



# Hall County Government

PLANNING & DEVELOPMENT

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**To:** Richard Higgins, Chairman  
Kathy Cooper, District 1  
Billy Powell, District 2  
Shelly Echols, District 3  
Jeff Stowe, District 4

**From:** Randi Doveton, Director

**Date:** November 16, 2022

**Subject:** **2581 Ramsey Circle | Rezone** | from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 35.14± acre to allow a 305-unit multi-family complex | CMWB Company, LLC, applicant.

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The request before you is the application of CMWB Company, LLC to rezone approximately 35.14 acres allow a 305-unit multi-family complex. *This item was presented to the Planning Commission as a rezoning report and a conditional use report. However, the Planning Commission opined that since it was advertised as a single item and since planned developments have historically been voted on as one item, that this should be heard and voted on as one item.* The item is located within Commission District 3.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with thirteen (13) conditions (5-0).

**There were two (2) written comments in opposition submitted in advance of the Planning Commission meeting and one (1) person spoke in favor during the public hearing.**

There have been no changes to the request since the Planning Commission took action.

#### **Planning Commission Approval Conditions:**

1. The development shall generally occur as depicted on the site plan dated 8-2-2022 and described in the project narrative.
2. The density shall not exceed 300 units with a maximum of 15 three bedroom units.
3. The site shall require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces. The proposed development is located in the North Oconee Watershed Overlay which doubles all stream buffers and setbacks from rested vegetation not to the center line of the stream.

4. The proposed residential development shall conform to Streets and Other Rights-of-Way (16.60). No variances are granted as part of this request.
5. Landscape and Lighting plan shall be submitted to the Planning Director for approval prior to issuance of the LDP.
6. The recommendations of the traffic study, subject to the review and approval by 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.
7. The applicant shall follow the standard Land Development Review and building permit process for Hall County.
8. Approval shall expire if the project permitting phase has not begun within 12 months of Board of Commissioners approval.
9. 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."
10. The open space and undisturbed buffers shall be protected in perpetuity by deed that follows the property and shall not be separated from the parcel by future subdivisions or reduced for project expansion. The removal or modification of these conditions shall require action by the Board of Commissioners (BOC).
11. All conditions of zoning shall be made part of any plats created for the property.
12. Architectural standards: All facades of all residences, shall be finished with brick or fiber cement type siding/shake shingles. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding shall be prohibited on all residential and non-residential buildings.
13. The development shall have a 50 foot transitional buffer around all property lines with the exception of those fronting Ramsey Circle and White Sulphur Road.

Staff recommended denial to the Planning Commission, **based on the findings that the request is inconsistent with the Comprehensive Plan and does not meet criteria 1, 5, 7, 12, and 14 as outlined in [17.380.060](#).**

## For your Consideration

### These items support approval

1. The use, multi-family residential, is proposed adjacent to a mixture of uses, to the north is a Light Industrial zoned parcel within the City of Gainesville. To the south and east, across Ramsey Circle and White Sulphur Road are other Agricultural Residential III (AR-III, 17.110) properties. To the west, is a railroad right-of-way, past which is a Residential I (R-I, 17.60) zoned subdivision. The proposed land use is more intense than the surrounding property, but is likely filling a housing need, given the proximity to Cornelia Highway and nearby industrial development.
2. The proposed density is significantly higher than that found on surrounding properties but in general the use does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional and a variety of housing, especially workforce housing.

### These items support denial

1. The proposed use is inconsistent with the Future Land Use map which indicates the property to be rural. The intent of the rural character areas is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. Rural areas are characterized by agriculture and very low-density residential uses, including developments with a high degree of open space and greenspace such as conservation subdivisions, [2022-Comprehensive-Plan, page 23](#).
2. The proposed development is adjacent to single-family residential uses developed, a railroad right-of-way, and a light industrial use located within the City of Gainesville. Considering the adjacent properties, the 2022-Comprehensive Plan and Future Land Use Map, the proposal is out of scale to the existing and anticipated uses.
3. The property has reasonable economic values as currently zoned; allowable uses within the AR-III district are found in chapter 17.110.
4. The Comprehensive Plan's future land use designation for the subject parcel is "Rural." Future development should be compatible with the rural character, which is characterized by agricultural and very low density single-family residential uses. The development pattern includes larger areas of undeveloped or cultivate land with large distances between buildings and deep setbacks from two-lane roads. **The proposed development is inconsistent with the policy and intent of the land use plan.**
5. Staff has not identified a hardship imposed on the property owner as the property is currently zoned.
6. The proposed zoning is a Planned Residential Development (PRD, 17.180.080). Per the Official Code of Hall County, Planned Development District (17.180) are to be utilized as

a "floating zone" which shall mean that areas will not be pre-designated as planned development districts but rather each such designation shall result from a specific and separate application for amendment. That being said, the proposed density is significantly higher than that found on surrounding properties.

7. There are other properties within the County that support multi-family uses as already zoned or support a rezoning based on the Future Land Use Map.