



## HALL COUNTY PLANNING COMMISSION MINUTES OF OCTOBER 4, 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; Michelle Yang, Planner; Laura Ogletree, Clerk

**Call to Order:** The meeting was called to order by the Chairman at 5:17pm.

**Approval of Minutes:** September 7, 2021

### **OLD BUSINESS**

1. **Previously tabled application of Invest NH, LLC for a Use Subject to County Commission approval on a 6.75± acre tract located on the east side of Lula Road at its intersection with Glade Farm Road; a.k.a. 7404 Lula Road; Zoned AR-IV; Tax Parcel 12115 00005(pt.). Proposed Use: 5-lot subdivision. Commission District 3.**

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

### **Background Information:**

The applicant is requesting to subdivide a 16.00± acre tract into five (5) separate building lots measuring more than 1 acre each. The property is zoned Agricultural-Residential-IV (AR-IV); the subdivision of property within an AR-IV zoning district which results in greater than two (2) lots requires approval by the Board of Commissioners. The applicant intends to construct "five high-quality starter homes" on the lots. Two different floorplans were provided showing the intended products for the development. Each lot would be served by its own driveway.

### **Applicant's Presentation:**

**Sarah McQuade, Planning Director,** presented a summary of the request. Ms. McQuade stated that the applicant had modified their site plan and staff have modified the staff conditions to better apply to the updated plan.

**Chris Orme, 7596 Lula Road, Lula,** presented the request. Mr. Orme stated he had revised the site plan to have five lots with two shared driveways and one single driveway for one of

the lots. He stated GDOT had approved the locations of the driveways and each lot now met the required 150 feet of road frontage. He stated he also had a permit for the driveways. Mr. Braswell asked if staff had a copy of the approval letter from GDOT. Mr. Orme stated he had a copy to give staff.

**Public Forum:**

**James Waldrip, 7310 Lula Road, Lula,** spoke in opposition of the request. Mr. Waldrip stated there had been numerous wrecks happen in the curve that the proposed lots would be located on. He stated that the county had reported seven wrecks between November of 2018 and August 2021. He stated he had spoken to a bus driver that stated no buses would pick up kids there due to the potential danger of a bus stopping in that curve. Mr. Waldrip stated that adding more homes would only put more lives in danger. He stated that multiple developments had recently been approved in a three-mile radius and he did not believe they needed more houses in the area.

**Len Waldrip, 7326 Lula Road, Lula,** spoke in opposition of the request. Mr. Waldrip stated that these additional homes would be dangerous. He stated that car accidents had happened in his driveway and there were many wrecks that happened in the curve. Mr. Waldrip stated that he had a petition from people in the community that were against this development. He stated that he had moved to Lula to get away from the busy town and he believed this was too many homes to be placed in the curve of the road. He stated there had also been a problem with flooding in the past due to the property owner cutting multiple trees down and he does not want his home to flood from the five new homes.

**Floyd Higdon, 7225 Lula Road, Lula,** spoke in opposition of the request. Mr. Higdon stated there had been many wrecks happen on Lula Road and he gets scared every time his granddaughter gets on the bus. He stated that he was unaware that the county allowed shared driveways and to put five or six homes on Lula Road was ridiculous.

***Rebuttal***

Mr. Braswell asked Mr. Orme if he would be the builder on the project. Mr. Orme stated that it would be another company that would be working with them. Mr. Orme stated that he would like to address some of the concerns that the public had. He stated there was a curve there in the road, but GDOT did send someone out to look at the locations of the driveways. He stated that the GDOT employee had told him where the driveways needed to be placed. Mr. Orme stated that he could not control people speeding up and down the road nor could he control any water issues that had occurred prior to the building of the proposed homes. He stated that the houses should not affect the creek or add additional flood issues. Mr. Braswell asked him Mr. Orme would be willing to place a planted buffer on Mr. Waldrip's property line to help provide a screen and to help with runoff or flooding issues that could occur. Mr. Orme stated that he would not be opposed to adding something like that. Mr. Hunt stated that he believe there was currently a good natural buffer, but it could be reinforced. Mr. Orme stated that he was not planning to take down any trees that were not necessary.

**Planning Commission Comments:**

Mr. Hunt stated that he appreciated the applicant going back to the drawing board and making the changes that the Planning Commission had asked of him.

