

**REZONING AND ANNEXATION APPLICATION**  
**ANALYSIS AND RECOMMENDATION**  
**Planning and Development Department**

**Case No.:** 19-04-RZ

**County:** Hall County

**Applicant:** Callicott Holdings, LLC

**Owner:** See below

**Location:** Thompson Mill Road

Parcels Requesting Annexation:

<u>Owner</u>	<u>Tax Parcel ID</u>	<u>Address</u>
Phillip Markert	15041-000003O	5381 Thompson Mill Road
Phillip Markert	15041-000003P	5375 Thompson Mill Road
Jimmy and Teressa Nelson	15041-000074	5393 Thompson Mill Road
Duncan Creek Professional Park	15041-000003V	5401 Thompson Mill Road

Parcels Inside Town Limits:

<u>Owner</u>	<u>Tax Parcel ID</u>	<u>Address</u>
Oaks Senior Living LLC	15041-000119	Thompson Mill Road

**SITE CHARACTERISTICS**

**Acreage:** 36.12

**Existing Zoning:** G-C (General Commercial) for parcels presently incorporated in Braselton.

AR 4 for parcels in unincorporated Hall County requesting annexation

**Proposed Zoning:** R-M (Multi-Family)

**Existing Land Use:** The combined parcels contain existing detached single-family dwellings and undeveloped property.

**Adjacent Land Uses:** assisted living, office development, rural residential

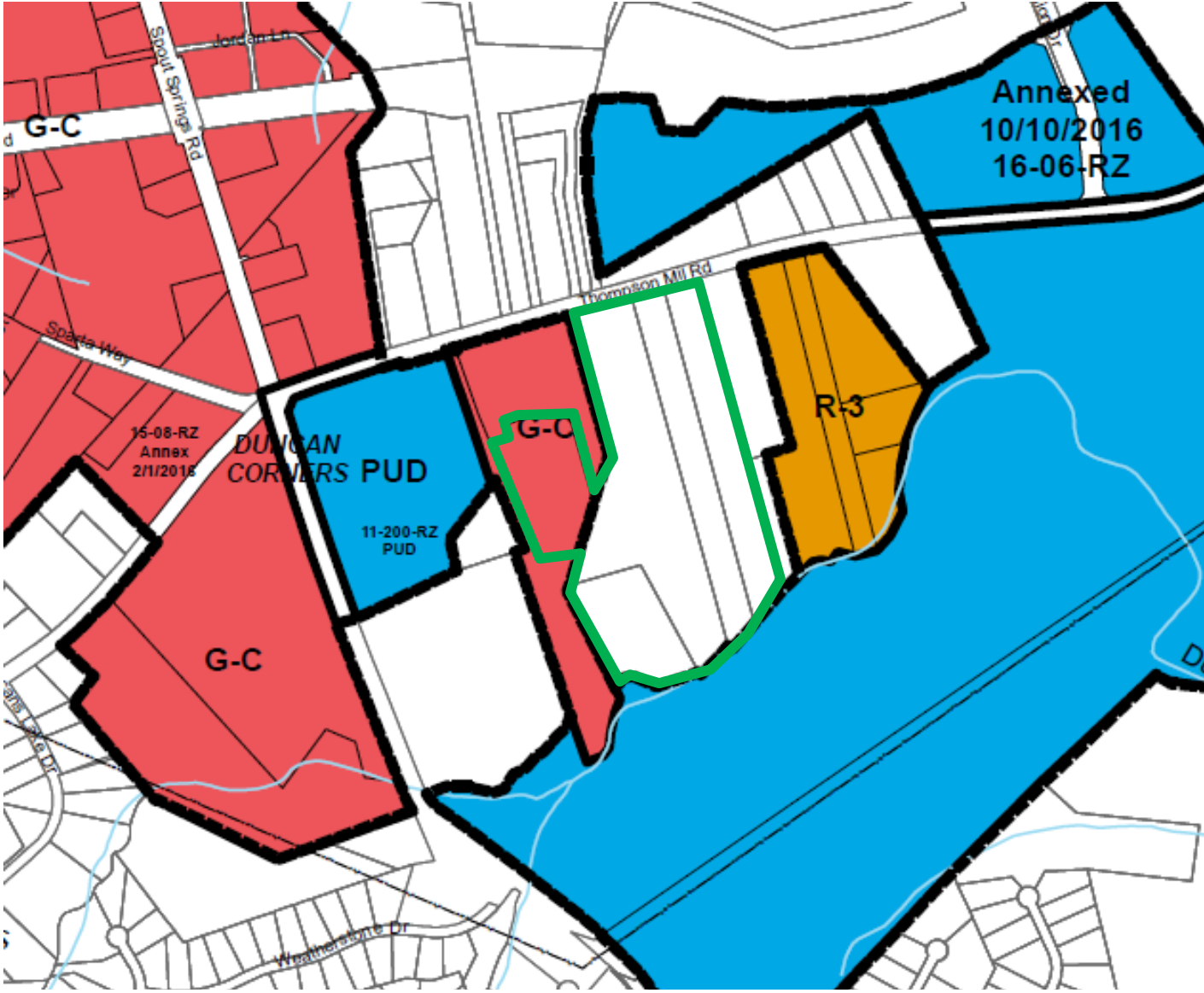
**Adjacent Zoning:** General Commercial (Braselton), Planned Unit Development (Braselton), Professional Office Development (County), R-3 (County), R-3 (City), Suburban Shopping (County), Office-Institutional (County)

