha Clark has petitioned for **Letters of Administration** to be appointed administrator of the estate of **Jimmy Ronald Owens** deceased, of said county. (The petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, and/or grant of certain powers contained in O.C.G.A. § 53-12-261.) All interested persons are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before February 5, 2024 by 10:00 A.M.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be (scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

Patty Walters Laine

Applicant	City of Gainesville
Property Owner	G-4 Development Group, LLC
Location	718-A Bradford Street 733 Main Street SW
Request	Rezone from L-I to O-I
Total Acres	0.5± acre
Ward	Three
Proposed Use	Existing uses
Planning Division Staff Recommendation	Approval
Planning & Appeals Board Recommendation	Approval
Date	February 13, 2024

The City of Gainesville is proposing to rezone 733 Main Street (0.30± acre) and 718-A Bradford Street (0.20± acre) from Light Industrial (L-I) to Office and Institutional (O-I), within the Midtown Overlay Zone. The purpose of the request is to rezone the properties to Office and Institutional (O-I) which is more suitable for the existing uses. The properties are privately owned by G-4 Development Group, LLC and consist of a 9,500± square foot photography studio under development and a parking lot. There are no other changes proposed to the properties at this time. As part of the approved Tax Allocation Development (TAD) agreement – Resolution BR-2023-40, the properties were required to be rezoned from L-I to O-I.

Location	Use	Zoning
North	Parking Lot	Light Industrial (L-I)
	Green Space / Stormwater Facility	Office and Institutional (O-I)
South / Southeast	The Midland Salon G-4 Development Group Offices	Office and Institutional (O-I)
East	South Bradford Street Self Storage	Light Industrial (L-I)
West	Regional Medical Group	Light Industrial (L-I)
	Green Space	Office and Institutional (O-I)

There were no departmental comments for this request.

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

2023 – A request by Booker Property Holdings, LLC and Paul Wilmont to rezone a 0.47± acre tract from Neighborhood Business (N-B) to Residential-II (R-II) located at 235 Summit Street, SE was conditionally approved for four townhome units.

2023 – A request by Greg Loyd to rezone a 0.397± acre tract from General Business (G-B) to Residential-II (R-II) located at 812 Dixie Street was conditionally approved for four condominium units.

2023 – A request by the City of Gainesville to annex a 1.866± acres tract with a zoning of Heavy Industrial (H-I) located at 1200 and 1204 Marler Street was approved for Water Resources water/sewer services.

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.

2020- A request by the City of Gainesville to rezone a 6.84± acres tract located at 110 and 120 Jesse Jewell Parkway, SE; 525 Bradford Street, SE; 111 College Avenue, SE from Planned Unit Development (P-U-D) and General Business (G-B) to Planned Unit Development (P-U-D) was approved with conditions for a mixed-use development.

2020- A request by the City of Gainesville to rezone a 4.1± acres tract located at 610 and 622 Main Street, SW; 605 Grove Street, SW from Light Industrial (L-I) to Planned Unit Development (P-U-D) was approved with conditions for a mixed-use development.

2019- A request by Christopher Wimberly to rezone 0.31± acre located at 315 Summit Street, SE from Residential-II (R-II) to General Business (G-B) was approved with conditions for a funeral home.

2016- A request by the Gainesville Housing Authority to rezone 11.671± acres located at 233, 240, 315, and 323 Atlanta Street; 207, 209, 221, 223 and 229 Summit Street from Residential-II (R-II), Neighborhood Business (N-B) and General Business (G-B) to Planned Unit Development (P-U-D) was approved with conditions for multi-family apartments.

Staff Analysis

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

The adjacent and nearby property consists of a mixture of office, commercial and industrial zoned properties. The adjacent properties owned by G-4 Development Group, LLC are zoned Office and Institutional (O-I) as well which includes an office building and The Midland Salon. The proposed rezoning appears suitable based on the adjacent uses and zoning.

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

There is no proposed change in use. The properties will continue to function as photography studio and a parking lot. There will be no adverse effects to the adjacent or nearby properties.

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

It is staff's opinion that the proposal is consistent with the Comprehensive Plan. The Future Development Map for the City of Gainesville places the subject properties within the *Downtown Mixed-Use category* which is similar to General Mixed-Use, but at a higher intensity. This includes areas containing predominately retail uses and other higher density residential uses featuring a mix of traditional and contemporary architectural styles. Residential above ground-floor retail or offices uses are also encouraged.

According to the Character Area map for the City of Gainesville, the subject properties are located within the Midland subarea of the *Central Core* Character Area which is the historic heart of Gainesville, centered on the square and extending to the east, west and south. The vision for this area is to continue to evolve as the symbolic heart of the city and should strive for a more sustainable mixture of uses. Recent and ongoing public improvements Downtown and Midland have begun a long-term transition to more diverse land uses and redevelopment opportunities. Land uses supported in this Character Area include Parks and recreation, higher density single-family residential, Multi-family residential, General mixed-use, Downtown mixed-use, Commercial, Public and institutional.

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

The subject properties are currently zoned for light industrial purposes and the proposed zoning of O-I would effectively downzone the properties. As previously stated, the proposed zoning of Office and Institutional (O-I) is more appropriate based on the existing use of the properties. The proposed rezoning will further support the Midtown Overlay Zone which currently prohibits inappropriate uses such as liquor stores, tobacco/vaping stores, auto sales/repair and heavy industrial uses.

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

The proposed rezoning request should not cause any excessive or burdensome use of public facilities or services.

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

The properties are located within the Midtown Overlay Zone which was established in 2005 with the intent to set higher standards for the appearance and functionality of the land uses. It is also intended to encourage mixed-use development and the creation of more housing, employment, and recreational opportunities originally identified within the *The Renaissance of Midtown Gainesville Redevelopment Plan* created in 2001. The strategic public investment within the overlay will continue to encourage further investment as desired by the applicant. Rezoning the subject properties to a more appropriate zoning that reflects the existing uses will only help to support this effort.

(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 existing uses, it appears the proposal reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

▪ **Staff Recommendation**

The Planning Division staff is recommending **approval** of this rezoning request with a zoning of **Office and Institutional (O-I)** based on the Comprehensive Land Use Plan and the existing uses.

Excerpts from the February 13, 2024 PAB Meeting Minutes

FAVOR: None

OPPOSE: None

There was a motion to recommend approval to rezone the subject property for existing uses from Light Industrial (L-I) to Office and Institutional (O-I).

Motion made by Board Member Martin

Motion seconded by Board Member Young

Vote – 5 favor, 1 absent (Simmons), 1 vacant

Passed: _____

AN ORDINANCE

No. 2024-__

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA, BY CHANGING THE ZONING ON TWO PARCELS TOTALING 0.5± ACRE LOCATED WITHIN THE MIDTOWN OVERLAY ZONE (A/K/A 718-A BRADFORD STREET AND 733 MAIN STREET SW) FROM LIGHT INDUSTRIAL (L-I) TO OFFICE AND INSTITUTIONAL (O-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 **Office and Institutional (O-I)**.

Legal Description

718-A Bradford Street

All that tract or parcel of land lying and being in Land Lot 149 of the 9th Land District of Hall County, Georgia, City of Gainesville, being more particularly described as follows:

To find THE TRUE POINT OF BEGINNING, begin at the centerline intersection of Bradford Street and Summit Street, THENCE along northwesterly right-of-way of Bradford Street in a northwesterly direction for a total distance of 214 feet to a point, said point being THE TRUE POINT OF BEGINNING; THENCE in a northwesterly direction along the western side of Bradford Street for a distance of 74 feet more or less to a point, THENCE in a southwesterly direction for a distance of 100 feet more or less to a point; THENCE in a southeasterly direction for a distance of 74 feet more or less to a point; THENCE in a northeasterly direction for a distance of 100 feet more or less to a point; Said point being THE TRUE POINT OF BEGINNING. Having an area of 0.20 Acres more or less.

733 Main Street

All that tract or parcel of land lying and being in Land Lot 149 of the 9th Land District of Hall County, Georgia, City of Gainesville, being more particularly described as follows:

To find THE TRUE POINT OF BEGINNING, begin at the centerline intersection of Main Street and Summit Street, THENCE along northeasterly right-of-way of Main Street in a northwesterly direction for a total distance of 116.19 feet to a point, said point being THE TRUE POINT OF BEGINNING; THENCE in a northeasterly direction a distance of 128 feet more or less to a

ORDINANCE NO. 2024-____

point, THENCE in a northwesterly direction for a distance of 100 feet more or less to a point; THENCE in a southwesterly direction for a distance of 125 feet more or less to a point; THENCE in a southeasterly direction along the eastern side of Main Street for a distance of 106 feet more or less to a point; Said point being THE TRUE POINT OF BEGINNING. Having an area of 0.30 Acres more or less.