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

**Conditions:**

1. The development is approved for a maximum of five (5) building lots with a minimum road frontage of 150 feet per parcel, unless variances are approved for reduced frontage of a lot.
  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. A final plat shall be recorded before any building permit applications are submitted to Hall County.
  4. A 30 foot vegetative buffer shall be required along the right side property line of lot 5. The applicant shall plant a new buffer if the existing vegetation does not provide sufficient screening in accordance with the Official Code of Hall County.
  5. All conditions of zoning shall be made part of any plat created for the subdivision.
2. **Previously tabled application of Atlas Development to rezone from Agricultural Residential-III (AR-III) and Residential-I (R-I) to Planned Residential Development (PRD) on a 79.18± acre tract located on the west side of Union Church Road at its intersection with Union Circle; a.k.a. 5166 & 5154 Union Church Road; Zoned AR-III & R-I; Tax Parcels 15043 000059 & 000073. Proposed Use: 148 lot subdivision. Commission District 1.**

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

**Background Information:**

The applicant is requesting to rezone two tracts totaling approximately 79.18± acres from Agricultural-Residential-III (AR-III) and Residential-I (R-I) to Planned Residential Development (PRD) for a 148 lot single-family subdivision. Access to the proposed development would be off Union Church Road. The concept plan shows an amenity site, stormwater detention ponds, and a connection to sanitary sewer. Mulberry Creek passes through the property and flood plain significantly impacts the western portion of the property.

**Applicant's Presentation:**

**Sarah McQuade, Planning Director**, presented a summary of the request. Ms. McQuade stated that staff had not received an updated site plan from the applicant. Therefore, the request remained the same from the previous meeting.

**Brian Rochester, 425 Oak Street, Gainesville,** presented the request. Mr. Rochester stated he and the applicant had hosted a meeting with the neighbors to understand their concerns. He stated he believed it had been a beneficial meeting with a few points that he and the neighbors had continued to differ on and gained knowledge of other concerns that the neighbors had. Mr. Rochester presented proffered conditions to the Planning Commission. He stated that this was a 78.9 acre tract with 148 proposed units to be developed on it. He stated the density would be 1.88 units per acre, which was less than two units per acre that it currently set as a standard in the PRD zoning. Mr. Rochester stated the PRD zoning allows flexibility. He stated they had looked at whether or not they could have 8,000 square foot lots and they could; however, the design to configure that size lots would be worse than what was being presented. He explained the lots were currently 50 feet by 125 feet and to meet the 8,000 square foot lot size they would need to add 35 additional feet of land to each lot. He stated that the lots would be extended into the 50 foot exterior buffer. Mr. Rochester stated there is nothing in the code that does not let the lot extend into the buffers. He stated that the 50 foot buffer is a compromise to the smaller lots size. Mr. Rochester stated they would be persevering buffer area that belongs to the HOA, as opposed to the property being owned by the individual lot owner. He stated that would give a greater protection to the people around them because if the property owner owned the buffer, they could clear it over time to regain that portion of the lot. He stated he also looked at amending where the amenities were located. Mr. Rochester stated they had originally been at the front of the development, but they had looked at moving it. Mr. Rochester reviewed his proffered conditions with the Planning Commissioners. He stated that staff condition 1 they were fine with, with the exception of the last sentence. He stated he would ask for what is in the site plan and narrative to be approved. He stated they were not asking for any change to staff condition 2. He stated that they would like to modify condition 3 to state that the developer would be responsible for any improvements to the road that would be required. He stated that conditions 4 and 5 would stay the same. He stated they would like to add a sixth condition to state that no more than 25% of the homes would be rented at any one time. He stated he would like to add a seventh condition that would state that a 50 foot buffer shall be established around the perimeter of the property. The buffer may be disturbed during construction of the lots; any area disturbed during construction must be replanted to Hall County buffer standards. He stated that the eighth condition he would like to add would state a minimum heated floor area should be 1,800 square feet for a single story and 2,200 square feet for a 2 story. The ninth condition would state that the development would have 5 foot sidewalks on both sides of the road. The tenth condition they wanted to add would state that the development should provide water quality and infiltration, where feasible, for stormwater from the site flowing to Mulberry Creek. Mr. Rochester stated that the eleventh condition would state there would be a 20 foot front setback, a 5 foot side setback, a 10 foot side separation, and a 20 foot rear setback. Lastly, he stated the twelfth condition would read that the minimum open space for the development should be 40%. Mr. Braswell asked for clarification about proffered condition one. Mr. Rochester stated they were asking for anything that is presented or stated in the site plan and narrative, be what the applicant is asking to do. Ms. Pilcher asked to see the site plan. Ms. Pilcher asked what the difference between the original site plan and the current one was. Mr. Rochester stated that the amenities had been moved and that was about the only difference and they would be working with the adjoining property owner to figure out where to move it. Mr. Hunt asked if the adjoining neighbor was the owner of the proposed property. Mr. Rochester stated it was a different owner. Ms. Pilcher asked if there was a specific reason why the lots could not be deeper or wider. Mr. Rochester stated that the proposed lots met the code requirements and the buffer would not go away.

