



Mayor/Council Meeting Agenda
Tuesday, November 5, 2024, 5:30 PM
Public Safety Complex, Municipal Court Room
701 Queen City Parkway, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS / RECOGNITIONS:

- A. Main Street Gainesville GEMS Designation

COUNCIL ANNOUNCEMENTS:

PUBLIC COMMENTS: (20 minutes maximum)

CONSENT AGENDA:

Minutes

- A. October 10, 2024 Work Session
B. October 15, 2024 Mayor/Council Meeting

Resolutions

- A. GR-2024-12 Apply For and Accept Land & Water Conservation Fund (LWCF) Grant

PUBLIC HEARING(S):

Annexation/Zoning Items

A. Tabled at the October 1, 2024 Mayor/Council Meeting

Request from **HadjPadj Technologies, LLC** to amend a zoning condition 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 center.**

- Proposed Zoning Amendment Ordinance 2024-27

CITY MANAGER ISSUES:

CITY ATTORNEY ISSUES:

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Monday, November 4, 2024, 9:03 AM



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 21, 2024
Date Submitted: October 28, 2024
Final Approval Date: November 4, 2024
Presenter: Robyn Lynch, Tourism Director
Item of Business: Main Street Gainesville GEMS Designation
Meeting Date: November 5, 2024

Purpose of Request:

To recognize Main Street Gainesville for being awarded the G.E.M.S. Designation from Georgia Main Street, a program from the Georgia Department of Community Affairs.

Facts & Issues / History & Background:

Georgia's Exceptional Main Street communities, better known as GEMS, represent some of the state's most vibrant downtown districts. These designated cities have demonstrated an exceptionally positive impact in their communities as measured by the Monthly Reporting and the Annual Assessment Process. GEMS-level communities are entitled to special one on one technical services offered through the Office of Downtown Development and discounted training opportunities.

Department Recommendation:

N/A

Department Director:

Robyn Lynch

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 5, 2024
Date Submitted: November 5, 2024
Final Approval Date: November 5, 2024
Presenter: Denise Jordan, City Clerk
Item of Business: October 10, 2024 Work Session
Meeting Date: November 5, 2024

Purpose of Request:

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

Facts & Issues / History & Background:

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

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: April 5, 2024
Date Submitted: November 5, 2024
Final Approval Date: November 5, 2024
Presenter: Denise Jordan, City Clerk
Item of Business: October 15, 2024 Mayor/Council Meeting
Meeting Date: November 5, 2024

Purpose of Request:

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

Facts & Issues / History & Background:

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

Department Recommendation:

Approve the minutes accepting edits as presented.

Department Director:

Bryan Lackey

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

None



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 31, 2024
Date Submitted: October 31, 2024
Final Approval Date: October 31, 2024
Presenter: Bryan Lackey, City Manager
Item of Business: GR-2024-12 Apply For and Accept Land & Water Conservation Fund (LWCF) Grant
Meeting Date: November 5, 2024

Purpose of Request:

To approve a resolution to accept \$500,000 from the U.S. Department of the Interior-National Park Service, Land and Water Conservation Fund for Longwood Park Improvements.

Facts & Issues / History & Background:

The Dogwood Pavilion at Longwood Park is in dire need of repair after over 40 years of extensive use. This grant will allow for the replacement of the current Dogwood Pavilion and kitchen/restroom structure and provide for the improvement of ADA parking and walking paths.

Department Recommendation:

To approve the resolution and allow Parks & Recreation to proceed with the demolition and replacement of Dogwood Pavilion at Longwood Park.

Department Director:

Kate Mattison

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

Amount Requested: 1,600,000

Sources of Funds: Parks & Recreation General Fund and Fund Balance

Finance Comments: approved in FY24 Capital Budget - 390.70091

Administrative Comments:

Attachments:

1. GR-2024-12 Apply for and Accept LWCF Grant
2. Federal Funding Accountability and Transparency Act
3. City of Gainesville State Agreement - P&R Revised

RESOLUTION GR-2024-12

APPLY FOR AND ACCEPT LAND & WATER CONSERVATION FUND (LWCF) GRANT

WHEREAS, Gainesville Parks and Recreation Agency continuously researches funding opportunities to supplement projects and programs when applicable; and

WHEREAS, the LWCF grant program is accepting applications for acquisition of parkland, development of recreation facilities and renovation of existing outdoor recreation facilities from eligible applicants; and

WHEREAS, grant awards are available to qualified local governments and constituted recreation authorities/commissions on a competitive basis, and

WHEREAS, the Agency wishes to apply for the LWCF Grant totaling \$500,000; and

WHEREAS, the grants, if awarded, would support funding for the renovation of Dogwood Pavilion at Longwood Park and surrounding amenities; and

WHEREAS, the Agency budgeted funds in FY24 to complete said project.

NOW, THEREFORE, BE IT 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, and administer the Land & Water Conservation Fund Grant.

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

BRIAN KEMP
GOVERNOR

WALTER RABON
COMMISSIONER

Dear Sub-Awardee,

In 2006, the Federal Funding Accountability and Transparency Act (FFATA) was signed into law. This legislation requires information disclosure concerning entities receiving Federal financial assistance through Federal grants. As a result, our organization is required to report on each of the grants that we award (i.e., subawards, subcontracts). By answering the questions below, your organization will provide us the data needed to meet FFATA reporting requirements. **This form is to be returned within 15 days of the contract signature date.** Please don't hesitate to contact us if your organization has difficulty completing the questionnaire. Please contact:

Name: Denise Bowen Telephone Number: 404-463-2881

To be completed by Organization Receiving the Award

Subawardee Doing Business as Name: City of Gainesville

Unique Entity ID (SAM) #: 58-6000581

Address: City: 830 Green Street NE State GA Zip code 30501 + 4 3324

Primary Place of Grant Performance: City: Gainesville State GA Zip code 30501 + 4 3324

Highly Compensated Officers: Please list below your top 5 compensated officers if **all three** of the following conditions apply:

Yes No

- ☐ ☒ Your organization received 80% or more of its annual gross revenues from federal contracts, subcontracts, loans, grants, subgrants and cooperative agreements in the preceding fiscal year.
- ☐ ☒ Your organization received \$25,000,000 or more in annual gross revenue from federal contracts, subcontracts, loans, grants, subgrants and cooperative agreements in the preceding fiscal year.
- ☐ ☒ The public does not have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 USC 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.

