

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Steven P. Gilliam

Request Amend Conditions of Zoning | Amend
Conditions of Planned Residential Development
(PRD)

Proposed Use Addition of 38 townhomes to a PRD

Size 20.02± acres

Zoning Planned Residential Development (PRD)

Location **5079 Old Winder Highway** | Tax Parcel 15038
000059

Commission District One

Planning Commission Date December 2, 2024

Staff Recommendation **Approval, with conditions**, as the proposed
amendment does not represent a substantial
deviation from the Planned Residential
Development (PRD) requirements.

Record Number HZCU24-0039

Planning Commission Recommendations **Approve, with conditions**

Vote: 4-0 (Johnny Varner absent)

Planning Commission Conditions:

1. Approval of the amended conditions is contingent upon the approval of the rezoning of 5111 Old Winder Highway (HZON24-0030).
2. The property shall be developed in accordance with the site plan dated August 23, 2024, and as described in the project narrative submitted on October 18, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. All previous conditions of zoning included herein shall apply as listed below, with the exception of those modified for the current application.
 - a. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.

- b. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Director of Planning and Development, or their designee.
- c. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.
- d. The development shall feature sidewalks no less than five (5) feet in width constructed on both sides of all internal streets.
- e. 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.
- f. The development shall be limited to a maximum of two (2) model homes prior to approval and recording of the final plat. Model home permits may 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. No certificate of occupancy permits shall be issued prior to final plat recording.
- g. There shall be a mandatory Homeowner's Association (HOA).
- h. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
- i. All roadways within the development shall be designated and constructed to the Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.
- j. The developer shall be responsible for obtaining all of the necessary permits as well as all costs associated with the improvements recommended by the traffic impact study, such as but not limited to the construction of a left and right turn lane on State Route 211 (aka Old Winder Highway).
- k. All stream buffers must be fully within the Homeowner's Association (HOA) common space and shall not be included on any individual residential building lot.
- l. 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.
- m. The following statement regarding potential impacts of agricultural operations in the area shall be made 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."
- n. All conditions of zoning shall be made part of any plats or construction plans created for the property.
- o. Buildings shall have no more than 6 units per building. Each building shall be staggered back 4-5 feet from the front setback of adjacent buildings.

4. The overall development shall be limited to 120 total townhome units.
5. All residential driveways shall measure no less than 20 feet from back of right-of-way.
6. There shall be a total of 51 guest parking spaces provided as shown on the site plan dated August 23, 2024.
7. The cluster mailbox unit shall have no less than 6 parking spaces.
8. Developer is allowed a maximum of one sales office. Office shall be removed at time of sale of last unit.
9. One construction trailer is permitted, provided the conditions of section 7.9.4.B of the Hall County Unified Development Code are met.
10. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Old Winder Highway right-of-way. Final review and approval is subject to the Director of Planning and Zoning, or their designee.
11. The development shall be subject to all townhome standards as listed in section 7.3.1.F. of the Hall County Unified Development Code.

Excerpts from the minutes of the December 2, 2024 meeting

Applicant's Presentation:

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

Steve Gilliam, 340 Jesse Jewell Parkway, Suite 300, Gainesville, presented the request. The applicant is requesting to amend conditions of a Planned Residential Development (PRD) to allow for the addition of 38 townhomes and 10.00 acres with the incorporation of the adjacent parcel at 5111 Old Winder Highway (part of 15038 000076). The subject property was approved for rezoning from Residential I (R-I) to Planned Residential Development (PRD) by the Hall County Commission on July 11, 2024, for an 82-unit townhome development (HZON24-0002) with an overall density of 4.10 dwelling units per acre subject to twenty-one conditions.

Public Forum:

Jill Cooper, 5125 Old Winder Highway, Braselton, spoke in opposition. Concerns raised were traffic, privacy, and the development's detention pond water runoff.

Rebuttal

The applicant addressed they would follow any improvements required after the traffic impact study.

Cameron Henderson, 4641 Quailwood Drive, Flowery Branch, explained that the topography will direct the water from the development's detention pond into the creek which is located on the property behind the subject development.