**Public Forum:**

**Derek Baker, 5234 Union Circle, Flowery Branch,** spoke in opposition of the request. Mr. Baker stated that the proposed density was over the net density of 3.15 units per acre. He stated that 32 acres of the proposed tract was flood plain and undevelopable. He stated that the code was supposed to protect citizen from the over populated developments. Mr. Baker stated that he would not allow sewer connection to happen across his property, if that was how the applicant was planning to connect. Mr. Baker asked why there should be a bend in the code for an applicant now, when there could be another developer in the future who would develop this land correctly, in accordance with the PRD regulations.

**Jeff Turk, 5230 Cash Road, Flowery Branch,** spoke in opposition of the request. Mr. Turk stated that this development was not a good fit for the surround area on Union Church Road. He stated that the variances that would be required and requested violated the Hall County code. He stated that the traffic study did not include the extra traffic that uses Union Church Road instead of Spout Springs because it was currently under construction. Mr. Turk stated that he believed lots 99 through 114 would cause many problems. He stated that he was worried about the runoff that could cause issues with Mulberry Creek.

**Patricia Drolet, 5146 Union Church Road, Flowery Branch,** spoke in opposition of the request. Ms. Dorlet stated that she had moved from a busy city in Florida to get away from construction. She stated that the traffic and number of accidents on Union Church Road were large concerns of hers. She stated that drainage and runoff causing erosion and flooding were also a concern of hers. Ms. Drolet stated that with all the additional traffic, someone was bound to hit her mailbox and she would need a new one.

**Diane Stephens, 5228 Union Circle, Flowery Branch,** spoke in opposition of the request. Ms. Stephens stated that she was not opposed to new development, she was opposed to the PRD zoning and that the proposed development would not match the surrounding area. She stated there were not any options for fencing or plants at the proposed location of the entrance. She stated she was concerned that if the proposed PRD were approved, it would be a gateway to multiple other PRDs being proposed and approved in the area. Ms. Stephens stated that she would like to see the rental percentage be lowered to 10% and that other standards should be met by the developer.

**George Key, 5823 Little Doe Walk, Flowery Branch,** spoke in opposition of the request. Mr. Key stated that the public meeting with the neighbors did not go as smoothly as Mr. Rochester made it out to be. He stated they had spoken about the lot sizes and meeting halfway and could potentially double the lot sizes and house sizes. Mr. Key stated that the Union Grove development is how Mr. Rochester would like to plan the proposed development. Lastly, Mr. Key did not realize that the applicant could sell the property once the rezoning was approved.

**Schaun Crane, 5018 Union Church Road, Flowery Branch,** spoke in opposition of the request. Ms. Crane stated that the map did not show an accurate depiction of the road. She stated that her main concern was the safety on Union Church Road. She stated there are multiple accidents that happened regularly and speed is almost always a factor. She stated that GDOT came out in 2016 and proposed improvements that could be made to the road to help alleviate some the accidents. Ms. Crane stated that most of those improvements were never made. She stated that road should be fixed and maintained prior to any developments being permitted.

**Brian Purvis, 5736 Pleasant Woods Drive, Flowery Branch**, spoke in opposition of the request. Mr. Purvis stated that there was an online petition that over 600 signatures in opposition of the proposed development. He stated that density had an impact of traffic and there were already so many new developments being built in the area. He stated that the intersection on Union Church Road and Union Circle needed improvements, as well as the roads themselves. Mr. Purvis stated that he believe the traffic study needed to be redone for a more accurate traffic count.