SECTION II

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

SECTION III

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

SECTION IV

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

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

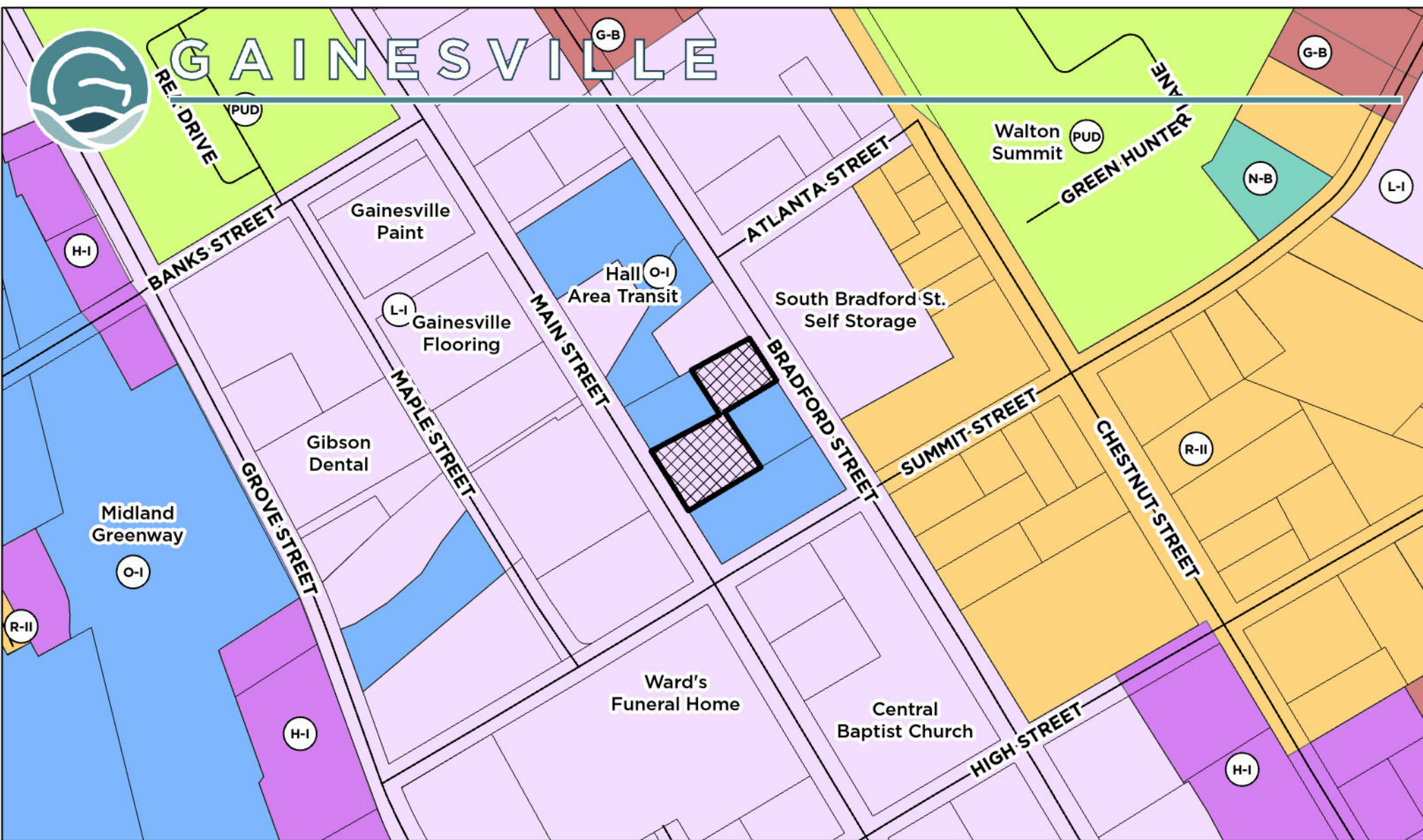
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

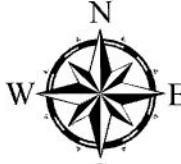
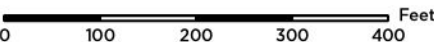
ATTEST:

Denise O. Jordan, City Clerk



GAINESVILLE

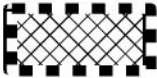
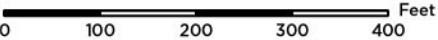


Applicant: CITY OF GAINESVILLE		Request: Rezone +/- 0.5 AC within the Midtown Overlay Zone, currently zoned Light Industrial (L-I) to Office & Institutional (O-I).	
REZONING REQUEST			
Subject Property Address: 718-A Bradford Street 733 Main Street SW	Tax Parcel: 01-015-001-010 01-015-001-013	 Subject Property	 Page 19 of 57
Meeting Date: 2/13/2024 Map Prepared: 1/18/2024		 Scale: 1" = 200'	



GAINESVILLE



Applicant: CITY OF GAINESVILLE		Request: Rezone +/- 0.5 AC within the Midtown Overlay Zone, currently zoned Light Industrial (L-I) to Office & Institutional (O-I).	
REZONING REQUEST			
Subject Property Address: 718-A Bradford Street 733 Main Street SW	Tax Parcel: 01-015-001-010 01-015-001-013	 Subject Property	Aerial from 2023
Meeting Date: 2/13/2024		Map Prepared: 1/18/2024	
			Scale: 1" = 200'



Narrative

The City of Gainesville is proposing to rezone 733 Main Street (0.30± acre) and 718-A Bradford Street (0.20± acre) from Light Industrial (L-I) to Office and Institutional (O-I), within the Midtown Overlay Zone. The properties are privately owned by G-4 Development Group, LLC and consist of a photography studio under development and a parking lot. There are no other changes proposed for the properties at this time. As part of the approved Tax Allocation Development (TAD) agreement – Resolution BR-2023-40, the properties were required to be rezoned from L-I to O-I. Adjacent uses include a hair salon, offices and a climate controlled self-storage facility.

SURVEYOR'S CERTIFICATE (CITY)

It is hereby certified that this plot is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist. The field data upon which this plot is based has a closure precision of one foot in 32,873 feet, and an angular error of 17" per angle point, and was adjusted using Least Squares rule. This plot has been calculated for closure and is found to be accurate within one foot in 55,672 feet.

By: Robert S. Cleveland
Registered Georgia Land Surveyor No. 2984
Rochester & Assoc., Inc. Certificate of
Authorization No. LSF-000484
Email: scleveland@rochester-assoc.com

5/4/2023
DATE

APPROVED
FOR
RECORDING

PAUL DUNLAP
GAINESVILLE COMPANY
(DB 581, PG 85)
COMMUNITY & ECONOMIC DEVELOPMENT

SIGNATURE: Heather Dawese
DATE: 8/30/2023

THIS BLOCK RESERVED FOR THE
CLERK FOR THE SUPERIOR COURT.

LEGEND:

CMP	CORRUGATED METAL PIPE
CBS	CURB AND GUTTER
CL	CENTER LINE
CONC	CONCRETE
CB	CATCH BASIN
DIP	DUCTILE IRON PIPE
DB, PG	DEED BOOK, PAGE
EC	EDGE OF CONCRETE
FF	FIRE HYDRANT
FF	FINISHED FLOOR
GW	GUY WIRE
IFP	IRON PIN FOUND
IPS	IRON PIN SET (1/2" R/B)
INVT	INVERT
INV	INVERT
LL	LAND LOT
LP	LIGHT POLE
MH	SEWER MANHOLE
PVC	POLYVINYL CHLORIDE PIPE
N/F	NOW OR FORMERLY
OT	OPEN TOP PIPE
P	POWER LINE
P-T	POWER & TELEPHONE LINE
POB	POINT OF BEGINNING
PR	POWER METER
PP	POWER POLE
PTP	POWER & TELEPHONE POLE
PB, PG	PLAT BOOK, PAGE
RB	REBAR
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
SW	SIDEWALK
TBX	TELEPHONE BOX
TBM	TEMPORARY BENCH MARK
TP	TELEPHONE POLE
TW	TOP OF WALL
WF	WOOD FENCE
WM	WATER METER

OWNER'S CERTIFICATE

OWNER'S CERTIFICATE State of Georgia County of Hall The undersigned certifies that he or she is the owner of the land shown on this plot and that the plot and the public and private improvements contained therein or associated therewith meet all applicable requirements and standards of the Gainesville Unified Land Development Code. The owner further acknowledges this plot and allotment to be his free act and deed, and dedicates to the City of Gainesville forever all areas shown or indicated on this plot as public streets, easements or other public use areas, and all water system, sewerage and other public improvements (hereinafter "facilities"). However, the City of Gainesville will not take ownership and maintenance of these facilities until such time as the undersigned petitions for and the Governing Body of the City of Gainesville accepts the dedication and acceptance of the facilities as provided in section 9-13-14-12 of the Gainesville Unified Land Development Code and provided a maintenance bond as required in sections 9-13-13-9 and Last Revised June 21, 2016 Article 9-13, Subdivisions and Land Development Gainesville, GA, Unified Land Development Code 13-8

Owner's name: Tim Gilmer
Owner's address: 743 Main Street SW
Gainesville, GA 30501

Date: 6-29-23
(Owner's signature)

TRACT "A"
AREA
0.532 ACRES
OR
23,160 SQ. FT.

G-4 DEVELOPMENT GROUP, LLC
(DB 8588, PG 232)
(DB 8923, PG 723)

TRACT "B"
AREA
0.199 ACRES
OR
8,654 SQ. FT.

