

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Atlas Development Services, Inc.

Request Rezone from Agricultural Residential IV (ARIV) to Planned Residential Development (PRD)

Proposed Use Single-family townhomes

Size 19.21± acres

Zoning AR-IV

Location At the intersection of Old Winder Highway and Union Church Road; a.k.a. 5540, 5548, 5556, 5564, 5572, & 5580 Old Winder Highway & 5925, 5919, 5911, & 5901 Union Church Road; Tax Parcel 15039A000018 – 000023 & 000025 – 000028.

Commission District One

Planning Commission Date October 3, 2022

Staff Recommendation **Approval with Conditions**

Planning Commission Recommendation – Approval, with conditions
Vote: 5-0

Conditions:

1. *All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.*
2. *Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.*
3. *There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units.*
4. *Development standards shall meet or exceed the following table:*

SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS
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SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	135
PROPOSED DENSITY	7.03 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.	30%
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC
MINIMUM LOT WIDTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)	22 FT.
INTERNAL SIDE SETBACK	0 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.
GARAGE % OF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. *The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:*
 - a. *IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1*
 - b. *IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.*
 - c. *A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.*
6. *All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:
Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments*

7. *No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.*
8. *The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.*
9. *Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.*
10. *The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
11. *Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).*
 - a. *No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.*
 - b. *No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.*
 - c. *All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.*
 - d. *A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.*
 - e. *Fire protection shall be provided within 500 feet of any structure under construction.*
 - f. *Restroom facilities shall be provided for any structure under construction.*
 - g. *No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.*
 - h. *An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.*
12. *The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.*
13. *No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.*
14. *Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.*
15. *All conditions of zoning shall be made part of any plats created for the property.*
16. *Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The*

front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.

- 17. Garage doors shall not exceed 70% of front facade.*
- 18. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product.*
- 19. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.*
- 20. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.*
- 21. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.*
- 22. The amenity package shall be completed before the building permits are granted for the fifth building.*
- 23. There shall only be up to one construction trailer issued on site after LDP.*

Applicant Proposal

The applicant is requesting approval to rezone a ten-parcel site totaling ± 19.2 acres from Agricultural Residential IV to Planned Residential Development for the purpose of developing a 135-unit fee simple townhome development. All parcels, except three located at 5901, 5911, and 5919 Union Church Rd also currently fall in the Gateway Corridor Overlay District (GCOD). No request has been made to remove the GCOD designation at this time. The overall density of the proposed development is 7.03 units per acre. The narrative submitted by the applicant states that the creation of this development will provide quality, traditional housing with an amenity area, and up to a maximum of 37.9% open space. Per the project narrative, the community at minimum will contain a cabana with restrooms, pool, parking lot, and the United States Postal Service required mailbox kiosk. Residents will have convenient access to commercial uses proposed upon the Planned Commercial Development zoned portions of the 491-acre Reveille Development to be constructed directly across the site, off Old Winder Highway. Residents will also have convenient access to any commercial uses constructed upon the Highway-Business zoned parcel located at the intersection of Union Church Road and Howington Road. Convenient access to I-85 (Exit 126) is located 2.5 miles to the east. Buildout of the development is planned for 2024.

The subject property is comprised of ten parcels with nine different owners, and each parcel contains either a one-story residential home, modular home, and/or undeveloped lands. The concept plan shows southbound right turn lane and the entrance / exit into the community proposed off Old Winder Highway. It does not include the northbound left turn lane recommended by the submitted traffic study. No access is proposed off Union Church Road. Old Winder Highway

(SR 211) is presently a two-lane minor arterial with a posted speed limit of 55 mph. Union Church Road is a two-lane major collector with a posted speed limit of 45 mph. Also, Howington Road to the south, is a two-lane unpaved local road with no posted speed limit. None of these roads have curbing, gutters, or sidewalks. Any future access dedicated solely to the site will be subject to GDOT and Hall County approval. The proposed Reveille mixed-use project is across Old Winder Highway from the subject properties.