#### *Rebuttal*

Mr. Rochester stated that he and the neighbors did not reach an agreement on lots sizes or the number of lots. He stated that the he had tried to address many of the other concerns that the neighbors had. He stated that concerning density, the county calculated gross density and not net. He addressed the concern with a sewer line running through someone's property and stated that without being granted an easement, they would not be allowed to run sewer through his property. Mr. Rochester stated there were two viable options to get sewer to the proposed development. He addressed the concern with the lots running into Mulberry Creek. Mr. Rochester pointed out the lots in questions on the site plan. He stated the lots were outside of the buffers and the pervious setbacks. Mr. Rochester stated that the development does meet the required open space with a minimum of 40% open space. He stated that he understood the adjoining neighbor wanting a 100 foot buffer, but he was not aware of any rezoning that required that large of a buffer. He believed the 50 foot buffer would be acceptable. Mr. Braswell asked about the traffic study. Mr. Rochester stated that the traffic study was completed in August of 2021 when school was in session. He addressed the road improvements and stated that those would be determined when going through the development process and would be discussed with staff. Mr. Braswell asked if there would be a need for a deceleration lane. Mr. Rochester stated that would be determined by the county, but the developer would be responsible for the cost of any deceleration lanes or road improvements, which was stated in their proffered condition 3. Ms. Pilcher asked about the 5 foot side setback and the difference between that and the 10 foot separation. Mr. Rochester stated that there would be a 5 foot side setback on each lot, creating a 10 foot separation. Mr. Hunt stated striking the side separation in the proffered condition 11 would make it clearer. Mr. Varner asked if Mr. Rochester would need a turn lane. Mr. Rochester stated that he was not saying that he would need one or not, he wanted to leave that up to the county to decide. Mr. Hunt asked is what the distance from the back of the sidewalk to the structure would be. Mr. Rochester stated that it would be between 23 and 25 feet. Mr. Braswell asked if the front setback was being measured from the front of the right of way. Mr. Rochester stated that was correct. Mr. Bell asked what would change on the interior lots if the lot sizes were increased. Mr. Rochester reviewed where the roads and lots would move to on the site plan and stated that it would just push further into the open space. Mr. Rochester stated PRD gives the flexibility in order to fit the development to the land. He stated that he was more about density and less about the number of lots. Mr. Braswell asked if Mr. Rochester realistically could get 148 lots on the property. Mr. Rochester stated that they had done very extensive studies that show 148 lots would work. Mr. Hunt asked if 148 lots was the magic number. Mr. Rochester stated that it was. Mr. Bell asked if the lots get bigger, the property owners end up owning the buffer. Mr. Rochester stated that would be the case, but he did not believe that was a better solution. Mr. Hunt asked about striking the last sentence of condition 1. Mr. Braswell asked for staff's opinion because it was a staff recommendation. Ms. McQuade stated that she agreed with Mr. Rochester that PRD provided the possibility of a zoning district that does not fit in the R-I zoning. She stated from a staff perspective, they look to see if it meets the code. She stated that the applicant was asking for many variances from the code and when staff

provides a recommendation based on the code. Mr. Braswell asked if there was an internal conflict from the site plan or narrative, would they revert to R-I zoning requirements. Ms. McQuade stated yes, that was the case. That staff would go back and review the meeting minutes and recording to see if there was anything specifically discussed regarding the conflict, if not then the R-I standards would apply, and if there was not something clear there, she would speak with the county attorney. She stated in theory there should not be in conflicts between the narrative and site plan. Mr. Bell stated that the lot sizes, sidewalks, driveways, and the front setbacks were concerns of his. Mr. Braswell stated that the sidewalks had been addressed, as well as the setbacks. Mr. Braswell asked if there had been any renderings of the homes submitted. Mr. Rochester stated they were not asking for any variances from the architectural standards. Mr. Hunt stated that he could support a 7,000 square foot lot size. Ms. Pilcher stated that if they were to change the lot size, the current site plan would not work and she did not want to approve something that she did not know what it would look like. Ms. McQuade stated an updated site plan would have to meet the PRD standards, based on condition 1. Mr. Bell asked if they could require a final site plan be submitted prior to the final hearing. Ms. McQuade stated that he could do that. Mr. Braswell stated that the maximum number of lots could change the lot size. Mr. Hunt stated they could add the minimum lot size be 7,000 square feet. Ms. Pilcher stated that she was not comfortable with the number of lots and did not feel like the development fit the surrounding area. Mr. Braswell suggested considering reducing the number of lots and allow the minimum 6,000 square foot lot size. Mr. Varner stated that he did not like the request and that it would add stress to both end of the Union Church Road and turn lanes should be added. Ms. McQuade stated that traffic engineering had already commented that left and right turn lanes would be required.