G-4 DEVELOPMENT GROUP, LLC
(DB 8515, PG 228)

SURVEYOR'S CERTIFICATION

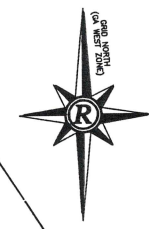
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plot has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed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

Robert S. Cleveland, GA RLS #2894
Rochester & Assoc., Inc. Certificate of
Authorization No. LSF-000484
Email: scleveland@rochester-assoc.com

5/4/2023
DATE:

NOTES:

1. THE FIELD DATA DATED 3/18/21 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,741 FEET AND AN ANGULAR ERROR OF 09" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 55,672 FEET. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TOPCON GT5-225.
2. THE UTILITIES SHOWN HEREON HAVE BEEN LOCATED FROM ABOVE GROUND. VISIBLE EVIDENCE ONLY. THE SURVEYOR MAKES NO GUARANTEE THAT THE 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
3. THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
4. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP # 13139C0187C, HALL COUNTY, GEORGIA. REVERSED DATE, APRIL 4, 2018; HOWEVER A PORTION OF TRACT "A" IS LOCATED IN A FUTURE FLOOD ZONE PER HALL COUNTY GIS.
5. ALL DISTANCES AS SHOWN ARE HORIZONTAL. GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER).
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; 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 A TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
7. THE BEARINGS SHOWN HEREON WERE CALCULATED FROM ANGLES TURNED.



Rochester **DECM**

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

RECONFIGURATION SURVEY FOR:
G-4 DEVELOPMENT GROUP, LLC

LOCATED IN DISTRICT
LAND LOT 153, 9TH DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS
1.	8/3/23	ADD WATER LINES ON BRADFORD ST.	
1.	6/22/23	ADDRESS COMMENTS	

GRAPHIC SCALE
0' 10' 20' 40'

SHEET 1 OF 1
DATE: 5/4/23
SCALE: 1" = 20'
FILE: K080
JOB: 0220071.G40
DRAWN BY: RSC





CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: February 14, 2024
Date Submitted: February 19, 2024
Final Approval Date: February 27, 2024
Presenter: Abb Hayes, City Attorney
Item of Business: **Public Hearing Item: March 5, 2024 Council Meeting (Tabled at the February 13, 2024, Planning and Appeals Board meeting).**
Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I). **Ward Number: Five.** Tax Parcel Number(s): 15-035-000-015. **Request: Data mining facility.**
Meeting Date: February 29, 2024

Purpose of Request:

This request was tabled by the Planning and Appeals Board to their March 12, 2024, meeting.

Facts & Issues / History & Background:

Department Recommendation:

No action required.

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

ORION CONSTRUCTION GROUP, Plaintiff, v. FERNANDO BECERRA, HEIDI BECERRA, and DANNY ALLEN d/b/a ABBAHOMZ Defendants. CIVIL ACTION FILE NO. 2023CV000889

PROPOSED NOTICE OF PUBLICATION

TO: Danny Allen d/b/a Abba Homz
5095 Mouse Creek Road
Cleveland, Tennessee 37312

By Order for service by publication dated the 18 day of January, 2024, you are hereby notified that on the 5th day of October 2023, Racks SBG, LLC d/b/a Orion Construction Group filed suit against you for Breach of Contract, Quantum Meruit, and Unjust Enrichment.

You are required to file with the Clerk of the Superior Court of Hall County, Georgia, and serve upon Plaintiffs attorney, Tyler L. Adams, whose address is 3575 Piedmont Road, NE, 15 Piedmont Center, Suite 200, Atlanta, Georgia 30305, an Answer in writing within sixty (60) days of the date of the order for publication.

WITNESS, the Honorable Jason J. Deal, Judge of this Superior Court.

This 19 day of January, 2024.

Charles Baker, Clerk of Superior Court

Prepared by: Is/Tyler L. Adams
Anthony D. Lehman, Esq. Georgia Bar No. 44579
Tyler L. Adams, Esq. Georgia Bar No. 382117
Hudson Lambert Parrott, LLC
3575 Piedmont Road, NE 15 Piedmont Center, Suite 200
Atlanta, Georgia 30305
Telephone: 404-554-2860
Facsimile: 404-554-8171

ATTORNEYS FOR PLAINTIFF RACKS SBG, LLC D/B/A ORION CONSTRUCTION GROUP 130621 1/31, 2/7, 14, 21

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

INSUREMAX INSURANCE COMPANY, VS. Petitioner, ALBERLY M. POLUZZI ARGUELLO, LIVIA ARGUELLO, ADRIAN DEWENDT, GJANFRANCO DEWENDT, PATRICIA THOMPSON, NORTHEAST GEORGIA HEALTH SYSTEM, INC., JOHN DOE, and JOHN DOE, INC., Respondents, CIVIL ACTION FILE NUMBER: 2023 CV 001247

NOTICE OF PUBLICATION

TO: Patricia Thompson
4398 Autry Drive
Gainesville, GA 30506

By Order for Service of Publication dated December 7, 2023, you are hereby notified that on July 12, 2023, Insure Max Insurance Company filed a Petition for Interpleader and Declaratory Relief against you.

You are hereby required to file with the Hall County Superior Court and serve the Plaintiff's attorney, Gregory H. Brack, Brack & Westee, 378 Lawrence Street, Marietta, GA 30060 an Answer in writing within sixty (60) days from the 13th day of December, 2023.

WITNESS the Honorable Clint G. Bearden, Judge of this Superior Court.

This 13th day of December, 2023.

Charles Baker Clerk, Hall County Superior Court

129551 1/3, 10, 17, 24, 31, 2/7, 14, 21

Name Changes

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: NAME CHANGE OF PATRICIA PREECE WATKINS, Petitioner
Civil Action Case Number: 2024CV000189BCO

NOTICE OF PETITION TO CHANGE NAME OF ADULT

PATRICIA ELIZABETH (PREECE) WATKINS filed a petition in the HALL County Superior Court on FEBRUARY 1, 2024 to change the name from: PATRICIA PREECE WATKINS to PATTI WATKINS

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Dated: FEBRUARY 1, 2024
Petitioner, Pro se (Signature) Name: PATRICIA PREECE WATKINS
Address: 6278 OAK RIDGE DRIVE FLOWERY BRANCH, GA 30542-5037

131241 2/14, 2/21, 2/28, 3/6

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ELISEO ACUNA ARROYO, Petitioner, CIVIL ACTION FILE NO. 2024CV000149

NOTICE OF PETITION FOR NAME CHANGE

Notice is hereby given that Eliseo Acuna Arroyo, by and through undersigned counsel, filed a petition to the Superior Court of Hall County, Georgia on the 25th day of January, 2024, praying for a change in the name of petitioner from Eliseo Acuna Arroyo to Eliseo Arroyo Acuna. 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 30 days of the filing of said petition.

This 25 day of January, 2024.

/s/ June N. Lynn
June N. Lynn Attorney for Petitioner
GA Bar Number: 266931
Lynn Law Firm, LLC
295 S. Culver St. Ste. B
Lawrenceville, GA 30046
Telephone: (770) 212-9090
Facsimile: (770) 212-9088
june@lynnlawga.com

130928 2/7, 14, 21, 28

IN THE SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

Kade Traore Vs
Abdoulaye Diallo
In re: Binta Diallo, Minor Child(ren)
Civil Action File no. 2024CV000138JJD

NOTICE OF PETITION TO CHANGE NAME OF HALL COUNTY

NOTICE is hereby given that Kade Traore the undersigned, filed this Petition to the Superior Court of Hall County, Georgia on the 16th day of January, 2024, praying for the change in the name of the minor child(ren) from Binta Diallo to Binta Bella Diallo. NOTICE is hereby given pursuant to law to any interested or affect 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 23 day of January, 2024

Kade Traore Petitioner, Pro se

130745 1/31, 2/7, 14, 21

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of: Joy Lyn Holmes, Petitioner.

Civil Action File No: 2024-CV-000166-JJD

NOTICE OF PETITION TO CHANGE NAME OF ADULT

An action was filed in the Superior Court of Hall County on 2/6/24, to change the Petitioner's name as follows: Petitioner's name: Joy Lyn Holmes

Desired new name: Joy Lyn Licciardi

Any interested party has the right to appear in this case and file objections before the final judgment is ordered in this case.

Dated: 2/6/24

Joy Lyn Holmes Petitioner, Pro se

Name: Joy Lyn Holmes
Address: 1020 Green Street Circle Gainesville, GA 30501
Phone: 706-983-1821
Email: JLHolmes93@gmail.com

131400 2/14, 21, 28, 3/6

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of Clara Sanchez de Contreras, Petitioner
Civil Action Case Number: 2024CV000101CGB

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Clara Sanchez de Contreras filed a petition in the Superior Court of Hall County on January 18, 2024, to change name from : Clara Sanchez de Contreras to Clara Contreras.

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Date: January 18, 2024

Clara Contreras Petitioner, Pro se
Name: Clara Contreras
Address: 2721 Glendale drive Gainesville, GA 30507
Email: bvictoria.contreras@hotmail.com
Phone (day): 678-897-9726

130528 1/24, 31, 2/7, 14

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of: Coral Abigail Foster (Coral (alias), Petitioner.
Civil Action File No.: 2024CV000119BCO

NOTICE OF PETITION TO CHANGE NAME OF ADULT

An action was filed in the Superior court of Hall County on 1/19/24. to change the Petitioner's name as follows: Petitioner's name: Coral Abigail Foster
Desired new name: Coral Abigail Moffatt.

