

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant 3625 McEver Road, LLC

Request Variances from the non-residential property development standard ([17.420.050](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#))

Proposed Use Self-storage facility with steel walls, metal roofs, and internally illuminated signage

Size 11.36± acres

Zoning Current Agricultural Residential III (AR-III, [17.110](#)), Gateway Corridors Overlay District (GCOD, [17.420](#)) | Proposed Planned Commercial Development (PCD, [17.180.080](#)), Gateway Corridors Overlay District (GCOD, [17.420](#))

Location **3625 McEver Road, 3634 & 3640 Pleasant Hill Road** | Tax Parcels 08032 000006, 000021A, & 000080

Commission District Four

Planning Commission Date December 19, 2022

Staff Recommendation **Denial as the requested variance requests do not meet the requirements of [2.60.030.K](#).**

Planning Commission Recommendation.....Approval with conditions
Vote: 4-1 (Pilcher opposed)

Planning Commission Rezoning Conditions:

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there is no increase in the square footage of storage area or number of buildings, there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance in Hall County development standards unless approved.
2. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process, including all GCOD standards ([17.420.050](#)). **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions to follow.**
3. The applicant shall receive approval from the Georgia Department of Transportation (GDOT) for a commercial driveway.

4. A Landscape Plan shall be approved by the Planning Director prior to issuance of the Land Disturbance Permit (LDP).
5. Applicant shall submit architectural elevations of all four sides of all structures for approval by the Planning Director with the following variances:
 - a. The north, west, and south walls of office building shall meet Gateway Corridor Standards.
 - b. The north and west portions of the 3 two-story buildings shall meet Gateway Corridor Standards, the east and south of the 3 two-story buildings shall have metal sidings with the color to be approved by the Planning Director.
 - c. There shall be standing seam metal roof panels with the color to be approved by the Planning Director.
6. Signage shall require a separate permit and must meet the Gateway Corridors Overlay District (GCOD) standards found in [Section 17.420.060](#); **No variances from the Hall County standards are granted as part of this request, unless specifically approved and added as conditions.**
7. The buffers shall be protected in perpetuity by a deed that follows the property. The removal or modification of this condition shall require action by the Board of Commissioners (BOC).
8. All conditions of zoning shall be made part of any plats or construction plans created for the property.
9. A 200 foot undisturbed buffer shall be parallel to Pleasant Hill Road.
10. Office hours of operation shall be from 9 am - 6 pm, Monday – Saturday and there shall be no tenant access onto the property from 12 am – 5 am, Monday – Sunday.
11. All fencing requirements by Gateway Corridor shall be met.
12. There shall be no ingress and egress along Pleasant Hill Road.

Public Forum:

Bill Oberholtzer, 3709 Whiting Road, Gainesville, spoke in opposition. Concerns were zoning, size of retention pond, buffers, and site plan.

Mary Anna Jackson, 3632 Pleasant Hill Road, Gainesville, spoke in opposition. Concerns were future expansion, devaluing neighboring property, vegetation, and topography.

Gerald Kowalle, 3633 Pleasant Hill Road, Gainesville, spoke in opposition. Concerns were zoning.

Mauricio & Ellie Santos, 3654 Pleasant Hill Road, Gainesville, spoke in opposition. Concerns were expansion, disruption, and devaluing property.

Summary Analysis

This report is an accompaniment to the rezoning and conditional use report/application. It is related to the necessary variances identified by staff while reviewing and analyzing the rezoning and proposed use. This report is only addressing the variances necessary to approve the rezoning and use as presented. All other information about the rezoning and use are found in the rezoning and use report.

- The narrative states that the buildings will be constructed out of steel and will have corrugated sheet metal walls. The walls facing McEver Road will be full brick or a brick/stone combination. This is inconsistent with non-residential property development standards ([17.420.050.H.2.c](#)) of the

Gateway Corridors Overlay District (GCOD, [17.420](#)), which requires the use of a common palette of building materials should be maintained for all four sides of principal buildings. The plans submitted indicate that the structures will have metal roofing ([17.420.050.H.3](#)).

