

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Tyrus Brown

**Request** ..... Rezone from Residential-I (R-I) to Planned Residential District (PRD)

**Proposed Use** ..... 44 unit single-family attached development (4.6 units/acre)

**Size** ..... 9.65± acres

**Zoning** ..... R-I

**Location** ..... On Meadow Lane at its terminus; a.k.a. 3596 Meadow Lane; Tax parcel 10105 004089.

**Commission District** ..... Two

**Planning Commission Date** ..... June 20, 2022

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

---

**Planning Commission Recommendation: Denial**  
**Vote: 4-0 (Varner Absent)**

**Applicant Proposal**

The applicant is requesting to rezone 9.65± acres from Residential I (R-I) to Planned Residential Development (PRD) in order to develop a 44 unit single-family townhome development. The submitted site plan shows 7 buildings each containing either 5, 6, 7, or 8 units. The gross density of the project is 4.6 units/acre. The submitted narrative and site plan assign a total of 2.86 acres or 30% of the overall site as open space.

The property is located at the end of Meadow Lane, an existing local road. The site plans shows two buildings, containing a total of 11 units along the existing cul-de-sac. A proposed road connects to the cul-de-sac and extends north into the property, before curving to the east and ending in a second cul-de-sac. There are an additional 5 buildings along this road, containing the remaining 33 units, and three areas of on-street guest parking spaces. There is a 50 foot buffer identified around the exterior of the property. Portions of the lots and driveways are located within this buffer, but none of the residences encroach.

There is a creek on the western portion of the property, across which the applicant's site plan depicts a walking path and amenity area for the development. The amenity site includes a pocket park, playground, a half basketball court, and an area for a gazebo and picnic tables.

The applicant's narrative states that the intent of the development is to create more housing and amenities for people moving to the Gainesville area. The narrative continues that the proposed

development will meet the setback requirements as shown in the Hall County Planned Residential Development Code. Water and sewer access will be provided by the City of Gainesville and trash pick-up will be provided by Red Oaks Sanitation.

### **History and Existing Land Uses**

The subject property is approximately 9.65± acres of undeveloped and vacant property. No development plans have been submitted for this tract, according to zoning records, and the current zoning designation appears to be original to the tract.

The surrounding parcels are developed with single-family residential uses. The property is bordered to the north by Country Club Gardens subdivision and Hardy Hills Subdivision is to the south. Both subdivisions were developed and recorded as subdivisions with the Hall County Clerk of Court in the 1960's.

### **Comprehensive Plan Land Use Designation**

The Hall County Comprehensive Plan identifies the subject property and surrounding area as "Lake Area Residential". This land use category includes low-density residential development and neighborhoods. Land use patterns are similar to Residential Areas, and there is orientation toward Lake Lanier in terms of development and flexibility in use of single-family homes. The area includes the 500-foot buffer around the lake, wherein properties have the potential to be zoned Vacation Cottage District in order for single-family homes to be used as short-term vacation rentals. Future development will continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the area.

The Lake Area Residential category recommends 1 unit per acre. The proposed development standards would allow an alternative housing option to the conventional single-family construction in a rapidly growing area of Hall County. However, the proposed gross density of over four units/acre is would be inconsistent with the vision the Comprehensive Plan describes.

The proposed use is not consistent with the Comprehensive Plan.

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In an email dated May 31, 2022 Emily McGahee stated, "No comment. Public sewer"

#### **Hall County Fire Services**

No comments were provided in relation to this request.

Per Hall County GIS, the subject parcel is located approximately 2.6 miles from Hall County Fire Station 16, located at 4209 Shirley Road. There is a fire hydrants located in front 3584 Meadow Lane.

### Hall County Public Works and Utilities

In a memorandum dated June 2, 2022, Srikanth Yamala, Director of Public Works and Utilities, stated the following:

#### Engineering:

The 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 buffer and impervious setback from wooded vegetation, not centerline of creek. Hall County doesn't allow parking on R/W. Design speed must be 30 mph for roads. Is this development multi-family?

#### Traffic:

No comments.

#### Utilities:

City of Gainesville Sewer.

### Hall County Tax Assessors

No comments were provided in relation to this request.

