

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Scott Puckett, Inc.

**Request** ..... Rezone | from Planned Residential Development (PRD, 17.180.060) and Suburban Shopping (S-S, 17.140) to Planned Commercial Development (PCD, 17.180.080)

**Proposed Use** ..... Mixed-use development

**Size** ..... 74.38± acres

**Zoning** ..... Current: Planned Residential Development (PRD, 17.180.060) and Suburban Shopping (S-S, 17.140) | Proposed: Planned Commercial Development (PCD, 17.180.080)

**Location** ..... **0 & 4435 Ridge Road** | Tax Parcels 08154 000022 & 000017

**Commission District** ..... One

**Planning Commission Date** ..... October 21, 2024  
November 18, 2024  
December 16, 2024

**Staff Recommendation** ..... **Denial**, as the proposed use is inconsistent with the future land use classification of Mixed Use Corridor in the Comprehensive Plan.

**Record Number** ..... HZON24-0031

**Planning Commission Recommendations** ..... **Approval, with conditions**

**Vote: 3-0 (Hunt and Sosebee absent)**

**Planning Commission Conditions:**

1. The property shall be developed in accordance with the site plan dated December 6, 2024, and as described in the project narrative dated August 23, 2024 and additional comments provided on November 1, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to:
  - a. Commercial structures totaling no more than 16,000 square feet

- b. One hotel with a total of no more than 110 rooms
  - c. Maximum of 274 multi-family residential units
  - d. Maximum of 209 townhome residential units
  - e. Maximum of 65 detached single-family residences
3. The development shall meet the following standards:
  - a. The commercial buildings shall be no more than 3 stories in height.
  - b. The hotel shall be no more than 5 stories in height.
  - c. The multi-family residential buildings shall be no more than 4 total stories in height with no more than 3 stories visible from Friendship Road.
  - d. Townhomes shall be no more than 4 total stories in height.
  - e. Minimum lot size for detached single-family residences shall be 8,000 square feet with minimum heated floor area (HFA) of 1,800 square feet and not to exceed a height of 35 feet.
  - f. Front-loaded townhome driveways shall be 20 feet from back of sidewalk to garage doors.
4. Final review and approval of building elevations is subject to the Director of Planning and Zoning, or their designee.
5. All single-family homes shall provide two car garages and driveways to accommodate two cars for parking. Driveways shall measure no less than 20 feet from back of sidewalk to the garage door.
6. Amenities including one pool for the multi-family section, one pool for the single-family section, tennis courts, pickleball courts, parks, mulched trails, and a clubhouse shall be completed prior to fifty percent (50%) of the certificates of occupancy issued for the residential development. Additional amenities may be constructed by the developer at the discretion and approval of the Director of Planning and Zoning, or their designee.
7. Access to the development shall be approved by Hall County Engineering Department and/or the Georgia Department of Transportation, as applicable. The recommendations of the traffic study, subject to final review and approval by both Hall County Engineering and the Georgia Department of Transportation, shall be implemented. Any costs associated with these improvements shall be the responsibility of the developer
8. The restrictive covenants for the subdivision and the documents establishing the property owner's association shall be submitted for review. These documents shall include a provision that assures maintenance of the amenity package through adequate assessment of the subdivision property and would provide for establishing a lien against any property failing to pay said assessment. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision.
9. All designated open space within the development shall be commonly held and maintained and shall not be the responsibility of any individual homeowner(s). This common open space ownership shall be included in the deeds created for each lot.
10. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.

11. The location of property lines, structures or any other portion of the development in relation to the sewer line and associated easements shall be approved by the Hall County Engineering Department.
12. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Planning and Zoning or their designee.
13. The development shall be limited to a maximum of four model homes prior to approval and recording of the final plat. All life safety regulations shall be satisfied prior to the issuance of a permit for a model home.
14. Two construction trailers shall be permitted, provided the conditions of Chapter 17.210 of the Official Code of Hall County are met.
15. All development, excluding single-family and townhomes, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances to Gateway Corridor Overlay Districts standards are granted other than those approved herein (GCOD, 17.420).
16. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
17. The following statement regarding the potential impacts of agricultural operation 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."
18. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.
19. The internal road within the single-family section of the development must be a minimum of 26 feet in width or include secondary fire access into neighboring future residential development (tax parcels 15048 000016 and 15048 000154), and must be approved by the Hall County Fire Marshal and Hall County Engineering.
20. Prior to issuance of any building permits, the developer shall submit an Architectural Design Guidebook which lists a palette of acceptable building materials which will also designate required minimums and acceptable design alternatives to be reviewed and approved by the Planning and Zoning Director or their designee. The architectural renderings submitted with the application will not be considered representative of the approved building materials. The architectural standards outlined in the guidebook must meet those listed within the Gateway Corridor Overlay District code.