Officer 1 Name:	Compensation: \$
Officer 2 Name:	Compensation: \$
Officer 3 Name:	Compensation: \$
Officer 4 Name:	Compensation: \$
Officer 5 Name:	Compensation: \$

To be completed by Awarding Agency: Georgia Department of Natural Resources Division: _____

Federal Funding Agency Name: Interior, Department of the- National Park Service

Federal Award Number (case, space and character sensitive): P24 AP 01346

Prime Recipient Unique Entity ID (SAM) #: KJ97XE5AFJC4

Subaward Amount: \$ 500,000

Subaward Date: October 2024

Subaward Number: 13-01080

Subaward Project Title (Description): Longwood Park improvements

September 23, 2024

Mayor Sam Couvillon
City of Gainesville
Post Office Box 2496
Gainesville, Georgia 30503

RE: Land and Water Conservation Fund Grant
Project Name: Sammy Haggard Park Rehabilitation
Project Number: P24AP01346/13-01080

Dear Mayor Couvillon:

We have received official notification from the U.S. Department of the Interior-National Park Service that your Land and Water Conservation Fund (LWCF) project has been approved. Attached is a copy of the project agreement containing the specific terms of the grant. Please note that Build America, Buy America language is included in the general provisions and must be adhered to.

After reviewing the grant agreement, please do the following:

- have the local governing body pass and certify a resolution accepting the terms of the grant,
- secure the appropriate signature on both copies of the agreement, and
- return signed agreement along with the resolution and certification to our office for processing. Upon full execution, an original will be returned to you for your files.

Prior to starting any portion of this LWCF project, someone from your office will need to attend a one-on-one fiscal work session via Zoom. Topics to be covered include grants management, record-keeping procedures, and compliance with state and federal guidelines. Please contact Julianne Carroll to schedule your work session. She can be reached at Julianne.Carroll@dnr.ga.gov or 404.463.8393.

We look forward to working closely with you and your staff to see this project come to fruition after the long wait. If you should have any questions as we move through the grant process, please call me at 404.290.7958.

Sincerely,



Rayne Gaston
LWCF Grants Coordinator

Enclosure

**DEPARTMENT OF NATURAL RESOURCES
LAND AND WATER CONSERVATION FUND PROJECT AGREEMENT**

Applicant (State Agency/City/County/Commission/Authority): Project Number:
LWCF(FBMS)

City of Gainesville ***13-01080 (P19AP01346)***

Project Title:

Longwood Park Improvements

Project Period: Date of Approval (defined as the date of signatures on the following page) -
December 31, 2026

Project Stage Covered by this Agreement: Entire Project

Project Scope (Description of Project):

This project consists of the development at Longwood Park in the City of Gainesville, Hall County, Georgia by the City to include:

1. Replacement of the current Dogwood Pavilion and kitchen/restroom structure with new construction.
2. Replacement of ADA walking paths

By execution of this Project Agreement, the Applicant agrees to comply with the following regulations, policies, guidelines, and requirements, as applicable to this project:

1. Georgia Department of Natural Resources Land and Water Conservation Fund Project Agreement General Provisions (attached pages 3-20)
2. LWCF State Assistance Program Manual v
3. Project Application and Attachments
4. 2 CFR Part 200
5. 36 CFR Part 59

Project Cost:

Total Cost: **\$ 1,000,000.00**

Fund (LWCF) Amount **\$ 500,000.00**

(Fund amount not to exceed 50% of Total)

DNR Form (January 2022)

The Department of Natural Resources, represented by the Commissioner of the Department of Natural Resources or his lawfully designated representative, and the Applicant named above hereinafter referred to as the Applicant, mutually agree to perform this Agreement in accordance

with the Land and Water Conservation Fund Act, the LWCF State Assistance Program Manual, and the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, assurances, and certifications attached hereto or retained by the Applicant and hereby made a part hereof.

The Department of Natural Resources promises, in consideration of the promises made by the Applicant herein, to obligate to the Applicant the amount of money referred to above, and to tender to the Applicant that portion of the obligation which is required to pay the Department's share of the costs of the above project stage, based upon the above percentage of assistance. The Applicant hereby promises, in consideration of the promises made by the Department herein, to execute the project described above in accordance with the terms of this Agreement.

The following special project terms and conditions were added to this Agreement before it was signed by the parties hereto:

None

In witness whereof, the parties have executed this Agreement as of the date entered below.

STATE OF GEORGIA

By _____
(Signature)

TREVOR SANTOS
State Liaison Officer

Date _____

CITY OF GAINESVILLE

APPROVED AS TO FORM

ABBOTT S. HAYES, JR.
Hulsey, Oliver & Mahar, LLP
City Attorney

W. SAMUEL COUVILLON
Mayor

Attest: _____
Denise O. Jordan, City Clerk

Date _____

(SEAL)



CITY OF GAINESVILLE

Mayor/Council Agenda Request

Item Created: October 2, 2024

Date Submitted: November 1, 2024

Final Approval Date: November 5, 2024

Presenter: Abb Hayes, City Attorney

Item of Business: **Tabled at the October 1, 2024 Mayor/Council Meeting**
Request from **HadjPadj Technologies, LLC** to amend a zoning condition 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 center.**

- Proposed Zoning Amendment Ordinance 2024-27

Meeting Date: November 5, 2024

Purpose of Request:

To conduct a public hearing regarding the following zoning request as presented at the September 10, 2024, Planning and Appeals Board meeting and tabled at the October 1, 2024 Mayor/Council Meeting.

