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## Opposition to Proposed Development on Cagle Mill Road

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**From** hurst0309@aol.com <hurst0309@aol.com>

**Date** Wed 6/11/2025 4:10 PM

**To** Planning <planning@hallcounty.org>; Katie L. Greenway (CDI: Planning) <klgreenway@hallcounty.org>; Stan Hunt <shunt@hallcounty.org>

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**Brett & Mary Ann Hurst**  
4690 Cagle Mill Road  
Lula, GA 30554

**Date:** June 11, 2025

**Hall County Planning Commission**  
2875 Browns Bridge Road  
Gainesville, GA 30504

Dear Members of the Hall County Planning Commission,

We are writing as concerned residents of Hall County to respectfully voice our opposition to the proposed 323-unit residential development by BCBTR LLC, planned to be built directly across the street from our rural home, located off of Cagle Mill Road, which is a narrow, dirt and gravel road. (See attached images.)

We are concerned about the influx of traffic that comes along with a neighborhood that large, and the lack of infrastructure to support such a development.

We moved away from Flowery Branch 9 years ago, to Lula to experience the nature and beauty the country has to offer, yet still be in Hall County, which we love, and has been our home for 27 years.

Unfortunately, we are not able to attend the meeting on July 7. We have not received a letter of any kind acknowledging this project, nor information explaining the process; therefore we have other obligations on this night. Please contact us with any further information.

We urge the Planning Commission to reject the rezoning and development proposal by BCBTR LLC and protect the rural nature of this area for current and future residents.

Thank you for your consideration.

Sincerely,

*Brett & Mary Ann Hurst*











Print

Planning Commission Comments - July 7, 2025 - Submission #120041

Date Submitted: 7/6/2025

Comments completed in the form below will be submitted into the record for the July 7, 2025 meeting of the Hall County Planning Commission.

First Name*	Last Name*
Lee	McMichael

Address1\*

5429 Whitehall Road

Address2

City*	State*	Zip*
Lula	GA	30554

Zoning Item for Comment\*

4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

Your Comments\*

My family moved to Whitehall Road 47 months ago to have more land and get away from "suburb life." When I saw the Cagle Mill Rd/Noah Martin Dr rezone on your agenda last year, I attended meetings to voice my disapproval. The item was tabled at every meeting I attended. Now, here it is again. I am still opposed to this rezone for a subdivision. Mainly due to the back exit that come out on Whitehall, some 100 yards from my house. These 323 family units & 217 town houses will add another 500+ vehicles into my neighborhood. And I am aware the blueprint shows it gated but I have learned it's recommended for a full access entrance! This is not why I moved to Lula. Please reject this entire concept and never consider such in the future.

Please write your comments in the box above.

**File Upload**

No file chosen

If you have files, such as photos, videos or text documents to include with your comments, upload them in the box above.

**Would you like follow-up communication?**

Please leave an email address and/or phone number if you would like a Hall County staff member to follow-up with you.

Print

Planning Commission Comments - July 7, 2025 - Submission #120045

Date Submitted: 7/6/2025

Comments completed in the form below will be submitted into the record for the July 7, 2025 meeting of the Hall County Planning Commission.

First Name\*

Mary

Last Name\*

McMichael

Address1\*

5429 Whitehall Road

Address2

City\*

Lula

State\*

GA

Zip\*

30554

Zoning Item for Comment\*

4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.



## Your Comments\*

Hall County has been growing at a rapid pace. Most of that growth is welcome. However, we must consider the long-term negative impacts of continued development on our natural resources. I respectfully submit my concerns regarding a subdivision development in the Lula area:

- Degrading of the soil, which leads to erosion, and potential flash flooding.

