



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: September 16, 2022

Subject: Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III (AR-III), Residential-I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD) on a 60.39± acre tract located on the north side of Price Road approximately 628 feet from its intersection with Summit Chase; a. k. a. 3824, 3830, 3842, 0, & 0 Price Road; Zoned AR-III, R-I, & V-C; Tax Parcels 10100 000006-000007, 000103, 000108, & 000159. Proposed use: 202-unit residential subdivision. Commission District 2.

The application before you is a request to rezone approximately 60.39 acres to PRD, Planned Residential Development to allow a 202 unit development consisting of both single-family detached and single-family attached (townhomes) dwellings. The Planning Commission's conditions of approval include four (4) exceptions or variances to the PRD standards found in Section 17.180.060. **The Planning Commission stated that the development would need a second entrance if the development exceeds 150 units; however, the Georgia Amendments to 2018 International Fire Code, require a second entrance when a development exceeds 120 units. The applicant needs to be aware that the Fire Marshal must approve any proposed exception to that code.**

At their September 6, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following fourteen (14) conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations.*
2. *The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards, with the **exception of the following:***
 4. *a.i & ii – Lot area calculations, to meet the minimum requirements for townhouses, shall be set at 2000 SF per unit.*
 5. *Existing, undisturbed buffers, that meet the screening requirements, shall satisfy the overall 50' requirement without additional planting*

7. a.i – A secondary, emergency entrance shall be allowed to connect to a non-public road located on adjacent property. Construction of the secondary entrance shall be required prior to issuance of the 151st Certificate of Occupancy.

8. – Open space shall be calculated as any site areas not utilized for right-of-ways, lots or stormwater management facilities and shall be no less than 30% of the gross parcel size.

3. The proposed residential development shall conform to §16.60, with the exception of the requirement for cul-de-sacs at dead end streets. Street terminations of less than 150' from the closest intersection shall be allowed, as described in the International Fire Code, Section 503.2.5.
4. The maximum density for the development shall not exceed 3.5 units per acre.
5. The following standards shall apply to the development:
 - a. Setbacks:
 1. Front: 25 feet from center line of road
 2. Side: 5 feet
 3. Rear: 20 feet
 - b. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds 22 feet.
 - c. Open Space: minimum of 30%.
 - d. The Open Space and lot configuration shall not be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that "F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space." The redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
 - e. 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 planted buffers shall conform to the requirements as described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. Undisturbed areas of the buffer will not require additional planting.
 - f. Architectural standards: All facades of all residences, 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.

6. *A homeowners association is required to maintain the common ownership elements of the development.*
7. *The proposed Stormwater BMP (pond) shall be on a separate "utility" lot that is not a part of the open space.*
8. *The lots shall be designed so that all state waters and required buffers (50') do not encroach on individual lots. Required impervious setbacks may encroach on individual lots.*
9. *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."*
10. *All conditions of zoning shall be made part of any plats created for the property.*
11. *Up to ten (10) model homes shall be built of varying product type.*
12. *The existing family home to the rear of the property shall be limited to a single family home or a clubhouse for the proposed developments only.*
13. *All private streets shall comply with Hall County standards.*
14. *No more than one hundred fifty (150) occupancy permits shall be granted without a second entrance to the development.*

There were zero (0) written comments in opposition submitted in advance of the Planning Commission meeting and three (3) people spoke in opposition during the public hearing on September 6, 2022.

There have been no changes to the request since the Planning Commission took action.