



HALL COUNTY PLANNING COMMISSION MINUTES OF AUGUST 16, 2021

The regular meeting of the Hall County Planning Commission was held in the 2nd Floor Meeting Room, Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia.

Members Present: Chris Braswell, Chairman, Stan Hunt, Gina Pilcher, Johnny Varner, and Trey Bell

Staff Present: Sarah McQuade, Director of Planning; Beth Garmon, Principal Planner; Justin Crighton, Senior Planner; Laura Ogletree, Clerk

Call to Order: The meeting was called to order by the Chairman at 5:20pm.

Approval of Minutes: August 2, 2021

OLD BUSINESS

Mr. Braswell stated that items 1 and 2 would be heard together and voted on separately.

1. Previously tabled application of Lanier Luxe Self Storage to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050 003002. Proposed Use: self-storage warehouse. Commission District 2.

Motion: Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Varner and the motion passed by a 5-0.

Background Information:

The applicant is seeking to rezone a 9.862± acre parcel from Residential-I (R-I) and Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as self-storage warehouse business. The narrative describes an upscale climate-controlled self-storage and boat storage facility, with access controlled by an automated gate entrance on Cherokee Trail. Non-spill LED lighting will provide security. A monument sign will be located at the corner of Browns Bridge Road and Cherokee Trail, and a smaller entrance sign will be constructed at the facility's entrance.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Kent Henderson, 6071 Mount Vernon Road, Murrayville, presented the request. Mr. Henderson stated that he was proposing an upscale, climate controlled self-storage, boat and RV facility. He stated it was be gated accessed off Cherokee Trail. He stated that his plan was to grade the entire site, install all infrastructure for the climate control buildings in phases, and leaving the rear of the property uncovered and undeveloped for the boat and RV storage. Mr. Henderson stated that after that build out, the market with dictate the rest. He stated that the buildings would be no more than two stories in height, with the main level being street height and the terrace level dropping down with the topography of the land. He stated you would only be able to see the first level. Mr. Henderson stated that he would like to turn the existing home on the property into an office space and it would not be used as a caretaker's residence. He stated that this development would align with the Hall County Comprehensive Plan. Mr. Henderson presented a copy of the future land use map. He stated that he was proposing an ingress and egress off Cherokee Trail and presented guidelines that support the location of the entrance from the Comprehensive Plan. Mr. Henderson stated that he had spoken to GDOT and they had agreed with the entrance for the development being off Cherokee Trail. He stated that the proposed property falls within the Gateway Corridor and the development would adhere to all of the required standards. He stated that a fence with rock or brick columns would be included, as well as landscaping. Mr. Henderson stated that another reason he was proposing an entrance off Cherokee Trail was to keep the ability to construct the buildings so the second story of the buildings was the only one that could be seen from the road. He stated that if the entrance was located off Browns Bridge Road, they would have to build the property up in order to keep the terrace level from being seen. Mr. Henderson stated that the surrounding residents would sit up higher than the development. Mr. Henderson stated that there would be buffers provided and he would be willing to add more if it was needed. He stated that the proposed development was one of the lowest impact commercial development for the proposed property. He stated that based off another self-storage facility in the area, the traffic averaged 27 cars a day. Mr. Henderson stated that the development would not be pulling on any of the county's facilities. Mr. Hunt asked which buildings would be constructed during Phase 1. Mr. Henderson stated that buildings A, B, and C. Mr. Hunt asked about the location of the boat and RV storage. Mr. Henderson stated that it would be on the back of the property, it would be open storage, and would be temporary until the market dictates additional climate controlled buildings. Mr. Hunt asked in building G on the site plan was the location for the boat and RV storage, Mr. Henderson stated that was correct.

Public Forum:

Jacques Wannenburg, 4214 Cherokee Trail, Gainesville, spoke in opposition of the request. Mr. Warrenburg stated that he was concerned with the traffic and the entrance location making the already blind curve, more dangerous. He stated that he was not opposed to development, but he did not believe this was the best location for it.

John Carroll, 4484 Cherokee Trail, Gainesville, spoke in opposition of the request. Mr. Carroll stated that he was concerned with the property values in the area. He stated that he was also concerned with potential buyers in the neighborhood going elsewhere due to a self-storage facility being in front of the neighborhood. Mr. Carroll also stated that he was concerned with the potential dangerous turn the entrance location with create.