Please see these links describing problems with degraded soil:

[https://www.bing.com/videos/riverview/relatedvideo?](https://www.bing.com/videos/riverview/relatedvideo?&q=degrading+the+soil+creates+flash+flooding&&mid=DA978B8EF7B933527D22DA978B8EF7B933527D22&&FORM=VRDGAR)

[https://www.bing.com/videos/riverview/relatedvideo?](https://www.bing.com/videos/riverview/relatedvideo?q=andrew+millison+degrading+the+soil&mid=7D4327611A83214B50777D4327611A83214B5077&FORM=VIRE)

[https://www.bing.com/videos/riverview/relatedvideo?](https://www.bing.com/videos/riverview/relatedvideo?q=andrew+millison+degrading+the+soil&mid=7D4327611A83214B50777D4327611A83214B5077&FORM=VIRE)

[https://www.bing.com/videos/riverview/relatedvideo?](https://www.bing.com/videos/riverview/relatedvideo?q=andrew+millison+degrading+the+soil&mid=7D4327611A83214B50777D4327611A83214B5077&FORM=VIRE)

- Decrease of rainfall due to absence of trees. Please see this link: Trees make Rain - there's science now to prove it!

- Increased pollution in our waterways from household and lawn care chemicals

- Increased displacement of wildlife

- Increased light pollution

Hall County is a beautiful place to live and work. Let's preserve that natural beauty! As members of the Planning Commission, you have a responsibility to the people of Hall County to protect our waterways and soil. Protect our forested land. I urge you to reject any and all new subdivision projects in Lula.

Please write your comments in the box above.

## File Upload

No file chosen

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Planning Commission Comments - July 7, 2025 - Submission #120046

Date Submitted: 7/6/2025

Comments completed in the form below will be submitted into the record for the July 7, 2025 meeting of the Hall County Planning Commission.

First Name\*

Robert

Last Name\*

Parks

Address1\*

5437 Whitehall Rd

Address2

City\*

Lula

State\*

GA

Zip\*

30554

Zoning Item for Comment\*

4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone

Select from the list below which zoning item you would like to register a comment on. Items are listed in the order in which they appear on the agenda.

## Your Comments\*

I have several concerns with Mr. John Davenport's and BCBTR, LLC's (hereafter, "BCBTR") application and the proposed rezoning of the property at issue from Agricultural Residential IV (AR-IV) to Residential Mixed (R-X). Their application is slated for consideration and approval during the Planning Commission's 7 July 2025 meeting. For reference, see record number HZON25-0019.

First, prior to the application's further consideration by the commission, the applicant's proposal should explicitly address and incorporate the updates that respond to the May 2, 2025 memo from Bill Nass, Director of Hall County Public Works and Utilities as well as the May 16, 2025 email from Jason Skarda, Assistant Director of Public Works. Likewise, I would like to see that the applicant addresses explicitly condition #11 on p. 3 from Hall County staff prior to the proposal's approval. Once the applicant has addressed these items, the applicant's updated Rezoning Analysis Report should be published for public review Planning Commission's website and the applicant's updated proposal re-submitted for public comment. The members of the Planning Commission should ask no less of the applicant.

Second, in the "Hall County Planning Commission Staff Report" of 2 June 2025, the author states that "[t]he proposed rezoning is not anticipated to adversely affect the existing use or usability of adjacent residential properties" (p. 6). In BCBTR's application, on the "Residential Exhibit Site Plan," the entry way on Whitehall Rd. is planned as a "Gated 'Fire-Only' Entrance with Knox Box." However, on the application's "Property Details, Site Plan," the entrance on Whitehall Rd. is labeled an "Alt. Access" and is in this way identical to two "Alt. Accesses" on Cagle Mill Rd. Then, on p. 4 of Pond & Company's traffic Impact Study, subheading "2.2 Site Access," the study reads as follows: "The development proposes four access points at the following locations...Proposed full access driveway on Whitehall Rd." And again, from p. 15: "The proposed site access on Whitehall Road is proposed to be a full access driveway with a shared left turn/right turn lane on the southbound approach. The eastbound approach is proposed to be a shared through/left turn lane while the westbound approach is proposed to be a through/right turn lane." And yet again on p. 16, titled "Recommendations," we find the following: "Install a site access point along Whitehall Rd. with full access operating under minor street stop control."

