

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant The Revive Land Group, LLC

Request **Rezone** | from Agricultural Residential 1 (AR-1)
to Residential Mixed (R-X)

Proposed Use 248-lot residential development

Size 101.57± acres

Zoning **Current:** Agricultural Residential 1 (AR-1) |
Proposed: Residential Mixed (R-X)

Location **4844, 4841 & 4865 Cagle Road** | Tax parcels
09091 000001, 000002, & 000003

Commission District Three

Planning Commission Date February 17, 2025
March 17, 2025

Staff Recommendation **Approval, with conditions**, as the proposed
zoning and use are consistent with the
“Employment Nodes and Corridors” future land
use classification within the Comprehensive
Plan

Record Number(s) HZON24-0047

Planning Commission Recommendation **Approval, with conditions**

Vote: 4-1 (Davidson opposed)

Planning Commission Conditions:

1. The property shall be developed in accordance with the site plan dated March 4, 2025, and as described in the project narrative dated February 24, 2025 and supplemental narrative dated March 4, 2025, 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 207 detached single-family residences and 55 townhomes.
3. The minimum heated floor area (HFA) for the townhomes shall be 1,600 square feet and the homes shall not exceed a height of 35 feet.
4. The minimum lot size for the detached single-family homes shall be 8,000 square feet. The minimum heated floor area (HFA) for the single-family homes shall be 1,800 square feet and the homes shall not exceed a height of 35 feet.
5. All single-family homes and townhomes shall provide two car garages in addition to driveways that accommodate two parked cars. Driveways shall measure no less than 22 feet from back of sidewalk to the front of the garage door. All garages are permitted to be front loaded.
6. Amenities including walking trails, pocket parks, pool and cabana, and fire pit, shall be completed prior to the issuance of thirty percent (30%) of the certificates of occupancy. Additional amenities may be constructed by the developer subject to the review and approval of the Director of Planning and Zoning, or their designee.
7. 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.
8. Access to the development shall be approved by Hall County Engineering 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. Additionally, any Cagle Road improvements within the railroad right-of-way will require approval/permitting from the Railroad. Any costs associated with these improvements shall be the responsibility of the developer.
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 development shall be limited to a maximum of ten (10) model homes prior to approval and recording of the final plat, provided that the standards of section 7.9.5.C. of the Hall County Unified Development Code are met.
12. One sales office and one construction trailer shall be permitted, provided that the conditions of Section 7.9.4.B. & C. of the Hall County Unified Development Code are met.
13. 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.”

14. No variances or development exceptions are granted as part of this request.
15. All conditions of zoning shall be made part of any plats created for the property.
16. All corner lots shall meet the minimum yard standards of Table 4.5.1. R-X Dimensional Standards.
17. The site shall be developed in accordance with the conceptual site plan dated March 4, 2025 and narrative dated February 24, 2025 and supplemental narrative dated March 4, 2025 submitted as part of this application. Minor changes as to location of units within the site and number of units by type can be approved by the Director of Planning and Zoning, or their designee, provided there is no increase in the number of units beyond its corresponding maximum.
18. There shall be a secondary ingress/egress installed once 120 units have been approved by preliminary plat per Hall County Fire Code.
19. A second fully functioning entrance and exit will be constructed per Hall County code once 150 lots are approved by preliminary plat.

Excerpts from the minutes of the March 17, 2025 meeting

Applicant's Presentation:

Katie Greenway, Planning and Zoning Administrator, presented a summary of the request including the revisions to the updated site plan in response to the board's concerns from the February 17, 2025 Planning Commission Meeting.

Public Forum:

As the public hearing was held at the February 17, 2025 Planning Commission meeting, the public hearing was not reopened at this meeting.

Planning Commission Comments:

Mr. Hunt verified that the revised application complies with the Residential Mixed (R-X) zoning standards, which Ms. Greenway confirmed. After a motion was made and the board completed reading the recommended conditions, Mr. Braswell asked Beth Garmon, Director of Planning and Zoning, if the application remained fully compliant with the Residential Mixed (R-X) standards. Ms. Garmon confirmed that the conditions still fully align with the zoning standards.

