

HALL COUNTY PLANNING COMMISSION
RECOMMENDATION
REPORT

Applicant Koons Environmental Design, Inc. c/o Josh H. Koons

Request **Rezone** | from Vacation Cottage (V-C) to Planned Commercial Development (PCD)

Proposed Use Campground and event facility

Size 47.14± acres

Zoning **Current:** Vacation Cottage (V-C) | **Proposed:** Planned Commercial Development (PCD)

Location **6700 & 6702 Yellow Creek Road** | Tax Parcel 11135 000001 & 000001E

Commission District Two

Planning Commission Date April 7, 2025

Staff Recommendation **Denial**, as the proposed use is inconsistent with the “Lakeside Residential” future land use classification within the Comprehensive Plan

Record Number(s) HZON25-0011

Planning Commission Recommendation..... **Denial**

Vote: 5-0

Excerpts from the minutes of the April 7, 2025 meeting

Applicant’s Presentation:

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

Alon Rosner, 4180 Big Creek Overlook, Alpharetta, presented the request. The applicant is requesting to rezone a combined 47.14± acre tract from Vacation Cottage (V-C) to Planned Commercial

Development (PCD) for a campground and event facility. The property is currently developed with a single-family home, a barn, and a shed constructed in 1970 as well as two docks. The subject property is zoned Vacation Cottage (V-C) and is located east of the Hall-Lumpkin County line. The rear and part of the right side of the property abut property managed by the U.S. Army Corps of Engineers along Lake Lanier. In 2022, a short-term rental permit was issued for 6700 Yellow Creek Road (RES2022-01604) and that business license remains active for the rental (HBUSR24-2820).

Public Forum:

Greg Rutledge, 7724 Barkers Bend Drive, Murrayville, spoke in opposition. Concerns raised were that the proposal does not align with the comprehensive plan, the development is disruptive to the community's character, and the commercial aspect of the zoning is inconsistent with the area.

Armand Thiess, 7090 Spring Valley Drive, Murrayville, spoke in opposition. Concerns raised were that the proposal does not align with the residential area, the development would bring an increase in traffic, noise pollution and crime. Mr. Thiess was also concerned about the number of trees that would be removed.

Bronier Cost, 7710 Sourwood Lane, Murrayville, spoke in opposition. Concerns raised were that the development is averse to the surrounding residential communities, that it does not comply with the comprehensive plan, would bring an increase in noise pollution and traffic.

Ken Singleton, 6641 Yellow Creek Road, Murrayville, spoke in opposition. Concerns raised were the increase in traffic, noise pollution, and that the proposal goes against the rural character of the community.

Phillip Perry, 8018 Hickory Court, Murrayville, spoke in opposition. Concerns raised were that the project does not align with the surrounding community's character and would cause property damage and increased traffic.

Rebuttal

The applicant explained that he does not anticipate that the development would bring a lot of traffic due to the limited amount of glamping camp sites. The applicant also does not foresee commercial vehicles being needed on the property. He acknowledged the community's concerns.

Planning Commission Comments:

Mr. Hunt asked about the total occupancy of the development, and the applicant estimated 250 to 300 people. Mr. Hunt inquired about the square footage of the venue. The applicant stated that the exact size has not yet been determined.

Motion: A motion to deny was made by Stan Hunt and seconded by Johnny Varner. Vote: 5-0

Staff recommends DENIAL of the applicant's request.

Summary Analysis

The applicant is requesting to rezone a combined 47.14± acre tract from Vacation Cottage (V-C) to Planned Commercial Development (PCD) for a campground and event facility. The property is currently developed with a single-family home, a barn, and a shed constructed in 1970 as well as two docks.

The subject property is zoned Vacation Cottage (V-C) and is located to the east of the Hall-Lumpkin county line. The rear and right side of the property abut property managed by the U.S. Army Corps of Engineers along Lake Lanier. In 2022, a short-term rental permit was issued for 6700 Yellow Creek Road (COD2022-00900, RES2022-01604) and that business license remains active for the rental (HBUSR24-2820).

