



Hall County Government

PLANNING & DEVELOPMENT

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To: Richard Higgins, Chairman
Kathy Cooper, District 1
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From: Randi Doveton, Director

Date: October 25, 2022

Subject: Application of Atlas Development Services, Inc. to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 19.21± acre tract located 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; Zoned AR-IV; Tax Parcel 15039A000018 – 000023 & 000025 – 000028. Proposed use: single-family townhomes. Commission District 1.

The application before you is a request to rezone 19.21± acres from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) to allow single-family townhomes.

At their October 17, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following twenty-three (23) 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 Article 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 be submitted 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 Right of Way 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.*

There was one (1) written comment in opposition submitted in advance of the Planning Commission meeting and one (1) person spoke in favor during the public hearing on October 17, 2022.

Since the Planning Commission took action, the applicant submitted an updated site plan.