

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Cook Communities

**Request** ..... Rezone from Agricultural Residential III (AR-III) to Planned Residential Development (PRD)

**Proposed Use** ..... 249 unit single-family attached residential development

**Size** ..... 34.03± acres

**Zoning** ..... AR-III

**Location** ..... On the west side of Pine Valley Road at its intersection with White Sulphur Road; a.k.a. 1560, 1582, 1586 Pine Valley Road; Tax Parcels 09124 000039, 000039B & 000203

**Commission District** ..... Four

**Planning Commission Date** ..... November 15, 2021

**Staff Recommendation** ..... **Denial**

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**Planning Commission Recommendation – Approval with conditions**

**Vote: 3-1**

**Braswell – aye**  
**Bell – aye**  
**Pilcher – nay**  
**Hunt – aye**  
**Varner – absent**

**Conditions:**

1. *The development shall be developed in accordance with §17.180.060, Planned Residential Development. The following variances shall be apply:*
  - a. *The minimum lot size shall be 2,500 square feet.*
  - b. *The minimum lot width shall be 28'.*
  - c. *A minimum 50' planted buffer shall be established along the perimeter of the property boundaries, per PRD standards.*
  - d. *Allow a maximum garage door width of 60% of façade.*
  - e. *Allow a front setback of 22' from curve to garage.*
2. *The density of the development shall be no more than 4 units per acre.*

3. *The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of traffic study or are determined as part of the development review process.*
4. *A minimum of two vehicular entrances shall be provided, as approved by Hall County Engineering.*
5. *All conditions of zoning shall be made part of any plats created for the development.*

### **Applicant Proposal**

The applicant is requesting to rezone 34.03± acres from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) to develop a residential community of 249 attached single-family residences and 20,000 square feet of commercial space, to serve the residences and surrounding area.

According to the submitted narrative, the townhome lots are proposed to have a minimum lot size of 2,000 square feet. A minimum lot width of 24 feet is proposed townhomes will have a minimum heated floor area of 1,623 square feet and be three (3) bedroom and two and a half (2.5) bathroom units. The homes are to be offered for sale fee-simple. All proposed residential units will meet the architectural standards included in the current PRD zoning ordinance, with the requested variances. The applicant has submitted the following variance requests for the residential component of this application:

1. Minimum townhome lot size reduced from 5,000 sf to 2,000 sf.
2. Front-load townhome front set back reduced from 40 feet to 15 feet off the ROW.
3. Increase garage doors width to maximum of 70% of the front elevation from of 50%.
4. Reduce the required exterior buffer from 50 feet undisturbed, to 20 feet with supplemental plantings.

The site plan indicates 12.33 acres of open space, which meets the PRD standard of 30% (37% proposed). The proposed community will include an amenity area of swimming pool, clubhouse, playground, and pocket parks. A 20' landscaped buffer (natural and replanted as necessary) is proposed along the entire border of the subdivision fronting adjacent properties. Development standards are summarized in the table below:

<b>Cook Communities PRD Proposed Development Standards</b>	
SITE AREA	34.03
PROPOSED UNITS	249
DENSITY	7.31 UNITS/ ACRE
MIN. LOT SIZE	2,000 sq. ft. or 24' X 83.3'
FRONT SETBACK	15 FT.
SIDE SETBACK	5 FT.
REAR SETBACK	20 FT.
MAX. BUILDING HEIGHT	35
MIN. HEATED FLOOR AREA	1,623 SQ.FT.

The application includes elevations for the attached home section of the community, intended to serve as a style guide for the proposed materials and architectural character of the homes.

A traffic study was conducted by Southeastern Engineering and was submitted in support of this application. The following are the findings and recommendations of the applicant's traffic study:

*In the existing conditions the intersection of White Sulphur Road at Pine Valley Road operates at an acceptable level of service.*

*In the future no-build scenario both existing, study intersections operate at an unacceptable level of service prior to the development traffic. With the addition of the development traffic the study intersections are expected to continue to operate at an unacceptable level of service, but the new driveway on Pine Valley Road will operate at an acceptable level of service.*

Improvements Recommended:

**Pine Valley Road at Access Driveway**

- *The new driveway should be two lanes, one entry and one exit lane.*
- *The access driveway should be controlled with stop sign controlled.*
- *A deceleration lane should be provided on the Pine Valley Road southbound approach.*