Motion: A motion to approve, with conditions was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-1 (Davidson opposed)

Conditions:

1. The property shall be developed in accordance with the site plan dated March 4, 2025, and as described in the project narrative dated February 24, 2025 and supplemental narrative dated March 4, 2025, 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 207 detached single-family residences and 55 townhomes.
3. The minimum heated floor area (HFA) for the townhomes shall be 1,600 square feet and the homes shall not exceed a height of 35 feet.
4. The minimum lot size for the detached single-family homes shall be 8,000 square feet. The minimum heated floor area (HFA) for the single-family homes shall be 1,800 square feet and the homes shall not exceed a height of 35 feet.
5. All single-family homes and townhomes shall provide two car garages in addition to driveways that accommodate two parked cars. Driveways shall measure no less than 22 feet from back of sidewalk to the front of the garage door. All garages are permitted to be front loaded.
6. Amenities including walking trails, pocket parks, pool and cabana, and fire pit, shall be completed prior to the issuance of thirty percent (30%) of the certificates of occupancy. Additional amenities may be constructed by the developer subject to the review and approval of the Director of Planning and Zoning, or their designee.
7. 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.
8. Access to the development shall be approved by Hall County Engineering 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. Additionally, any Cagle Road improvements within the railroad right-of-way will require approval/permitting from the Railroad. Any costs associated with these improvements shall be the responsibility of the developer.
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 development shall be limited to a maximum of ten (10) model homes prior to approval and recording of the final plat, provided that the standards of section 7.9.5.C. of the Hall County Unified Development Code are met.
12. One sales office and one construction trailer shall be permitted, provided that the conditions of Section 7.9.4.B. & C. of the Hall County Unified Development Code are met.
13. 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.”
14. No variances or development exceptions are granted as part of this request.
15. All conditions of zoning shall be made part of any plats created for the property.
16. All corner lots shall meet the minimum yard standards of Table 4.5.1. R-X Dimensional Standards.
17. The site shall be developed in accordance with the conceptual site plan dated March 4, 2025 and narrative dated February 24, 2025 and supplemental narrative dated March 4, 2025 submitted as part of this application. Minor changes as to location of units within the site and number of units by type can be approved by the Director of Planning and Zoning, or their designee, provided there is no increase in the number of units beyond its corresponding maximum.
18. There shall be a secondary ingress/egress installed once 120 units have been approved by preliminary plat per Hall County Fire Code.
19. A second fully functioning entrance and exit will be constructed per Hall County code once 150 lots are approved by preliminary plat.

Excerpts from the minutes of the February 17, 2025 meeting

Applicant's Presentation:

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

Neville Allison, 3500 Lenox Road, Suite 625, Atlanta presented the request with a PowerPoint. The applicant is requesting to rezone a combined 101.57± acre tract from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) for a 248-lot residential development. The proposed development includes 193 single-family detached residences and 55 cottage homes, along with various amenity features. The overall density for the development is 2.44 dwelling units per acre.

Steven Gilliam, 340 Jesse Jewell Parkway, Gainesville presented the request.

Barry Ethridge, 3500 Lenox Road, Suite 625, Atlanta presented the request.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Hunt asked for a summary of the updated site plan that was submitted the day of the meeting. Mr. Ethridge explained there are now three access points to the stormwater pond, 63 on-street parallel parking spaces were added, 61 parking spaces were added in the amenity area, and monument signage is shown at three different locations. Mr. Hunt asked if this application follows the Unified Development Code's R-X zoning requirements for the cottage courts house type. Mr. Braswell answered that the application did not. Mr. Hunt explained that because this is a new zoning designation, the board expects the requirements to be followed. Mr. Hunt proposed to table the application to allow the applicant time to adjust the plan to the zoning requirements, revise their narrative to show a phasing plan and detail when the amenities would be fully built out. Ms. Garmon proposed if the item was tabled to March 17, 2025, they could still be on the agenda for the Board of Commissioners meeting on March 27, 2025.

Mr. Braswell stated that the public portion would remain closed at the next Planning Commission meeting on March 17, 2025.

Motion: A motion to table to March 17, 2025 was made by Stan Hunt and seconded by Frank Sosebee. Vote: 4-0 (Varner absent)

NOTE: Staff report was published on February 10, 2025 and is based on the proposed development dated January 2, 2025. See memo dated March 10 for staff analysis of the revised site plan and supplemental narrative dated March 4, 2025.

