



MAYOR
Bill Orr
COUNCIL MEMBERS
District 1
Becky Richardson
District 2
Peggy B. Slappey
District 3
Tony Funari
District 4
Hardy Johnson

COUNCIL MEETING
September 9, 2019
7:00 p.m.

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

Mayor Orr

III. **APPROVAL OF MINUTES:**

August 12 and 26, 2019 meetings

IV. **CITIZEN COMMENT:**

Limit two minutes per citizen on items for which no public hearing has been or will be held and not yet voted upon by the Mayor/Council. Please fill out form before speaking and give to Town Manager

V. **VOTING ITEMS**

5a. Application # 18-11-RZ

Application for a PUD (Planned Unit Development) Master Plan Amendment from Chateau Elan Resorts, LLC on property owned by them identified as Barrow County Tax Parcel(s) BR022 0027 and 0027A. The project acreage is approximately 47.56 acres. The intent of the request is to amend the Planned Unit Development to permit 68 attached single-family residential units and 55 detached single-family residential units.

5b. Application 18-06-VAR (attached to 18-11-RZ)

Application for variances from the Town of Braselton Development Code from Chateau Elan Resorts, LLC on property owned by them identified as Barrow County Tax Parcel(s) BR022 0027 and 0027A. The applicable Development Code section for which the variances are being sought is section 9.1.1 (Requirements for attached single-family dwellings or Townhouses in all zoning classifications). The specific variance requests are as follows: 1) Relief from the requirement of no more than 10 or fewer than 3 contiguous townhouses should be built in a row, 2) Relief from requirement requiring rear entry two car garages served by an alley way, 3) Relief from requirement requiring a minimum lot width of 30 ft., 4) Relief from minimum yard and building setback requirements, 5) Relief from requirement that all streets shall have an additional 7 feet of right-of-way and pavement width for on-street parking spaces.

PLANNING DIRECTOR RECOMMENDATION FOR 18-11-RZ and 18-06-VAR

***The term “revised plan” shall mean the plan received 7/1/19 with a revision date of 6/26/19**

Approval of Concept Plan with the following RECOMMENDED CONDITIONS:

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1. All attached single-family uses shall meet the requirements of Section 9.1.1 of the Braselton Development Code (Requirements for attached single-family dwellings or Townhouses in all zoning classifications), except for the recommended variance approvals as set forth below in the staff recommendations for application 18-06-VAR.
2. The minimum lot size for the detached single-family lots shown on Road "A" shall be 10,000 s.f. The minimum lot width for lots shown on Road "A" shall be 75'. The minimum lot size for lots shown on Road "C" shall be 5,000 s.f. The minimum lot width for lots shown on Road "C" shall be 50'. Lot width is the distance between side lot lines measured at the front building line.
3. The minimum residential building setbacks for detached single-family homes along Road "A" shall be: Front 25', Side 10, and Rear 25'. The minimum residential building setbacks for detached single-family homes along Road "C" shall be Front 15' with garages having a minimum setback of 20', 5' side setback, and a 20' rear setback. The variance recommendations for 18-06-VAR shall dictate recommended setbacks for attached single-family units. Building setbacks are measured from the lot boundary to the building wall.
4. All residential units shall have two car garages.
5. There shall be a 50' opaque buffer separating the existing Executive Estates and Country Estate lots to the proposed lots in Tract 3.
6. There shall be a 25' landscape tree planted buffer separating the detached single-family residential units and Pinot Noir drive.
7. The minimum residential heated floor area for attached single-family shall be no less than 1,200 one-story, 1,600 two-story. The minimum residential heated floor area for detached single-family shall be 2,000 s.f.
8. All site plans must be approved by the Barrow County Fire Marshall prior to any plan approval or permit issuance.
9. Streets designated as Road "A", Road "B", Road "C", and Road "D" must meet the dimensional and construction standards set forth in the Braselton Development Code, including a minimum pavement width of 26' B.O.C. to B.O.C. and a total 50' wide access and utility easement width (private ROW). Lots boundaries shall begin outside of the access and utility easement (private ROW). The streets shall also have curb and gutter and a minimum 4 ft. sidewalks along both sides of all streets.
10. The design of Tract One and Tract Two shall provide connecting sidewalks in between buildings connecting the street sidewalk to the proposed sidewalk shown to be located along the front of the residential units (facing the greenspace not the proposed new street).

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11. PUD Residential Design Standards set forth in section 7.3 of the Braselton Development Code shall apply.

a. All rights-of-way must have a street light system, to be owned and maintained by the homeowners' association. Exception to the ownership and maintenance may be granted if such ownership and maintenance is under the power utility provider.

b. There shall be sidewalks located on both sides of all streets. Sidewalks shall be a minimum of 4 ft. in width.

c. All residential lots shall have tree plantings along the rights-of-way as follows: i. One large deciduous tree for every 25 feet of right-of-way. ii. Trees may be planted in the right-of-way. iii. Each tree shall be of a species known to reach an approximate height of 40 feet at maturity. iv. Trees shall be installed prior to the issuance of a certificate of occupancy for a residential unit. v. If seasonal or inclement weather are prohibitive to planting, installation can be waived until planting season or when the weather permits installation. The installation shall take place prior to the release of any bonded amount of monies or any other final release of the developer or builder from the Town.

d. Any design or development criteria not specified in the written report or specified as a condition of zoning shall revert to the nearest comparable residential district and the requirements required for that district.