21. All exterior buffers surrounding the residential portion of the development shall be a minimum of 50 feet except for the section adjacent to parcel 15048 000065 as noted on site plan where the buffer may be a minimum of 40 feet.
22. There may be no more than 6 attached townhome units per building.
23. Buildings containing more than three attached units must be designed so that facades and roofs are staggered or offset by at least 3 feet for every grouping of three units.
24. Townhome garage door widths may be up to 67% of the front façade.
25. The development may include hammerhead turnarounds with a minimum 28 foot radius in lieu of cul-de-sacs and two curves in the townhome section shall be allowed to have 20 foot inside radii and 30 foot centerline radii as shown on the submitted site plan dated December 6, 2024.
26. The development may include a private easement to rear private alleyways for ingress and egress to the rear-loaded townhomes and associated access, with no sidewalks along the alleyway.

**Excerpts from the minutes of the December 12, 2024 meeting**

**Applicant's Presentation:**

**Katie Greenway, Planning and Zoning Administrator**, presented a summary of the request.

**Tyler Smith, 340 Jesse Jewel Parkway, Suite 300, Gainesville**, presented the request. The applicant is requesting to rezone a combined 74.38± acres zoned Planned Residential Development (PRD, 17.180.060) and Suburban Shopping (S-S, 17.140) within the Gateway Corridors Overlay District (GCOD, 17.420) to Planned Commercial Development (PCD, 17.180.080) for a mixed-use development. The proposed development includes: 4 buildings for commercial, retail, and restaurant uses; 1 hotel with 110 rooms; 274 multi-family residential units; 209 townhomes; and 65 single-family detached residences; along with various amenity features. The overall proposed density for the development is 7.46 dwelling units per acre; the calculated density does not include the hotel or commercial uses within the development.

**Planning Commission Comments:**

Mr. Braswell recalled from the previous meeting that a condition for 26 foot wide roads were required but now the applicant is requesting to do either 26 foot wide roads or have an additional fire access point connecting this property to the adjacent tax parcels 15048 000016 and 15048 000154 where future development for single-family homes has previously been approved. The applicant confirmed this was the request. Mr. Braswell asked about the variance request for the front setback on front loaded townhomes. The applicant explained that the right-of-way is proposed 16 feet from the garage door; however, the back of sidewalk will be set a total of 20 feet from the garage door providing for a 20-foot driveway.

***Motion: A motion to approve, with conditions was made by Johnny Varner and seconded by Gina Pilcher. Vote: 3-0 (Hunt and Sosebee absent)***

*Conditions:*

1. The property shall be developed in accordance with the site plan dated December 6, 2024, and as described in the project narrative dated August 23, 2024 and additional comments provided on November 1, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to:
  - a. Commercial structures totaling no more than 16,000 square feet
  - b. One hotel with a total of no more than 110 rooms
  - c. Maximum of 274 multi-family residential units
  - d. Maximum of 209 townhome residential units
  - e. Maximum of 65 detached single-family residences
3. The development shall meet the following standards:
  - a. The commercial buildings shall be no more than 3 stories in height.
  - b. The hotel shall be no more than 5 stories in height.
  - c. The multi-family residential buildings shall be no more than 4 total stories in height with no more than 3 stories visible from Friendship Road.
  - d. Townhomes shall be no more than 4 total stories in height.
  - e. Minimum lot size for detached single-family residences shall be 8,000 square feet with minimum heated floor area (HFA) of 1,800 square feet and not to exceed a height of 35 feet.
  - f. Front-loaded townhome driveways shall be 20 feet from back of sidewalk to garage doors.
4. Final review and approval of building elevations is subject to the Director of Planning and Zoning, or their designee.
5. All single-family homes shall provide two car garages and driveways to accommodate two cars for parking. Driveways shall measure no less than 20 feet from back of sidewalk to the garage door.
6. Amenities including one pool for the multi-family section, one pool for the single-family section, tennis courts, pickleball courts, parks, mulched trails, and a clubhouse shall be completed prior to fifty percent (50%) of the certificates of occupancy issued for the residential development. Additional amenities may be constructed by the developer at the discretion and approval of the Director of Planning and Zoning, or their designee.
7. Access to the development shall be approved by Hall County Engineering Department and/or the Georgia Department of Transportation, as applicable. The recommendations of the traffic study, subject to final review and approval by both Hall County Engineering and the Georgia Department of Transportation, shall be implemented. Any costs associated with these improvements shall be the responsibility of the developer
8. The restrictive covenants for the subdivision and the documents establishing the property owner's association shall be submitted for review. These documents shall include a provision

