

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant.....Scott Puckett, Inc

Request.....Agricultural Residential-III (AR-III) to Planned Residential Development (PRD)

Proposed Use.....349-unit residential subdivision

Size.....118.05± acres

Zoning.....AR-III

Location.....On the south side of Friendship Circle at its intersection with Friendship Place; a. k. a. 3746, 3760, & 3774 Friendship Circle & 3654 Friendship Road; Tax Parcel 15048 000007, 000008, 000025C, & 000204.

Commission District.....One

Planning Commission Date.....October 17, 2022

Staff Recommendation..... **Denial**

Planning Commission Recommendation - Approval, with conditions

Vote: 4-0

Conditions:

1. *The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:*
 - a. *No increase in overall density greater than 3.0 units per acre;*
 - b. *No decreased minimum lot area or width;*
 - c. *No decrease in minimum building setbacks;*
 - d. *No decrease in buffers.*
 - e. *In geological or topographical constrains identified during development or engineering plans.*
2. *The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.*

3. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.***
4. *The proposed residential development shall conform to §16.60.*
 - a. *All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds a minimum of 22 feet.*
 - b. *Open Space: minimum of 30%.*
 - c. *The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.*
 - d. *Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.*
 - e. *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. *A homeowners association shall be required to maintain the common ownership elements of the development.*
6. *The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.*
7. *Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation.*
8. *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.”*
9. *All conditions of zoning shall be made part of any plats created for the property.*
10. *This approval shall be valid for 12 months after sewage is available to this property.*

Applicant Proposal

The applicant is requesting approval to rezone 118.5 acres, per the applicant's site plan, from Agricultural Residential III (ARIII) to Planned Residential Development (PRD) for the purpose of developing a 349-unit single family attached and detached subdivision.

- **It should be noted that the applicant's narrative states the development is 116 but parcels being rezoned have a cumulative acreage of 118.5; therefore, all staff calculations are based on the cumulative acreage of the parcels being rezoned.**

The overall density for the development is 2.94 units per acre.

- The gross density for the single-family detached component is 2.32 units per acre.
 - Net density is 3.56 units per acre.
- The gross density for the single-family attached (townhomes) is 5.37 units per acre.
 - Net density is 6.68 units per acre.
- **The gross density for Riverbrook (Price Rd/Thompson Bridge Rd), approved in 2021, was 4.14 units per acre with a net density of 7.05 units per acre. Riverbrook is located in an area designated as an Activity Center on the Future Land Use Maps. The subject parcels are shown as Residential and Mixed Use Corridor on the Future Land Use map, with some conservation areas. The residential character anticipates 2 units per acre but the mixed-use corridor anticipates higher density residential where the same is found on adjacent properties. At present adjacent properties are large residential/agricultural tracts or residential developments with half acre parcels. There is some higher density residential on the adjacent property located within Gwinnett County.**

The applicant's narrative states that the proposed design allows for the flexible placement, arrangement, and orientation of residential structures given the property's characteristics, including streams located on the property. The proposed development will include both single family detached homes and single-family attached homes (townhomes). Two landscaped entrances will be provided, the primary entrance will be onto Friendship Circle into the single family residential section of the development. The second entrance will connect directly to Friendship Road (State Route 347) for the townhome component. Per the narrative, grading will be in accordance with site characteristics, topography, and the presence of streams.

From the primary entrance on Friendship Circle you will enter the detached single family residential component of the development and can take a left towards a small section of single family homes, past the homes you will find the an amenity site with a pool and clubhouse, then continues to the townhome portion development. Alternatively you can continue straight from the entrance to the larger section of single family homes. Multiple side streets with cul-de-sac branch off from the primary road and at least 4 creek crossings are shown. The entrance road continues through the single family development before looping and connecting to the townhome component, and ultimately connecting to Friendship Road.

Of the 349 proposed parcels, 209 will be developed as single-family detached dwellings. The lots will be a minimum of 8,000 square feet in size, with a minimum lot width of 60 feet. The minimum heated floor area of the detached homes will be 2,000 to 2,500 square feet. Four (4) foot sidewalks

are proposed on both sides of the street and a 50 foot undisturbed exterior buffer surrounds the development, including the single-family attached component.