Which is it?: A gated entrance secured with a Knox box only for fire department use, or a full access entrance? Before this application can be approved, the applicant should clarify what exactly he plans to do with the proposed entrance on Whitehall Rd., update his application to reflect this clarification, publish the updated Rezoning Analysis Report for public review, and re-submit his proposal for public hearing. As before, the planning commission should ask no less of the applicant.

Relatedly, Pond and Company's (hereafter, "Pond") traffic analysis is methodologically flawed. Pond did not collect data along Whitehall Rd. between the applicant's proposed Whitehall Rd. entrance and the intersection at Whitehall Rd. and Cagle Mill Rd./Noah Martin Rd. Rather, Pond collected data at the intersection of Whitehall Rd. and Cagle Mill Rd./Noah Martin Rd. I direct the commissioners to the "Intersection Turning Movement Count" chart for this intersection that displays data on bikes. Had Pond conducted studies on the portion of Whitehall Rd. between the proposed development's entrance and the Cagle Mill/Noah Martin intersection, and had Pond made the effort to speak with residents, it would have learned that at least two (2) adults and five (5) boys between the ages of 3 and 18, including my son, regularly ride bikes, scooters, and skateboards on this road, as well as kick a soccer ball and play basketball. Likewise – and here I direct the commissioners to the chart on pedestrian data – had Pond conducted a study that incorporated us – the present-day community – it would have incorporated into its data that I, my wife, and my son regularly walk and run along this road, as do numerous of our neighbors with their children and dogs at varying times of day on both weekdays and weekends.

Despite the repeated context-based and neighborhood-character emphasis of Hall County's 2045 Comprehensive Plan, Pond (and, thus, Mr. Josh Boling) completely missed, and in consequence, their published data completely mischaracterize just this small section of Whitehall Rd. What of the rest of our road? Additionally, Pond missed the fact that neighborhood residents commonly drive tractors, 4-wheelers, dirt bikes, and other ATVs on our street. Putting traffic laws aside momentarily, Pond and, thus, Mr. Boling have entirely missed the reality of our lives on many roads in rural Hall County, including East Hall. So much for Hall County's Hall County Forward - 2045 Comprehensive Plan as regards the real, present-day character of our rural neighborhood and, thus, the present-day lives and regular activities on our rural, local street and AR-IV and (some) R-1 properties.

In light of these outstanding lacunae in Pond's traffic study and the subsequent mischaracterization of our neighborhood road and the usability of our adjacent residential properties, the Hall County Commission Staff Report is inaccurate and misleading when it states that "[t]he proposed rezoning is not anticipated to adversely affect the existing use or usability of adjacent residential properties" (p. 6).

Third, there is a discrepancy and resultant legal grey area between (i) the Land Use Categories as set out in Hall County's recently enacted Hall County Forward – 2045 Comprehensive Plan (hereafter, Comprehensive Plan) and (ii) the new Residential Mixed (R-X) and Residential Mixed Limited (R-X Limited) zoning categories set forth in the Comprehensive Plan and the 2024 Hall County Unified Development Code (hereafter, UDC). This discrepancy presents a scenario in which BCBTR's rezoning application, if approved, arguably violates Sec. 9.2.7 of Hall County's 2024 UDC. On this account, BCBTR's rezoning application, if approved, would also violate UDC Sec. 9.2.1. Because this discrepancy and these potential violations are unavoidably germane to BCBTR's application, they should be immediately addressed by the Planning Commission and the Board of Commissioners prior to any further consideration of BCBTR's rezoning application.

In the Hall County Planning Commission Staff Report available as of 2 June 2025 (again, record number HZON25-0019), Hall County staff provide the following commentaries in support of BCBTR's application:

"Based on the future land use plan, staff finds the requested rezoning is consistent with the Hall County Comprehensive Plan future land use designations of Business or Employment Nodes & Corridors and Suburban Neighborhood, Low Density" (p. 5).