Staff recommends APPROVAL of the applicant's requests with the following conditions:

1. The property shall be developed in accordance with the site plan dated January 2, 2025, and as described in the project narrative dated January 2, 2025, 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 193 detached single-family residences and 55 detached cottage homes.
3. The minimum lot size for the detached cottage homes shall be 4,000 square feet. The minimum heated floor area (HFA) shall be 1,600 square feet and the homes shall not exceed a height of 35 feet.
4. The minimum lot size for the detached single-family homes shall be 8,000 square feet. The minimum heated floor area (HFA) shall be 1,800 square feet and the homes shall not exceed a height of 35 feet.

5. All single-family homes and cottage homes shall provide two car garages in addition to driveways that accommodate two parked cars. Driveways shall measure no less than 20 feet from back of right-of-way or alleys/private drives to the front of the garage door.
6. Amenities including walking trails, pocket parks, pool and cabana, fire pit and communal courtyards, shall be completed prior to the issuance of fifty percent (50%) of the certificates of occupancy. Additional amenities may be constructed by the developer subject to the review and approval of the Director of Planning and Zoning, or their designee.
7. 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 and 20 foot alleys/private drives 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.
8. All alleys/private drives shall be the responsibility of the Homeowners Association and will not be accepted or maintained by Hall County as a roadway.
9. Access to the development shall be approved by Hall County Engineering 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. Additionally, any Cagle Road improvements within the railroad right-of-way will require approval/permitting from the Railroad. Any costs associated with these improvements shall be the responsibility of the developer.
10. 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.
11. 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.
12. The development shall be limited to a maximum of ten (10) model homes prior to approval and recording of the final plat, provided that the standards of section 7.9.5.C. of the Hall County Unified Development Code are met.
13. One sales office and one construction trailer shall be permitted, provided that the conditions of Section 7.9.4.B. & C. of the Hall County Unified Development Code are met.
14. 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."

15. 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 Unified Development 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. Where there are discrepancies between the proposed standards and County regulations, the County regulations shall overrule unless otherwise approved herein.
16. All conditions of zoning shall be made part of any plats created for the property.

The following are variances requested by the applicant, and shall warrant determination by the Board should it choose to approve the submitted narrative and site plan:

1. **Table 4.5.1 – R-X Dimensional Standards** – Minimum lot size is 8,000 square feet; minimum lot frontage is 50 feet; and minimum front yard setback is 30 feet.
 - The applicant is requesting the following for the cottage home housing type:
 - i. 4,000 square feet minimum lot size
 - ii. 41 foot minimum lot width
 - iii. 15 foot front yard setback
2. **Section 2.1.4.5 – Yard, Corner lot** - On corner lots, the side yard adjacent to the street must be at least 30 feet from the property line or same as the front yard setback as indicated in Sec. 2.1.4.5. also shown in fig. 2-3
 - The narrative proposes a 5 foot setback for the non-front-facing side of corner lots.
3. **Section 2.1.2. – Frontage** – No principal building may be placed or erected on any lot which does not abut a street or road shown on the official county road map or otherwise maintained by a governmental unit, an existing public way not maintained by the county, or a newly created street which meets the standards of the county subdivision regulations.
 - Frontage for cottage homes are proposed to be off of alleys/private drives.

Summary Analysis

The applicant is requesting to rezone a combined 101.57± acre tract from Agricultural Residential 1 (AR-1) to Residential Mixed (R-X) for a 248-lot residential development. The proposed development includes 193 single-family detached residences and 55 cottage homes, along with various amenity features. The overall proposed density for the development is 2.44 dwelling units per acre.

The surrounding properties are zoned and developed as outlined below:

North: Planned Commercial Development (PCD) – Currently undeveloped.

- East: Planned Commercial Development (PCD) – Currently undeveloped, Planned Industrial Development (PID), – Currently undeveloped, and Agricultural Residential 1 (AR-1) – Developed with single-family residences.
- South: Agricultural Residential 1 (AR-1) - Developed with single-family residences.
- West: Light Industrial (I-1) – Under development for an Industrial Park., Planned Industrial Development (PID) – Under development for a Cold Storage Facility., and Agricultural Residential 1 (AR-1) – Developed with single-family residences.