Facts & Issues / History & Background:

The applicant is proposing to amend a zoning condition to increase the number of data center huts permitted on the subject property. In April of 2024, special use approval was given for a maximum of two, 10' x 18' data center huts which was sufficient at that time. According to the applicant, Georgia Power initially required no additional upgrades, but were later told that significant upgrades were required at a substantial cost which no longer made the project feasible.

Therefore, the applicant proposes to amend zoning condition #1 of Zoning Resolution ZR-2024-04 to allow six, 10' x 40' data huts, or a total of 2,400 square feet of data center space. The applicant states the additional data center huts will make the project more feasible by offsetting the cost of the upgrades and the required landscape buffer will screen and further dampen any noise from the surrounding properties and Palmour Drive. According to the applicant, the data centers will operate 24 hours a day and 7 days a week and the noise level from the servers and fans drops to a conversation level of (65 dB) after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport.

Department Recommendation:

Staff and PAB recommended denial of this request. See the PAB Memorandum for details and excerpts from the meeting minutes.

SAMPLE MOTIONS:

Approval of Ordinance 2024-27:

I move to approve the ordinance to amend the zoning conditions for a data center within Heavy Industrial zoning with seven conditions as presented.

Denial of the Request:
I move to deny the request.

Department Director:
Rusty Ligon

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

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Legal Ad
2. PAB Recommendation Report/Memorandum
3. Proposed Zoning Amendment Ordinance 2024-27 (amended)
4. Attachment: HadjPadj Revised Plan
5. Proposed Zoning Amendment Ordinance 2024-27 - Redlined Version
6. Location Maps
7. Narrative
8. Survey
9. Original Site Plan
10. Updated Site Plan
11. Pictures

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Legals

Miscellaneous



NEW SEX OFFENDER TO HALL COUNTY
NAME: Jason Truelove
ADDRESS: 3179 Baker Rd #7 Gainesville Ga 30507
DATE OF OFFENSE: 01/01/2001 and 11/08/2011
OFFENSE: Statutory Rape (F) / Obscene Internet Contact
COURT OF CONVICTION: Lumpkin County
WEBSITE: <https://gbi.georgia.gov/georgia-sex-offender-registry>
138740 9/14

PUBLIC NOTICE CLOSURE OF PUBLIC HOUSING WAITLIST Effective Date: October 7, 2024
Gainesville Housing hereby announces the closure of its Public Housing and Midtown Villages 3BR – 5BR Waitlist effective **October 7, 2024, at midnight**. This includes our previously closed 1BR – 2BR wait list. This closure is necessary to manage the current demand and ensure that existing applications can be processed in a prompt and efficient manner. Individuals who have already submitted applications will continue to be considered based on eligibility and availability of housing. We appreciate your understanding and cooperation during this time. Updates about the reopening of the waitlist will be provided through our official channels, including our website and

local community notices. For further information or inquiries, please contact Gainesville Housing, 770-536-1294 or visit our website at www.gainesvillehousing.org. Thank you for your attention to this matter.
Gainesville Housing 138211 8/24, 28, 31, 9/4, 7, 11, 14, 18, 21, 25, 28, 10/2, 5

Sewage Spill Notice
In accordance with Environmental Protection Division regulations, this is notice that on Saturday, Aug. 7, 2024, a sewer spill occurred due to a power loss. The spill occurred near Mulberry Creek off Martin Road in Flowery Branch. It is estimated that approximately 21,000 gallons of sewage spilled into Mulberry Creek. The Georgia Environmental Protection Division and Hall County Environmental Health have been notified of the spill. If you have questions concerning the spill, please contact Matthew Speed with EMI at (678) 315-1813.
138831 9/14

Public Hearings

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE GAINESVILLE ZONING MAP
Notice is hereby given that the **Gainesville City Council** will conduct a public hearing on **Tuesday, October 1, 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 **HadjPadj Technologies, LLC** to amend a zoning condition 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 center
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 hasmade, within two years immediately preceding the filing of the proposed zoning action, campaign contributions

aggregating \$250 or more to a local government official who will consider the application, shall file a disclosure of contribution(s) with the Planning Division at least five (5) days prior to the first reading of the proposed zoning action by the City Council. (OCGA §36-67A-3 3 (c))
138852 9/14

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MEMORANDUM

TO: City Council

FROM: Planning & Appeals Board

APPLICANT: HadjPadj Technologies, LLC

PROPERTY OWNER: C & J 861, LLC

LOCATION: 1176 Palmour Drive, SW

ZONING: Heavy Industrial (H-I)

DATE: October 1, 2024

SUBJECT: **Amend a zoning condition**

A request has been received from HadjPadj Technologies, LLC to amend a zoning condition on a 1.37± acres tract to increase the number of data center huts permitted on the subject property. In April of 2024, a conditional special use approval was given for a maximum of two, 10' x 18' data center huts which was sufficient at that time. According to the applicant, Georgia Power initially required no additional upgrades, but were later told that significant upgrades were required at a substantial cost which no longer made the project feasible.