Any interested party has the right to appear in this case and file objections before the final judgment is ordered in this case.

Dated: 01/19/2024

Coral Abigail Foster
Petitioner, Pro se
Name: Coral Abigail Foster
Address: 6431 Waypoint Street Flowery Branch, GA 30542
Phone: 678-516-8432
Email: coralfoster@mrssystem.com

130861 1/31, 2/7, 14, 21

SUPERIOR COURT OF HALL COUNTY STATE OF GEORGIA

In re the Name Change of: Gabriela Katona Stoner, Petitioner.

Civil Action Case Number: 2023CV000132LHB

NOTICE OF PETITION TO CHANGE NAME OF ADULT

Gabriela Katona Stoner filed a petition in the Superior Court of Hall County on January 22, 2024, to change the name from Gabriela Katona Stoner to Gabriela Sarkadi Stoner.

Any interested party has the right to appear in this case and file objections within 30 days after the Petition was filed.

Dated: 1/22/2024

Gabriela Katona Stoner, Petitioner, Pro se
Name: Gabriela Stoner
Address: 6367 Cross Creek Lane Flowery Branch, GA 30542
Email: gabriela.stoner@gmail.com
Phone(day): 404-453-8297

130693 1/31, 2/7, 14, 21

Public Hearings

NOTICE is hereby given that the **Hall County Planning Commission** shall conduct a public hearing at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia, at 5:15 p.m. on **Monday, March 18, 2024** to consider the following:

1.0 McKinzey Lane | Use Subject to County Commission Approval | 17.50.040.K Minor Subdivisions | on a 5.63± acre tract located on the west side of McKinzey Lane, at its intersection with Stephens Road | Zoned V-C; Tax Parcel 08089001019B | Proposed Use: 6-lot subdivision | ** Commission District 2 | **Garry L. English, applicant**

2. 2860 Atlanta Highway | Amend Conditions | on a 3.52± acre tract located on the west side of Atlanta Highway, approximately 170 feet from its intersection with Thurmon Tanner Parkway | Zoned S-S (GCOD); Tax Parcel 08027 000010 | **Proposed Use: Service station, convenience store, and shopping center |** ** Commission District 2 | **Karan Ahuja, applicant**

3. 2852 Atlanta Highway | Rezone | from Highway Business (H-B) to Suburban Shopping (S-S) | on a 0.20 ± acre tract located on the west side of Atlanta Highway, at its intersection with Thurmon Tanner Parkway | Zoned H-B (GCOD); Tax Parcel 08027 000011 | **Proposed Use: Service station, convenience store, and shopping center |** ** Commission District 2 | **Karan Ahuja, applicant**

4. 8545 Belton Bridge Road | Amend Conditions | on a 8.23± acre parcel located at the terminus of Pintail Court | Zoned AR-IV; Tax Parcel 12127 000001 | **Proposed Use: Amenity area |** ** Commission District 3 | **Mallard View Homeowners Association, applicant.**

5.(A) 2696 Cleveland Highway | Rezone | from Suburban Shopping (S-S) to Highway Business (H-B) | on a 0.60± acre tract located on the southeast side of Cleveland Highway at its intersection with Wayman Drive | Zoned S-S (GCOD); Tax Parcel 10138 000058 | **Proposed Use: Used automobile sales and repair |** **

Commission District 3 | **Ramon Carrillo Jr, applicant**

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

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within 30 days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing Tuesday, April 23, 2024, at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

**The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on Tuesday, April 23, 2024. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

131459 2/14

NOTICE OF PLANNING AND APPEALS BOARD PUBLIC HEARING

Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, March 5, 2024 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 rezone two parcels totaling 0.5± acre located within the Midtown Overlay Zone (a/k/a **718-A Bradford Street and 733 Main Street SW**) from Light Industrial (L-I) to Office and Institutional (O-I).
Ward Number: Three
Tax Parcel Number(s): 01-015-001-010; 013
Request: Existing uses

2) Request from **HadjPadj Technologies, LLC** for a special use on a 1.37± acres tract located on the south side of Palmour Drive, west of the intersection of Palmour Drive and Queen City Parkway (a/k/a **1176 Palmour Drive, SW**), having a zoning of Heavy Industrial (H-I).
Ward Number: Five
Tax Parcel Number(s): 15-035-000-015
Request: Data mining facility

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 (c))

131487 2/14

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 Tuesday, March 12, 2024, 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 Tuesday, April 9, 2024 at 7:00pm, Buford City Hall, 2300 Buford Highway, Buford, Gwinnett County, Georgia 30518.

This 1st day of February, 2024.

CHANDLER, BRITT & JAY, LLC
City Attorneys
OWNER: Amy L. Barfield and Christopher W. Watford

CURRENTLY ZONED: S-5/AR-III
PROPOSED ZONING: RA-200
LOCATION: 4470 Bennett Rd

ALL THAT TRACT or parcel of land lying and being in Land Lots 153 and 154 of the 8th District of Hall County, Georgia, and being more particularly described as follows: BEGINNING at the northern corner of Buford Road (later called Roberts Cross Road and now known as Friendship Road) and the Gainesville Road, run thence East along the northeast side of Gainesville Road to the western side of Mount Salem Church Road to J.W. Parks land; run thence South 46.5 degrees West along the Parks line and land of Carl Perry to Roberts Cross Road to the Beginning Point. Said tract contains 36.5 acres more or less and is a portion of the property described and conveyed by W.R. Davis and Mrs. Julia Davis to Mrs. Winnie Roberts Tutton by Warranty Deed dated September 14, 1935, recorded in Deed Book 32, page 289, Hall County, Georgia Deed Records.

131230 2/14, 21, 28, 3/6, 13, 20, 27

Public Sales/Auctions

Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated:

1010 Dawsonville Hwy, Gainesville, GA 30501, 2/29/2024 12:00pm
Taylor McKenzie 1039
Holiday decor, seasonal clothing
Rashika Williams 1052
two couches 4 mattresses one headboard couple of bags
Vivian Richardson 1119
Boxes toys bedding
Danny Baugh 1509
Misc household and decorations
Edwin Marte 2234
Household goods
The auction will be listed and advertised on www.storageauctions.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction.

Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property.

130790 2/7, 14

Extra Space Storage will hold a public auction to sell personal property described below belonging to those individuals listed below at the location indicated:

1010 Dawsonville Hwy, Gainesville, GA 30501, 2/29/2024 12:00pm
Taylor McKenzie 1039
Holiday decor, seasonal clothing
Julio Paz 2231
bedroom, living items, etc.
Edwin Marte 2234
Household goods
Rashika Williams 1052
two couches 4 mattresses one headboard couple of bags
Vivian Richardson 1119
Boxes toys bedding
Danny Baugh 1509
Misc household and decorations
Jordan Grizzle 1489
Rashika Williams 1052

The auction will be listed and advertised on www.storageauctions.com. Purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction.

Extra Space Storage may refuse any bid and may

rescind any purchase up until the winning bidder takes possession of the personal property.

130631 2/14, 2/21

Flowery Branch Mini Storage located at 5110 Chattahoochee St. Flowery Branch, GA 30542 will finalize an auction for the contents of Unit R13 – Felix Flores-consisting of household items including clothing. The auction will be held online at www.storageauctions.com and will conclude at NOON on February 29, 2024.

131232 2/14, 2/21

IN THE PROBATE COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ESTATE OF JOSEPH ADAM MCFRY, DECEASED

ESTATE NO. E-24-006 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

[Strike the sentence in parenthesis below if not applicable.]

TO: **WHOM IT MAY CONCERN,**

Trudy Lundquist has petitioned for **Letters of Administration** to be appointed administrator of the estate of **Joseph Adam McFry** deceased, of said county. (The petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, and/or grant of certain powers contained in O.C.G.A. § 53-12-261.)

All interested persons are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before March 4, 2024 by 10:00 A.M.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

Patty Walters Laine
Judge of the Probate Court

By: Cohrren Williams
Clerk of the Probate Court
116 Spring Street SE, First Floor
Gainesville, GA 30501

Address
770-535-9710 Ext 701 J
Telephone Number
130254 1/31, 2/7, 14, 21

Notice is hereby that on the 21st of February, 2024 at 5140 McEver Road Self Storage Oakwood, GA 30566 the undersigned will sell at the public auction by competitive bidding online on or after 2:00pm at storageauctions.com. The following personal property stored with this facility. All sales are cash only and all items must be removed from the unit within 48 hours.

Thomas K. Long Unit #205
Household Goods, Misc. Diane W. Randle Unit #242
Household Goods, Misc. Shaneqwa C Gibson Unit #414
Household Goods, Misc. Felipe Rios Unit #604
Household Goods, Misc. Ashley Martin Unit #638
Household Goods, Misc. Luis Rivera Unit #670
Household Goods, Misc. Sherron Robinson Unit #737
Household Goods, Misc. Vanessa Elston Unit #750
Household Goods, Misc. Cheryl Castleberry Unit #944
Household Goods, Misc.

131042 2/7, 14

Notice of Public Auction Mini Mail Storage

We will be holding a public auction online at SelfStorageAuction.com

Date: February 21, 2023
Time: 10:00 am

The payment methods we accept for this are cash, Debit, Visa, Mastercard, and Amex.