Barry Farr, 4141 Cherokee Trail, Gainesville, spoke in opposition of the request. Mr. Farr stated that he was not against the development, but he was against the placement of the development. He stated that the blind curve that the entrance would be located in was

extremely dangerous. Mr. Farr also stated that this development would not be good for buying and selling of homes in the area.

John Repko, 4142 Heidi Lane, Gainesville, spoke in opposition of the request. Mr. Repko stated that he was concerned with the property values in the area, increase of traffic, and a dangerous intersection made worse. He stated that he would like to see a traffic study completed as well.

Randy Zimler, 4124 Cumberland Point Drive, Gainesville, spoke in opposition of the request. Mr. Zimler stated that he was concerned with the runoff from the property when it would rain, running directly into the neighborhood behind it. He also stated that he was concerned with some of the homes having direct views of the development.

Lonnie Hill, 4332 Cherokee Trail, Gainesville, spoke in opposition of the request. Mr. Hill stated that he was concerned with the development being an eye sore, as well as the intersection being very dangerous. He stated that he was also concerned with more car accidents occurring.

Eric Quiros, 4117 Greyfield Bluff Drive, Gainesville, spoke in opposition of the request. Mr. Quiros stated that he was concerned with the traffic, dangerous location, and the development being in his backyard. He also stated that he was concerned with the potential light pollution keeping him from being able to sleep.

Rebuttal

Mr. Henderson presented a site plan and showed the Planning Commission which building would be constructed and when. Mr. Henderson stated that his hours of operation would be limited to 7:00am to 10:00pm. Mr. Henderson stated that there would not be any 'car stacking' onto Cherokee Trail or onto Browns Bridge Road. He stated that for the neighbors that are concerned with the buffer, he would be willing to extend the buffer to 50 feet. Ms. Pilcher asked what the elevation of the residents that back up to the property. Mr. Henderson stated that he did not know the exact number although he knew the proposed development sat below them. Mr. Henderson addressed the concerns about the runoff and stated that the site would have a stormwater system as well as a retention pond. Mr. Varner asked if Mr. Henderson had any concerns with the traffic and site distance in the area of where the proposed entrance would be. Mr. Henderson stated that he would not be a change in site distance, but there would be improvements made to the roads and areas near the development. Mr. Braswell stated that he shared the resident's concerns about the entrance being on Cherokee Trail. However, Mr. Henderson had offered additional improvements and additional buffers. Mr. Braswell stated the Mr. Henderson was correct in stating that this was a low impact commercial use for the proposed property, but he would not be in favor of any ingress or egress on Cherokee Trail.

Motion: Mr. Hunt made a motion to recommend approval, with conditions for the request, with a second from Mr. Varner and the motion passed by a 5-0 vote.

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
2. *Development shall conform to the standards set forth by the Gateway Corridors Overlay District. No variances are granted as part of this application.*
3. *The entrance for the proposed development shall be from Browns Bridge Road, no entrance shall be permitted on Cherokee Trail.*
4. *The caretaker residence shall meet all conditions as provided in section 17.350.120. of the Official Code of Hall County.*
5. *All conditions of zoning shall be made part of any plat created for the property.*
6. *The development shall have decorative metal fencing with stone or brick columns along Browns Bridge Road and Cherokee Trail. There shall be a 6 foot high black vinyl chain link fence along all other property lines.*
7. *All buildings facing Cherokee Trail, Browns Bridge Road, and Cumberland on Lanier residents shall adhere to Gateway Corridor Standards and all building materials and colors shall be approved by the Planning Director.*
8. *The hours of operation shall be 7:00am to 10:00pm.*
9. *There shall be a 50 foot, undisturbed buffer along all Cumberland on Lanier's Club Drive residential lots, with all other buffers being 25 feet.*

2. **Previously tabled application of Lanier Luxe Self Storage for a Use Subject to Planning Commission approval on a 9.862± acre tract located on the north side of Browns Bridge Road at its intersection with Cherokee Trail; a.k.a. 4152 Browns Bridge Road; Zoned R-I & AR-III; Tax Parcel 08050 003002. Proposed Use: caretaker or employee residence. Commission District 2.**