Therefore, the applicant is proposing to amend condition #1 of Zoning Resolution ZR-2024-04 to allow six, 10' x 40' data huts, or a total of 2,400 square feet of data center space. The increase allows the data huts to consume more power which will make the project feasible. The additional number of data huts and increased size allows for more airflow which helps keep the servers cooler and quieter. The required landscape buffer will screen and further dampen any noise from the surrounding properties and Palmour Drive. According to the applicant, the data centers will operate 24 hours a day / 7 days a week, and the noise level from the servers and fans drops to a conversation level of (65 dB) after 100 feet of distance. The property is currently undeveloped and is located within the Gainesville Industrial Park South and within the Airport Overlay Zone. Adjacent uses include Poly Enterprises manufacturing, Ace Hardware distribution center and Lee Gilmer Memorial Airport.

The Planning staff recommended denial of the original special use request which was later approved by the Planning and Appeals Board and City Council with 5 zoning conditions. The Planning staff is recommending **denial** of this amended request, but if consideration is given by the Planning and Appeal Board, the following changes to the original zoning conditions are encouraged. The strikethroughs shown represent the text removed from the original zoning condition. The highlighted text represents the proposed amended and new zoning conditions.

Conditions

1. The subject property **proposal** shall be limited to **two 10' x 18' four, 10' x 45'** data center huts **or a total of 1,800 square feet of data center space and a storage facility limited in size to a typical storage container.**
2. The proposed data center huts shall be screened on all sides by a sound barrier wall at a height sufficient to screen the data huts and storage facility from Palmour Drive and the adjacent properties. The location, type and architecture of the sound barrier wall shall be approved by the Community and Economic Development Director.
3. All improvements on the subject property shall be limited to a maximum height of 12-feet. Furthermore, a storage facility limited in size to a typical shipping container shall be allowed to be placed on the property in such location as approved by the Community and Economic Development Director.
4. The proposed data huts shall be sufficiently screened with existing and new vegetation and trees as depicted on the site/landscape plan, subject to the approval of the Community and Economic Development Director.
5. All new fencing shall be chain-link coated with black color vinyl.
6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
7. **When measured 100 feet from the data huts, the sound level shall not exceed 65 dB(A) at any time.**

Excerpts from the September 10, 2024 PAB Meeting Minutes

Applicant Presentation: Viral Chhadua, 2313 Crystal Court, stated the plan was to come before the board in early 2025 for the site build-out but had some issues with Georgia Power regarding cost of upgrades. Mr. Chhadua reviewed the conditions on the presentation and stated the request is for 1,800 square feet of data space along with a noise measurement limitation tool limiting noise no more than 65 db. He reviewed the economics for the project including quotes from for two data huts at approximately \$347,000 and four data huts of \$437,000 and decreases the per MW bases. Mr. Chhadua stated he had been working with the planning staff and agree on all conditions except for the sound barrier wall for the data huts and storage facility. He stated he believes it will be a waste of resources since the data huts are actually buildings built to electrical and building codes. He went over slides on the presentation of other locations and stated

the project will be screened with robust landscaping which will help mitigate noise. The project will have gravel or asphalt for ground covering. He also had an example of a server with an intake fan and exhaust fan and explained can get very hot without proper air flow which causes most noise. He stated he was concerned about proper air flow if walls are built around the huts and the cooler for the servers are, the quieter. The next slide he spoke about the elevations and will be below 12 feet for the sides of the data huts. He stated the site plan had been revised for added impervious space being a retention pond which will be hidden behind the landscape. He spoke about the tax revenue for the City and Hall County. Mr. Chhadua handed the board members a copy of an example and stated he would like to propose louvered style walls instead of a chain-link fence which would provide more security and further screening. He stated it will look better and possibly have brick columns which will allow for proper air flow and run quieter at a conversation level.

FAVOR: None

OPPOSE: None

Board Member Comments: **Vice Chair Thompson** stated his concern was there were several questions in the beginning and then was narrowed down to two units but now a much larger project is being proposed.

Mr. Chhadua stated he had met with the local engineer in January and was told verbally the two huts could be serviced without upgrades and did not want to go through the process of what their cost would be since the project had not been approved. He then explained after the approval in April he received the actual cost for the project but he failed to get it in writing back in January. He explained without any guarantee to expand in the future then it will not make it feasible with the economics.

Chairman Carter stated when the proposed project was presented, he still believes that it's important to get things right when its new and different and the scope of the project changed. He reminded the audience and board that the zoning amendment request will go forward to City Council for final decision.

Board Member Fleming expressed appreciation to the applicant for his work into the request and appreciates the planning staff's work on the project and agrees with the planning staff for recommended denial.

There was a motion to recommend denial of the zoning amendment request for a data center with Heavy Industrial (H-I) zoning.

Motion made by Board Member Fleming

Motion seconded by Board Member Simmons

Vote – 4 favor, 2 absent (Martin, Young), 1 vacant

Passed: _____

AN ORDINANCE

No. 2024-27

AN ORDINANCE AMENDING THE ZONING CONDITIONS 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); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Heavy Industrial, with conditions (H-I-c)**.

Conditions

1. The subject property shall be limited to four 10' x 45' data center huts as shown on the attached revised site/landscape plan prepared by J. Dan Syfan, Landscape Architect dated July 22, 2024, and shall be oriented in the same manner.
2. Upon completion of two 10' x 45' data center huts and commencement of operations, Applicant shall begin measuring the decibel levels of noise emitting from the data center huts once a week between the hours of 12:00PM and 4:00PM at a distance of 100 feet from the data center huts in the direction of Palmour Drive. Applicant will provide the findings to the Community and Economic Development Director. If the decibel level does not exceed 65 decibels, the Community and Economic Development Director is authorized to administratively approve the construction of two additional data center huts, as shown on the revised site/landscape plan which shall be oriented in the same manner and shall not exceed 65 decibels. The Community and Economic Development Director reserves the right to take his or her own measurements.
3. If at any time the decibel level exceeds 65 decibels, when measured at 100 feet from any data center hut, the City shall have the authority to take whatever means are necessary to cause the operator/user of said data hut to cease operations until such time as the decibel level is brought below 65 decibels, only after the City has provided the operator/user written notice of the excessive decibel level and has allowed operator/user 30 days to implement a decibel reduction plan, provided that the City's notice and opportunity to cure shall only be required no more than once every 12 months.