that assures maintenance of the amenity package through adequate assessment of the subdivision property and would provide for establishing a lien against any property failing to pay said assessment. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision.

9. All designated open space within the development shall be commonly held and maintained and shall not be the responsibility of any individual homeowner(s). This common open space ownership shall be included in the deeds created for each lot.
10. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
11. The location of property lines, structures or any other portion of the development in relation to the sewer line and associated easements shall be approved by the Hall County Engineering Department.
12. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Planning and Zoning or their designee.
13. The development shall be limited to a maximum of four model homes prior to approval and recording of the final plat. All life safety regulations shall be satisfied prior to the issuance of a permit for a model home.
14. Two construction trailers shall be permitted, provided the conditions of Chapter 17.210 of the Official Code of Hall County are met.
15. All development, excluding single-family and townhomes, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420). No variances to Gateway Corridor Overlay Districts standards are granted other than those approved herein (GCOD, 17.420).
16. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
17. The following statement regarding the potential impacts of agricultural operation 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."
18. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

19. The internal road within the single-family section of the development must be a minimum of 26 feet in width or include secondary fire access into neighboring future residential development (tax parcels 15048 000016 and 15048 000154), and must be approved by the Hall County Fire Marshal and Hall County Engineering.
20. Prior to issuance of any building permits, the developer shall submit an Architectural Design Guidebook which lists a palette of acceptable building materials which will also designate required minimums and acceptable design alternatives to be reviewed and approved by the Planning and Zoning Director or their designee. The architectural renderings submitted with the application will not be considered representative of the approved building materials. The architectural standards outlined in the guidebook must meet those listed within the Gateway Corridor Overlay District code.
21. All exterior buffers surrounding the residential portion of the development shall be a minimum of 50 feet except for the section adjacent to parcel 15048 000065 as noted on site plan where the buffer may be a minimum of 40 feet.
22. There may be no more than 6 attached townhome units per building.
23. Buildings containing more than three attached units must be designed so that facades and roofs are staggered or offset by at least 3 feet for every grouping of three units.
24. Townhome garage door widths may be up to 67% of the front façade.
25. The development may include hammerhead turnarounds with a minimum 28 foot radius in lieu of cul-de-sacs and two curves in the townhome section shall be allowed to have 20 foot inside radii and 30 foot centerline radii as shown on the submitted site plan dated December 6, 2024.
26. The development may include a private easement to rear private alleyways for ingress and egress to the rear-loaded townhomes and associated access, with no sidewalks along the alleyway.

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### **Summary of Revisions for December 16, 2024 Planning Commission meeting**

On Friday, December 6, 2024 an updated site plan was provided to Planning staff for the application of Scott Puckett, LLC to rezone 0 & 4435 Ridge Road from PRD and S-S to PCD for a mixed-use development. The applicant has identified the following changes to the site plan that differ from the previous concept:

1. Modified site layout to include 26 foot wide internal streets in order to meet emergency access requirements
2. Modification of buffers to allow for 50 foot buffers along all external boundaries within the single-family section of the development.
3. A variance request to allow for a reduction from 50 feet to 40 feet for the transitional buffer where adjacent to parcel 15048 000065.

4. Proposed secondary fire safety access from adjacent community, shown as future development
5. A variance request to allow front loaded townhomes a front setback of 16 feet.