Motion: *Ms. Pilcher made a motion to remove the request from the table, with a second from Mr. Varner and the motion passed by a 5-0.*

Background Information:

The applicant is seeking to rezone a 9.862± acre parcel from Residential-I (R-I) and Agricultural-Residential-III (AR-III) to Highway Business (H-B) for development as self-storage warehouse business. The narrative describes an upscale climate-controlled self-storage and boat storage facility, with access controlled by an automated gate entrance on Cherokee Trail. Non-spill LED lighting will provide security. A monument sign will be located at the corner of Browns Bridge Road and Cherokee Trail, and a smaller entrance sign will be constructed at the facility's entrance.

Planning Commission Comments:

Mr. Braswell stated that the applicant would need to table this request to determine what would be needed to be done to bring the existing building up to Gateway Corridor standards, commercial standards, and how the residence would be used.

Motion: *Mr. Hunt made a motion to table the request to the September 7, 2021 Planning Commission meeting, with a second from Mr. Bell and the motion passed by a 5-0 vote.*

NEW BUSINESS

Mr. Braswell stated that item 6 would be heard first under 'New Business'.

- 6. Application of Pulte Group to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 54.03± acre tract located on the west side of Spout Springs Road at its intersection with Williams Road; a.k.a. 7095, 7099, & 7103 Spout Springs Road; Zoned AR-IV; Tax Parcels 15042 000015, 000015A & 15041 000010. Proposed Use: 144 lot single family subdivision. Commission District 1.**

Background Information:

The applicant is requesting to rezone three tracts totaling approximately 54.03± acres from Agricultural-Residential-IV (AR-IV) to Planned Residential Development (PRD) for development of the property as a 144 lot extension of Reunion Subdivision. The proposed development is shown with an entrance from Spout Springs Road as well as an interior connection to Reunion at Grand Reunion Drive, just north of the intersection with Dove Point Lane. The application proposes 144 detached single-family homes with the following standards.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Brian Rochester, 425 Oak Street, Gainesville, presented the request. Mr. Rochester stated that the proposed overall site plan for Reunion Subdivision, which included 802 units that the property is currently approved to contain. Mr. Rochester stated that this was not the first time the development had been expanded. He stated that in the beginning of the rezoning process, the proposed addition was not going to have an access point onto Spout Springs Road and only be accessed through Phase 10 of the Reunion subdivision; however, after discussion with the surrounding community and neighbors they added a right in and right out access point onto Spout Springs Road. Mr. Rochester stated that everything the current request was proposing was what was brought and approved before the Planning Commission in 1999 and 2016. He stated that Pulte was planning to build the same way that they had in Reunion and presented a site plan showing the addition of 144 lots to the development. Mr. Rochester presented proffered conditions to the Planning Commission, he handed copies of these to each Planning Commission member and staff. Mr. Rochester then reviewed the proffered conditions. He reviewed the proposed 25 foot buffers and additional buffers and pointed them out on the site plan as well. Mr. Rochester stated that there were not any required exterior buffers anywhere in Reunion.

Public Forum:

Marlon McKinney, 7010 Grand Reunion Drive, Hoschton, spoke in opposition of the request. Mr. McKinney stated that he was concerned with the placement of the connecting road the Pulte was planning to develop. He stated that he would also like to see this development be its own, due to it not having any benefit to Reunion.

Judy Whitehead, 6419 Sycamore Drive, Hoschton, spoke in opposition of the request. Ms. Whitehead stated that she was concerned with the safety of the area, the connection road not being safe for existing residents, and the importance of having a safe place for children.

Tom McDermott, 7250 Grand Reunion Drive, Hoschton, spoke in opposition of the request. Mr. McDermott stated that the proposed connection road was a concern and a problem. He stated that the ownership of the gold course where the connection road was being proposed was going to be sold to the Reunion subdivision in order to keep Pulte from constructing the road.

Carolyn Sullins, 7125 Spout Springs Road, Flowery Branch, spoke in opposition of the request. Ms. Sullins stated that she was concerned with the development being directly behind her house and property. She stated that she was also concerned with the runoff that the development would create.

Jonathan Anderson, 7012 Dove Point Lane, Hoschton, spoke in opposition of the request. Mr. Anderson stated that he was concerned with the additional houses that would be constructed on his road and that they would face the utility easement and power lines.