Planning Commission Comments:

Mr. Braswell questioned whether a 50 foot undisturbed buffer would be better suited between the development and Ms. Cooper's property. The applicant agreed. Mr. Sosebee asked if the applicant would be okay with installing a fence along Ms. Cooper's property line. The applicant said they would prefer farm fencing for the aesthetics but was open to the board's direction. The Planning Commission discussed with Mr. Henderson how the development's topography would impact stormwater runoff from the detention pond to the creek. Mr. Hunt asked if the sewer system would be gravity flow. The applicant stated it will. Mr. Sosebee asked Ms. Cooper for her preference of fence style for the separation of the two properties. Ms. Cooper stated either chain-link or a solid privacy fence would be acceptable.

Motion: A motion to approve with conditions was made by Frank Sosebee and seconded by Stan Hunt. Vote: (4-0, Johnny Varner absent)

Conditions:

1. Approval of the amended conditions is contingent upon the approval of the rezoning of 5111 Old Winder Highway (HZON24-0030).
2. The property shall be developed in accordance with the site plan dated August 23, 2024, and as described in the project narrative submitted on October 18, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. All previous conditions of zoning included herein shall apply as listed below, with the exception of those modified for the current application.
 - a. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.
 - b. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Director of Planning and Development, or their designee.
 - c. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.
 - d. The development shall feature sidewalks no less than five (5) feet in width constructed on both sides of all internal streets.
 - e. 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.
 - f. The development shall be limited to a maximum of two (2) model homes prior to approval and recording of the final plat. Model home permits may 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. No certificate of occupancy permits shall be issued prior to final plat recording.
- g. There shall be a mandatory Homeowner's Association (HOA).
 - h. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
 - i. All roadways within the development shall be designated and constructed to the Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.
 - j. The developer shall be responsible for obtaining all of the necessary permits as well as all costs associated with the improvements recommended by the traffic impact study, such as but not limited to the construction of a left and right turn lane on State Route 211 (aka Old Winder Highway).
 - k. All stream buffers must be fully within the Homeowner's Association (HOA) common space and shall not be included on any individual residential building lot.
 - l. 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.
 - m. The following statement regarding potential impacts of agricultural operations in the area shall be made 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."
 - n. All conditions of zoning shall be made part of any plats or construction plans created for the property.
 - o. Buildings shall have no more than 6 units per building. Each building shall be staggered back 4-5 feet from the front setback of adjacent buildings.
- 4. The overall development shall be limited to 120 total townhome units.
 - 5. All residential driveways shall measure no less than 20 feet from back of right-of-way.
 - 6. There shall be a total of 51 guest parking spaces provided as shown on the site plan dated August 23, 2024.
 - 7. The cluster mailbox unit shall have no less than 6 parking spaces.
 - 8. Developer is allowed a maximum of one sales office. Office shall be removed at time of sale of last unit.
 - 9. One construction trailer is permitted, provided the conditions of section 7.9.4.B of the Hall County Unified Development Code are met.

10. Detention pond design shall incorporate a bioswale style or similar aesthetic and function if located adjacent to the Old Winder Highway right-of-way. Final review and approval is subject to the Director of Planning and Zoning, or their designee.
 11. The development shall be subject to all townhome standards as listed in section 7.3.1.F. of the Hall County Unified Development Code.
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Staff recommends APPROVAL of the applicant's request with the following conditions:

1. Approval of the amended conditions is contingent upon the approval of the rezoning of 5111 Old Winder Highway (HZON24-0030).
2. The property shall be developed in accordance with the site plan dated August 23, 2024, and as described in the project narrative submitted on October 18, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
3. All previous conditions of zoning included herein shall apply as listed below, with the exception of those modified for the current application.
 - a. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.
 - b. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Director of Planning and Development, or their designee.
 - c. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.
 - d. The development shall feature sidewalks no less than five (5) feet in width constructed on both sides of all internal streets.
 - e. 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.
 - f. The development shall be limited to a maximum of two (2) model homes prior to approval and recording of the final plat. Model home permits may 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. No certificate of occupancy permits shall be issued prior to final plat recording.
 - g. There shall be a mandatory Homeowner's Association (HOA).