**Comprehensive Plan Recommendation:** The Town of Braselton Future Development map designates the incorporated parcel as commercial. The property is adjacent to property designated as mixed-use. The Comprehensive Plan also includes the

incorporated portion of the property in the Duncan Crossing Activity Center. The housing policy for this character area encourages a mix of housing types as part of new residential developments. Another policy for this character area is to provide for alternative pedestrian/bicycle connections between adjacent neighborhoods and commercial uses, where possible.

The Hall County Comprehensive Plan designates this section of the Thompson Mill corridor as a mixed-use corridor. In the Hall County mixed use gateway description in relation to housing, it recommends single family with higher density residential to be considered only when found on adjacent property, which would apply to the subject property.





### **Project/Application Information**

The applicant requests a re-zoning of an incorporated parcel from G-C to R-M (multifamily). The applicant also requests the annexation of four unincorporated parcels to re-zone from AR-IV to R-M. The combination of the parcels, if zoned R-M, will permit a multi-family development with a maximum unit count of 288. The R-M zoning density restrictions allows a gross density no greater than 8 units per acre. The unincorporated parcels requesting annexation are included in this request to assemble an amount of property that can meet the established Braselton R-M density restrictions.

The applicant is proposing a multi-family development that will total 289 residential units. Per the application, only 44% acres of the property will be utilized for the development of buildings, parking areas, drives, and amenities. The remainder of the property, approximately 20 acres, will be left as open space. The open space is concentrated on the southern portion of the project site closer to Duncan Creek, which represents the southern property boundary. The incorporated parcel included in this application (behind Oaks Senior Living) is also presented on the submitted site plan to be left as open space.

Per the application letter of intent, the multi-family development will include a clubhouse, swimming pool with cabana, dog park, walking trails, and a workout facility. Access to the development will be off Thompson Mill Road via two entrances.

### **Analysis of Land Use and Zoning in Surrounding Area**

The incorporated parcel included in the application is in the Duncan Crossing Activity Center which is a character area in the Town of Braselton Comprehensive Plan. The Thompson Mill Road corridor is a transforming area that contains a mixture of older rural single-family properties, commercial, institutional, office, and mixed use/multi-family uses. A multi-family development is currently under construction at the Thompson Mill Road/Spout Springs Road intersection.

The Thompson Mill Road corridor is further defined by the Del Webb at Chateau Elan development whose primary entrance crosses through Thompson Mill Road via Napa Ridge Road. Napa Ridge Road provides the connection between Thompson Mill Road and Friendship Road. The Del Webb at Chateau Elan development abuts the subject property to the south. Duncan Creek separates the two properties providing a natural barrier. Furthermore, the applicant is showing a large portion of the open space to be concentrated on the southern portion of the property that will provide even more buffer area between the two developments.

Abutting the proposed multi-family portion of the site to west is the Oaks of Braselton assisted living facility. Abutting the property to the east is a professional office park and rural single family uses. On the other side of Thompson Mill Road from the proposed development is existing rural single family uses (although several of these parcels are zoned for commercial in Hall County). Adjacent to the open space area shown on the western side of the project area is a planned mixed-use development. The multi-family portion of this mixed-use zoned property is currently under construction. Light

commercial uses also exist on the north side of Thompson Mill Road with more intensive commercial concentrated at the Spout Springs/Thompson Mill Road commercial node. It can be projected that as growth in the area intensifies and property transfers ownership, the existing rural residential may convert to more intensive residential or commercial uses.

