



Hall County Government

PLANNING & DEVELOPMENT

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To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Gregg Poole, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: February 6, 2023

Subject: **4053 Cleveland Highway | Use Subject to County Commission Approval | to allow a grocery store, convenience store with gas & restaurant | Reginald Crayton, P.E., applicant.**

The request before you is the conditional use application of Reginald Crayton, P.E., to allow a grocery store, convenience store with gas & restaurant (shopping center, per definition in [17.20.1010](#)) on 6.34± acres. **It should be noted that a simultaneous rezoning request accompanies this request but has separate memos. The items may be heard together but require separate motions and votes.** This item is located within Commission District 3.

The Rezoning request was tabled to February 23, 2023, at your January 12, 2023, meeting. No additional staff report has been prepared for this item since the criteria considered for the rezoning and conditional uses are the same within [Section 17.30.60.C](#) of the regulations and since the Planning Commission recommended the same conditions for both the rezoning and conditional use items.

At their November 21, 2022 meeting, the Hall County Planning Commission voted to recommend approval of the conditional use request with seven (7) conditions **(4-0, Pilcher absent)**. **The Planning Commission voted on a conditional use and the rezoning, although only the rezoning request was before them. A separate legal advertisement has been run for the conditional use and the sign posted to meet the posting requirements for the conditional use.**

There were no written comments submitted in advance of the Planning Commission meeting and no one spoke during the public forum. **However, multiple people spoke in opposition at the January 12, 2023 meeting when the public hearing was held for the rezoning request.**

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The proposed use shall substantially conform with the proposed narrative and site plan. The proposed development shall be allowed to have up to 20,000 sq. ft. total in the two buildings. No further action by the Hall County Planning Commission and the Board of Commission shall be required for the proposed use as submitted by the applicant.
2. The project building elevations, materials, and colors shall be submitted to the Director of Planning and Development during the design review process for approval.
3. The development shall conform to Gateway Corridor Standards with the following exception: Standing seam roof panels shall be allowed if chosen with the color being approved by the Director of Planning and Development.
4. Driveway design and location shall be approved by Hall County Engineering and GDOT prior to the design review process.
5. All conditions of zoning shall be included on the final plat prior to recording.
6. 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.”
7. The project shall meet all requirements of the Hall County Engineering Department.

If the BOC denies the rezoning request, this request is automatically denied but the chairman should note this when the vote for the rezoning is taken.