Updated development summary as shown below:

	<b>Previous</b>	<b>Updated</b>
Townhomes Total	224	209
Front Loaded	118	115
Rear Loaded	106	94
Single Family Detached	65	65
Residential Density	7.60 DUA	7.37 DUA
Non-Impacted Stream Buffer	24%	23.5.0%
Southern Transitional Buffer	25 ft	50 ft

### Summary of Revisions for November 18, 2024 Planning Commission meeting

Dear Board of Commissioners,

On Friday, November 1, 2024 an updated site plan was provided to Planning staff for the application of Scott Puckett, LLC to rezone 0 & 4435 Ridge Road from PRD and S-S to PCD for a mixed-use development. The applicant has identified the following changes to the site plan that differ from the previous concept:

1. Addition of a 50-foot buffer along the southern boundary of the development.
2. Modified site layout to show front-loaded townhomes with varied setbacks from street on the southern portion of the development, rather than single-family detached lots.
3. Variation of front setbacks of townhomes on the north side of the development. The site plan does not indicate the proposed setbacks for these units.
4. Modified entrance to a boulevard/median design at the single-family section of the development.
5. Increased width to 26 feet where street connects multi-family to single-family sections.
6. Updated development summary as shown below:

	<b>Previous</b>	<b>Updated</b>
Townhomes Total	207	224
Front Loaded	99	118
Rear Loaded	108	106
Single Family Detached	74	65
Residential Density	7.46 DUA	7.60 DUA
Non-Impacted Stream Buffer	24.2%	24.0%
Southern Transitional Buffer	25 ft	50 ft



**Staff recommends DENIAL of the applicant's request. However, if the Planning Commission chooses to approve this request, Staff recommends the following conditions:**

1. The property shall be developed in accordance with the site plan dated August 22, 2024, and as described in the project narrative dated August 23, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. The development shall be limited to:
  - a. Commercial structures totaling no more than 16,000 square feet
  - b. One hotel with a total of no more than 110 rooms
  - c. Maximum of 274 multi-family residential units
  - d. Maximum of 207 townhome residential units
  - e. Maximum of 74 detached single-family residences
3. The development shall meet the following standards:
  - a. The commercial buildings shall be no more than 3 stories in height.
  - b. The hotel shall be no more than 3 stories in height
  - c. The multi-family residential buildings shall be no more than 3 total stories in height
  - d. Townhomes shall be no more than 4 total stories in height.
  - e. Minimum lot size for detached single-family residences shall be 8,000 square feet with minimum heated floor area (HFA) of 1,800 square feet and not to exceed a height of 35 feet.
4. Final review and approval of building elevations is subject to the Director of Planning and Zoning, or their designee.
5. All single-family homes and townhomes shall provide two car garages and driveways to accommodate two cars for parking. Driveways shall measure no less than 20 feet from back of sidewalk to the garage door.
6. Amenities including one pool for the multi-family section, one pool for the single-family section, tennis courts, pickleball courts, parks, mulched trails, and a clubhouse shall be completed prior to fifty percent (50%) of the certificates of occupancy issued for the residential development. Additional amenities may be constructed by the developer at the discretion and approval of the Director of Planning and Zoning, or their designee.
7. Access to the development shall be approved by Hall County Engineering Department and/or the Georgia Department of Transportation, as applicable. The recommendations of the traffic study, subject to final review and approval by both Hall County Engineering and the Georgia Department of Transportation, shall be implemented. Any costs associated with these improvements shall be the responsibility of the developer
8. The restrictive covenants for the subdivision and the documents establishing the property owner's association shall be submitted for review. These documents shall include a provision that assures maintenance of the amenity package through adequate assessment of the

subdivision property and would provide for establishing a lien against any property failing to pay said assessment. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision.

9. All designated open space within the development shall be commonly held and maintained and shall not be the responsibility of any individual homeowner(s). This common open space ownership shall be included in the deeds created for each lot.
10. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.
11. The location of property lines, structures or any other portion of the development in relation to the sewer line and associated easements shall be approved by the Hall County Engineering Department.
12. Prior to issuance of sign permits, other than general signs permitted pursuant to 17.270.050, the owner/developer shall submit a master sign package for street, wall, internal directional, temporary and other signs to be reviewed and approved by the Director of Planning and Zoning or their designee.
13. The development shall be limited to a maximum of four model homes prior to approval and recording of the final plat. All life safety regulations shall be satisfied prior to the issuance of a permit for a model home.
14. Two construction trailers shall be permitted, provided the conditions of Chapter 17.210 of the Official Code of Hall County are met.
15. All development, excluding single-family and townhomes, shall be subject to the standards of the Gateway Corridors Overlay District (GCOD, 17.420) standards. No variances to Gateway Corridor Overlay Districts standards are granted other than those approved herein (GCOD, 17.420).
16. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official Code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.
17. The following statement regarding the potential impacts of agricultural operation 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.”
18. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.