The attached single family residential, townhome, component will make up the remaining 140 units within the development. The townhomes are proposed to have a minimum lot width of 24 feet. The minimum heated floor area for the townhomes is proposed to be 1,600 – 1,800 square feet in area and the minimum lot area is proposed to be 1,200 square feet.

The project will include 35.46 cumulative acres of open space and common area for the proposed development. The site plan anticipates 5.11 acres of open space and common area for the single-family attached development and 30.35 acres of open space and common area for the single-family detached portion. The narrative explains that the common areas are to include an open-air cabana for the pool. Other amenities include, but are not limited to, a dog park, an open-air covered pavilion with outdoor rated bodyweight workout equipment, and grilling/gathering places for the residents. Mailbox kiosks will be located throughout the development, per the narrative.

- **It should be noted that no amenity area is shown for the single-family attached (townhome) component. The Planning Commission should seek clarity on whether the amenity area shown will be for both components.**

The narrative states that the architectural style of the community will be traditional 1-2 story single family detached homes and townhomes with 2-car garages. Architectural renderings were submitted for reference. The narrative continues that the homes will have brick and stone accents on the front of the homes. The remaining front façade will be board and batten, shake, or lap fiber cement siding. The side and rear of the homes will be fiber cement lap siding. All grass areas and all front and side yards will be sodded.

The narrative states that dependent upon permitting and approvals, the applicant anticipates 12 to 36 month development period.

History and Existing Land Uses

The subject parcels comprise of approximately 118.5± acres and are zoned Agricultural Residential III (AR-III). The properties are currently developed with single family residences and various outbuildings over the 4 parcels. The structures will be removed prior to development of the subdivision.

Properties along Friendship Road (SR 347) are a mixture of residentially zoned parcels, including properties zoned AR-III, R-I, and PRD. Across Friendship Road to the west is the Vulcan Rock Quarry, located in the City of Flowery Branch and zoned Manufacturing.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Residential" but is also within a "Mixed-Use Corridor".

- **Residential Areas** are characterized by moderate-density (2 dwellings per acre) residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect nearby parks and schools. Future development will continue to be detached, single-family homes at moderate densities, with opportunities for variations in housing size and types through the Planned Development District zoning classification. New development should provide opportunities for open space/greenspace, including shared areas for the benefit of residents and ample tree cover. Future land use include moderate density residential uses, greenways, and trails, civic benefit uses such as community centers, libraries, schools, and places of worship.
- **Corridors in Residential** and Rural Residential areas, and multi-jurisdictional corridors (Atlanta Highway and Browns Bridge Road), are generally those roadways that are intended to accommodate a variety of nonresidential uses without encroaching upon or replacing adjacent residential neighborhoods. Non-residential uses along corridors in Residential and Rural Areas should be located in close proximity to Community Crossroads or Activity Centers. Access should be from secondary roads so as not to impede traffic flow, and adjacent businesses should share interparcel access. Corridors with interstate or rail access that support industrial or more intensive commercial uses are intended to provide additional larger-scale employment generators. Corridors adjacent to Lake Lanier should accommodate lake-oriented commercial uses with effective screening, where appropriate. Corridors are located throughout Hall County and are classified into three categories: **Mixed-Use**, Employment, and Lake Supportive. Primary Future Land Uses: **Mixed-Use Corridor: Retail activities, office based employment, civic uses, single-family residential - Low-impact industrial or higher density residential only where the same is found on adjacent properties**

Development Support and Constraints

Hall County Environmental Health

In an email dated August 12, 2022 Emily McGahee stated “No comment. Public sewer.”

Hall County Fire Services

In an email dated August 15, 2022, Lieutenant John Hornick, stated that the Hall County Fire Marshal’s Office had no comments regarding the concept plan for the 349 unit residential development.

Per Hall County GIS, the subject parcel is located approximately 4 miles from Hall County Fire Station #14, located at 7065 Dove Point Lane. The nearest fire hydrant is located at the terminus of Friendship Circle.

Hall County Public Works and Utilities

In a letter dated June 13, 2022, Bill Nash, P.E., Assistant Director of Public Works and Utilities, provided a letter confirming availability of sewer service at this time. The project will not be able to obtain an LDP for this project until one year prior to the anticipated Friendship Road Sewer Extension Project Completion. A completion date was not provided.

In a memo dated August 18, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering

1. The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
2. Show stream buffers and impervious setback from wrested vegetation not centerline of stream.
3. Show flood Hall County studied and FEMA.
4. Roads must meet all Hall County standards.
5. Stormwater ponds must be out of flood.
6. Development is not allowed in flood.