**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 3-2 vote. (Mr. Varner and Ms. Pilcher opposed)**

*Conditions:*

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with Hall County regulations, including §17.180.060 Planned Residential Development (PRD) standards.*
2. *There shall be no more than 148 total units in the development.*
3. *The Developer shall construct improvements, as required by Hall County Public Works Department, to Union Church Road. All costs associated with any required right-of-way improvements and adding left and right turn lanes shall be the Developer's responsibility.*
4. *The proposed development driveway must be reviewed, approved, and permitted by Hall County Traffic Engineering.*
5. *All conditions of zoning shall be made part of any plats created for the property.*
6. *No more than 25% of the homes within the development may be rented at any of time.*
7. *A 50 foot buffer shall be established around the perimeter of the property that shall not contribute to the minimum lot size. The buffer may be disturbed during construction of the lots. Any areas disturbed during construction must be replanted to meet Hall County buffer standards.*
8. *Minimum heated floor area shall be (one story/two story) 1,800/2,200 square feet.*
9. *The development shall have 5 foot sidewalks on both sides of the road.*
10. *The development shall provide water quality and infiltration, were feasible, for the storm water from the site flowing to the Mulberry Creek.*

11. *The following setbacks shall apply to the development:*
  - a. *Front setback: 20 feet*
  - b. *Side setback: 5 feet*
  - c. *Rear Setback: 20 feet*
12. *The minimum open space for the development shall be 40%.*
13. *The minimum lot size shall be 7,000 square feet.*

### **NEW BUSINESS**

3. **Application of Morteza Modaber for a Use Subject to County Commission approval on a 0.38± acre tract located on the north side of Browns Bridge Road at its intersection with Whiting Drive; a.k.a. 1790 Browns Bridge Road; Zoned H-B; Tax Parcels 00123 007017 & 007016. Proposed Use: auto repair and body shop. Commission District 4.**

#### **Background Information:**

The applicant is requesting approval from the Hall County Board of Commissioners to operate an auto body shop business. The applicant currently owns and operates an auto repair business in the City of Oakwood, and would like to expand his business by opening a body shop at this location. No site plan was submitted, but based on conversation with staff, if approved the applicant would like to utilize the existing building to the greatest extent possible, but has no plans to construct an addition or further modify the property.

#### **Applicant's Presentation:**

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

**Morteza Modaber, 1130 Easy Street, Snellville**, presented the request. Mr. Modaber stated that he was hoping to expand his current business and use the proposed building as a body shop. Mr. Braswell asked Mr. Modaber to verify on the site plan what lots he was proposing to use. Ms. McQuade helped verify and show the Planning Commissioners the proposed lots on the site plan. Mr. Braswell asked if Mr. Modaber had seen the staff recommendations. He stated that he had. Mr. Bell asked if there would be any cars stored outside. Mr. Modaber stated only the employee's cars would be parked outside during business hours. He stated that all cars would be parked at his auto sales lots, down the street from the proposed request. Mr. Modaber stated that the cars being fixed would be parked inside the repair shop. Mr. Hunt stated that at the close of business, he would like for all cars to be parked inside. Mr. Braswell asked what the proposed hours of operations were. Mr. Modaber stated that he would like them to be 9:30am to 5:30pm on weekdays and 9:30am to 4:00pm on Saturdays. He stated the business would be closed on Sundays. Mr. Varner asked if everything would be parked inside overnight. Mr. Modaber stated that was correct. Ms. McQuade stated that condition 3 could be amended to say 'outdoor storage'.