**White Sulphur Road at Pine Valley Road**

- *Provide a channelized right turn lane on Pine Valley Road southbound at the intersection. The lane is recommended to be have at least 200 feet of storage.*

**SR 284/Clarks Bridge Road at Pine Valley Road**

- *Provide a channelized right turn lane on Pine Valley Road northbound at the intersection. The lane is recommended to be have at least 200 feet of storage.*

**History and Existing Land Uses**

The subject property is a combination of three tax parcels totaling approximately 34.03± acres and are currently zoned AR-III, the original zoning designations. White Sulphur Road and Pine Valley Road bound the property to the south and east. The adjacent property to the southwest is also zoned AR-III, and is undeveloped. Property to the southeast and east are zoned for low-density residential use and within the city limits of Gainesville. The property across White Sulphur Road is zoned AR-IV and is also within Gainesville city limits.

**Comprehensive Plan Land Use Designation**

The Comprehensive Plan's future land-use designation for the subject parcel is "Residential". This land use category is characterized by moderate-density residential development and neighborhoods. The appropriate land uses in the residential category includes residential subdivision design that sets aside a high percentage of open space, greenways and trails, and civic benefit uses such as community centers, libraries, places of worship, and schools. Residential densities for this designation are to be kept at or below two dwellings per acre.

The proposed use is not consistent with the Comprehensive Plan's future land use designation.

**Development Support and Constraints**

#### Hall County Environmental Health

In an email dated November 3, 2021 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 Services

The subject parcel is located approximately 1.3 miles from Hall County Fire Station 7, located at East Crescent Drive.

#### Hall County Public Works and Utilities

In a memorandum dated November 5, 2021 Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

##### Engineering:

75' impervious setback, no impervious including roads, sidewalks etc..

##### Traffic:

Based upon the provided traffic impact study and current Hall County requirements, we recommend the following conditions:

1. Left and right turn lanes on Pine Valley Road at site driveway.
2. Left and right turn lanes on Pine Valley Road at White Sulphur Road.
3. Left and right turn lanes on Pine Valley Road at Clarks Bridge Road (SR284). This will require approval and permitting through the Georgia Department of Transportation (GDOT).
4. Internal roadways will be privately maintained.

##### Utilities:

Gainesville sewer district.

#### Hall County Tax Assessors

No comments provided

#### Gainesville Water Resources

The Hall County GIS map shows public water available throughout the site from the City of Gainesville Water Resources Department. A resolution approved by the Gainesville Council and included as part of the application waives the annexation requirement for sewer service for the proposed development.

#### Georgia Department of Transportation

In an email dated November 3, 2021 Jonathan Peevy with GDOT commented: "GDOT coordination will be required"

#### Zoning Analysis

- The proposed development is inconsistent with the Hall County Comprehensive Plan.
- The development includes 249 dwelling units on 34.03 acres for an overall density of 7.31 units per acre.

- This acreage exceeds the recommended density of two (2) units per acre if served by public sewer, as specified within §17.180.060., Planned Residential Development (PRD) section of the Official Code of Hall County.
- A PRD allows for more flexibility in the design and development of the property. This provides for a mixture of housing types and encourages maximum use of natural features, through proper site planning measures. The development should conform to the existing character and development pattern of the surrounding area.
- §17.180.060.B.4. - *Dimensional standards for multi-family residences*: The development controls for the development shall be detailed (lot coverage, setbacks, building heights, lot area, etc.). The proposed location of all multi-family residences or zero lot line attached single-family residences shall be indicated. If standards are not specifically proposed then the applicable standards in the residential multi-family (R-MF) district shall apply. Minimum standards for multi-family residences in a planned residential development are as follows:
  - a. *Lot area*: The minimum lot area for lots without access to sanitary sewer shall be determined by the requirements of the county environmental health department. The following lot area standards apply to lots served by sanitary sewer:
    - For a one-story multi-family residence and/or townhouse with the minimum three attached single-family units, the minimum lot area standard of 35,000 square feet will apply.
    - For each additional unit in a one-story multi-family residence and/or townhouse over three units, the minimum additional lot area standard of 5,000 square feet will apply.
      - This standard is **not met**. However, the applicant has requested a variance from this standard to reduce the minimum lot size to 2,000 square feet.
- §17.180.060.B.5 – *Buffers*: A minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened.
  - The applicant's proposal does **not meet** the standard. A variance has been requested to vary the 50 foot setback to 20 feet with supplemental plantings, according to the narrative.
- §17.180.060.B.6 *Landscape requirements* requires that all requirements §17.280, Tree Protection, shall be met, and in addition, a minimum of 2 trees per lot shall be provided or preserved in the front, side, or rear yard. Trees that are provided or preserved to meet the two trees per lot may not be counted toward the overall development's tree density unit requirements.
  - The applicant's proposal requests a variance to reduce the number of trees from two per lot to one. This does **not meet** the standard.
- §17.180.060.B.7 *Access and right-of-way* requires that any planned residential development equal to or greater than 199 lots shall include at least two vehicular entrances that connect to a city, state, or county-maintained public road.
  - The development includes a single planned vehicular entrance; this does **not meet** the standard.
- §17.180.060.B.7.b requires that all PRDs construct sidewalks on both sides of the streets that are a minimum of five feet wide.
  - The site plan shows 5-foot sidewalks throughout the proposed development; this **meets** the standard.
- §17.180.060.B.8 requires that there shall be a minimum of at least thirty percent (30%) of the gross tract area provided in open space.