### Gainesville Water Resources

The applicant has submitted a capacity assurance statement from the City of Gainesville Water Resources Department that speaks to both water and sewerage capacity.

### Georgia Department of Transportation

In an email dated June 1, 2021 Parker Niebauer confirmed that this project will not require GDOT coordination.

### **Zoning Analysis**

- The proposed development is not consistent with the Hall County Comprehensive Plan. The proposed development standards provide alternative housing options located in a growing region but at a greater residential density than the one unit per acre as described in the Plan.
  - The development proposes 44 multifamily townhomes on 9.65 acres for a gross density of 4.6x units per acre.
    - There is a discrepancy in the proposed number of units. When calculating the total number of units based on building type it appears there are 46 proposed units as opposed to 44 (the 7 unit building was calculated at 5 units, see note table on site plan).
- 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.). 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 two-story or greater multi-family residence with the minimum three dwelling units, the minimum lot area standard of 40,000 square feet will apply.
  - For each additional unit in a two-story or greater multi-family residence over three dwelling units, the minimum additional lot area standard of 4,000 square feet will apply.
- The proposed development **meets** this standard according to the following standard.

Building Type	Number	Formula	Minimum Lot Area
5 units	1	$40,000 + (4,000 \times 2)$	48,000 square feet
6 units	3	$(40,000 + (4,000 \times 3)) \times 3$	156,000 square feet
7 units	1	$40,000 + (4,000 \times 4)$	56,000 square feet
8 units	2	$40,000 + (4,000 \times 5)$	60,000 square feet
<b>Area required for the proposed 44 units-Total</b>			<b>320,000 sq. ft. / 7.35 acres</b>

- §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 proposed development **meets** this standard according to the submitted site plan and description in the submitted narrative.
- §17.180.060.B.6 – *Landscape requirements* requires that all requirements of §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 applicants narrative and site plan do not include information regarding landscape plans for the development.
- §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 applicant's site plan includes sidewalks through the majority of the development. It appears where they are not included on the site plan that it is due to a stream buffer requirement. The proposed development **meets** this 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 has proposed to retain 2.86 acres / 30% of the property for open space. The proposed development **meets** this 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.
  - No architectural renderings were submitted with the application no were descriptions provided in the project narrative. It **cannot be determined** if the standard is met.
- Garage placement: Townhouses fronting a minor street may be front or rear loaded.
  - No architectural renderings were submitted with the application no were descriptions provided in the project narrative. It **cannot be determined** if the standard is met.
- §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 proposed development **meets** this standard.

### **Staff Recommendation**

Staff recommends **denial** of the application for the following reasons:

1. The proposed zoning to PRD does not comply with the Comprehensive Plan designation of Lake Area Residential that recommends 1 unit per acre.
2. The proposed townhome development is not in character with the established single-family detached neighborhood that surrounds the property.
3. The street access to the proposed development is through an established single-family neighborhood without direct access to an arterial or collector road to support the increased density and traffic. Meadow Lane (Plat Book 31, Page 4) does not meet current county standards as the pavement width varies between 16' and 18' with a 40-foot right of way.

If the Board chooses to approve the application for PRD, staff recommends the following conditions:

1. The development shall generally occur as described in the site plan project narrative, modified for compliance with zoning conditions, Hall County regulations, and any other regulatory agencies at time of development.
2. The development shall not exceed 7 buildings with a maximum of 44 attached single family dwelling units. The overall site density shall not exceed 4.6 dwelling units per acre.
3. No building shall exceed 8 attached single family units as depicted on the concept plan received 5-25-22 by Day Design Group.
4. The following standards shall apply to the development:
  - a. Setbacks:

1. Front – 20 feet from ROW, with the garage door located a minimum of 20 ft.  
from the edge of the sidewalk nearest the dwelling.
  2. Side –10 feet to external property line/ 20 feet from adjacent building
  3. Rear – 20 feet from adjacent property
- b. Minimum heated floor area – 1,450 sq. ft.
  - c. A minimum of 2 off-street parking spaces will be provided per dwelling unit
  - d. There shall be a minimum of 18 guest parking spaces, spaced evenly through the buildings, as shown on the concept plan received 5-25-22 by Day Design Group.
  - e. With the exception of required stormwater or utility improvements and the amenity area, existing trees and a vegetative buffer will remain undisturbed.
  - f. All facades shall be finished with a combination of brick, stone, stucco, or fiber cement type siding. Front facades shall incorporate changes in these materials to alter color or texture. Vinyl siding shall be prohibited
  - g. Materials and colors for exterior finishes shall be reviewed and approved by the Planning Director or their designee prior to construction.
  - h. Each townhome shall have a single-car garage with a door that is no wider than 50% of the front façade of the individual unit.
  - i. The development shall meet or exceed the required 30% Open Space for a PRD. The open space location shall be identified on the Preliminary and Final Plats.
  - j. The area of the stormwater detention area shall not count in the calculation of the minimum required open space in accordance with §17.430.100 through §17.430.150.
  - k. The proposed stormwater detention area shall be on a separate lot with a minimum of 20' wide access to the proposed public road.
  - l. The proposed streets shall be designed to Hall County Public Works standards for a proposed future public right of way dedication.

**Excerpts from the minutes of the June 20, 2022 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Tyrus Brown, 3478 Lakeside Drive, Atlanta**, presented the request.

**Jesse Fink, 210 James Avenue, Temple**, presented the request. The applicant stated that they want to develop affordable homes on the property. The applicant stated that there is a road with no easement to connect to the proposed road. The applicant stated that the abandoned lot is heavily unkept and home to illegal dumping. The applicant stated that there will be a wooden bridge to cross the stream leading to a community amenity.

**Joshua Greene, 3203 Long Iron Drive, Lawrenceville**, presented the request. The applicant stated that he wanted to address some of the public comments regarding the density for the property. The applicant stated that they want to provide affordable housing as the county is

growing and this is a in a desirable area. The applicant stated that the vegetation will still be able to provide privacy.

*Rebuttal*

Mr. Brown stated that the amenities would be for the people living in the community. Mr. Greene stated that the HOA will be able to contain a lot of the noise and maintain safety. Mr. Greene stated that they can cut back on number of units and make adjustments to the cul-de-sac. Mr. Greene stated that they understand that the proposed development is different from what is already existing but change is coming to Gainesville. Mr. Green stated that they want to keep the aesthetic as is and not take away from it.

**Public Forum:**

**Jacky Cloyes, 3673 Green Crest Road, Gainesville**, spoke in opposition. Concerns were basketball court, water runoff, sewer, crime, traffic and overflow of people.

**Vickie Sanders, 3590 Meadow Lane**, spoke in opposition. Concerns were the narrow road, traffic, density, lights, and buffers.

**Pam Helton, 3670 Collins Drive, Gainesville**, spoke in opposition. Concerns were home styles, safety, street lights, and number of townhomes per acreage.

**Edna Rogers, 3655 Green Crest Road, Gainesville**, spoke in opposition. Concerns were home styles, environmental disturbance, amenities, and narrow road.

**Adam Allison, 3659 Green Crest Road, Gainesville**, spoke in opposition. Concerns were open space, unit size, density, and not matching the County's comprehension plan.

**Dale Cowart, 3584 Meadow Lane, Gainesville**, spoke in opposition. Concerns were traffic, noise, and safety.

**Chris Spruce, Meadow Lane, Gainesville**, spoke in opposition. Concerns were overflow, traffic, narrow road, and safety.

**Planning Commission Comments:**

Mr. Hunt questioned if the homes would be for sale or for rent. Mr. Greene stated that they will be for sale and there will be a Home Owners Association in place. Mr. Hunt questioned how they plan to gate the community at the cull de sac. Mr. Fink stated that they have a concept plan that can accommodate. Mr. Braswell questioned the number of bedroom and bathrooms. Mr. Greene stated that all the units will be three bedrooms, two baths, with a one car garage. Ms. Pilcher questioned the width of the garage door. The applicant stated they would be 9 inches wide. Mr. Hunt stated that the cul-de-sac at the end of the development was not compliant with buffers. Ms. Pilcher questioned the price point of the proposed townhomes. Mr. Greene stated they would range from \$250k to \$300k. Mr. Bell stated that this application is a perfect example of spot zoning.

Mr. Braswell stated that the width of Meadow Lane was a cause for concern with the proposed development when it comes to safety.

**Motion: A motion to deny was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 4-0 (Varner absent)**