All sales are final: The bidder must place a \$100 cash deposit, make payment and clear out the unit within 48 hours from the time the auction closes. Once the unit has been inspected, the

\$100 cash deposit will be returned to the bidder. We currently have 1 unit: B1923 Lisa Lavalley

131214 2/7, 14

Notice of Sale.

Notice is hereby given that Northeast Georgia Storage Center LLC, intends to sell the personal property described below to enforce a lien imposed on said property pursuant to the Georgia Self-Storage Facility Act, Georgia Code Section 10-4-210 to 10-4-215. The undersigned will sell at public sale by competitive bidding on Friday, March 1st, 2024 at 9:00 am on the premises where said property is being stored and which is located at, Northeast Georgia Storage Center, 1980 Delta Drive, Gainesville Georgia 30501, County of Hall, State of Georgia. 770-536-5173.

The personal property found in units: B010 Nathaniel Davis- Mattress, Chest of drawers, Nightstand; C029 Jonathan Molina-Clothes, Foosball Table, Fold out chairs, dartboard, punching bag; D037 Anita Todd- Tanning Bed, Toys, Totes, Vacuum, Furniture; K052 Sasha Knight- Toys, TV, Furniture. Purchases must be made with cash. All items are sold as is. Sale is subject to cancellation and Tenant has the right to redeem prior to sale.

131434 2/14, 2/21

The following units will be sold on Saturday, February 24, 2024, at 10:00 a.m. for non-payment of storage fees:

B1 and C2 — Tammy Walden
B3 — Cystalanne Boyer
B16 — Andie Givens
B20 — Tracey Parris
B14 — Samantha Evans
B9 — Ruthann Rocha

Units will be sold as a whole for cash only. Contents must be removed promptly and unit left broom clean.

Lula Mini storage reserves the right to withdraw any unit from the sale or refuse any bid.

Lula Mini Storage
5855 Main Street
Lula, GA 30554
770-869-9085

131283 2/14, 2/21

Tier 1 Auto Sales

308 Atlanta Hwy ~ Gainesville, GA 30501
March 29, 2024 ~ 9am - 10am

1) 1989 BMW 3 Series
WBAD1308K883485S

131456 2/14

WILL BE Sold Online at Storageauctions.com

Notice is hereby given that on Auction Date: February 19, 2024 U-Haul Company of Northeast Georgia will Sell under the contractual landlords lien process by Online auction the following storage units. The goods to be sold are generally described as household goods.

Gainesville:
U-Haul Of Oakwood: 121 Thomas Badnek
2181 Conor Cuomo

130912 2/7, 14

Probate Notices

IN THE PROBATE COURT OF HALL COUNTY STATE OF GEORGIA

IN RE: ESTATE OF JIMMY RONALD OWENS, DECEASED

ESTATE NO. E-23-686 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: **WHOM IT MAY CONCERN,**

Eva Denisha Clark has petitioned for **Letters of Administration** to be appointed administrator of the estate of **Jimmy Ronald Owens** deceased, of said county. (The petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, and/or grant of certain powers contained in O.C.G.A. § 53-12-261.)

All interested persons are hereby notified to show cause why said petition should not be granted. All objections to the petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before February 5, 2024 by 10:00 A.M.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a probate court clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact probate court personnel for the required amount of filing fees. If any objections are filed, a hearing will be (scheduled at a later date). If no objections are filed, the petition may be granted without a hearing.

Patty Walters Laine



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: January 23, 2024
Date Submitted: February 26, 2024
Final Approval Date: February 28, 2024
Presenter: Angela Sheppard, Assistant City Manager
Item of Business: Resolution: Adoption of Addendum to Intergovernmental Agreement Concerning Trails and Associated Greenspace and Community Service Center Campus Improvements
Meeting Date: February 29, 2024

Purpose of Request:

To adopt a resolution authorizing an IGA providing additional SPLOST VIII funding to construct the Airport Connector segment of the Highlands to Islands Trail.

Facts & Issues / History & Background:

SPLOST VIII authorized \$7 Million in Tier II funding for Trails and Greenspace. The Trails and Greenspace Committee has identified the Airport Connector segment as the highest priority for the next phase to be completed of the Highlands to Islands Trail. This IGA authorizes Hall County to provide an additional \$3,200,000 of SPLOST VIII funding toward construction of the trail.

Department Recommendation:

Approve the Resolution

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds: SPLOST VIII

3,200,000

Finance Comments:

Administrative Comments:

Attachments:

1. Resolution: Adoption of Addendum to Intergovernmental Agreement Concerning Trails and Associated Greenspace and Community Service Center Campus Improv
2. Addendum IGA Gainesville Hall County SPLOST - H2I Trail Addendum - 2024
3. Exhibit 1 - H2I Trail Airport Connector Map
4. Exhibit 2 - Exhibit 2 - IGA with Gainesville - Trails and Associated Greenspace and Community Service Center Campus Improvements

RESOLUTION BR-2024 - ____

**ADOPTION OF ADDENDUM TO INTERGOVERNMENTAL AGREEMENT CONCERNING
TRAILS AND ASSOCIATED GREENSPACE AND COMMUNITY SERVICE CENTER
CAMPUS IMPROVEMENTS**

WHEREAS, Hall County and the qualified municipalities of Hall County entered into an Intergovernmental Agreement dated August 22, 2019, naming and allocating projects to be funded through a special one percent (1%) sales and use tax to be approved by the voters of Hall County ("SPLOST VIII"), which included a county-wide Level II project described as Trails and Associated Greenspace; and

WHEREAS, Hall County and Gainesville entered into an Intergovernmental Agreement dated December 9, 2021 ("2021 IGA"), outlining the responsibilities and obligations of each party as to the design and construction of a segment of the Highlands to Islands trail known as the "Airport Connector;" and

WHEREAS, the Airport Connector has been identified by the Highlands to Islands Trail Committee, comprised of Hall County, Gainesville, Oakwood, Flowery Branch, Greater Hall MPO and the Vision 2030 Trail Committee, as a priority connector for the Highlands to Islands Trail; and

WHEREAS, the Airport Connector will provide substantial benefits to the residents of Gainesville and Hall County who utilize the Highlands to Islands Trail; and

WHEREAS, due to the importance of expanding the Highlands to Islands Trail by construction of the Airport Connector, it is necessary to amend the 2021 IGA to allocate additional SPLOST VIII funding and to establish certain responsibilities with regard to the use of the SPLOST VIII money for the Airport Connector; and

WHEREAS, the terms of the responsibilities have been reduced to writing in the Addendum to Intergovernmental Agreement Concerning Trails and Associated Greenspace and Community Service Center Campus Improvements, which is attached hereto ("Addendum").

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Clerk, and City Attorney to execute the Addendum.

BE IT FURTHER RESOLVED THAT the City of Gainesville Mayor, City Manager, and/or City Attorney are authorized to sign all documents necessary to effectuate the terms of the Addendum.

Adopted this _____ **day of** _____, **2024.**

RESOLUTION BR-2024 - ____

**ADOPTION OF ADDENDUM TO INTERGOVERNMENTAL AGREEMENT CONCERNING
TRAILS AND ASSOCIATED GREENSPACE AND COMMUNITY SERVICE CENTER
CAMPUS IMPROVEMENTS**

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

4879-9930-9993, v. 1

STATE OF GEORGIA

COUNTY OF HALL

**ADDENDUM TO INTERGOVERNMENTAL AGREEMENT CONCERNING
TRAILS AND ASSOCIATED GREENSPACE AND
COMMUNITY SERVICE CENTER CAMPUS IMPROVEMENTS**

This Addendum, entered into as of the ____ day of _____ 2024, by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia, (hereinafter referred to as "Hall County"), and the CITY OF GAINESVILLE, a municipal corporation by and through its duly authorized governing body, the Mayor and City Council of Gainesville, Georgia (hereinafter referred to as "Gainesville"), relating to the funding and construction of a segment of the Highlands to Islands trail known as the "Airport Connector" as shown on Exhibit 1. This Addendum as it relates to such issues shall provide as follows:

WHEREAS, Hall County and Gainesville entered into an Intergovernmental Agreement dated December 9, 2021 ("2021 IGA") as shown on Exhibit 2, outlining the responsibilities and obligations of each party as to the design and construction of a segment of the Highlands to Islands trail known as the "Airport Connector"; and

WHEREAS, the Airport Connector has been identified by the Highlands to Islands Trail Committee, comprised of Hall County, Gainesville, Oakwood, Flowery Branch, Greater Hall MPO and the Vision 2030 Trail Committee, as a priority connector for the Highlands to Islands Trail; and

WHEREAS, due to the priority of the Airport Connector as a connector for the Highlands to Islands Trail, it is necessary to amend the 2021 IGA, to include the agreement of Hall County

to allocate an additional \$3,200,000 of SPLOST VIII funding for the construction of the Airport Connector of the Highlands to Islands Trail; and

WHEREAS, the Airport Connector will provide substantial benefits to the residents of Gainesville and Hall County who utilize the Highlands to Islands Trail;

NOW, THEREFORE, it is agreed by and between Hall County and Gainesville as follows:

1.

Hall County shall fund a portion of the construction of the Airport Connector through the use of special purpose local option sales tax as permitted by the SPLOST VIII Resolution as approved by the qualified voters of Hall County.