Mark Davis, 6188 Golden Maple Court, Hoschton, spoke in opposition of the request. Mr. Davis stated that there was not any need for the additional growth. He stated that this would be 'unsmart' growth for the area. He was also concerned with the road improvements, sewage issues, and what all of that would cost property owners in the area.

David Purcell, 6058 Grand Reunion Drive, Hoschton, spoke in opposition of the request. Mr. Purcell stated that the development would only benefit Pulte and no one else. He also stated that Pulte could build the development as long as it did not connect to Reunion subdivision.

Rebuttal

Mr. Rochester stated that he wanted clear up a few comments and concerns from the public comment portion. He stated that in response to the concern with traffic turning around and coming through Reunion, he stated that most people would exit the development onto Spout Springs Road. He stated that the primary use for the connecting road to and through Reunion, was for the development to be a part of the Reunion community. He stated that the 2016 rezoning came through Reunion with no external access to Deton Henry Road, which was requested by the neighbors. He stated that this time the neighbors were requesting an exterior access and that had been provided. Mr. Rochester stated that as far as the access road is concerned, he stated that connection would be determined by who owns that piece of property when the time comes. He stated that the homes that face the utility easement, that is something that happens often and the final decision would be made by Pulte when those homes are built. Mr. Rochester stated that the assumption that Pulte is avoiding meeting all development regulations is not true. He stated that the development would meet all regulations, whether it is or is not a part of Reunion. Mr. Rochester stated that everyone who is currently a residence of Reunion is on Hall County sewer system, not Gainesville City sewer. Mr. Rochester presented a map that showed all of the surrounding parcels that were already zoned as a PRD. Mr. Braswell asked Mr. Rochester what his thoughts were on the importance of the connection road through Reunion. Mr. Rochester stated that it was incredibly important to the applicant, as they have built and invested heavily into Reunion. Mr. Bell asked what the identity of Bailey Farms would be if the connection road was to be

eliminated. Mr. Rochester stated that if it was not connected, it would not allow those home owners to be a part of the Reunion community. Mr. Bell asked what the need for the proffered conditions was. Mr. Rochester stated that those were addressing that in a PRD zoning it allows the applicant to vary the standards. He stated that the applicant was not asking for anything that was not already a part of Reunion's conditions. Mr. Bell stated that if the applicant was willing to have an access point onto Williams Road, it would provide full access. Mr. Rochester stated that they would be willing to look into that. He stated that they did not own the piece of property that would be needed in order to do that, but they would be willing to consider it. Mr. Bell asked if the Planning Commission were to deny the connection road, what would the required amenities be for the development. Ms. McQuade stated that there was not a specific code that required it, the applicant would need to determine where it would be.

Planning Commission Comments:

Mr. Braswell stated that he believed the PRD zoning was appropriate, but would not be in favor of approving the connection road. He stated that he would also be in favor of a 50 foot buffer at least along the area that does not touch the golf course. Mr. Bell stated that adding the 50 foot buffers could help the development reach the 30% open space.

Motion: Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Mr. Hunt and the motion passed by a 5-0 vote.

Conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations.*
2. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards with the exception of those items specifically addressed in the project narrative.*
3. *There shall be no more than 144 total units in the development.*
4. *The following standards shall apply to the development:*
 - a. *Setbacks:*
 1. *Front: 15 feet from property line*
 2. *Side: 5 feet from property line*
 3. *Rear: 20 feet from property line*
 - b. *Open Space: minimum of 16.2 acres (30%)*
 - c. *Buffers: A minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened. The buffer shall not be required adjoining the golf course nor Reunion open space. The planted buffers shall conform to the requirements as described in section 17.260.020 titled Vegetation Buffers and Vision Clearance.*
 - d. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.*