The townhomes will be constructed in buildings consisting of at least five but not more than eight vertically attached units. Each unit is illustrated as sitting upon its own lot (i.e., as drawn, the conceptual plan shows that home buyers will own the property beneath their unit). The units themselves will be two stories, with a maximum building height of 35 feet and offer a minimum heated square footage of 1400 SF. There will be monument style signs package that will be provided for the primary entrance to the development. The project proposal includes a 17-space parking lot next to the mail kiosk and the narrative requests the ability to use either one or two car garages. As a result of this request, the total parking spaces could be as few as 152 or as many as 287 spaces, site-wide. Driveway dimensions proposed are 14' feet wide by 20' feet deep. Units would be front loaded to allow for the construction of an 8' x 10' patios in the rear of each unit. Garage doors would not exceed 70% of the front façade. The applicant requests the right to use masonry, hardy-plank, or shake siding (unclear what materials they wish to use for the shingles) on all facades of the homes. No variance has been requested to allow relief from the PRD requirement requiring garage doors to be set behind the front door of each unit or in another approved configuration.

The proposed units would be buffered from internal public streets by 5-foot-wide sidewalks and a 2-foot sodding strip. The applicant proposes to meet open space requirements by preserving existing stream buffers on-site, by providing a planted landscape strip along Union Church Road, and by providing a 50' PRD buffer against the properties at 5532 and 5937 Old Winder Highway and abutting the subject properties. No buffer is proposed against Old Winder Highway, instead a 40' front setback is shown. The proposed stormwater facility to collect runoff during significant rain events is located against the southern portion of the property, adjacent to Union Church Road.

The following additional standards are requested in the narrative for PRD approval:

SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) PROPOSAL FROM NARRATIVE	
SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	135
PROPOSED DENSITY	7.03 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC

MINIMUM LOT DEPTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM ROW)	10 FT.
INTERNAL SIDE SETBACK	0 FT.
INTERNAL REAR SETBACK	0 FT.
PERIMETER FRONT SETBACK	40 FT.
PERIMETER REAR SETBACK	50 FT.
PERIMETER SIDE SETBACK	50 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-FOUNDATION TO FOUNDATION	10 FT.
GARAGE % IF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.

Model Homes

The narrative also is requesting that “up to two (2) buildings of model home permits be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. However, no certificate of occupancy permits (CO) will be issued prior to final platting.”

Sales and Construction Trailers

The “applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of the Final Plat approval.”

Entry Monument Signage

Applicant is requesting permission for an entry monument type of sign with a natural stone base with a sign size (monument base and signage) totaling approximately 42 SF. Applicant is requesting modification to the existing zoning conditions for approval of a non-breakaway base, a minimum distance of 5’ from the nose of the medial and a total sign area of 42 SF.

The entrance may include the following structural item:

- Masonry walls
- Wood or PVC fencing
- Illuminated Signage in accordance with the Hall County Sign Ordinance
- Ornamental Sculpture
- Landscaping and Irrigation

Conceptual Master Plan

The development of the community shall be controlled by the Conceptual Master Plan (the “Plan”) attached as exhibit “A”. The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the

locations and arrangement of lots, road, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer so long as such modifications do not change the land use, increase the overall density of the project or reduce any established buffers or setbacks. Developer is requesting a variance to allow for the development of lots 39-42 and lots 70-73. Developer is requesting to develop the above referenced lots as show on the attached site plan.

History and Existing Land Uses

The subject parcels comprise approximately 19.2 acres and are zoned Agricultural Residential IV. These properties are currently developed with single family residences (modular or site built). These structures and any outbuildings would be removed prior to development. A significant portion of the properties are wooded.

The property falls within the Gateway Corridors Overlay District (GCOD) which provides supplemental design standards for non-residential property development. These standards do not apply for residential uses.

Comprehensive Plan Land Use Designation

The subject property is located within the “Residential” future land use area and also falls within a “Mixed Use Corridor”. Residential Areas are characterized by moderate density residential development and neighborhoods. Street networks are defined by curvilinear streets and green spaces 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 neighborhoods, but may not necessarily connect to nearby parks and schools. Future development will continue to be detached single family homes at moderate density (i.e., 2 units per acre) with opportunities to vary housing sizes and types through PRD zoning classifications. Ample tree cover, greenways, and trails is desired.

The “Mixed Use Corridor” also known as the Revitalization Corridor, is intended to support the following land uses: retail, office-based employment, civic uses, and single family residential. Low impact industrial uses or higher density residential uses may be appropriate, on a case-by-case basis, only where the same is found on adjacent properties. Desirable density is low to moderate. Greenspaces should provide formal landscaping (i.e., not just passive existing buffering) and should include adequate screening between frontage uses adjacent to residential uses and where uses have outdoor displays / storages / sales (i.e., commercial against residential buffering). Transportation design should support high internal vehicular and pedestrian connections, access to management should facilitate traffic flows. There is no residential density recommendation in the Mixed Use Corridor. There is also no higher density residential on adjacent properties, so according to the Comprehensive Plan, there should not be higher density residential on this property.