12. The development shall be in substantial conformance with the submitted application site plan, exhibits, and narrative with such conformance to be determined by the Planning Director. Exceptions shall be granted for any changes necessary to comply with the conditions set forth by Town Council, and for or any requirements set forth from all other applicable Town of Braselton development regulations. Any changes deemed necessary by any other applicable governmental reviewing agency with jurisdiction shall be permitted. All development standards and design elements proposed in the application shall be adhered to with the exception of conflicting development standards set forth as a condition of approval by the Town Council.

13. A revised and final PUD site plan that meet the conditions of this PUD amendment approval and all other applicable local and state regulations shall be submitted to the Mayor and Council for approval prior to the issuance of any development permit.

14. All recommendations for the Town Roads and Stormwater Department shall be addressed on the final PUD site plan submitted to the Mayor and Council for approval. In case there are conflicts between recommendations or requirements between Town departments and other agencies, such conflicts may be addressed and resolved by Town staff in the plan review process.

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VARIANCE RECOMMENDATIONS AS IT APPLIES TO ATTACHED SINGLE-FAMILY USES IN TRACTS ONE AND TWO.

***The term “revised plan” shall mean the plan received 7/1/19 with a revision date of 6/26/19**

1. Relief from “No more than ten (10) or fewer than three (3) contiguous townhouses shall be built in a row.”

Variance request no longer needed based on revised plan.

2. Relief from “Rear entry, two car garages served by an alleyway located to the rear of the principal structure is required for each unit.”

Approval based on revised plan received 7/1/19 with revision date of 6/26/19. Per the revised plan, the rear of dwelling units and garages face the street.

3. Relief from “Minimum lot width is 30 feet.”

Approval for a minimum lot width of 26 ft. This approval only applies to dwelling units with rear loaded garages (per the revised plan, all the attached single-family units are rear loading with the rear of the dwelling units facing the street).

4. Relief from “Yard requirements and building setbacks shall be 10 feet for the front yard, 20 feet for the rear yard, and 20 feet for the side yard on such lots that lay at a corner of intersecting streets. All detached buildings shall have a minimum separation of 20 feet.”

Recommendation – Approval with the stipulation that the following yard requirements shall apply: Facades that contain garage entries shall have a 20’ building setback to the property line. The front yards shall be designated as presented on the revised plan (facing greenspace and not the street).

5. Relief from “All streets in a development containing attached single-family dwelling units shall have an additional seven (7) feet of right-of way and pavement width in addition to the minimum requirements set forth in Article XV for each side of the street that abuts lots containing such dwelling units. Within this additional pavement width, an on-street parking lane shall be designated.”

Recommendation – Approval with the stipulation that the on-street parking spaces and guest parking spaces as shown on the revised plan shall be incorporated into the final design.

Planning Commission recommends denial of both applications

5c. Application # 19-02-CU

Application for a conditional use approval from Rick Maxson on property owned by FJH, LLC. The property is identified as Jackson County Tax Parcel 118 043C4A (SW corner of Braselton Parkway and SR 53) and is approximately 1.16acres. The property is currently zoned General Commercial/SR 53 Overlay District. The applicant requests a Conditional Use approval to permit a car wash.

The Planning Director recommended approval with the following conditions:

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1. The site shall be subject to the SR 53 Overlay District and all other applicable local, county, and state regulations.
2. The project shall adhere to design recommendations by Town staff during the plan review process regarding the Exchange Way/Braselton Parkway intersection.
3. The landscape strip along SR 53 shall contain a vegetated strip of trees, evergreen shrubs, and groundcover and a minimum 4 ft. high masonry wall or fence constructed of a combination of brick, stone, or concrete masonry unit pillars with wooden or iron pickets, as shown in Figure 5 of the SR 53 Corridor Overlay District Design Guidelines.

Planning Commission recommends approval with the recommended conditions of the Planning Director.

5d. Application # 19-03-CU

Application for a conditional use approval from Palmetto Braselton on property owned by SJ Venture I, LLC. The property is identified as 2414 Hancock Drive (Hall County Tax Parcel 15041 J000002) and is approximately 1.01 acre. The property is currently zoned General Commercial. The applicant requests a Conditional Use approval to permit Automobile Service and Repair.

The Planning Director recommended approval with the following conditions:

1. The entire interior of the building shall be heated and air conditioned, including the automotive bays.
2. No tires, wheels, or other items from the business shall be placed outside of the building either temporarily or permanently. The exception is the placement of such items in an approved enclosed dumpster.
3. The business shall use battery powered impact wrenches or guns (and not pneumatic powered impact wrenches or guns) to change tires at the Facility; provided, however, Applicant may use pneumatic tools on a limited basis for other services to be provided.
4. No services or work will be provided outside of the enclosed facility building on the Property.

Planning Commission recommends approval with the recommended conditions of the Planning Director.

5e. Resolution to approve draft 2020-2024 Capital Improvement Element & Short Term Work Program

5f. Request for Special Event permit from Hollie Hutchinson of Jack's Brand d/b/a Jack's for October 25-27 Antique Festival

5g. Request from Matt Ruppel of Braselton Fine Foods d/b/a Cotton Calf Kitchen for September 28 Poches in the Park

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5h. Gwinnett Jail Agreement

5i. GDOT Local Project Lighting Project Agreement for I-85 exits at SR 53 and SR 211

VI. ADJOURN

As set forth in the Americans with Disabilities Act of 1992, the Town of Braselton does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Jennifer Scott, 4982 Highway 53, 706-654-5720 has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator. The Town of Braselton will assist citizens with special needs given proper notice (seven working days). Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the Town of Braselton should be directed to ADA Coordinator, 4982 Highway 53, Braselton GA 30517, 706-654-5720.

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