



AGENDA ITEM

Planning & Zoning

REPORT TO: Work Session (02/23/26)

REPORT TO: Voting Meeting (02/26/26)

ITEM NO: 50/2026

SUBJECT: **5401 Old Winder Highway | Amend Conditions of Zoning |** on an 84.30± acre portion of a tract located on the east side of Old Winder Highway at its intersection with Pleasant Hill Lane | Zoned R-MF; Tax Parcel 15039A000007(pt) | **Proposed use: 700-unit residential development |** Commission District 1 | **K2P Land Partners, LLC, applicant**

Meetings:

Work Session Date: 02/23/26

Voting Meeting Date: 02/26/26

Executive Summary:

Presenter: KA

Recommendation:

Approval, with conditions, as the proposed amendment is consistent with the previous approval and improvements to State Route 211 are under the Georgia Department of Transportation jurisdiction.

1. The property shall be developed in accordance with the site plan revised on October 3, 2025, and as described in the amended project narrative dated October 3, 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 320 apartments and 380 total townhomes or stacked flats.
3. The minimum heated floor area (HFA) for the townhomes shall be 1,800 square feet. The minimum heated floor area (HFA) for the stacked flats shall be 1,400 square feet.
4. All townhomes shall provide two-car garages in addition to driveways that can accommodate two cars parked side-by-side. Garages may be front or rear loaded.
5. All stacked flats shall provide a one-car garage per flat, at minimum, in addition to driveways that can accommodate one parked car. Garages may be front or rear loaded.
6. Amenities including playgrounds, outdoor pavilions, picnic areas, pool, pickleball court, and mail kiosks 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. Model homes shall be limited to one townhome building and one stacked flat building 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 certificates of occupancy shall be issued to a residence prior to Final Plat recording.
8. Developer is allowed a maximum of one sales office trailer for the townhome/stacked flats portion of the development. This office shall be removed at time of sale of the last unit. One temporary leasing office trailer is permitted for the apartment complex which shall be removed upon issuance of the Certificate of Occupancy for the apartment building containing the permanent leasing office.
9. 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.

10. 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. Any costs associated with these improvements shall be the responsibility of the developer. It shall be the developer's responsibility to obtain any required approvals or permits.
11. 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.
12. 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.
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. The following statement regarding the potential impacts of industrial 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 the existing and commercial and industrial practices which may take place on adjacent and nearby properties including, but not limited to, noise, odors, dust, the operation of machinery and motor vehicles. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
15. The following statement regarding the potential impacts of the nearby motor raceway 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 the existing motor raceway venue on adjacent and nearby properties including but not limited to noise, odors, dust, the operation of motor vehicles, traffic, crowds, and other effects associated with such venues. Therefore, owners, occupant s, and users of the property shown on this plat should be prepared to expect the effects of such practices."
16. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the 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.
17. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
18. Developer shall install a solid wood or chain link fence from Hwy 211 along the property line to the terminus of parcel# 15038 000010 at the developer's expense.
19. No certificates of occupancy shall be issued until the SR 211 widening project (PI 0007233. SR 211 from SR 347 to SR 53) is within 12 months of the original contract completion date that will be established upon the Georgia Department of Transportation awarding a construction contract to a contractor.
20. An environmental study must be completed prior to the issuance of a land disturbance permit (LDP) per the Hall County Unified Development Code.
21. To protect Mulberry Creek, there shall be a three-phase erosion control plan including Best Management Practices (BMP) per the Manual for Erosion and Sediment Control by the Georgia Soil and Water Conservation Commission.
22. The proposed parkway shall be built to heavy industrial/commercial standards. This parkway shall be three (3) lanes down to the fifth (5th) entrance/ creek.

Purpose of Request:

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History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Attorney	Administration
KE	KA	JL	CR
Clerk			
JR			

Attachments:

Staff Report

Application

Updated Narrative - rec'd 2/19/2026

Narrative

Site Plan

Maps

Environmental Health Comment

GDOT Comment

GHMPO Comment

Public Works Comment

Fire Comment

Notice Sign

October 7, 2025 Approved Packet