The proposed townhome community exceeds the moderate density requirement for Residential Character Area (proposed 7.03 units per acre / desired 2 units per acre). The proposal is also inconsistent in that it provides an attached product, rather than the detached residences the future land use designation prefers here. Improved compliance with the Comprehensive Plan could be achieved by reducing the overall number of units proposed, using a rear loaded townhome product that better supports safe pedestrian activity internal to the site, replacing the 2-foot sod strips with min 6-foot-wide planting strips to support a neighborhood street tree canopy. Additionally, traffic Improvements should include the left turn lane required by the traffic study. Curbing, gutters, and sidewalks along the full length of Old Winder Highway, Union Church Road are advised to accommodate new residents and users that will come as area projects come online, transforming the area from its current rural character to the Comprehensive Plan's mixed use corridor vision.

Based on the "Residential" recommended density of 2 units per acre, this proposed 7.03 units per acre project is **inconsistent** with the Comprehensive Plan; **however, it is consistent with recent land-use approvals in the area. Reveille, is located across the street from the subject property and was approved with approved net densities ranging from 3.08 units per acre to 9.33 units per acre (POD D).**

Development Support and Constraints

Hall County Environmental Health

An email dated September 14, 2022, Emily McGahee stated "Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled."

Hall County Fire Services

In an email dated September 16, 2022, Lieutenant John Hornick, provided the following comments:

IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads, see attachment.

IFC Section 507, All buildings must be within the 400' hose lay distance requirements from a fire hydrant as the truck travels.

Complete set of engineered civil plans will have to be submitted for review and approval by the Hall County Fire Marshal's Office.

Per Hall County GIS, the subject parcel is located approximately 5 miles from Hall County Fire Station #12, located at 4890 Winder Highway. The nearest fire hydrants border the subject property at 5556 Old Winder Highway and 5901 Union Church Road.

Hall County Public Works and Utilities

In a memo dated September 16, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

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.

Show buffer and impervious setback from wretched vegetation, not centerline of creek. Show flood Hall County studied and FEMA. Roads must meet all Hall County Standards; Stormwater ponds must be out of the flood zone; development is not allowed in flood.

Traffic:

Development access must be approved and permitted through GDOT. Improvements recommended in the traffic study should be required.

Utilities:

No Sewer in the area of project; requires a Hall County Sewer Availability Letter and Application approval

Hall County Tax Assessors No comments were provided.

Gainesville Water Resources

A letter dated June 6, 2022 from Nick Swafford, Permitting Services Manager, stated the following:

“The purpose of this letter is to confirm the availability of water service to the above referenced properties.

The City of Gainesville owns and operates an existing 12-inch DIP water main in the right-of-way of Old Winder Highway (SR 211), as well as an 8-inch DIP water main in the right-of-way of Union Church Road adjacent to the subject properties. Currently, the City has adequate domestic water capacity to serve your proposed residential development.

This confirmation of water availability is good for one year from the date of this letter at which time, it will become null and void unless engineered plans have been submitted for issuance of a development permit.”

Georgia Department of Transportation

Per an email dated September 19, 2022, Parker Niebauer, Traffic Operations Supervisor confirmed that this project will require GDOT coordination.

Zoning Analysis

- a. The applicant is requesting to rezone the property from Agricultural Residential IV to Planned Residential Development (PRD). The proposed use of a 135-unit townhome development is partially inconsistent with the Comprehensive Plan, as the proposed density exceed the density standard within the “Residential” land use designation and desired building type.

Within the residential character area, the maximum density is recommended to be 2 units per acre with access to public water. **Reveille is located across the street from the subject property and was approved with approved net densities ranging from 3.08 units per acre to 9.33 units per acre (POD D). It should be noted that a large portion, not all, of Reveille is identified as an activity center on the Future Land Use Map.**