5. *The proposed development shall not connect to Reunion Subdivision via an entrance onto Grand Reunion Drive.*
 6. *The applicant shall coordinate with Hall County Engineering regarding to Phase 2 of the Spout Springs Road widening project and additional improvements/requirements may be necessary.*
 7. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
 8. *The proposed development driveway must be reviewed, approved and permitted by the Georgia Department of Transportation and/or Hall County Traffic Engineering.*
 9. *All conditions of zoning shall be made part of any plats created for the property.*
3. **Application of Mark Skelton for a right side yard setback variance from 15 feet to 7 feet on a 6.41± acre tract located on the north side of L J Martin Road approximately 1,235 feet from its intersection with Strickland Road; a.k.a. 5301 L J Martin Drive; Zoned AR-III; Tax Parcel 15037 000031. Proposed Use: 3-lot subdivision. Commission District 1.**

Background Information:

The applicant is seeking a right side yard setback variance from 15 feet to 7 feet to accommodate a division of the property into three separate tracts. The subdivision of the property and the location of an existing outbuilding on the center lot creates an encroachment on the proposed side boundary between tracts. The minimum road frontage requirement of 50 feet limits the ability of the applicant to propose a boundary further from the structure, and prevent an encroachment.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Mark Skelton, 5301 L J Martin Drive, Gainesville, presented the request. Mr. Skelton stated that he was requesting a variance for a 3 lot subdivision. He stated that if the variance was approved, it would be in keeping with the character of the area. He stated that the side setback would not diminish public welfare or improvements to neighboring properties, it would not affect public safety, property values, or create a nuisance.

Public Forum:

Michael Urbizo, 5315 L J Martin Drive, Gainesville, spoke in opposition of the request. Mr. Urbizo stated that he was concerned with the driveway being four feet from his driveway. He also stated that if Mr. Skelton were to tear down the shed on his property, he would be able to move the driveway further from his driveway and keep his privacy without having to clear out trees.

Gary Newsom, 5265 L J Martin Drive, Gainesville, spoke in opposition of the request. Mr. Newsom stated that he had purchased his property from Mr. Skelton in the past. He stated that they had talked about Mr. Skelton subdividing; however, Mr. Newsom was concerned with it being in his backyard.

Derrick McCollum, 5255 L J Martin Drive, Gainesville, spoke in opposition of the request. Mr. McCollum stated that Mr. Skelton needs to tear down the shed on the side of the property and maintain the 15 foot buffer.

Rebuttal

Mr. Skelton stated that the driveway that was mentioned could go around the ravine and still maintain the buffer of trees. He stated that the variance would not have any negative impacts. Mr. Braswell asked why Mr. Skelton wanted to keep the shed that was on the property. Mr. Skelton stated that it was currently being used as storage while he was renovating his personal residence. He stated that it would be expensive to replace or to rent a storage unit. Mr. Braswell asked how much longer the other storage containers would be on the property. Mr. Skelton stated that they would be there until his renovation was complete. Mr. Braswell asked if the storage container was being used to store only furniture for the house. Mr. Skelton stated that was correct. Mr. Braswell asked if it would be moved or dismantled when the renovation was completed. Mr. Skelton stated that it could be and he and his wife had discussed that. Mr. Braswell asked Ms. McQuade if there was a way to put a timeline on when the storage building should be removed by. Ms. McQuade stated there were a few options for that. Mr. Bell asked what happened if the variance was denied. Ms. McQuade stated that they would require him to remove the shed. Mr. Skelton stated that as a reminder, he was encroaching onto his own property.

Motion: Mr. Bell made a motion to approval with the request, with a second from Mr. Hunt and the motion passed by a 5-0 vote.

- 4. Application of James and Stacey Thompson for a Use Subject to County Commission approval on a 0.28± acre tract located on the south side of Samoa Way approximately 226 feet from its intersection with Paradise Point Road; a.k.a. 6416 Samoa Way; Zoned R-I; Tax Parcel 08141 001010. Proposed Use: accessory structures with no primary residence. Commission District 1.**

Background Information:

The applicant is requesting approval from the Hall County Board of Commissioners to continue a nonconforming use of an accessory structure in a residential district without an accompanying primary residence on the same lot. The lot is being used for storage of equipment and materials for the applicant, who resides in a residence on an adjacent parcel.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