- h. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
 - i. All roadways within the development shall be designated and constructed to the Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.
 - j. The developer shall be responsible for obtaining all of the necessary permits as well as all costs associated with the improvements recommended by the traffic study impact study, such as but not limited to the construction of a left and right turn lane on State Route 211 (aka Old Winder Highway).
 - k. All stream buffers must be fully within the Homeowner's Association (HOA) common space and shall not be included on any individual residential building lot.
 - l. 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.
 - m. The following statement regarding potential impacts of agricultural operations in the area shall be made 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."
 - n. All conditions of zoning shall be made part of any plats or construction plans created for the property.
 - o. Buildings shall have no more than 6 units per building. Each building shall be staggered back 4-5 feet from the front setback of adjacent buildings.
- 4. The overall development shall be limited to 120 total townhome units.
 - 5. All residential driveways shall measure no less than 20 feet from back of right-of-way.
 - 6. There shall be a total of 51 guest parking spaces provided as shown on the site plan dated August 23, 2024.
 - 7. The cluster mailbox unit shall have no less than 6 parking spaces.
 - 8. Developer is allowed a maximum of one sales office. Office shall be removed at time of sale of last unit.
 - 9. One construction trailer is permitted, provided the conditions of section 7.9.4.B of the Unified Development Code are met.

Summary Analysis

The applicant is requesting to amend conditions of a Planned Residential Development (PRD) to allow for the addition of 38 townhomes and 10.00 acres with the incorporation of the adjacent parcel at 5111 Old Winder Highway (15038 000076 (pt)). The applicant has a concurrent request for this adjacent parcel to rezone from Agricultural Residential-1 (AR-1)/previously AR-IV to Planned Residential Development (PRD) for the addition of 38 townhomes.

The subject property was approved for rezoning from Residential I (R-I) to Planned Residential Development (PRD) by the Hall County Commission on July 11, 2024, for an 82-unit townhome development (HZON24-0002) with an overall density of 4.10 dwelling units per acre subject to the following 21 conditions:

1. The property shall be developed in accordance with the site plan dated July 10, 2024, and described in the project narrative submitted on July 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of the site plan approval.
2. The development shall be limited to 82 townhome units.
3. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.
4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Assistant Director of Planning and Development, or their designee.
5. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.
6. All residential driveways shall measure no less than 22 feet from the edge of right of way.
7. Garage door width shall not exceed 70% of the width of the front façade of the residence.
8. The development shall feature internal sidewalks no less than five (5) feet in width constructed on both sides of all internal streets.
9. 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.
10. The development shall be limited to a maximum of two (2) model homes prior to approval and recording of the final plat. Model home permits may 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. No certificate of occupancy permits shall be issued prior to Final Plat recording.
11. There shall be a mandatory Homeowner's Association (HOA).
12. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).
13. All roadways within the development shall be designated and constructed to the Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.

14. The developer shall be responsible for obtaining all of the necessary permits as well as all costs associated with the improvements recommended by the traffic study impact study, such as but not limited to the construction of a left and right turn lane on state route 211 (aka Old Winder Highway).
15. All stream buffers must be fully within the Homeowner’s Association (HOA) common space and shall not be included on individual residential building lot.
16. There shall be 43 guest parking spaces provided as shown on the site plan dated July 10, 2024.
17. The cluster mailbox unit shall have no less than 5 parking spaces.
18. 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.
19. The following statement regarding potential impacts of agricultural operations in the area shall be made 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.”
20. All conditions of zoning shall be made part of any plats or construction plans created for the property.
21. Buildings shall have no more than 6 units per building. Each building shall be staggered back 4-5 feet from the front setback of adjacent buildings.

Per the submitted site plan and narrative, the applicant is requesting to amend the current conditions of zoning to allow for the addition of 10 acres and 38 townhome units to the development.

With the approval of the concurrent rezone for the adjacent parcel, the total acreage for the Planned Residential Development will expand to 30.02± acres. As a result, the development’s density will decrease from 4.10 units per acre to 4.00 units per acre. Open space will increase from 40% to 52%. Two additional parks will be added to the two already proposed, and the development will incorporate an additional stormwater pond as well.

The applicant also requests approval for one building to be used as model homes. It is not specified which building will be used for this purpose. The applicant also plans to utilize one temporary sales trailer and one temporary construction trailer.