#### **Public Forum:**

**Mark Turner, 1786 Browns Bridge Road, Gainesville**, spoke in opposition of the request. Mr. Turner stated that there would be parking issues and there was not any parking in the front of the building. He stated that he and the applicant would share a driveway off Browns Bridge Road with a 20 foot easement. Mr. Turner stated that the property line was right against the loading dock. He stated that he was concerned with gas and oil leaking into the runoff. He



stated that he was also concerned with his property value going down and that customers would not know the property boundaries.

*Rebuttal*

Mr. Braswell asked if Mr. Modaber understood Mr. Turner's concern about the property lines. Mr. Modaber stated that he did, but all his parking would be behind his building. Mr. Hunt asked how many employees he planned on having. Mr. Modaber stated he planned to have 3 to 4 employees. Ms. Pilcher asked if he was only going to repair cars at the proposed location and send them back to his car lot. Mr. Modaber stated that was correct. Ms. Pilcher asked if there would be any walk-in traffic. Mr. Modaber stated there would not be. Mr. Braswell asked about a parking plan and if they could condition there to be no parking between Mr. Modaber's and Mr. Turner's buildings. Ms. McQuade stated that because it was an easement, they would not allow that area to be developed with parking. Mr. Braswell asked if there would only be customer or employee parking in the front of the building. Mr. Modaber stated that was correct. Mr. Bell asked about the 34 parking spaces listed in the zoning analysis. Ms. McQuade stated this was an instance where there was a conflict with the code. She stated that if Mr. Modaber was trying to construct a building, they would not allow it without being able to have the number of parking spaces necessary. She stated that they would identify that he had the correct parking. She stated that if there became an issue with parking, they would have to look at through a code violation. Mr. Braswell asked if Mr. Modaber would need any signage. Mr. Modaber stated that he would not need any signage.

**Motion: Mr. Varner 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 issuance of a commercial occupancy permit, a site inspection to verify that the building complies with the current building code shall be required.*
2. *A parking plan shall be submitted and reviewed by Hall County Planning to ensure property spacing for customers, employees, and inventory is identified and clearly marked.*
3. *Outdoor storage of wrecked, junk, and/or inoperable vehicles shall be prohibited. Vehicles shall be parked inside overnight.*
4. *All repair work shall be conducted within the building or a garage bay.*
5. *A minimum 20 foot wide planted buffer, or an 8 foot tall opaque fence, shall be installed along any property line adjacent to residential uses, in accordance with §17.420.050.*
6. *Any future development shall be subject to the Hall County Development Review process.*
7. *Any future development shall be subject to the Gateway Corridors Overlay District standards and all building materials and colors shall be submitted for review and approval by the Planning Director prior to any construction or remodeling.*
8. *Hours of operations shall be 9:30am to 5:30pm, Monday through Friday, 9:30am to 4:00pm on Saturday, and the business shall be closed on Sunday.*
9. *All conditions of zoning shall be made part of any new plats recorded for the property.*

4. Application of Rabun Gap Holdings to rezone from Planned Commercial Farm District (PCFD) to Planned Residential Development (PRD) on a 20.67± acre tract located on the west side of Spout Springs Road approximately 100 feet from its intersection with Lancaster Crossing; a.k.a. 6804 Spout Springs Road; Zoned PCFD. Tax Parcel 15042 000018. Proposed Use: 101 unit mixed residential development. Commission District 1.

**Applicant's Presentation:**

Sarah McQuade, Planning Director, presented a summary of the request. Ms. McQuade stated that the application had requested to withdraw their request, with the intent to resubmit a new request. She stated that the applicant had requested to ability to use the fees that had already been paid to go toward their new fees for their updated request.


***Motion: Mr. Hunt made a motion to approve the request to withdraw, allowing the original payment to be used for the new request, with a second from Ms. Pilcher and the motion passed by a 5-0 vote.***

**Other Business**

The next Planning Commission meeting will be on Monday, October 18, 2021.

**ADJOURNMENT:**

There being no further business to conduct, the meeting was adjourned by Mr. Braswell at 7:33pm.

  
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 Chris Braswell, Chairman  
 Hall County Planning Commission

  
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 Laura Ogletree, Clerk  
 Hall County Planning Commission