To provide comparable unit size data with other approved multi-family uses in the Duncan Crossing Activity Center as well as the adjacent single-family development, staff is providing the following information:

Noble Vines Multi-Family (Located at the intersection of Thompson Mill Road and Spout Springs Road. Planned for construction in 2008.) –

One bedroom minimum 821 s.f. heated area

Two bedrooms minimum 1,101 s.f. heated area

Three bedrooms minimum 1,414 s.f. heated area

Del Webb at Chateau Elan Detached Single-Family Age Restricted Community –

Minimum square footage for dwelling units - 1,100 minimum (home sizes vary based on model types and custom options related to number of bedrooms and baths).

## **STANDARDS OF OFFICIAL ZONING MAP AMENDMENT**

**Review of applications is made based upon the “Standards Governing Exercise of the Zoning Power” as provided by the Town of Braselton.**

**Will the rezoning requested permit a use that is suitable in view of the existing use or usability adjacent or nearby property?** The Thompson Mill Road corridor and the Duncan Crossing Activity Center is an area in transition. There does exist multi-family, commercial, and office uses adjacent to the project site. Also adjacent to the project site area properties zoned for future commercial. Potential land use incompatibility may exist with rural single-family and detached-single family uses within proximity to the project site. The large amount of open space/undisturbed area shown on the submitted site plan will provide buffering to the properties to the south and west. Existing multi-family uses do exist in the Duncan Crossing Activity Center but are concentrated at the commercial node at the intersection of Spout Springs and Thompson Mill Road. It can be projected that as growth in the area intensifies, the existing rural residential will eventually convert to more intensive residential or commercial uses.

**Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby property?** The Thompson Mill Road corridor and the Duncan Crossing Activity Center is an area in transition. There does exist multi-family, commercial, and office uses adjacent to the project site. Also adjacent to the project site area properties zoned for future commercial. Potential land use incompatibility may exist with the rural single-family and detached-single family uses within proximity to the project site. The large amount of open space/undisturbed area shown on the submitted site plan will

provide buffering to the properties to the south and west. Existing multi-family uses do exist in the Duncan Crossing Activity Center but are concentrated at the commercial node at the intersection of Spout Springs and Thompson Mill Road. It can be projected that as growth in the area intensifies, the existing rural residential will eventually convert to more intensive residential or commercial uses.

**Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?** The subject property contains a multitude of parcels. The incorporated parcel zoned General Commercial does have a reasonable economic use. However, this parcel does not have road frontage and is separated from Thompson Mill Road by the Oaks assisted living facility. The agriculture-residential zoning classification of the unincorporated parcels currently has limited allowable uses and is inconsistent with the new classifications' parcels both in the Town and the County has been zoned for over the last 10 years.

**Is the subject property suitable for the zoned purposes?**

The property is suitable for the proposed use. Per the submitted site plan, 55% of the property will be left as open space and not used for the purpose of construction buildings or parking areas.

**Will the rezoning requested result in a use that could cause an overcrowding condition with respect to the existing streets, utilities, or schools?**

The property will be served by the Gainesville water system and the Town of Braselton sanitary sewer system. Any utility extension and system upgrades needed to serve the project will be responsibility of the developer. All access management improvements to Thompson Mill Road specific to the project will be required to be reviewed and approved by Hall County. As it relates to the broader road network in the area, Spout Springs Road is planned to be widened to four lanes. Thompson Mill Road is a former designated State Highway. The State Highway designation was removed with the completion of the new SR 347, which is a 4+ lane arterial highway connecting SR 211 to Lake Lanier. The Thompson Mill Road and Spout Springs Road intersection is served by a traffic signal. As traffic generation increases related to new developments in the area, the signalization of the Napa Ridge/Grand Reunion/SR 347 intersection should be explored. The proposed project will have an impact with respect to schools.

**Does the rezoning requested conform to the Town of Braselton Future Land Use Map?** The Town of Braselton Future Development map designates the incorporated parcel as commercial. The property is adjacent to property designated as mixed-use. The Comprehensive Plan also includes the incorporated portion of the property in the Duncan Crossing Activity Center. The housing policy for this character area encourages a mix of housing types as part of new residential developments. Another policy for this character area is to provide for alternative pedestrian/bicycle connections between adjacent neighborhoods and commercial uses, where possible.