- b. 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.
- c. Per §17.180.060.B.1. Required items, requires that the application include a development schedule, a listing of proposed uses, and the size, location and number of units of all residential structures. **The proposed schedule is built out by 2024. The proposed uses are single family residential attached. The minimum size of each unit is 1400 SF heated. The location of the units are as depicted on the conceptual site plan. The number of residential units proposed is 135 units.**
- d. Per §17.180.060.B.4. Lot areas for developments where there is no sanitary sewer available shall be set by the County Health Department. This requirement currently applies to the subject site, as Public Works has confirmed no sewer service presently exists. **The property must connect to sewer. This will require approval of sewer extension plans by County Engineer prior to issuance of a land disturbance permit (LDP).**
- The applicant refers to the units as townhouses, the definition of a townhouse ([17.20.1230](#)) infers that townhouses are multi-family and not single-family attached as shown on the submitted site plan. See the definitions of multi-family in [17.20.890](#), and [17.20.160](#), and single-family in [17.20.900](#), and [17.20.1051](#). ***It should be noted that there is no definition***

or standard in the Hall County regulations for *single-family attached or zero lot-line units*. Law Insider (<https://www.lawinsider.com/dictionary>) defines **single-family attached** as “**any building containing two or more living units attached but each living unit located on a separate parcel of land.**” This definition represents the current application.

- e. 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.
 - o Per the applicant’s narrative and site plan, a 50 foot buffer exterior buffer is proposed.
This standard **is met**.
- f. 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.
 - o **No landscape plan was included with this request. The applicant will be held to the standards of the PRD requirements as well as §17.280.080 (tree requirements for non-single-family residential development).**
- g. 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.
 - o **This standard does not currently apply to the applicant because they request 135 units only; however, the 2018 International Fire Code as adopted and amended by the Georgia Department of Community affairs requires 2 entrances for any residential development containing more than 120 units.**
- h. 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.
 - o The applicant’s narrative and site plan specify 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:
 - o 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.
 - o 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 applicant **does not** meet this standard. Open space provided is around the perimeter not at the center of the tract, where most units may access it.
 - o 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 applicant's site plan indicates 7.8 acres of open space provided. This provides 40% open space, standard is met.**
- 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 masonry, Hardi-planks, and shakes as their requested siding materials. If made of wood or fiber cement, the shakes will comply with the standards.
 - Architectural renderings were submitted as part of this request but only for the property frontage. These were filed as a sample architectural elevation, not the actual proposed product. It **cannot be determined** if this standard is met until the building permit review stage.
 - Clarification required from BOC as to whether they are ok allowing vinyl siding for the garage door or if prohibition applies for this.
 - Townhomes Garage designs may be front, or rear loaded. If front loaded, garage doors should not exceed 50% of the width of the individual townhome unit. Applicant currently proposes 70% garage door with. This does not meet the standard.
 - Townhome Garages must be at least 20 feet behind the back of the sidewalk. **The applicant meets this standard.**
- Per §17.180.060.B.11, all new subdivisions are required to provide a cluster mailbox unit (CBU) for regular mail service delivery.
 - A cluster mailbox is required to sit at least 200 feet from the main entrance and at least 60 feet from any intersection. It cannot be determined if the current mailbox location meets this standard.
 - Parking required for mailboxes is at least 7 spaces. **The conceptual site plan meets this standard. Provides at least 17 spaces, including ADA spots.**
- Per §17.250 (off-street parking, storage, and loading requirements), 1.5 parking spaces per unit are required for multi-family developments.
 - To comply applicant must provide at least 203 parking spaces. It cannot be determined if applicant meets this requirement until we know which units will be one car garages and which may be for two.
- 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.
 - A traffic study was prepared by Southeastern Engineering on September 09, 2022. Traffic impacts were evaluated for the proposed residential development located in

Hall County. On approximately 19 acres of undeveloped land located on SR 211/ Old Winder Highway. The development will consist of 140 units of townhomes. ■ The development proposes access at the following locations:

- Site Driveway 1: Full-access driveway on Old Winder Highway.
 - Existing and future operations after completion of the project were analyzed at the intersections of:
- SR 211/Old Winder Highway at Atlas Drive (new community access)
- SR 211/Old Winder Highway at Union Church Rd / Howington Road ■ The analysis included the evaluation of future traffic operations for “NoBuild” and “Build” conditions, the differences between “No-Build” and “Build” accounts for increases in traffic due to proposed site. The result of the future traffic operations analysis are that the new Atlas Drive operates at an acceptable level of service during both peak periods; but, that the existing intersection at Union Church Road continues to operate unacceptably in peak hours as it did under the existing and no-build conditions. As there is already an intersection improvement plan in progress for the Union Church Rd / Howington Road intersection, due to an active development on the east side of the intersection, no improvements were considered for the Union Church Rd / Howington Road area. The following access configuration is recommended:

SR 211 at Atlas Drive

- Atlas Drive approach should be stop sign controlled.
- Atlas Drive should be two lanes, one entry and one exit lane.
- SR 211 should have a south bound right-turn lane, and a northbound left-turn lane designed to GDOT minimum standards.