Likewise, I want to direct the Planning Commission's attention to Sec. 9.2.7 of Hall County's 2024 UDC, which reads: "All proposed subdivisions must meet the intent of the Comprehensive Plan and development policies in effect at the time of submission." Relatedly, "Sec. 9.2.1 Minimum Development Standards" of the current UDC stipulates that "[a]ll subdivisions hereafter established must be developed in accordance with the minim design standards and requirements set forth in this UDC."

According to the "East Hall – Future Land Use" map on page 185 of the Comprehensive Plan and the Hall County Planning Commission's online ArcGIS viewer, BCBTR's proposed R-X development will be built in a "Business or Employment Nodes & Corridors" land use area. The rezoning from AR-IV to R-X, however, does not align with the Comprehensive Plan. According to the Comprehensive Plan, only Residential Mixed Limited (R-X Limited) is an appropriate zoning district (Comprehensive Plan, pp. 163-167). If BCBTR's rezoning application is approved, it could arguably be in violation of both UDC Sec. 9.2.7 and, thereby, Sec. 9.2.1.

This is not all, however. The development proposed by BCBTR has three full access "alternative" entrances: two on Cagle Mill Road and one on Whitehall Road. First, these alternative entrances are not required by the Comprehensive Plan or the 2024 UDC (see UDC Sec. 9.2.4). Furthermore, these alternative entrances do not transverse either a Comprehensive Plan's "Business Nodes & Corridors" or "Employment Nodes and Corridors" land use area. Rather, these proposed entrances enter into and transverse through properties that the Comprehensive Plan designates for future "Suburban Neighborhood, Low Density" land use. Here again we find another potential Hall Co. UDC violation. According the p. 163 of the Comprehensive Plan, the appropriate future zoning districts appropriate to the land use category "Suburban Neighborhood, Low Density" are R-1 and R-X (Limited) only. R-X is not appropriate. Residential Mixed (R-X) is not the same as Residential-Mixed Limited. Rezoning to Residential-Mixed (R-X) is in direct contradiction to the 2024 Comprehensive Plan. BCBTR's rezoning application would therefore, yet again, arguably violate Sec. 9.2.7 of the 2024 UDC and thus, Sec. 9.2.1.

But what is Residential-Mixed Limited (R-X Limited)? Per the Comprehensive Plan, R-X Limited is appropriate to current and future lands use categories of "Lakeside Residential," "Suburban Neighborhood, Low Density," "Business Nodes & Corridors," "Employment Nodes and Corridors," and "Regional Activity Nodes and Corridors" (Comprehensive Plan, pp. 163-65.) In other words, according to the Comprehensive Plan and, thus, the 2024 UDC (per Sec. 9.2.7 and 9.2.1) properties within these land use categories cannot be rezoned as R-X. If R-X is desired, they could only be potentially rezoned as R-X Limited.

Here is the grey area. Neither the 2024 Comprehensive Plan nor the 2024 UDC provide an explicit definition of the code for R-X Limited, its criteria, and its stipulations. Before BCBTR's application for rezoning, or any other application for similar rezoning to R-X in Hall County within the aforementioned future land use areas for which R-X Limited is appropriate (but R-X is not), the Planning Commission, the Board of Commissioners, and the Hall County residents that elect them must jointly discuss and define what R-X Limited is and what type of development policies it should codify, now and for the future. Until this is undertaken, there is not only space for legal action to be taken against the relevant county offices and officials for violating the county's UDC, but the intent and rigor of the Comprehensive Plan and the current UDC are, at least in these specific regards, clearly at risk.

Finally, the Comprehensive Plan and the corresponding 2024 UDC are not yet a year old. Improper interpretation and unilateral decision-making by the Planning Commission and/or the Board of Commissioners (BOC) on related rezoning applications without soliciting input on the discrepancy concerning R-X and R-X Limited zoning codes and corresponding land use categories from Hall County residents could result in considerable disillusionment by these residents for their elected BOC members and the Planning Commission members appointed by these elected BOC members. Recall that perhaps the essential component of the Comprehensive Plan and, thus, the closely integrated UDC was, after all, the participation of current Hall County residents (see "The Planning Process," Chapter 1 and Chapter 3 of the Comprehensive Plan).