2.

Hall County agrees to allocate an additional \$3,200,000 of SPLOST VIII funding for the construction of the Airport Connector of the Highlands to Islands Trail, in addition to the \$2,100,000 of SPLOST VIII funding already allocated through the 2021 IGA.

3.

Gainesville agrees to bid out the construction of the project. In doing so, Gainesville will comply with all of the State of Georgia's, the County's and the City's public bidding requirements. Gainesville shall award the bid or rebid the Airport Connector, in its sole discretion; however, Gainesville will make Hall County aware of any bid or rebid decisions to allow for review and comment. Gainesville agrees to consider the use of inmate labor where cost savings are evident.

4.

Gainesville shall maintain all financial records representing expenditures incurred in the bidding and construction of the project and shall provide copies of such to the County concurrent with the receipt of payments made by Hall County to Gainesville as provided in paragraph 5 hereof.

To ensure that SPLOST VIII funding is sufficient to satisfy project expenditures, the parties agree to plan and undertake the completion of such project on a timeline consistent with sales tax collections.

5.

a. Gainesville shall deposit their funds in the existing Airport Connector account (the "Airport Connector Account") within the Gainesville Special Purpose Local Option Sales Tax Fund (the "SPLOST Fund") created in accordance with the 2021 IGA to record deposits and expenditures for this project. Gainesville shall act as the depository and custodian of the SPLOST VIII proceeds received by Gainesville upon such terms and conditions as may be acceptable to Gainesville. Upon receipt of the disbursement of the SPLOST funds from Hall County under paragraph 5(b) below, such funds from Hall County shall be deposited in the Airport Connector Account.

b. Hall County shall disburse three million two hundred thousand dollars (\$3,200,000.00) from the Level II Projects subaccount to Gainesville for the Airport Connector project in one (1) payment payable no later than one-hundred and fifty (150) days from the date the last party hereto executes this Addendum.

c. Should the Airport Connector project be completed at a cost less than \$5,300,000,

any remaining funds in the Airport Connector Account shall be returned to Hall County.

6.

The term of this Addendum shall be for a period beginning with the date that the last party hereto executes this Addendum, and ending upon completion of the Airport Connector as well as completion of payments, expenditures and disbursements from the Airport Connector Account.

7.

Builder's risk insurance shall be maintained during construction by Gainesville, which may require such insurance as a provision of the construction contract. In the event any portion of the Airport Connector is damaged, or destroyed, all insurance proceeds shall be applied to the replacement and completion of the Airport Connector.

8.

This Addendum and the 2021 IGA constitute the sole agreement of the parties as to the Airport Connector and shall be binding on the parties and the successors in office of the governing bodies of each party.

9.

Hall County shall indemnify and hold harmless Gainesville, its agents, contractors, employees and assigns from any and all claims resulting from any fault of Hall County to the extent authorized by law.

10.

Gainesville shall indemnify and hold harmless Hall County, its agents, contractors, employees and assigns from any and all claims resulting from any fault of Gainesville to the extent authorized by law.

11.

The terms of this Addendum shall not be altered, amended or modified except in writing signed by duly authorized officers or representatives of Hall County and Gainesville.

12.

This Addendum shall be construed under the laws of the State of Georgia. Jurisdiction and venue shall be in the Superior Court of Hall County, Georgia.

13.

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Addendum shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Addendum as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Addendum not held to be invalid. It is hereby declared to be the intent of Hall County and Gainesville to provide separable and divisible parts, and they do hereby adopt any and all parts hereof as may not be held invalid for any reason.

14.

Any notice or communications hereunder shall be in writing and shall be deemed to have been delivered when deposited in the United States mail addressed as follows:

City of Gainesville
ATTN: City Manager
P. O. Box 2496
Gainesville, GA
30503

Hall County Commission
ATTN: County Administrator
P. O. Box 1435
Gainesville, GA 30503

or to such other address as either party may designate for itself by written notice to the other given from time to time, in the manner herein provided.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Addendum the date and year above.

CITY OF GAINESVILLE, GEORGIA

HALL COUNTY, GEORGIA

By: _____
W. Samuel Couvillon, Mayor

By: _____
Richard Higgins, Chairman

Attest: _____
Denise Jordan, City Clerk

Attest: _____
Jennifer Rivera, County Clerk

Date: _____

Date: _____

Approved as to Form:

Approved as to Form:

City Attorney

County Attorney

EXHIBIT 1

AIRPORT CONNECTOR OF THE HIGHLANDS TO ISLANDS TRAIL



EXHIBIT 2

2021 INTERGOVERNMENTAL AGREEMENT

4853-6925-7632, v. 1

STATE OF GEORGIA

COUNTY OF HALL

**INTERGOVERNMENTAL AGREEMENT CONCERNING
TRAILS AND ASSOCIATED GREENSPACE AND
COMMUNITY SERVICE CENTER CAMPUS IMPROVEMENTS**

This Intergovernmental Agreement, entered into as of the 9th day of December, 2021, by and between HALL COUNTY, GEORGIA, a political subdivision of the State of Georgia, by and through its duly authorized governing authority, the Board of Commissioners of Hall County, Georgia, (hereinafter referred to as "Hall County"), and the CITY OF GAINESVILLE, a municipal corporation by and through its duly authorized governing body, the Mayor and City Council of Gainesville, Georgia (hereinafter referred to as "Gainesville"), the purpose of which is to set forth the responsibilities and obligations of each party as to 1) the design and construction of a segment of the Highlands to Islands trail known as the "Airport Connector" as shown on Exhibit 1 and 2) the Community Service Center Campus Improvements. This Agreement as it relates to such issues shall provide as follows:

WHEREAS, Hall County and the qualified municipalities of Hall County entered into an Intergovernmental Agreement dated August 22, 2019 ("IGA") naming and allocating projects to be funded through a special one percent (1%) sales and use tax to be approved by the voters of Hall County ("SPLOST VIII"); and

WHEREAS, included within the terms of Exhibit "A" of the IGA were two county-wide Level II Projects for Hall County described as 1) Trails and Associated Greenspace with an estimated \$7,000,000 cost allocation and 2) Community Service Center Campus Improvements with an estimated \$250,000 cost allocation; and

WHEREAS, the Qualified Voters of Hall County on November 5, 2019, by special

election, approved a special one percent (1%) sales and use tax to be levied within Hall County for a period of six (6) years for the raising of approximately \$216,960,000 for the purpose of funding certain capital outlay projects within the incorporated and unincorporated areas of Hall County; and

WHEREAS, Gainesville has been planning, constructing, expanding and maintaining a trail system in the City; and

WHEREAS, Hall County has been planning, constructing, expanding and maintaining a trail system in the County; and

WHEREAS, a critical connection of the trail system between Gainesville and Hall County, known as the Airport Connector and shown on Exhibit 1, needs to be designed and constructed; and

WHEREAS, the Airport Connector has been identified by the Highlands to Islands Trail Committee, comprised of Hall County, Gainesville, Oakwood, Flowery Branch, Greater Hall MPO and the Vision 2030 Trail Committee, as a priority connector for the Highlands to Islands Trail; and

WHEREAS, Hall County agrees to allocate \$2,100,000 of SPLOST VIII funding for the design and construction of the Airport Connector of the Highlands to Islands Trail; and

WHEREAS, Hall County and Gainesville agree to jointly participate in the Community Service Center and recognize the need for improvements to facilitate better flow and access around the campus; and

WHEREAS, Hall County agrees to allocate \$250,000 to the Community Service Center Campus Improvements; and

WHEREAS, the Airport Connector and Community Service Center Campus

Improvements will provide substantial benefits to the residents of Gainesville and Hall County who utilize the Highlands to Islands Trail and Community Service Center;

NOW, THEREFORE, it is agreed by and between Hall County and Gainesville as follows:

1.

Hall County shall fund 1) a portion of the design and construction of the Airport Connector through the use of special purpose local option sales tax in the amount of \$2,100,000 and 2) the Community Service Center Campus Improvements in the amount of \$250,000 as permitted by the SPLOST VIII Resolution as approved by the qualified voters of Hall County, and as set forth in the IGA.

2.

Gainesville and Hall County mutually agree that the route for the Airport Connector, as more particularly described on Exhibit 1, which is attached hereto and by this reference made a part hereof, is the most suitable route upon which to connect the Highlands to Islands Trail.

3.

Gainesville shall contract for professional services as necessary for the design and implementation of construction of 1) the Airport Connector and 2) the Community Service Center Campus Improvements, including but not limited to, civil plans and drawings, engineering and surveying services. All design and engineering decisions shall be made by Gainesville; however, Gainesville will make all civil plans and drawings available to Hall County for its review, comment and approval.

Gainesville agrees to bid out the construction of the projects. In doing so, Gainesville

will comply with all of the State of Georgia's, the County's and the City's public bidding requirements. Gainesville shall award the bid or rebid the Airport Connector, in its sole discretion; however, Gainesville will make Hall County aware of any bid or rebid decisions to allow for review and comment. Gainesville agrees to consider the use of inmate labor where cost savings are evident.

4.

Gainesville shall maintain all financial records representing expenditures incurred in the design, bidding, engineering, construction and equipping of the projects, and shall provide copies of such to the County concurrent with the receipt of payments made by Hall County to Gainesville as provided in paragraph 5 hereof.