ORDINANCE NO. 2024-27

- 4. The proposed data huts shall be sufficiently screened with existing and new vegetation and trees as depicted on the attached revised site/landscape plan, subject to the approval of the Community and Economic Development Director.**
- 5. All new fencing shall be chain-link coated with black color vinyl and shall be limited to 6ft.**
- 6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to the issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
- 7. All improvements on the subject property shall be limited to a maximum height of 12 feet. Furthermore, a storage facility limited in size to a typical shipping container shall be allowed to be placed on the property in such a location as approved by the Community and Economic Development Director.**

Legal Description

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

BEGINNING at a ½ inch rebar set on the southerly right-of-way of Palmour Drive (having a 50 foot right-of-way width) located 426.18 feet and on a bearing of North 72 degrees 37 minutes and 49 seconds West from the intersection formed by the southerly right-of-way line of last said road with the westerly right-of-way line of Palmour Drive, S.W. (having 100 foot right-of-way width); thence leaving the southerly right-of-way of said Palmour Drive and running South 37 degrees 33 minutes and 56 seconds West for a distance of 379.20 feet to a ½ inch rebar set; thence North 17 degrees 13 minutes and 37 seconds West for a distance of 410.19 feet to a ½ inch rebar set; thence North 17 degrees 22 minutes and 11 seconds East for a distance of 18.23 feet to a ½ inch rebar set located on the southerly right-of-way of said Palmour Drive (having a 50 foot right-of-way width); thence running along the southerly right-of-way line of last said road South 72 degrees 37 minutes and 49 seconds East for a distance of 363.82 feet to a ½ inch rebar set located at the POINT OF BEGINNING, containing approximately 1.37± acres.

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

ORDINANCE NO. 2024-27

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

W. Samuel Couvillon, Mayor

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

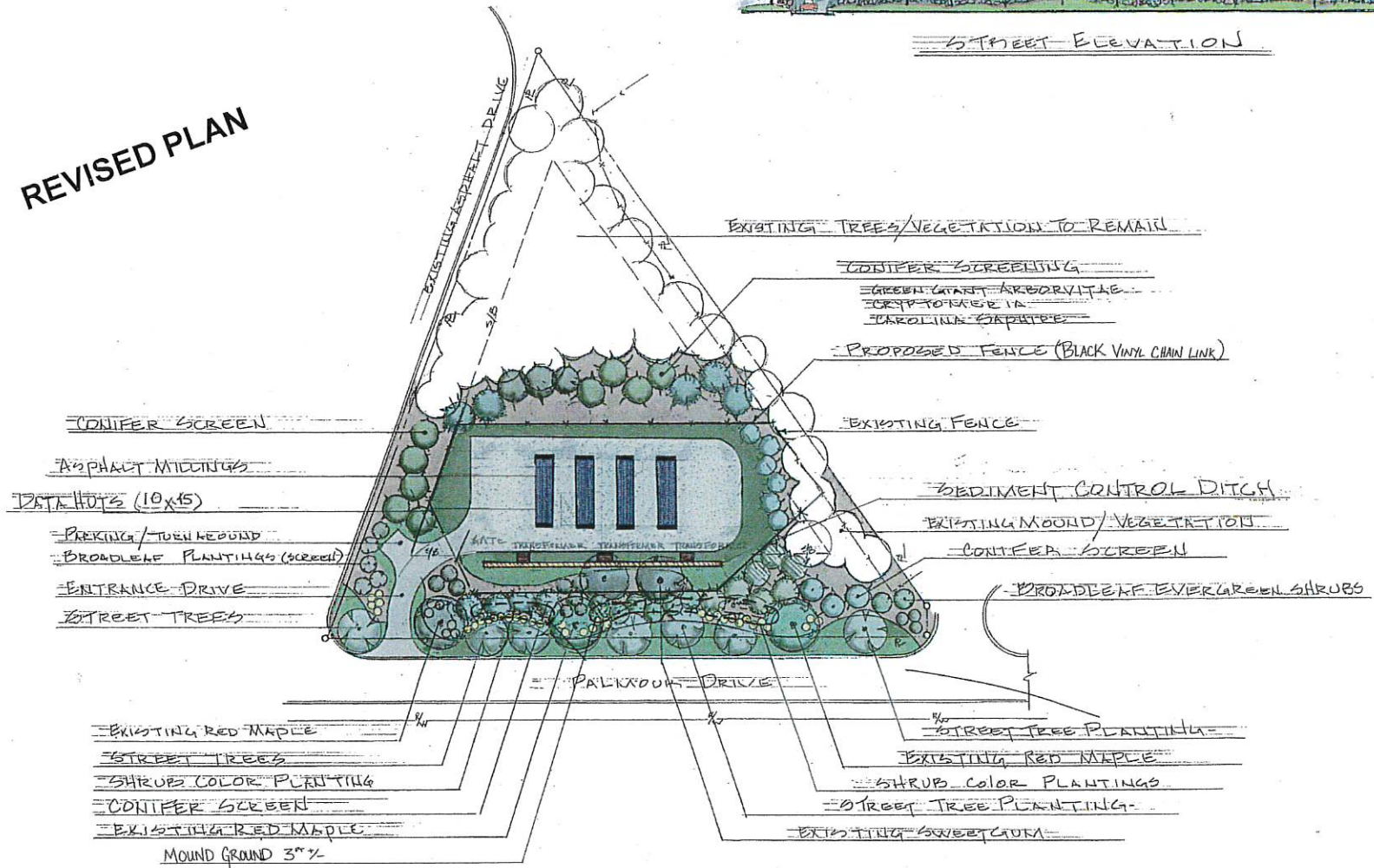
ATTEST:

Denise O. Jordan, City Clerk

The Data Hut elevation will be approximately 1276 +/- above sea level.