- The applicant is proposing 12.33 acres of open space equaling 37% open space; this **meets** the standard.
- §17.180.060.B.9 provides architectural standards for all planned residential developments. Alternatively, detailed architectural design guidelines and standards can be submitted by the applicant to include garage types and placement, elevations of all sides, building materials, etc.
  - All facades of all residences, including single-family, two-family, and/or multi-family, and any non-residential buildings shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.
    - The application has included elevations of typical residence styles that **meet** this standard.
  - For attached homes fronting a minor street may be rear-loaded or front-loaded.
    - The application indicates that the garage doors will be up to 70% of the front façade width of the attached residences; this **does not meet** the standard. The applicant has requested a variance to increase the allowable percentage from 67% to 70%.
- §17.180.060.B.11 relates to the United States Postal Service (USPS) policy that all new subdivisions and new phases of existing subdivisions are required to provide *Cluster mailbox unit (CBU)* for regular mail service delivery. A CBU is a structure or shelter housing multiple mailbox units to serve each residential dwelling of the development for the express purpose of regular mail delivery provided by the USPS.
  - The application **meets** this standard.
- §17.380.050 requires any application proposing the development of 100 or more residential dwelling units to submit a traffic impact study as part of an application be.
  - The applicant has provided a traffic study as part of this application with the following recommendations:
    - Pine Valley Road at Access Driveway:
      - The new driveway should be two lanes, one entry and one exit lane.
      - The access driveway should be controlled with stop sign controlled.
      - A deceleration lane should be provided on the Pine Valley Road southbound approach.
    - White Sulphur Road at Pine Valley Road:
      - Provide a channelized right turn lane on Pine Valley Road southbound at the intersection. The lane is recommended to be have at least 200 feet of storage.
    - SR 284/Clarks Bridge Road at Pine Valley Road:
      - Provide a channelized right turn lane on Pine Valley Road northbound at the intersection. The lane is recommended to be have at least 200 feet of storage.

### **Staff Recommendation**

Staff recommends **denial** of the applicant's request. If the Board sees fit to recommend approval staff would recommend the following conditions:

6. The development shall be developed in accordance with §17.180.060, Planned Residential Development. No variance to those standards are approved.

7. The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of traffic study or are determined as part of the development review process.
8. A minimum of two vehicular entrances shall be provided.
9. All conditions of zoning shall be made part of any plats created for the development.

**Excerpts from Planning Commission meeting minutes on January 18, 2022:**

**Motion:** *A motion was made by Ms. Pilcher and seconded by Mr. Bell to remove item from the table. Vote: 4-0*

**Background Information:**

The applicant is requesting to rezone 34.03± acres from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) to develop a residential community of 249 200 attached single-family residences and 20,000 square feet of commercial space, to serve the residences and surrounding area.

**Applicant's Presentation:**

**Srikanth Yamala, Interim Planning Director**, presented a summary of the request. Stated an updated site plan was provided immediately prior to the January 4, 2021 meeting.