The subject parcel is boarded by Cornelia Highway to the north and west and a railroad to the south, with Cagle Road bisecting a section of the subject parcel along the southeastern boundary. Additionally, a portion along the southern edge of the subject parcel falls within the North Oconee Water Supply Watershed District.

The application proposes that the minimum lot area of the single-family residences will be 8,000 square feet, with a minimum of 1,800 square feet of heated floor area per unit. The minimum lot area for cottage homes will be 4,000 square feet, with a minimum of 1,600 square feet of heated floor area per unit. Cottage homes will be on individual lots, and will front the 20 foot wide private drive while the back of the homes will face a shared courtyard.

Per the submitted site plan and narrative, the development will have three access points: two entrances on Cagle Road for the northern section, and a third entrance for the southern section. Sidewalks 5 feet in width will be provided on both sides of the streets throughout the development to ensure internal pedestrian connection within the development. The site plan also shows that open space will make up 53% of the total site area with a 20 foot wide landscape strip provided along the external boundaries.

The applicant states that the community amenities will contain walking trails, pocket parks, pool and cabana, fire pit and communal courtyards. A playground, additional pocket parks and pickle ball courts may be included at the discretion of the developer. A cluster mailbox unit (CBU) will be installed at the clubhouse and a homeowners association will be established to maintain the development.

Per the submitted narrative, the applicant requests approval to issue ten (10) model home permits prior to final plat recording. Additionally, they are requesting one sales trailer and one construction trailer to serve the subdivision during development.

Water service will be provided by the City of Gainesville Department of Water Resources as confirmed by an availability letter dated January 23, 2025. Sanitary sewer services will be provided by Hall County as confirmed by an availability letter on December 19, 2024.

The applicant submitted a traffic study conducted by A&R Engineering Inc., which includes the following recommendations:

- Site Driveway 1: Located on the southwest corner of the development, this entrance will have one entering lane, one exiting lane, a left-turn lane for entering traffic, and stop-sign control at the driveway approach, with adequate sight distance as per AASHTO standards.

- Site Driveway 2: Located on the southeast section, this entrance will feature one entering lane, one exiting lane, a right-turn lane for entering traffic, and stop-sign control, along with sight distance meeting AASHTO standards.
- Site Driveway 3: Located on the south side of Cagle Road, this entrance will include one entering lane, one exiting lane, stop-sign control at the driveway approach, and sight distance in compliance with AASHTO standards.

The development standards for the project are described in the table below:

Development Standard	Single-family residence	Cottage homes	Required	Compliance
Site Area	101.57± acres		30,000 sq ft	Complies
Density	2.44 U/A		8 U/A	Complies
Open Space	53% (54.269 acres)		30%	Complies
Exterior Landscape Strip	20 feet		N/A	N/A
Sidewalks	5 feet on both sides of street		5 feet	Complies
Number of Units	193	55	N/A	N/A
Minimum Lot Area	8,000 sq ft	4,000 sq ft*	8,000 sq ft	Deficient
Minimum Lot Frontage	50 feet	41 feet*	50 feet	Deficient
Maximum Height	35 feet	35 feet	50 feet	Complies
Minimum Heated Floor Area	1,800 sq ft	1,600 sq ft	N/A	N/A
Front Yard	25 feet	15 feet*	25 feet	Deficient
Corner Lot (Non-Front Side)	5 feet*	5 feet*	25 feet	Deficient
Side Yard	5 feet	5 feet	5 feet	Complies
Rear Yard	10 feet	10 feet	10 feet	Complies
Note: Items marked with an asterisk (*) do not conform to Section 4.5 or are unspecified in the application				

Based on the future land use plan, staff finds the requested rezoning *is consistent* with the Hall County Comprehensive Plan future land use designation of Employment Nodes and Corridors. Hall County has an economy that is not only strong, but continues to grow, necessitating a need for land that can accommodate both the uses and activity they will generate. These new employment nodes and corridors should consist of industrial and/or office uses housed in either formalized campuses or along major road corridors that have existing or future access to water and sewer. These areas may also include higher density residential uses, where appropriate. In some areas of the county, this future land use allows limited residential intended to house employees of nearby industries. Where there is residential development, the density may be up to 16 dwellings per acre.

