

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant.....Rochester and Associates, LLC

Request.....Agricultural Residential-III (AR-III), Residential-I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD)

Proposed Use.....202-unit residential subdivision

Size.....60.39± acres

Zoning.....AR-III, R-I, and V-C

Location.....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.

Commission District.....Two

Planning Commission Date.....September 6, 2022

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

Planning Commission Recommendation: Approval, with conditions
Vote: 5-0

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 confirm 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-adjoining 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.*

Applicant Proposal

The applicant is requesting approval to rezone 60.39 acres from Agricultural Residential III (ARIII), Residential I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD) for the purpose of developing a 202-unit single family attached and detached subdivision. The overall density for the development is 3.34 units per acre. The narrative submitted by the application states that the proposed development is consistent with the Hall County Comprehensive Plan for residential uses and appropriate for Hall County's Planned Residential Development District and for this location. Completion of the development is anticipated by 2025.

The applicant's narrative states that the property has 540 linear feet of frontage along Price Road (State Route 136). The property is rectangular in shape, with a depth of approximately 2,800 linear feet. The site is partially developed, including two existing residences and a small area of wetlands and a pond, which is fed by a small jurisdictional stream. Water and sanitary sewer service will be provided by the City of Gainesville. Water will be accessed through the line on Price Road while sewer will be obtained through an easement to the Riverbook residential and commercial development to the east.

The access to the site will be from one entrance located on Price Road (SR 136), approximately half a mile from its intersection with Thompson Bridge Road. The site plan notes that the developer will work with the developer of Riverbook to secure an emergency exit at the cul-de-sac closest to the amenity site. Per the narrative, the entrance may be gated and if so, the private streets will be maintained by the Homeowner's Association (HOA).

From the entrance you will enter the detached single family residential component of the development, comprised of 60 lots flanking the primary street (50 foot right-of-way), into the development. The lots are proposed to be a minimum of 8,000 square feet in size, with a minimum lot width of 50 feet at the building line. The minimum heated floor area of the detached homes will be 1,500 square feet for single story homes and 2,000 square feet for two story. Five (5) foot sidewalks are proposed on both sides of the street and a 50 foot exterior buffer surrounds the development.

The first amenity site will be on the right as you move past the detached single family residences. The site plan shows a parking area, mail kiosk, cabana, gathering space, picnic tables, and a tot lot. A proposed trail is shown leading from the amenity area, behind the houses on the east side of the development, past the existing pond, ultimately rejoining the street near the entrance on Price Road (SR 136).

As shown on the site plan dated August 12, 2022, the attached single family residential, or townhome component begins after the amenity area, as you move further into the site. The townhomes will make up the remaining 142 units within the development. The townhomes are proposed to have a minimum lot area of 2,000 square feet and a minimum lot width of 20 feet. The minimum heated floor area for the townhomes is proposed to be 1,000 square feet for single storied units and 1,500 square feet for two story. A dog park is shown in the townhome development and 28 additional guest parking spaces are provided.

Tucked behind the western portion of the townhomes is an existing single-family residence. The site plan and narrative both propose that the residence will remain and be repurposed into another use for the community. Those uses may include the following, per the narrative, a private residence, event venue, short-term rental, or group home for special needs children or adults. No further detail is provided.

The applicant notes in the narrative that a specific builder group has not yet been identified, but the architectural design and materials for the residences are proposed to include the following elements:

- Two-car garages (width not to exceed 55% of front building width)
- Front facades with a combination of masonry and hardi-plank materials
- Side and rear facades with hardi-plank or shake siding
- Architectural weight shingles
- Sodded yards (4 sides)
- One street tree per home (minimum 2 ½" caliper)

The narrative continues to say that the development may be developed for residents that are downsizing and looking for a more maintenance free lifestyle. The combination of traditional detached homes and attached townhomes will provide a variety of choices in size and price point. The site will include community amenities, including but not limited to, 30% open space, a covered cabana with restrooms, pool and decking, a dog park, and parking lot. Per the narrative, other

amenities, at the sole discretion of the Developer, may include walking trails, tennis or pickle ball courts, playground, passive pocket parks, fire pit, basketball (multi-use) court, or an enclosed clubhouse.