To ensure that SPLOST VIII funding is sufficient to satisfy project expenditures, the parties agree to plan and undertake the completion of such project on a timeline consistent with sales tax collections.

5.

a. Gainesville shall deposit their funds in the existing Gainesville Special Purpose Local Option Sales Tax Fund (the "SPLOST Fund"). Gainesville shall create separate accounts for the Airport Connector and Community Service Center Campus Improvements within the SPLOST Fund to record deposits and expenditures for these joint projects. Gainesville shall act as the depository and custodian of the SPLOST VIII proceeds received by Gainesville upon such terms and conditions as may be acceptable to Gainesville. Upon receipt of the annual disbursement of the SPLOST Funds from Hall County under paragraph 5(b) below, such funds from Hall County shall be deposited in the SPLOST Fund and accounted for in the respective project accounts.

b. Hall County shall receive SPLOST VIII tax proceeds from the State as required by statute and the SPLOST VIII IGA and allocate such tax proceeds into the SPLOST Fund in accordance with the terms of the SPLOST VIII IGA.

(i) Hall County shall further allocate proceeds and deposit from the SPLOST VIII proceeds into the Level II Projects subaccount in accordance with Exhibit "A" of the SPLOST VIII IGA on a monthly basis until the County's Level II Projects including the 1) Trails and Associated Greenspace and 2) Community Service Center Campus Improvements have been fully funded based on the allocation levels set out in Exhibit "A" to the SPLOST VIII IGA in an amount not less than the sum of \$35,871,920.00.

(ii) Hall County shall disburse **two million one hundred thousand dollars** (\$2,100,000.00) from the Level II Projects subaccount to Gainesville for the Airport Connector Project in three (3) equal annual payments of **seven hundred thousand dollars** (\$700,000) payable beginning in December 2021 and ending December 2023. Should the Airport Connector Project be completed at a cost less than \$2,100,000, any remaining funds in the Airport Connector Account shall be returned to Hall County.

(iii) Hall County shall disburse **two hundred fifty thousand dollars** (\$250,000) from the Level II Projects subaccount to Gainesville for the Community Service Center Campus Improvements in one payment of two hundred and fifty thousand dollars (\$250,000) payable beginning in December 2021. Should the Community Service Center Campus Improvements be completed at a cost less than \$250,000, any remaining funds in the Community Service Center Campus Improvement Account shall be returned to Hall County.

6.

The term of this Agreement shall be for a period beginning with the date that the last party hereto executes the Agreement, and ending upon completion of the Airport Connector

and Community Service Center Campus Improvements as well as completion of payments, expenditures and disbursements from the Airport Connector Account and Community Service Center Campus Improvements Account set forth under paragraph 5 above.

7.

Builder's risk insurance shall be maintained during construction by Gainesville, which may require such insurance as a provision of the construction contract. In the event any portion of the Airport Connector or Community Service Center Campus Improvements is damaged, or destroyed, all insurance proceeds shall be applied to the replacement and completion of the Airport Connector or Community Service Center Campus Improvements, whichever is applicable.

8.

This Agreement constitutes the sole agreement of the parties as to the Airport Connector and Community Service Center Campus Improvements and shall be binding on the parties and the successors in office of the governing bodies of each party.

9.

Hall County shall indemnify and hold harmless Gainesville, its agents, contractors, employees and assigns from any and all claims resulting from any fault of Hall County to the extent authorized by law.

10.

Gainesville shall indemnify and hold harmless Hall County, its agents, contractors, employees and assigns from any and all claims resulting from any fault of Gainesville to the extent authorized by law.

11.

The terms of this Agreement shall not be altered, amended or modified except in writing signed by duly authorized officers or representatives of Hall County and Gainesville.

12.

This Agreement shall be construed under the laws of the State of Georgia. Jurisdiction and venue shall be in the Superior Court of Hall County, Georgia.

13.

If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Agreement not held to be invalid. It is hereby declared to be the intent of Hall County and Gainesville to provide separable and divisible parts, and they do hereby adopt any and all parts hereof as may not be held invalid for any reason.

14.

Any notice or communications hereunder shall be in writing and shall be deemed to have been delivered when deposited in the United States mail addressed as follows:

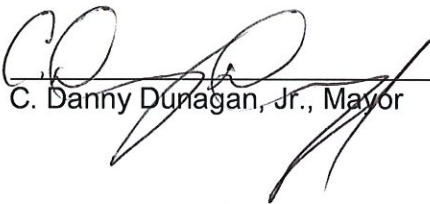
City of Gainesville
ATTN: City Manager
P. O. Box 2496
Gainesville, GA
30503

Hall County Commission
ATTN: County Administrator
P. O. Box 1435
Gainesville, GA 30503

or to such other address as either party may designate for itself by written notice to the other given from time to time, in the manner herein provided.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Agreement the date and year above.

CITY OF GAINESVILLE, GEORGIA

By: 
C. Danny Dunagan, Jr., Mayor

Attest: 
Denise Jordan, City Clerk

Date: November 16, 2021

Approved as to Form:


City Attorney



HALL COUNTY, GEORGIA

By: 
Richard Higgins, Chairman

Attest: 
Lisa A. Ritchie, County Clerk

Date: December 9, 2021

Approved as to Form:


County Attorney



EXHIBIT 1

AIRPORT CONNECTOR OF THE HIGHLANDS TO ISLANDS TRAIL



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: February 27, 2024
Date Submitted: February 27, 2024
Final Approval Date: February 28, 2024
Presenter: Jessica Tullar, Neighborhood Development Manager
Item of Business: Resolution: Adoption of Intergovernmental Agreement for Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and General Facility Improvements
Meeting Date: February 29, 2024

Purpose of Request:

To adopt a resolution authorizing an IGA between the City of Gainesville and Hall County to provide Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and General Facility Improvements.

Facts & Issues / History & Background:

Hall County and the City of Gainesville each were awarded a State *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* (INODIC) Grant to improve neighborhood features that promote improved health and safety outcomes, such as parks, greenspaces, recreational facilities, sidewalks, transportation, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, and other projects that revitalize public spaces.

Department Recommendation:

Adopt the resolution.

Department Director:

Bryan Lackey

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

Amount Requested:

2,200,000

Finance Comments:

Sources of Funds: *State Improving Neighborhood Outcomes in Disproportionally Impacted Communities Grant*

Administrative Comments:

Attachments:

1. Resolution: Adoption of IGA of Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and General Facility Improvements
2. Agreement: Gainesville-Hall County IGA of Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and Facility Improve.
3. Exhibit of City-County IGA for INODIC Grant Project Location Map

RESOLUTION BR-2024 - ____

**ADOPTION OF INTERGOVERNMENTAL AGREEMENT FOR
ATHENS STREET CORRIDOR PARK, RECREATIONAL TRAIL, AND LIGHTING,
PEDESTRIAN, AND GENERAL FACILITY IMPROVEMENTS**

WHEREAS, Hall County and the City of Gainesville each were awarded a State *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* Grant to improve neighborhood features that promote improved health and safety outcomes such as parks, greenspaces, recreational facilities, sidewalks, transportation, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, and other projects that revitalize public spaces; and

WHEREAS, the 2022 Athens Street-129 South Corridor Master Plan illustrates a stakeholder-driven vision to invest in Athens Street and to reconnect it both visually and physically as well as outlines recommendations related to sidewalk connectivity, improved pedestrian safety, greenspace and gathering places in the Athens Street corridor and lists several activities under the “Implementation Plan” intended to realize the vision of a safe, connected community; and

WHEREAS, Hall County and the City of Gainesville are committed to assisting with the implementation of the 2022 Athens Street Master Plan and intend to use their respective \$2.4 million *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grants to provide a complete pedestrian network in order to enhance safety and walkability, to beautify the corridor with street trees and other landscaping, and to provide new or improved parks, trails, greenspaces and gathering places; and

WHEREAS, the anticipated improvements along Athens Street which will be funded by the INODIC grant funds will benefit both residents of the City of Gainesville and residents of unincorporated Hall County as unincorporated residential areas exist both adjoining and close to Athens Street; and

WHEREAS, both Hall County and the City of Gainesville recognize the benefits of efficiency, effectiveness and continuity in coordinating projects, and using one engineering firm to design both the City and County INODIC funded projects; and

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards a successful park, trail, and pedestrian facility, and towards transportation improvements along the Athens Street corridor; and

WHEREAS, the terms of the responsibilities have been reduced to writing in the Intergovernmental Agreement for Athens Street Corridor Park, Recreational Trail, and Lighting, Pedestrian, and General Facility Improvements, which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby authorizes the Mayor, City Clerk, and City Attorney to execute the Agreement.

BE IT FURTHER RESOLVED THAT the City of Gainesville Mayor, City Manager, and/or City Attorney are authorized to sign all documents necessary to effectuate the terms of the Agreement.

RESOLUTION BR-2024 - ____

**ADOPTION OF INTERGOVERNMENTAL AGREEMENT FOR
ATHENS STREET CORRIDOR PARK, RECREATIONAL TRAIL, AND LIGHTING,
PEDESTRIAN, AND GENERAL FACILITY IMPROVEMENTS**

Adopted this ____ day of _____, 2024.