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**The following should be considered as exceptions to the Official Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:**

1. 17.180.060.B.5. – Buffers

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. The planted buffers shall conform to the requirements as described in section 17.260.020 titled vegetation buffers and vision clearance. In conditions where required stream buffers exist along a perimeter property boundary, the planning director may grant exemptions from the 50 foot planted buffer if a stream buffer meets or exceeds the 50 foot planted buffer width.

- The applicant has proposed a 25 foot transitional buffer.

2. 17.180.060.B.9. – Architectural Standards

C) Townhouse garages. Townhouses fronting an arterial or collector street shall be rear-loaded. Townhouses fronting a minor street may be rear-loaded or front-loaded.

ii) Front-loaded. Garage doors shall constitute no more than 50 percent of the width of the individual townhouse unit.

- For the townhomes, the submitted narrative propose a maximum garage door width of 67 percent of the front façade.

3. 17.420.050.H.1.b. – GCOD Architectural standards for non-residential buildings

Building height. Any non-residential building located within 250 feet of a residential or agricultural use street shall be limited to no more than three stories in height.

- The applicant has proposed no more than 5 stories in height for the hotel.
- The applicant has proposed a 3-4 story split for multi-family units

4. 16.60.160. – Width of right-of-way.

C. Standard cul-de-sac. The right-of-way shall extend to a minimum 60-foot radius measured from the center of the cul-de-sac, and the total width shall be evenly divisible by ten feet.

- The applicant is proposing a reduction of the minimum radius by:
  1. Proposing hammerhead with 28 foot radius in lieu of cul-de-sac in Townhome portion of the development
  2. Proposing two of the curves in the townhome section of the development have a 20 foot inside radius and 30 foot centerline radius

5. Title 16 – Subdivision

- General design requirements for subdivision road regulations are outlined within Chapter 16. Variances must be specified and justified for consideration.
  - The applicant requests a variance to allow a private easement to rear private alleyways for ingress and egress to the rear-loaded townhomes and associated access, with no sidewalks along the alleyway.

### **Summary Analysis**

The applicant is requesting to rezone a combined 74.38± acres zoned Planned Residential Development (PRD, 17.180.060) and Suburban Shopping (S-S, 17.140) within the Gateway Corridors Overlay District (GCOD, 17.420) to Planned Commercial Development (PCD, 17.180.080) for a mixed-use development. The proposed development includes: 4 buildings for commercial, retail, and restaurant uses; 1 hotel with 110 rooms; 274 multi-family residential units; 207 townhomes; and 74 single-family detached residences; along with various amenity features. The overall proposed density for the development is 7.46 dwelling units per acre; the calculated density does not include the hotel or commercial uses within the development.

The property is currently undeveloped and wooded, is impacted by both the County Studied and FEMA flood zones, and includes a stream, which runs through the southern portion of the assemblage. According to both the narrative and the site plan, the applicant proposes that some residential lots will include portions of all associated stream buffers. This proposal references Section 8.170.070, which permits properties between 10 and 49.9 acres to reduce the 75 foot impervious setback area, provided that the combined total of the undisturbed buffer and impervious setback does not exceed 12 percent of the total property area affected by the development.

The subject property was rezoned from Agricultural Residential (AR-III, 17.100) and Suburban Shopping (S-S, 17.140) to Suburban Shopping (S-S, 17.140) and Planned Residential Development (PRD, 17.180.060) on September 12, 2019, for a 116-lot residential subdivision and shopping center with seven conditions. No permits were applied for under the previous zoning, and no development has occurred.

Per the narrative and site plan, the commercial portion of the proposed development will consist of a hotel with 110 rooms, and four commercial buildings totaling approximately 16,000 square feet to include retail and/or restaurants. The four commercial buildings are located at the northwest corner of the subject property and will have rooftop space, outdoor seating, and a central plaza. These four buildings will not exceed three stories in height. The proposed hotel will also be located at the northwest corner of the subject property, near the food and beverage structures, and is proposed to not exceed five stories in height.