An entrance monument is proposed on Price Road (SR 136) which may include the following structural items: masonry walls, wood or PVC fencing, a gate house, operable or faux gates, illuminated signage in accordance with the Hall County Sign Ordinance, ornamental sculpture, landscaping and irrigation. In addition to the entrance monument, permanent directional signage and monuments are proposed within the community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage will be located outside of any right-of-way or utility easements and will have a landscape and signage easement recorded as part of the final plat for the development. During development, temporary sales and marketing signs not to exceed 32 square feet per sign, maximum of 8 feet in height may be used along Price Road (SR 136).

As part of the narrative, the applicant is requesting up to ten (10) model home permits be issued prior to the final plat being recorded. This will only occur in locations where a hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. No certificate of occupancy permits will be issued prior to the final plat recording. The model homes may be utilized as temporary offices.

Additionally, the applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of street paving and possibly ahead of final plat approval.

As mentioned earlier, a Homeowner's Association (HOA) will be created in order to administer the covenants, conditions, and restrictions that will be placed on the property by the applicant. The HOA will manage the overall management of the property, including maintenance, architectural controls, and financial management.

The applicant's narrative states that the development of the community shall be controlled by the Conceptual Master Plan, which is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of those conditions may be made by the Developer, so long as such modifications do not change the land use, increase the overall density of the project, or reduce any established exterior buffers or setbacks.

The applicant has also requested the following variances:

- Variance from §17.180.060.7 (Access and Right-of-Way) to allow greater than 150 units to be served from a single entrance.
- Variance from §17.180.060.8 (Open Space) in its entirety other than to provide for a total of 30% open space consisting of a combination of primary and secondary areas.

- Variance from §16.60.200 (Design Chart Item A) of the section to allow for a dead end street, not exceeding 150 feet from the nearest intersection, in lieu of a circular turnaround (cul-de-sac).
- Variance from the Georgia State Minimum Fire Prevention Code Section D107.1 to allow for greater than 120 units to be served from a single fire apparatus access road. Developer agrees to use his best efforts to secure an emergency exit as defined in item 7 of this section. *(Add note that the BOC cannot take action on this code section as this is only for zoning?)*

History and Existing Land Uses

The subject parcels comprise of approximately 60.39± acres and are zoned Agricultural Residential III (AR-III), Residential I (R-I), and Vacation Cottage (V-C). The properties are currently developed with single family residences and various outbuildings over the 5 parcels. The structures will be removed prior to development of the subdivision, with the exception of the existing residence on parcel 10100 000159, which will be repurposed.

Properties along Price Road (SR 136) are a mixture of residentially zoned parcels, including properties zoned AR-III, R-I, V-C, and PRD. To the east is the Riverbrook Village development, which consists of both residential and commercial development. Adjacent to the west is a traditional R-I subdivision, Summit Chase.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Residential." Residential Areas are characterized by moderate-density (2 dwellings per acre) residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect nearby parks and schools.

Future development will continue to be detached, single-family homes at moderate densities, with opportunities for variations in housing size and types through the Planned Development District zoning classification. New development should provide opportunities for open space/greenspace, including shared areas for the benefit of residents and ample tree cover

The request is inconsistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated August 12, 2022 Emily McGahee stated "No comment. Public sewer."

Hall County Fire Services

In an email dated August 15, 2022, Lieutenant John Hornick, provided the following comments:

“Proposed 202 unit single family development is show with one entrance which does not meet the fire access requirements of the Georgia State Minimum Standards Section D107.1, Developer is requesting a variance and is proposing to use an acceptable compliance alternative number 7 found in the State fire access modification section. The alternative is not shown on the preliminary plan submittal and will need to be approved by the Fire Chief and Fire Marshal before the plan is submitted for review.

Per Hall County GIS, the subject parcel is located approximately 2.9 miles from Hall County Fire Station #16, located at 4209 Shirley Road. The nearest fire hydrants are to the east and west of the subject property, along Price Road (SR 136).

Hall County Public Works and Utilities

In a memo dated August 18, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

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 stream buffers and impervious setback from wretched vegetation.
- Roads must meet Hall County standard.
- No dead end roads without cul-de-sacs on public roads.