The surrounding properties are zoned and developed as outlined below:

- North: Army Corps of Engineers property (Lake Lanier)
- South: Residential 1 (R-1): Developed with single-family residences
Vacation Cottage (V-C): Developed with single-family residences
- East: Agricultural Residential 1 (AR-1): Developed with single-family residences
Vacation Cottage (V-C): Developed with single-family residences.
- West: Agricultural Residential 1 (AR-1): Developed with single-family residences

Per the submitted narrative and site plan, the proposed Planned Commercial Development (PCD) features “glamping” sites; glamping, a term for “glamorous camping,” provides luxury camping that combines outdoor experiences with the comforts of a hotel. The glamping sites would include geodesic domes with parking, water, and electricity, as well as a shared bathhouse with laundry facilities. The development also proposes short term rental units, identified as event venue suites. The project includes shared amenity spaces, a large event facility, a chapel/performance venue, and an existing barn to be used as additional event space.

According to the site plan, the applicant is proposing the following:

- 14 glamping domes
- 2 campground offices
- 8 event venue suites
- 1 residence to potentially be used as a short term rental (existing)
- 1 large event space
- 1 chapel/performance venue
- 1 barn to potentially be used as event space (existing)

The narrative states that the larger event venues will accommodate between 100 and 200 people and the performance hall will hold 100 to 130 people. Furthermore, the narrative states that the large event venue will include a kitchen to support external catering, or a commercial kitchen would be available for on-site catering. Changing rooms and dining areas are also being considered for the large venue. The event suites are proposed to range from 300 to 500 square feet and a total of 31 parking spaces, between two parking areas, are provided for the development.

Water service will be provided by the City of Gainesville Department as confirmed in an email dated January 22, 2025. Sanitary sewer services will be provided by on-site septic systems.

Comprehensive Plan Land Use Designation

Based on the future land use plan, staff finds the requested zoning designation *is not consistent* with the Hall County Comprehensive Plan future land use designation of “Lakeside Residential”. The intent of this land use designation is to preserve established lakefront neighborhoods and create opportunities for permanent and vacation residences along and adjacent to the lake. The proposed development is unique in nature and was not contemplated as a typical request when drafting the Comprehensive Plan; however, the intent of this future land use designation is to support resort-style development where appropriate.

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 zoning proposal does not align with the existing zoning or development of the surrounding properties as surrounding properties are developed with single family homes. The proposal is more commercial in nature offering short term rental and camping options in Phase One as well as a large event space with associated overnight accommodations in Phase Two.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **Nearby and adjacent parcels are currently developed with single-family residences at a similar density to the proposed project. However, the campsites and multiple short term rentals pose a risk of adversely affecting the adjacent residences, and the event spaces would potentially draw large groups of people and associated traffic and noise.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property appears to have reasonable economic use as currently zoned Vacation Cottage (V-C).**
- 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; **If approved, the use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service. The property will be served by onsite septic systems 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 development is not consistent with the Comprehensive Plan’s future land use designation of Lakeside Residential which**

intends to preserve established lakefront neighborhoods while supporting opportunities for permanent and vacation residences along and adjacent to the lake.

- 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 diminished 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 subject property is currently developed with a single-family home and a barn.**
- 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**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **The proposed zoning is a Planned Commercial Development (PCD). Per the Hall County Unified Development Code, Planned Development Districts 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.**
- 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; **No, the request is not out of scale with the needs of the county as a whole.**
- n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **There are no other properties within the county that**

support this specific use. The Future Land Use map does not include this unique development, making it appropriate for a Planned Development zoning designation.

- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request for rezoning 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.**

The intent of a Planned Development District (PD) is to permit for the development of property which allows for greater flexibility in development standards and site planning considerations; is in the best interest of Hall County in terms of its long-range development plans; and encourages a mixture of uses which without proper design and planning might not be compatible with surrounding uses or zoning districts. A Planned Commercial Development (PCD) is designed to provide for the maximum attainable commercial usage of property while employing the best aspects of site planning and development controls to insure; 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.

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 **This standard is not applicable to the applicant's request.**

Development Support and Constraints

Hall County Environmental Health

In an email dated March 4, 2025, Emily McGahee stated, "Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by Environmental Health. Wastewater treatment and disposal will be required to be permitted through EPD if total gallons per day is greater than 10,000gpd. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Tourist Accommodation permit/plan review and/or Food Service permit/plan review will be required after review of business plan."

Hall County Fire Marshal

In an email dated March 6, 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."

Hall County Public Works and Utilities

In a memo dated March 6, 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. Show FEMA and Hall County studied Flood plains that are present on site.

Traffic:

Access will need to meet Hall County standards

Utilities

No comment

Georgia Department of Transportation

In an email dated March 3, 2025, Henry Stevens, E.I.T., GDOT Civil Engineer 2, stated that GDOT coordination is not required.