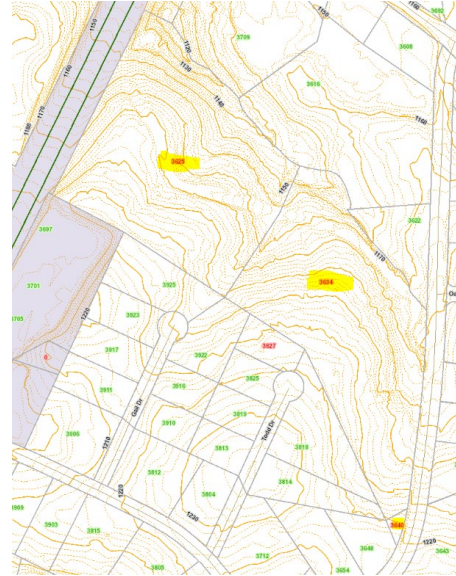
- **Variance to allow corrugated metal walls within GCOD.**
- **Variance to allow metal roofing within GCOD.**
- The submitted plans indicate that the sign will be internally illuminated, which is inconsistent with non-residential property development standard ([17.420.050.F.4.a](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) that prohibits internally illuminated signs.
 - **Variance to allow internally illuminated signs in GCOD.**

Zoning Analysis

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **Based on the topography and lot configuration, the proposed metal sides should have minimal visibility from McEver Rd or the adjacent properties ([Google Street View](#)).**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **imposing the requirements of GCOD on all four walls of all buildings would be more costly and all sides are not visible from the right-of-way or adjacent properties. The intent of the regulations is to create an aesthetically pleasing development along the primary corridors within Hall County and to mitigate the visual impact of commercial developments from those rights-of-way and adjacent properties.**

3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; and **The topography is rather challenging on this property as compared to the adjacent properties.**
4. Such conditions are not the result of any actions of the property owner; and **Although not presented in the narrative, the property has some topographical challenges and is situated in such a way that the proposed metal facades should be minimally visible, if at all, from the adjacent properties or the rights-of-way.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **If granted, would be in line with variances granted for similar uses within the corridor with similar situations of topography and adjacent uses, although it would be inconsistent with the Hall County Gateway Corridor Overlay District standards ([17.420.050.F.4.a](#)).**



Development Support and Constraints – Departmental /agency comments

Hall County Environmental Health

An email dated December 2, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. Further determination will be made during the civil plan review process. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation may be required after review of business plan.”

Hall County Fire Rescue

In an email dated December 2, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

- 1) IFC Section 507.5.1 where a building(s) is constructed and is more than 400’ from a fire hydrant on an approved fire access route fire hydrant(s) shall be installed. Fire hydrant(s) may have to be installed inside the development to meet fire code requirements.
- 2) IFC Section 506.1 access controlled gate will require a Knox key switch override device for fire department access into gated development.
- 3) IFC Section 510 emergency responder radio coverage confirmation will apply to each of the 24,000 SF buildings.

Hall County Public Works and Utilities

In a memo dated December 1, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

Engineering:

This 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 buffer and impervious setback from wrested vegetation, not the centerline of creek.

Traffic:

Access must be approved/permitted by GDOT.

Utilities:

No Hall County Sanitary Sewer in the area.

Georgia Department of Transportation

Per an email dated November 23, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the December 19, 2022 Meeting**

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Tyler Smith, 340 Jesse Jewell Parkway, Gainesville, presented the request. The applicant discussed the topography of the property. The applicant pointed out that the neighboring properties were zoned for commercial business. The applicant presented their two variance requests: 1. the sides of the buildings viewable from McEver Road will comply with exterior building requirements of the Gateway Corridor Overlay Districts. Allow a variance so that sides not viewable from McEver may be constructed of other materials, provide they match the color scheme with powder coated finish; 2. Allow metal roof panels, provided they are architectural standing seam with colors and façade.

Charlie Hipple, 4763 Falling Brooke Drive, Flowery Branch, presented the request.

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Planning Commission Comments:

Mr. Braswell wanted to make it clear that there would be no access to the proposed facility from Pleasant Hill Road. Mr. Varner questioned the buffer measurements between the property and Pleasant Hill Road. Mr. Hipple stated 400 feet of existing vegetation. Ms. Pilcher questioned if the three buildings were it for the property. Mr. Smith stated it was for this request and if they were able to expand they would want to come back in front of the county. Mr. Braswell questioned hours of operation. Mr. Hipple stated that staff would be

onsite Monday – Friday, 9 am – 6 pm with 24 hour access seven days a week. Mr. Braswell suggested splitting the property’s zoning to avoid encroaching into the neighboring residence. Mr. Hunt suggested using buffers. Mr. Hipple suggested a 100 foot buffer towards Pleasant Hill Road. Mr. Hipple pointed out that they are not planning to have white metal buildings as seen in the renderings. Mr. Braswell stated that the building would not have access between 12 am – 5 am.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 4-1 (Pilcher opposed)

Conditions:

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