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

4879-9930-9993, v. 1

INTERGOVERNMENTAL AGREEMENT
FOR
ATHENS STREET CORRIDOR PARK, RECREATIONAL TRAIL, AND LIGHTING,
PEDESTRIAN, AND GENERAL FACILITY IMPROVEMENTS
**GEORGIA OPB IMPROVING NEIGHBORHOOD OUTCOMES IN
DISPROPORTIONATELY IMPACTED COMMUNITIES GRANT**

This agreement, made and entered into on the ____ day of _____, 2024, by and between Hall County, Georgia, a political subdivision of the State of Georgia (hereinafter referred to as "Hall County") and the City of Gainesville, Georgia, a municipal corporation, (hereinafter referred to as "City of Gainesville") for the purpose of setting forth the responsibilities of each party concerning project design and engineering of the Athens Street Corridor Improvements including the City's "Reclaiming Places for Healthy Spaces – Athens Street Trail and Park" and Hall County's "Butler Park and South Athens Street Improvements" projects, funded in part with a Georgia OPB Improving Neighborhood Outcomes in Disproportionately Impacted Communities (INODIC) Grant, hereinafter called "the Project."

WITNESSETH

WHEREAS, Hall County and the City of Gainesville each were awarded a State *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* Grant to improve neighborhood features that promote improved health and safety outcomes such as parks, greenspaces, recreational facilities, sidewalks, transportation, pedestrian safety features like crosswalks, projects that increase access to healthy foods, streetlights, and other projects that revitalize public spaces; and

WHEREAS, the 2022 Athens Street-129 South Corridor Master Plan illustrates a stakeholder-driven vision to invest in Athens Street and to reconnect it both visually and physically as well as outlines recommendations related to sidewalk connectivity, improved pedestrian safety, greenspace and gathering places in the Athens Street corridor and lists several activities under the "Implementation Plan" intended to realize the vision of a safe, connected community; and

WHEREAS, Hall County and the City of Gainesville are committed to assisting with the implementation of the 2022 Athens Street Master Plan and intend to use their respective \$2.4 million *Improving Neighborhood Outcomes in Disproportionally Impacted Communities* grants to provide a complete pedestrian network in order to enhance safety and walkability, to beautify the corridor with street trees and other landscaping, and to provide new or improved parks, trails, greenspaces and gathering places; and

WHEREAS, the anticipated improvements along Athens Street which will be funded by the INODIC grant funds will benefit both residents of the City of Gainesville and residents of unincorporated Hall County as unincorporated residential areas exist both adjoining and close to Athens Street; and

WHEREAS, both Hall County and the City of Gainesville recognize the benefits of efficiency, effectiveness and continuity in coordinating projects, and using one engineering firm to design both the City and County INODIC funded projects; and

WHEREAS, both Hall County and the City of Gainesville believe that it is in the best interest of the community to coordinate efforts towards a successful park, trail, and pedestrian facility, and towards transportation improvements along the Athens Street corridor.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants as herein contained, it is agreed by and between the parties hereto that:

1. The City of Gainesville shall take the role of lead agency of this coordinated project, and as such, Hall County agrees to follow the City's procurement policy and procedures for selecting the engineering firm, provided that said procurement is in compliance with the INODIC grant requirements.
2. Hall County and the City of Gainesville agree that the coordinated project is comprised of a "Hall County" section and a "City of Gainesville" section as more specifically described as:
 - a) Hall County's "Butler Park and South Athens Street Improvements" portion of the coordinated includes lighting, trail, general conditions, and sidewalk/pedestrian facility improvements for and within Butler Park located at 1370 Athens Street and pedestrian facilities and infrastructure improvements within the right-of-way along Athens Street from the I-985 Bridge to Athens Highway/U.S. Highway 129-South.
 - b) City of Gainesville's "Reclaiming Places for Healthy Spaces – Athens Street Trail and Park" section of the coordinated project includes pedestrian facilities, infrastructure, and streetscape improvements within the right-of-way along Athens Street from its intersection with Martin Luther King, Jr. Boulevard to the I-985 Bridge.
3. Hall County and the City of Gainesville agree that the contract for professional services shall be between the consultant/contractor and the City of Gainesville as the lead agency of this project.
 - a) Hall County and the City of Gainesville agree that the Project Work Group, which includes representatives from both parties, shall serve on the selection committee for design and construction services.
 - b) Both parties agree that both Hall County and the City of Gainesville through the Project Work Group shall be part of the decision-making process for any questions or issues raised during design for their respective portions of the coordinated project.
4. The City of Gainesville shall contract for professional services as necessary for design and engineering of this coordinated project, including but not limited to surveying and engineering services, civil plans and drawings, and lighting plans with photo-metrics.
 - a) Hall County and the City of Gainesville agree that procurement of the engineering firm shall include civil engineering and project design services, including separate add alternatives for each party for their respective bid administration, construction management, and field inspections throughout construction for their respective segments of the project.

- (i) Hall County's "Butler Park and South Athens Street Improvements" portion of the project accounts for 4,428.03 linear feet or 50.06% of the total project area.
 - (ii) City of Gainesville's "Reclaiming Places for Healthy Spaces – Athens Street Trail and Park" section of the project accounts for 4,417.21 linear feet or 49.93% of the total project area.
 - (iii) Hall County and the City of Gainesville agree that the professional services contract shall be billed at 50% for Hall County's portion and 50% for the City of Gainesville's portion.
- b) Hall County and the City of Gainesville agree that invoices from the consultant shall be submitted to the City as the lead agency and shall be paid on a monthly basis.
 - (i) The City of Gainesville shall share invoices with Hall County for review, verification, and approval by its staff.
 - (ii) Once an invoice is approved by both the City and Hall County, the City of Gainesville shall issue payment to the consultant.
 - (iii) Hall County shall issue a check payable to the City of Gainesville for reimbursement of its 50% portion of the invoice with a memo recognizing payment is for the "INODIC Grant Project".
 - (iv) Hall County's payment to the City of Gainesville shall be made on a monthly basis starting the month following payment by the City of Gainesville of the consultant's first invoice.
- 5. Hall County and the City of Gainesville agree that each party, separately and individually, shall bid out the construction of their respective sections of the project.
- 6. Hall County and the City of Gainesville recognize that the Athens Street corridor falls within the City limits of Gainesville and is public right-of-way maintained by the City of Gainesville. The parties agree that upon completion of construction of both segments the City of Gainesville shall continue to maintain the improvements within the public right-of way along Athens Street.
- 7. Hall County and the City of Gainesville shall maintain their own respective financial records recording expenditures incurred in the design and engineering and shall submit their respective grant reports and draw requests. The City of Gainesville shall provide to Hall County proof of payment of all invoices to the design consultant.
- 8. The term of this Agreement shall be for a period beginning with the date that the last party hereto executes the Agreement and ending upon completion of the Athens Street Corridor improvements and completion of payments, expenditures and disbursements as well as upon approval of grant closeout and final certification from the Governor's Office of Planning and Budget. In the event that any party shall refuse to sign the agreement, the agreement shall be considered null and void and of no effect as to any of the parties regardless of whether they have previously signed the agreement.
- 9. This Agreement constitutes the sole agreement of the parties as to the Athens Street Corridor Improvements and shall be binding on the parties and the successors in the

office of the governing bodies of each party.

10. Hall County shall indemnify and hold harmless the City of Gainesville, its agents, contractors, employees and assigns from any and all claims resulting from any fault of Hall County to the extent authorized by law.
11. The City of Gainesville shall indemnify and hold harmless Hall County, its agents, contractors, employees and assigns from any and all claims resulting from any fault of the City of Gainesville to the extent authorized by law.
12. The terms of this Agreement shall not be altered, amended, or modified except in writing signed by duly authorized officers or representatives of Hall County and the City of Gainesville.
13. This Agreement shall be construed under the laws of the State of Georgia. Jurisdiction and venue shall be with the Superior Court of Hall County, Georgia.
14. If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Agreement not held to be invalid. It is hereby declared to be the intent of Hall County and the City of Gainesville to provide separable and divisible parts, and they do hereby adopt any and all parts hereof as may not be held invalid for any reason.
15. Any notice or communications under this Agreement shall be in writing and shall be deemed to have been given by delivering it personally or by certified mail addressed as follows:

As to Hall County:

Zachary Propes
County Administrator
P.O. Drawer 1435
Gainesville, GA 30503

As to Gainesville:

Bryan Lackey
City Manager
300 Henry Ward Way
Gainesville, GA 30501

or to such other addresses as either party may designate for itself by written notice to the other given from time to time, in the manner herein provided.

CONTINUED ON NEXT PAGE.

IN WITNESS WHEREOF, the parties hereto, by and through their Chief Executive Officers, have executed this Agreement on the date below.

CITY OF GAINESVILLE, GA

HALL COUNTY, GEORGIA

By: _____
W. Samuel Couvillon, Mayor

By: _____
Richard Higgins, Chairman

Attest: _____
Denise Jordan, City Clerk

Attest: _____
Jennifer Rivera, County Clerk

Date: _____

Date: _____

Approved as to Form:

Approved to as to Form:

City Attorney

County Attorney



GAINESVILLE

IMPROVING NEIGHBORHOOD OUTCOMES GRANT - PROJECT LOCATION CITY/COUNTY PORTIONS