James Thompson, 6416 Samoa Way, Flowery Branch, presented the request. Mr. Thompson stated that this property fit all of the requirements on their list when they were looking to purchase the property. He stated that they asked when they purchased the property if everything had been permitted and were told it had been. He stated there was not another issue until his neighbor called and complained about the outdoor storage. Mr. Thompson stated that the Marshal's office had been out and told him that it needed to be cleaned up. He

stated that with weather permitting, it would be cleaned up in the next week. Mr. Thompson stated that he was renting a storage space, but was hoping to be allowed to keep the storage unit on the property to no longer have to rent a space. Mr. Braswell asked if the storage building was movable. Mr. Thompson stated that he believed it started out as a car canopy that was built into the lay of the land. He stated that he imagined that it could be moved, but it would no longer be level and it would need some heavy equipment to move it. He stated that to his knowledge, it was not anchored in any way and it was not on any type of foundation. Mr. Bell stated that if he combined his two properties, he could have the structure. Mr. Bell stated that the outdoor storage was more of an issue. Mr. Thompson stated that he was aware that it was an issue and he would get it all taken care of. Mr. Bell asked how long it would take. Mr. Thompson stated that it would take a week or two. Mr. Bell asked what was required to combine two lots in a platted neighborhood. Ms. McQuade stated that he would need to have a survey done to be reviewed by the county.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Conditions:

1. *The applicant shall combine via a recorded plat the vacant lot with parcel 08141 001009, where the applicant's primary residence is located.*
 2. *The 12 foot by 28 foot storage building shall receive a retroactive building permit.*
 3. *The applicant shall construct or plant an adequate visual buffer between this lot and the neighboring parcel, 08141 001011.*
 4. *Applicant shall have the combination survey recorded and property brought into compliance within 120 days after Board of Commission meeting or shall be subject to citations.*
- 5. Application of James G. Major for a Use Subject to County Commission approval on a 31.15± acre tract located on the east side of Hog Mountain Road approximately 1,236 feet from its intersection with Blackjack Road; a.k.a. 5692 Hog Mountain Road; Zoned AR-III; Tax Parcel 08136 000002. Proposed Use: 3 lot subdivision. Commission District 1.**

Background Information:

The applicant is requesting to subdivide a 31.15± acre tract into three (3) separate building lots. The property is zoned Agricultural-Residential-III (AR-III). The subdivision of property within an AR-IV zoning district which results in greater than two (2) lots requires approval of the Board of Commissioners. The site plan shows Tracts 1 and 2 having 13.107 acres and Tract 3 measuring 5 acres. There is an existing residence on Tract 1.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Ronnie Rodriguez, 3010 Hamilton Mill Road, Buford, presented the request. Mr. Rodriguez stated that tract 1 was 10.607 acres and tract 2 was 15.607 acres and tract 3 will remain 5 acres. He stated that all frontage would stay the same. He stated that tract 1 would be combined with the southern, main tract. Mr. Rodriguez stated that tract 2 will remain undeveloped and tract 3 will be purchased by the property owner to the north and build a residential house. He stated that the request kept up with the use of the adjacent properties. Mr. Bell asked if the applicant lived on tract 1. Mr. Rodriguez stated that the applicant lives on the southern lot that will be combined with tract 1.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Conditions:

1. *Prior to the issuance of any building permits on any tract, a recorded plat shall be required.*
2. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:*
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
3. *All conditions of zoning shall be made part of any plat created for the subdivision.*

Mr. Braswell stated that items 7 and 8 would be heard together and voted on separately.

7. **Application of McKinley Homes US, LLC to rezone from Agricultural Residential-III (AR-III) and Planned Commercial Farm District (PCFD) to Planned Residential Development (PRD) on a 162.36± acre tract located on the west side of Spout Springs Road at its intersection with Lancaster Crossing; a.k.a. 6863 and 6803 Spout Springs Road; Zoned AR-IV & PCFD; Tax Parcel 15042 000009(pt.) and 000010. Proposed Use: 393 lot single family attached and detached development. Commission District 1.**

Background Information:

The applicant is requesting to rezone 162.36± acres from Planned Commercial Farm District (PCFD) and Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) to develop a residential community of both detached and attached single-family residences, and 20,000 square feet of commercial space to serve the residences and surrounding area.

Applicant's Presentation:

Sarah McQuade, Planning Director, presented a summary of the request.