Traffic Engineering

1. GDOT approval/permitting required.
2. Improvements/modifications to the intersection of Friendship Circle and Friendship Place may be required.
3. Improvements/modifications (possibly including signalization) may be required for the intersection of Friendship Road (SR347) and Friendship Place/Swansey Road.
4. Developer should be financially responsible for all required roadway improvements/modifications and they should be constructed concurrently with the development.

Utilities

1. Hall County sewer district.
2. No sewer available.
3. No application for land disturbance permit can be made prior to Friendship Road sewer project construction is less than one year from its anticipated completion. No final plat will be approved until Friendship Road sewer is installed and operating.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

In a letter dated June 21, 2022 Nick Swafford, Permitting Services Manager for the City of Gainesville Water Resources department, provided a letter confirming water availability for a period of 1 year from the date of the letter.

Per Hall County GIS, there is public water line operated by the City of Gainesville in the right-of-way along Friendship Road (SR 347).

Georgia Department of Transportation

Per an email dated August 18, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

The applicant also submitted a letter dated June 13, 2022 from Jason Dykes, District 1 Traffic Engineer, confirming the work would be approved if all of the GDOT requirements are met.

Zoning Analysis

- The proposed use request is inconsistent with the Comprehensive Plan, as the proposed density exceeds the density standard within the “Residential” land use designation but is located within a “Mixed-Use” Corridor which allows for higher density residential when adjacent to other uses with similar densities. The subject property is adjacent to vacant or moderate density properties within Hall County but adjacent to high density residential in Gwinnett County.
- The applicant is requesting to rezone the property from Agricultural Residential III (AR-III) to Planned Residential Development (PRD) for the purpose of developing a 349-unit single family attached and detached subdivision.
- Per §17.180.060, a PRD allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features, through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area. **The proposal is using the natural features to enhance the development but the net density is higher than the adjacent uses within Hall County. The overall gross density for the project is 2.94 units per acres.**
- Per §17.180.060.B.2, dimensional standards for single-family residences are detailed below. If standards are not specifically proposed, then the applicable standards in the Residential-I (R-I) district shall apply.
 - Detached Single Family Lots:
 - Lot area. Minimum lot area standards of 8,000 square feet for lots served by sanitary sewer. The overall gross density not to exceed two units per acre.
 - Per the site plan, the minimum lot size is 8,000 square feet. This standard **is met.**
 - Lot width. Minimum lot width of 50 feet.
 - Per the site plan, the minimum lot width is 60 feet. This standard **is met.**
 - Setbacks:

- Minimum front yard setback from the property line of 25 feet.
 - Per the site plan, the front setback is 25 feet. This standard **is met**.
 - Minimum side yard setback from the property line of five feet.
 - Per the site plan, the side yard setback is 5 feet. This standard **is met**.
 - Minimum rear yard setback from the property line of 20 feet.
 - Per the site plan, the rear setback is 20 feet. This standard **is met**.
- Attached Single Family:
 - Lot area, per §17.180.060.B.4.a.i, for a one-story multi-family residence and/or townhouse with the minimum three attached single-family units, the minimum lot area standard of 35,000 square feet will apply. ***It should be noted that these are not multi-family units but single-family attached units. Each*** of these dwellings will be on a ***separate parcel*** as opposed to a ***multi-family*** development which has ***multiple structures*** containing ***multiple units*** on ***one parcel***.
- Per §17.180.060.B.5, 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.
 - Per the applicant's narrative and site plan, a 50 foot buffer exterior buffer is proposed. This standard **is met**.
- Per §17.180.060.B.6, a minimum of two trees per lot shall be provided or preserved in the front, side, or rear yard of each lot.
 - The narrative and site plan do not reference any tree plantings. This standard **is not met**.
- Per §17.180.060.B.7.a, residential developments with greater than 150 lots shall include at least two vehicular entrances connecting to a city, state, or county-maintained public road.
 - One entrance is proposed from Friendship Road (SR 347) and a second entrance is proposed from Friendship Circle. This standard **is met**.
- Per §17.180.060.B.7.b, all planned residential developments shall construct sidewalks on both sides of the streets that are a minimum of five feet wide.
 - The applicant's narrative states 5 foot sidewalks for the development. This standard **is met**.
- Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150, as shown under the conservation subdivision design option chapter. The only open space requirement that may differ from those standards set forth in section §17.430.110 is the open space shall comprise at least 30 percent of the gross tract area. The open space requirements include:
 - At least 75 percent of the open space shall be in a contiguous tract. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.