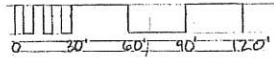
REVISED PLAN



CONCEPTUAL SITE PLAN

1776 PALMOUR DRIVE
GAINESVILLE GEORGIA

GRAPHIC SCALE



REVISIONS	BY

IRVAN STREET
 LANDSCAPE ARCHITECT
 7746 MORENO STREET
 GAINESVILLE, GA 30601
 770.532-8262

CONCEPTUAL SITE PLAN
RACEDORR SPECIAL USE PERMIT
CITY OF KILGORE
KING AND GARDEN DISTRICT

Date 7-22-24

Scale 1" = 20'-0"

Drawn J.D.S. -

10

1

Passed: _____

AN ORDINANCE

No. 2024-

AN ORDINANCE AMENDING THE ZONING CONDITIONS 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); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

SECTION I

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Heavy Industrial, with conditions (H-I-c)**.

Conditions

1. The subject property shall be limited to ~~two 10' x 18'~~ **four 10' x 45'** data center huts as shown on the **attached** revised site/landscape plan **prepared by J. Dan Syfan, Landscape Architect dated July 22, 2024**, and shall be oriented in the same manner.
2. Upon completion of two 10' x 45' data center huts and commencement of operations, Applicant shall begin measuring the decibel levels of noise emitting from the data center huts once a week between the hours of 12:00PM and 4:00PM at a distance of 100 feet from the data center huts in the direction of Palmour Drive. Applicant will provide the findings to the Community and Economic Development Director. If the decibel level does not exceed 65 decibels, the Community and Economic Development Director is authorized to administratively approve the construction of two additional data center huts, as shown on the revised site/landscape plan which shall be oriented in the same manner and shall not exceed 65 decibels. The Community and Economic Development Director reserves the right to take his or her own measurements.
3. If at any time the decibel level exceeds 65 decibels, when measured at 100 feet from any data center hut, the City shall have the authority to take whatever means are necessary to cause the operator/user of said data hut to cease operations until such time as the decibel level is brought below 65 decibels, only after the City has provided the operator/user written notice of the excessive decibel level and has allowed operator/user 30 days to implement a decibel reduction plan, provided that the City's notice and opportunity to cure shall only be required no more than once every 12 months.

4. The proposed data huts shall be sufficiently screened with existing and new vegetation and trees as depicted on the attached revised site/landscape plan, subject to the approval of the Community and Economic Development Director.
5. All new fencing shall be chain-link coated with black color vinyl **and shall be limited to 6ft.**
6. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to the issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
7. All improvements on the subject property shall be limited to a maximum height of 12 feet. Furthermore, a storage facility limited in size to a typical shipping container shall be allowed to be placed on the property in such a location as approved by the Community and Economic Development Director.

Legal Description

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SECTION II

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

SECTION III

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SECTION IV

ORDINANCE NO. 2024-__

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

W. Samuel Couvillon, Mayor

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

ATTEST:

Denise O. Jordan, City Clerk

4868-1899-9028, v. 1



GAINESVILLE

Lee Gilmer
Memorial Airport

PALMOUR DRIVE

H-I

Ace Hardware
Distribution Center

Poly
Enterprises

Shasta
Beverages

Applicant: **HADJPADJ TECHNOLOGIES, LLC**

ZONING AMENDMENT REQUEST

Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015

Request:

Amend zoning condition on +/- 1.37 AC within Heavy Industrial (H-I) zoning for a data mining facility.



Subject Property



Meeting Date: 9/10/2024

Map Prepared: 8/12/2024

0 100 200 300 400 Feet

Scale: 1" = 200'



GAINESVILLE

Lee Gilmer
Memorial Airport

PALMOUR DRIVE

Ace Hardware
Distribution Center

Poly
Enterprises

Shasta
Beverages

Applicant:
HADJPADJ TECHNOLOGIES, LLC

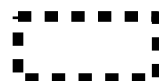
ZONING AMENDMENT REQUEST

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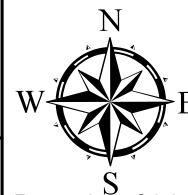
Subject Property Address:
1176 Palmour Drive, SW

Tax Parcel:
15-035-000-015



Subject Property

Aerial from 2023



Meeting Date: 9/10/2024

Map Prepared: 8/12/2024

0 100 200 300 400 Feet

Scale: 1" = 200'

Viral Chhadua
2313 Crystal Ct
Gainesville, GA 30506
info@hadjpadj.tech
678-622-3112

City of Gainesville Planning & Zoning

HadjPadj Technologies LLC is proposing to use the 1.3 acre lot located at 1176 Palmour Drive in Gainesville's Industrial park for a HPC (High Powered Computing) Server Center. The lot is currently zoned H-I and is being unused. HadjPadj Technologies was issued a special use permit for this use back in April of 2024, but was limited to two data huts of 10'x18' in size each. At the time this was sufficient to develop the site and invest the capital to start our operations.

GaPower's local engineer verbally made claims back in January of 2024 that the subject site would be able to provide the power needed without any additional upgrades required. In June of 2024, GaPower provided HadjPadj Technologies a service contract along with a substantial cost of construction for upgrades needed to be paid by HadjPadj upfront that dramatically changed the economics of this project. Due to this lack of transparency from GaPower, HadjPadj is now seeking to amend the Zoning Condition limiting the site to the two 10'x18' data huts to six 10'x40' data huts, or a total of 2400 sq ft of data center space. This increase in the total number of huts will allow for HadjPadj Technologies to be able to consume more power, thus bringing the financial feasibility back within range to continue moving the project forward.