- The applicant’s narrative indicates that water service will be provided by the City of Gainesville. The municipality has confirmed water service is available. **Hall County Public Works however, stated there is no current sewer service available to the site. Applicant needs to resolve sewer service / develop a plan with Hall County Public Works that satisfies this requirement. No plan for land disturbance will be accepted without a solution to this issue.**

Variations Requested within the Narrative

1. Allow the developer to modify the arrangement of lots, roads, amenities, and other improvements shown on the Conceptual Plan. The only thing the developer may not change is the proposed land use (i.e., townhomes), the proposed project density (i.e., 135 units), or proposed perimeter buffers (i.e., 50-foot setbacks / planted buffers shown on the Conceptual Plan).

2. Allow the applicant to provide only one access rather than two required by the Fire Code. (IFC Section D107). **The Planning Commission cannot grant a variance to the Fire**

Code. The applicant will have to lower the number of lots, or meet one the exceptions. Exceptions must be approved by the Fire Marshal.

3. Allow garage doors to constitute 70 percent of the width of the individual townhome unit. (17.180.060.B.9.c.ii)
4. Allow the option to use one car garages to meet the 1.5 parking space per unit parking minimum. (17.240.020A).
5. Waive the requirement of at least two trees per lot in the front, side, or rear setbacks, outside of easements or septic drain fields, which are currently required prior to Certificate of Occupancy. (17.180.060.B.6)
6. Allow the use of stream buffers and detention ponds to count towards the minimum 30% open space requirement. (17.180.060.B8)
7. Allow the use of Temporary Sales and Marketing Signs along the property frontage of Union Church Road. These signs shall not exceed 32 square feet per sign face or 8 feet in height. (Section 17.420.060 / Chapter 17.270)
8. Allow the use of illuminated signage at the community entrance. (Section 17.420.060. / Chapter 17.270)
9. Allow the installation of a monument sign at the community entrance. The monument sign will have a natural stone base, maximum total size of 42 square feet (includes the monument base and signage), and be placed a minimum distance of 5 feet from the nose of the median. (Section 17.420.060 / Chapter 17.270)
10. Allow the release of up to two model home permits to be issued prior to Final Plat, providing that hard surface (crusher run) access is provided, and fire protection is located within 500 feet of any structure under construction.
11. Allow the installation of one sales trailer and construction trailer with associated parking areas in locations to be determined at time of final plat approval.
12. Allow the use of ornamental sculptures at the community entrance.
13. Allow the use of PVC fencing.

Staff Recommendation:

Staff recommends **approval with conditions:**

1. All streets shall be built to Hall County Public Streets standards as indicated on the site plan dated 7-12-2022. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.
2. The maximum residential density for the development shall not exceed 6.25 units per acre or 120 single family attached units, whichever is less, to comply with International Fire Code (IFC) standards for residential developments with one entrance.
3. Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 30 foot rear setbacks. The setbacks for each building shall be determined and approved on the Preliminary Plat.
4. Development standards shall meet or exceed the following table:

SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS	
SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	120
PROPOSED DENSITY	6.25 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.	30%
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC
MINIMUM LOT WIDTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)	22 FT.
INTERNAL SIDE SETBACK	0 FT.
INTERNAL REAR SETBACK	30 FT.
PERIMETER FRONT SETBACK	40 FT.
PERIMETER REAR SETBACK	50 FT.
PERIMETER SIDE SETBACK	50 FT.
MAXIMUM BUILDING HEIGHT	35 FT.
SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.

GARAGE % IF FRONT FACADE	50%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:
 - a. IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D
107.1
 - b. IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.
 - c. A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.

6. All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:
Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments

7. No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.

8. The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.

9. Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.

10. The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.

11. Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).
 - a. No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.

- b. No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.
 - c. All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.
 - d. A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.
 - e. Fire protection shall be provided within 500 feet of any structure under construction.
 - f. Restroom facilities shall be provided for any structure under construction.
 - g. No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.
 - h. An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.
12. The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.
13. The 10 parcels cited as part of this rezoning request must be formally combined into a single parcel through the combination platting process and a new legal description submitted to the Planning Department within two years of this rezoning approval. If this process is not completed within two years of rezoning approval, all parcels will revert back to their original Agricultural-Residential IV zoning.
14. No land disturbance permit shall be accepted for processing until the new combination plat is formally recorded with Hall County Clerk of Court.
15. Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.
16. All conditions of zoning shall be made part of any plats created for the property.
17. Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.
18. Garage doors shall not exceed 16 feet in width.

19. Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage.
20. A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance.
21. Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.
22. A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.
23. The amenity package shall be completed before the building permits are granted for the fifth building.

Board Action required on Requested Variances:

1. Allow the developer to modify the arrangement of lots, roads, amenities, and other improvements shown on the Conceptual Plan. The only thing the developer may not change is the proposed land use (i.e., townhomes), the proposed project density (i.e., 135 units), or proposed perimeter buffers (i.e., 50-foot setbacks / planted buffers shown on the Conceptual Plan). Staff **does not support** this variance as this would be **contrary to the stated purpose and intent of the PRD** ordinance that the Board of Commissioners reviews and approves the conceptual site plans. If modifications to a conceptual site plan for a PRD is requested, the Board of Commissioners should have the right to review the changes.
2. Allow the applicant to provide only one access rather than two required by the Fire Code. (IFC Section D107) . The Board of Commissioners **cannot vary the adopted Fire Code with a zoning action**, as the zoning ordinance does not contain the fire code. Additional Board action would be required for this variance to be allowed.
3. Allow garage doors to constitute 70 percent of the width of the individual townhome unit. (17.180.060.B.9.c.ii) Staff **does not support** this request, this is not within the design guidelines of the PRD ordinance. This is addressed in staff recommendation #5, Development Standards table.
4. Allow the option to use one car garages to meet the 1.5 parking space per unit parking minimum. (17. 240.020A). Staff **supports** this request if driveways are at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage.

5. Waive the requirement of at least two trees per lot in the front, side, or rear setbacks, outside of easements or septic drain fields, which are currently required prior to Certificate of Occupancy.
(17.180.060.B.6) Staff **supports** this request if **one** street tree is required per unit. Staff acknowledges two trees may be a design challenge with the proposed
6. Allow the use of stream buffers and detention ponds to count towards the minimum 30% open space requirement. (17.180.060.B8) Staff **does not support** this request as this action would decrease the amount of usable open space to the detriment of water quality and the quality of life of future residents.
7. Allow the use of Temporary Sales and Marketing Signs along the property frontage of Union Church Road. These signs shall not exceed 32 square feet per sign face or 8 feet in height. (Section 17.420.060 / Chapter 17.270) Staff **supports this request** under the following conditions: 1. The signs will be removed once the permanent subdivision entrance sign is completed. OR The signs shall be removed within 1 year of the approval of the Final Plat, whichever is first.
8. Allow the use of illuminated signage at the community entrance. (Section 17.420.060. / Chapter 17.270) Staff **supports this request** under the following conditions: 1. There shall be no internally illuminated signage to be consistent with the Hall Gateway Corridors Overlay standards. 2. All lighting shall be external down lighting, with no lighting aimed towards streets.
9. Allow the installation of a monument sign at the community entrance. The monument sign will have a natural stone base, maximum total size of 42 square feet (includes the monument base and signage), and be placed a minimum distance of 5 feet from the nose of the median. (Section 17.420.060 / Chapter 17.270) Staff **supports this request** under the following conditions: 1. The sign shall not be placed in any right of way and a site plan is required 2. Engineered drawings to meet building code shall be required.
10. Allow the release of up to two model home permits to be issued prior to Final Plat, providing that hard surface (crusher run) access is provided, and fire protection is located within 500 feet of any structure under construction. Staff **supports this request** as outlined in staff recommendation #12.
11. Allow the installation of one sales trailer and construction trailer with associated parking areas in locations to be determined at time of final plat approval. Staff **supports this request** under the following conditions:
 1. Both the sales and construction trailer locations will be identified on the Preliminary Plat and located within the approved limits of disturbance.
 2. Both the sales and construction trailer locations shall receive a building permit prior to receiving temporary power.
 3. The sales trailer shall be removed once a model home receives a CO and can serve as a sales office.
 4. The construction trailer shall be removed within one year of being permitting. Further permits shall be subject to Planning Commission approval and Building Permit approval.

12. Allow the use of ornamental sculptures at the community entrance. Staff **supports this request** under the following conditions: 1. The sculptures shall be permitted as signs with a site plan. 2. The sculptures shall not be placed in any right of way 3. Engineered drawings to meet building code shall be required.