- The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space. **The majority of the lots abut greenspace; the project provides sidewalks, these should have access to the greenspace should the Commission approve the project.**
- Per §17.430.120, permitted uses of open space, the following uses are permitted: conservation of natural, archeological or historical resources; meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation oriented areas; walking or bicycle trails, provided they are constructed of porous paving materials; passive recreation areas; active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not located within primary conservation areas; agriculture, horticulture, silviculture or pasture uses; nonstructural stormwater management practices; easements for drainage, access, and underground utility lines; golf courses; or other conservation-oriented uses compatible with the purposes of this chapter.
 - **The project appears to meet this requirement based on the narrative but clarification during the hearing is required.**
- Per §17.180.060.B.9, provides design guidelines and standards for planned residential developments.
 - 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.
 - **The applicant has listed the following information in the narrative: the homes will have brick and stone accents on the front of the homes. The remaining front façade will be board and batten, shake, or lap fiber cement siding. The side and rear of the homes will be fiber cement lap siding**
 - Architectural renderings were submitted as part of this request but the materials were not identified.
- Per §17.180.060.B.9.b, single-family residence garages, garage placement shall be if the following: semi-flush, recessed, side-loaded, carriage court, or detached.
 - The architectural renderings and narrative suggest that the applicant is proposing to develop the semi-flush placement type of garage, which requires the following: garage doors shall be oriented towards the street and shall be positioned between five and 20 feet behind the front wall plane of the residence, extending no more than 40 percent of the width of the residence. **It cannot be determined if this standard is met as the renderings submitted do not provide dimensions.**
- Per §17.180.060.B.11, all new subdivisions are required to provide a cluster mailbox unit (CBU) for regular mail service delivery.
 - The narrative states that mail kiosks will be provided throughout the development. **Because they are not depicted it cannot be determined if this standard is met.**

- Per §17.380.050 of the Official Code of Hall County requires any application proposing the development of 100 or more residential dwelling units to submit a traffic impact study as part of an application.
 - The proposed development contains 349 units. A traffic study was prepared by Atlas Technical Consultants in July 2022.
 - One intersection was study as part of this report, the intersection. Friendship Road (SR 347) and Swansey Road.
 - The study concludes that the project is expected to warrant a signal at this intersection. The report states that the signalized level of service LOS is expected to be failing on the side street approach at full buildout of the development
- Per comment from the Georgia Department of Transportation, this project will require coordination with them.
- The narrative indicates water will be provided by the City of Gainesville through a waterline along Friendship Road (SR 347) right-of-way.

Staff Recommendation

Staff recommends **denial** of the applicant’s request as it is inconsistent with the maximum density for the Residential future land use designation of the Hall County Comprehensive Plan.

If the Planning Commission should choose to recommend approval of the request, staff recommends the following conditions:

11. The development shall occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations, and geological or topographical constraints identified during development of engineered plans. The Planning Director can approve the changes provided:
 - a. No increase in density;
 - b. No decreased minimum lot area or width;
 - c. No decrease in minimum building setbacks;
 - d. No decrease in buffers.
12. The developer shall be responsible the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.
13. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards. **No variances are granted as part of this request, unless specifically identified during the motion.**
14. The proposed residential development shall confirm to §16.60. No variances are granted as part of this request.
 - a. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds 22 feet.
 - b. Open Space: minimum of 30%.
 - c. The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “*F. The open space shall be*

directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.

- d. A recreational trail system shall be constructed with low impact/ non-pervious materials (mulch or other approved materials) in the Open Space with a connection to the sidewalk system. The trail system shall have a minimum length of 1,500 and a width of four (4) feet that generally follows the stream to the south of the property. The Open Space shall connect to the street system to provide access to the trail system. The trail system is allowed to encroach into the buffers. The trail system design shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
 - e. Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.
 - f. 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.**
15. A homeowners association is required to maintain the common ownership elements of the development.
16. The proposed Stormwater BMP (pond) shall be on a separate “utility” lot that is not a part of the open space and will provide an access and maintenance easement.
17. The lots shall be designed so that all state waters and required buffers (75') do not encroach on individual lots.
18. 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.”
19. All conditions of zoning shall be made part of any plats created for the property.