Traffic Engineering

GDOT approval/permit required for access to Price Road (SR 136)

Utilities

Gainesville/Hall County sewer district.

Hall County Tax Assessors

No comments were provided.

Gainesville Water Resources

No letter of service was submitted as part of the request.

Per Hall County GIS, there is public water line operated by the City of Gainesville in the right-of-way along Price Road (SR 136).

Georgia Department of Transportation

Per an email dated August 18, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor, confirmed that this project will require GDOT coordination.

Zoning Analysis

- The proposed use request is inconsistent with the Comprehensive Plan, as the proposed density exceed the density standard within the “Residential” land use designation.
 - Within the residential character area the maximum density is recommended to be two units per acre.
- The applicant is requesting to rezone the property from Agricultural Residential III (AR-III), Residential I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD) for the purpose of developing a 202-unit single family attached and detached subdivision.
- Per §17.180.060., 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.
- Per §17.180.060.B.2, dimensional standards for single-family residences are detailed below. If standards are not specifically proposed, then the applicable standards in the Residential-I (R-I) district shall apply.
 - Detached Single Family Lots:
 - Lot area. Minimum lot area standards of 8,000 square feet for lots served by sanitary sewer. The overall gross density not to exceed two units per acre.
 - Per the site plan, the minimum lot size is 8,000 square feet. This standard **is met.**
 - Lot width. Minimum lot width of 50 feet.
 - Per the site plan, the minimum lot width is 50 feet. This standard **is met.**
 - Setbacks:
 - Minimum front yard setback from the property line of 25 feet.
 - Per the site plan, the front setback is 25 feet. This standard **is met.**
 - Minimum side yard setback from the property line of five feet.
 - Per the site plan, the side yard setback is 5 feet. This standard **is met.**
 - Minimum rear yard setback from the property line of 20 feet.
 - Per the site plan, the rear setback is 20 feet. This standard **is met.**
 - Attached Single Family:
 - Lot area, per §17.180.060.B.4.a.i, 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.
 - Per §17.180.060.B.4.a.ii, 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.

- Per §17.430.120, permitted uses of open space, the following uses are permitted: conservation of natural, archeological or historical resources; meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation oriented areas; walking or bicycle trails, provided they are constructed of porous paving materials; passive recreation areas; active recreation areas, provided that they are limited to no more than ten percent of the total open space and are not located within primary conservation areas; agriculture, horticulture, silviculture or pasture uses; nonstructural stormwater management practices; easements for drainage, access, and underground utility lines; golf courses; or other conservation-oriented uses compatible with the purposes of this chapter.
 - The applicant's narrative has requested to be exempt from all requirements of §17.180.060.8, in its entirety, other than to provide for a minimum of 30% open space consisting of a combination of primary and secondary areas. This standard **is not met**.
- Per §17.180.060.B.9, provides design guidelines and standards for planned residential developments.
 - 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.
 - The applicant has listed the following information in the narrative: front facades with a combination of masonry and hardi-plank materials, side and rear facades with hardi-plank or shake siding, architectural weight shingles
 - Architectural renderings were submitted as part of this request but the materials were not identified so it **cannot be determined** if this standard is met.
- Per §17.180.060.B.9.b, single-family residence garages, garage placement shall be if the following: semi-flush, recessed, side-loaded, carriage court, or detached.
 - The architectural renderings and narrative suggest that the applicant is proposing to develop the recessed placement type of garage, which requires the following: garage doors shall be oriented towards the street and shall be positioned at least 20 feet behind the front wall plane of the residence, extending no more than 55 percent of the width of the residence. This standard **is met**.
- Per §17.180.060.B.11, all new subdivisions are required to provide a cluster mailbox unit (CBU) for regular mail service delivery.
 - A cluster mailbox is proposed in the amenity area. Per the standards, a minimum of 8 parking spaces are required. The amenity site shows 18 total parking spaces. This standard **is met**.
- Per §17.380.050 of the Official Code of Hall County requires any application proposing the development of 100 or more residential dwelling units to submit a traffic impact study as part of an application.
 - The proposed development contains 202 units. A traffic study was prepared by Keck + Wood on June 10, 2022.