The development has an overall proposed density of 2.44 units per acre.

Zoning Analysis

When considering a zoning amendment to the zoning maps, the Planning Commission must 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 must be considered:

- a) Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **The proposed Residential Mixed (R-X) zoning district for a 248-lot residential subdivision is consistent with the future land use designation of Employment Nodes and Corridors, as the proposed development has an overall density of 2.44 units per acre. The surrounding area consists of a variety of land uses which include residential, agricultural, industrial, and commercial uses.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The proposed rezoning does not adversely affect the existing use or usability of adjacent residential properties.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned; however, the applicant cannot develop the property as proposed without approval by the Board of Commissioners.**
- d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **The proposed rezoning is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection public facilities, or emergency medical service. The property will be served by Hall County Sewer and City of Gainesville public water.**
- e) Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use is consistent with the Comprehensive Plan and the Employment Nodes and Corridors land use designation. The Employment Nodes and Corridors designation envisions a density of up to 16 dwelling units per acre. This development has an overall proposed density of 2.44 units per acre**
- f) 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 affected by the existing zoning restrictions.**
- g) 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.**

- h) 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.**
- i) 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 developed with four residences and several accessory structures.**
- j) 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 affecting the use or development of the property; however, the development of the Inland Port will continue to bring a need for additional and a variety of housing types for this area.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **The Hall County Comprehensive Plan and Unified Development Code adopted in 2024 established the Residential Mixed (R-X) zoning district. As such, the rezoning of this property to Residential Mixed (R-X) would not be considered an isolated district as the property meets the minimum acreage and housing type percentage standards.**
- l) 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.**
- m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The proposed development 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 options.**
- n) 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; however, the development as proposed cannot be developed in any of the existing residential without approval from the Board of Commissioners.**
- o) 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.**
- p) 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.**

- q) 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

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must 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.**
2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:
 - a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **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 11.2.6.E.2.**
 - b. 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 may 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 as defined in 7.6.9.D.1, 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 must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **The applicant submitted a traffic study conducted by A&R Engineering Inc. The analysis recommends:**

- **Site Driveway 1 will feature one entering lane and one exiting lane, with stop-sign control on the driveway approach while Cagle Road remains free-flowing. A left-turn lane will be provided for entering traffic, and adequate sight distance will be confirmed per AASHTO standards.**
- **Site Driveway 2 will have one entering and one exiting lane, stop-sign control on the driveway approach, and a right-turn lane for entering traffic, with sight distance verified per AASHTO standards.**
- **Site Driveway 3 will include one entering and one exiting lane, stop-sign control on the driveway approach, and confirmation of adequate sight distance per AASHTO standards.**

Development Support and Constraints

Hall County Environmental Health

In an email dated January 16, 2025, Emily McGahee stated, “Public Sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.”

Hall County Fire Marshal

In an email dated January 15, 2025, John Hornick, NPQ Fire Service Plans Examiner 1, stated, “The Hall County Fire Marshal’s Office considers the plan conceptual in nature and if approved may require modifications during the development review process to meet fire code.”

Hall County Public Works and Utilities

In a memo dated January 17, 2025, 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:

Left and right turn lanes required for site driveways 1 and 2 on Cagle Road.

All internal roadways will need to meet Hall County standards unless specific variances are requested justified and approval.

Any Cagle Road improvements within Rail Road right-of-way will require approval/permit from the Railroad.

Mail kiosk site for the north eastern development does not meet Hall County requirements

Recommend GDOT comments regarding access proximity to SR 365 and SR 52.

Utilities

Hal County will serve the property with sanitary sewer via a proposed new on-site pump station, by interrupting repumping the existing force main located along the property frontage on Hwy 365.

We have no objections to this plan. Please note, the proposed new pump station shall be designed and installed at the developer's expense.

Georgia Department of Transportation

In an email dated January 13, 2025, Henry Stevens, E.I.T., GDOT Civil Engineer 2, stated that GDOT coordination is required.