Tyler Smith, 301 Green Street, Gainesville, presented the requests. Mr. Smith presented a masterplan of the development. He reviewed where the townhomes and where the retail space would be. He stated that there would be rear loading and front loading townhomes. Ms. Pilcher asked if there was an alleyway for the rear loading townhomes. Mr. Smith stated that there would be. Mr. Smith stated that there would be two access points on Spout Springs Road, based on the road improvements that were planned for the future. He stated the density would be 2.4 units per acre, with a total of 393 dwelling units over 162 acres. He stated that as for the townhomes, there would be 114 units on 16 acres, for the single family detached homes there would be 270 units on 145 acres, and have 68 acres of open space which would be a total of 42% open space. He stated that the lot sizes would be a minimum of 1,000 square feet from the single family homes, with a heated floor space between 1,800 square feet and 2,600 square feet. The townhomes would have a minimum lot size of 2,000 square feet. Mr. Smith stated that the front loading townhomes would have a 24 foot lot width and the rear loading would have a 20 foot lot width. He stated that the heated floor space would range from 1,600 square feet to 2,200 square feet. Mr. Smith stated that the amenities area would include a pool, cabana, playground area, a dog park, and mulched walking paths. Mr. Smith stated that in terms of sales and model homes, the developer plans to have one single family detached home and at least one townhome. He stated that the applicant is requesting to be able to have two of each. Mr. Smith stated that the applicant was requesting that the minimum townhomes lot size be reduced from 5,000 square feet to 2,000 square feet, the rear loading townhome front setback be reduced from 40 feet to 10 feet off the right of way. They are also requesting the front loading townhomes front setback be reduced from 40 feet to 25 feet off the right of way, increase the front loading garage door width be a maximum of 67% of the front elevation, and lastly the single family home's garage door's recess be reduced from a minimum of 5 feet to a minimum of 1 foot. He stated that in terms of the comprehensive plan, the development fits. He stated that code supports this development and the location. Mr. Smith stated that there would a 50 foot, vegetative buffer along each property line of the development. Mr. Smith stated that the PCD tract would have 20,000 square feet of commercial space. He stated that it would have a town center feel to it and would be connected to the residential portion by sidewalks. He stated that at this point there were no specific plans for the commercial development. Mr. Braswell asked if the PRD component would be phased. **Bill Schmidt, 9915 Buice Road, Alpharetta**, stated that the development would be phased with the lower portion and townhomes with amenities being built first. Mr. Schmidt stated that the commercial component would be in Gateway Corridor and will meet all of those standards. Mr. Braswell stated that it is unusual to have alleyways in the proposed area and asked if the site would be mass graded in order to include the alleyways. Mr. Schmidt stated that the area was already mostly flat and concept would be to have a main driveway that passes the commercial component with a TND type feel. Mr. Braswell asked what the rough estimate of the footprint of the townhomes was. Mr. Schmidt stated they would be roughly 20 feet by 45 feet, around 1,800 square feet. Ms. Pilcher asked if the setback on the rear loading town homes would have any grass between the sidewalk and the backside of the curb. Mr. Schmidt stated that there would be, it would have a 5 foot sidewalk with a 5 foot strip of grass. Ms. Pilcher asked how long the driveways would be. Mr. Schmidt stated they would be 25 feet long. Mr. Bell asked if Mr. Schmidt had ever had a 2,000 square foot lot approved. Mr. Schmidt stated that he had and that size is now typical. Mr. Bell stated that it was a 60% reduction of what is required in a PRD zoning. Mr. Bell asked to see a floorplan of the single family. Mr. Schmidt stated that he did not have one with him. Mr. Hunt asked if the townhomes

would be for sale or be leased. Mr. Schmidt stated that they would be fee simple. Mr. Braswell asked if there would be covenants. Mr. Schmidt stated that there would be and they are not intending on it being a built to rent development. Ms. Pilcher asked if there could be something in the covenants that requires someone to have on-site management. Mr. Schmidt stated that there would not be because they were not intending on people renting. He stated that if someone buys and then wants to rent out their home, they would be the proprietor. Mr. Schmidt stated that there would be covenants that require whoever is living on the property to take care of it. Mr. Bell asked if there would only be one amenity area. Mr. Schmidt stated there would only be one. Mr. Hunt asked if they would need any job trailer sites. Mr. Schmidt stated that they would. Mr. Bell asked if the piece of property between the two proposed tract stay zoned AR-III. Mr. Schmidt stated that was the property owners and they would be keeping it.