Please write your comments in the box above.

**File Upload**

R.Parks\_BCBTR,LLC.HZON25-0019\_7Jul2025.pdf

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July 7, 2025

Hall County Planning Commission  
2875 Browns Bridge Road  
2nd Floor  
Gainesville, GA 30504

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Sincerely,

Robert Parks  
5437 Whitehall Road  
Lula, GA 30554

Print

Planning Commission Comments - July 7, 2025 - Submission #120047

Date Submitted: 7/7/2025

Comments completed in the form below will be submitted into the record for the July 7, 2025 meeting of the Hall County Planning Commission.

First Name\*

Erica

Last Name\*

Parks

Address1\*

5437 Whitehall Rd

Address2

City\*

Lula

State\*

GA

Zip\*

30554

Zoning Item for Comment\*

4745 Cagle Mill Road, 4673 & 4691 Noah Martin Drive | Rezone

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**Your Comments\***

The applicant seeks to rezone 130.8 acres of undeveloped land from “Agricultural Residential” to “Residential Mixed” to build a 323-unit housing development, including 106 townhomes. Despite what the applicant claims, this proposal is NOT in alignment with Hall County’s Comprehensive Plan, approved in 2024, which designates this land for “Suburban Low Density” housing—a classification that explicitly prohibits townhomes.

Approving this rezone would not only contradict the county’s clearly defined goals for the use of this land, it would set a dangerous precedent for future development across the region.

I’d like to take a moment to put this proposed housing density into perspective: the 1,200 acres immediately surrounding this property average a housing density of just 0.07 units per acre. The applicant proposes a staggering 2.47 units per acre—35 times higher than what’s typical for the area. This is not smart growth. It’s overreach, and it’s irresponsible. Why does all this matter? Aside from being an obvious eyesore and a problem for local traffic and school systems, there is a major environmental and historic concern that the applicant has apparently ignored. This 130 acre property contains wetlands fed by a natural spring. It also sits on the North Oconee River—a critical watershed that provides drinking water for thousands. Less than a mile downstream is Healan’s Mill, a cherished historic site and cultural symbol. In fact, a photograph of Healan’s Mill covers the table of contents page of Hall County’s 2024 Comprehensive Development Plan.

Some concerns for this river include erosion, which would gunk up the mill’s picturesque beauty. Runoff from fertilizers and pesticides, pet waste, and household chemical runoff are just a few things that tend to affect rivers in close proximity to high-density housing. The applicant claims there are “no anticipated ecological or pollution impacts.” This statement is not just untrue—it’s irresponsible given the sensitive nature of this land.

To give an example of how watershed areas can be protected, take a look at Hall County’s planned development map, which explicitly restricts development along Lake Lanier to protect water quality for those who drink it. The applicant proposes no such conservation measures on their land, and dismisses any possibility of a negative environmental impact. This is likely consistent with their position as land poachers who have no vested interest in the environmental impact of their project. This river deserves safeguards. I propose a mandatory conservation easement encompassing the wetlands and riverfront areas in order to protect these watershed areas. I also propose that the applicant work with a river advocacy association such as the Oconee River Watershed Network as they revise their development plan.

In summary, I respectfully recommend:

- 1. Reject the current rezoning request, as it is in contradiction to the plan set forth by the Hall County Comprehensive Plan.
- 2. Encourage a revised proposal consistent with “Residential – Low Density” and limit the density to no more than 0.5 units per acre to reflect the rural character of the area.
- 3. Require a conservation easement to preserve the wetlands, protect the North Oconee River, and safeguard Healan’s Mill.

Hall County deserves thoughtful, responsible growth. We need housing, yes—but not at the expense of our community’s future.

Additionally, on a related note, I recommend that Chris Braswell (Chair of district 2 of the Planning Commission) recuse himself from decisions around this applicant’s land development plan, and other similar plans in which he has a financial conflict of interest.

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