The additional number of huts are being oversized to 10'x40' from the original 10'x18' to allow for more airflow to be pulled into the huts, which in turn helps keep the servers cooler and operate quieter. In addition to the oversized data huts, the landscape buffering is designed to further dampen the noise from surrounding properties and screen our operations from the view of any pedestrian that will be using the future segment of the trail along Palmour Drive. This also is a benefit for HadjPadj Technologies as it allows us to securely operate in an out of sight out of mind manner.

Each hut will consume approximately 750kW of power, bringing the total power consumption to approximately 4,500kW, which should maximize the power capacity on this site. The City of Gainesville will collect revenue from the municipality fee from GaPower along with an increase in property taxes, and Hall County will collect sales tax revenue from the power bill, which HadjPadj Technologies' estimates to be approximately \$72,900 per year.

-Viral Chhadua
678-622-3112

LEGEND

NTS = NOT TO SCALE
 IPS = 1/2" REBAR PIN SET
 LL = LAND LOT
 LLL = LAND LOT LINE
 P.L. = PROPERTY LINE
 C.L. = CENTERLINE
 B.L. = BUILDING LINE
 R/W = RIGHT-OF-WAY
 SSE = SANITARY SEWER EASEMENT
 DE = DRAINAGE EASEMENT
 MH = MANHOLE
 CB = CATCH BASIN
 JB = JUNCTION BOX
 HW = HEADWALL
 DI = DROP INLET
 PP = POWER/UTILITY POLE
 FH = FIRE HYDRANT
 IE = INVERT ELEVATION
 FFE = FIRST FLOOR ELEVATION
 BFE = BASEMENT FLOOR ELEVATION
 GFE = GARAGE FLOOR ELEVATION
 UTP = UNDERGROUND TELE. PED.
 S = SANITARY SEWER LINE/PIPE
 SS = STORM SEWER LINE/PIPE
 F = FENCE LINE
 N/F = NOW OR FORMERLY
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT

A LEICA TOPP 1205 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

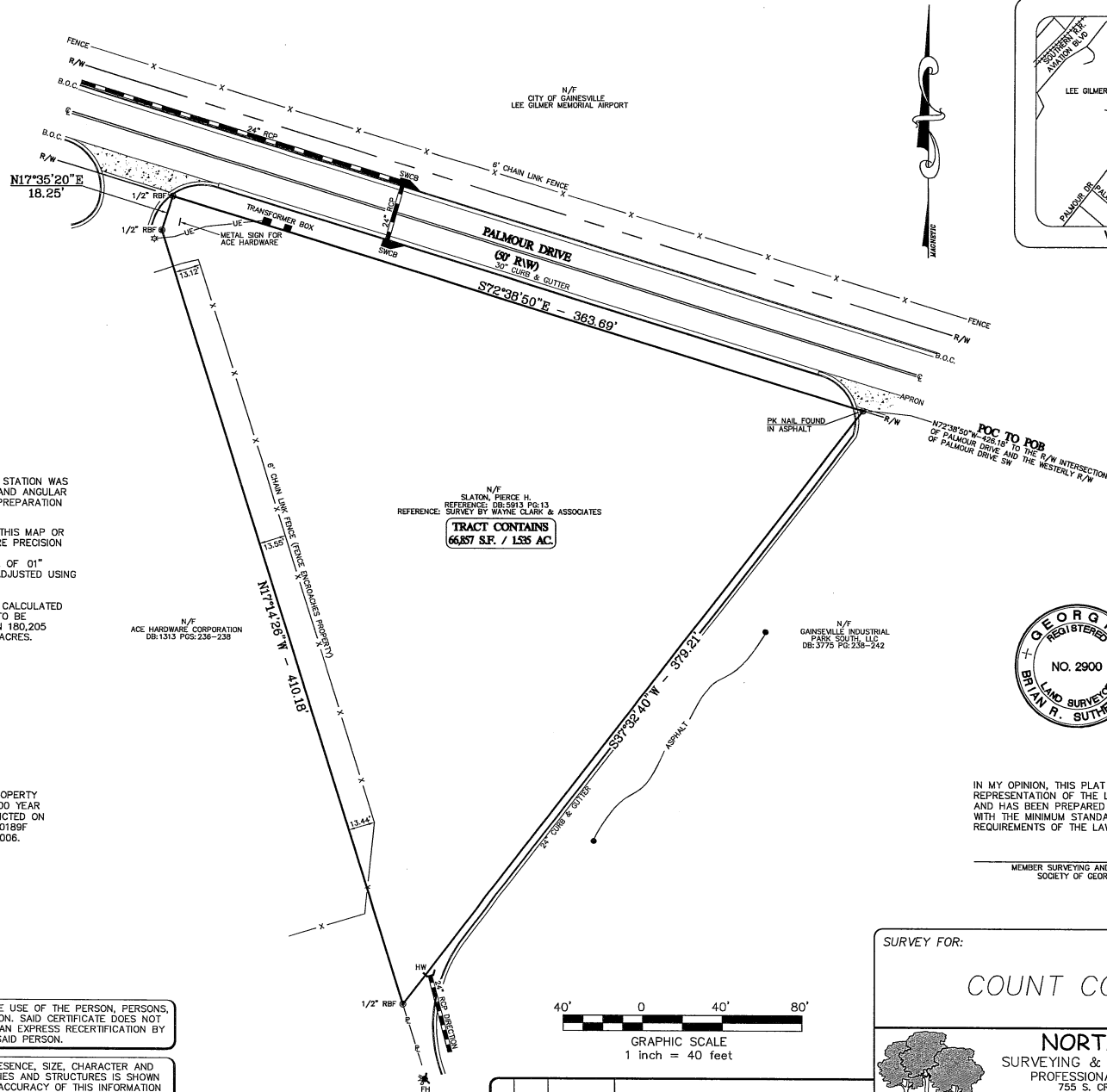
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN +10,000 FEET AND AN ANGULAR ERROR OF 01" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 180,205 FEET AND CONTAINS 1.535 ACRES.