The table below compares the originally approved design for the current 20.02± acre Planned Residential Development (PRD) to the proposed design for the additional 10 acre± expansion with a summary of changes to overall development parameters for the 30.02± acres:

Development Standard	Original Approval	Proposed Amendment	Overall Development	PRD Requirement
Site Area	20.02± acres	10.00 ± acres	30.02± acres	Complies
Number of Units	82 attached townhome units	38 attached townhome units	120 units	N/A
Density	4.10 U/A	3.80 U/A	4.00 U/A	N/A

Proposed Open Space	11.20 acres	4.40 acres	15.60 acres	Complies
Amenities	2 parks	2 parks	4 parks	Complies
Mail Kiosk (CBU)	1 with 4 parking spaces	2 additional parking spaces	1 with 6 parking spaces	Complies
Guest Parking (Not including CBU parking)	43 parking spaces	2 additional parking spaces	45 parking spaces	Complies
Stormwater Management	1 stormwater pond	1 stormwater pond	2 stormwater ponds	N/A
Minimum Lot Depth	100 ft	87 feet	87 feet	N/A
Temporary Sales Office	0	1	1	N/A
Construction Trailer	0	1	1	N/A

Based on the future land use plan, staff finds the requested zoning designation *is consistent* with the Hall County Comprehensive Plan future land use designation of Regional Activity Nodes & Corridors. The intent of this character area is to include a combination of retail, office, civic, and residential uses that can contribute to a live-work-play environment. This range of development types may not always be at the same intensity across the county; new development needs to be scaled in the context of the area’s infrastructure capacity. New development should also emphasize high-quality building and site design, including dedicated open/civic space, walkability, and a sense of place. Where there is residential development, a maximum density of up to 16 dwellings per acre may be permitted at the discretion of the BOC.

Zoning Analysis

Per Planning Commission and Hall County Commission consideration and decision (11.2.6.F), the board shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

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 requested use is consistent with the previous approval for the Planned Residential Development on July 11, 2024.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **No, it is not anticipated that the proposed residential use will adversely affect adjacent properties.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property has reasonable economic use as currently zoned Planned Residential Development (PRD).**
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; **It is not anticipated that the proposed zoning use will result in an excessive or burdensome use of existing infrastructure.**

The proposal has received availability letters for both water and sewer to service this development.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use is consistent with the Comprehensive Plan and the Regional Activity Nodes & Corridors land use designation, which envisions a maximum density of up to 16 dwelling units per acre at the discretion of the Board of Commissioners.**
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 property is currently undeveloped. However, it was approved with conditions on July 11, 2024 for rezoning to Planned Residential Development for an 82 unit townhome 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; **There are no other known existing or changing conditions affecting the use or development of the property giving supporting ground for approval or denial.**
11. Whether the change would create an isolated district unrelated to the surrounding districts; **The request is to amend conditions of an existing Planned Residential Development (PRD). Per the Official Code of Hall County, the Planned Development District is 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.**
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 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 varied housing.**
14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The existing zoning of the subject site supports the proposed use.**

However, the rezoning of the adjacent parcel for the expansion of the PRD and the increase in the number of proposed townhomes requires an amendment to the existing zoning conditions.

15. Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **No, the request could not be handled instead by 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 are no anticipated ecological or pollution impacts 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.**

11.2.6.E. - Submission requirements

- 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 Table 11.2.1 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, and the applicant 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 11.2.6.E of this section [chapter]. **The proposal does provide a narrative outlining the intent of the request.**
 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 this requirement.**
- C. For any application for a slow rate land treatment system (see section 11.2.6.E.2.c), the following additional requirements apply. **The proposed development will utilize public water and sewer; as such, this is not applicable**
- 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 Southeastern Engineering, Inc. which recommended that both a left and right-turn lane be constructed on State Route 211 (aka Old Winder Highway).**

Development Support and Constraints

Hall County Environmental Health

In an email dated October 3, 2024, Emily McGahee stated “No comment. Public sewer.”

Hall County Fire Marshal

In an email dated October 4, 2024, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated, “The Hall County Fire Marshal’s Office has no comments as proposed.”

Hall County Public Works and Utilities

In a memo dated October 3, 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.

Traffic:

GDOT permit is required, on street parking is prohibited without a variance, and mail kiosk site does not meet Hall County Standards.

Utilities

Offsite easement required, system extension at developments expense.

Georgia Department of Transportation

In an email dated October 1, 2024, Veronica Chavers, D1TO Civil Engineer III, stated that GDOT coordination is required.