The Hall County Comprehensive Plan designates this section of the Thompson Mill corridor as a mixed-use corridor. In the Hall County mixed use gateway description in

relation to housing, it recommends single family with higher density residential to be considered only when found on adjacent property, which would apply to the subject property.

**Does the hardship imposed upon the individual property owner under the current zoning conditions outweigh the benefits to the public in maintaining those zoning conditions?**

For the incorporated portion of the property with the current zoning General Commercial, this department does not conclude there is a hardship imposed on the individual property owner in maintaining that zoning condition. Given the development patters and re-zoning activity that has occurred over the last 10-20 years, it is likely that the unincorporated parcels agriculture-residential zoning will be converted to a more intense zoning classification.

**Will the rezoning request have a significant impact on the environment, including, without limitation, soil erosion and sedimentation, flooding, air and water quality and water quantity?** The southern portion of the property lies within proximity to Duncan Creek. Per the Town stream buffer requirements, Duncan Creek shall be protected with a 50-ft. undisturbed buffer with an additional 25 ft. impervious surface setback on each side of the stream. All development activities shall meet local and state environmental regulations as it pertains to stream buffer protection, soil erosion, and stormwater. The applicant is proposing to use only 45% of the property for intensive development. The remainder of the property is shown to be left either its natural state or used for passive recreation purposes. The amount of open space is likely a by-product of the Town's R-M standard of a maximum gross density of eight units per acre. Portions of the property shown on the application to be left in its natural state may be used for stormwater management.

**Will the rezoning request have a significant adverse impact on the aesthetics of the property or the surrounding area?** Other multi-family and commercial uses do exist within proximity to the proposed site. The Del Webb development will be buffered from the proposed project by both the Duncan Creek and open space portions of the subject site as proposed in the application. The project will be required to adhere to the Town of Braselton architectural standards. Effort should be made to provide aesthetic enhancement to the entrance to the development if approved.

**Are there other existing or changing conditions regarding the use and development of the property which give support for approval or disapproval of the rezoning request?** In has been noted in the Town's last several comprehensive plans update the unbalance of current housing options and the need to consider a variety of housing types to meet the needs of the population and workforce, including multi-family. With the growth of new employment centers and businesses in the area the demand for additional multi-family housing is growing. The Town should take careful consideration that such uses are located appropriately and that the number of such developments approved is in line with current demand in the area and not more than what the market may currently

bear. The Town Council must weigh the existing development pattern in the immediate area and consider the evolution of this area and how it may transform in the future.

**PLANNING DIRECTOR RECOMMENDATION**

**Annexation Request** – To be determined by Town Council

**Re-zoning Request -**

**Approval with Conditions**

Recommended Conditions:

1. There shall be a 50' landscape strip in between the development and Thompson Mill Road. Plantings in the landscape strip shall meet Town landscape strip requirements. The landscape strip shall also include a decorative fence or masonry wall, with the fence option to have masonry columns spaced at least 25' apart.
2. The entrances shall have restricted gate access.
3. A heavily planted 25' landscape buffer shall be installed separating the multi-family buildings to the adjacent property along the eastern boundary.
4. A six-foot sidewalk shall be installed along Thompson Mill Road to connect to the existing sidewalk that begins approximately 630+/- ft. west of the overall property boundary.
5. Minimum heated square footages for rental units shall be as follows: One bedroom minimum 821 s.f. heated area, two bedroom minimum 1,101 s.f. heated area, and three bedrooms minimum 1,414 s.f. heated area.
6. The development shall include all amenities as set forth in the application and all agreeable conditions and stipulations offered by the applicant in the letter dated September 18 and received on 9/19/19. If there is a conflict between these conditions and stipulations and Town development and zoning requirements, the Town requirements shall govern.
7. All parcels, or portions thereof, included in the re-zoning/annexation request shall be combined into a single parcel prior to the issuance of any land disturbance permit. The gross density of individual units permitted shall not exceed eight units per acre.
8. An access permit to Thompson Mill Road must be obtained from Hall County. Any required roadway improvements to Thompsons Mill Road by Hall County will be the financial responsibility of the developer.