



MAYOR  
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**Becky Richardson**  
District 2  
**Peggy B. Slappey**  
District 3  
**Tony Funari**  
District 4  
**Hardy B. Johnson**

## **Work Session Agenda**

August 8, 2019

4:00 p.m.

I. CALL TO ORDER

II. PUBLIC HEARING

2a. Public Hearing Procedures

2b. **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.

2c. **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:

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.

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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

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agencies, such conflicts may be addressed and resolved by Town staff in the plan review process.

**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.**

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**2d. Application # 19-02-RZ**

Application for a PUD (Planned Unit Development) Master Plan Amendment by HECE, LLC on property owned by them identified as Barrow County Tax Parcel(s) BR023 001, BR 023 001C, BR021 004, BR021 005. The intent of the request is to develop the property for 425 single-family homes, 205,250 s.f. of retail/commercial building space, and five additional commercial outparcels. The entire PUD development tract is 229.31 acres.

**PLANNING DIRECTOR RECOMMENDATION:  
Master Plan Amendment**

**Approval of Concept Plan with the following conditions and revisions:**

1. 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 approved variances and any changes necessary to comply with the conditions set forth by Town Council, and for or any requirements set forth from the Town of Braselton regulations related to the S.R. 211 Overlay District, stream buffer protection, flood plain restrictions, stormwater management, streets, and utilities. Any changes deemed necessary by any other applicable governmental reviewing agency with jurisdiction shall be permitted.
2. The approved residential use is detached single-family.
3. The final plan shall be reviewed and approved by the Barrow County Fire Marshall office. All applicable codes enforced by the Barrow County Fire Marshall shall apply.
4. All commercial uses are subject to the list of permitted, conditional, and prohibited uses as specified in the SR 211 Overlay District and General Commercial zoning district.
5. The property is subject to the S.R. 211 Overlay District. All residential and non-residential development shall be designed and constructed in conformance with the S.R. 211 Overlay District. Deviations and appeals from the requirements of the S.R. 211 Overlay District shall only be in accordance with Section 13.4 (D) of the S.R. 211 Overlay District.
6. Architectural renderings and site plans for commercial buildings and outparcels (with no site plan currently shown) shall be approved by the Mayor and Council. It is encouraged that the architectural style closely resembles the existing architectural style for existing commercial buildings in the Chateau Elan Resort and commercial area.

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7. There shall be a 25' opaque buffer separating the proposed residential lots and the future right-of-way of the Braselton Parkway Extension. The buffer shall be separate from any private lot.
8. There shall be a minimum 50' opaque buffer separating the detached single-family lots to the commercial portion of the development. The buffer shall not include any portion of a residential lot.
9. There shall be walking trails incorporated into the project that provide pedestrian connections to the Mulberry River.
10. The minimum residential lot size shall be 5,000 square feet. The minimum lot width shall be 50'.
11. There shall be no greater than 3:1 slope in rights of way.  
There shall be no greater than 3:1 slope on any portion of a residential lot or common area, within an easement, where lawn or landscape maintenance will be required.
12. The minimum residential building setbacks from property lines for detached single-family shall be 20' front, 5' side, and 20' rear. Corner lots shall have building setback of 20' along all street frontages.
13. The minimum residential heated floor area shall be 1,600 s.f.
14. The primary exterior materials for the residential dwelling units shall be brick, stone, or cement-based siding.
15. All internal streets shall at a minimum meet Town of Braselton Development Code standards for local streets. All local street rights of way shall be designed in accordance with the S.R. 211 Overlay District Design Standards for local streets. This includes all right-of-way and streetscape improvements. Private streets shall not be required to adhere to the S.R. 211 Overlay District Design Standards for local streets. Deviations and appeals from the requirements of the S.R. 211 Overlay District shall only be in accordance with Section 13.4 (D) of the S.R. 211 Overlay District.
16. Final lot configuration at intersections will be determined based on the requirement to keep driveways of corner lots a minimum of 50' from centerline of connecting streets.

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17. 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.
18. On the principal entrance street originating at the Pinot Noir/SR 211 intersection, there shall be a landscape median through the section traversing the commercial portion of the development.
19. There shall be no more than 200 residential lots platted until a street connection to both SR 211(as shown on the submitted site plan) and Braselton Parkway Extension (as labeled on the submitted site plan) is constructed.
20. All private lots shall be located outside of the required undisturbed buffer for the Mulberry River.
21. A revised and final site plan that meets the requirements and 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.

2e. Public Hearing on Comcast Violation of Franchise Agreement

### III. ITEMS FOR COUNCIL CONSIDERATION

- 3a. Alcoholic beverage license application request for Joseph George Kern for RARE Hospitality DBA Longhorn Steakhouse
- 3b. Special Event application for Cotton Calf Kitchen for Braselton Antique & Artisan Festival October 25-27, 2019
- 3c. Hall County SPLOST VIII Intergovernmental Agreement
- 3d. Master Plan Amendment for The Village at Chateau Elan (Corner of SR 211 and Thompson Mill Road) to add specific allowable uses
- 3e. Barrow County Service Delivery Strategy
- 3f. Consideration of proposed settlement and lump sum payment of delinquent franchise fees by Comcast

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3g. Policy for Competitive Negotiation Qualifications Based Selection for Projects Using Federal Aid Highway Program (FAHP) Funding

3h. Small Cell Ordinance

#### IV. APPOINTMENTS

Braselton Zoning Board of Appeals – Mayor and District 2 appointees  
Braselton Ethics Commission – District 1 and District 3 appointees

#### V. 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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