NO PORTION OF SUBJECT PROPERTY LIES WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD AREA AS DEPICTED ON F.I.R.M. PANEL NO. 13139C0189F DATED SEPTEMBER 29, 2006.

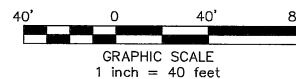
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



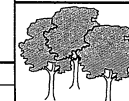
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA



SURVEY FOR:

COUNT COOLEY



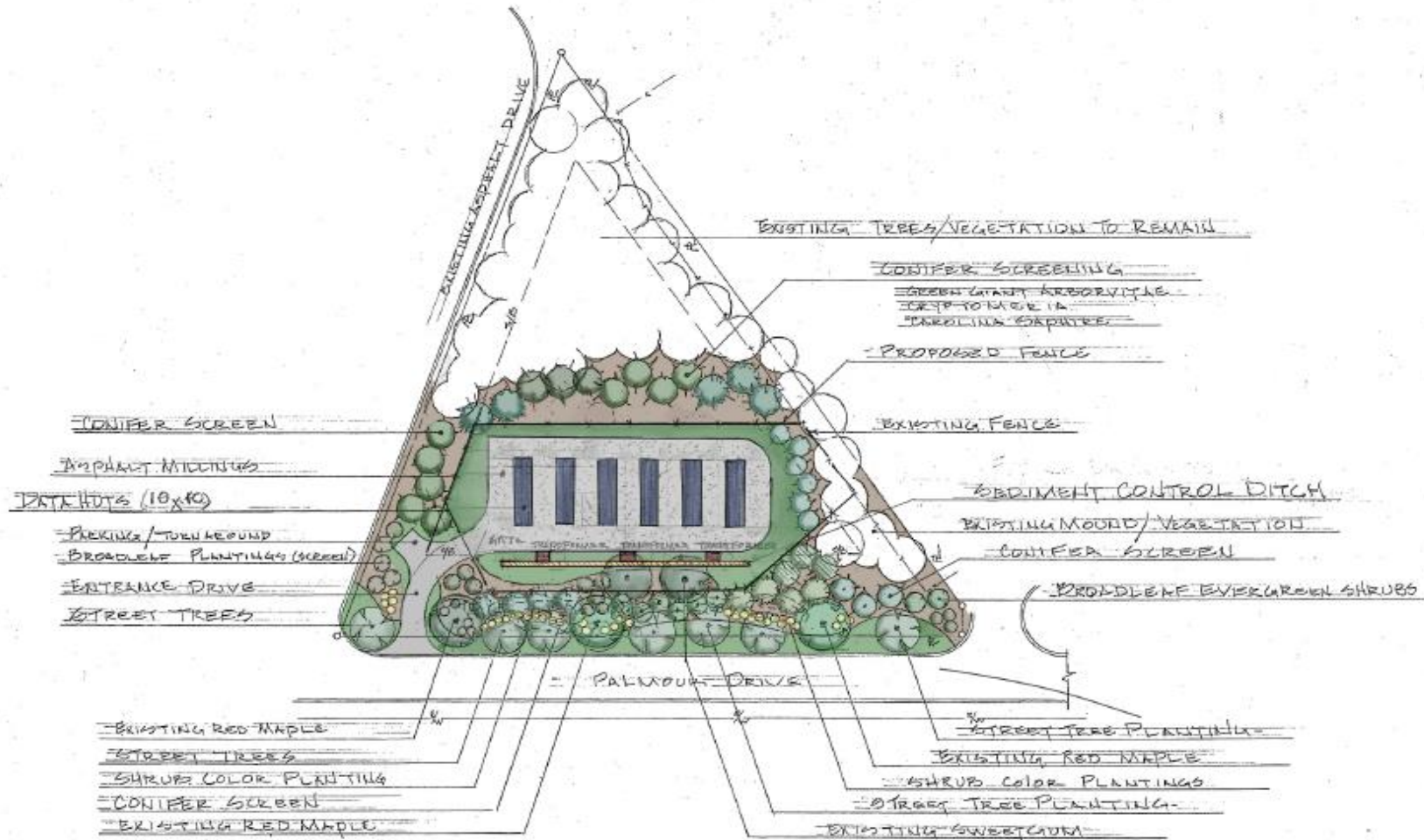
NORTHWOODS
 SURVEYING & ENGINEERING, INC.
 PROFESSIONAL LAND SERVICES
 755 S. CROSSLANE ROAD
 MONROE, GA. 30656
 (404) 925-4219 FAX (770) 967-2989

Date: 4/25/07	District: GAINESVILLE G.M.D. 411	Sheet No.
County: HALL COUNTY, CITY OF GAINESVILLE	Scale: 1"=40'	1 OF 1
Project: 07035	Drawn By: RWB	

No.	By	Date	Revision

ACAD FILE: Airport Boundary\07035.dwg

Updated Site Plan



CONCEPTUAL SITE PLAN
1176 PALMYRA DRIVE
GAINESVILLE, GEORGIA

REVISIONS	BY

J. J. JENSEN
LANDSCAPE ARCHITECT
2116 MORENO STREET
GAINESVILLE, FL 32601
TEL: 352-321-8242

CONCEPTUAL SITE PLAN
VIRGIL CHANDLER - STAGING USE PERMIT
CITY OF GAINESVILLE
LANDSCAPE AND ARCHITECT

Date	7-22-24
Scale	1"=50'
Drawn	J.J.J.
Job	
Sheet	
Of	