Public Forum:

No one spoke in favor or opposition of the request.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Mr. Hunt and the motion passed by a 5-0 vote.*

Conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions, Hall County regulations, and any other regulatory agencies at time of development.*
2. *The development shall not exceed an overall site density of 2.41 units per acre.*
3. *The following standards shall apply to the development:*
 - a. *Single-Family Attached units, rear entry:*
 - i. *76 total units*
 - ii. *Minimum lot size – 20' x 100' (2,000 square feet)*
 - iii. *Setbacks:*
 1. *Front – 10 feet from property line*
 2. *Side – 10 feet from property line*
 3. *Rear – 25 feet from the portion of the sidewalk closest to the residence*
 - iv. *Minimum heated floor area – 1,600 square feet*
 - b. *Single-Family Attached units, front entry:*
 - i. *38 total units*
 - ii. *Minimum lot size – 24' x 83.33' (2,000 square feet)*
 - iii. *Setbacks:*
 1. *Front – 25 feet from property line*
 2. *Side – 10 feet from property line*
 3. *Rear – 25 feet from the portion of the sidewalk closest to the residence*
 - iv. *Minimum heated floor area – 1,600 square feet*
 - v. *Garage door width of each unit may not exceed 67% of the overall front elevation*
 - c. *Single-Family Detached:*
 - i. *279 total units*
 - ii. *Minimum lot size – 50' x 160' (8,000 square feet)*
 - iii. *Setbacks:*

1. *Front – 25 feet from property line*
 2. *Side – 5 feet from property line or 10-foot building separation*
 3. *Rear – 20 feet from property line*
 - iv. *Minimum heated floor area – 1,800 square feet*
 - v. *Garage doors to be recessed a minimum of 2 feet behind the front roof plane*
 4. *The architectural renderings submitted as part of the request shall be used as a style guide for the development.*
 5. *The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of traffic study or are determined as part of the development review process.*
 6. *The single-family attached units shall be offset by two (2) feet, every two (2) units.*
 7. *Applicant shall have a total of four sales offices; two for the single-family attached residences and two for the single-family detached residences.*
 8. *All conditions of zoning shall be made part of any plats created for the development.*
8. **Application of McKinley Homes US, LLC to rezone from Planned Commercial Farm District (PCFD) to Planned Commercial Development (PCD) on a 4.19± acre tract located on the west side of Spout Springs Road at its intersection with Lancaster Crossing; a.k.a. 6803 Spout Springs Road; Zoned PCFD; Tax Parcel 15042 000009(pt.). Proposed Use: retail development. Commission District 1.**

Background Information:

The applicant is requesting to rezone 4.19± acres from Planned Commercial Farm District (PCFD) to Planned Commercial Development (PRD) to develop the 20,000 square feet of commercial retail space. This is the commercial component of a larger master planned mixed-used development. According to the submitted narrative, the intent is to serve the residences and surrounding area in a town-center atmosphere. The site is adjacent to Mulberry Creek and the proposed community will include sidewalks connecting the residential portions with the neighborhood commercial area, with mulch walking paths provided to allow residents to enjoy the natural open space areas within the community and by Mulberry Creek.

Planning Commission Comments:

Mr. Bell stated that he had a concern with the lot sizes. Ms. Pilcher stated that she agreed. Mr. Bell and Ms. Pilcher agreed that the minimum lot size for the townhomes should be 2,400 square feet.

Motion: *Mr. Bell made a motion to recommend approval, with conditions for the request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.*

Conditions:

1. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval.*

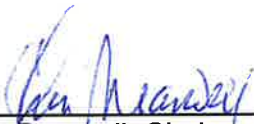
2. *Development shall conform to the standards set forth by the Gateway Corridors Overlay District.*
3. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
4. *Building height shall be limited to 3-stories.*
5. *All building materials and colors shall be approved by the Planning Director prior to any construction.*
6. *All conditions of zoning shall be made part of any plat created for the property.*

Other Business

The next Planning Commission meeting will be on Tuesday, September 7, 2021.

ADJOURNMENT:

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 9:32pm.



Chris Braswell, Chairman
Hall County Planning Commission



Laura Ogletree, Clerk
Hall County Planning Commission