Furthermore, the site plan and narrative indicated that the residential portion of the proposed development will consist of three to four story multi-family residential buildings, three to four story townhomes, and one to two story detached single-family homes with a maximum height of 35 feet. The detached single-family homes will have a minimum of 1,800 square feet of heated floor space. The townhomes and detached single family will have two-car garages with the townhomes featuring both front-loaded and rear-loaded garage styles.

Per the site plan, four access points are proposed that will serve the development. One entrance is located on Friendship Road and three entrances are located on Ridge Road with one of the entrances on the Ridge Road proposed to be a gated emergency access only. Furthermore, the site plan illustrates that the residential internal roads are proposed to be public and will have a 50 foot wide right-of-way with a three foot landscape strip and five foot wide sidewalks on both sides of the internal streets for pedestrian connectivity. The narrative proposes driveways to be a minimum of 20 feet long measured

from back of the sidewalk to garage door and states that 217 parking spaces are provided for commercial uses, 55 spaces for the hotel, 410 spaces for multi-family, 414 for townhome, and 148 spaces for single-family detached homes.

The development also designates 27.8 acres as open space with an amenity area included, constituting 37.3% of the total site area. The open space is proposed to include stream buffers, planted and undisturbed exterior buffers, stormwater management facilities, and multiple open areas for passive recreational use and walking trails. The proposed amenity areas will consist of two swimming pools, tennis courts, pickleball courts, parks, as well as mulched walking trails connecting the neighborhood to the shared greenspaces and amenity areas. The site plan shows two clustered mail kiosk areas with required parking.

The developer proposes to include one monument sign on Friendship Road and one monument sign on Ridge Road, and the applicant intends to submit a master sign package for various other signs throughout the development for review prior to construction.

Water service will be provided by the City of Gainesville Department of Water Resources, as confirmed in an email dated April 25, 2024 and sanitary sewer services will be provided by Hall County Sewer, as confirmed in a letter dated September 13, 2024.

The traffic impact study for the proposed development indicates that “Hall County Access Regulations” require northbound right-turn lanes at access C and D (along Ridge Road) for subdivisions with more than 24 lots. However, the analysis shows that right-turn volumes at access D are below the required threshold, and a waiver is recommended for the right-turn lane at this location. Southbound left-turn lanes are required at both access C and access D. The recommended improvements include constructing an eastbound right-turn lane at access A (on Friendship Road/SR 347), a southbound left-turn lane and northbound right-turn lane at access C, and a southbound left-turn lane at access D, along with seeking a waiver for the northbound right-turn lane. Coordination and approval from Hall County Engineering and Georgia Department of Transportation will be required for these recommendations.

The project was submitted to the Georgia Mountains Regional Commission for Development of Regional Impact review, and a report was provided by Adam Hazell on October 8, 2024 that states that the proposed action does not present any potential adverse inter-jurisdictional impacts.

Several variances have been identified as part of this request. Any deficiencies identified as part of the plan will be required to comply with the requirements of the PCD and PRD code sections unless specially granted by the board in the conditions of approval.

Per section 17.180.080B.8: “If residential uses are proposed in conjunction with the planned commercial development, then the applicable requirements of the planned residential development shall be provided.”

The proposed development standards for the residential portion of this project are described in the table below and are compared with the PRD requirements, (17.180.060):

<b>Standard</b>	<b>PRD Requirement (17.180.060)</b>	<b>Proposed Development</b>
Site Area	5 acre minimum	74.38± acres

Number of Units		<p>Single-family: 74 lots</p> <p>Townhomes: 207 units</p> <p>Multi-family: 274 units</p> <p>Total: 555</p>
Density	2 units per acre maximum	7.46 units per acre*
Minimum Lot Area	8,000 sq. ft.	<p>8,000 sq. ft. (single-family detached)</p> <p>Townhomes: Min. 22 feet width</p>
Maximum Building Height		<p>Single-family: Max. 35 feet</p> <p>Townhomes: 4 stories</p> <p>Multi-family: 4 stories</p>
Minimum Open Space	30%	37.3% (Includes conservation, stormwater, and passive and active areas)
Exterior Buffer	50 feet	25-foot transitional buffer*
Front Setback (Internal)	25 feet	<p>Single-family: 25 feet</p> <p>Townhomes: 20 feet for front-loaded* &amp; 6 feet for rear-loaded*</p> <p>Multi-family: Not applicable</p>
Side Setback (Internal)	5 feet	<p>Single-family: 25 feet</p> <p>Townhomes: 5 feet</p> <p>Multi-family: Not applicable</p>
Rear Setback (Internal)	20 feet	<p>Single-family: 20 feet</p> <p>Townhomes: 20 feet</p> <p>Multi-family: Not applicable</p>
Parking	<p>Single-family: 2 spaces per unit</p> <p>Townhome: 2 spaces per unit</p>	<p>Single-family: 148 2-car garages</p> <p>Townhomes: 414</p>