Excerpts from the minutes of the October 17, 2022 meeting

Applicant’s Presentation:

Ellis Still, Assistant Planning Director, presented a summary of the request.

Tyler Smith, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant stated the community would have two entrances, landscaping, monuments, and homes would be single and double story. The applicant stated that the homes would not exceed a height of 35 foot, driveways for the single family homes and townhomes would be 40 foot in length and 20 feet wide. The applicant stated that for single family home units they are requesting 2.32 units per acre for a 2000-2500 square foot conditioned area and for townhome units they are requesting 5.37 units per acre for a 1600-1800 square foot conditioned area. Single family homes will have three to five bedrooms per unit while townhomes will have three to four bedrooms per unit. The applicant stated that the common area will be 31 percent of the site including an open air cabana, pool, open air covered pavilion, Dog Park, exercise section and gathering spaces with 5 foot wide sidewalks and may include a walking trail of at least 1500 linear feet. The applicant stated that the homes will have brick and stone accents on the front facing the street. The applicant stated the homes will have at least two trees, one in the front and one in the backyard. The applicant stated that there will be a bio detention pond and it is under review to expand. The applicant presented the variances for the project as follows: 1. There will be a 75-foot impervious stream buffer, inclusive of a 50-foot undisturbed stream buffer, from the top of the stream bank (point of rested vegetation). Some of the impervious stream buffer area (outside the 50-foot undisturbed stream buffer) will be included as a part of the individual lots, subject to the buffer requirements. If a variance is allowed for inclusion of those stream buffer areas within the lots, Scott Puckett, Inc. requests that the variance be allowed. 2. Scott Puckett, Inc, requests any variances required to accomplish the following densities: a. allow the density of the Single Family Section to be 2.32 units per acre, and b. allow the density of the Town Home Section to be 5.37 units per acre.

Rebuttal

The applicant stated that they can entertain requests to protect adjacent property owner's property but the creek buffer along the property lines should take care of it.

Public Forum:

Chris Puckett, 3516 Friendship Road, Buford, spoke in opposition. Concerns were walking trails, fencing, and privacy.

Planning Commission Comments:

Mr. Braswell questioned if the amenity area was for all of the development. The applicant stated that was correct. Mr. Hunt questioned the time limit based on sewer availability from the county. Ms. Doveton stated the time limit should be adjusted based on the availability of the sewer. Mr. Varner wanted to address the possibility of a fence. Mr. Hunt stated a fence might impede on the creek buffer. Mr. Braswell stated that there is already an undisturbed 50 foot and 25 foot stream buffer along the property lines.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 4-0

Conditions:

1. *The development shall occur as depicted on the site plan and described in the project narrative, per all conditions stated below. The Planning Director can approve any necessary changes provided:*
 - a. *No increase in overall density greater than 3.0 units per acre;*
 - b. *No decreased minimum lot area or width;*
 - c. *No decrease in minimum building setbacks;*
 - d. *No decrease in buffers.*
 - e. *In geological or topographical constrains identified during development or engineering plans.*
2. *The developer shall be responsible for the cost of any improvements identified by the traffic study, and/or required by Hall County Engineer or the Georgia Department of Transportation.*
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 - b. *Open Space: minimum of 30%.*
 - c. *The Open Space and lot configuration shall be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that “F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space.” The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.*
 - d. *Buffers: A minimum 50 undisturbed buffer shall be retained around the perimeter except along the rights-of-way of Friendship Circle and Friendship Rd. These shall have a 25FT landscaped buffer which will provide dense screening of the development. The landscape plan shall be approved by the Planning Director prior to the issuance of the LDP.*
 - e. *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. *A homeowners association shall be required to maintain the common ownership elements of the development.*
6. *The proposed Stormwater BMP (pond) shall be a part of the open space and shall be provided a county approved maintenance access.*
7. *Encroachment of state waters and stream buffers shall be allowed on individual lots, however encroachment into any of the 50 to 75 foot buffered area located on individual lots shall not be allowed, including any fencing, patios, construction improvements, or de-vegetation.*
8. *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.”

9. *All conditions of zoning shall be made part of any plats created for the property.*

10. *This approval shall be valid for 12 months after sewage is available to this property.*