13. Allow the use of PVC fencing. Staff **does not support** this request.

Excerpts from the minutes of the October 17, 2022 meeting

Applicant's Presentation:

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

Steve Gilliam, 340 Jesse Jewell, Gainesville, presented the request. Mr. Gilliam stated that there will be amenities at the development such as a cabana with restrooms, pool, parking lot, and a USPS kiosk. Mr. Gilliam stated that the minimum lot size would be 1600 square foot with a minimum of 1400 square foot heated floor area. Mr. Gilliam stated that some changes were made to the site plan including eleven more parking spaces, entrance to the common area, and a fire entrance from Union Church Road. Mr. Gilliam requested a variance for a 20 foot internal rear setback rather than 30 foot, garage front facade to be 70 percent rather than 50 percent, remove the conditions that no land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court, allow stream buffer space to be a part of open space, and to use PVC fencing rather than wood. Mr. Gilliam requested clarification of staff recommended conditions.

Cameron Henderson, 14 W Main Street, Buford, presented the request. Mr. Henderson requested clarification on staff condition #14. Mr. Henderson questioned if the easement needs to be placed in or outside the development.

Public Forum:

Terry Mercer, 400 Kinsley Way, Statham, GA, spoke in favor. Spoke about the property owners' enthusiasm.

Planning Commission Comments:

Mr. Braswell questioned what the amenity package included. Mr. Henderson stated that the package would mainly cater to active adults. The amenity package would include a cabana, Dog Park, and picnic benches. Mr. Braswell questioned why 20 feet setback is requested rather than 30 feet. Mr. Henderson answered that it is to have flexibility. Mr. Hunt questioned if the applicant had a commitment letter of sewer availability. Mr. Henderson stated it is still in the works due to adjacent developments. Mr. Bell questioned the mix of one to two cars garages. Mr. Bell stated that a one car garage is better for the front view of the homes with a wider driveway to allow more cars since street parking is not allowed. Mr. Varner stated that with no commitment to sewer it was difficult to proceed. Mr. Bell requested clarification from Ms. Doveton regarding staff recommendations. There was much discussion about the fire access road to Union Church Road, the landscaping of the detention pond and maintenance of said landscaping, The Planning

Commission stated that it would be advisable to present the revised site plan and a timeline/plan for sewer service prior to the Board of Commission voting meeting on November 17th.

**Motion: A motion to approve, with conditions was made by Mr. Bell and seconded by Mr. Hunt.
Vote: 5-0**

Conditions:

1. All streets shall be built to Hall County Public Streets standards as indicated on the site plan presented at the meeting. No Variances to Public Street design standards in Articles 16, Subdivisions, and the parking requirements in Article 17. No on street parking shall be allowed.
2. Front setbacks for each townhome unit shall be a minimum of 22 feet from back of sidewalk; 0 feet side internal setback; minimum 10 foot building separation (unless greater spacing is required by the Building or Fire code); and 20 foot rear setbacks on internal lots. The setbacks for each building shall be determined and approved on the Preliminary Plat.
3. There shall only be 74 units of 24 foot lots and 61 units of 20 foot lots for the approval of 135 units.
4. Development standards shall meet or exceed the following table:

SINGLE-FAMILY ATTACHED (FEE SIMPLE TOWNHOMES) STAFF RECOMMENDATIONS	
SITE AREA	19.2 ACRES
RECORDED PLAT- UNITS	135
PROPOSED DENSITY	7.03 UPA
WATER AND SEWER	GAINESVILLE CITY WATER AND HALL COUNTY SEWER
REQUIRED OPEN SPACE- TO MEET REQUIREMENTS OF sections §17.430.100 through §17.430.150.	30%
SIDEWALKS- BOTH SIDE OF ROAD- INTERNAL ONLY	5 FT.
STREETS	PUBLIC
MINIMUM LOT WIDTH AT BUILDING LINE	20 FT.
MINIMUM LOT DEPTH	80 FT.
MINIMUM LOT SIZE	1,600 SF
FRONT SETBACK (FROM back of sidewalk - all proposed units are front load garages, not rear load)	22 FT.
INTERNAL SIDE SETBACK	0 FT.
MAXIMUM BUILDING HEIGHT	35 FT.

SIDE SEPERATION-ROOF OVERHANG TO ROOF OVERHANG	10 FT.
GARAGE % OF FRONT FACADE	70%
MINIMUM HEATED FLOOR AREA	1,400 SQ. FT.
EXTERIOR BUFFER	50 FT.