	Multi-family: 1.5 spaces per unit	Multi-family: 410
Minimum Heated Floor Space		Single-family: 1,800 square feet Townhomes: 3-4 bedrooms Multi-family: 1-3 bedrooms
Garage – % of front façade	55% when recessed a minimum of 20 feet 40% when semi-flush between 5 and 20 feet behind front wall plan of residence	Not specified *
Minimum Sidewalk Width	5 feet	5 feet
Cluster Mailbox Unit (CBU)	CBU with 13 short-term parking spaces	CBU with 29 parking spaces provided
Note: Items marked with an asterisk (*) do not conform to <a href="#">17.180.060</a> or are unspecified in the application.		

The non-residential development standards are compared with the Gateway Corridors Overlay District standards in the table below:

Standard	Compliance	Proposed Work	Notes
17.420.050.C – Transitional buffers	Complies	25-foot transitional buffer	Applicant proposes to include a 25-foot transitional buffer adjacent to residential property.
17.420.050.D – Other landscape and screening standards	Complies	10-foot landscape strip along street frontage	Applicant proposed to include a 10-foot landscape strip along Friendship Road and Ridge Road.
17.420.050.E – Parking lot design	Unknown	272 parking spaces for the commercial and hotel portion of the development.	Applicant proposes 272 parking spaces to be shared across the commercial and Hotel uses, 13.5 spaces per 1,000 sq.ft. of commercial and 1 space for 2 rooms were taken into consideration. The calculation for parking varies based on the type of restaurant proposed; however, the code does

			allow for a 25% reduction for shared parking in some cases.
17.420.050.F – Outdoor lighting	Complies	Applicant proposes semi-cutoff, non-spill, type of lighting.	Applicant proposes outdoor lighting that complies with GCOD standards.
17.420.050.G – Interparcel access	Complies	Interconnectivity is supported within the development	The applicant has proposed interconnectivity within the development, facilitating access between the commercial, multi-family, and residential uses.
17.420.050.H – Architectural standards for non-residential buildings - Limited to 3 stories	Does not comply	Hotel is proposed at a maximum height of 5 stories. * Commercial buildings proposed to be maximum of 3 stories.	The applicant has not provided any architectural renderings but is requesting a variance from the height standards for the Gateway Corridors Overlay District (GCOD). According to the narrative, the applicant has stated that the building materials and design will comply with GCOD standards.
17.420.060 – Signs	Unknown	Two monument signs; one for the commercial portion and one for the residential portion of the development.	The applicant has not provided renderings of the signage. However, the narrative indicates that a master sign package will be submitted, which will include street, wall, internal directional, temporary, and various other signs for the mixed-use development.
Note: Items marked with an asterisk (*) do not conform to <a href="#">17.420.050</a> or are unspecified in the application.			

**Based on the future land-use plan, staff finds the requested zoning designation *is inconsistent* with the Hall County Comprehensive Plan future land use designation as Mixed Use Corridor.** The intent of the Mixed Use corridor is to support retail activities, office-based employment, civic uses, and single-family residential with low-impact industrial or higher density residential only where the same is found on adjacent properties. The proposed mixed use development has a residential density of 7.46 units per acre.

**Zoning Analysis**

When considering a zoning amendment to the zoning maps, the following items must be considered:



1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The zoning proposal does not appear to be suitable given the context of the surrounding area. The surrounding area consists of a variety of land uses, which include residential, agricultural, industrial, and commercial uses.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed development may adversely affect the existing use or usability of adjacent or nearby properties as the proposed density of 7.46 dwelling units per acre is higher than those of nearby residential parcels.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to have reasonable economic use as it is currently zoned Suburban Shopping (S-S, 17.140) and Planned Residential Development (PRD, 17.180.060).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities; **Per the submitted traffic study, the analysis shows that right-turn volumes at Access D on Ridge Road are below the required threshold, and a waiver is recommended for the right-turn lane at this location. Southbound left-turn lanes are required at both Access C and Access D on Ridge Road. The recommended improvements include constructing an eastbound right-turn lane at Access A on Friendship Road (SR 347), a southbound left-turn lane and northbound right-turn lane at Access C, and a southbound left-turn lane at Access D, along with seeking a waiver for the northbound right-turn lane.**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is inconsistent with the Comprehensive Plan Mixed Use Corridor. This corridor supports higher density residential where the same is found on adjacent properties. The proposed development is a mixed-use development proposing a density of 7.46 dwelling units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are diminished by the existing zoning restrictions.**
7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property; **The subject properties are currently undeveloped. However, the properties were previously approved in 2019 to allow for a mixed-use**

**development that included 116 single-family residential lots as well as a shopping center. No construction permits have been issued for the previously approved development.**

- 10.** Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions that affect the use and development of the property.**
- 11.** Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Commercial Development (PCD, 17.180.080). Per the Official Code of Hall County, Planned Development Districts (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. The proposed density is higher than that found on surrounding properties.**
- 12.** Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
- 13.** Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed density is higher than that found on immediately 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 types as well as restaurants.**
- 14.** Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are other properties within the County that support a moderate-density single-family residential uses based on the Future Land Use Map, although the development as proposed cannot be developed in any of the existing residential or multi-family districts without being rezoned to Planned Commercial Development (PCD, 17.180.080).**
- 15.** Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]; **The request could not be handled alternatively as a variance.**
- 16.** Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result, there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
- 17.** Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

**A Planned Commercial Development (PCD, 17.180.080)** provides for the maximum attainable commercial usage of a property while employing the best aspects of prior site planning and development controls to ensure the protection of surrounding residential uses, safe access by motorists, minimum traffic congestion; and a development which is consistent with long-range plans

of the county. A limited number of carefully planned residential uses may also be included in a planned commercial development.

**17.380.050. - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in chapter 17.30 to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
  - 1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 17.380.060.C.**
  - 2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
- C. For any application for a slow rate land treatment system (see chapter 17.20), the following additional requirements apply. **This standard is not applicable to the applicant's request.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **The applicant submitted a traffic study conducted by Traffic Impact Group LLC. The analysis shows that right-turn volumes at Access D are below the required threshold, and a waiver is recommended for the right-turn lane at this location. Southbound left-turn lanes are required at both Access C and Access D. The recommended improvements include constructing an eastbound right-turn lane at Access A on Friendship Road (SR 347), a southbound left-turn lane and northbound**

**right-turn lane at Access C, and a southbound left-turn lane at Access D, along with seeking a waiver for the northbound right-turn lane.**

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In an email dated September 16, 2024, Emily McGahee stated “Public Sewer. A Food Service permit/plan review may be required depending on businesses proposed. 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 Marshal**

In an email dated September 19, 2024, John Hornick, NPQ Fire Service Plans Examiner 1, provided the following comments:

- 1) The residential portion of the development has only one entrance off Ridge Rd. The residential development calls for 207 townhomes and 74 single family dwellings. The Rules and Regulations of the State of Georgia 120-3-3 states that developments of one and two family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire access roads. If approved a second access will have to be installed.
- 2) The town home rear alley or street is considered a fire apparatus access and will have to meet the minimum 20' width requirement of the International Fire Code Chapter 5, Section 503.2.1, if approved the town home rear alley or street shall not be less than 20' wide.
- 3) If approved all commercial buildings greater than 12,000 SF or 2 stories or greater in height will be required to have an emergency responder radio frequency test completed to determine the radio signal strength inside the building, any building failing the test will be required to have a bi-directional antenna system designed, installed, and certified.

#### **Hall County Public Works and Utilities**

In a memo dated September 19, 2024, Bill Nash, Director of Public Works and Utilities, provided the following comments:

##### **Engineering:**

This 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 stream buffer and impervious setback from wrested vegetation not centerline of stream

##### **Traffic:**

Hall County commercial standards will apply. This will include but not limited to left and right (decel) lanes. GDOT coordination/comments will also be required due to the proximity to a state controlled intersection.

##### **Utilities:**

Friendship Road Sewer. Property lies in the top of the system and will served by that project by Hall County.

**Georgia Department of Transportation**

In an email dated September 16, 2024, Veronica Chavers, stated that GDOT coordination is required.