**Jane Range, 1235 Riverside Drive, Gainesville**, presented the request. A revised plan was submitted and no changes have been made since January 4, 2022. The lot area of the townhomes increased to 2500 sq. feet. The minimum width was increased to 28', which would widen the townhomes themselves and would allow the developer to reach the 60% or slightly under of the front elevation consumed by the garage. Also creates a master on the main possibility. Still requesting the variance of 20' setback from the back of sidewalk to garage. The important changes are reducing the proposed number of units to 195 (density of 6 units per acre), a second entrance, increased setbacks along Pine Valley Road and along southern boundary single family properties to 50'. Stated a right turn lane could be created along White Sulphur and Pine Valley. Stated have made changes to address traffic safety and the development would not affect the school system, which has projected the growth of the area. Mr. Hunt asked if increasing the width of the units, would the applicant still need the variance for the garage door. Ms. Range stated yes. Ms. Pilcher questioned the front setback and what is the percentage from the back of the curb. Ms. Range stated they are trying to keep the driveways long enough to hold two vehicles without encroaching on the sidewalk. Stated all streets would be public streets.

**Luke Pressley, 3120 Frontage Road, Gainesville**, added additional information to request. Stated the townhomes are fee simple and would start at a minimum of 20' from the back of the sidewalk. The proposed driveways will be long enough for one vehicle to be parked outside of garages. There will be a 2' grass strip along sidewalks. Mr. Braswell inquired about three roads on the bottom right of the plan that just end without a cul-de-sac (hammer heads). Stated that this plan is not full engineered and are not final. Mr. Braswell stated that hammer head cul-de-sacs are not allowed per code. Stated he sees the south entrance being right in and right out.

**Keith Cook, 3120 Frontage Road, Gainesville**, stated a public participation meeting was held. Stated that the traffic study was completed and discussed traffic flow and improvements in community meeting. There will be a 200 yard channelized right turn lane coming out of the community, turning right and going south towards White Sulphur. There will also be a left turn lane to head north. There were 6 accidents and no fatalities in the last five years. There has been no

conversations with Hall County Traffic Engineering. Spoke with Hall County Schools about school buses and were advised they did not anticipate any problems. Stated that their engineer did take into account the recently approved developments in the area. There is over 13 acres of open space and planning to add amenities around the creek. If the developer adheres to the 50' buffer, they can still build 200 units, but that will have them close to Crow Road, and the developer wanted to stay away from Crow Road.

**Public Forum:**

**Marion Meeks, 1239 Lakestone Court, Gainesville,** spoke in opposition. Concerns were traffic, poorly designed roads and the railroad.

**Richard Cole, 2005 White Sulphur Road, Gainesville,** spoke in opposition. Concerns were traffic and entrances into the property.

**Connie Murphy, 1239 Lakestone Court, Gainesville,** spoke in opposition. Stated she is representing her neighbors. Concerns were traffic and road conditions.

**Trey Evans, 1243 Lakestone Court, Gainesville,** spoke in opposition. Concerns were traffic, crime, and the area not being able to handle more people.

**Thomas Brown, 1244 Lakestone Court, Gainesville,** spoke in opposition. Concerns were passenger and truck traffic.

**Carol Brown, 1244 Lakestone Court, Gainesville,** spoke in opposition. Concerns were growth, traffic and power poles.

**Planning Commission Comments:**

Mr. Braswell questioned the proposed streets, which will be public streets. Mr. Braswell inquired if traffic engineering was consulted. Mr. Hunt questioned if the traffic study was done with this site plan or the previously submitted site plan. Mr. Hunt also inquired about the new intersection (about 80-100 feet from Pine Valley/White Sulphur intersection) and questioned if this would be allowed by Hall County regulations. Mr. Braswell stated there were four concerns from the meeting in November: second entrance, property line variances/buffers, if fee simple units and density. Applicants confirmed they were requesting 200 units. Mr. Bell commented regarding density and stated that the board's intention is to be consistent regarding these types of developments. Mr. Hunt stated the buffer is a no and will be consistent. Also stated the density is high and is a deal breaker. Ms. Pilcher also agreed with the density being too high for the area.

**Motion: A motion to approve, with conditions was made by Mr. Bell and seconded by Mr. Hunt. Vote: 3-1**

**Braswell – aye**  
**Bell – aye**  
**Pilcher – nay**  
**Hunt – aye**  
**Varner – absent**

**Conditions:**

1. *The development shall be developed in accordance with §17.180.060, Planned Residential Development. The following variances shall be apply:*



- a. *The minimum lot size shall be 2,500 square feet.*
  - b. *The minimum lot width shall be 28'.*
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