5. *The development shall meet all required Fire Codes (IFC) including, but not limited to the follow:*
 - a. *IFC Section D107, Developments of one or two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads. Note: exceptions to this code are found in IFC Appendix D 107.1*
 - b. *IFC Section 507: All buildings must be with in the 400' hose lay distance requirements from a fire hydrant as the truck travels.*
 - c. *A Complete set of engineered civil plans will have to submit for review and approval by the Hall County Fire Marshal's Office.*
6. *All parking indicated shall be Off Street parking in accordance with section 17.180.060.B.11.d:*

Parking shall conform to requirements specified in chapter 17.250, in addition to any parking and loading requirements or accessibility guidelines pertaining to the Americans with Disabilities Act. On-street parking is prohibited in all planned residential developments. Off-street parking areas that make it necessary for vehicles to back out directly into a public road, street, or highway are prohibited in all planned residential developments

7. *No vinyl fencing shall be permitted on the site, except around stormwater facilities if requested by the Public Works Department.*
8. *The sanitary sewer connection point shall be identified prior to submission of the LDP. The LDP/ Preliminary Plat submission shall include a full design for any sewer line extensions.*
9. *Any easements across private property or permits needed to place sewer lines in a ROW shall be obtained prior to submission of the LDP/ Preliminary Plat.*
10. *The recommendations of the traffic study (dated September 9, 2022 by Southeastern Engineering, Inc.), subject to the review and approval of both Hall County Traffic Engineering and the Georgia Department of Transportation shall be implemented. Any cost associated with these improvements shall be the responsibility of the developer.*
11. *Two Model Home Permits will be permitted under the following conditions: An LDP and Preliminary Plat approval is required prior to issuing a building permit for a model home prior to Final Plat (this is different than the request in the submitted narrative).*
 - a. *No Certificates of Occupancy for model homes shall be issued prior to a Final Plat being approved and recorded at the Clerk of Court.*
 - b. *No Temporary Certificates of Occupancy shall be authorized for any model home prior to a Final Plat being recorded.*
 - c. *All public utilities shall be installed prior to issuing a building permit for a model home. The installation of the utilities shall be certified by Hall County Public Works.*

- d. *A hard surface (crusher run or equivalent) access is provided that meets all requirements of a GSWCC "Construction Road" as specified in the GSWCC manual.*
 - e. *Fire protection shall be provided within 500 feet of any structure under construction.*
 - f. *Restroom facilities shall be provided for any structure under construction.*
 - g. *No model home site shall be used as a stockpile area, for storage of construction materials or as a trash site.*
 - h. *An as-built survey shall be required for all model home structures built or under construction prior to approval of a Final Plat in any future phase to ensure the proposed platted lines meet all ordinance requirements.*
12. *The proposed development must provide curbing, gutters, and minimum 5-foot-wide sidewalks along the full length of the subject property, both against Old Winder Highway and Union Church Road, if determined to be feasible by the Hall County Planning Director and Hall County Public Works Director.*
 13. *No land disturbance permit shall be issued until the new combination plat is formally recorded with Hall County Clerk of Court.*
 14. *Per §17.180.060.B.8, the development shall conform to all open space requirements of sections §17.430.100 through §17.430.150. Prior to submission of the LDP/ Preliminary Plat for review, a revised Open Space plan shall be submitted for review and approval by the Planning Director. This may include modification of street and lot layouts to comply with the Open Space design standards.*
 15. *All conditions of zoning shall be made part of any plats created for the property.*
 16. *Architectural standards: All facades of all residences shall be finished with masonry (brick or stone), wood, or fiber cement / Hardi-plank type siding. The front facades shall be 100% masonry as depicted on the architectural elevations submitted with the application package.*
 17. *Garage doors shall not exceed 70% of front facade.*
 18. *Driveways shall be at least 22 feet in length, as measured from behind the edge of the sidewalk to the garage and all driveways shall be the width of the 2 car garage product.*
 19. *A minimum 50-foot planted buffer shall be established along the perimeter of the property adjacent to residential and/or non-residential zoning districts to ensure that the planned development is appropriately screened. The planted buffers shall conform to the requirements described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. This shall cover the road frontage along Union Church Road.*
 20. *Except for approved road connections, a 5' Non-Access Easement shall be indicated on the plat for access to Old Winder Highway and Union Church Road.*
 21. *A property maintenance association is required to maintain common ownership elements of the development. Draft HOA documents shall be submitted with the LDP/ Preliminary Plat submission for review to ensure compliance with the conditions of zoning and review for any inconsistencies with County ordinances. This is required by §16.30.120 Contents of preliminary plat application.*
 22. *The amenity package shall be completed before the building permits are granted for the fifth building.*
 23. *There shall only be up to one construction trailer issued on site after LDP.*