- The traffic study area consisted of two intersections, the first being the intersection of Price Road (SR 136) and Thompson Bridge Road. The second intersection is the proposed subdivision entrance.
 - The study concludes that the proposed project is expected to generate a total of 1,692 new trips on a typical weekday. A total of 126 new trips would be generated during the peak morning hour and 151 new trips would be generated during the afternoon peak hour.
 - In the existing intersection of Price Road (SR 136) and Thompson Bridge Road currently exhibits an adequate level of service.
 - The traffic study then conducted an opening year capacity analysis for 2024, the anticipated opening per the study. The study concluded that there are no queueing concerns expected on any approach for either of the studied intersections.
 - The study also considered the need for auxiliary lanes. Based on the turning volume thresholds set by the Georgia Department of Transportation, a dedicated turn lane is warranted for both the right and left turn movements at the proposed subdivision entrance.
 - The study concludes that based on the above summary of capacity and queueing impacts, the proposed subdivision is not expected to significantly impact the roadway network surrounding the proposed project site.
- Per comment from the Georgia Department of Transportation, this project will require coordination with them.
 - The applicant's narrative indicates that sewer service will be provided from the adjacent Riverbrook Village development. No letter from a municipality confirming capacity was submitted with the application.
 - The narrative indicates water will be provided by the City of Gainesville through a waterline along Price Road (SR 136) right-of-way. No letter from a municipality confirming capacity was submitted with the application.

Staff Recommendation

Staff recommends **denial** of the applicant's request as it is inconsistent with the maximum density for the Residential future land use designation of the Hall County Comprehensive Plan.

If the board should choose to recommend approval of the request, staff recommends the following 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. No variances are granted as part of this request.
3. The proposed residential development shall conform to §16.60. No variances are granted as part of this request.
4. The maximum density for the development shall not exceed 2 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 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. A recreational trail system shall be constructed with low impact/ non-pervious materials (mulch or other approved materials) in the Open Space with a connection to the sidewalk system. The trail system shall have a minimum length of 1,500 and a width of four (4) feet that generally follows the stream to the south of the property. The Open Space shall connect to the street system to provide access to the trail system. The trail system is allowed to encroach into the buffers. The trail system design shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.
 - f. 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.
 - g. 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 (75') do not 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.

Excerpts from the minutes of the September 6, 2022 meeting

Applicant’s Presentation:

Ellis Still, Assistant Planning Director, presented a summary of the request.

Brian Rochester, 425 Oak Street, Gainesville, presented the request. The applicant stated that the rezoning will be a good transition from commercial property into residential. The applicant stated the proffered conditions submitted: 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. A recreational trail system shall be constructed with low impact/ non-pervious materials (mulch or other approved materials) in the Open Space with a connection to the sidewalk system. The trail system shall have a minimum length of 1,500 and a width of four (4) feet that generally follows the existing pond to the east of the property. The Open Space shall connect to the street system to provide access to the trail system. The trail system is allowed to encroach into the buffers. The trail system design shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application. f. 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.

g. 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. 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.

Rebuttal

The applicant stated that the entrance and exits have to be approved by GDOT and will not meet signalization warrants. The applicant stated that the hill from the back of the existing homes will have drainage running across the property but is something that can be further discussed. The applicant stated that it might not meet the comprehension plan but it will be a good development to the community. The applicant stated that they will meet with Hall County to meet the standards when it comes to safety.

Public Forum:

J.A. Coker, 4156 Summit Chase, Gainesville, spoke in opposition. Concerns were traffic, entrances, and exits.

William Kendrix, 3921 Valley Brook Court, Gainesville, spoke in opposition. Concerns were the retention pond.

Richard Burgan, 4514 Evening Song Lane, Gainesville, spoke in opposition. Concerns were traffic, accidents, and not aligning with the Hall County Comprehensive plan.

Planning Commission Comments:

Mr. Bell questioned the size of the garage. The applicant stated it would be a single car garage. Mr. Hunt questioned the intended use of the existing home. The applicant stated that it is not finalized but that it could be utilized as a club house or a single family home. Mr. Bell questioned the second entrance. Mr. Braswell stated that there are eight choices.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0

Conditions:

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 - 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.*